Stupid Frigging Fool

By Roy Den Hollander

Part 7

Back On The Chain Gang

"Hello," I said answering the telephone.

"Mr. Den Hollander, this is Bruce Claugus. I'm representing the Bank of Cyprus."

"What can I do for you?" I courteously and insincerely replied.

Pompously Claugus said, "We just received your RICO Complaint last Friday and would like you to stop by our offices either today or tomorrow to discuss it."

Gee, how nice of this puffed-up attorney to give me a choice of today or Wednesday. The really bizarre part, however, was asking me to stop by his office. The case was still in the motion to dismiss stage, and none of the defendants were about to consider settlement until at least discovery. So there was nothing to discuss. A face-to-face meeting made no sense unless he wanted to psychologically maximize the impact of some less than subtle threat. Then again, maybe this wasn't a lawyer at all, but someone wanting to catch me at a particular time and place. Whatever the purpose, it surely wouldn't benefit me.

So I asked him, "Why?"

"We conducted an investigation into your allegations and found them groundless." Next to "frivolous" and "baseless," "groundless" is another most favored word of defense attorneys whose clients are guilty. Once again, I hit my record button.

"Okay, you've told me, so why do you want to meet?" Another question went through my mind that I didn't bother asking. If these lawyers received the Complaint on Friday but today was Tuesday, March 30, 2004, how could they conduct an investigation in such a short time and

over the weekend no less? No, he lied; he was trying to get me into a situation where he and another attorney or two would lean on me, and, if I didn't break, they'd simply lie to the court about what I said. Since I was both the plaintiff and my own attorney, anything I said the defense lawyers could try to use against me in court as a party opponent admission. And in a meeting with two or three other lawyers, the court would believe them as opposed to just me.

Claugus answered, "Since we were unable to find any evidence of your allegations that means you're barking up the wrong tree." Oh brother, does this guy really expect me to believe that if they found evidence of their client laundering money for the Russian mafia, they would tell me? No, they'd tell me just what he's saying in this lame authoritarian attempt to psychologically undercut my resolve.

Claugus then segued into a phony sympathetic and confidential tone, "It seems to me the nub of your complaint. Let me close my door here, hold on." I liked that touch: just us two guys talking. "You know it seems to me the nub of your complaint is that you married badly and then had trouble getting rid of this woman. Same thing happened to me. But I didn't blame my banker or her banker." Was this supposed to make me believe we were brothers in harm? I didn't respond, just let him talk as I learned in the media decades earlier when doing undercover stories: let them ramble on, they may put their feet in their mouths and it makes for a clearer sound track.

"We had absolutely nothing to do with this!" Back to sounding authoritative while repeating the same tired cliché that defense lawyers always say about their clients, as though anyone believes them. "So we're given the choice of either persuading you to drop us from the Complaint or defend the thing. We're prepared to do either." Naturally they are, since either

serves their interests: impressing the client if I let them go or making money, but why bother telling me what I already knew?

So I responded, “Well then defend it because I’m not going to drop the Bank of Cyprus as a defendant in the Complaint. I can tell you that right now.”

“Alright, we’re going to proceed to defend, to defend vigorously, and we expect to be fully exonerated.” Another hackneyed lawyer expression. Claugus then switched to the typical lawyer threat for scaring people off of their rights, “and when we do that, we are also going to move for sanctions. This is utterly and completely ridiculous. I’ve practice for 28 years, never seen a complaint as preposterous as the one that you brought, at least as to my client. I don’t know about any of these other things and allegations that you make. But the Bank of Cyprus is completely in the clear. And the information we already have indicates that. And if you are not prepared to listen to us and respond responsibly, then we’re going to take whatever steps we have to in order to get ourselves exonerated and make ourselves whole for whatever it is we have to spend to deal with this complaint. Are we clear!!”

Now that last sentence was a combative remark deserving a two-knuckle punch to the bridge of his nose, but I was on the telephone and this pretentious lawyer only bored me. So, I matter-of-factly responded, “Are you threatening me?”

“No I’m not threatening you!”

“Ohhhh yes you are.”

“I’m explaining to you.” Lawyers always say that after they’ve threatened someone who wouldn’t do what they want.

Still matter-of-factly I replied, “No, you’re trying to intimidate me, and you’re trying to coerce me. Now I told you in the beginning, I am not going to drop the Bank of Cyprus from

this Complaint. If you would like some productive information and are interested in what is going on currently in this case, I can give you the name for the lead attorney for the defendants, which I will do as a courtesy to you. If you are interested?" If John Madison-Pierre and the F.B.I. can sarcastically use the word "courtesy," so can I.

"What I want to know most, is how it is you specifically think the Bank of Cyprus is implicated in anyway?" Claugus knew better than to ask a question like that of an opposing attorney. It's such an obvious sophomoric trick to get the other side to admit something that will certainly be twisted out of context. But this guy actually believed I would try to convince him of the merits of my allegations against his client. There's no way that a lawyer collecting high fees would ever be convinced that the sun rises in the east, if his client's case depended on it rising in the west.

"Well, that's a deposition question, now isn't it?" I answered. Silence, which I chose to break. "I've given my answer to your efforts of what I consider are meant to intimidate or threaten me."

"I'm not trying to intimidate or threaten you. My client based on the investigation that we have done had nothing to do with any of this. We're going to defend."

"I expected that."

The sparing over, Claugus asked for the name to the lead defense attorney, which he should have requested in the beginning and saved us both the unnecessary sand throwing.

So now there were seven lawyers for the defense with whom to fight: three from small law firms, one from the City and three sole practitioners. Seven guys who in the proud tradition of the law as it really works, not as portrayed on television, believe winning is everything.

Of all the defendants served up to this point; that is, the ones whom I could identify and find addresses for in America, Russia and Cyprus; only Flash Dancers, Cybertech Internet Strip Club, Mundy, Petrovich, the Commie Ho, Paulsen, Henning and the Bank of Cyprus hired attorneys.

The Mexican defendants had not yet been brought into the case. My Spanish translator needed more time than she originally believed to work on the Complaint, so it delayed serving the bloated drug-trafficker Alfredo who spent a weekend in Italy with my then wife of two and a half months, the assorted white slavers: the Julia Heart Agency, now called Malbros, and its former manager Maria Serrato, both of which recruited hos; the strip joint The Men's Club, which hires the hos; Salvador, Leo' partner for funneling Russian sluts into Mexico; Max Garcia Appedole, who bribes Mexican officials to provide the whores work visas. But it didn't matter because in federal courts there's no deadline for serving foreign defendants.

By the end of March, the Spanish version of the Complaint was ready to go. The Mexican government, which considers America the dumping ground for those citizens it can't take care of due to chronic corruption, actually requires stricter procedures for service than other countries, such as those in civilized Europe. Guess Mexican officials need to assuage their suspicion that we Americans might lie about legal proceedings in our courts. The south of the border pillars of truth and justice required the clerk of the U.S. District Court to sign in pen, not with a stamp signature, all the summonses. The signed summonses then went to the United States Department of Justice so that the Attorney General could sign a document, in pen, saying the signature of the U.S. District Court's clerk was really the clerk's. The Department of Justice sent the documents back to me, and I forward them onto the United States Department of State so that it could confirm the signature of the U.S. Attorney General with a document signed in

pen. Finally, the documents were mailed to the Mexican government agency that serves foreign court papers on its citizens.

Mexico really wasn't concerned with American veracity. It imposed all those medieval requirements in order to make it very difficult or impossible to sue members of a corrupt banana republic's criminal elite whose government encourages its poorer citizens, already fleeced, to move across the border to violate American law and burden the American infrastructure for which the U.S. middle class—as long as it lasts—pays.

The American Government, allied with the criminal officials in the Mexican government, do nothing about the influx of illegal aliens because the Republicans want cheap labor and the Democrats cheap votes. Eventually, there will only be the rich and the poor in the United States of Mexico. Injustice is the nature of human society. Those that run a society, in America the one percenters and in Mexico the crooked government elite, do whatever increases and protects their wealth and power. If history has taught anything, those that run a society care nothing for its other members—not unlike the feminine perspective.

April Fools' Day brought the much-delayed response to the RICO suit from Cybertech Internet Strip Club's attorney. Ten months after Cybertech first received the Complaint by mail, eight months after official service and three months after my default motion prodded Cybertech's attorney to make an official appearance on behalf of his client by sending the Court a letter, the lawyer finally tells the Court that Cybertech joins with the other American defendants in their joint motion to dismiss. Why so much time, especially after dropping his false claim that the Complaint was never properly served on Cybertech? The attorney obviously didn't want to do much work, and didn't, as his second letter to the Court showed by its absence of any legal citations, meaning he didn't even look up the law. Perhaps such sloth resulted from

what he told the Court caused his delay: "dealing with other pressing matters." What could those have been? Maybe screening the new talent recruited by Cybertech's V.I.P. Escorts, www.vipescortsinc.com. Still, why did the Court put up with such delays? That's not what law school or Cravath had taught me, but, maybe, times have changed since the 1980s to the feminine way of doing business.

True to form for attorneys representing purveyors of porn and escorts, Cybertech's lawyer made a couple of derisive remarks in his letter by declaring that I sued Cybertech "with no small degree of absurdity" and engaged in "fanciful conspiracy theories." He also rolled out the deceit maneuver in which he fired-off a couple of lies that I countered.

The first falsehood used one of the favorite tactics of the lead defense lawyer, Dubin: simply claim I didn't say something when I did. Cybertech's attorney declared the only allegations of wrongdoing against his client were RICO violations. The RICO statute specifies certain crimes as violations of the act, but mafia organizations usually engage in other crimes as well, and scholars of the law advise including those crimes when filing a RICO complaint, which I did. For Cybertech the non-RICO crimes included promoting prostitution. The evidence for which included detailed color copies from Cybertech's website, www.stripclubescorts.com, showing plenty of spread legs and naked breasts of the hos available for rent "worldwide." Also included was a copy of the form for booking a whore. The form asserted V.I.P. sluts come "discreetly dressed or as requested in accordance with your chosen venue or function" and "many of our ladies like to work duos, so please Click Here"—I guess that meant top and links. Cybertech's call girl website also provided hookers willing to travel to exotic places anywhere on the globe for a sufficient number of Benjamin Franklins. Other non-RICO crimes were

Cybertech employing girls not lawfully admitted to work in the U.S., violating federal and state tax laws and conspiring to violate federal and state laws.

The attorney's second and more blatant lie came in declaring "I would like to stress to this Court that Cybertech has no employment relationship with any of the other defendants…." To which I responded, "If that were true, then why was Cybertech listed as the host of Flash Dancers web site, www.flashdancersnyc.com. Sounds like an 'employment relationship' to me." For good measure to show the interconnection of Flash Dancers and Cybertech, I threw in a page reached through the Flash Dancers website of Cybertech's Showgirls fully naked, with spread legs and manipulating themselves and each other. That ought to attract the Court's attention. For a while, I even tried searching the Cybertech sites for the Commie Ho, but all those naked girls dancing in my head was too much stimulation for me.

In order to support his lies, Cybertech's lawyer pompously asked the Court to trust what he said. To which I replied, "That is a unique basis for deciding a motion to dismiss: if the defendant's attorney says in a letter that his client did not do the acts alleged, then the complaint should be dismissed. Such a rule would have the benefit of quickly clearing a court's docket, but the impact on justice would be pretty dismal."

Cybertech's lawyer never responded to the evidence that showed him a chronic liar. Attorneys always try to get away with ignoring that which shows them up as liars and their clients as scoundrels.

All the factual claims by the defense lawyers, including Cybertech's, that kept popping up at this stage of the case never should have because in the beginning of a lawsuit in 2004, federal courts were only concerned with whether a complaint painted a picture of harm that the law could rectify. In order to determine that, the Court was suppose to assume that what a

complaint said was true and decide whether the law reached that situation. Determining the factual truth based on admissible; that is believable evidence, comes later. For instance, I didn't include the Commie Ho's diary, investigator reports, affidavits or other documents showing some of the defendants' RICO crimes because under the Federal Rules of Civil Procedure complaints only make allegations; they do not present evidence that supports the allegations. Much of the evidence for proving the allegations is gathered later during discovery, which gives both sides special powers to find evidence that a person couldn't find without those powers. But when dealing with bureaucrats interested in expediency, that's not always the case, so the defense lawyers, as did the 911 terrorists, played upon this bureaucratic plague of sloth by attempting to have the Court try the case before discovery even began.

People often forget that there's nothing special about judges. They're bureaucrats like all the rest of government employees. Many are lazy, incompetent and uncaring, as were those in the INS, F.B.I. and C.I.A. who failed to do their duty before 911. They just didn't give a damn how many people ended up dead or harmed, so long as they didn't have to interrupt their eight hour lunch breaks. For many bureaucrats, their convenience comes first, which means even in federal courts some judges are driven by expediency rather than justice, reciting not the mantra "equal justice under the law" but "how can I make it easier on myself." Other judges, however, still follow the call of trying to deliver justice to all, even those classified as members of one of society's disfavored groups at a particular point in history, such as heterosexual, middle-aged men with little money in current-day America.

The defense attorneys' strategy relied on the judge falling into the category of just another bureaucrat, so they tried to exploit present day societal biases against men in an effort to get the Court to dismiss the case. My strategy was to point out what the defense attorneys were

doing so that the Chief Judge would be prodded into remembering what he learned in law school and make a decision based on the law and not politics.

You Cheated, You Lied

By mid-May, the attorneys for defendants Flash Dancers, Cybertech, Mundy, Petrovich, the Commie Ho, Paulsen and Henning finally filed their joint reply. The lead attorney for the defendants, Dubin, originally had requested in January a "short extension of time" that ended up lasting three and a half months. He needed the time to draft the defendants' 88-page reply memorandum of law, or more accurately lies, half-truths and prevarications, which ran 22 pages longer than his prior year's collection of misleading statements in the defense's initial joint memorandum for dismissal. Once again, Dubin included lots of exhibits that didn't belong in a motion to dismiss reply. Back in January, he had claimed the reply memorandum would be shorter than the first, but I never believed him, so that lie didn't count.

The procedure and different papers in this case can get confusing, so here's a summary. The defendants living in America whom I could identify hired lawyers, except the Vasilyevas. The defense lawyers appeared in Court to tell the Chief Judge they were moving to dismiss; that is, throw my RICO case out of court. Dubin, the lawyer for Mundy and Petrovich, acted as the lead counsel for the defendants in America who had lawyers. Dubin drew up the initial memorandum of law to dismiss, 66-pages and plenty of exhibits, in which the other American defendants with lawyers joined. That memorandum was filed in September 2003. Detective Henning's attorney, Vikrant Pawar, from the City's Corporation Counsel Office also filed a short memorandum and affidavit in addition to signing onto the joint memorandum for dismissal. The Vasilyevas didn't bother to hire an attorney, nor make a motion to dismiss nor sign onto the joint memorandum. In December 2003, I filed my memorandum to oppose a dismissal, 147-pages

with a handful of exhibits, which refuted the joint memorandum and Pawar's papers. In mid-May 2004, Dubin filed the 88-page reply memorandum to which the other American defendants with lawyers had joined. The Vasilyevas' continued to do nothing.

The Federal Rules of Civil Procedure didn't permit me to file a response to the 88-page tome, so naturally Dubin lied like there was no tomorrow because there wasn't. The only way I could counter his falsehoods and omissions was in oral argument before the Court, which I had requested, but to avoid work, especially in civil RICO cases, the U.S. District Court for the Southern District of N.Y. usually doesn't allow oral arguments. So it was a worthwhile gamble for Dubin to fib, and fib he did, more so than in the initial joint memorandum supporting a motion to dismiss.

Beginning to suspect Dubin was Russian, I did a little checking. He comes from a family of Jews with ancestors in Eastern Europe and Russia—I knew it! But for a Jew, he didn't seem too bright, since he often repeated the same lies and vilifications over and over by rote. Then again, repetition often sways those who lack the capacity for critical thinking or are pressed for time; that is, government bureaucrats.

Dubin's reply rant was a calculated scheme to deceive the District Court and play on its institutionalized biases. His reply resorted to just about every lawyerly trick used in today's litigation of personal destruction: misrepresentations, mischaracterizations, prevarications, half-truths, misleading statements, smears, edited quotes, taking a quote that applies to one topic and using it for another, using quotes out of context and the trademark of most lawyers—dissembling. Legions of attorneys resort to such methods because it's easier to just make up the facts and the law while demonizing their opponent. Such lawyers figure: let the other side spend the time correcting their falsehoods and character assassinations because a court wouldn't. Such

attorneys also understand all too clearly the special difficulty in countering those lies aimed at manipulating a judge's emotions by painting their opponents as psychologically unfit or socially unacceptable. The strategy of lies and personal attacks often works against individuals because many judges' carry a disdain for the common man and believe the rights of corporations and law firms are more important than the individuals on whom such organizations step.

The defense's reply strategy relied on a trinity of falsehoods: what the lead lawyer said I said but didn't, what he said the law says but doesn't, and what he said are facts but aren't. All the other lawyers for the defendants in America agreed to these tactics as part of their two-prong strategy to have my case dismissed.

The first prong aimed at assassinating my character that even took a concept from the Spanish Inquisition by trumping up charges to which they proclaimed me guilty because I did not first prove my innocence in my Complaint or memorandum of law. That's not the function of a complaint or the papers in a motion to dismiss, not to mention a judicial proceeding in a non-feudal country. Judges aren't supposed to put up with either side trying to win by calling its opponent names or impugning a party's character, but that didn't stop the defense lawyers from trying. There was no way for me to stop them with a lawsuit because no matter how false their harangues, slander and libel are allowed in judicial proceedings.

Dubin's personal attacks declared my motivations improper, as if he knew what they were, and as if they matter under the law, which they didn't—something he even admitted. Dubin claimed I brought the RICO suit "to re-live the consequences of my marriage and divorce to Shipilina." What? Was he nuts? No man would ever want to relive that experience. He maligned that I was "unable to let go." Oh yeah, who kicked whom out of whose apartment? Dubin even ridiculed me for a "fascination" with my "wife's infidelities"—the correct word was

revulsion. He also claimed I wanted to "harass" and "punish" the Commie Ho and her fellow defendants: harass maybe, justice definitely, and retribution for the harm caused me by her, her mafia associates and collaborators.

So why did this attorney bother emphasizing my so-called motivations in the beginning of the joint reply memorandum if he knew they didn't matter under the law? To tell the District Court that political-correct society, read Feminazis, considers me a modern-day pariah, read angry white male, for whom the politically correct will not accept the Court enforcing my rights because the active ingredient in the harm caused me was a slut, read woman fully experiencing her emotions, so the Court had better find a legal way to deep-six my case. The character assassination was simply intended to shut down the legal argument and marginalize me, so the lead defense attorney didn't have to argue, nor the Court consider, the merits.

The second prong of the attack, which also provided a basis for vilifying me, consisted of information that the lawyer claimed as true but was really false or misleading in order to convince the Court that my Complaint was a "delusional" tale told by a liar. For instance, the attorney wrote concerning his phony facts that "Each and every fact has either been acknowledged by the plaintiff or confirmed by documentary evidence." Under the law, "acknowledge" means a person admits, affirms, declares, testifies or avows that something said by another is true. I never did that concerning the so-called facts this lawyer used in his memorandum. And even if I did, under the Federal Rules of Civil Procedure a judge shouldn't engage in resolving disputes over facts or considering evidence until later on in the case after the necessary steps are taken to make sure both sides' statements and documents aren't fabricated. Dubin gamed the procedure; otherwise, he never could have gotten most of his disinformation before the Chief Judge, which was crucial in carrying out the defendants' strategy to paint me as

a liar and a pariah in order to give the Chief Judge a socially acceptable excuse to throw the case out.

The alleged "documentary evidence" the defense lawyer submitted consisted of 47 separate documents, which he disguised as 30 exhibits to make the number appear less. The lawyer lied that because "the plaintiff had possession and full knowledge of each and every document" the Court could consider them in deciding the motion to dismiss. That's not the law, even assuming I did have full knowledge and possession of each document. The only matters a Federal court can consider in deciding a motion to dismiss are the allegations in a complaint, documents incorporated by reference into a complaint, matters of which judicial notice may be taken, and documents relied on by the plaintiff in drafting a complaint. Only eight of the 47 defense documents were used in drafting my Complaint, none of the others were referred to in the Complaint, and none of the 47 could the Court take judicial notice of. In my response, I told the Court I had relied on other sources other than the eight included in the 47, such as "Shipilina's diary of over one hundred pages. Gee whiz, the defense lawyers didn't include the diary in their voluminous exhibits. I guess it doesn't support their so-called facts and false inferences."

Among the defense's "documentary evidence," for which I moved to exclude, were letters I sent to the Commie Ho before our marriage. Dubin obviously submitted them, in part, to embarrass me, an often tried and often successful tactic to cause a plaintiff so much emotional stress that he will abandon his rights. It didn't work. These days I'm beyond embarrassment but not hate. Even though some of my sappy romantic remarks in those letters made me want to throw up. The defense lawyer also used the letters to try to impeach my credibility, which was again improper for a motion to dismiss, but okay for a deposition or trial, which come later in the

process. Dubin claimed the letters showed that the Commie Ho, her Moscow pimp Leo and her criminal mother didn't trick me into bringing the Ho to America because I pursued her and knew the Commie Ho's "profession" before marrying her. He used the word "profession" to create the false impression for the Court that I knew she was a prostitute and member of the Russian mob and added that knowing such; I tried to find her work. Right, I'm going to drum up Johns for my future wife; I don't think so. But the lawyer's mind set, meaning he would probably do that for his girlfriend, his lie was a natural result of his values.

The only part of the Commie Ho's profession I knew about before the marriage was the lap dancing, which I learned of in November 1999 after a call about her arrest in Mexico on immigration violations, and I did help her find a job at Flash Dancers believing, like an idiot, it would be temporary until she saved the nest egg she wanted of 50 grand. So, I'm a dope. The defense lawyer knew all that from the Complaint, but that didn't stop him from twisting the letters I had written when I believed she worked only as a model and go-go girl with clothes, although not many clothes, in order to mislead the Court into believing I aided her work as a prostitute and Russian mafia member. Many lawyers never care about the truth or what anyone actually says, so they just make it up assuming the Court will be too busy to straighten out their misrepresentations.

Most of the defense's documents weren't even authenticated, which means a statement by someone in a position to know whether a document is real or a fabrication as with the documents CBS *60 Minutes* boss Betsy West used against President Bush concerning his National Guard Service. West was the same bimbo who ignored my story about the truth of Russian sluts coming to America voluntarily to ho for dollars.

One of the defense's phony documents was an alleged contract between the Commie Ho and me that was clearly pulled from a book of legal forms. Dubin argued the document proved me a fellow traveler in crime by acting as the Ho's agent, implying pimp, even though it had no signatures, no references to prostitution or the Russian mob. Anyone can type up a copy of a form without signatures and claim it's an agreement. Any judge not driven by or scared of the political correctionalist agenda would throw such exhibits in the garbage because they lacked any indication of genuineness.

Taking this opportunity to return a few insults in my motion to exclude the documents, I told the Court, "the defense attorneys were beginning to behave like pro se defendants, and perhaps the special rules accorded non-attorney pro se parties should apply to them. They improperly submit extraneous exhibits on a motion to dismiss and don't even bother to take the time and effort to authenticate them. Then after I make an objection, they still don't do all that is required to authenticate these extraneous exhibits. Rather, they invent an excuse for their failure by claiming some of the exhibits don't need authentication because they are provided as a 'courtesy to this Court.' That's a slick rationale for the whispering of untrustworthy evidence into the Court's ears. By that inquisition-like reasoning, the defendants could fake any document, give it to the Court and the court should believe it because lawyers say it's legit—I don't think so."

An even slicker argument for getting the Court to consider these unauthenticated exhibits depicted me as the heavy for "seek[ing] to have this Court ignore admissible information." By "admissible information" the defense lawyer meant "evidence," but it's not the Court's function on a motion to dismiss to weigh the evidence that might be presented in a summary judgment motion or at trial. Telling this to the Court, "I just don't understand why the defense attorneys

blatantly ignore the Federal Rules of Civil Procedure, unless they are trying to slip something by. And they are. They want the Court to ignore the due process concerns built into the rules and try the case here and now."

The exhibits even included what the defense maintained were English translations of Russian documents supporting their position, but they didn't bother to include copies of the Russian documents from which the translations were purportedly made. Despite this, they argued that because I didn't say in my motion the documents were inaccurate or not translated properly, they were, therefore, correct translations and authentic. To which I responded, "Where in the law did the defendants find this Joseph Heller Catch-22? If a party doesn't claim the English translations of foreign records are inaccurate, then they are accurate, even though there are no copies of the foreign language records for a party to compare to the alleged English translations. Give me a break, except for a handwritten document in Russian, which is unlikely a public record unless the Russians have run out of typewriters, there are no copies of the original Russian official records from which the English translations purportedly came." That didn't stop the lead lawyer. Dubin argued that the Russian version, even though absent, serves as the evidence, and, therefore, the English translation does not require authentication. Interesting argument, lawyers could create any document in English that said whatever they wanted and have a court consider it as truthful by simply claiming it accurately represented the translation of a foreign document for which the lawyers couldn't provide a copy of to a court. Clearly an Orwellian argument.

The lead attorney, however, did include the Russian language papers from the Krasnodar criminal defamation case against the Commie Ho's mother but no translation into English. Probably slipped his mind, or more likely to cover his lie to the Court that the papers represented

a civil suit brought by me in an attempt to harass the Commie Ho's mother. My motion to exclude the exhibits pointed out "The defamation case referred to was not a civil defamation case, but a criminal indictment of Inessa Shipilina brought by the city prosecutor of Krasnodar—big difference!" But what did the defense lawyers care, since their aim was to discredit me before a judge who might not want to deal with a civil RICO case anyway. Some judges just go along with one sides lies in order to get rid of a case they don't like—bureaucrats serving that most important of interests: their own.

Another trick Dubin often used switched around the sequence of events in order to depict me as assuming the risk of what happen. For example, he claimed I learned about the Commie Ho secretly feeding me drugs and that she was a prostitute before the wedding but went ahead and married her anyway. I maybe dumb, but not that dumb. As my Complaint clearly stated, that knowledge of the Ho's actions didn't come until months after the wedding and after reading her diary, which I found in her bags. The lawyer also mixed up the allegations in my Complaint so as to rewrite it to the defense's advantage, which once again is not allowed on a motion to dismiss. In one instance, the defense attorney twisted my Complaint as asserting the Commie Ho fed me drugs while she was in Mexico and I in Moscow. How did she do that? By emailing me meals. She only fed me lies during that time. Dubin also lied that after I learned of the Commie Ho's adultery and went back to New York in June 2000, I then contacted her "in the hope that she would return." In order to reach that deception, he turned a "goodbye letter," the one I sent from England, into a "come back letter." This lawyer also had the nerve to criticize me for trying to save my marriage by demanding the Commie Ho obey her marriage vows when she was in America. Duh, isn't that the reason for marriage vows?

On it went with the defense's joint memorandum changing dates, mischaracterizing the Complaint and simply lying:

My investigation in Krasnodar to find evidence for the annulment/divorce case became a "fascination" with the Commie Ho's affairs and an "effort to punish her." Guess as a man, I not only had no right to make accusations against my wife in an annulment/divorce case, but no right to dig up evidence to prove those accusations.

The Commie Ho declining to press charges when she went to the police in December 2000 to report attempted extortion by me turned into "merely," another favorite word of attorneys, creating a record because I had abused the legal system by filing a lot of suits. At that time, I had filed no lawsuits.

By not denying the accusations in Dubin's initial motion to dismiss memorandum meant I had admitted them, which included harassing the defendants. Baloney, the law doesn't require a plaintiff to deny a defendant's accusations until the defendant serves an answer with counterclaims, which the defense lawyers had not done, and the use of the legal system to sue others for violating a person's rights is not harassment—it's the very reason the judicial system exists.

Dubin even claimed I never received any threatening telephone calls when his client Mundy had tapes of two of them, thanks to the state court motion to reform the divorce settlement, and declared that I never accused Mundy and Petrovich of instigating them when I had. Dubin argued that because the F.B.I. didn't arrest the guy making the threatening calls, they never happened. Well, the F.B.I. didn't arrest in time the 20th 911 hijacker taking flight lessons in the Midwest either. Maybe the F.B.I. will make an arrest of John Pierre-Madison when I end up dead, although I doubt it.

Dubin naturally ridiculed me as mentally unstable for seeking help from a psychiatrist to deal with the hell the Commie Ho, Mundy and the New York State courts had put me through. The New York State Bar Association encourages lawyers to seek medical assistance during troubled times, but if they do, it's a certainty that other lawyers and judges will use it against them. No more shrinks for me.

The defense lawyer intentionally mixed up Silpe's July 2001 sell out of me in the annulment/divorce case with the November 2001 settlement by saying the sell-out was no such thing because it came in November after a long period of time and an extensive written agreement that I approved.

Dubin also resorted to the sarcasm used by a few of the other attorneys in the case who depicted me as claiming the RICO action spanned the globe. Not true, I said the Russian mafia spanned the globe, and this suit involved only a part of that organization's activities in five countries on two continents.

Dubin also lied that the Complaint's only references to Mundy and Petrovich were for representing the Commie Ho in the annulment/divorce action and immigration matters when paragraph after paragraph cites them for coercion, bribery, intimidation, obtaining visas for Russian prostitutes, suborning perjury, mail and wire fraud and money laundering.

Dubin didn't confuse the Complaint's allegations; he intentionally misrepresented them and repeated his lies more than once betting that the Chief Judge would not spend the time necessary to see through his falsehoods, omissions, switching the chronology of events and the false impressions the joint memorandum created. That's why he filed so many documents, to scare the Chief Judge off from making the effort to understand the allegations against the defendants and the chain of events.

One lie by the lead counsel, however, made me smile. He declared it was I who was the mafioso. If the people with whom I used to work in the news media could hear that, they'd have a good laugh. Whatever reputation my time in the newsroom created, it wasn't that of a mafia sycophant.

In the seventies and early eighties when I worked in the media, New York City's mobsters consisted mainly of Italians, Irish and Jews operating as "families" with "made members" and those not officially on the inside, but close, called "good friends." Not too many folks were "made members," and I only met one in my news career, a cousin of Joey Gallo. But lots of politicians, public officials, union officers, slumlords, nursing home operators, law firms, newsmen, contractors, methadone and medical clinic managers and businessmen did and received favors from the made mobsters and were accorded the title "good friends." The mobsters and their good friends made up a shadow government of influence peddling that favored certain business operators and politicians. Corruption weaved throughout the City and at the heart were the mob bosses' power over unions, certain industries and violence that they brokered through guys like Roy Cohn and Bill Shea, as in the former Queens stadium. Power brokers such as Cohn and Shea cut the deals that enriched those on the inside with the money from those on the out, the average taxpayer. I hated these guys, didn't know why, just did and still do.

On one undercover story, I ended up sitting in Roy Cohn's town house on the Eastside with him and two other guys working out the details of a Studio 54 fundraising event for the newly elected Surrogate judge, a "good friend" of Cohn's, the Gambino and Mangano families.

In New York City, the Surrogate judge determines which lawyers received the millions of dollars each year the judge parcels out in lawyer fees. When a person in the City dies, the

individual's estate goes before the Surrogate judge, who, depending on the situation, can appoint the judge's lawyer friends to protect the interests of one or more heirs to the estate. The appointed lawyers, however, generally protect no one's interest but their own by padding their fees and sometimes just looting the estate, which the Surrogate usually approved.

The fundraiser we were planning, which was Cohn and the judge's idea, gave lawyers the opportunity to buy a piece of the action from the Surrogate Court by effectively bribing the judge with ticket purchases. The money raised by the fundraiser, after paying off campaign debts, would go right into the judge's pockets. Even some of the campaign debt payments would go into the judge's pockets because they were falsely listed as coming from fronts set up by other "good friends." These fronts never lent the campaign any money or provided services, so by paying them off with the fundraising proceeds simply channeled money to the judge.

Cohn originally wanted Bill Shea to help him push the tickets, but Shea thought it a little too obvious a bribe scheme. Shea preferred secret bank accounts and exchanges of envelopes with cash. After talking on the telephone with Shea, Cohn remarked, "I just can't deal with all this negativity. Bill will buy a couple of tables but won't help sell the tickets. We'll have to do that ourselves."

Since joining the judge's campaign as assistant manager, I had kept Joe Conason, a reporter at the Village Voice, informed on the various shenanigans of the campaign. After telling him about the bribery-fundraiser scheme on which he did an article, the New York State Commission on Judicial Conduct started an investigation. The fundraising efforts immediately stalled, the judge, who directed me to keep an index file of the lawyers who contributed and how much, deep-sixed the file, but not until I made a copy. The fundraiser went off, but the judge

didn't show along with many others and very little was actually reported, since the preferred ticket sale was in cash.

After the stink over the fundraiser, the judge took bribes the old fashion way, through a combination lawyer and bagman, whose brother had lost lots of money with his partner Meyer Lansky in a Havana casino after Castro took over. The bagman eventually ended up in jail for five years.

The reform wing of the New York City Democratic Party that controlled the Commission on Judicial Conduct cut a deal with the regular wing of the party to whom the judge was aligned and who was represented by a lawyer for John Gotti. The agreement kept the judge on the bench provided she gave patronage, millions of dollars in lawyers' fees, to both factions of the Democratic Party, which included lawyers friendly with the Commission, Cohn, the Gambino and Mangano families and the judge.

There were other mafia news stories I worked on, but rarely did the real culprits: judges, lawyers or businessmen ever pay the price. Then in the 1990s, a new corruptor came to town, the Russian mafia, and I, like an idiot, helped bring in one of its assets. So, I couldn't help but laugh at the irony of unwittingly having aided the new mob and being accused as one of its associates.

Dubin also included in the joint reply memorandum a type of bootstrap logic. He claimed my allegations false because the Federal Government, according to him, had never investigated two of the key defendants, Mundy and Petrovich, for their Russian mafia connected activities. He didn't know that, or maybe he just lied, but even if true, the 911 Commission's Report showed the Federal Government renown for not investigating comrades in crime. Besides, as the U.S. Supreme Court held, the purpose of the civil RICO statute was to allow

private citizens to take down criminals and their abettors that government prosecutors couldn't because of limited resources. The really outlandish part of the defense attorney's claim, however, was that he completely ignored that my papers stated the F.B.I. had confirmed its Russian Organized Crime Unit had started an investigation based on my Complaint. True, the F.B.I. didn't mention Mundy and Petrovich specifically, but neither did it rule them out. Dubin conveniently ignored that because he figured the Court would miss it among all the pages of documents in the case.

Hypocritically, Dubin even rebuked me for trying to find out the truth as though I, the target, had no right to investigate the defendants concerning the harm they caused me. What a system of justice America has evolved into where lawyers can actually use against an injured party that party's efforts to uncover facts for a court. Guess the new rule of procedure is that evildoers can't be investigated because they are evildoers. Depicting me as a social outcast, and his clients as pillars of the community, he declared I had telephoned strangers to ask "appalling questions." Not true, but if I had, so what, that's a plaintiff's or defendant's right, at least it used to be under American jurisprudence. The defense lawyer had conveniently juxtaposed questions I had asked the Commie Ho to my asking them of strangers, and the questions directed to the Commie Ho were based on her "appalling" diary. But that's the way such lawyers work, tell a lie and then use that lie to sully an opponent.

Often when I pointed out an obvious fabrication by Dubin, he'd simply ignored it. Many lawyers and judges do the same—no sense drawing attention to the pathology of lawyerly lying. But there were some lies so blatant that this lawyer needed a smoke screen to shift attention away from his blatant falsehood. My opposition memorandum slammed the defense attorney for his intentional deception that Mundy's filing of a disciplinary complaint against me was not

aimed at scaring me off the RICO case. The attorney claimed Mundy didn't know about the RICO case when Mundy filed the disciplinary complaint; therefore, Mundy couldn't have been using the complaint to intimidate me. But Mundy did know, and after I showed that to the Court in my memorandum, the defense lawyer tried to distract the Court from his original lie by calling me hysterical for exposing it. What a jerk, my mother was hysterical, not me. Anyway, according to his reasoning, telling falsehoods didn't matter if they caused an emotional reaction in an opponent because such reaction was a sign of guilt. Sounded similar to the rationale of a prosecutor at a witch trial where putting on a strong defense to false claims meant toasting at the stake.

Dubin claimed the Internet website on which Mundy's law firm advertised with agencies selling Russian bribes and hos was created by me. What a beckon of darkness was this guy. On receiving my memorandum, he actually called me to say he couldn't find the site, so I told him how to search it. He replied, "Hold on, I'm going to try on my computer right now. Okay, I found it, thanks." He himself confirmed its existence, but in his reply memorandum and after Mundy's advertisement was removed, he calls it "suspect" and goes on to accuse me of setting it up in order to explain the copies of the site included in my exhibits. First, I'm accused of fabricating the Ho's diary and then Mundy's website aimed at providing hos bound for American immigration services. Where do these people come from—Russia!

The defense's reply memorandum also made some trivial objections that my complaint and opposition memorandum were too long. The Complaint was only so long as to give the defendants fair notice of the claims against them. As I told the Court, if they had violated fewer laws, it would have been shorter. The opposition memorandum was only so long as to expose the falsehoods of the lead defense lawyer in his dismissal memorandum. If he had lied less, it

would have been shorter. And, if I had the opportunity to respond to the reply memorandum, my response would have been even longer than my first memorandum since the defense attorney told more lies in his reply memorandum. Putting aside all that, under the Court's rules and the individual rules of the Chief Judge, the lengths of both my Complaint and opposition memorandum were within the rules. Besides, the American defendants up to mid-May 2004 had submitted 353 pages of documents to my 273. So why was the lead attorney complaining? Once again, he knew the Court would not bother counting the pages each side filed, so he tried to create the false impression that I was to blame for loading up the Court with paper.

The length of my opposition memorandum also ticked off Dubin because it countered most of the lies he told in his first memorandum. He called my relentless exposure of his falsehoods "nit-picking," and the omissions he had made as "trivial." Then he accused me of diverting the Court's attention by spending "countless pages" disproving his misrepresentations, half-truths and false impressions, and even accused me for doing what he did by "referencing inadmissible evidence and harping on mundane details." The guilty, especially lawyers and girls, don't like others showing them up as liars, and will always criticize their opponents for doing what they do, whether or not true, so as to distract from their own mendacity.

Like whores, many attorneys will never admit the truth while criticizing everyone else. Dubin denounced me for using "buzz words" to appeal to the Court's emotion, such as white slavery, narcotics trafficking, bribery, money laundering, extortion, threats, murder for hire and fraud—all of which are legal terms specifying crimes committed by the defendants. What terms would he have me use? If I euphemized them to "inappropriate social conduct," he'd then complain about vagueness. Dubin also criticized me for using public statements by the F.B.I. and C.I.A. about the Russian mob's activities in the U.S., which he called "delusion,"

"outlandish," "incredible" and "far-fetched." He went so far as to rebuke me for paranoia by trying "to lull the Court into believing that the Russian mafia presently exists." Well if it doesn't, then who washed billions of dollars through the Bank of New York, runs lucrative gasoline tax fraud and insurance scams in the New York City area and operated Los Angeles' largest prostitution ring. He reminded me of some people in the 1940s and 1950s, like J. Edgar Hoover, who always claimed La Cosa Nostra a myth—until Appalachia.

Dubin even found fault with me referencing my education and employment history after he went to such lengths to tear down my reputation and paint me as a pariah. How else can someone counter such smear tactics? This guy would use Moses' Ten Commandments against him. And no, I'm not implying any comparison.

Many lawyers and all Feminists follow the Old Russian adage, "the law is like a wagon axle, it goes in any direction you want to pull it," and apply the motto, "don't let the facts get in the way of a good story." For example, the lead defense attorney claimed I "blatantly admitted that this action was a fishing expedition." "Blatant" is another favorite word of exaggeration for lawyers. But in this case, not only did I not "blatantly" admit, I never admitted to a "fishing expedition" at all. Fishing is not one of my past times, other than for girls, which is more like a hunt. In another instance, Dubin misrepresented my Complaint and memorandum as saying that my ex-wife "holds together" the defendants. The Commie Ho was a mafia prostitute, recruiter of other prostitutes and money laundered, not a capo. Although one day, who knows? She had dealings with the defendants, just as anyone belonging to a large organization and its affiliates would end up working with any number of different persons in different sections and locations.

Paulsen's attorney filed a short reply in addition to signing onto the joint reply in which he flat out lied that my Complaint only accused his client of crimes occurring in October 1998.

That would mean the four-year period in which to bring a RICO suit against Paulsen had run before I filed the Complaint. I'm not that stupid. The Complaint alleges, present tense, Paulsen imports and sells pornography from Russia into southern California. Paulsen's mentally challenged attorney also puffed himself up to self-righteously declare my Complaint a "vindictive assault" and "act of vengeance" that the Court should not countenance in order to "maintain the integrity of the judicial process," which is lawyer lingo appealing to the desires of many judges for expediency over justice. Paulsen's attorney even threw in the comical overstatement that his client "vehemently denies all the allegations of the Complaint." Just "deny" would have sufficed.

Flash Dancers' attorneys also included a short reply in which they couldn't even distinguish between my papers and those of the defense's joint reply when they complained to the Court about me submitting a "book of exhibits." The number of my exhibits were five, which added up to 35 pages; the defense submitted 47 separate documents of over 200 pages.

Flash Dancers' reply tried to correct its lawyers' earlier mistake of ignoring many of the Complaint's allegations against it by calling them immaterial and redundant. They weren't, but these lawyers needed to gloss over their sloppiness somehow. They also called my pointing out their failure as "nit-picking." "Nit-picking" when they get caught, but an "egregious fraud on the Court" or "admission of wrong doing" if I had done it. Flash Dancers' attorneys, as with Mundy and Petrovich's, also mischaracterized some of the allegations against their clients in order to leave out important sections to which they had no defense. When I caught them, they told the Court, it was an error of no consequence. Nice tactic, if a lawyer gets away with it, a court may rule in his favor, if he gets caught for lying, it was inadvertent and unimportant—a no lose situation. In another trick, the lawyers misled the Court about one important case by claiming

the case addressed a different issue than it actually did. Obviously they were betting the Court would never check. Regardless of their subterfuges, at least Flash Dancers' lawyers didn't engage in personally insults.

Detective Henning's attorney, Vikrant Pawar, didn't put in a reply; he just went along with the lead defense attorney in the joint reply as did the Commie Ho's lawyer, Jack Sachs. Sachs was an old guy, and I couldn't help thinking with a smile about the line from the movie *Raging Bull*, "Did you fuck my wife?" Sure she was no longer related to me, thank goodness, but he, like hundreds of other guys probably did. Only in this instance, she was paying him rather than he her.

To sum up, during this early stage of the case, the Federal Rules of Civil Procedure required that the District Court ignore all the claimed facts presented in the defense lawyers' memoranda of law and exhibits because the Court is supposed to focus only on the allegations in my Complaint in order to determine whether the law can provide a solution. Dubin and the other defense lawyers, however, ignored the rules to argue the merits of the case during a motion to dismiss in order to finesse the Court into using their false and one-sided depictions of the facts to determine the defendants were innocent angels persecuted by me the devil; therefore, the case should be dismissed. Had the defense lawyers played by the rules, fat chance, and waited for the proper time to submit their so-called facts against me, I would have had the opportunity to shoot down their claims for lack of evidentiary foundations or use cross-examinations to show they lied. But by throwing in their accusations during a motion to dismiss, no such opportunities existed. Very tricky, this Star Chamber tactic that eviscerated my due process rights on which the Federal Rules of Civil Procedure are based. So I did the only thing I could, cited the law that

showed such a tactic improper and moved the Court to exclude from its decision the smears, extraneous exhibits and alleged facts the defendants submitted.

Party Lights

After reviewing the defense lawyers' joint reply and the short individual replies from a couple of the defendants, I decided not to work six days a week preparing for an oral argument, even though it represented my last chance to convince the Chief Judge that the defense attorneys were lying and violating the rules. The chances of the District Court granting me oral argument were slim to none because of its animosity for civil RICO cases and the popular perception that men no longer deserved the protection of the institutions they had created. Instead, I used my time to continue investigating the defendants, writing this magnum opus[1] and waiting for the Bank of Cyprus to file its separate motion to dismiss.

Out of all the foreign defendants in Russia and Cyprus that I had tracked down and served, and there were nearly twenty, only the Bank of Cyprus bothered responding. The papers for the Mexican defendants were still bouncing around Mexico's Direccion General de Asuntos Juridicos, which under Hague Convention was delegated to serve the papers. The Russian and Cypriot defendants ignored the action brought against them in a U.S. Federal Court, as would the few Mexican defendants that were finally served eight months later by a Writ of Notification. Everything takes longer south of the border.

Except for the Bank of Cyprus, which had an office New York City, the U.S. Government couldn't touch these other mob associates. The District Court couldn't enforce any decision against any of them unless their respective governments abided by the promises officials made in international treaties. An unlikely occurrence since governments riddled with

[1] A magnum opus is an overly long text written to justify the author's existence. The problem is that such works are so long that no one reads them, so the author's effort to justify his existence fails.

corruption, such as Russia, Cyprus and Mexico, don't live up to their agreements unless it benefits their citizens at the expense of Americans. Besides, the foreign officials responsible for executing an American court judgment will simply take bribes from the foreign defendants to do nothing. In those countries, the line between government and organized crime blur to indistinct ion. Enforcing a U.S. court decision even in a civilized country like England often ends with the same result but for the different reason that the cost in time and money is too high unless multi-millions of dollars are involved.

So much for the long arm of the law unless you're rich or a corporation, which was why my case against the American defendants was crucial. If the District Court dismissed my case against them and not the others and neither the Second Circuit Court of Appeals nor the U.S. Supreme Court overturned the District Court, then, technically, I could still go ahead with the case against the Vasilyevas, who wouldn't bother defending, and the foreign defendants who were served but never appeared. The problem, however, was enforcing it. The Vasilyevas, like all Russian criminals, keep their assets well hidden and outside America, and enforcing a judgment in Russia, Cyprus or Mexico didn't promise much, if any, success. But there was another problem as well. If the case against the American defendants, except the Vasilyevas, was thrown out of Court, the Chief Judge might not even allow me to obtain a default judgment against the foreign defendants. There might still exist a shot at one against the Vasilyevas, but as for the overseas mobsters, the District Court would probably rule that requiring them to show up in New York City would be so "oppressive and inconvenient" for the foreigners that the case should be brought in a foreign court.

The Court could also dismiss the case against the Vasilyevas even though they didn't put in a formal motion for such, which would assure the Court getting rid of my case against the

foreign gangsters. It's called dismissing a case for forum non conveniens, and the reason courts do so is supposedly to increase the chance of a fair trial. But when civil RICO cases are involved, the courts use it to get rid of the lawsuit, even when it leaves the plaintiff with no alternative but to go into an overseas court. Talk about inconvenience and oppression: the expenses and problems in dealing with the even more corrupt court systems of many foreign countries simply make the plaintiff drop the case. But many American judges don't care, so long as the case is out of their courts—once again expediency rules.

My investigations during June 2004 came up with one interesting piece of information. One of the two brothels in Limassol, Cyprus, which mobsters in Krasnodar owned and the Athanasiou family operated, advertised on the Internet. The Tramps website, www.cytramps.com, touted international entertainment, showed partially naked hos and advertised exclusive lap dances, which meant intercourse, blow jobs and the like in a private "Lap Dance Lounge."

While I was looking over the site, Mark called to see whether I could meet him at a local club later that night. After telling him about the website I found, he suggested looking up who ran the site for which he gave me the name of an Internet service that kept such information. Christakis Charalambous created and operated the Tramps' site. This guy had the same last name as the defendant who was a chief in the Cypriot Migration Office. My Complaint accused Andreas Charalambous of receiving bribes for providing Russian prostitutes with Cypriot visas in order to keep the Athanasiou brothels stocked with hos, and using his contacts with American immigration officials to expedite travel visas to America for some of the Russian sluts. Two guys with the same last name didn't mean anything. For all I knew, Charalambous might be as common in Cyprus as "Jones" in America. To make a connection between the two would

require the private detective my Moscow lawyer Xenia used to investigate the other Athanasiou brothel Zygos, where the Commie Ho once sold sexual favors. In order to save money, that task went on my hold list until the Court ruled on the dismissal motion.

It was the weekend, so I headed down to Houston Street and the club Carnaval that Mark currently promoted. In New York City, nightclubs, big and small, hire guys, called promoters, to drum up business. The promoters often get a percentage of the money spent at the bar based on how many customers from the promoters list show up. Promoters also try to get people to hold private parties at a club for which they also receive a cut. Mark introduced me to one of the owners, the female bartender and the bouncer at the front door: all friendly, cool people. These weren't the dishonest slime populating the courts and halls of power in America.

The Carnaval folk were a mixed group: the owner I met was Dominican, the bouncer black and some of the bartenders and waitresses white chicks. It was also an easy place for meeting pretty young babes—too easy and too many of them white, but who am I to complain. Usually when I go up to a pretty young white broad in a club she freezes, sometimes even backs away—too many demon tales from her Feminazi mother about older men. But when Carnaval's owner or Mark introduced me as their lawyer to the white chicks hanging out at the club, the girls started pumping pheromones in my direction. If I got too close, I could actually feel them seeping into my body along with the heat that young girls naturally radiate. By the time they turn into Feminists, however, they're absorbing rather than emanating it. Enjoying the company, I lived in the fantasy that these tomatoes were interested in me when in reality my connection with Mark, the owner and the bouncer gave me what they really wanted: the currency to get them in the club without standing in line or that most important of known commodities to young

babes—the free drink. Okay, I played along, kind of, got free drinks for myself but never a girl. So I exploited their perception. Why not, dames tricked me plenty of times.

One night, Mark and I were standing in front of Carnaval making like big shots talking to a couple of babes Mark knew, one from Italy and the other Croatia. New York City is full of girls in their late teens and early twenties from overseas, especially in the spring and summertime. They come here to ho their firm bodies, find suckers to spend money on them and to tell their friends back in the old world about their sexcapades in Manhattan. Anyway, we were all laughing, smiling, flirting, they're smoking and I'm telling a few absurdities about my Russian experiences when up pulls a taxi with the Flash Dancers' advertisement on its roof with the Commie Ho's picture gazing at us. "Oh no," I said and every one looked.

"Mark said, "That's his ex-wife from Russia."

The girls remarked, "She's beautiful."

"Yeah, but you should see what's inside," and before Mark could stop me, I was on a rant. "Now let me tell you a thing or two about gorgeous girls. Nuts, dangerous, psychotic, truly demented cuckoos and as cute and cuddly as a flight of tracer bullets. They can have lovers the way other people eat cherries, but if you take another girl, even to the luncheon or drive-in, then wham-o! They lie to me and to you and to their husbands, to their lover, to their analysts and the cashier in the supermarket. Oh, I know, I've been accused of treating girls badly, and I have, but only in self defense."

Looking a little taken aback, the two girls asked in unison "What happened to you?"

"Noooo, don't tell the story!" Mark cautioned trying to save my prospects with one of these two, assuming both hadn't already started searching for an escape from me. He always warned against my telling the ho story, shaking his finger "no" and then laughing because he

knew I would anyway with the inevitable result of once again sinking my chances with a babe. Control was beyond my grasp, so as usual I blabbed on evoking the usual shock, laughter and pretenses of commiseration. Maybe I told the story to be the center of attention, but more likely I enjoyed rubbing the faces of pretty young babes into the reality of the evil they cause men. The two girls excused themselves and scurried to the safety of their other girl friends in the club.

Mark asked, "That stuff about gorgeous girls was new. Did you just make it up?'

"No, I memorized it from a movie."

"Well that alone sure alienated those two."

"Yeah, but there's plenty more where they came from. Let's go back inside." Mark went over to another female friend of his, and I hit on some babe at the bar.

All girls want men who are dumb to their metahomorph ways, so they can wheedle something they want from a guy. Whenever a broad hears my story of the Commie Ho, she knows this guy understands her tricks, so better for her to attend to someone less enlightened. But as deep as my understanding may go, some metahomorphs still succeed in scamming me. For instance, my Salsa teacher Isabella set off all the warning bells not to become romantically involved with her—so I didn't. But I did trust her to teach me Salsa. During our private lessons in 2003, I was making progress, even Mark said so on the few occasions some girl asked me to dance Salsa or Mark nudge her to ask me. When the private lessons ended, Isabella told me to take her group class on Friday nights to keep from losing what I had learned—made sense to me. Eight months later, my dancing had worsened, and I felt more confused then ever out on the floor. At first, I assumed middle age made it next to impossible to learn any new physical activity, but I pressed forward suckling on the feel of the nubile young bodies in my arms during class.

One day a couple of other students asked me if I knew the difference between Salsa on 1 and on 2. Never heard there were different ways to dance Salsa, so we asked our teacher Isabella. She said it didn't matter, that at some point we'd be able to do both. Well, I just wanted to do one of them but couldn't. So, I did some research. Turns out the music for Salsa on 1 and on 2 differ by which beats the music emphasizes and that signals the dancer what to do when. Most of the Latin music played in New York is written for Salsa on 2 dancing while in Cuba it's for Salsa on 1. Since I had no intention of immigrating to Cuba despite the plethora of cars from the 1950s, Salsa on 2 was for me, and that's what Isabella had taught me in the private lessons, but her group lesson danced Salsa on 1. She tricked me! Conned me into taking her group class by covering up the distinction between Salsa on 1 and on 2 with that fib about starting differently in order to get into the turns more quickly. The dance routine in her group class started differently because it was a fundamentally different version of Salsa dancing than what she taught me in the private lessons. Thanks to her, I now had two conflicting ways of moving to Salsa music battling me into a wallflower. What is with these girls? My own teacher, instead of helping me, exploited my reliance on her knowledge to make a lousy few hundred bucks extra. That's called fraud, and I could sue her in small claims court, but I had other things to do. From here on I vowed to mistrust broads completely about everything, and have nothing to do with them on any level except partying.

Look at what happened to Bill O'Reilly. He thought chicks deserved a fair chance, so he hired some to do research and production on his show. Jobs traditionally held by men because men are best suited for such positions. One of the females, probably at the instigation of some Feminazi attack group or the girl's weekly consciousness lowering coffee klatch, sued O'Reilly for millions, injuring his reputation and credibility, but making lots of money for herself out of a

settlement or, more accurately, “sex-mail.” Interesting that blackmail is a crime but sex-mail is not. So in the end, O’Reilly knew how Justice Clarence Thomas felt.

Guys have got to learn that the days of chivalry are dead. Broads are the enemy—wise up, that’s the way they see men. Dames will do any harm to any guy to make money or to vent vengeance over some illusionary slight to their princess egos. They are on a crusade to let loose every evil desire against men that enters their chemically unbalance brains using the rationale that men deserve such for shielding girls from much of the horrors of life all these millennia or that men are the ones responsible for causing females to harm men. Don’t look at me, it’s feminine logic, and you or some guy you know is probably next.

Girls always twist a way to blame men for something bad that happens while stealing credit for the good. Take the view of a white college coed I flirted with one Saturday night at Carnaval. While I watched her tits as we chit chatted, she said, “I’m lucky I have such great parents. Most of my college girl friends were abandoned by their fathers.”

Red alert! Red alert! Feminazi propaganda on the attack, I put the alcoholic buzz from my vodka gimlet—Absolut and Roses Lime—on hold and stepped on the gas speeding my brain to find a dagger of reality to stab into her bigoted brain.

“What do you mean their fathers abandoned them?” I asked in a civil manner trying to set her up.

“Lots of my friends’ parents got divorced.”

“So the divorce caused the abandonment?” I feigned naivety, waiting for her belief in feminine superiority to box her in.

“Of course it did! Otherwise the fathers would have stayed at home.” Now I had this ditz.

"But why do your girl friends blame their fathers for abandoning them when 80% of divorces are initiated by the wife?" I mildly stated this statistic, one of many the Feminazis conveniently ignore in their bible of hate against men.

"Eighty percent! I don't believe that!"

I didn't expect her to, so I pushed my knife of truth a little deeper. "It's an old figure from when I was in law school, probably higher now with the increase in female liberation." I added a slightly mocking tone to the last two words.

"Well, I'm sure the husbands probably caused the wives to file for a divorce."

"Unfortunately, there's no statistics on that, since most states are no-fault divorce. But despite who was at fault, what usually happens when a couple with children gets divorced?" I wasn't finished with this acolyte of American feminine ignorance.

"What do you mean?"

"Who ends up with the kids?"

"The mother." At least this bane-in-waiting got that right.

"And even when the husband wants the kids, the courts usually give them to the mother. Sounds like discrimination to me. So who's causing the father to abandon the kids then?"

"I don't think the father wants the kids very often."

"Alright, so in the typical divorce the husband pays the mother money to take care of the children."

"Not all the time, some fathers don't pay."

"But most fathers do. Don't forget that there is only one type of person in America that can be put in jail for not paying a debt, and that's a father who doesn't pay child support. Funny,

I thought one of the reasons the founding fathers broke with England was over debtors' prisons. I guess they were only thinking of girls at the time."

"The fathers should be made to pay for the children, since they're making most the money."

"Are they? If you work out the the amount of money earned on a per hour basis, girls actually make more than guys, and an analysis of a university study shows that girls control over a majority of the wealth in America." My reliance on what for her was higher math went right by her, so I said, "Despite the money lots of girls have, I don't see any girls paying for any dates or to get into clubs?" Perhaps I should have said drink; maybe she would have bought me one. "But assuming you're right about who's wealthier, a father that doesn't pay goes to jail. So what happens to a mother who moves out of state with the children away from the father's work place?"

"Why should anything happen to the mother? She can go wherever she wants."

"In our typical divorce settlement, the court orders the father to pay some or all of the support for the kids and tells the mother to make the kids available for the father to visit, usually on the weekend."

"Right, so?"

"But if the mother moves the kids out of town, maybe to keep them away from the father, what can the father do?"

"Go back to court."

"But the court can't make the mother move back to where the family lived before the divorce. That's against the U.S. Constitution. It's also against the Constitution to put people in jail for failing to pay a debt, but the courts over look that legal nicety. So in the end, the father

has to pay money or go to jail, but the mother can keep the kids away from the father by moving out of town. Who then is responsible for the abandonment?"

"That doesn't happen that often." Just the type of dismissive remarked I'd expect from a budding Feminazi.

"Maybe yes, maybe no; maybe rain, maybe snow." A saying I adopted from a Young Communist Pioneer of the former Soviet Union. The flirtation dead and my instruction in reality over, I excused myself for another drink.

The other evil perpetrated by a mother to alienate the father from his kids, I left out of my argument. It's an all too common scenario where the mother drums into the children's dear little ears that their father didn't care enough to send money for them when the wife actually used that money for jewelry or some other vanity. Whether wife, mother, ho or stockbroker, broads have an uncanny aversion to honesty that somehow enables them to escape paying for the harm they cause. No reason to waste anymore of my time disabusing this girl of her biased illusions. Females always ignore the truth when it knocks them off their self-created pedestals.

Hustling girls at Carnaval made me miss the challenge of approaching babes no one knew, preferably of a darker complexion, and pitching an ad-lib line from which to spin off other verbiage in my quest for telephone numbers. So, I started hanging out at the China Club in Times Square. My new Salsa instructor, whose group class I began taking after the annoying experience with Isabella, promoted the China Club's Friday night Salsa with free admission for both girls and guys before 11 PM. Most clubs in town let the hos in for free before a certain hour, usually midnight, but not the guys. In the old days when guys had money and girls didn't, it made sense, but today, with broads relentlessly stealing guys' jobs, it discriminated against men. The clubs should respond to the times by cutting in half the price for men while making

the girls pay the same as guys. It's only fair, and the clubs will make just as much because girls want to dance more than guys. But no, fairness doesn't apply to men in America.

The China Club attracted Latina ghetto girls, tourists and white thirty-somethings. Since Mark spent his evenings promoting Carnaval, I began chasing girls with a guy from the former Soviet Union. When hunting at a club, I always preferred having a partner. Maybe it's a precaution reaching out of the genetic mists of prehistory when guys hunted dangerous animals. After all, what more dangerous animal is there today than a broad letting loose the viciousness within her? Then again, maybe the company alleviates my insecurity. The Soviet Union guy, also middle age, went for the older white broads. He was relatively new to this country but would soon catch onto which girls were most desirable. For me, the young ghetto babes looked just delicious, but I found it difficult to pull them into a conversation. Maybe their English wasn't too good; still they did dance with me. My Salsa dancing never approached those girls' abilities, but they possessed the civility to smile, laugh at my jokes and touch my arm with a thank you. The arrogant, eastern, quasi-intellectual, white-trash Feminazi elite could learn a lot about manners from these women.

As summer approached, Mark found a better deal promoting a club across the street called the Flat. The Flat didn't start moving until after mid-night, so I'd go to the China Club until around 1 PM, when the Soviet Union guy went home, and then head over to the Flat for free drinks. At first, I didn't think much of the place until one night I wandered into the back rooms. Whoa! A little bit of heaven right here on earth. Lots of beautiful black babes, all made up, dancing with each other or waiting impatiently for some guy to ask them. The young girls, late teens to mid-twenties, outnumbered the young guys, always good news for me considering my middle-agedness. Most of the young black guys in their knee length shirts and bell-bottom pants

with the bell part beginning at the waist just stood around moving their bodies in place to the music. I didn't get it. Okay, it wasn't the culture I grew up in, but when young babes are clearly anxious to dance, the guys should pounce. Don't let that prey get away. Well, they did, except for one or two guys. Find with me, since it gave me more candies to pick from, but being the only cue ball in the room, I knew I needed some credibility. I went downstairs and asked Mark to help me out. Something I did for him at times when he was eyeing some white babe. He came upstairs with the white chick he was hustling. Mark and I talked a little so that the black girls saw I was cool and with my credibility established, I started flirting and dancing, yummy. The Flat quickly became my favorite club in New York City.

Walk Like A Man

On the Summer Solstice of 2004, the District Court notified me of a change in judges. The Chief Judge unloaded my RICO case on a recent appointee to the bench, Peter Kevin Castel. At least the new judge was also a man, although after decades of intense Feminazi anti-men indoctrination, it might not save me from the feminine Federal Government's pervasive bias against my sex.

Judge Castel graduated St. John's Law School in New York City, considered an adequate school but nothing special—third tier. He did, however, reach the partnership ranks for Cahill Gordon & Reindel, a prestigious New York City law firm that made lots of money during the corporate takeover days of the eighties. Near the top of his profession and making lots of money, he accepted, at age 54, President Bush's nomination, and a significant salary cut, to become a judge in the U.S. District Court for the Southern District of New York. A Republican appointed judge might show some objectivity, but these days, even the heirs of Eisenhower and Reagan fawned over the Feminists, only not in as servile a manner as Democratic

hermaphrodites. President Bush's National Security Adviser, after all, was a female and instrumental in bringing us the stupidity of the 2003 Iraqi war, America's second defeat. The only hope with Judge Castel was that as a former partner in a hotshot law firm he might have a brain.

Judge Castel required both sides to produce a joint status report that outlined the nature of the case, scheduling deadlines, motions made, motions undecided and other procedural matters. The lead defense counsel Dubin telephoned me to say he had run into a lot of difficulty getting the other defense attorneys to agree on even a tentative status report and thought it would take too much time for him to also broker in changes that I would surely want. He asked me to agree that each side does its own report, which I did.

The defense lawyers did their usual sniping in their version of the status report: the plaintiff is "pro se," which implied I didn't know what I was doing; "suing sixty three defendants," actually it was nearer to seventy; "spanning the globe," which implied conspiratorial delusions; filed "a 91 page, 915 separately numbered paragraphed, complaint," which told the new Judge this case would take a lot of time and energy; and "this action, as well as the plaintiff's abusive litigation preceding this action, are nothing more than an attempt by the plaintiff to use this forum to re-live the consequences of his marriage to and divorce from the defendant Alina Shipilina while at the same time attempting to punish Ms. Shipilina and anyone who has ever come into contact with her or assisted her in preventing him from harassing her," which painted me as the cliché Dirty John tying innocent Nell to the train tracks, or buzz saw, while Dudley Do-Right, in the form of Mundy and other defendants, rush to Nell's aid.

In modern times, however, toadying lawyers and the Feminazis use different terminology for demonizing a man as Dirty John. Today the catchwords include "abuse," "harassment" and

"white male rage," which the defense lawyers implied, in order to peg me as the modern-day leper against whom any action, no matter how violating of my rights, is justified. Any man in 21st century America who dares to use the law in fighting for his rights against a scheming, lying female who breaks U.S. laws will end up smeared and even put on domestic court pink lists. Just another tactic for coercing men into subjugation before the Feminazis' bloody throne.

In responding to the lawyers' status report, I reverted to my old TV news writing style:

"Pimps, prostitutes, pushers, pornographers and assorted criminals from the former Soviet Union have joined with underworld characters in Western markets over the past decade to create a global web of smuggling, protection, extortion, counterfeiting, tampering with witnesses, revenge, evasion of taxes and other illegal activities. The R.I.C.O. complaint alleges a Russian-New York enterprise [enterprise is the legal word for a R.I.C.O. group] that violates R.I.C.O. and numerous other laws. The enterprise brings prostitutes to New York and other states in the U.S.A., passes drugs and huge sums of money back and forth between the countries, creates and traffics in pornography, and threatens physical violence to anyone who might get in its way. A central associate and site of the enterprise's illegal actions is the establishment called "Flash Dancers Topless Club," located on Broadway and 52d Street in New York City. In addition, the enterprise often acts in other countries where there is a link of some kind, such as a connection to brothels in Cyprus and Mexico City that some defendants run, or to specific participants in the enterprise traveling in other places.

"The plaintiff, a business consultant and attorney representing himself pro se and former writer and political producer for WNEW and WABC TV News in New York, instituted the R.I.C.O. suit to recover damages for loss of profits to his business, loss of business opportunities, harm to his business reputation and other injuries, which resulted from the plaintiff unwittingly falling victim to one of the enterprise's schemes: duping and secretly feeding narcotics to American men so that they will marry Russian mafia members, usually prostitutes, in order for these mafia molls to obtain legal entry into the U.S.A. to carry out and expand the enterprise's activities."

"This case grew out of discoveries by the plaintiff that began while managing Kroll Associates in Moscow. A number of the plaintiff's witnesses in Krasnodar, Russia have been threatened, and the plaintiff has received threats. The F.B.I. has identified the threatening caller, but is afraid that by interviewing him it would provoke him to harm the plaintiff. As such, the F.B.I. has told the plaintiff not to open his door to anyone he does not know and to be careful when out in public."

"This is a civil R.I.C.O. action under 18 U.S.C. 1961-68 against the Russian Mafia, the Chechen Baraev Islamic Terror and Crime clan and a relatively small number of alleged members and associates of those organized crime groups."

Judge Castel set a conference for July 13, 2004 in order to map out a schedule for any remaining motions. The Commie Ho's attorney, Jack Sachs, asked the Judge to excuse him from the conference since he had already booked a cruise. Fine with me, but Sachs used his request to repeat some of the lead lawyers' swipes by harping on the number of defendants and the "unusually voluminous papers considering the action was brought by a single individual." If I had been a single corporation, I guess volume wouldn't matter to him. Sachs was out of line with his querulous complaining in a letter requesting excusal, so I sent a response to the Judge:

"I don't see what bearing it has on Mr. Sachs' request to be excused by saying he represents 'one of the sixty-five defendants, in various parts of the world…'

Sachs and the lead attorney, Dubin, apparently used different systems of counting for determining the number of defendants.

"Mr. Sachs is clearly trying to bolster the defendants' position as presented in their memoranda of law, which criticizes the number of defendants and their locations.

"I also believe it improper for Mr. Sachs to unilaterally respond to your Honor's request for a joint status report, and under the guise of doing so, imply there is something amiss with an individual filing papers of many pages, which again is another argument presented in the defendants' memoranda of law.

"There is a proper place and time for presenting arguments, and I do not believe it is fair to use ministerial letters for reiterating one sides' position."

After Judge Castel's status conference notice and the tiff with Sachs, the Bank of Cyprus submitted its separate motion to dismiss with a memorandum in support, and I began working on my opposition memorandum to it.

On July 4th, five years to the date of my arrival in Hell to work for Kroll Associates, I tuned in a movie on TV after doing some work on my opposition memo to the Bank of Cyprus' motion. The first time I saw the movie *Tombstone*, starring Kurt Russell, was eleven years

earlier in Moscow. Back then, I was in town writing a couple of articles for a Moscow business weekly and visiting my Russian girlfriend of the moment.

One day, she calls me up sobbing, “Roy, my father came home drunk and attacked me.”

Even then, I wasn’t so dumb as to believe this completely. “What happened?”

“He came into the kitchen and demanded I cook him some soup.” Isn’t that what daughters are supposed to do I thought but didn’t say.

“And…, anything else?”

“I told him, ‘Do it yourself” and he attacked me!” More sobs.

“Relax, did he hurt you?”

“No, I’m all right, but I want you to come over and beat him up!”

“Now? Can’t this wait?”

“No! You must come right away while he’s still here. You’ll come if you love me.” I didn’t love her but did enjoy her 20-year-old body.

“Okay, I’ll hop the Metro.”

Walking from the Metro stop to her apartment, I kept wondering what am I doing in the middle of this in Russia of all places?

At her apartment, my girlfriend takes me into a room where her father, Vladimir, is lying on the couch with a rag over his face and her mother is standing a yard or so away from him looking like the Queen of Hearts who misplaced her axe.

Okay, so I start acting tough, “Come on Vladimir, get up, let’s duke it out.” All the time hoping he doesn’t accept since he’s bigger and younger than me. His wife and daughter are constantly railing at him in Russian.

Vladimir sits up dejectedly and says, “I don’t want to fight,” as the rag falls from his face exposing a huge black eye. Immediately, his wife rushes in and whacks him hard with her hand across the injured eye. Oh brother, get me out of here, I’m thinking.

“What happen to your father’s eye?” I asked my girl friend.

“When he asked me to make him some soup, I threw the tin of Campbell’s at his head, telling him to do it himself.”

“You bounced a can of Campbell’s soup off your father’s head?”

“He deserved it. He should treat me with more respect.”

Wanting to escape as quickly as possible, I let it ride and decided to dump this broad at the first opportunity.

Later, I talked to my girlfriend’s best friend who told me the truth that Vladimir never attacked her over the soup incident and never abused her at any time. My girlfriend blew up at her father for who knows what reason and got away with nearly blindly him in one eye. If anyone was in need of a battering, it was she, but this was Russia emulating America. The father did nothing, not a thing, just took these broads’ punishment because the combination of Czars and Commies had emasculated most men of Russia, including him. Exactly what the Feminazis were doing to modern-day American men.

Anyway, back to the movie. In the lead up advertising campaign to the opening of *Tombstone* in Moscow, the producers used the slogan: “Just Is Coming.” In 1993, if ever a place needed justice, it was Russia. Russell did a great job playing Wyatt Earp, as did Val Kilmer portraying Doc Holiday. The movie embellished the true story, but the character portrayals most likely depicted what these men were really like. No bowing and scraping to evil for them. Justice and honor meant more than living as someone’s dog, even a broad’s dog.

In real life, Wyatt Earp showed up in Tombstone, Arizona with his brothers to make money, which led to them running a gambling saloon. Tombstone's power elite, the Clanton Gang, interfered with Earp's business, so a feud ensued that led to the gunfight at the O.K. Corral where three of the Clanton Gang ended up dead. The Clanton Gang used its political clout to put Wyatt Earp, his brothers and Holiday on trial for murder even though they acted in self-defense. The jury acquitted them, so the Clanton Gang murdered one of Earp's brothers, shooting him in the back, and crippled another brother in an ambush. Since the Clanton Gang controlled the town, any appeal to the law was useless. Wyatt Earp, his injured brother, the Earp wives and Holiday left Tombstone, probably to the jeers of the power elite, the Clanton Gang. Wyatt Earp and Holiday regrouped with a few friends and went back looking for the four members of the Clanton Gang that killed Earp's younger brother and crippled the other. One by one they tracked them down and shot them dead.

Was it vengeance or justice? Webster's Dictionary defines "vengeance" as "the inflicting of punishment in return for an injury or offense," and defines "justice" as "the assignment of merited punishment"—not much of a difference, if any. Perhaps people with guts call Earp's actions justice while cowards denounce it as vengeance. In the movie, Doc Holiday said that Wyatt Earp was not on a quest for vengeance but for a reckoning. Okay, but either way those four dead perverters of power got what they deserved.

The corrupt government in Tombstone, Arizona, which stood by while the Clanton organized crime group murdered Wyatt Earp's brother, issued warrants to arrest Earp, Holiday and their friends for murder in killing the four Clanton members. Why is that not surprising? But back then, as long as Earp and friends stayed out of Arizona, no other state would bother

them. So by taking the law into their own hands, Wyatt Earp and Doc Holiday won one for justice.

What ever happened to those olden days when American society praised heroes rather than cowards pumped up with psychotropics who stand idly by as their rights are violated in order to preserve their pathetic little lives and creature comforts in a genderless hell? The 21st century American version of justice has replaced the finality of bullets with a Feminist corrupted federal government that reaches into every state where arrogantly mouth words of coercion, falsehoods and chicanery carry no consequences. For example, lawyers can now say pretty much anything they want, no matter how out-of-line, and get away with it.

In my RICO case, just before the status conference began in Judge Castel's courtroom, attorney Vikrant Pawar approached me in the hallway. As an attorney for the City's Corporation Counsel Office, he represented Detective Henning, the cop who threatened me with arrest in order to intimidate me into not cooperating with the INS.

With no one else in the hall, just the two of us, Pawar said, "Off the record, can I say something?"

This surprised me, what could he possibly have to say. Reverting to my old news days, I said, "How do you define off-the-record? Information that I can use but can't attribute it's coming from you, or information I can't use?"

He ignored my question and said with a smirk, "I hope you survive this motion to dismiss!"

What the devil did that mean, my mind raced for an answer? He couldn't be so stupid as to threaten me in the courthouse, maybe he wanted to psyche me out before the conference or just try to bully me. Pawar looks and sounds like he's from India or Pakistan, so I toyed with

saying, “Haven’t they out sourced you yet?” But played it conservatively and in lawyer jargon responded, “That’s an inappropriate remark that I’ll raise with the Court.”

Grinning, Pawar said, “I’ll just deny it,” and walked into the courtroom. If this country still allowed dueling, Pawar never would have dared made such a remark because of the possible consequences.

The courtroom was empty except for the seven defense attorneys on my case. Claugus avoided the routine hand shaking, maybe he carried a grudge, so I purposely went over and said hello to him. A group of law school summer interns entered to sit in the jury book as observers, and then all rose for Judge Castel’s entrance. Judge Castel referred almost exclusively to the defense attorneys’ status report; I wondered why? As he asked us questions, he seemed a little slow on the uptake and unfamiliar with the case. When going over the motions made so far, he missed completely my pending request to throw out most of the defense’s exhibits and references to them in the defendants’ memoranda that tried to improperly interject at that stage of the proceeding their factual allegations against me. After reminding the Judge and describing the gist of the motion, he set a schedule for the defense’s opposition memorandum and my reply.

On the Bank of Cyprus’ motion to dismiss, Castel shortened the schedule set by the original judge for the Bank to file its reply. Claugus pleaded for more time until September 3rd by invoking the same old whine used by Dubin that my papers, but not the defendants’, had been “voluminous to say the least.” Castel denied his request, “You put an awful lot of pressure on the court because I want to get this motion done quickly, and that I will view as coming out of my time.” His time, what’s he taking about? His time is the public’s time. He no longer serves the pecuniary interests of himself and his former law firm, but the public’s. Guess he was

planning a couple of weeks in the Hamptons at summer's end, and didn't want this case interfering. Did that bode good or ill for me?

After Castel set the schedule for all the remaining papers, I requested the Court's help in serving the Complaint on some of the foreign defendants for whom I couldn't find addresses.

"There are a number of defendants whom I have not been able to serve process on, and I am requesting the court's assistance under Federal Rule 4(f)(3), which allows service by other means as directed by the court. If you will just bear with me, I have three separate groups here.

"First, there are three defendants, Khachaturyan Asypyan, the Albatross Club, and Rey, a well known procurer. What I am requesting of the court is a letter to the Chief of the Department for Fighting Gangsterism and Corruption in Krasnodar, Russia. His name is Vladimir Naidenko. I believe a letter to him from the Court requesting his department to provide the Court with the addresses for these three persons will enable me, under the Hague Convention, to serve those defendants. I can provide the specifics as far as Mr. Naidenko's address, and if you want, to draft a letter, whatever is required, I can provide all that information to the court.

"Second, the Baraev Terror and Crime Clan in Chechnya. I have no way of finding out the address of its current boss. However, the G.R.U., which are the initials for military intelligence in Russia, has a southern operation, and a letter from the court to that office may result in an address for the current boss. The G.R.U. knows who is the current Islamic Terror and Mafia don for that clan and may have an address to which I can send the Complaint and Summons in accordance with the Hague Convention.

"Third, I have been unable to find the addresses for four other defendants, although one of the defendants, Ms. Shipilina, has knowledge of the addresses for those people, but I don't think she would be willing to provide them unless the court was to order so. They are Tanya-Phodes Studio prostitute, Stephanos, Juginta Raszyukevichina and Salvador-Phodes Studio partner."

Castel ignored ruling on the letters to the Krasnodar Department for Fighting Gangsterism and Corruption and to the G.R.U. Either he forgot or didn't want to bother doing the work at that time, so I would have to remind him down the road. He did, to my surprise, order the Commie Ho to provide me with the addresses of the last four defendants, if she had them. She did, but I also knew she'd lie by saying she didn't.

Sure enough when Jack Sachs, her attorney, returned from his summer cruise to Alaska, the Commie Ho perjured herself by claiming she didn't know any of the addresses. What did she

care; American laws couldn't touch her. However, not only did she lie under oath about not having the addresses, Sachs allowed her to lie about the nature and extent of her relationships with these four. Castel didn't order her to recount those relationships, just whether she knew their current addresses. There was no way I could prove she had their current addresses, but I could prove by using her diary that she lied about the kind of relationships she had with them. So what did that matter? Except for impeaching a party's credibility, courts don't care about false statements unless they impact an important issue in a case, and that's what the Commie Ho did by lying about her relationships with those four defendants because the relationships among the defendants are a material issue in any R.I.C.O. case. Lying about those relationships was perjury, another Federal felony—but, again, who's counting?

Two Faces Have I

The Bank of Cyprus' motion to dismiss papers adopted the personal attack strategy of the other defense attorneys, but the Bank's lawyer, Claugus, added a new wrinkle—self-righteous disdain. Claugus arrogantly assumed a lawyerly perch of all-knowing superiority to pompously hurl personal invectives with no bearing on the issues and to foist advice and criticism he had no right to make. He haughtily advised me, the plaintiff, "to look else where for the cause of his misfortune, including to himself." He sarcastically remarked, "The marriage seems not to have been made in heaven" and presumptuously declared, "the plaintiff's beliefs are unbelievable," pure "imaginings," an artful way for calling me paranoid. My opposition memorandum emphasized the cheapness of his tactics: "Such subjective and snide remarks are meant to taint the plaintiff. It's a subtle form of litigation by personal destruction, but just as malicious in its attempt to mock a party and distract the Court." I requested the Court to reprimand Claugus and the other defense attorneys for the same shared strategy of personal attacks.

Claugus' effort to tear me down personally required twisting, spindling and mutilating the Complaint to such an extent that it led him to some lame falsehoods, but what else could he do? Claugus claimed I had accused the more than sixty defendants of "combing to cause the Plaintiff's marriage to Alina Shipilina and their subsequent divorce." The Complaint didn't allege that, and Claugus knew it. But he also knew the Court might buy his lie, which would help sidetrack the Court from the merits by painting me as delusional. The defendants who combined to sucker me into marrying and bringing the Ho to America were her, her mother Inessa, her Moscow pimp Leo and drugs. These three humans made up one tiny part of the Russian mob's empire building activities, the drugs one of its businesses.

After the Ho landed in America, I became suspicious that something was wrong and started looking for the truth, which led to a cascade of events, twists, turns and harm that four years later resulted in the RICO suit against the collaborators of the Commie Ho of whom I was aware. These confederates, now defendants, violated various laws under RICO in order to make sure the Ho, a Russian mafia prostitute and mid-level manager, remained in the U.S. making profits and laundering money for the mob.

Claugus' falsehood had copycatted the lawyers for the American defendants who previously misrepresented the Complaint as saying that the defendants had banded together, looked up my name while I worked in Moscow and said, "Let's get this sucker." The Complaint never stated or implied anything like that, but it didn't stop Claugus and the other defense lawyers from saying it did to make me appear delusional.

Claugus' effort to paint me as delusional exposed his ignorance of the RICO statute. Under RICO, not every defendant needed to have met with all the others in some darken alleyway to plan the Commie Ho's ascension to the U.S. market or keep her there at my expense.

The defendants only had to participate in some activities connected with the Russian mafia to the extent of having some discretionary authority for carrying out parts of these activities. Confederates and members who didn't even know the Commie Ho existed could still be held liable for the harm down to me because, as the U.S. Supreme Court ruled, people who actively and knowingly work for a criminal organization that engages in criminal activity are liable for the criminal acts of other members and abettors. *Scales v. U.S.*, 367 U.S. 203, 226-27, 6 L.Ed.2d 782, 81 S.Ct. 1469, 1485 (1960). Under RICO, even though people involved with a criminal organization did not directly cause someone harm, if they played a consequential role in the organization, they were still liable for the harm others inflicted.

In my case, all the defendants actually knew and interacted with the Ho, that's how I found out about them. They all were involved in some form or another by supplying assets and marketing products and services to hard currency markets, keeping Russia mafia personnel in those markets, providing legal and financial services and making lots of money for themselves by doing so. Some of them used prostitutes mixed with narcotics to create fraudulent marriages; some engaged in immigration fraud, white slavery, importing pornography, bribery; some trafficked in drugs; some used coercion, intimidation, murder-for-hire, perjury and official misconduct to protect mafia allies; and others maximized profits with tax evasion and money laundering. Claugus patronizingly dismissed all those criminal activities as merely "colorful" or "unfortunate affairs," implying them a product of my delusions. Skipping over his implications, I assumed a Claugusian air of pomposity for my attack: "Perhaps the Bank of Cyprus does not consider the Russian mafia or organized criminals in general as a threat to civilized societies, but Congress does. The impact of organized crime is to 'weaken the stability of the Nation's economic system, threaten the domestic security, and undermine the general welfare of the

Nation and its citizens.'" *Beck v. Prupis*, 529 U.S. 494,496, 146 L.Ed.2d 561, 120 S.Ct. 1608 (2000)(quoting Pub.L. 91-254, 84 Stat. 922).

The paranoid portrait Claugus tried to draw of me included "Plaintiff has come to believe global organized crime" caused his "loss" and made him a "pawn in their activities." At least he didn't deny the existence of worldwide crime syndicates, which the lawyers for the American defendants had done. To fend off this sortie, I told the Court that the RICO suit, rather than being a paranoid nightmare, simply depicts the business acumen of modern day Russian organized crime and how far and deep it reaches into many aspects of American life. In this age of a global economy, Russian gangsters have also gone global in order to prey on victims any way they can.

Claugus even tried to recast the Complaint's allegations of money laundering by the Bank of Cyprus for the Russian mafia as domestic relations. That's a bit of a stretch, but one Claugus intentionally used to remind his Honor about the perils in modern-day America of using the Court's powers to enforce the rights of a middle-age man tricked by a pretty young lady, even if she is a front for the Russian mafia. In my response to this common lawyerly ploy of exploiting trendy societal biases, I wrote:

"The Complaint does not allege the Bank culpable for errant matchmaking as the Bank's memorandum infers with: 'Defendants did not marry Ms. Shipilina. Plaintiff did. Defendants did not divorce her. Plaintiff did. The Bank played no role in this sorry affair.' True, it would have been better them than me, but that's not what the Bank is accused of doing. The Complaint alleges the Bank furthers the Russian mafia's Scheme of infiltrating and expanding the mob's activities in America by laundering the illegal funds made by mafia prostitutes, pimps, pornographers and pushers. The Bank's marriage to the underworld of the former Soviet Union clearly produces heavenly benefits in the form of lucrative profits. A divorce between these powerful entities seems unlikely unless the purpose of RICO as stated by the U.S. Supreme Court is fulfilled in eradicating organized crime, which is a 'highly sophisticated, diversified, and widespread activity that annually drains billions of dollars from America's economy by unlawful conduct.' Such a parting of the ways would be fortunate, not just for the plaintiff, but others victimized by the Russian mafia."

Consistent with his self-enthroned grandiosity, Claugus condescended with "His is a personal misfortune common to half the population and, like others, he must seek a personal recovery. The Court should facilitate this recovery by dismissing the Complaint." Obviously, he referred to America's 50% divorce rate, but I responded by bending his meaning as he and the other defense lawyers so often did mine:

"I would not put the number anywhere that high, but the statement does indicate the Bank possesses information concerning other victims of the Russian mafia. Regardless of the Bank's effort at denigration, the Complaint alleges harm to the plaintiff's business and financial interests, which does pertain to a particular individual, the definition for 'personal' in the *American Heritage Dictionary*. The Bank, however, might be using 'personal' in the sense of 'personal injury.' The Complaint does not request recovery for personal injuries. Still, the Bank seems compelled to provide legal advice to the plaintiff on just that issue when it states, 'he must seek a personal recovery.' The Bank then goes on to provide legal advise to the Court by stating it 'should facilitate this recovery by dismissing the within Complaint.' I am unaware of such a legal standard that calls for the dismissal of a RICO suit because it will in some mysterious fashion aid in the recovery for personal injury, especially when the Complaint clearly states the harm to the plaintiff from the Russian mafia's Scheme was to his business and financial interests. Perhaps the Bank's real intent was to personally belittle the plaintiff for seeking from the Court redress of the harm caused by the Russian mafia whose money it allegedly launders."

Following in line with the other defense attorneys, Claugus attempted to push the Court into trying the case on a motion to dismiss in violation of the Federal Rules of Civil Procedure. This was not the time in the process for the Judge to act like a kindergarten schoolteacher listening to disputed versions of what happened; that would come later. But Claugus ignored the rules in order to corrupt the process by submitting affidavits from a few Bank of Cyprus employees and asking the Court to accept as true their untested say-so. Had Claugus waited until the proper time, either on a Summary Judgment motion or at trial, many of the so-called facts in his affidavits would have been shown as false and misleading.

One affidavit portrayed the Bank of Cyprus as a small, parochial savings and loan operation that knew all its customers personally. The Bank provides Internet and telephone banking services around the globe—can't get more impersonal than that. With a little sarcasm, I

told the Court, "Such an electronic global reach must make it difficult for the Bank to personally know its clients." It does, however, make it easy to launder money since a click of the mouse or a telephone call could discretely send money whizzing into virtually any financial institution on the planet by way of the Bank's 2300 correspondent relationships. This lawyer-proclaimed small bank was actually the leading financial institution on the banking and tax haven of Cyprus where, according to the *U.S. International Crime Threat Assessment*, banking and corporate secrecy, little or no taxes, and simplified incorporation procedures make it easy for terrorist groups and organized crime groups to launder funds. Gee whiz, did the most successful bank on the island do such things? Claugus' affidavits also failed to mention that the Bank used special procedures to keep secret the real owners of the businesses that used its services, maintained a branch in the offshore center of the Channel Islands, ran a "busy" office in Moscow and, through a wholly owned subsidiary called CISCO, ran an international brokerage firm and managed investment funds.

Another Claugusian method of misleading the District Court with the affidavits involved switching an allegation against the Commie Ho to one against the Bank so that by using a little slide-of-hand, he could claim to prove the newly transferred accusation wrong. Yes, a motion to dismiss isn't suppose to resolve fact disputes, and Claugus' tactic is all part of the defendants claiming they're the good guys so the Court will throw the case out. My Complaint accused the Ho of keeping a small portion of her RICO profits in the Bank's Global Equity Fund. My private detective in Canada, Elaine, dug up the information from her sources in Cyprus, along with the account number. Claugus' affidavits claimed a search of "all relevant Bank records" had found no account in the Commie Ho's real name. The slide-of-hand Claugus used was that the word "Bank" in his affidavits referred only to the Bank of Cyprus, Ltd., which is just part of

the overall conglomerate called the Bank of Cyprus Group. The conglomerate also contains Bank of Cyprus Mutual Funds, Ltd., CISCO and other legal entities. But the search of records didn't include those other subsidiaries, which was strange, since the Complaint specifically stated the Commie Ho kept an equity fund account, not a checking or savings account, which are the only accounts the Bank of Cyprus, Ltd. maintains. If they wanted to confirm the equity account, they should have searched the other subsidiaries. Perhaps they didn't want to find it. Turning my verbal blade a little in Claugus' ego, I remarked in my opposition memorandum to the Court:

"The Bank's chivalrous act of spending time, money and effort to aid Shipilina with two affidavits must be greatly appreciated by her, but raises the question as to why the Bank would try to help a person it considers is just one of many 'disparate' defendants. Actually, it looks more like a family associate helping out one to whom it is joined at the pocketbook. The Bank's affidavits that refute the allegations against Shipilina in the Complaint raise more questions than they answer, which can only be resolved in discovery. But after magnanimously assisting a fellow 'disparate' defendant, the Bank states, 'Nor has the Bank ever done business in New York with the plaintiff or any defendant.' The plaintiff never alleged he did any business with the Bank. But the real purpose behind the Bank's statement is to improperly interject this so-called fact into a motion to dismiss. A motion to dismiss raises only an issue of law, not of facts. Other lawyers do the same thing as though they were in state court trying to argue the factual righteousness of their cause whenever they open their mouths rather than following the proper procedure. There's a time and place for everything. Trying to three-card Monte so-called facts before the Court on a motion to dismiss is procedurally incorrect. The facts will be determined through discovery.

Throughout his memorandum, Claugus just couldn't let go of his simulated all-knowing air, "The dispute, if there is one, is between Plaintiff and his ex-wife. Organized Crime did not cause Plaintiff's misfortune." In my response, I wrote, "How is it that the Bank of Cyprus' attorney knows the Russian mafia did not cause the plaintiff's claimed harm? Is the Bank omnipresent or perhaps, more tellingly, on intimate terms with the Russian mafia." Without coming up for any humility, Claugus' memorandum condescendingly continued on "The Court, the Bank, and Plaintiff all have more productive uses for their resources." Where did this guy

get off speaking for me or even the Court? I'm surprised his ego could fit through the Courthouse entrance. My response, "Perhaps the Bank's attorney is referring to the lucrative business the Bank conducts with confederates of the Russian mafia. The plaintiff, however, can think of no more productive use of government resources than, as the U.S. Supreme Court stated, 'bringing to bear the pressure of private citizen attorneys on a serious national problem for which public prosecutorial resources are deemed inadequate.'" *Agency Holding Corp. v. Malley-Duff & Associates*, 483 U.S. 143, 151; 97 L.Ed.2d 121; 107 S.Ct. 2759, 2764 (1987). As with all defense lawyers, Claugus presented his client as the victim and demanded a "measure of justice" by throwing my case out, to which I responded, "By allowing the case to proceed, the Court can prevent more than a measure of injustice to the plaintiff." But did anyone care?

Laugh, Laugh

My opposition memorandum to the Bank of Cyprus' motion to dismiss and its vituperative memorandum had included a footnote recounting the comment by Detective Henning's' attorney outside Judge Castel's courtroom before the July status conference. Pawar's behavior was used as an example of the proclivity for the defense lawyers to avoid the truth:

> "The willingness of defense counsels to hide the truth was demonstrated just before the July 13, 2004 conference before your Honor. Vikrant Pawar, attorney for defendant Henning, approached the pro se plaintiff in the hallway outside the courtroom and said with a grin, "I hope you survive this motion to dismiss." The plaintiff responded, "That's an inappropriate remark, which I will raise with the Court." Pawar smilingly retorted, "I'll just deny it."

Pawar didn't like that footnote, bullies always turn to cowards when their prey fights back. When he received his copy of my opposition memorandum, Pawar telephoned me.

"I received your papers and I'm upset. I'm a bit surprised although honored"—if honored, why was he upset? No, the honored part was him trying to appear untouchable, a common attorney ruse. "Honored that you would include me in your papers and mention our

conversation that you placed entirely out of context. So I'm not going to respond to it in writing,"—gee, thanks, as if I cared—"but I am surprised that you would resort to the same tactics you accuse others of doing…"

I cut him off. He wasn't going to get away with accusing me of anything nor play his game of covering up his own stupidity. "Look Mr. Pawar, if you have an objection, I suggest you bring it before the Judge as I have done. As I told you at the time you made the comment, it was out of place, and just looking at it on the face, it almost sounds like a threat." Then with sarcasm dripping from my voice, "But I don't think you're that stupid. So if you have a problem with what I wrote, send a letter off to the Judge. You said it and that's it."

"I'm not going to trouble the Court with this trivial matter…"

I interrupted him again, this time bristling with anger, "Trivial, huh, okay fine, if you think it's trivial than good."

Pawar then tried to pass the buck of his boorish conduct to me. Lawyers, as with broads, always try to scapegoat others for the wrongs they have done. "You should know that if you're going to mention a conversation taking place between two parties, the least you could do for the Court is to mention the entire context of the conversation not just pick what you think would be appropriate to color the Court's judgment." The only part of the conversation I left out of my footnote was Pawar asking me whether he could say something off the record and my asking what he meant, but he never answered, so there was no off the record agreement.

"Look," I said, "there's no way that conversation could ever be construed as settlement talks, and if it was a settlement talk, then the conversation could not be mentioned to the Court. The conversation was pretty obvious. It was basically a threat, but I'm not even going to bring that up." Why bother, it wouldn't do any good anyway in America. "If you've got a problem, I

suggest you bring it to the Court. You've registered your objection with me. In fact you did it right at the end of the conversation when you said you would deny what you had just said."

"If you perceived it as a threat, I'm sorry you felt that way." He was sorry for nothing, except that I complained about his statements to the Judge. "It was a comment between two attorneys who were conversing about stuff…"

"The only conversing was you making that comment. That was the sum total of the conversation. You didn't come up to me to say you wanted to talk settlement or negotiate, which would have been off the record and can't go before the Judge."

In response, this refugee from the Indian subcontinent tried to move up a caste while belittling me. "In my court experience and my dealings with many Federal judges, I've come across many pro se attorneys"—that's considered an insult among lawyers—"but for you to take my comments out of context, well I'm just going to let my objection stand. I have been discreet, and I'm sad to see that you included the conversation in your papers." About as discreet as an 8th Avenue hooker, I said to myself.

"You have the ability, and you have the recourse, and there's a procedure for you to put your comment in context, as you call it. So it's all up to you."

"I know what I have, and it's not a big deal to respond to something like that." No, it was a big deal because he got caught acting like some schoolyard tough and couldn't come up with a reasonable explanation. All he could do was hope the Court missed the footnote. He wasn't about to bring any more attention to his foot-in-mouth disease by sending the Judge a letter complaining.

"Okay then you shouldn't' have even bothered calling me," I disdainfully replied.

"I called to let you know how I felt about it."

To which my breath exhaled in exasperation. Who cared what this guy felt, he didn't give a dam about anybody else. "Well I'm sure you know how I felt about it, so now we're even. I know how you feel about it, and you know how I feel about it." Pawar finally hung up—good riddance!

Switching back to my battle with the Bank of Cyprus, I contacted my Moscow lawyer Xenia to see whether her investigator in Cyprus had any useful information on the Bank. After Claugus replied to my memorandum, my only opportunity to expose the lies he would most assuredly include in his reply would come in an oral argument, assuming the Court—slim chance—granted one. But if it did, I wanted more information for beating Claugus over the head with even though at this stage of the case the Court should focus on what's in the Complaint and the law. Xenia agreed to ask him, then said in a nice way, "Roy you spend many years for struggle, but Alina lives in N.Y., and everything seems to be OK with her. You work on this case 4 years, and you still think that she will be deported? Maybe you just forget about her experience, and start to live for yourself. Sorry—it is not my business at all, but I think that she will stay in the U.S. anyway."

"I understand your point of view and appreciate the input. My friends here say the same. But for me, nothing is more important than justice. You have no liberty, no freedom, no pursuit of happiness without justice, so I push on. I'm sure some more interesting things will happen."

At the end of August, I received Claugus' reply to my opposition memorandum. It wasn't nearly as nasty as the first one and less pompous, probably because another attorney was involved in the writing. The reply, however, continued harping on the "voluminous output" of my papers. What was with these lawyers? Didn't they ever take an Evelyn Woods speed-reading course—J.F.K. did. The papers I filed under the first judge followed his rules, and my

opposition memorandum to the Bank submitted under the second judge, Castel, kept within his page length requirements. The defense lawyers sounded like broads reaching for any ammunition to get back at someone who exposed their duplicity. The Bank's lawyer even criticized me for daring to oppose the motions to dismiss. What was I suppose to do, say they're right, never mind and go home—truly a delusional expectation.

Putting such lame rebukes aside, the Bank's reply continued one of the defendants' key connivances of trying the case on a motion to dismiss. The Bank stated I failed to "establish" links among the defendants, failed to "establish" the Bank played a role in Russian mafia operations and failed to "establish" the Commie Ho's bank account—they skipped over the fact that it was an equity account in a separate subsidiary of the Bank of Cyprus Group. Under the law, "establish" means "to prove," but, once again, the function of a federal complaint in 2004 was to give notice to defendants of the accusations against them. The proof comes later after discovery. The Bank of Cyprus' attorneys and the District Court know all this, but still the defense attorneys argued as though all the evidence had already been produced and introduced in a summary judgment motion or at a trial. So why did the Bank's attorneys circumvent the proper procedure? To get the Judge and his clerks, to do the same thing. Lots of judges and their clerks don't want to do a lot of work, are sloppy thinkers and make decisions based on their personal emotions rather than the law. The Bank's attorneys, along with the other defense lawyers, tried to color the Judge's perception of the case so as to influence him into making the type of knee jerk decision that the rules prohibit: determining what occurred based on the Judge's personal proclivities rather than evidence, then covering it up with a fabricate legal argument. It happens all the time.

The Bank's attorneys presumptuously claimed that a dismissal "will spare all parties—including Plaintiff—any further disruption, turmoil, or expenses." These two-faced lawyers were trying to appear magnanimous before the Court in their concern for my well being. They could have saved the keystrokes that composed their hypocritical compassion and inflated self-importance as to dare to speak for me. I was in this war until the end of days.

When arrogance didn't serve the ends of the Bank's attorneys, they, true to form, continued to lie about my Complaint and even distorted the meaning of an affidavit from their fellow defendant the Commie Ho. The Bank's attorneys claimed, "The only specific associations alleged by Plaintiff between the Bank and any of the defendants is [sic] that between Ms. Shipilina and a 'Stephanos' and an account she purportedly maintained with the Bank." Not so, the Complaint accuses the Bank of laundering money, the Ho's account is an equity fund in a subsidiary of the Bank of Cyprus Group and not necessarily connected with Stephanos, one of the Ho's frequent customers at the brothel Zygos in Cyprus, who may be an employee of the Bank or some other financial institution in Cyprus.

The Commie Ho had sworn in a prior affidavit: "I knew a man named Stephanos, who worked in a bank there. I never knew his last name, nor do I remember in which bank he worked. I never had any reason to know his address, not can I tell if this is the same person to whom plaintiff refers." The Bank's attorneys distorted the Commie Ho's affidavit to conclude that the Bank "has never done business with Ms. Shipilina." Even the former Soviet Union's version of the New York Times, Pravada, would find such an inference hard to buy. The Commie Ho's affidavit never mentioned the Bank of Cyprus and never denied her keeping an equity account with it. It talked about a guy named Stephanos working in some bank in Cyprus. But that didn't mean the Commie Ho never did business with the Bank of Cyprus. The Bank's

lawyers used the simple trick of setting up a false premise from which to spin off equally false inferences.

The attorneys never checked the records of the Bank of Cyprus' subsidiaries that held mutual fund accounts, or if they had, they didn't tell the Court whether they found the Commie Ho's equity fund or not. Instead, they argued no such account existed because I didn't provide the Court with a copy of her equity fund statement. It's a nice Catch-22 tactic. Putting aside the Federal Rules of Civil Procedure that do not require a complaint to present evidence, the only way to legally obtain a statement copy was for the Court to issue a subpoena, but the Court would not do that until the case moved into discovery. Sure, I could have acquired a copy from my private eye, but the moment I submitted it to the Court, the defense attorneys would let loose a cacophony demanding the prosecution of me for privacy invasion. So in the Orwellian logic of many lawyers and some courts, because I didn't have a copy of the Ho's bank statement, the attorneys declared no connection between the Russian mafia and the Bank, which meant the Court should throw the case out; that is, throw it out before I got a chance to obtain a statement copy through discovery.

The Banks' attorneys, dancing through their lies and intentional muddying of the Complaint, again twisted, ignored and rewrote the law to fit their misrepresentations of my Complaint. Repeating the same trick they used in their first memorandum, only this time referring to a different case, the Bank's lawyers omitted the same crucial part of the law for determining whether to dismiss a case: "On a motion to dismiss under Rule 12(b)(6), the court must accept as true the factual allegations in the complaint." *Harris v. City of New York*, 186 F.3d. 243, 247 (2nd Cir. 1999). They also, not surprisingly, left out that case's warning that "any party moving for dismissal faces a difficult (though not insurmountable) hurdle."

As for the law of RICO, the Bank's attorneys declared that a person is liable for violating RICO only if he "conducts or directs" the entire organization. That's wrong under U.S. Supreme Court decisions, wrong in the Second Circuit and wrong in the First Circuit Court of Appeals. A defendant need not be an executive so long as he participates in the operation or management of the organization. Another trick out of their bag of deception used rulings from cases that didn't apply, such as a fraud case even though no accusations of fraud were made against the Bank. But for the Court to discover that those cases used by the Bank's attorneys weren't relevant required the Judge or his clerks to read them. Would they take the time? Not likely.

The Bank's attorneys also came up with some new names to call my allegations after I debunked their former labels of "insufficient," "conclusory" and "bare." All of the defense attorneys prior to the Bank filing its reply had used that trinity of adjectives but never defined the words' meanings, so I used Federal cases that did. The cases made clear that such descriptors didn't apply to my Complaint. The Bank's attorneys must have agreed since in their reply memorandum they started using "wild speculations" and "lacking even the most tenuous support" to replace the former adjectives. The cases still showed my allegations weren't either of the new descriptions, but I'd have to wait to tell the District Court that at oral argument, assuming the Court allowed one.

Other subterfuges used by the Bank's lawyers included switching allegations from one section of the Complaint that satisfied a particular requirement of RICO over to another section dealing with a different part of the law. How did attorneys so full of themselves miss the boldfaced underlined headings of my Complain on their way to rearranging its allegations? They didn't, but hoped the Court would. In addition, they regularly ignored paragraphs in the Complaint when convenient for their arguments, used the type of lingo that comes from

watching too many *Perry Mason* shows and gave the wrong citations to cases to hide their misstatements of the law.

The Bank's lawyers concluded their reply with possibly prophetic words: "The unfortunate problem that exists in this case cannot be solved in a court of law. Plaintiff must look elsewhere and the Court should facilitate this effort, to the extent it can, by dismissing Plaintiff's complaint." The problem with looking elsewhere is that no elsewhere existed. It made no sense to look to the U.S. Government for protection because it's not about to open a wide assault on the Russian mafia, its collaborators and those who profit from its operations. High-ranking Washington officials want the government of Russia to support the War on Terror and contain Russian nuclear stockpiles. Since many mobsters in Russia are either members of the Russian Government or exert influence on it, this means letting the Russian mob and its confederates profit in America. And why not, the Red Menace wouldn't hurt the rich, only the average powerless American who will have to take to the courts for justice. But if the bureaucrats stop him there, where else can he go—public with civil disobedience?

You Talk Too Much

At the end of August 2004, I waited in hope for the Southern District Court to allow oral argument on both the American defendants and the Bank of Cyprus' motions to dismiss and to help me serve some Russian gangsters in Krasnodar and the Baraev Islamic Mafia Clan in Chechnya. The first request for the Court's assistance to serve those defendants was in July, but civil servants tend to forget because remembering doesn't increase their job security. So I reminded Judge Castel with a letter asking the Court to contact the Krasnodar Department on Fighting Gangsterism and Corruption for assistance in serving the Russian mobsters and to contact Russian Military Intelligence for Southern Russia for assistance in serving the Baraev

Terror and Crime Clan. As the letter stated about the Chechen clan, "Since the death of Movsar Baraev, I do not know who is heading this Clan now, and although the Clan controls an area just south of Grozny, Chechnya, I'm not about to visit the area to inquire as to the new head and his address."

While waiting on the Court, I also drafted a Supplemental Complaint and requested a pre-motion conference for approval to make a motion to file it. Each Federal judge creates his own rules for certain procedures in his court, such as the length of papers, which motions require a pre-motion conference and how to contact the Judge's chambers. Judge Castel, unlike the Chief Judge who previously handled my case, required that before making most motions, a party must first request a pre-motion conference. It's probably part of the U.S. Government paper work reduction act or bureaucratic desire to read as little as possible. At a pre-motion conference, a judge tries to get both sides to resolve the procedural issue without having to file motion papers.

The Supplemental Complaint would update my original Complaint with events that occurred after April 2003, when the Complaint was filed. A basic policy of the Federal Rules of Civil Procedure requires that a party be given every opportunity to join all of his grievances against other parties regardless of when they arose, and supplemental complaints were the means for adding additional claims and defendants after a suit had already begun.

My Supplemental Complaint included the F.B.I.'s interference in my efforts to checkout the information in the Vasilyevas' letter to the District Court. Special Agent Babler was not added as a defendant because that never looks good to a court, but I did recount his key role in trying to run me out of town. The new defendant from that episode was my favorite tailor shop manager Cynthia Zahnow. The Supplemental Complaint asserted that Babler, Zahnow and

Anastasia agreed on a course of action at Babler's suggestion to intentionally thwart my investigation by having Zahnow make false harassment accusations against me to the local police. Their aim was to scare me off my investigation and back to New York. The Supplemental Complaint included as an exhibit the letter from David Larson, Acting Chief for the F.B.I. Investigative Law Unit that confirmed Babler gave advice to Zahnow or Anastasia or both to contact the local police concerning me. The conduct of these three amounted to tampering with a witness, victim or informant, but I only accused Zahnow and Anastasia of that crime.

The next set of allegations in the Supplemental Complaint accused Mundy of committing mail fraud by using the U.S. Postal Service to file his Disciplinary Committee complaint against me and tampering with a witness, victim or informant by trying to use the Committee's power over attorneys to scare me into withdrawing my RICO suit. Since the purpose of his Disciplinary Complaint was to prevent the RICO case from exposing the illegal efforts to keep the Commie Ho in America, it amounted to an attempt to further those efforts by keeping them secret from the District Court. It didn't matter whether anything Mundy said in his complaint was true or not, only that he sent it through the U.S. mail, which meant mail fraud.

Finally, as to my favorite defendant, the Commie Ho perjured herself and committed a couple of additional RICO crimes when answering the Court's order to provide last names and current addresses for a number of the foreign defendants. Her lawyer allowed the Ho to swear to a paragraph in which she lied about her dealings and relationships with each of the four defendants by claiming only minimal contacts. As with all pathological liars in fear of getting caught, she spent her effort trying to create a plausible cover to trick the Court into believing she only fleetingly knew these people: "In 1999, in Moscow, I was introduced to a woman named

Tanya, who I believe at the time was seeing one Leo Perlin, another co-defendant, who I believe was a principal in Phodes Studio Co., yet another defendant in this matter. From the start we did not get along, and the few times we were together were very unpleasant. I did not socialize with her, nor did I have any reason to know her last name, or address." About defendant Salvador, the Ho lied on with "I met a man named Salvador during my brief stay in Mexico, in 1999. I was never informed as to the nature of his business connection, if any, with Phodes Studio. I never knew his last name, and although I was at his house once or twice, I went with other people, and was unaware of his specific address. I have had no contact with him whatsoever since I left Mexico in 1999."

The Ho's diary paints a different picture. In August 1999, she, Tanya and Leo flew to Mexico City together. Salvador, Leo's partner, met all three at the airport and took them to their hotel. Salvador showed the Commie Ho around Mexico City, took her to restaurants, a beauty salon and even carried a nude picture of her he got off the Internet from Leo's website. The Commie Ho, Leo and Tanya traveled to Acapulco together where Salvador joined them. Salvador paid the Ho's expenses and for her. Leo had brought the Ho to Mexico, in part, for Salvador, and most of the time when at Salvador's house, she was alone and usually naked. Tanya and the Commie Ho both ended up working as strippers and whores at The Men's Club and even roomed together for much of their three month stay until Mexican immigration arrested the two and bounced them out of the country on the same flight back to Moscow. After her deportation from Mexico, Salvador blamed the Commie Ho for the problems his prostitution and pornography business subsequently ran into with Mexican authorities. She probably spilled her guts to the immigration authorities.

Although, Leo wasn't one of the four defendants in the Court Order, lying about her relationship with him still amount to perjury because she made her statement under oath. The Commie Ho's diary clearly shows she knew Leo very well as the sole owner of Phodes Studio and her Moscow procurer for years. The diary even admits she entered into a business deal to recruit prostitutes for Leo to send overseas. In addition, Leo took the all-nude photographs of her that she sold to "grandpa" in Cyprus as evinced by her diary and handwritten letters to Leo. According to Leo, he also used the nude photos to advertise her sexual services and arranged for her to star in the masturbation video that defendant Paulsen shot in one of Perlin's apartments in the same complex where I had once lived.

The Commie Ho's sworn affidavit about her relationship with Azul admitted a few facts, but committed perjury by what she left out. The Ho always believed that telling the truth did not mean the whole truth, or lying did not include leaving out facts that would change the entire meaning of what she said—a Feminist by any other name. "I first met Azul during my brief stay in Mexico in 1999. After I left Mexico, I had only one contact with her, a telephone call to me in New York in the year 2000. I believe she said she was calling from the Netherlands at the time. During the time I knew her I became aware that she traveled a great deal, and in the short time I knew her she never gave me any address, let alone one at which she could be reached years later." Azul did travel a lot, especially in Mexico when she and the Commie Ho went together on prostituting junkets with their clients from The Men's Club to Cancun, Puerta Vallarta and Acapulco. The two were best friends, and after the Commie Ho left Mexico by way of the immigration boot, they stayed in touch. The old address I had for Azul came from the Commie Ho's papers, but after Azul's husband learned of her whoring, he kicked her out, and she went to live with one of her customers in the Netherlands. The Commie Ho, when she still lived with

me—what a revolting development that was, called Azul every so often in the Netherlands. That's how I got the number for Azul and even talked with his latest sucker a couple of times to pump some information until the Ho told him to shut up.

The fourth defendant, Stephanos, was the Commie Ho's favorite customer when she hoed at Zygos. Although not very well endowed, she liked his "smell," and in September 2000 she visited him in Cyprus at the bank where he worked—all according to her diary.

By making such false, misleading and incomplete statements in order to protect the Russian mafia and its confederate's efforts to keep her in America, cover up the mob's illegal activities and with the foresight that the document would be mailed to the Court and other parties in the case, the Commie Ho committed mail fraud, a RICO crime. In misleading the Court with her misrepresentations, prevarications and half-truths, she corruptly influenced and impeded the administration of justice—a Martha Stewart crime, also covered under RICO. She also committed perjury, but American courts don't care if girls lie—it's expected.

Two of the defense lawyers opposed my request for a pre-motion conference concerning the Supplemental Complaint by responding as though the motion had already been made rather than just arguing for or against the conference. They knew better, but some lawyers always use any communication with a court to mislead it and carp against their opponent—it's a requirement of litigation by personal destruction. Once again, I counterattacked, first against Dubin's deceits:

"The defendants' lead lawyer falsely claims that the proposed Supplemental Complaint, as it concerns Mundy, is 'merely repetitive of the allegations and predicate acts already set forth in the plaintiff's initial complaint.' Unless he ascribes to a Doctor Who view of time, his statement as to the factual allegations makes no sense. The Supplemental Complaint alleges events that occurred only after the filing of the original complaint; therefore, the events in the original complaint and Supplemental Complaint cannot be 'repetitive', since the events in the Supplemental Complaint had not yet occurred on filing of the original complaint.

"In addition, the defendants' lawyer claims, 'all other allegations set forth by the plaintiff in his proposed Supplemental Complaint have been addressed,' by the motions to dismiss. There are no references in any of the memoranda of law to the events that transpired in August 2003 or to Shipilina's delusive declaration to this Court."

My response to Jack Sachs, the Commie Ho's attorney, made for a more interesting knife throwing contest. The Ho must have flipped when Sachs told her the Supplemental Complaint had used her sworn affidavit to charge her with more felonies. Not that she worried about committing crimes, she didn't, but the Supplemental Complaint meant more money to pay for Sachs' time in responding.[2] In order to calm her down over the additional outlay of assets, Sachs wrote a particularly emotional and virulent letter, probably with the Ho's input, objecting to the pre-motion conference. The knife I used for this duel aimed at personally aggravating Sachs as much as possible, since that's what he tried to do to me.

"Jack Sachs' August 30, 2004 letter to the Court opposes the plaintiff's request for a pre-motion conference but then rambles on to argue as though he were responding to a motion already made using the type of vitriolic invective that overly protective boyfriends do: 'Plaintiff's wrath, as befits a scorned lover, manifests itself in the supplemental complaint.' Who is Mr. Sachs trying to impress with this sophomoric name-calling? His client is not accused with breaking hearts but breaking the law.

"Mr. Sachs complains that some of the allegations in the proposed Supplemental Complaint 'libel' his client. All the attorneys know, including him, that no matter what names he and the others call the plaintiff in this proceeding there is no recourse to a libel claim, so why even raise that non-issue."

No, that last sentence is not a writing error. I intentionally switched the phrase that logically followed—"that no matter what names I called the defendant"—to the one written in order to throw the Judge off, make him stop, question what he just read, so he'd go back and re-read with more care than just breezing through my letter for its gist.

[2] Under VAWA, the Department of Justice Office on Violence Against Women pays an alien's legal fees and expenses once she has accused her U.S. citizen husband of abuse. The Office pays for immigration proceedings and any domestic relations cases, such as for a divorce. The office, however, will not pay an alien's legal fees and expenses when an alien is accused of criminal conduct. Since the basis of even a civil RICO action is criminal conduct, an alien defendant has to foot the bill for her defense whether she wins or loses.

"Me doth think Mr. Sachs protests too much, especially when the proposed Supplemental Complaint paragraphs he claims as libeling his client, don't deal with his client unless he now represents Inessa Shipilina and two notorious organized crime figures in Krasnodar: Magomet Ali Kurban and Viktor Vladimirovich Kononenko."

Overly wrought by the Commie Ho's anger, Sachs had confused some paragraphs in the Supplemental Complaint as dealing with the Ho when they didn't. His fervently induced sloppiness caused me to laugh.

Continuing on:

"Mr. Sachs emotionally objects to alleged 'pejorative adjectives,' but doesn't specify them. Further, he doesn't claim they are false because much of the Supplemental Complaint's section on Shipilina is based on his client's own diary. Mr. Sachs also calls the allegations in that section 'unsubstantiated conclusory statements'—a little redundant on those modifiers. But, a complaint that complies with the federal rules of civil procedure cannot be dismissed on the ground that it is conclusory or fails to allege facts. The federal rules require (with irrelevant exceptions) only that the Complaint state a claim, not that it plead all the facts if true would establish that the claim was valid.

"In a somewhat whiney manner, Mr. Sachs complains that the original complaint is too long and the proposed Supplemental Complaint 'is duplicative' of much already pled. As concerns his known client, Alina A. Shipilina, the original complaint does not deal with Shipilina's false declaration to the Court. That event occurred after the original complaint was filed, so the Supplemental Complaint cannot be duplicative.

"The pre-motion conference request is for permission to move for a Supplemental Complaint, not to supplement evidence. We are not at that stage although that hasn't stopped Mr. Sachs from demanding proof. Mr. Sachs absurdly believes the Supplemental Complaint must prove to Mr. Sachs' satisfaction its allegations. A supplemental complaint stands with the original and is a mere addition to, or continuation of, the original. *U.S. v Russell*, 241 F.2d 879, 882 (1st Cir. 1957). And the function of a complaint is to give notice, not prove. *NOW, Inc v. Scheidler*, 510 U.S. 249, 256, 127 L.Ed.2d 99, 114 S.Ct. 798 (1994).

"To compound his sophistic arguments, Mr. Sachs claims that certain accusations are 'fabrications' or 'rampant speculation' largely because the plaintiff used the term 'on information and belief.' Mr. Sachs may not like it, but the courts permit plaintiffs 'to assert facts that they believe to be true, but that lack evidentiary support at the time of pleading,' especially when the evidence is within the defendants' knowledge or control. *Moore's Fed. Prac.*, 3rd Ed., § 8.04[4]. Besides, complaints do not provide evidence. *Hickman v. Taylor*, 329 U.S. 495, 500-01, 91 L.Ed. 451, 67 S.Ct. 385 (1947); *Geisler v. Petrocelli***,** 616 F.2d 636, 639-40 (2d Cir. 1980). Of course, these types of arguments should wait for the formal motion, if the Court allows such."

Sachs harping on my lack of proof included his assertion "it appears that few, if any, of the events cited in the Supplement Complaint ever *really happened*, as the rule requires." He knew that wasn't what the rule required; he just wanted to add to the chorus calling my Complaint and Supplemental Complaint a fiction. Sachs, like the other lawyers during this initial stage of the case, intentionally misread the law as requiring that my Complaint include admissible proof of the accusations against their clients when they knew very well that couldn't happen until after the discovery phase—again a Catch-22. The defense lawyers used this tactic because it allowed them to call me a liar, delusional, paranoid and other opprobrium in order to bias the Court against me. That's just the way mentally challenged attorneys fight legal disputes.

One final dig at Sachs:

"In closing, it appears that Mr. Sachs' unnecessarily nasty letter, which makes arguments more appropriate of an opposition to a motion rather than a request for a pre-motion conference, is largely the result of the inartful drafting of his client's affidavit that gave rise to supplemental allegations against her, and, therefore, Mr. Sachs' strident effort to prevent a pre-motion conference."

Sachs obviously felt like a buffoon in front of the Commie Ho for doing such a bad job in preparing her sworn affidavit, so, under the stress of redeeming himself, his letter went a little too ballistic.

Tired Of Waiting For You

My efforts to interest the news media in my RICO case, so far a failure, continued with sending Lou Dobbs a letter. His show seemed a logical choice because it did plenty of stories exposing the U.S. Government's failure to stem the wave of illegal aliens into this country. Although the Commie Ho didn't slink her way across the Rio Grande, she and other Russian mob prostitutes illegally sleazed their way into America and remained here thanks to mobsters, crooked lawyers and do-nothing bureaucrats. Dobbs' show never sent me a reply, so next I tired

the columnist Michelle Malkin. Sure, she's a career female, but I didn't think her a Feminazi because of her redeeming features of Asian heritage and having written an excellent book, *Invasion*, on the horrors caused by the incompetent and corrupt INS, such as illegals senselessly slaughtering some Americans and increasing taxes for the rest of us. Again no reply, maybe all girls, regardless of ethnicity and politics, are the same. Next on my media list was an attempt at cashing in on my one semester at Columbia University's School of International and Public Affairs, which I attended before switching over to the Business School. A Graduate Fellow at the School of International Affairs, Stephen Handelman, wrote the book *Comrade Criminal*, which I had read to help prepare for the job with Kroll Associates in Moscow. The book detailed the dual personality of the Russian government as both state institutions and organized crime groups. Handelman also worked as a columnist and commentator on Russian crime, so he might have some interest in my case, but once again, I never heard back from another member of the anti-masses media.

My last shot with the media was Joe Conason, or Conoclone as I used to good-naturedly call him. He was working as the national correspondent for the New York Observer and previously wrote the column "Running Scared" for the *Village Voice*. Joe was the reporter at the *Voice* to whom I started slipping information on the mafia judge backed by Roy Cohn and the Gambino and Mangano crime families. Eventually, I went on the record with what I knew about that small segment of corrupt politics in New York City, but that was over twenty years ago, would he remember me, would he care? Over the years, he appeared on television a number of times arguing with other political pundits. He seemed to have turned into a rather self-righteous ideologue of political correctionalism, always interrupting his opponents as though freedom of speech meant only the freedom to agree with PC. He, like so many other Jewish intellectuals,

had fallen for Feminazi propaganda, probably something to do with domineering mothers, but I assumed his hatred of injustice stronger, so I sent him a letter with the summary of the RICO case. Guess I was wrong; he too never bothered to respond.

The news media had always been corrupt to one extent or another. Not so much by money but by chasing social status, currying access to the powerful and foisting its members personal values on society at large. Reporters are observers, not players, and they resent that. After all, the point in life is to make the news not report it, so media members try to excerpt influence by coloring or creating a story that will exalt their beliefs, portray as evil their philosophical opponents, gain them admittance to an exclusive night club or invited to a fat cat's private party.

For example, back in the 1970s, when I wrote part of the weekend news show at WNEW TV, Senator Church's Committee was investigating the C.I.A. One of the Committee's revelations was that the C.I.A. used reporters to spy for it when they traveled overseas. The Saturday anchor for WNEW's news show had done just that. When the news of reporters spying for the C.I.A. became public on a Saturday, my producer assigned me to write the C.I.A. story. The anchor, however, came over to me to say he'd write the story, which he did and in such a way as to make an alliance of spooks and the free press look natural for a democracy.

Today, the key corruption in the news media—whether left, right or middle—is the insinuation of Feminazi tenets into stories as a result of so many broads now working in the media. Any girl in a position of power will exploit it not for justice but herself and her special interest group. As a result, they always belittle and blame men while aggrandizing and excusing females. As for the alleged men in the news media, their childhood fear of mother and teacher cause them to grovel for female approval, not unlike a lap dog.

Even more gutless than news reporters are politicians. They generally bow lower and scrape harder before Feminazi deceit. An article from the Daily News that my pal Alan sent me reported on the New Jersey Attorney General going after some Russian guy for allegedly tricking Russian broads into coming to America to work as musicians only to take away their passports on arrival and "force" them to work in strip clubs. The Attorney General pontificated, "The fearful plight of these women, who were forced to dance nude and perform other abhorrent acts, cannot be measured in a 12-count indictment. Their plight can only be measured in human tragedy." This Feminazi-sycophant politician made me boil to the point of sending him a letter to verbally slap some reality into his delusional view of broads, but I doubted it would have such an effect.

"With all due respect, you don't know a damn about the Russian mafia's underground pipeline for bringing Russian prostitutes and strippers to America. These ladies come of their own free will to make big money. The average monthly salary in Russia is $150. They can make many times that in one night at a lap-dancing club and even more as prostitutes. Prostitution was always the former Soviet Union's key capitalistic enterprise with the pimps being both men and women. Now it's Russia's key earner of hard currency because the fall of the Iron Curtain unleashed tens of thousands of prostitutes and assorted criminals into the world.

"The Russian sex industry works quite simply: model agencies throughout Russia, some run by men, some by females, are swamped with pretty young girls wanting to sell their assets in hard currency markets. The agencies, often via bribes, obtain the girls travel visas so they can work overseas in lap-dancing clubs and brothels. Some agencies send the ladies to work at clubs in Mexico City, such as The Men's Club, and then smuggle them into the U.S. The girls know before they leave what they are going to work at, how else could they hope to make so much money. They sell their bodies willingly because that's how they become millionaires by Russian standards.

"The standard agency fee is around 20% for making the travel and visa arrangements and paying the airfare. The strip club or brothel takes around another 15%. That leaves the prostitutes and strippers 60 to 65% beside the private prostitution deals they cut with their customers and whatever they can cheat from the money they owe their agencies. It's rather difficult for a model agency in Russia to keep track of how many times a girl gives a lap dance or performs sexual acts in America. These Russian model agencies also function as matchmakers, suckering American men into bringing these prostitutes to America, and pornography producers for the American market.

"I suggest you talk to the Deputy District Attorney for Los Angeles County, Marcia Daniel, who recently prosecuted the largest prostitution ring in Los Angeles' history, run by a 42 year old Ukrainian woman and her 22 year old daughter. Ms. Daniel will tell you how the underground railway funneling Russian prostitutes into America works. But you are probably not interested since you are obviously pandering to the female vote. Oh, and by the way, when a Russian has her passport stolen or "confiscated," all she needs to do is contact the nearest Russian Consulate to obtain a replacement.

"You may feel like a white knight, but the folks in Russia and those here that understand the twisted nature of that country are laughing at your gullibility. You should take a lesson from former President Harry Truman, 'Those Russians, they lie.' And Russian women are the best at it in large part because they can cry at will."

New Jersey's protector of Russian prostitute chastity never responded to my letter.

The Daily News article, surprisingly, did get a couple of facts straight: the Russian mob operated the pipeline funneling hos from the former Soviet Union to America and ran some of the strip joints, or brothels, in which they worked. If the District Court for the Southern District of N.Y. only knew as much as the Daily News did about the Russian mafia, my RICO case chances would improve.

Fed up with reporters, politicians and bureaucrats who childishly believe snow white didn't pay for her room and board with sex, I vowed never again to waste my time on trying to enlighten brainwashed girliemen.

As for the class action lawsuit against Salomon Smith Barney that I had joined two years earlier, progress consisted of one lateral pass after another going nowhere. The moldering case kept switching me from one law firm to another with each firm uncannily lacking the ability to obtain my records from the prior firm. The fourth firm had recently requested from me the same documents all the others had and warned that if I didn't provide them, the firm could not proceed on my behalf. Proceed to do what, pass the case off to another firm? I sent the records for what good it would do.

Diamonds Are A Girl's Best Friend

Over the Labor Day weekend, Mark and I caught a new club on 10th Avenue and 17th Street called *The Park.* Mark had been telling me about the place for a few weeks as great for chicks. One of Mark's previous martial arts students, Vincent, a black belt, ran security at the club. Vincent helped us look like big shots at the club, always useful with chicks since to them appearance counts more than substance. When Mark and I arrived, we walked to the head of the line passed the little princesses watching and wondering who were those two guys? In their eyes, we looked professional, but did we have pull? The bouncer at the door knew Mark and called on his walkie-talkie for Vincent to come to the door.

Vincent and the two of us stood outside in the summer weather talking while the girls waiting to enter the club scrutinized three guys, two black and in their thirties, one with dread locks, one with a shaved head and a middle-aged white guy with gray hair cut in a butch from the mid-twentieth century.

This was the first time I met Vincent, an intelligent guy and clearly one for watching your back in any type of altercation. Besides his job, he was doing what I regretted not doing my entire life—studying physics. Once he got his doctorate, Vincent planned to work in Puerto Rico, another dream of mine never fulfilled: warm tropical weather and hot brown-skin girls. What a great life style he was working towards, but more than a comfortable life drove Vincent. When he mentioned the philosophy and Tarot courses he also took, I knew this guy, like I once did, wanted to understand how the universe worked and why things happened. I envied him his future, but for me, I had already lived mine. All that remained was my reckoning with evil.

After looking like V.I.P.s talking with Vincent outside, he escorted us into the club with the door bouncer parting our way passed those in line. The girls eyeing Mark and me now knew

we had the pull to treat them in accordance with their self-professed birthright as princesses by getting them into the club without waiting in line. Vincent showed us around the club for my benefit, since it was my first time there. The club's building previously functioned as a parking garage, hence the name. The place was large with a couple of bars and a restaurant on the first floor and a combination lounge dance area upstairs that flowed out onto a large balcony with a hot tub. Checking out the tub, no girls yet. Downstairs, Vincent offered us free drinks from the bar, always a bounty that we readily accepted, and a good marketing tool, since we'd recommend the club to others who would pay for their drinks.

Vincent went over to the bar while we waited standing in a walkway from the restaurant area into the bar. Not looking at anything in particular with Mark talking on my right. In another plane of existence, Andy Devine says, "Plunk your magic twanger Froggy!" poof, not Froggy, but a gorgeous, drop-dead blonde in her early twenties stands in front of me. She's tall and I'm looking up caught in the trance of her eyes streaming promises of bliss, hope and happiness. Struggling out of those pools of blue, my eyes move down to a luscious smile, big balloons and the long legs of this six-foot-three tomato, but like a magnet, my eyes jump back to dreaming inside her gaze. Already on the ropes, she takes my hand with a warm squeeze and purrs close to my face, "Will you show me where the ladies room is?"

I almost gushed I'll show you anywhere, but I didn't know where anywhere was so instead said, "I don't know where it is, but let's find out," as I involuntarily volunteer.

"I drank too much," this smiling bacchanal bubbled.

Holding her hand, I wasn't about to let go, we went off to find the big girls room for this seemingly child-mannered object of desire. We could have gone searching for the Minotaur's lair or the Susquehanna Hat Company for all I cared. Leading the way, as men always do when

helping a fair damsel who exuded unspoken delights, I asked a bouncer. He directed us down stairs. Down we went, my hand in hers, talking about nothing I can now remember, although I did detect an accent. At the bottom, we stopped before the ladies room; she turned to face me.

I asked, "So where are you from?"

"I come from Brazil." I'm thinking a Brazilian blonde, loves sex, she's any man's prime desire.

"That's a great country. I always wanted to go there. Are you visiting New York?" Maybe she'll invite me to her hacienda.

"No I live in Newark." Wonder what she's doing in Newark?

Before I could ask, she said, "My name's Andrea."

"Nice name," I usually say that when a girl tells me her name; they like it.

"Mine's Roy. Here, let me give you my business card."

"What do you do?" she asked, swaying a little under her cups of wine.

"I'm a lawyer." She got closer, put her right arm on my shoulders around my neck, smiled down at me, laser beaming her pheromones and planted wet kisses on my cheeks, caressing the corners of my mouth.

"Thank you," she smiled and went into the ladies room.

Next move was to wait for her, but something uneasy in my unconscious tilted me to go back upstairs.

Still in a revelry, I went over to Mark and Vincent and said with a grin, "That was easy."

Mark asked, "Did you get her telephone number?"

My revelry crashed, but I couldn't decide whether it mattered, "No."

"Oh no, not again," he laughed. "You always do that. Girls are too scared to call a guy like you. You've got to get their numbers."

Mark was right. Unless someone reminded me to get a girl's phone number, I usually forgot, not always but more often than I should—probably an unconscious shield against the horror of another unrepentant psychopath. Maybe that kept me from waiting for this Brazilian who reached as high into the sky as the Ho, smiled just as sweetly and initially approached me out of nowhere.

"Let's go find her, and this time get her number." Mark said as we set off on a quest necessitated by my hidden fears or fate. Mark had an uncanny knack for finding people in a crowded New York City nightclub, so I followed him through the caverns of The Park with a growing sense that our expedition would end badly. Rounding one corner into the restaurant, Mark asked, "Is that her?"

"Sure is," I answered, looking at her standing by a table getting ready to leave with a short Latin guy in his fifties with dyed black hair standing on his tip toes trying to smother her lips in kisses. Andrea was giving him the same treatment she gave me, only now I recognized it as a forced professional smile that looks warm as fire when on the receiving end, but from the side lines, really isn't anything at all.

Mark and I looked at each other using the same Ludacris lyric, "She's a ho."

"Figures," I said. "The only girls attracted to me are hos, and seems like the only ones I'm attracted to are hos. It must come from my mother." Mark laughed, and we went upstairs to checkout the talent.

Stumbling home that night from the Hudson to the East River, no buses, so I walked, I asked myself how could some girls wheel so much power over guys. With all my past

experiences and the understanding gained from looking inside the Commie Ho's head by way of her diary, this ho from Brazil wrapped me around her wishes in seconds. How did girls like her do it? What they promised but never fulfilled just wasn't that important to make up for the harm they caused by suckering a guy into believing he was something special or the only true one for them. Whether professional or amateur hos, which together covered most girls, the only socially redeeming value of hos were repeated episodes of sensual gratification, but, as with temporary bouts of consciousness altering through alcohol or drugs, that doesn't provide a guy sufficient reason for living. Life for a man required more, a purpose. No matter how these hos plied their tricks, they were dangerous, at least the blonde ones. Many fears plague me, but the only one that scares me is not being able to do what is necessary to meet my reckoning, which is now my purpose. My resolve told me to stay away from tall blondes, real and bottled—maybe.

Time Has Come Today

What's interesting about the ending days of a person's life is that nothing good happens, so it becomes important to revel in the bad—to see it as good.

On returning home from the law library, my mail for September 29 included the District Court's decision on the motions to dismiss. I flipped to the last page where judges always sum up their conclusion: "Plaintiff's Complaint and Supplemental Complaint are dismissed with prejudice." He threw my case out and from the tenor of his concluding section slammed the District Court doors shut behind it as though warning me, "And don't come back here again!" Oh yeah! No bureaucrat tries to intimidate me; back I would come.

Judge Castel dismissed over the issue of "proximate cause." Proximate cause is a nebulous area of the law, especially concerning RICO actions, which allows judges to use a number of different tests or even make one up in order to decide whether the acts of defendants

are closely enough related to the harm suffered by a plaintiff. The law is so imprecise on this issue that it allows judges to dump a case they don't want, and that's how Judge Castel used it. What I didn't expect was for him to deny me at least one chance to amend my Complaint to meet his objections—to allow me one more bite at the apple. But Castel doomed that possibility by using the words "with prejudice." Very unusual, since Federal courts almost always allow a plaintiff one more shot at drafting his complaint. Maybe the politically correct news media didn't touch my story because it knew more about how the court system really worked than I did. Fine, next stop the United States Court of Appeals for the Second Circuit, which takes appeals from the U.S. district courts in New York, Vermont and Connecticut.

It took me until the end of the week to finally sit down and thoroughly read Judge Castel's decision. When I did, I seethed with indignation at this alleged "Honor of the Bench" who most likely only skimmed my memorandum of law, if that. He claimed, however, to have "carefully and thoroughly considered" my memorandum but said, "Plaintiff made no request to file an amended Complaint in the event the motions to dismiss were granted." My memorandum stated at page 41, "If this Court dismisses the Complaint or part of it under Rule 12(b)(6), then the plaintiff requests leave to amend." The memorandum made four more similar requests concerning specific issues throughout the memorandum—five times in all, but somehow Castel, and his clerk, either a broad or girlieman—read Feminazi or Feminazi sycophant, missed them. So much for "carefully and thoroughly considered."

More evidence that these bureaucrats, probably trained in Russia, gave short shrift to my papers was their false accusation that I had violated Castel's individual practice rules. Any schoolchild looking at the record would have seen that. Castel and his clerk simply rewrote the procedural history in favor of their convenience. Sounded to me like the same tactic *60 Minutes*

used against President Bush over his National Guard Service: they decided the result they wanted, then made up the facts to fit it. It was now clear that Castel wanted to quickly dismiss my case and pressure me into not appealing, so he and his clerk lambasted me with the falsehood of violating his rules in order to give them an excuse not to fully consider my papers and discredit me before the Court of Appeals. The District Court's rush to trample my rights in the name of political correctionalism and expediency didn't end there. The Judge and his clerk also tried to scare me off an appeal with insults, sarcasm and misleading statements. They probably liked the way the lawyers for the defense handled themselves, since instead of reprimanding the defense for its personal attacks, the Court joined in the character assassination.

Castel and his clerk were subtler in their litigation of personal destruction while relying on many of the phony conclusions the defense improperly interjected into their motions to dismiss. Copycatting the defense attorneys' ridicule of me and their misrepresentations of my Complaint showed that Castel and his clerk carefully read the defense motion papers but not mine. Castel and his clerk simply concocted a legal argument based on their claiming my Complaint didn't say what it said but said what they said it said in order to dismiss it for lack of proximate cause.

The two even ridiculed my efforts to seek protection from the courts and report the defendants' crimes to law enforcement agencies by sarcastically describing me as "one who is having a difficult time being heard." They'd never, never dare say that if I was a broad and the Commie Ho a male Russian mob pimp!

These bureaucrats, who pushed the law in any direction they personally wanted, probably feared the Feminazi criticism that would result from allowing a middle-aged man to fight for his rights against a prostitute, a respectable profession under Feminazi thinking, and those that aided

and abetted the Ho to enter and stay in America. Also playing into the dismissal with prejudice was the hostility toward civil RICO cases demonstrated by nearly all the lower federal courts in the U.S. All civil RICO actions are brought by individual citizens. In the early nineties, 77% of such RICO cases were thrown out of court in the beginning stage, as was mine, while other types of cases were rarely dismissed.

Congress had intended civil RICO to encourage an army of private citizens to take on complex racketeering actions, but federal judges, except for the Supreme Court, have imposed their own restraints on the statute by writing in requirements that aren't there. Congress feared such might happen, so it wrote into the statute that "The provisions of this Title shall be liberally construed to effectuate its remedial purposes." But that didn't stop the lower federal courts from impeding the statute's operation, so the Supreme Court has repeatedly told federal judges to knock it off. Once the Supreme Court rebuked a lower court with "The short answer is that Congress did not write the statute that way." *Russello v. U.S.*, 464 U.S. 16, 23, 104 S.Ct. 296, 300, 78 L.Ed.2d 17 (1983). The lower federal courts, however, continue to systematically dismantle civil RICO by creating numerous obstacles to keep plaintiffs from reaching the trial stage.

When the Russian mafia showed up on the District Court's steps in the form of my RICO action, Castel and his clerk naturally believed they had the PC right to impose whatever restrictive judicial limitations necessary to dismiss. Lawmakers call this "negative judicial activism" in which appointed judges change the very meaning of and reason for a statute passed by elected representatives. In my case, Congress had passed civil RICO because previous laws had offered too little protection for the victims of organized crime.

Castel and his clerk didn't care about any male rights. They were too steeped in toting the Feminazi line of modern day America as evidenced by the creepy euphemistic language they used. For example, the decision calls brothels and strip joints "exotic dancing clubs." Nobody, other than hos, pimps and Feminazis, call dens of flesh peddling "exotic." Exotic means mysterious, romantic, picturesque, glamorous and out of the ordinary. Brothels and lap-dancing clubs don't fall within any of those definitions. There are over 2000 lap-dancing joints alone in America, and who knows how many double as whorehouses. Both thrive on crass commercial exchanges, just like stock markets and cattle yards but only the activities in strip clubs and brothels are driven by greed and lust rather than greed alone—nothing exotic about either desire. The decision also sanitized "call girl operations" to "escort services." The Court used Orwellian Newspeak in order to disguise the sorted-criminal reality depicted in the Complaint.

Feminazis and totalitarian lefties use Newspeak all the time in describing theirs and their supporters' nefarious acts. They picked it up from Orwell's *1984* or the Japanese three monkeys: hear no evil, see no evil and speak no evil unless it serves Feminazi interests. By controlling the words used in discourse, vested interests can manipulate reality to appear as it does not exist. Control a person's view of reality, and you control that person.

Castel and his clerk's politically correct, elitist efforts to twist my Complaint and the law brought home to my gut what I intellectually suspected all along: there was no redress for my grievances within the American judicial system. In 21st century America, the nobler sentiments of men are left for the movies made in the first half of the last century. If I won on appeal, unlikely given the like-mindedness in the Second Circuit Court of Appeals, the case would end up back with Castel who would then finesse another reason to dismiss it. Even if everything went my way, it would be back and forth like a ping-pong ball between the District and Appeals

Courts, and that's what Castel wanted me to take away from his opinion. The message was clear: the Judge was not going to allow my case to ever reach discovery. If I persisted, and luck kept bringing me victories in the Court of Appeals, I would have to pay a prohibitive toll in costs, time and stress. But if lady luck failed me even once in the Court of Appeals with a ruling in Castel's favor, then the only legal option left would be the U. S. Supreme Court, which only hears about one-percent of the eight to nine thousand cases that apply for review every year. So the chance of the U.S. Supreme Court ever hearing my case was nil. Castel's decision made it eminently clear that the only justice in America for a man without fortune or fame was injustice. All those law school cases, TV shows, Hollywood movies and comic books where truth and justice lived synonymous with the American way meant nothing for American men in the 21st Century.

Despite Castel's warning between the lines to stay out of the judicial system, I wasn't going down without a fight. At the law library, I researched whether I could do anything legally right away, rather than waiting months for the appeal. Sure enough, I could make a motion for Castel to disqualify himself from the case, and, if successful, ask the new judge to reconsider the motions to dismiss. Maybe a new judge would at least read my papers through, follow the law and not rewrite my Complaint. The chances, however, were small of Castel bouncing himself off the case, but his response might provide some ammunition for attacking his decision in the Court of Appeals. The motion would also get on the public record in the District Court the tawdry tactics Castel used to discredit me. And, since the record of the motions would also end up in the Appeals Court in the form of the "joint appendix" when my case reached there, I wouldn't have to use some of the limited space in my appeal brief explaining Castel's falsehoods and ridicule.

To make my motion, Judge Castel's individual practice rules required sending him and the defense lawyers a letter that requested a pre-motion conference to discuss the issues. The letter gave me the chance to criticize him the way he did me:

"My years of living in this society have made me relatively tolerant of backhanded sniping, even when it impugns my honor by subtly calling me a liar who spins tales or makes fanciful allegations.

Castel's decision started smearing me as a delusional liar on the very first page by claiming the Complaint "spins a tale," and, in the very first sentence of that page, he repeated a sarcasm used by the defense lawyers throughout their papers to ridicule my case and me. My Complaint states the Russian mafia is an organization that "spans the globe." The defense lawyers had picked up on that phrase, twisted it to apply to only the defendants, rather than the Russian mafia, and only to a domestic relations' case, rather than a RICO suit. According to the defense's distortion, my case concerned a worldwide, domestic relations conspiracy—I don't think so. Still, they used the phrase throughout their papers as a moniker for calling the Complaint farfetched and characterizing me as delusional. Lawyers can ridicule all they want, but when a judge repeats their derision in a written decision, it becomes a different matter entirely.

Castel included another attack on my veracity in his opinion by selectively editing an accusation by Jack Sachs, the Commie Ho's attorney, so that it sounded even worse than the one Sachs made. When Sachs opposed my request for a pre-motion conference to file my Supplemental Complaint, he wrote, "*it appears* that few, if any, of the events cited in the Supplemental Complaint ever really happened." Castel decided to go one better when quoting Sachs' accusation by writing, "few, if any, of the events set forth in the Supplemental Complaint ever really happened." Castel didn't bother to include Sachs' qualifier of "it appears." Then to

make this slap across the face appear acceptable while returning a back swing to my other cheek, Castel wrote, "It is not the Court's role at this stage of the litigation to assess the truth or validity of plaintiff's allegations, no matter how fanciful they appear or how difficult they may be to prove." Every law student knows on a motion to dismiss that a judge doesn't decide fact questions, so why bother including Sachs' edited quote at all? The only possible reason was to brand me a liar and add a backhanded slap to make sure the Second Circuit Court of Appeals, the defense and I knew that the Judge didn't believe the Complaint's allegations and that he thought they couldn't be proved. Where did he get off violating the Federal Rules of Civil Procedure by making such conclusions before any discovery? He's a judge appointed for life, so he can do pretty much what he wants.

My letter requesting a pre-motion conference continued:

"But I do find particularly trying when manifest partiality or personal prejudice singles out me, the pro se plaintiff, for criticism, especially when such censure is based on a false premise used to justify a chain of events that led to dismissal with prejudice of the Complaint."

Castel had falsely accused me of violating his individual rules. He said in his decision, "plaintiff, without prior consent of the Court and in contravention of my Individual Practices, filed a 147-page memorandum of law, along with an affidavit and exhibits." To which I wrote:

"Yes, I filed a 147-page law memorandum with five exhibits in opposition to the defendants' joint motion to dismiss while their two key memoranda totaled 148 pages with 47 separate documents attached, but you saw fit to rebuke only me, and that rebuke was unfounded.

"You claim my 147-page memorandum of law contravenes your Individual Practice Rules, but it did not contravene Chief Judge Mukasey's rules who was the sitting Judge when it was filed. You were not on the case at that time—Chief Judge Mukasey was and my memorandum complied with his rules. Had I known then that you would end up with the case, I would have requested "prior consent," but I'm not that prescient. Your rules for which you wrongly accused me of violating in a written order did not apply because the case had not yet been transferred to you and there was no notice to me at the time that it would be.

"More important, however, is that the above incidents of partiality or personal prejudice and error in applying your Individual Rules contributed to overlooking controlling decisions cited in my memorandum, not fully considering the legal arguments I advanced and fundamentally misconstruing and overlooking allegations in the Complaint, which was reinforced by your failure to fully consider my memorandum of law. Other indications in your opinion also infer an ignoring of my memorandum but not the defendants'. And no, the motion I made to strike some of the defendants' extraneous exhibits did not request striking my memorandum of law.

"After having been burnt once and not wanting to be falsely accused of violating any more rules, I am requesting a pre-motion conference in order to move for your disqualification from this case because of partiality or personal prejudice so that an impartial judge may hear any request for reconsideration of your decision to dismiss the case."

As hindsight now made clear, Castel likely had decided soon after his assignment to my case to dismiss it, which explains his comment at the July conference when he didn't want to give the Bank of Cyprus any extra time to reply because it would come out of his time. It also explains him admonishing me in his opinion for filing the Supplemental Complaint while the motions to dismiss were pending. The Supplemental Complaint required Castel and his clerk to put in extra time and effort to fashion an additional legal argument for dismissing it along with the original Complaint. That must have annoyed them, and in their rush to throw my case out, they created their own rules of procedure. It didn't matter to them that the Federal Rules of Civil Procedure not only allow but also encourage a plaintiff to file a supplemental complaint whenever new events occur in a case. Castel and his clerk wanted rid of my case, so they ignored the rules by treating my Supplement Complaint as an Amended Complaint—two distinctly different court papers, but it gave them an argument for dismissing my case "with prejudice."

Dubin, the lead defense lawyer, responded to my request for a pre-motion conference with a letter that took every opportunity to ingratiate himself with Castel, "I regret having to burden this Court with any further correspondence on this matter." Right, this pathologically

fibbing lawyer knew as I did that Castel screwed up by accusing me of violating his rules because if I had violated them, then so had Dubin, but neither of us did because the Chief Judge had the case at the time. Dubin naturally failed to mention that. Instead, he gave Castel a couple of arguments, actually lies, for getting around what the Judge had written. Dubin twisted Castel's admonishment of my rule violation into merely a statement made "in the context of providing nothing more than procedural history." Baloney, the statement was false and rebuked only me but not Dubin when by Castel's faulty reasoning Dubin had also violated the Judge's rules. Dubin also suggested what Castel would probably do: deny the common sense meaning of the Court's opinion by simply declaring that nothing Castel or his clerk wrote indicated a failure to fully consider my memorandum—false, but impossible for me to prove.

Other chicanery used by Dubin in opposing my request to make a motion to disqualify omitted the full truth. And why not—a half-truth is often more effective than a full one. Dubin claimed anymore time spent on the case, so far 18 months, would "greatly prejudice the defendants." But he conveniently left out that five of those months of delay resulted from his requests for extensions of time to file papers. Dubin also declared with lawyerly pomposity that Castel should not disqualify himself, which would open the way for another judge to review the case, because two federal judges had already "considered" the RICO action. Technically true, but the amount of time put in by the first judge, the Chief Judge, was miniscule, consisting of one short conference in which he set the schedule for submitting the motions to dismiss. That's hardly enough to satisfy the definition of "considered." Dubin even argued that another judge "should not be burdened with having to address all these papers." But most of the papers he had submitted for that very reason: to so burden Castel that the Judge would dismiss the case on any grounds just to avoid dealing with so many documents.

Dubin finally argued that I had the opportunity to submit lengthy papers that showed I had a fair and reasonable chance to argue against the motions to dismiss. Is he kidding, what's fair and reasonable about submitting papers the Judge barely looked at? That's no opportunity, unless you live in George Orwell's *1984*.

Castel allowed me to make my Motion to Disqualify but refused to grant a pre-motion conference. Rats! I wanted the confrontation; watch him try to explain why he singled me out for criticism.

My motion accused Castel of acting in a manner that raised questions about his impartiality. That's all I needed: show there existed some doubt about his fairness. Too bad I couldn't also make a motion to bounce him off the case for re-writing the civil RICO statute, but the rules don't allow for that. The Motion to Disqualify criticized Castel's falsehoods and snide remarks:

> "Such comments by Judge Castel are unnecessary, inappropriate and do not bolster the legal basis for the Decision, but they do discredit the plaintiff for when he appears before the Second Circuit to argue his appeal. As such, the only conclusion is that these remarks manifest Judge Castel's partiality above and beyond that already held by Second Circuit courts against civil RICO actions."

Dubin's papers, as usual, attacked me personally and declared I fabricated a claim of partiality against Castel and misread as sarcasm the Judge's objective words. The lead defense lawyer also claimed, "Plaintiff is desperate and figures he now has nothing to lose." For once Dubin got something right, but he didn't realize it. He just threw it out as a personal attack.

Castel denied my Motion to Disqualify but at least corrected his opinion that my 147-page memorandum didn't violate his rules because when it was filed the Chief Judge had the case. Still, he failed to mention why he had initially singled me out for criticism but not Dubin for filing two memoranda totaling 148 pages. Oh well, sloppiness generally results when a judge

follows his visceral reaction to dismiss a case and then has to play catch up to maintain the visage of exhaustive judicial deliberation.

Castel did use Dubin's suggestion about not ignoring my memorandum by saying he had given all papers "careful and thorough" consideration. As for the personal ridicule Castel had thrown my way, the Judge claimed he didn't say what he had said, or what he said didn't mean what it meant. Actually, he should have declared he didn't write what had been written, since the dramatic difference in writing styles between Castel's ruling on my motion and the opinion to dismiss indicates he likely didn't write the dismissal decision. My criticism of the Judge in the Motion to Disqualify must have caused him to deal with it personally. But as for the defendants' motions to dismiss, he most likely had told one of his clerks to dismiss the case with prejudice and let her, or an androgyny, come up with the reasoning and write the opinion. Castel must have relied on her to get it right, but she didn't. As a judge, he should have paid closer attention, but even so it would have ended with the same result. Castel wanted rid of my case, so any illogical reasoning would do.

Even in Castel's denial of my motion for his disqualification, shades of *1984* appeared. Castel claimed the statement in his dismissal opinion about me filing a Supplemental Complaint "with the defendants' motions to dismiss in hand" was not a personal criticism. Rather it meant that when I filed the Supplemental Complaint, I should have used that opportunity to also change my original complaint to meet the objections in the defense lawyers' memoranda that I then had in my hands. Wait a minute! The defense attorneys aren't the Judge in this case or any case, and a plaintiff doesn't have to accept their arguments and change his complaint accordingly. If a plaintiff has to rely on the defense lawyers interpretation of the law, which is that the plaintiff has no legal recourse, there would never be any lawsuits, and judges like Castel would be out of

a job. The reason we have judges is to interpret and apply the law impartially. We don't use defense lawyers for that, especially four-flushing ones.

Even more absurd was Castel's reasoning that would require plaintiffs, maybe only male civil RICO plaintiffs, to read the future. Normally, after a judge makes his decision to dismiss a case, a plaintiff is granted the right to amend the complaint to correct the problems raised in the judge's decision. Obviously, a plaintiff can't amend his complaint to cure mistakes pointed out by a judge, if the plaintiff has to do so before the judge issues a decision. The law doesn't require plaintiffs to foretell the future because most courts realize humans can't do that, so they usually allow a plaintiff to amend his complaint at least once after a judge issues a decision to dismiss. But according to Castel, I should have filed an Amended Complaint correcting the errors his decision would list before that decision was issued. It's a neat way to Catch-22 my Complaint out of court without the opportunity to amend. Next time, I use a fortuneteller.

The process of appealing to the Second Circuit Court of Appeals began, but my take on future judicial results had changed. Even though Castel had written such an abortion of a decision, I no longer expected further defeat at the hands of the bureaucratic judiciary—I was assured of it. As the lead defense lawyer said when he made that comment about desperation, Castel's decision to dismiss my case did just enough to nudge me over the line into the realm of nothing to lose. When a man loses everything, and there is no justice to be found, he becomes a ghost on the road to Elysian. The courts are useless, unless you are a broad, celebrity, rich or a large corporation, then they'll give you what you want—whether justice for you or injustice for your opponent. Time would come for other action. No point in possessing power if it is not used. I still pursued my legal recourse in the Court of Appeals but more for the chance of making a stab for the Supreme Court rather than any hope of success.

Smooth Talking Criminal

The time I spent preparing the papers for getting into the Court of Appeals and dodging the hidden traps that slam shut the Court's doors took a few weeks in October during which I missed some Salsa lessons and working out at the gym. Throughout that period, the simmering reaction of fury and hate in my gut kept boiling up. One Saturday night, I almost got into a fight with a twenty-something Asian guy and his friends. Mark had to step in as peacemaker. On another weekend, I made a few unnecessarily nasty remarks to some broads and refused to move out of the middle of the tiny dance floor at Gonzales y Gonzales when some guy asked me so that he could dance with his girl. Good grief, I was acting like I did back in my college days when destination Vietnam hung seemingly forever before me. I didn't need this. It became clear very quickly that Salsa, working out and chasing girls of a darker complexion served a more important purpose than staying in shape or entertainment: they kept me from exploding or doing something really dumb like falling for another blonde.

The weekend before Halloween, Mark suggested we try a place on Fifth Avenue and 13th Street called Luan. Free admission and Salsa, how could we lose? We arrived early around 11 PM, the place was nearly empty and no talent except for a few girls barricaded behind tables. Some broads always enthrone themselves in back of a table. What are they protecting—their imaginary virginity? Are they waiting for some prince to scale those ramparts? Too much work and too visibly embarrassing if the guy doesn't come back with the damsel.

On our way to the bar was this tall, tall blonde, blonde cocktail waitress standing directly ahead. My persona immediately changed from Dumb to Dumber. My eyes saw clearly, the club wasn't too dark and she was in range of my less than 20-20 contacts vision; still I walked up to her, to the edge of the psychologically fog-enshrouded cliff. Looked up into the face of a six-

foot, three-inch girl in her early twenties who looked the twin of the Commie Ho and began the pickup. What was I doing? Had Mother Nature programmed me for destruction at the hands of blondes whether real or dyed?

Cocktail waitresses are always easy to talk with—too easy—because they want those tips, as did this one, but getting their telephone numbers while they work is usually difficult. We flirted, or I flirted, while she acted throughout the evening. Mark and I bought our drinks through her, as she requested, instead of at the bar. She and I even danced a little, touching bodies, feeling, holding each other with kisses dangerously near the mouth: clearly a death wish on my part.

"Lucky," as she called herself, also worked as a model—why was I not surprised. Beautiful, whose barefoot height reached six-foot-one and under contract to Welhelmina, a hotshot model agency in the City that paid for her 85th Street and West End Avenue apartment, an affluent residential neighborhood. Lucky came from a small town in Mississippi, which gave us something more to talk about given my recent trip there. But that minor coincidence didn't matter since Lucky knew how to carryon a conversation with any man, especially one that looked like money. She even asked flat out, "Do you have money? To which I honestly answered, "No."

Before Lucky moved to New York City, a few months earlier, she traveled around the country appearing in beauty pageants for Hawaiian Tropic tanning lotion. That sounded familiar, although Lucky apparently had more success than the Commie Ho with Hawaiian Tropic. I kept dancing on the cliff's edge, laughing at the abyss below when I should have been fleeing as hard and fast as possible from my own stupidity. Lucky wheedled me into going outside to the corner store to buy her a handful of her favorite chocolates, each the size of a golf

ball wrapped in red or blue foil. She particularly preferred the red ones that night. Rather than turning the handful over to her at once, I doled them out one at a time over hours, which reminded me of teasing my cat when a kid. But who was teasing whom? When Mark and I left, Lucky gave me her telephone number.

My dance on the edge now turned into a fall powerless for me to stop. The moment we left Luan, Lucky started living in my mind, playing my emotions. Trying to reduce her sway, I presumptuously encapsulated her value to me.

"So what do you want from her?" Mark asked.

"Sex," I answered. But was that really all? Too bad girls can't be separated from their bodies.

"You may also want to keep your options open by being her friend," Mark continued. "Not the big brother type who solves her problems and listens to her complain about her boy friends. Guys always fall into that trap because nature made us problem solvers and caretakers. Girls know that, and they know how to use us for it because they can't solve problems or take care of themselves. It's happened to me lots of times, and I'm not doing it anymore."

'That's what happened to me with Traviesa." I replied. She was always bending my ear about this guy or that guy and using me to fix the idiocy she caused. Who needs listening to their moaning and groaning about the problems they get themselves into? What a bore."

"Right. So, after you call her up once or twice, she'll make clear whether she's interested in sex or a big brother or doesn't ever want to see you again. If it's big brother, just don't fall into that role. Go out some place fun with her and flirt. If she starts talking sob stories, be firm and tell her, 'Listen I came out to have a good time,' and she'll knock it off. Keep flirting with her, and she'll realize you're not going to play big brother, so she'll flirt back. Girls always want

guys to flirt with them even if she's not thinking sex—it justifies their existence. And by being a friend, you'll get to meet the other models she hangs around with, and so will I. You can even throw a party at The Park for her and her friends. Vincent will help in making it seem special, and it doesn't cost anything, you're just bringing some people to a club."

"Yeah," I said, sounding like Eddie Haskel, "Vincent will make us look like big shots, always impressive to models."

"Exactly."

Mark's advice, as always on these matters, was excellent. But should I even pursue this physical clone of my ex-wife? The primal archetype emotions stirring in me threatened so much danger, but I couldn't help myself, guess the season of the witch never ends for men. On my first call to Lucky, I got her voicemail, so I left a message. A few days later, I called again, same voice mail, different message: "I thought I'd call for a little Southern sunshine, but you're not around. Maybe I need to take another trip to Mississippi although it rained most of the time I was in Biloxi last. By the way, I have some Red and Blue chocolates you might be interested in. Give me a call, maybe we can work out a deal or just chat or have a drink." She never called back; I was saved, so long as I kept away from the club where she worked.

Lucky's failure to return my calls initially caused me to blame it on my age, but then I remembered my younger days at Cravath and in television news. Girls immediately became more interested when I told them where I worked. Twenty years ago, they saw me as a potential money marker whom they could sucker into providing them the Life of Riley while they spent their time cheating with whoever was in reach. So age didn't really matter. If young, the guy's potential finances mattered; if older, his bank account, but it still all came down to money, and as for the girls, fidelity on their part belonged in another dimension. Lucky, as with all pretty girls,

looked for big spenders with high net-worth or the promise of such, to justify using their most valuable commodity on a guy—time. Like tomatoes, these hos don't stay plump and ripe for long. So a ho is not about to waste time on a guy without promise or cash. Lucky for me, I told her I didn't have money.

The rationale girls use to justify gold digging is obvious: they believe themselves princesses, so men should give them the keys to the vault, no questions asked. Not dissimilar from the Feminazis demanding preferential treatment for whatever they happen to want from society. But what delusion do girls use to justify their pathological faithlessness until finally the laments of the young girls who were once friends coalesced in my head. They always criticized their boyfriends for not lasting long enough inside of them so that they could enjoy the multiple orgasms that Mother Nature had designed them for. A bizarre complaint, probably just more carping against men since Mother Nature isn't stupid. Evolution made a lot of changes over millions of years in order for guys and girls to copulate frequently to assure the species' survival. After all that effort, Mother Nature wasn't about to miss her goal because of sexual dissatisfaction that left girls hungry for more orgasms and guys condemned to just one. It would make no sense. Mother Nature, therefore, gave both men and girls the ability to have multiple orgasms. The problem for puritanical America is that most of its girls, and lots of the guys, haven't gotten the message. They believe ejaculation as the only form of orgasm a guy can experience—it's not. When nearing ejaculation while inside a girl, the guy only needs to relax, stop pumping away and tensing all his muscles in a futile effort to save himself. By relaxing, letting his body go limp, which wouldn't affect the part inside the girl, he can, with some practice, ride the sensations into an orgasm without ejaculating, which produces an experience not unlike the type girls feel running through their bodies. The guy can do this over and over,

never exiting the girl, until she becomes too sore to continue, usually after an hour. For well-worn sluts, it's longer. The orgasms will start off as small and minor, but with practice and over time, they'll increase in strength, and when the man finally ejaculates, it'll be more satisfying.

The guy, however, needs a girl to follow his lead in this, just like with Salsa. The girl must respond to the guy for both to enjoy the potential that Mother Nature gave them. If the girl is a Feminazi, it wouldn't work because she believes it is her birthright to take charge and end up on top. Following her Feminazi beliefs will simply drive the guy to a quick ejaculation because Feminazi propaganda, like all special interest groups, rarely reflects reality. Her ignorance and arrogant disinterest in how guys function will leave her unsatisfied for which she will naturally blame the guy. So Feminazis and girls like Lucky use their ignorance about the ability of one man to run them through their multiple orgasms to justify their whoring around and any other underhanded conduct that harms a man.

Girls of the Lucky ilk threaten more prosaic harms as well. The week of her haunting my being nearly distracted me into missing a District Court deadline that would have ended my RICO case for eternity. The deadline to file the required Notice of Appeal fell on Halloween, which was during the weekend when the District Court was closed so that gave me until Monday. Had it not been for that coincidence, which gave me extra time, I would have missed the deadline—whew, that was close.

To celebrate this gift of the fates over feminine evil, I went to Gonzales' All Hallow's Eve costume party. Long ago I gave up the delusion of the Great Pumpkin and instead went looking for tomatoes on Halloween or any other weekend night. One twenty-something girl at Gonzales' was dressed as a little schoolgirl in knee-high white socks, short-short blue plaid skirt with suspenders and a virginal white-buttoned blouse. Couldn't tell whether she was Jewish or

Latina, a failing of mine that sometimes causes me to hit on Jewish babes, which I classify as white for lunatic asylum. No matter, I wasn't going to allow my line to go unused. Walking up to her, I leaned over so she could hear me and asked, "Would you like some candy little girl?" Good line, huh? I even had the candy in my pocket that I bought with a tip to the attendant in the men's room. Well, she freaked, her eyes widened, she drew back and her voice quaked as she stumbled over words trying to find a response. Her reaction surprised me. Maybe she had gone too deep into the character of her costume; however, a real little girl likely would have handled it much better. Then I realized the broad was white, probably with a Feminazi mother and girlieman father. The mother, seeing a potential rival in her daughter not just for the husband but other older men, probably did what all Feminazi momsters do, brainwashed the daughter into believing older guys evil so the daughter would avoid the pool of men the over-the-hill mother wanted. Even girls have to be taught to hate and fear since a little girl that escaped such programming would figure out a way to get the candy for nothing.

The Cheater

My Second Circuit Court of Appeals strategy focused on Castel's failure to pay, as he claimed, "careful and thorough" attention to my Complaint and law memorandum. The aim was to expose his ignoring what my Complaint said and then rewriting it to fit his legal argument for dismissing my case—the same tactic the defense lawyers used. Some judges, especially in civil RICO cases, do this all the time. They often make a knee jerk decision to throw out a case, usually one they personally don't like with a powerless plaintiff, choose a legal reason from the list of those most commonly used to dismiss a lawsuit and then distort what the plaintiff's complaint states to fit that reason.

Castel based the crucial part of his legal opinion on the claim that in August 2000 I discovered the Russian mafia had tricked me into bringing the Commie Ho to America. That was clearly false, but it didn't stop Castel. It wasn't until I talked with Jeff in the summer of 2002—two years later—that I realized the Russian mob's involvement. Perhaps Castel has trouble with mathematics, some people do, but I doubt it, since his reasoning for dismissal depended on that falsehood. August 2000 was when I started investigating whether the Commie Ho was providing prostitution services to her Flash Dancers' customers, not investigating the possibility of a RICO lawsuit and the Russian mafia's interference in my life. Even had my Complaint stated that I knew in August 2000 about the Russian mafia standing in the shadows behind the Ho, scheming to get her assets into America, Castel's legal reasoning for dismissal still wouldn't wash with U.S. Supreme Court decisions, but it might with the Second Circuit. Anyway, my Complaint didn't state such because I didn't know it at the time.

Despite Castel's declaration of "careful and thorough" consideration of my papers, he missed when I first suspected Russian mafia involvement. But that miss was necessary for the Judge and his clerk to conclude that all the harm caused me after August 2000 was my fault because that's when, according to their fabrication, I learned about the Russian mafia's scheme and started investigations and court proceedings to fight against it. They claimed it was my fighting that caused me harm, rather than the criminal acts of the defendants I fought against. The temporary order of protection taken out against me, the costs to defend against it, the threats by mafia goons, the time lost from my business in seeking protection from a government that didn't care, the damage to my business reputation, the foregone business opportunities and lost profits, the cost of investigating to find out what the hell was going on so that I could put a stop to it and the expenses for fighting these clowns in court to protect my rights were all my fault

rather than those of the defendants trying to protect and further the Russian mob's profits concerning the Ho and others. That's the reasoning that Castel's simple editing of the date allowed him to use to dismiss my Complaint, and it meant that gangsters who caused harm by protecting or concealing their earlier crimes cannot be held liable under civil RICO. Purely Orwellian, but in the Southern District Court of New York, if the plaintiff learns of RICO acts committed against him, the criminals are then allowed to use more RICO violations to prevent or interfere with the plaintiff's access to law enforcement authorities or the courts.

Castel's rewriting of my complaint actually contradicted the Supreme Court in *NOW v. Scheidler*, 510 U.S. 249, 256, 114 S.Ct. 798, 127 L.Ed.2d 99 (1994), which I used in my appeal. In *NOW*, that organization alleged that the RICO conspiracy "had injured the [plaintiffs'] business and/or property interests …" and that a defendant had threatened reprisals. The Supreme Court concluded that "nothing more is needed to confer standing on [the plaintiff] at the pleading stage," which was the stage of my case. I liked the irony of relying on a case brought by the enemies of all men: the National Organization of Witches.

As for those members and comrades of the Russian mob, Leo, the Commie Ho and Inessa, who also violated RICO before August 2000 in their efforts to transplant the Ho's profitable ass to America, Castel argued they could not have reasonably foreseen the harm their acts would cause me <u>after</u> August 2000, so he dismissed those claims. Get real, these three plotters couldn't foresee the harm to my business, which they knew full well about, the time away from it and the expenses they would cost me by feeding me drugs and tricking me into bring the Ho to America; they couldn't foresee the use of goons if problems arose and the litigation and time costs to me for dealing with such hoodlums; they couldn't foresee bribing public officials, a common practice among Russians, to keep me from reversing the harm of their

scheme and recovering the costs it would cause me; and they couldn't foresee using perjury, an even more common Russian practice, as part of judicial proceedings to sledge hammer me into silence while depleting my financial resources. When people, especially Russians, intentionally engage in fraudulent conduct, all of that and more are reasonably foreseeable harms caused the target. But the Court ignored that intending an end is meaningless unless the means are also intended.

In effect, Castel drew a Maginot line at August 2000. Any harm caused me after August 2000 as the result of RICO violations by the defendants didn't matter because either the harm was not foreseeable by the culprits, such as the Ho, Inessa and Leo, or my fault rather than that of the defendants. Castel's Maginot line, however, prevented him from using it for dismissing the harm caused me <u>before</u> August 2000. He couldn't argue that my fight against the mob, which he claimed began in August 2000, caused me harm before that date. Even the Court of Appeals would laugh that lunacy out of the courtroom—I think? So what did Castel do? He just ignored parts of my Complaint by declaring the whole Complaint did not allege any harm before August 2000. Simply amazing, given the Complaint specifically stated I put my business on hold in the spring of 2000, which cost me money and consulting opportunities, while waiting for the U.S. Embassy in Moscow to process the Commie Ho's immigration papers. There were also travel costs, filing fees and time lost in bringing this Russian mob slut to America. But that didn't matter to the Judge or his clerk.

By fabricating the August 2000 date in order to rule all injury after that time as my fault or not foreseeable and ignoring my allegations of harm before that date, Castel violated the U.S. Supreme Court's requirement at the time that on a motion to dismiss, a judge must accept all the complaint's allegations as true and draw all inferences in favor of the plaintiff. *California Motor*

Transport Co. v. Trucking Unlimited, 404 U.S. 508, 515, 30 L. Ed. 2d 642, 92 S.Ct. 609 (1972). Instead, Castel drew his inferences in favor of the defendants.

Castel also goofed by not using the U.S. Supreme Court and other Circuit Courts' test for determining whether an injury from a RICO act is reasonably foreseeable to the defendants when they embark on their criminal venture. Rather, he reached into the grab bag of *ad hoc* rules that courts in the Second Circuit often use for throwing out civil RICO cases, and pulled out the "specifically intended injury" one. It states that mobsters must intend the exact injury a plaintiff subsequently suffers. For example, when the Commie Ho and Leo decided to trick me into bringing the Ho to America, which involved immigration fraud, they would have had to plan precisely how I would bring her. Had they planned on me buying a ticket for the Ho from Krasnodar to New York, they wouldn't be liable because I ended up buying a Moscow to New York ticket. For me to recover the cost of the Moscow to New York ticket, Leo and the Ho would have had to plan that I would take her to America by that route. Nuts, and it's not the law nor even remotely realistic. The plans of criminals usually lurk in their minds, so it's next to impossible to allege or prove all the specifics, assuming that criminals even go into such exacting details. And that's just the way many of the judges in the courts want it, so they can throw out civil RICO cases.

For a case to escape dismissal under the "specifically intended injury" test, the defendants would need to use a crystal ball to foresee the exact harm or expense that actually befell the sucker and then intend to cause it to him. The plaintiff would then need a mind reader to tell the court that this is what the defendants specifically intended. An absurd reading of the law, since the RICO statute requires that the mobsters only create a risk of harm to a plaintiff. They don't have to intend the exact manner in which the plaintiff is injured, just create the risk

of it occurring. So when Leo and the Ho schemed to trick me into bringing her to America, they created the risk that transporting her for-hire ass would cost me money, which it did.

Castle, and his clerk, also took the facts in my case and spindled, bent, folded and shoehorned them into a group of civil RICO cases called "employee termination," "whistleblower" and "shareholder and creditor derivative" actions.

The "employee termination" and "whistleblower" cases involve situations where an employee refuses to go along with his employer's RICO activities or blows the whistle on them, so the employer fires the worker or retaliates against him in some manner. The reasoning in the employee cases hold that the injury to the worker came from a management decision to fire or punish the employee not from the employer's RICO crimes. True, if it had not been for the company's illegal criminal activities and the employee's whistle blowing or refusal to help, management wouldn't have decided to fire or punish him. So logically, there is a string of causes and effects, but firing or punishing an employee is not a RICO crime, and the company's RICO activities were not aimed at the employee but someone else. The obvious distinction between the employee cases and my case is that I was never an employee of the Russian mob, nor terminated by it, at least not yet.

In the "shareholder and creditor derivative" cases, management commits some RICO crimes to destroy the competition, win a contract, escape a debt or some other way to increase profits. Management gets caught, the public learns about the criminal activities and the company's value sinks. The shareholders or creditors then sue the company and management for the money they lost. The shareholders and creditors can't win such a case because the RICO activities were meant to benefit the company and, therefore, them. In my case, the Russian mafia could be considered the "company" that used RICO crimes to benefit itself, but I was

never a “shareholder” or “creditor” or, more accurately, a member or associate who benefited from those crimes. Rather, I was a customer, although an unwitting one, but that doesn’t count as a shareholder, creditor, member or associate of the Russian mob.

The Supreme Court simplifies matters by classifying “employee termination,” “whistleblower” and “shareholder and creditor derivative” actions as “pass along” cases. That means the RICO crimes injure someone and because of that person’s injury the plaintiff ends up harmed. In such cases the plaintiff cannot recover. For example, a publishing house uses RICO crimes to cheat its customers, the customers find out, stop doing business and the publisher’s salesmen lose sales. One salesman sues the publisher under RICO but can’t recover because the harm passed through the customers to him. The customers could sue under RICO because the publisher’s RICO crimes cost them money, but not the salesman because his loses were the immediate result of the customers deciding not to buy. Sure, the customers decided not to buy because of the RICO crimes but that doesn’t matter under the law because the harm passed through the customers to the salesman.

Another example of a “pass along” harm case in which RICO did not apply occurred in the 1980s when American Express conducted a clandestine campaign to defame a rival financier, Edmond J. Safra. Safra mounted a global investigation to find out who was attacking his reputation, which was injuring his banking business, and brought lawsuits to fight the defamations popping up in the foreign media. When he discovered America Express executives behind the campaign, he forced the CEO to admit the company’s misdoings and pay $8 million to charities, the cost of Safra’ investigations and legal fees. American Express stock tanked, and shareholders sued the company and top management under RICO. The shareholders lost because the RICO crimes harmed Safra and only as a result of the harm to him, which was made

public, did the stock decline in value. Safra was a person in the middle between the executives committing the crimes and the shareholders; therefore, the shareholders couldn't recover.

Legal commentators and even the Second Circuit admit that had Safra brought a RICO suit himself against American Express, such a case would not have been thrown out of court. The reason is not because defamation is a RICO crime, it's not, but the means by which American Express carried out its plan to ruin Safra's reputation were RICO violations. Congress passed RICO in order to reach a variety of complex criminal problems, so it doesn't matter what the conspirators' aims are, whether to defame Safra, gain the Commie Ho permanent residency or cheat on a contract. If the conspirators engage in certain acts in pursuing their ends, they violate RICO.

All of this means that people harmed by the spillover effect of injury to the intended victim can't recover. The RICO crimes have to be directed at the person suing, which in my case was me. There was no middleman between me and the defendants' RICO violations. Of course, Castel and his clerk found differently by saying that my "alleged injuries arise not as a result of any conspiracy directed at [me], but rather as a result of [my] discovery and investigation of that conspiracy." *District Court Order*, p. 11. If Safra would not have been bounced into the street for suing under RICO to recover his investigation and legal expenses, then why was I? Because I'm not rich.

Castel and his clerk made lots of other goofs in dismissing my case—over 50 in all, but my appeal focused only on the following:

- Den Hollander discovered the RICO Scheme involving defendant Shipilina in August 2000—false;

- the Complaint alleges harm from RICO violations after August 2000 as mostly resulting from Den Hollander's discovery of the Scheme—false;
- allegations of other injuries after August 2000 were general and conclusory—contradicts Supreme Court rulings;
- the Complaint didn't allege RICO injuries prior to August 2000—false;
- employee termination and shareholder RICO actions apply to this case for determining proximate cause—wrong, I was not an employee of the Russian mob and didn't own its stock;
- the injuries to Den Hollander were not to his business or property—wrong;
- the Scheme involving defendant Shipilina only aimed at entry into the U.S.—false;
- the Complaint did not allege Den Hollander was an intended victim or target—false; and
- Den Hollander did not request leave to amend the Complaint—intentional falsehood; that is, a blatant lie.

Keep On Dancing

The Friday before Thanksgiving 2004, Mark and I planned on checking out the Cherry Lounge uptown at 138th Street, which advertised a Salsa party—free admission. But Mark's younger brother said some female trainers from Bally's health club on East 106th Street planned to show up at Luan. Firm young female bodies are always an attraction, but Luan was where Lucky worked, and although her schedule didn't include Friday, I wasn't confident about <u>not</u> running into her. So I punted, left the decision to Mark whose only ambivalence was the price of

admission, usually $20. He decided on Luan, so I printed out a couple of free passes for Saturday night, crossed out Saturday, penned in Friday and put them in my pocket with a grin. At the club's door, the promoters asked whether we were on a guest list, which would get us in for $10 each instead of $20. We weren't, so I pulled out the altered free passes, the promoters laughed and let us in for $10.

Not too many folks were inside, and no Lucky, whew! More people soon started arriving, and one tall, black chick caught my eye or I caught hers. She walked over to the bar near us looking in my direction. It was obvious what she wanted, but against my religion to buy females a drink. Then she came over to stand next to us by the D.J.'s stage waiting for me to say something, so I did—that's not against my religion.

"Why isn't anyone dancing?" I asked. The place reminded me of the Flat, hot looking black babes standing around waiting for the young guys to dance with them. Only these guys sported really big gold or gold plated medallions hanging on gold or gold plated chains around their necks to go with their extra large jerseys and pants.

"I don't know," she said. "It's always like this. All a guy has to do is hold out his hand and say 'May I have this dance' or 'Would you like to dance?'" Boy, I made sure to remember that line. Obviously, she wanted to dance, but for some reason I didn't go along, and she left to flirt with one of the bouncers. Mark leaned over to say, "She's not interested in dancing but sleeping with you." No matter, the role of quarry didn't suit me.

A co-worker of Mark's younger brother showed up, cute girl but where were the rest of the female trainers from Bally's? There were too many guys in the part of the club we were standing, so I went hunting in a different valley. If I had known the girl from Bally's was only nineteen, I would have stayed put. On my reconnaissance, I talked to a few girls, but none were

very friendly, not interested or too nervous to flirt. I threw a few lines at another tall, black chick who answered only in monosyllables. She was real pretty, so her verbal capacity irrelevant. But while waiting for more inspiration from the muses, her girlfriend returned from the ladies room and they left. So I returned to home base next to the small stage on which the D.J. booth sat. A group of five black chicks, short and one very wide stood by or sat on the stage. Making my move, I started talking and they laughed at some of my jokes.

"Does the D.J. ever play any Rolling Stones?" I asked.

"No! This is Hip-Hop!" Said the cute one with a sexy smile while sitting on the stage with her legs apart between which I happily moved nudged along by the crowd.

"May I have this dance?" I asked holding out my hand.

"No."

Okay I remembered, still holding out my hand, "Would you like to dance?"

"No."

Something was wrong, or that girl earlier in the evening lied to me. I kept flirting with these girls, but as the place filled up I noticed other guys asking girls to dance and getting the same glass of cold water in the face. So I asked Mark what was going on?

"Black girls always do this. They have a combination princess and inferiority complex. The princess in them demands supplication, assurances you want her for a steady girlfriend or wife. The inferiority makes them afraid of being used or made a fool of. Lots of young black girls walk around at home with a white towel over their heads wishing they were a blonde, so some of the inferiority comes from color. The whole thing is an attitude I don't want to deal with."

So, as is usually the case in America, guys weren't the fault but girls. The reason for the small amount of dancing going on was the chicks, who as masters of the art of deception covered it up by dancing with each other. These black female temptresses couldn't live up to the advertising of their tight fitting jeans. Well, those babes may not like their skin color but I do and started talking again with the five by the D.J. booth.

Once again, I asked the cute one to dance to which she repeated her third no, but this time she also questioned my ability to dance hip-hop. Maybe she had a point. Somewhere along the line, I started dancing with one of the other five whose back was to the D.J. booth. Apparently, my Rock 'n' Roll moves from decades earlier weren't going down well, so the D.J. stepped outside his booth, and from the stage started showing me what to do. The girl I was dancing with couldn't see him standing behind and above her or that I was just copying his moves. All of a sudden, I had a lot more room to dance when some of the home boys and home girls moved back to enjoy the mini-show the D.J., the girl and I were putting on. I still threw in a few moves from the 1960s, such as squatting down with my face in front of the girl's snatch and moving in closer while holding her hips until like an embarrassed virgin she turned away burying her face in her hands. The D.J. and my friends laughed hard, the crowd got a kick and I enjoyed myself. What a great place and great people.

Walking home that night, I mused, as I often did after a particularly fun night at a club and with the remnants of a few vodka gimlets with Absolut and Rose's lime in me, that my life could have really been enjoyable, interesting and worthwhile had the Matrix allowed me to pursue my first best destiny—Physics.

The following weekend, Mark, three of his female friends and I hit a bizarre club, bizarre as to one-third of it anyway. On the lower Westside near 10th Avenue, *Spirit*, a large club

fashioned out of an old warehouse, played different music in different sections of the building. Upstairs, a room for Salsa and one for Hip-Hop while downstairs Trance, whatever that meant? When the club finally got moving, I decided to do a little exploring downstairs in the Trance room. Before reaching bottom, I not only heard but also felt the dull mind-numbing thumping of the music. On the dance floor, with little if any discernible variation, the music unpleasantly vibrated to the inner core of my body. There was no hiding from this sound. Lots of fog swirled about creating a clammy Sherlock Holmes London night with illumination too tired to light, except for the periodic bright shafts of a strobe beam that for an instant made a piece of existence perceivable. Through the fog and dark, I made out shadows of young people moving like automatons to the monotonous music. This must be the utopian vision of today's psychiatrists, Feminazis and lefties—Zombieland, a psychotropic hell with no human emotions anywhere. Armageddon aside, I couldn't figure out why they kept it so dark. The near absence of the visible electromagnetic spectrum made it impossible to check out a babe, the very reason for clubs. Girls display themselves, guys make an offer and the girls accept, decline or play games.

Roaming around, I squinted through the haze until I saw a couple of girls standing at the top of some stairs in a doorway of light apparently coming from another room. I headed up the stairs toward them. They were wearing shades, guess the other room's light was too bright for them, but at least I'd be able to see. They were also smoking, weird because New York City law forbids lighting up in a club. At the top, I could see the two were nice looking, so I threw my line gesturing to the doorway of light, "So, what room is this?" "The street," the blonde said in a voice as lacking in variation as the music. Looking out, I replied, "Ahhhh, reality!" Turned and went back to the floor for another try at flirtation with some girl. In my search through the darkness for a pretty face, I finally caught on to following the fleeting illumination of the hectic

fire of the strobe light beams. It briefly lit the lovely face of a black chick dancing with another girl right in front of me, but the next flash of luminosity answered my bewilderment as to why the paucity of light in this lower depth of the club. They kept the room so dark in order to hide the cold dead eyes involuntarily staring straight ahead into nothingness through the slits of swollen eyelids of these apparent humanoid chicks. Dead or not, this girl with large balloons was good looking. I waited. Her dancing partner moved away toward someone else, but the black chick just kept dancing as though she still had a partner. Seeing my opportunity, I approached her from the side, "How long can you dance to this?" Not bothering to even look at me but still fixed on some abyss in front of her, she insipidly said, "Forever." Oooookay, that was enough for me and headed back upstairs to the Hip-Hop room, thinking the disco scene in *Blade* looked like a nuns' convention compared to this Trance room. Next time in Zombieland, I bring a cross—that should cause a commotion.

On December 4, 2004, I finally finished the first draft of this still unfinished story, four years to the day I bounced the Commie Ho out of my apartment. And no, I didn't plan that irony.

Tired of Waiting For You

The appeals process aims at resolving a case within six months but often takes longer. After I filed my Notice of Appeal, I waited for the Second Circuit's Civil Appeals Management Office to schedule a Pre-Argument Conference. At such conferences, lawyers for the Second Circuit explore the possibility of a settlement between the parties or try to simplify the issues before the case goes to a three-judge panel for a hearing and decision. The defendants weren't about to settle, why should they, the odds favored them because I belonged to the class of America's modern day scapegoats and outkasts.

The Second Circuit channels appeals from the district courts along one of two tracks: "Counseled" in which the party appealing has a lawyer and "*Pro Se*" in which the party is representing himself. Although I represented myself, I'm a lawyer, so the Second Circuit's rules required handling my case as a "Counseled" appeal. Fine with me, since "*Pro Se*" cases usually receive the bums' rush out the courthouse doors. The "august" Second Circuit Court of Appeals didn't want average citizens traipsing through its halls, wasting the Court's time searching for justice.

When the Clerk's Office for the Second Circuit received my case, they naturally put it on the wrong track: *Pro Se*. It took me three times to enlightened the Clerk's Office before that bungling bureaucracy got it right. The Clerk's Office also lost my Pre-Argument Statement papers along the way. Good thing I had a date-stamped copy from when I originally filed them; otherwise, the Court could claim I didn't submit the papers on time and kick my case out, which would have ended my RICO lawsuit for good. Was it incompetence on the part of the Clerk's Office for the second most prestigious court in the land or had someone been paid off to liquidate my papers. I'd never find out for sure, although a buddy who works in the Court told me it was probably just laziness in filing the papers. The Clerk's Office even lost one of the procedural rulings the Court made in my case. Maybe the clerks only use circular files, but that Office is renowned for sloth among the employees of the Second Circuit who don't work for the Clerk. Something told me that had the Clerk been a man rather than a female, then whatever happened to my original papers or the ruling would not have.

The delays from the Clerk's screw-ups, however, fitted into my plans, and definitely didn't interfere with my weekend clubbing. From January into May 2005, I worked on the second draft of this story, which I finished on May 19, 2005. Five years earlier to the day, the

Commie Ho headed to Italy for her prostitution fling with the fat Mexican Alfredo. Time for these ironic coincidences to end.

Goin Uptown

With Memorial Day approaching, I remembered something I had forgotten to do. A few years earlier, Svetlana, my Krasnodar dyed-blonde lawyer, had obtained sworn affidavits from three people in Krasnodar who described the Commie Ho's local prostitution business. My intention was to send them to the INS at the Moscow Embassy, but my short-term memory wasn't too good this millennium—neither was my luck, either in this or the prior millennium. I contacted the Embassy directly and even used a backdoor channel to see whether the INS was interested—they weren't.

The ex-wife was still hoing around New York pretending to be a model, which was easy to tell by simply searching "Angelina Shipilina" on the Internet. In one search, up popped the slut's latest scam. At www.brideus.com, she claimed she was 23 and a bride to be, which allowed her to compete for a $10,000 prize. A real life Gretchen right out of Goethe's *Faust*, "It's gold that counts, money that matters."

Her age was a lie, since she was 28, but what about marrying again? Her marriage to me was simply to get a permanent green card so she could ho in the most lucrative market on the planet for hoing—America. Under the VAWA waiver, she was pretty much assured a green card by claiming I abused the" innocent" slut, since the INS VAWA Unit in Vermont, which makes those decisions, was run and trained by Feminazis and the law written by the Feminazis prevented the Unit from relying solely on information provided by me.

So why the marriage? It couldn't be for love, she loved only herself, so it had to be for money, but was it because the groom was rich or she wanted to make sure she would stay in

America hoing? There was no way for me to find out who the groom was, since marriage records are kept confidential in New York. And, there was no way to find out what the VAWA Unit was doing or not doing because I was the former husband and the one accused of "battery," "extreme cruelty" or an "overall pattern of violence."

During the Memorial Day weekend, Mark called and said he and Ron, one of the black belts who trained with Mark and who cracked my ribs now and then in class, were going to a cookout uptown.

"Free food! I'm in. What should I bring?"

"Just something to drink," Mark said.

"So how do I get there?"

Ron gave me subway instructions and the street address that was between Eight and Seventh Avenue. Hopping an IND train going north, I exited by Morningside Park and walked east. Found a bodega, bought some Smirnoff Ice and continued walking east looking for Eighth Avenue. My memory told me Eighth Ave was closer to the park, but it had been decades since I last spent any time uptown.

Back in those days, I was working undercover on a couple of stories for WNEW TV News. One was about how Percy Sutton, then the Manhattan Borough President, and his buddies were using their political clout to land State contracts for the development of the State Office Building on 125th Street along with renovating some properties they discreetly owned. Naturally, none of these guys had any construction or urban development experience, and their front company that applied for the State contracts was nothing but a shell. The story delayed for a few years their scheme, but they eventually got what they wanted.

The other story had me driving around uptown and the south Bronx carrying a wire and posing as a salesman for a medical laboratory. Medicaid and methadone clinic managers were extorting cash kickbacks from medical laboratories, which did the testing required under State law on the clinics' customers. The laboratories then passed the increased cost of doing business, the bribes, along to the State—read taxpayers. We caught a couple of clinic managers on audiotape demanding kickbacks and some ineffective reforms were made. All in all, this do-gooder stuff is just a waste of time—it never lasts, knocks off a couple of crooks but has little systemic effect.

My search for the cookout continued east looking for Eight Avenue, where was Davy Crockett when I needed him. It must be around her somewhere, I kept thinking. One street sign read, "Frederick Douglas Blvd." Okay, I knew who he was but didn't remember any avenue named after him. Next block was "Adam Clayton Powell Blvd." Which one, I asked myself: Junior or the III. The III had helped with the story on Sutton thanks to an introduction by State Senator Sidney von Luther for whom I had once worked and who had come up with the tips on both the State Office Building and Medicaid stories. Junior of course was the former Congressman who spent much of his time on the island of Bimini. It was a nice day, so I kept walking east looking at the large brownstones and enjoying the quiet, very peaceful up here. A man sitting on a stoop could see I was lost and asked me where I was going.

"Between Eighth and Seventh avenues," I answered.

"They're not called that anymore. They changed the names years back."

"Good grief! So what are they now?"

"Seventh is that one you just crossed, and Eighth the next one toward the park."

"Thanks," and I headed in that direction. Just then Ron called me on my mobile to tell me he was standing outside the address. I spotted him right away.

The cookout was in the backyard of a spacious, nicely decorated brownstone. I hadn't seen such a classy interior since I crashed a party at Senator Kennedy's suburban Washington, D.C. home marking the end of his 1980 run for the Presidency. Okay, it wasn't exactly a crash. One of Kennedy's campaign press aids invited me, but they still got upset about having a guy working for the media in their mist—too bad, I wasn't leaving. Instead, I headed over to the only hot looking chick in the place with the obvious line given the cast on her leg. "So what happened?" Her reply didn't register as I gazed at the bare part of her thigh just above the cast—yummy. Can't recall whether I signed the leg or not but tend to think I did just to get a closer view of that young thigh. In later years, she became the divorced wife of a governor of California. Something about him playing around with a maid.

The cookout had two tables, and Ron introduced me to everybody. At one table were his long-time buddies going back fifteen or more years to high school and Mark, and at the other were the parents of one of Ron's friends, they owned the brownstone, and two others from my generation but all beyond my age of emotional maturity. Most of the time, I sat with Ron and his buddies and proceeded to laugh for the next two to three hours straight. These guys worked like multiple tag teams of comedy while lounging around one of those patio tables with the big umbrella, with coolers of beer, mainly Corona, and now some Smirnoff Ice, strategically planted, so no one had to move unless they wanted food off the grill. They told stories about their passed adventures, ad-libbed and played jokes on each other. I laughed and laughed and once in a while contributed some humor. The best summer holiday of any I ever had. These guys would be great to get into trouble with and the adults from my era to get us out.

Hot Fun in the Summertime

The Second Circuit's Civil Appeals Management Office scheduled a Pre-Argument Conference for the summer solstice, June 21, 2005. When I arrived, I was surprised to see most of the opposing attorneys, who always showed at the last minute, already present and engaged in conversation that suddenly ceased as soon as I entered the room. Probably planning some deviousness.

We met with a staff counsel for the Court, an arrogant androgyny. What do you expect for a federal bureaucracy? They aren't allowed to higher men.

"Is everyone here?" the staff counsel asked.

"Counsel for the Bank of Cyprus is missing," answered one of the defense attorneys.

That surprised me because next to Mundy's lawyers, Claugus was the most vitriolic and dissembling of all the defense attorneys, as though he took the litigation personal.

The staff counsel remarked, "We're not going to wait, so one of you apprise him of what went on." The staff counsel then started with a question that had been bothering me for a while. When Castel made his decision, there were over 50 defendants in the case but only 13, including the two Vasilyevas, had made any type of request to throw my case out. All the others just ignored it.

"There's a possible ambiguity in the District Court's decision," he said. "The decision doesn't say whether the case is dismissed in its entirety with respect to all the defendants or just those who moved for dismissal. That's probably because Judge Castel just came on the bench. What can we expect from new judges?"

That and worst I wanted to say, but instead chimed in that the decision apparently left open whether Castel did dismiss the case against all the defendants.

" I'd like the plaintiff to send a letter to Judge Castel seeking clarification as to whether he meant to dismiss the case for all the defendants or not. And copy the letter and Judge Castel's response to me and all the attorneys in this case."

"Okay," I replied, and made a request about the Joint Appendix.

The Second Circuit requires that only one appendix, called the Joint Appendix, accompany the briefs for both sides, and it should contain only relevant documents needed for the panel of three judges to reach a decision. On the appeal of a district court dismissal, as in my case, the Joint Appendix would include the Complaint, Supplemental Complaint, any opinions or orders issued by the District Court, a few procedural papers and other documents agreed to by both sides. The Court's rules prohibited including memoranda of law filed in the District Court unless staff counsel and the parties agree.

The Second Circuit receives all the documents filed in the district court but doesn't want its judges wasting their time thumbing through the entire record to understand the case. If a judge wants a document not in the Joint Appendix, he can pull it from the entire file. The plaintiff has to pay for the Joint Appendix, but when the defendants try to balloon its cost by stuffing the appendix with irrelevant documents, such as the hundreds of pages of exhibits the defendants filed in my case, the plaintiff, unless ordered by the Court, can refuse to pay. The defendants then have to pick up the added cost of including unnecessary documents in the Joint Appendix. This keeps the opponents of the person appealing from making the appeal so expensive that the appealer gives up.

My request was to reproduce a handful of paragraphs from my law memorandum to show the Second Circuit that I had actually made certain statements and requests to the District Court. The staff counsel and the opposing attorneys agreed given the small amount of material

involved. Then it was the defense attorneys turn to bring up their requests for inclusions in the Joint Appendix that they had sent me just a week before the conference. Nothing, only silence, and my sensors went to red alert. Their silence made no sense. They had requested to include over 190 pages of extraneous documents, including 54 pages that had been thrown out by the District Court as irrelevant. Something was up.

"Have there been any settlement discussions?" the staff counsel asked.

"No," I replied and motioned to my opponents. One of them said no, and the staff counsel quickly realized there would be none. He then said, "Over turning a district court dismissal is a difficult task."

What's that suppose to mean, I thought. Should I give up right now—never!

We touched on the issues I intended to raise and worked out the briefing schedule with my brief due August 11th and the defendants' papers in September unless they wanted an extra month, which they ultimately did.

Later that day, I sent the requested letter to Judge Castel:

"Dear Judge Castel:

An issue has arisen in the Second Circuit concerning your dismissal with prejudice of this case. Your Memorandum and Order of September 28, 2004 does not make clear whether the action was dismissed for only the defendants who moved under Rule 12(b)(6) or was also dismissed for the defendants who did not make a 12(b)(6) motion or did not appear.

Would you please clarify the extent of your dismissal now that the issue of finality has been raised in the Second Circuit and the case is currently scheduled for briefing?"

The letter also reminded the Judge of my request from the previous year for reimbursement from the defendants for the costs of paying a process server to formally serve the Complaint by hand because they had refused to accept it by mail. Castel responded somewhat indignantly and unhelpfully, "Page 2 of the Memorandum and Order of September 28, 2004

makes plain that '… plaintiff's Complaint is dismissed with prejudice.'" Dismissed with prejudice means I don't get a chance to amend my Complaint and try again. It has nothing to do with whether the case is dismissed with respect to all the defendants, including those who did not move for dismissal. The staff counsel was right about the problems with new judges. While the words told me nothing, the level of his indignation said get lost and don't bother me about this anymore. As for my request for costs in using a process server, it was put off until after the Second Circuit made its decision because of a legal technicality.

Most of the summer, I spent in the law library working on my brief that repeated most of my criticisms of Castel's decision. One new argument about proximate cause was added, which came from an opinion by Justice Clarence Thomas. The Second Circuit would never understand it, but the Supreme Court would, if I got there. Also included was an estimate of the Commie Ho's tax-free earnings since coming to America, over $750 grand in six years, to bring home the motivation behind the Russian mob's RICO violations for scheming to transplant Russian sluts to the U.S., and I called Judge Castel a liar one and a half times:

"The District Court lied when it stated, "Plaintiff made no request to file an amended Complaint in the event the motions to dismiss were granted," Order 16-2. Plaintiff's Memorandum in Opposition p. 41-2, states, "If this Court dismisses the Complaint or part of it under Rule 12(b)(6), then the plaintiff requests leave to amend." Plaintiff also made similar requests with respect to specific issues throughout his Memorandum in Opposition pp. 49-1, 70-2, 76-2, 119-3."

That's one time.

"The District Court claims RICO violations occurring before August 2000 "are not alleged to have caused plaintiff injury," Order at 11-2, 12-1, but the Court lies (perhaps unknowingly)."

That's one-half time.

Malicious no, accurate yes, but why do it, since the defense attorneys will jump all over me for it. They'll self-righteously rant how dare I call a member of the justice system a liar, and

then go about doing their mercenary best to pervert that system and prevent justice with their own falsehoods. The reason was to see whether the Second Circuit bothered reading my brief with the diligence that most Americans believe judges use. If the judges read those statements with any amount of awareness, it will cause them to lambaste me during oral argument. If they don't, they wouldn't.

My entire brief boiled down to this: "Where defendants fraudulently induce a plaintiff to take actions and make expenditures, the financial injury is compensable under civil RICO. *Standardbred Owners Ass'n v. Roosevelt Raceway*, 985 F.2d 102, 104-05 (2nd Cir. 1993)."

Before filing my brief in August, a problem came up with the Clerk's Office—naturally. Back in February, when the case was still in the *"Pro Se"* section, the Clerk had made some mistakes in listing all the plaintiffs and defendants, so I submitted the corrections as required by the Court's rules. The list of all the plaintiffs and defendants, known as the "full caption," is required on the cover of certain documents, such as the briefs, or the Court wouldn't accept them. A week before filing my brief, the Clerk' Office had still not made the corrections, so I needed to get the Clerk's Office to do its job.

My case was now in the "Counseled" cases section after its transfer from *"Pro Se."* The employee assigned as gatekeeper and who entered papers on the Court's docket in my case was Shatisa Gibbs, young, cute, and I might have pursued her had I met her at a club.

In a telephone call, I told Gibbs that the full caption had not been corrected.

"It's not our section's responsibility to correct the caption. *Pro Se* should have done that before they transferred the case."

The old bureaucratic buck-passing routine, but I was cool.

"So does it go back to *Pro Se* for them to do now what they should have but never did?"

"No, I'll correct it."

"Thanks," I said and dropped off the revised caption. She was good to her word for which I sent her a "Thank You" card after filing my brief.

A couple of weeks later, Mark had a birthday party at the Amsterdam Café across from Columbia University. At the party, I met this bond trader, an arrogant thirty-something Asian guy straight out of *The Bonfire of the Vanities*. Such yuppies don't bother me, since I was one once, working at the law firm mentioned in Thomas Wolfe's critique on the presumptuousness of greed in the 1980s. Such hubris still strutted the avenues and bars of Manhattan twenty-years later. After drinking a few rounds of shots, the bond trader suggested hitting a bar in the meat packing district—the then and still current trendy scene for feeling superior to others where inflated egos prowl for recognition in a part of town known for death, stench and now, the flies of Argos. We jumped into a cab and exited on 14th Street by the docks in front of the Gaslight Bar. The place was packed with yuppies, conceit and hos, but would we find Ingrid Bergman inside? No, although I spotted a couple of black chicks at the bar, good looking and tall, at least compared to the bond trader.

Going up to the black chick standing, the other was sitting on a barstool, I said something inconsequential—can never remember my opening lines, and added, "My buddy's a rich bond trader." So I'm obnoxious, so what, and I was grinning because I knew what her reaction would be.

"Is he buying drinks?" she asked shifting her body closer to me with intense attention.

"Always!" I replied.

She pushed in right next to him at the crowded bar and turned on her brights. He was a goner. My attention shifted to the other chick sitting on the stool, but she was too drunk to

articulate a complete sentence. Instead, she started the physical pawing interspersed with feeble female slaps to my chest, bemoaning in broken phrases the misery of her existence for which, as do all broads, she blamed the nearest man, which was me at that point in time. I'd seen this feminine self-pity all too often before and wasn't buying. It was her life, not mine. To get rid of her, I suggested she take a cab home to which she surprisingly agreed. Usually, they refuse and want to argue. Maybe she thought I was paying her fare home—fat chance! I helped her outside. The Boy Scout is tough to die, but soon there will be no more of them thanks to the Feminazis. At the curb, she decided to take a seat. No, I wasn't joining her. The last time I sat on a curb listening to some stupid broad so that I could get into her pants was back in my hippie days. Since then, I had grown up, and there were plenty of girls back in the bar that I wanted to hustle. Finally, she got up, with a little help from the Boy Scout left in me. I hailed a cab, opened the door, she poured herself in, told me where she lived, I told the cabbie and closed the door—goodbye problem.

Back inside, I hit on some white chick or maybe Latina, but she wasn't so drunk she couldn't talk, got her email, and then the bond trader came up to me all excited about the chick he'd been buying drinks for.

"Roy, she keeps grabbing me, she keeps grabbing me! Where do you know her from?" He mistakenly thought the black chick was a longtime acquaintance of mine whom I sent over to show him a good time. Sure I did send her over, but had never seen her before I walked into that bar.

Laughing to myself, I said, "Good, she must like you (meaning his money) get her number."

He went back, played around with her for a while and then we left. All this yuppie bond trader could talk about as we crossed the street for a bite to eat was how this chick kept fondling him. For him and most other egotistical yuppies, such occurrences are big-time, which only illustrates the phoniness of their conceit.

He then says to me, "I run with a fast crowd, if you want to hang out call me," and gives me his business card. Stifling a laugh, I thought if his crowd is as fast as him, I don't think I could walk that slowly. Never saw him again after that night.

After Labor Day, Mark and I met one Friday night at the bar Cancun. A name that once elicited visions of the Commie Ho sexually entertaining her customers in the resort town of Mexico, but now only reminded me of the dizzy blonde, Kelsey, whom I had met in the Cincinnati airport in 2003 when returning home from my encounter with the Midwestern G-Men. Today, the "G" means "Girlie," since these government agents not only take sensitivity training sessions so as to act more like girls than men but also carry out the biding of Feminazis to violate the rights of men. No wonder the F.B.I. can't stop terrorists when they know they're coming, however, these G-Men always get their paid vacations, early retirements with inflated pensions and parking spaces.

My pal Alan ran into a G-Man, or more accurately G-Shemale, who kept parking her car in a "No Standing At Anytime" zone on his street in the Upper Westside of Manhattan. The reason for the "No Standing" zone was so that fire engines could turn the corner on the narrow street to get to a possible fire in time. Did this Federal Bimbo of Indolence care—no. Alan told her one day that she shouldn't park there. She just flashed her badge, which in her twisted thinking gave her the right to endanger citizens because the "No Standing" zone provided her a convenient parking place. Broads have always thought they were princesses, better than

everyone else and not subject to the rules of law or civilized behavior, but now that the Feminazis have stolen positions of authority, females are creating dangers for those they are suppose to serve, which is an oxymoron, since broads only serve themselves.

Walking into Cancun, I looked around on the odd chance that I might spot Kelsey. She had said she often hung out there, but all the times I was there, she wasn't. By now she was probably married and intensely unhappy.

"So who are these babes we're meeting hear?" I asked Mark.

"One is a girl I've know since school days and the other is her friend—both Latina and both married."

We laughed.

I said, "Likely told their husbands they were just going out with one of their girl friends."

"Don't girls always?"

"Absolutely, and then rationalize their cheating. Demons of self-justification made of snakes, tales and everything fake."

"Easy, we're here to have fun."

"I know, just trying out a new attack line that's a take off on sugar and spice."

Both of the girls were in their early thirties, a little old for me, but every time I turned around another drink appeared. Couldn't figure out where the drinks were coming from because I had not brought that much money and neither had Mark. We left Cancun, bounced in and quickly out of a typical boring yuppie New York City bar, and landed at Iguana, a restaurant with a dance floor in the basement. Downstairs, I couldn't see a thing. Didn't this club pay its electric bills? They could have at least provided infrared goggles for spotting the warm bodies. No matter, we had two hot Latinas with us and an evening of fun. Dancing, drinking and

fondling a girl's body in the dark are second nature for a man. His first is individual liberty; for without it, he serves others rather than his destiny.

Just One Look

On October 13th, I received the defendants' opposition briefs. It wasn't a Friday, but did the number bode ill for me? By this stage of the Furies curse on my life, I didn't care. Schopenhauer philosophized that every man could see a theme running through his life when looking back from near its end, I finally saw mine: I try to fight everyone who violates my rights; I don't often win, in fact I usually lose, but I still fight, and wasn't about to change now, no matter what the Matrix was telling me. November 9th was the deadline to file my reply.

One quick read of the defendants' briefs showed that the defense lawyers—Dubin for Mundy, Rudofsky for Flash Dancers and Sachs for the Ho—were up to their same old trick of character assassination, or what the legal profession, the second oldest, refers to as *ad hominems*.

Blacks' Law Dictionary defines *ad hominem* as "appealing to personal prejudices rather than to reason; attacking an opponent's character rather than his assertions." Sounded familiar; it's the crux of virtually all attacks by the Feminazis, their sycophants and mercenary lawyers. Dubin and Rudofsky also added a few new cheats that along with the *ad hominems* violated the Federal Rules of Appellate Procedure, the Second Circuit's Local Rules or both. Detective Henning's lawyers from the City avoided the name-calling but joined in the other procedural breaches. So I made a motion to require these four lawyers to redo their briefs without the parts that violated the rules.

Dubin, true to form, resorted to personal attacks the most. If this were the age of Aaron Burr, he wouldn't have lived this long. The Second Circuit's Local Rule § 28 requires that briefs must be free from scandalous matter, which includes personal attacks on opponents. Dubin's

brief of *ad hominems* called me delusional, an extortionist, a harasser of the Ho and Mundy, a liar, an intimidator, unethical, lacking in common decency, abusive and vexatious.

Dubin packed most of his name-calling into the "Statement of the Case" section of his brief. Under the Federal Rules of Appellate Procedure, which governs all the U.S. Courts of Appeals, a brief is required to contain certain sections that do specific things. The "Statement of the Case" part is supposed to tell the Appeals Court the type of case, the result in the District Court and any procedural history, such as motions that were made. Dubin, however, used that section to replay his strategy of character assassination by personally maligning me with lies and false innuendos in an attempt to shut down the argument and marginalize me so as to avoid a decision on the merits. In doing that he violated Fed. R. App. P. § 28(a)(6). Dubin defended his conduct with the rationale that if the "Statement of the Case" contained the elements required by the rules, it could also be packed with vitriolic vituperative assaults on the opposing party. Under Dubin's Russian type logic, because the rule commands, "thou shall" rather than "thou shall not," he could include anything he wanted. Even former President Clinton would likely construe the rule that way.

Flash Dancers' Rudofsky basically characterized me as delusion while the Commie Ho's lawyer Sachs submitted a two page brief with only one derogatory clause: "the flights of fancy in Hollander's pleadings, the florid and offensive language in his brief, and the continuous vilification of Shipilina." Clearly the Ho didn't want to pay him any more money or sexual favors to spend the time drawing up a longer brief with a lengthier litany of opprobrious remarks.

Dubin also brewed into another section of his brief under the misnomer "Facts" the same false or half-truth counterclaims and allegations he made in the District Court that were

irrelevant there as they are on appeal. The Second Circuit and the District Court during the first stage of any case are required to consider only the plaintiff's pleadings, my Complaint and Supplemental Complaint, as true, not the defendants' opinions nor their self-serving protestations or duplicitous counterclaims and allegations. Dubin included lots of irrelevant material for two reasons: one, the chance that it would sway the Second Circuit to uphold Castel's decision—after all, it worked in obtaining a dismissal in the District Court, and two, to trick me into using up the limited space in my reply brief to counter his disinformation, which would distract the judges from the legal issues as did Dubin's opposition brief.

Flash Dancers' brief also threw in lots of irrelevant and disingenuous material to spin reality. For example, their attorney Rudofsky actually referred to stripping as "performing" or "dancing" and claimed Flash Dancers, that highly profitable bazaar of naked bodies, a law-abiding and squeaky-clean operation. Filth was more like it. Not that I have anything against dirty girls, such sluts can be fun, but don't try to convince me that they and they're pimps are doing heaven's work.

Rudofsky used audacity to defend his violation of the rules: He criticized me for making the motion to delete parts of his brief, even though that's one of the purposes motions serve in the Second Circuit. Rudofsky argued the issues raised by my motion should have been addressed in my reply brief, which only confirmed the defense's strategy to trick me into loading up my reply brief with the distractions of their procedural violations.

Dubin and Rudofsky even resorted to a real sophomoric tactic in their briefs by citing to a total of 17 cases without including the specific page in the case to pinpoint the support for the position they claimed. This didn't violate any court rules, but it did breach the system of referring to cases that lawyers everywhere in every court in the U.S. use. Why'd they do it? To

get away with lying about what the law says. They knew the Second Circuit was not going to track down the exact page, so the clerk reading their briefs filled with *ad hominems* might think, gee whiz these defense attorneys must be right about the law because this plaintiff isn't politically correct.

But of all the tactics that Dubin, Rudofsky and the City's attorneys for Detective Henning used to exploit bureaucratic sloth, the most glaring violation of the rules, and the one that my intuition sent me to red alert during the Pre-Argument Conference, was their citing to documents not in the Joint Appendix. Fed. R. App. P. § 30(a) & (b), Local Rule § 11(e) and the Second Circuit's on-line instructions for appeals require all parties to reproduce in a joint appendix documents to which they wish to direct the Court's attention. That means if a party cites to a document as supporting a statement made in his brief, the party must include the document in the joint appendix. Dubin, Rudofsky and the City didn't do that because they wanted the Second Circuit to believe their lies, which was more likely if they made it time consuming and inconvenient for the judges and clerks to dig up the documents from the record because then the judges and clerks probably wouldn't bother. The three attorneys even failed to include the specific page in a document that they claimed supported their statements in order to make it even more unlikely that the Court would check their veracity. My motion called them on their violations of the rules to which they responded in truly Orwellian fashion.

Every joint appendix must contain a copy of the district court's docket sheet, which is just a list of all the legal filings. Dubin actually argued that because the docket sheet in the Joint Appendix listed the legal filings that contained the documents he cited in his brief, those documents were really in the Joint Appendix. That's the same as saying all the people listed in the Manhattan telephone book are really in that book. Would the Second Circuit Court of

Appeals actually buy that? Dubin ended up referring 25 times, usually without giving a specific page, to 35 documents, totaling over 380 pages not in the Joint Appendix. Some of the documents had even been originally thrown out of the case by the District Court. Dubin also tried to justify his end-run around the Joint Appendix by accusing me of a "frivolous attempt to shield this Court from reviewing the full record." Lawyers, like scoundrels and broads, always attack those who expose their underhanded conduct.

Rudofsky took the Russian approach to justify his using documents outside the Joint Appendix—he lied. Rudofsky claimed that I "wrongly declined" to include in the Joint Appendix "26 documents" that he and Mundy's lawyers' had requested. To support this lie, he used as an exhibit only the first of four letters detailing the negotiations over the Joint Appendix, which was sent before the Pre-Argument Conference in June. That letter from Mundy's attorneys and Rudofsky actually requested 54 separate documents—not 26 as Rudofsky claimed.

At the Pre-Argument Conference, when the defense lawyers kept unusually silent about the documents they wanted in the appendix, I realized I would have to create a record to keep them from pulling a fast one. After the Conference, I sent a letter asking whether they had finalized the documents they wanted, but they never answered that question, hoping I'd let it ride so that later they could claim I never denied their request for so many documents. To head them off at the pass, I sent another letter telling them I wasn't going to include the unnecessary documents they wanted. Under Fed. R. App. P. § 30(b)(2), they could still have those documents included in the Joint Appendix, but they would have to pay for them. They didn't and once again failed to respond, but it didn't matter, since I now had a record of my refusing their request.

Rudofsky also excused the defense's use of documents not in the Joint Appendix by saying Fed. R. App. P. §30(a)(2) states: "Parts of the record may be relied on by the court or the parties even though not included in the appendix." True, but the purpose of that rule is to allow the Court leeway to check the full record if it thinks it's necessary. The rule does not give Dubin and Rudofsky an excuse to ignore their obligations under the Court's procedures or to load up the Court with hundreds of pages of irrelevant documents in order to prevent it from taking the time to expose their lies and prevarications.

The defense attorneys disinformation that they falsely claimed was supported by hundreds of pages of extraneous documents to which they made no specific page cites, their failure to cite to the exact page of some legal cases and the character assassination all played together to exploit bureaucratic sloth. Think about how these guys would have operated in The Third Reich or the Soviet Union. First they'd label me as an enemy of "right-thinking" people in those particular societies—Nazis or Commies. Then they'd throw in a mass of documents and cases to which they fail to give specific page cites knowing that the bureaucrats are too lazy to go through all the material to confirm or contradict their statements. The bureaucrats in those societies, ever obedient to their prime directive to avoid work, would consciously or subconsciously rationalize that since I didn't conform to Nazi or Commie conventions and ideology, the defense attorneys were right about what all the documents and cases said. The bureaucrats rule in the defendants' favor and off I go to a concentration camp. In feminarchy America, it's off I go to the poorhouse and social ostracism—no gulag, yet.

Dubin, Rudofsky, the City and Sachs tried to game the system by picking which rules they would follow and which ones they would ignore, it not only wasted everybody's time, but if successful, would make suspect the system of justice in the Second Circuit.

The return date of my motion was set at November 8th, which meant that by the following Monday, the 14th, the Court should make its decision on whether to require those attorneys to delete the material that violated the rules.

During the back and forth of papers on my motion, the defendants even tried to finesse the Second Circuit into denying me oral argument. Dubin's boss sent a letter to the Court that "In light of the extensive record before this Court, the number of parties that would have to appear and the amount of time having been devoted to defend the plaintiff's claims, it is respectfully submitted that a further appearance before this Court is unnecessary." That I didn't expect and couldn't figure out why they were bothering. If the defendants didn't want their attorneys to put in the time necessary to prepare for an oral argument, they could simply waive it and save the lawyers' fees. But to try to have the Court deny oral argument for me wouldn't happen. The rules allow any three-judge panel to dispense with all oral arguments in certain specific situations, none of which applied here. Also, the Second Circuit generally follows the principle of allowing oral argument for any party that wants it. So why bother with the request to keep me from making an oral argument? Perhaps they just wanted to increase the pressure by eating up my time in opposing their request, since during this period, in addition to making the motion to delete parts of their briefs, I was also working on my reply brief.

As busy as I was in October and early November 2005, I still went clubbing at least one night on the weekend to keep my sanity in this insane society of political correctionalism. One of the guys in my salsa class, a member of the Freemasons, started managing Club Havana in the Bronx. He and his wife, also a salsa student, invited the class to the Club for a fundraiser to help the victims of Hurricane Katrina and its accomplices the Three Stooges: Larry - Governor

Blanco; Moe - President Bush; and Curly - Mayor Nagin. Sounded fine to me, not because of the do-gooder purpose, but because there would be lots of south of the border chicks.

My new salsa instructor called me Saturday night to say he and some of his students were driving to Club Havana from the upper Westside of Manhattan. Since I lived on the eastside further down, it made sense for me to meet them at the Club, and for some reason, I was looking forward to a lonely, solitary ride on the Number 6 train to the northern reaches of the Bronx. The subway took about an hour, nice and peaceful with few passengers. At my stop, while walking down the stairs from the elevated station to the street, the place became vaguely familiar. Stopping to look around for a clue as to why, the memory from my unconsciousness nagged my waking mind until the answer surfaced.

Over three decades earlier when I worked in the libraries at Columbia University, I dated a co-worker who prior to our playing around used to spit in anger every time she passed a white guy, which made me think she must have run out of saliva frequently. She was also about to join Farrakhan's Nation of Islam, which sounded cool to me. I always liked watching Farrakhan's speeches on cable television. This guy had guts and honor, unlike so many others of various hues in America who were nothing more than pimps and sellouts. Maybe she would become one of those hot chicks dressed in white that guarded Farrakhan during his speeches, but for the time being, this good-looking babe in her Afro was with me. My hair was relatively long then, so I often freaked her out by running her hand through it, which had an alien texture to her. When we started going out together, even riding the bus in Manhattan—not Mississippi in the 1870s, but New York City in the 1970s—it put us through an evil eye gauntlet from all the bigots. It didn't matter the neighborhood, both ends of the color spectrum and everyone in the middle dissed us. So we spent time by ourselves at her place in the Bronx.

During our short romance, I helped instigate and lead a workers' strike against Columbia University. During contract negotiations, our union, Local 1199, had cut a secret deal with Columbia in which the union bosses agreed to keep wages low and prevent a strike in return for Columbia investing in the union's pension fund. When we learned about the conspiracy, we struck, took over a building in the tradition of 1968, and won, a little bit. Columbia's President "Dollar" Bill McGill seethed with anger over our temerity and the hit to his budget while the union maneuvered with my boss in the library to terminate my employment. So what, I thought the strike a small victory for justice and felt good about my part in it, but my co-worker girlfriend said I acted like a fool by making speeches and leading demonstrations against Columbia. So much for the male illusion of impressing girls with victories over injustice and arrogance.

My co-worker was first and foremost a female, and all females want a man to serve them, to sacrifice doing what is important for him in order to provide an environment in which he abides by their lunatic rules that change with the erratic bubbling of those runaway chemical reactions in their bodies. Money is the key, which is why girls are so cheap unless a guy is paying. For guys, money is great too, but sometimes a guy gets pretty sore and money doesn't matter anymore. Back then, I was sore at Columbia and the union for violating people's rights, as I was at the RICO defendants in this new millennium when I walked out of that subway station. Now, however, I was wiser, knew girls had nothing of value to say to me other than "yes" or "no," and that since 1750, when the world's population reached one billion, the only value girls had was partying.

Today, the Feminazi media and female pandering politicians always shout about pollution, global warming, depletion of resources, illegal immigration, war and the violation of

civil rights—but these are just symptoms. The root-cause is overpopulation—too many broads having too many babies. Females should choose to exercise some control over their bodies for the good of future populations, but that will never happen because most broads only care about themselves, which means having children, not creating a valuable life, but to acquire another asset. To most girls, kids are just capital that can be cashed in when the mothers are running low on the funds they bamboozled, or more accurately bam-boob-zled, from men, or when these sanctimonious moms need another sucker because the members of the "fairer sex" finally put their husbands in the grave. Men don't live as long as females because over the passed hundred years medical resources have concentrated on extending the lives of broads, so when a girl's main sucker is dead, there's no better economic substitute than children, who are often easier to manipulate.

Some guys do want children, but usually it's the girl talking the guy into it. He goes along for her sake not realizing the burden of providing and protecting will fall the hardest on him. Sure, the Feminazis will argue that's why they want men's jobs: to help support the family. If that were true, then why do these ardent Feminazis, once they're married to a successful guy, want to leave work in order to raise the children? The key reason Feminazis want a man's job is to increase their chances of meeting a guy with money. Why do you think all these hos go to business, law and medical schools—to find an up and coming prospect, or when in the work force, one that's already made it. They use Feminazi propaganda and intimidation to gain admission to professional schools or land a job with a high paying company, where they can find a sucker, get knocked-up and leave the work force. Their scheme not only wastes the resources used to train them but also steals those resources from some man who would have used the acquired skills in a long and productive career. It's the same old story of

broads bam-boob-zling men out of money, which in feminarchy America also means jobs, and irresponsibly pushing to have children.

Even the evils caused by overpopulation are more exacerbated by girls than guys. For example, most of the stores on Fifth Avenue and lower Broadway cater to females because the average girl consumes more fashion goods than the average guy. For broads, fashion changes yearly with each season, so to dress themselves as fashionable sex objects requires girls to buy the latest in cloths, shoes, handbags and whatever. But next year, the latest is dated, so out it goes. The same repeats every year to which is added the tons of makeup washed down the drain at the end of every day. Girls end up causing not only more pollution but also a greater depletion of resources in order to keep themselves looking fashionable. Since a chief cause of war is when one country tries to steal another country's resources, females are major contributors in that deadliest of events for men. Looks like broads play a bigger role in the evils plaguing the earth then they let on.

Finished with my reminiscing, I turned north towards Club Havana. Eleven at night and the streets up here were full of small groups of people hanging out. Didn't they have some place to go? Club Havana was in the basement of a building and fairly large. Inside, I headed to the bar but was intercepted.

"Would you like a drink?" asked this delicious, young Latina babe holding a tray of shots.

"How much?"

"It's free! They're made of Absolut Vodka," she said with a Spanish accent.

Hmmm, my favorite kind of vodka and kind of girl. "Are you sure it's free?" I asked, never believing a girl gave away anything for nothing.

"Yes, it's my job to give away these drinks."

"Really?"

"Yes, believe me."

I've heard that before, but said, "Okay." I took a shot, rather good. She started to leave, not so fast I thought. "Here's a tip."

"You don't have to do that."

"Quid pro quo." I always try to let these pretty young things know I'm a lawyer. To them it means Benjamin Franklin, as in currency. I added, "You have to make a living don't you?"

"Yes, thank you."

She left to ply her wares elsewhere. Looking around for members from my salsa class, I couldn't find them, so I entertained myself by hitting on a couple of babes and then the Absolut girl was back with another drink. I imbibed and tipped some more.

"So where are you from?

"I come from Columbia and here for six months with a relative."

And off we embarked on a conversation. She was 22, lived in Queens and worked promoting Absolut Vodka in clubs, usually Wednesday through Saturday. What else she did for money, she didn't say. I asked her to dance, but she said she couldn't while working, and off she went on her rounds.

Trying to estimate how many offers she received each night of work and to annualize it, I gave up having left my calculator home. My mobile didn't have one, at least I thought it didn't, maybe it did, but I'd never know. The plethora of services from modern-day electronics short-circuits my memory. As long as my mobile rings, which it did just then, that's all I need. Aki, a

Japanese girl from my salsa class, called to say she and the others wouldn't make it to Club Havana because they decided to go to a Dominican club on 167th Street and Amsterdam Avenue that had strippers.

"I didn't know you liked female strippers Aki?"

"I don't," she emphatically said, "but they play great salsa there. The guys want to go, so I don't mind. I'll just dance."

As I hung up, the Absolut girl came back to offer me an Absolut t-shirt and a dance. I accepted both. Guess the tipping and lawyering worked.

Dancing salsa is not my strong point, and sometimes I end up with a girl who can dance but emphasizes different beats than what I'm familiar with. The Absolut girl could dance, but she moved on different beats, so the dance started badly. Then I remembered a trick my salsa instructor told me: whenever he had difficulty with a girl's style and liked her body, he just held her close—years ago it was called the grind. So I held her close barely feeling the thin dress between us and ground against her stomach and firm young thighs that wielded a truly dangerous power. Once again, I was on the ropes. Her face looked young and innocent, but her body told a different story. She knew how to use sex to get what she wanted. So do the Feminazis, but they use it as an accusation rather than a lure. But whether with the normal girl or Feminazis, for females, it's always about sex.

Two allegories will demonstrate the point:

A girl rips open her blouse, juts out her bare balloons and says to a guy, "You don't get to touch these unless you give me a car!"

Another girl rips open her blouse to show her naked breasts and says, “Talk dirty to me, touch me!” So the typical guy does, and then the girl says, “Give me a car or I’ll sue you for sexual harassment and offensive remarks.”

In the first case its solicitation, in the second extortion, but either way the broad gets the car because of T & A power.

After my dance with the Absolut girl, she handed me some words that were nice to listen to and gave me her telephone number. Watching her walk back to work, I thought that all the academic hubbub over the purpose of females wasn’t nuclear physics. Just look at what a girl’s body is built for. No sense using a car to sail the seas, a plane to drive the highways, a boat to fly the skies or a girl for anything but partying.

Later on, we flirted some more, and I caught the Number 6 local back to Manhattan at three in the morning. Early in the week, I called her, left a message, she called back and we set a date for the Copa. She ended up canceling, saying a job came up in a club in Westchester County. Maybe yes, maybe no, maybe rain, maybe snow. Perhaps, I should have tried one more time, but her work schedule just didn’t jive with mine. She wouldn’t be lonely, and a month later, I saw her at LQ with some Latin guy. Good for her, if he was rich.

I like You (A Lot)

In my Reply Brief to the defense attorneys’ opposition briefs, I mainly countered their legal arguments and interpretations rather than bogging down my Reply refuting their false allegations of fact for which they referred to the extraneous documents never included in the Joint Appendix. Their factual lies and deceptions didn’t go unchallenged; rather I relegated my exposure of their mendacity to a footnote at the end. Sure the facts weren’t relevant on a Rule 12(b)(6) motion to dismiss, but in case the Court wanted the truth, it was there in the footnote.

The defense attorneys again tried to rewrite my Complaint to support their legal arguments. They claimed my Complaint did not state that I had suffered injury to my business or financial interests but only personal harm, such as emotional distress. Under civil RICO, a plaintiff cannot recover for personal injuries including stress, broken legs or even death. The defense attorneys knew, but tried to hide, that the personal injuries stated in my Complaint resulted from the non-RICO causes of action that were also brought against the defendants. The defense was trying to deceive the Court by calling all the injuries personal, which they weren't and the Complaint didn't say they were. The defense lawyers also tried to use cases that didn't apply to my situation to argue the harm caused me was speculative. But their cases all concerned damages that might occur in the future. The harm to my business and financial interests had already happened.

On the proximate cause issue, the defense said I was not the specific target of any of the RICO acts nor did the defendants specifically intend any of the harm that befell me. Civil RICO does not require specifically intended targets or harm. If it did, there could be the absurd result that one could be liable under RICO for destroying a shop only if one aimed a bomb at it, but not if one aimed at the shop's key executives, missed and hit the shop by accident destroying it, or if one aimed at the key executives who happened to be in the shop at the time.

Besides, if I wasn't a target of the defendants' intended harm then who'd they trick into sponsoring and paying for the Commie Ho's fraudulently obtained immigration visa, who did they con into paying for her flight to America, who were they attempting to coerce into lying to the INS that included bringing a fraudulent restraining order against, whose witnesses did they intimidate into not providing information to the New York State court, who'd they cost thousands of dollars to defend against a false arrest and for whom did they increase the expenses

of the RICO action by attempting to obstruct it? All that was aimed at me and intended to make justice too costly to pursue and thereby protect the defendants.

The defense attorneys even tried to cover up some of the dumber errors of the District Court. For example, Dubin claimed the District Court's Maginot Line irrelevant and even argued that my actions on and after August 2000 caused the injuries I suffered before that date. Guess he had been reading too much Lewis Carroll where cause and effect are reversed.

The defense attorneys also raised a few issues not addressed by the District Court and misstated the law, as usual, even when the Second Circuit and Supreme Court had explicitly rejected what they were contending. Dubin claimed RICO only applied to criminal associations that would continue to exist if all their criminal activities stopped. That's not the law in the Second Circuit, but even if it was, the Russian mafia controls legitimate businesses, so if it ceased all criminal activities, it would still exist. Rudofsky argued that all RICO allegations must include greater detail than normally required in a complaint even though the Supreme Court ruled that's true for only certain RICO crimes, such as mail and wire fraud.

What a way for attorneys to practice, ignore the cases and just make up whatever serves their interests of the moment. My Reply ended with "The modus operandi of the defense attorneys is clear: misrepresent the law and the allegations, add a good measure of demeaning, denigrating, defaming, demonizing and dissing the plaintiff, and presto, their opponent has no rights left that the government will recognize. It's worked so far."

The week after filing my Reply, I hit a club called Temple on 52nd Street between Broadway and Eighth Avenue. My salsa instructor was promoting the club, so I showed early enough to get in for free—a rare occurrence for a guy in New York City. Most clubs let girls in for free up to midnight—the witching hour—or 1 AM, but guys almost always have to pay.

Clearly a violation of the civil rights of men, and if I had the time and money, I'd bring a class action suit against the clubs that do it.

Girls naturally love the preferential treatment. They steal a guy's job, get into a club for free and then expect him to buy them drinks. Chicks make up over 50% of the labor force, and control well over 50% of the nation's wealth that they earned the hard way—they married it. In virtually every urban center in America, girls in their twenties, the only ones worth partying with, make more than guys in the same age group. So who's oppressed? Females claim they are, so affirmative action should apply to them. Not unless they were raised in a trailer park, and most of them weren't, although most of them act like they were.

Temple was near empty, 10:30 PM and only a few people, not uncommon for City clubs. A buddy from my salsa class and I hung around the bar hitting on the barmaid. Then my sensors turned me around to spy two young, hot looking, tall brunettes standing patiently together waiting for the party to begin. Coming up with a line, I moved in their direction. When I got within the range of my contact lens, I saw they were twins—all right! They responded, a little shy at first, but as we talked, I began to feel as the quarry rather than the hunter. Each of them took up a position at a 45 degree angle to my right and left, a "V' pattern, with me almost cornered. Okay, they can devour me; they were pretty and tall in their high heels. Both went to Columbia College, majored in chemistry, which reminded me of cooking, had turned twenty-one in September, the same month as my birthday, although I hadn't seen 21 for decades, and came from a town in the Catskills in upstate New York. A town I used to pass every summer as a kid and later as a teenager when heading to the family cabin in the mountains.

These two were a trip. They turned their high beams on in a coordinated assault on my senses. One picked up the conversation as the other left off, sometimes in mid-sentence, and

they giggled like little girls simultaneously as though on cue. Was it possible that somehow their two minds were metaphysically one? A couple of my childhood buddies were twins, but they didn't have the synchronicity of these two. Did they read each other's mind or somehow live each other's life. I liked them immediately—a lot. Tried for their telephone numbers, but they weren't giving, so reluctantly they provided me their emails. Part of my hustle included talking up my salsa class about which they expressed interest when I mentioned there were usually more guys than girls. It was then I realized I knew these girls or, more accurately, girls like them. They were the girls I had chased all those summers in the Catskills. Girls who grew up in that part of New York had an openness about boys. I still remember this one ten year old girl from upstate answering when asked what she liked to do: "Chase boys!" Unlike Feminazis, the girls up there liked boys and refrained from blaming guys for all the vagaries of life.

We talked on and off during the evening, even danced once until they turned and walked away at exactly the same moment. Oh, well, I had gotten their email addresses, and had agreed to send them the information on my instructor's salsa class. Don't remember too much more of that evening, but a buddy from salsa mentioned I was making out with some tall black chick. To which I asked, "Was she good looking?" He said yes, and I believed him but couldn't find any number or email other than the Twins. My short term memory only recalled a black chick calling me her nemesis, but was she the one? At least it wasn't the blonde I danced with whose pheromones invited men to run their hands all over her. She was with two guys who looked like paying customers.

The Twins responded to my email about the salsa class and gave me one of their mobile numbers. They were in the middle of finals, so couldn't start the class until after the Christmas break, but finals didn't keep them from going clubbing on the weekends. One Saturday Mark,

his younger brother, Chanan, and I met them at Deep after running into a familiar problem at the door of City nightclubs that girls don't. On the Internet, clubs sometimes advertise free or reduced admission for guys before some early hour such as 11 PM. The ads tell a guy to sign up for a "Guest List" or printout a pass from the club's website to take advantage of the bargain. The three of us showed at Deep at 10:45 PM, nearly the first in line, presented our passes for free admission before 11 PM and "Sorry, these are no longer good," the bouncer says.

Chanan wasn't buying this, "What do you mean? We just printed them off your website not an hour ago. Your policies changed since then?"

"Management has instructed me that these pass are no longer good. You'll have to pay $15."

"That's not fair," Chanan continued. How can you advertise one thing, and then switch it when people show up because of your advertisement."

The lawyer in me chimed in, "It's called bait and switch."

"Yeah," Chanan replied. "They trick you into coming all the way down here to their club and then change the deal. That's not right."

The bouncers were apologetic, since they were just following the manager's orders, but to go inside would cost us $15 each. We paid, because, I had arranged to meet the Twins inside, who, being girls, were able to enter through the back door for free. This bait and switch directed only at guys was a common tactic among the clubs. The China Club had pulled the same stunt on us earlier in the year. This wasn't going to happen again. When I go to a club now, I bring along a copy of the City's Consumer Affairs Department rules prohibiting false advertising. The Department licenses all these joints, and violation of the rules can result in suspension of their licenses.

Deep had two floors, lots of space and, as the night wore on, plenty of friendly chicks. We ran into the Twins and Mark and I started dancing with them. Chanan, a professional Hip-Hop dancer, started doing his thing by himself. He didn't need to ask girls to dance because when they saw him hip-hoping, a few always gathered around to watch, and one or two would start dancing, or rubbing their bodies against him, usually their derrieres against his crotch. Some of these club chicks sure liked dancing doggy-style. Time for me to learn that dance as delusions of being a babe magnet danced in my head. The Twins nicknamed Chanan "Dancer Man."

A couple of weeks later, Mark called. "I've been looking at your resume and thinking for the passed few days about a way for you to make some money out of the hell you've been going through for the last, what is it, six years?"

"Yeah, it's pretty close to six years. What's the idea?"

"Go public with a website. What you're always saying about the feminists and how they've twisted the system against men is what most men are thinking, but wouldn't say publicly for fear of losing their jobs or being sued. You can take what's happened to you and become a lightning rod for men against the feminists. With your resume, you have the credibility to do that."

The moment I heard Mark's idea, I knew I was going to do it. As Supreme Court Justice Brandeis observed, "sunlight is the most powerful of all disinfectants." The gears of the universe clicked together. By pulling open the curtains, I could expose the sophistry of Feminazism, which had enabled sluts like my ex-wife to commit crimes with impunity, and the Feminazis real desire to create a tyranny over men.

"So how would this work?" I asked, feeling the excitement of another battle on the horizon.

"You set up a website. Write articles for it and publish on the site the story about the Ho that you've been writing. You can even serialize the story to keep people coming back to see what happens next. Visitors to the site can make comments or start their own discussions about the articles or the story. It's called an interactive website. You might even expand into providing legal advice to men on how to defend themselves against the feminists. And the way you make money, is to ask for donations. On the site would be a "Donate" button a viewer could click that would take him to PayPal for making a contribution."

"This sounds good. I'm running out of money, and my attempts to find a book publisher went nowhere."

"So publish it yourself. Go directly to the men on your side. There are guys all over the country who feel the way you do. You can be their voice and they'll support you. Guys will be able to register for the website anonymously, if they want, say what they want and contribute."

"Right, the men in America, especially the white guys, are too intimidated by the Feminazis to take back their rights. I can be their point man."

"Exactly, but you'll take a lot of heat for it."

"Wouldn't be any worse than what I've been going through, screw those Feminazis. If broads can't love you, they might as well hate you."

Over the next month, Mark and another of his brothers helped me refine the concept of the site and how viewers could participate. It took me another few months to set the site up, in part, because creating web pages weren't up my alley. My old class action RICO site was

replaced with the new anti-Feminazi assault but kept the same Internet address: www.been-scammed.com.

Girls! Girls! Girls!

In early December 2005, a guy in my salsa class told me about a Hip-Hop class he was taking at Broadway Dance Center. Never heard of the place, but here was my chance to try to learn Hip-Hop. The moment I walked into the Beginner's Hip-Hop class, I felt like a kid in a candy store. The room was packed with around 45 pretty young babes displaying various bare sections of their breasts, legs, stomachs and lower abdomens. Most of their pants or shorts were skin-tight around the ass through which showed the straps of their thongs for the ones who wore any undies. Of the five or six guys in the class, all were gay, except for my buddy and me, no competition here, and I was the only gray-haired Benjamin Franklin in the place. This was too good to be true as a grin swept over my face, but it got better.

The class lasted ninety minutes and was as tough a workout as martial arts only no cracked ribs. During the first half, our instructor Bev B, a hot looking black chick with a great smile, ran us through warm-up drills. One had us doing a body roll leaning back with arms stretched in front and then bending forward at the waist, arms behind with our faces looking straight ahead. I found myself gazing into the rear end of a young babe in tight pants that outlined the source of every young girl's power inches from my face. If I ever have a heart attack, I hope it happens in class during that exercise, so I can fall face first into some young babe's booty. Once in the middle of that drill, the voluptuous Latina in front of me stood up in surprise with her hand on one cheek as though someone had grabbed her rear—must have been my astral body.

After the warm-up, Bev taught us a routine by repeating the steps a few times and then moving on to new ones. As she built the routine, the class became hotter and hotter, the girls sweated more and more, parts of breasts and abdomens glistened, adrenalin and endorphins pumped through brains while the pheromones of these overheated pretty young things filled the air. These cold and distant candy bonbons began melting on their shelves. Hitting on one during a break, she smiled and replied with sweet sounding words. How could she not with all those drugs pumping in her brain and me one of only two heterosexual guys in the class. This was too easy for meeting chicks, although physically, I barely made it through the class. I thanked Bev, clearly one of those few teachers who cared about her students, and left the room to hit on some other hot-sweaty girl watching another class.

The classrooms at Broadway Dance Centre all had big windows on the inside that allowed other students outside the classrooms to watch a class. Students stood two and three deep around these windows or sat in chairs arranged for viewing. The reason for this escaped me, since most the guys there weren't hunting chicks. Maybe it was just the thing to do. Fine with me, since it made my hunt easier by congregating game in a small place—not unlike a watering hole on the African savannah. It also gave me lots of opening lines: "Oh, what class is this?" "Would you tell me what room number this is, I'm wearing my contacts and can't read the number although I can see the girls?" That usually got a laugh. A variation on that theme, "Would you help me? I'm trying to find a number on my pre-millennium mobile but can't read the names because I have my contacts in." "So how do you tell what dance style this is? I haven't been able to distinguish dances since law school." That made them think I had money and often got a laugh. "Are you a professional dancer? No. You could have fooled me." That one worked really well on the teenagers, since a lot of professional dancers went to Broadway

Dance and every teenybopper girl dreams of being discovered. Sometimes, however, I couldn't distinguish the teenyboppers from the twenty-somethings—a confusion that didn't bother me a bit. Anyway, the lines, like girls, were overflowing. As Elvis Presley once sang: "Girls, big and brassy, girls, small and sassy, just give me one of each kind, I'm just a red blooded boy."

Nearly every Friday, I went to Hip-Hop, fairly often got a number, and after a while, girls whom I hadn't hit on would walk into class and give me a knowing smile that said they knew why I was there. Some months later, I learned that my instructor Bev B was famous in the dance world. She had danced with and choreographed Kool & The Gang, Janet Jackson and Salt & Pepa—very impressive. She also carried the title Reverend, which explained that tough Gospel Church like compassion she had for others. Maybe I should have met her twenty years ago. The human heart often yearns for salvation, but I've learned since never to trust the heart again. My approach to heaven and hell is purely that of a lawyer or businessman—I hedge my bets.

Since my philosophies don't cover everything in the universe and what they do may not be right, I've accounted for the possibility of a heaven and a hell. The management structure of hell will logically have the worst at the top, the angel who rebelled, with a chain of command descending through those of lesser evil down to folk who arguably shouldn't be there at all. Just as in America or a banana republic, those who commit greater crimes lord over those who perpetrated minor ones. Unlike Dante's vision that inverted the structure of hell to serve the plot of his story in castigating his worldly enemies, a top down management structure makes the only sense for hell or any organization devoted to destruction, like the military. Those better at carrying out an organization's purpose will logically occupy positions of more authority. The commander-in-chief in hell is not about to be told what to do by a second lieutenant sitting on a higher ledge. So the more evil the person, the higher up the management ladder he's placed. My

task then is to insert myself in the management structure at just the right level where I'll have direct authority over those whom I want to torment for eternity: Feminazis, the rich, my parents and the Ho. Not an easy chore considering the depravity of my enemies, but possible. However, if there is no hell, then it doesn't matter.

The Saturday after my first Hip-Hop class, surprisingly, I could still move, so Mark and I went to a party in Williamsburg given by a girl to whom I had introduced him. Not much of an introduction, I saw this tall blonde with a hot body in a crowded bar and started talking to her about something I can't remember. She was friendly, but not my type, so I moved on. Later, when she walked by me on her way out for a smoke, I introduced her to Mark. Turned out she was stripper.

She and her three female roommates were throwing a party. Oh boy, I fantasized; they'll probably invite lots of hokettes. But I should have listened to the Twins who said that when girls host parties, they make sure there are always a lot more guys than girls. The Twins were right. What a waste that party. Half the night was spent hustling two plain looking girls who at the end of my efforts turned out to be lesbians, the other half arguing with a Feminazi and the third-half fondling a French tart trying to convince me that "love" was not a scam invented by females to manipulate guys.

"Someone must have hurt you," she said. How many times have I heard that, which meant you just met the wrong girl, the rest of us are really decent human beings, like me. Baloney, most girls are created in the image of Mary Magdalene—a prostitute.

"You're right," I answered. "Let's start with the Nazi Ho, my mother, and work our way through all the girls I went out with down to the Commie Ho, my ex-wife." I thought but didn't say, "It's hos all the way down on my journey to hell." Instead I told this French hokette, "To

girls, 'love' means a scheme to get what they want from men. For them, it's very real and of the utmost importance, as are frauds to criminals. When a girl says, 'I love you,' she's really saying 'I'm tricking you.'"

She did a quick 180 and returned to a back room to resume making out with the same guy she had left earlier to flirt with me. Guess the flirtation helped her ego or was it genetic. All humans are promiscuous; otherwise, we wouldn't have survived, and the more promiscuous the person, the more likely their gene for playing around was passed on to future generations. But only girls are hos. Hos use sex and its accoutrements to get something, usually consumer goods but also status or an underserved advantage. For them, sex is a weapon to shakedown guys; it's a means to an end. For guys sex is fun, a recreational end, but not a means. The French tart realized she wouldn't be sexploiting me any time soon, so she returned to her first sucker.

There once was a time in America when hos were kept in their place: brothels, strip clubs and backdoor rendezvous. But, now, with the Feminazis either running the media or intimidating it into toting their propaganda, all these low-lying, four-flushing sluts are considered victimized saints. Take that whore who married Prince Charles. She hos this guy, she hos that guy, and her life style finally lands her dead in a car crash. She's a slut, but the media blames Prince Charles and turns her into a saint while some sappy song about her out sells the classic Christmas tune "White Christmas."

It's always men who are at fault in the Western media and girls the Pollyanna victim. No one ever dares mention that the real fault rests with the lies the Feminazis feed girls growing up today. They teach girls to put themselves on a pedestal, not of femininity, but one of superiority to men in strength, courage, independence and toughness, which, when coupled with the Feminazi belief that girls have a universal right, almost an obligation, to give free reign to

their whims and desires, puts these girls in dangerous situations that an evolutionarily correct girl would avoid. The Feminazis have socialized young girls into believing they are Super Girls, gave them capes, but when the girls try to fly in the real world, they can't. It's the she-male princess syndrome: all the sex appeal of Aphrodite but stronger than Hercules, an illusion that works only in Hollywood.

Please Mr. Postman

The Second Circuit scheduled oral argument on my appeal for the following month of January 2006. The defense attorney's had failed to weasel the Court into denying me 10 minutes to argue my case and answer the judges questions. Not much time, but that's generally all the time allotted each side. The Court's decision on my motion to throw out parts of the defendants' briefs for violating the procedural rules still hadn't come down, which presented a problem. Preparation for oral argument always depends on the content of the papers before the Court. If sections of some of the defense briefs were going to be deleted, it would help to know that before oral argument; otherwise, both sides would have to spend extra time preparing to deal with those sections before the three judges who would hear the argument. Logic dictated that the panel of judges should make a decision on my motion beforehand. But, then again, I was dealing with the Second Circuit.

Contacting the administrative lawyer in the Civil Appeals Management Office of the Court, I asked what was going on with my motion. He told me the panel could make a decision on my motion anytime they wanted, whether before or after oral argument. This sounded too arbitrary, so I checked the rules but couldn't find any requiring the Court to decide motions promptly, although according to the *Appeals to the Second Circuit*, p. 50 (8th ed, 1997) published by the Committee on Federal Courts of the Association of the Bar of the City of New York, most

motions are decided within a week of the return date, which for my motion had long since come and gone. Something didn't fit. The motion papers weren't that long and the defense attorneys' violations clear—no complex issues involving grey areas of the law, so why not make a decision now? As with so much else in this story, I knew the workings of the universe would eventually reveal the answer.

New Year's Eve and Mark and I decided to go hunting at the Copa, even though I had a nagging premonition that something unpleasant would happen. Before we entered the club, I told Mark about my foreboding to which he said, "Stay alert." The Copa was packed, lots of single chicks hoping guys would hit on them so that they wouldn't feel like losers being alone on New Year's Eve. Fine, we were happy to help them out. We walked around, hit on some chicks, danced with them, went looking for some more, split up and I went to the bar for another drink. While standing behind a short stocky guy and his very hot Latina date, the guy seemed somewhat edgy. Maybe she was ragging on him. Waiting for the barmaid, I checked this guy's date out—she was nice, but I wasn't about to hit on her. Unlike some guys, I didn't believe in interfering with another guy's hustle. Just then, the short guy pushes back into me. Okay it was crowded, and I let it go, one of the usual minor run-ins in New York clubs. Then he does it a second time, which seemed intentional. What's with this guy, I didn't say a word to his girl. Was he reading my mind?

On the metaphysical side of my life, I can often sense something bad coming my way, possess the ability to divine water with a forked-stick and, at times, can apparently project my thoughts. Was the overflow of my paranormaling lust for this guy's girl splashing into his mind? Who knew, who cared, but I told the guy not to push me again. Naturally, with his girl there he had to and did. I moved to my left, he turned to face me, and I gave him an open hand martial

arts strike to the throat. He retreated about five feet holding his neck, trying to breathe normally. Suddenly the area around me wasn't crowded anymore. His hot chica then tries a right forward kick with her high heel to my groin. Broads always go for the most vulnerable spots, but they should stick with assaults of emotional distress and duplicity in which they use their tongues as guns. They're too lame when trying to physically hurt a man. Barely paying attention to her, I easily dodged her kick. My focused on the guy, waiting for him to recoup and charge into the front thrust kick I had planned. Just then Mark appears out of nowhere and pulls me away from the scene in the blink of an eye. Good he had my back for the bouncers were probably on their way. We continued our carousing and I finally left the Copa around three in the morning and Mark at five. All around, an enjoyable New Year's Eve.

During January, while preparing for oral argument, all the defense attorneys waived their right to oral argument—they weren't going to show, including the Bank of Cyprus that never even submitted a brief. Attorneys never do this. Although oral argument is short, it often clarifies the case for judges and sometimes even changes their minds. Former Supreme Court Justice William Brennan once said:

"Oral argument is the absolutely indispensable ingredient of appellate advocacy. Often my whole notion of what a case is about crystallizes at oral argument. This happens even though I read all the briefs before oral argument. Often my idea of how a case shapes up is changed by oral argument. Oral argument with us is a Socratic dialogue between Justice and Counsel."

Socratic dialogue means the judges ask the lawyers questions about the case and the law to which the answers help the judges reach a decision.

So why were the defense attorneys foregoing oral argument? What did they know that I didn't? Was the fix in? Had someone slipped crucial information to the defense lawyers? Had the appeal already been decided in favor of the defendants, which was why the Court ignored my motion to delete parts of their briefs? Whatever it was—something had happened. This was not

how appeals in the federal courts were suppose to proceed, maybe in state courts in the rural south, but definitely not the Court of Learned Hand and Henry Friendly, two great judges who had sat on the Second Circuit Court of Appeals. Decisions aren't made until after the oral argument, which is why lawyers don't skip oral argument. Was the Court just going through the motions of allowing me an oral argument that was meaningless because the decision had already been made? If so, that wasn't only unfair, but a violation of my due process rights under the Constitution of America. Then again, this was no longer America, for men that is.

In the Second Circuit, every panel of judges has a presiding judge who usually writes the opinions for the cases a panel hears. Normally, the Second Circuit keeps secret until a few weeks before oral argument all the judges hearing a case so as to prevent any undue influence or attorneys slanting their arguments towards a particular judge or judges. In my case, however, because of my motion to delete parts of the defendants' brief, I learned, and so did the Russian mafia defendants, on November 3, 2005 that the presiding judge on the panel deciding my case was Sonia Sotomayor. At the time, I didn't care who she was, and wasn't going to tailor my argument for any Second Circuit judge. Why bother? The Second Circuit, contrary to the intent of Congress and Supreme Court decisions, exhibits a distinct animosity toward civil RICO cases. It made no sense to cater to that Court, since my only legal hope, as it had been from the beginning, was the Supreme Court. But because of the recent bizarre events of the Court ignoring my motion and the defendants' waiver of oral argument, I decided to do a little research on Sotomayor.

Back then, before our first female president, Barack Obama, made Sotomayor a Supreme Court Justice in accordance with the Peter Principle, Sotomayor was 52 years old, prime age for a Feminazi, born in a housing project in the South Bronx with Puerto Rican ancestry. She

graduated Yale Law School, but so did Billy-Bob Clinton, and neither made it through with honors. She worked as an Assistant District Attorney in Manhattan, not very prestigious for a graduate of Yale or any law school. In 1984, she joined the nondescript law firm of Pavia & Harcourt, which recruited lawyers fluent in Spanish, Italian, French and Portuguese, and eventually became a partner. In 1992, President Bush Sr. made her a district court judge, and in 1998 she landed on the Second Circuit Court of Appeals, thanks to Hillary Clinton who pretty much determined President Clinton's judicial appointments.

Sotomayor, as with all federal judges, was appointed—not elected—for life. The Wall Street Journal and a number of Senators opposed her elevation to the Second Circuit because she's a judicial activist. Sotomayor believes judges have the right to change the law in accordance with their own personal views regardless of what Congress or the electorate says. It's a "Judges Know Best" philosophy and contrary to the U.S. Constitution's separation of powers where Congress makes the laws, not the courts. The founding fathers knew from looking at European monarchies that when the different functions of state power are concentrated, the wielders usually abuse it. In order to avoid America becoming another country ruled by princes and princesses, the U.S. Constitution adopted the principle of the Massachusetts Constitution written by John Adams:

"In the government … the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws not of men.

Sotomayor apparently believes that last word "men" doesn't apply to females or princesses.

Activist judges, such as Sotomayor, probably consider themselves in the vanguard of a class struggle where the separation of powers interferes with their vision of society, so usurping the power of the legislature is justified. Whenever government officials succeed in grabbing

more than their allotted share of state power, they become less accountable for their actions because citizens begin to fear stopping them. As bureaucrats continue to exercise power they shouldn't, they may reach the point where there's no one left in society with the courage to call them to account, and then, they can do pretty much what they please. For these activist bureaucrats like Sotomayor, every grab for power is facially justified with some lame rationale, such as the Feminazis claiming passed oppression at the hands of men. Why do you think Sotomayor ruled against those Connecticut firemen—a ruling that the Supreme Court eventually over turned? They were all men. Then again, maybe she was just angry that nobody had invited her to her high school senior prom.

Once any group corners the market on state power, than the government and its bureaucrats become something to fear as in Nazi Germany, the Soviet Union and, today, in feminarchy America. The key to liberty, as Montesquieu said decades before the American and French revolutions, is that "government should be set up so that no man need be afraid of another" or of a female during the wrong time of the month or on menopause, but such is no longer the case for men in the U.S.

Sotomayor's seizing of legislative power earned her the "Court Jester Award" from the Family Research Counsel when she ruled in 1998 that a female, who had failed the New York bar exam several times, could take it again and have additional time to complete the exam because she was a slow reader. Sotomayor rewrote the Americans with Disabilities Act to reach the absurd result of applying the statute to a girl who had previously earned a Ph.D., J.D. and passed other exams, such as the LSAT and GRE, without being given any special treatment. Thanks to judicial legislating, preferential treatment for females and in the spirit of unfairness to others, the girl took the bar exam again, was given extra time and promptly flunked it again.

Despite Sotomayor's less than stellar record as a jurist, her sex and Latin heritage has caused political correctionalist politicians, pandering for female and immigrant votes, to win her a spot on the U.S. Supreme Court. Another example of the propaganda of soma induced delusions replacing reality in America. Had Gore or Kerry been elected, she might have made it there by the time of my appeal—good for me, bad for the country. As a Supreme Court Justice she sees herself as speaking "in a female … voice" and admits "our experiences as women … affect our decisions." So much for justice being blind.

When I arrived at the Court for oral argument in the morning on Thursday, January 26, 2006, I was surprised to see the lead defense lawyer Dubin there but the presiding judge Sotomayor not, although she would likely write the opinion. Perhaps the onset of menopause was making it tough for her to concentrate, so she took the day off, or perhaps the case, as I now felt, had already been decided, and she didn't want to waste her time.

To Dubin, I asked, "What are you doing here? I thought you had waived argument."

"We did," he answered. "I just wanted to watch."

Mumbling to myself, "Watch, watch what? There's nothing to watch." Another move by the defense that made no sense, since Dubin's clients, Mundy, Petrovich and their law firm, were not going to pay him to watch me talk, unless he was here to make sure the Court stayed fixed.

The clerk called my case before the two judges who at least were men.

Normally in oral argument, a lawyer starts with a prepared statement of the arguments as to why the Court should rule in his favor, and after a couple of sentences, the judges interrupt to ask the questions that occurred to them while reading the appeal briefs. Since my intuition told me this was probably just a show hearing, I chose a different tack, and started by arguing my

motion to delete parts of the defendants' briefs. That would allow me to accuse the Second Circuit of discriminating against me by not deciding the motion before oral argument.

"Good morning your honors. I'm Roy Den Hollander the *pro se* plaintiff versus certain Russian mafiosos, members, cohorts and confederates of the Russian mafia. In November, I put in a motion to strike certain sections of the briefs of the Russian mafia defendants for violating the Federal Rules of Procedure and the Local Rules of this Court for including irrelevancies, ad hominems and failing to cite to specific pages. Another reason for the motion was to avoid using the limited space in my reply brief to deal with the defendants continuing litigation of personal destruction and disinformation and to counter their citing to 380 pages in their briefs that are not in the Joint Appendix. They had an opportunity to include those documents in the Appendix but they declined to. The defendants used those documents to castigate me and to avoid arguing on the merits and to overburden this Court. I put in this motion to strike their references to those documents, some of which were excluded by the District Court, but nothing has happened. My view is that I have been treated unfairly because this motion has not been decided even now."

To which one judge said in his deep voice, "It's a very common thing for motions of that nature not to be decided prior argument because the panel very frequently feels it will be in a better position to understand what's pertinent to the case at the time of argument. It's often quite difficult to deal with a motion like that well in advance, and it's not uncommon at all that such a motion is simply put aside to be dealt with as part of the case in its entirety and that happened here."

No way, I thought to myself. The motion was for the defendants violating the rules of procedure in the Second Circuit; it didn't deal with the pertinent legal issues of the appeal of the District Court's decision. The defendants cited to documents not in the Joint Appendix, engaged

in character assassination and failed to give specific page cites. It was all there in black and white in their briefs. What's there to understand about pertinence to the case? There is none, that's why parts of the defendants' briefs violate the rules.

I responded, "Ooookay, my view then is that the defendants violated my rights and they got away with it."

The same judge rationalized, "There's a lot of gamesmanship that goes on in litigation. To some extent litigation is about gamesmanship, there are strategies that lawyers use and sometimes they succeed in taking advantage of an adverse party by doing it. But in any case we are here to hear your appeal and would be interested in hearing you on that."

Unbelievable, this Second Circuit judge was condoning the violation of the rules of this Court and every other Court of Appeals in the country, but I euphemized my response.

"I agree with that your honor, attorneys try for advantages over their opponents, but when the rules of procedure say what you are doing violate those rules and my due process rights, I believe the Court should be more timely on ruling on a motion such as that."

Then I switched gears, "Now as far as the substance of my appeal are there any questions?" That caught them flat-footed. Judges always have questions for oral argument but not these and not for me.

So I started through the list of the District Court's legal errors and accused it of re-writing my Complaint. Even raised the issue from my brief where I called Castel a liar when he claimed I never requested to amend my Complaint if it was dismissed.

"I asked FIVE TIMES that if the District Court ruled against me and threw me out that I would have an opportunity to amend." To emphasize my point, I stepped aside from the podium and raised my open hand with five fingers out stretched. "Five times I asked that. The judge

said I never asked for it." Then I paused for the judges to slam me for calling Castel a liar in my brief, but nothing happened, so I moved on to other points until my 10 minutes ran out.

Leaving the Second Circuit, it was clear the two judges hadn't read my motion papers or my brief or my reply. No Court of Appeals' judge would knowingly claim that the violation of the procedural rules for assuring fair and just consideration of a case was "gamesmanship" or allow a lawyer to get away with calling a District Court judge a liar in a brief. It just didn't happen, so the oral argument must have meant nothing to the two judges either because the panel had already decided against me or Sotomayor told them she'd handle the opinion, which she had already decided or maybe even written.

One week later, the Second Circuit issued its decision—that was too quick. They really wanted rid of me. The case was back in the street again with the U.S. Supreme Court my last chance. The Summary Order gave the defendants everything they wanted by upholding the District Court decision in total—not even allowing me one chance to amend my Complaint. The Order also denied my motion. Guess violating the appellate rules of procedure pays.

The Second Circuit, or more likely Sotomayor, ruled that the RICO statute, my Complaint and Supplemental Complaint didn't say what they said, but said what she said they said. Sounded like deja voodoo to me of all those arguments with girls who simply put words in my mouth in order to win. Perhaps Sotomayor's experience as a female not only affected her decisions but also her methods in reaching those decisions. Sotomayor made the decision a "Summary Order," which meant it wouldn't be published in the volumes that carry Second Circuit cases and couldn't be used as authority for anything in another case. It's a neat trick for disposing of cases without bringing publicity to them and assuring that a court's errors about the law can't come back to haunt it. In effect, it allows the Court to make a decision based on who

you are rather than what happened to you—think feudal Europe. If the judges consider you an inappropriate person, they can make up any rule they want to make sure you lose, and that rule can't be used in the future against persons the judges like because that rule only applies to you. Think of it as your own personal gulag or jurisprudence. The laws that apply to the rest of society, or at least those considered acceptable by the current ideology, don't apply to you because you're a modern-day nonconformist—separate and unequal.

Next legal stop, the U.S. Supreme Court, but that Court hears only about one percent of the cases that apply for review. The Supreme Court's purpose is not to correct the mistakes a Court of Appeals makes, intentionally or not, in reading a complaint or even in misunderstanding the law. The Supreme Court focuses on correcting injustices of a national importance in which other Courts of Appeals or the Supreme Court say something different about the law or haven't said anything at all. One consequence of the Supreme Court's selectively is that Judges on the Courts of Appeals have near absolute power in disposing of cases brought by those without money and influence, the politically incorrect and society's other outcasts, which was why the defendants used so much character assassination to paint me as a modern-day pariah—it works. So much for the democratic sentiment that to promote social stability, our society encourages resort to the courts rather than resort to force and violence. *Deck v. Engineered Laminates*, 349 F.3d 1253, 1258 (10th Cir. 2003).

Let Me In (Wee-Oop)

My banging on the U.S. Supreme Court's door for admittance began with drafting a "Petition for Writ of Certiorari." A petition basically says, "Hey guys, one of the Courts of Appeals goofed at interpreting the law to conclude something different than what other Courts of Appeals say, so here's your chance to make the law uniform throughout the land," or, "the Court

of Appeals thumbed its nose at one of your decisions, and here's your chance to straighten that Court out."

The defendants could, if they wanted, file briefs in response to my petition to argue why the Supreme Court should not review the Second Circuit's decision, and I could then file a short reply to address any new issues raised in the defendants' briefs. The Supreme Court Justices either read the filed papers or assigned a clerk to summarize them and recommend granting or denying review. If any Justice believes a case should be reviewed, he adds it to the list of cases that will be discussed at a weekly conference of all nine Justices. A vote in favor of review by four Justices is required for the Court to hear a case. If the Justices decide to hear a case, they don't rerun all the issues, just those they believe are important to keeping America a nation ruled by law. The Court, therefore, could hear just one issue in my case and even if it ruled my way on that issue, the Second Circuit or District Court might still be able to uphold the dismissal. It happens all the time, but I'd have to chance that. If the rule of law existed anywhere in America for me, it was the Supreme Court. The likely outcome, however, would be the Court denying to even hear my case—then my legal road against injustice would end.

The Second Circuit's revisionism of the factual allegations in my Complaint made it difficult to write a petition that the Supreme Court would grant. At the heart of the Second Circuit's decision was the conclusion, also made by the District Court, that my lawsuit looked just like the civil RICO case *American Express Co. Shareholder Litigation*, 39 F.3d 395 (2d Cir. 1994), which the Second Circuit had also dismissed. In the law, when the fact situation of one case is identical to that of another, then the results should be the same. But in my case, the Second Circuit falsely claimed I was in a similar position as the American Express shareholders when my position actually resembled that of Safra. The Russian mafia defendants' crimes were

directed at me and intended to cause me harm, not some third party who stood between that crime syndicate and me. Although my case didn't look anything like *American Express*, the Second Circuit ruled it did, not only to dismiss it, but for another very important reason: to minimize the chance that the Supreme Court would review it.

The Supreme Court was not about to hear a case in which a Court of Appeals had twisted factual allegations to make them fit another case in order to engineer a dismissal. Even when such conduct involved the Second Circuit, which the Supreme Court had reversed a number of times before in RICO cases and actually criticized for trying to eliminate civil RICO actions, the Supreme Court usually stayed away from disputes over factual allegations and facts. My task, therefore, was to convince the Supreme Court that the Second Circuit's decision was not merely a deceptive editing of my factual allegations, but a symptom of it exceeding its constitutional authority by disregarding Supreme Court rulings and the plain meaning of the civil RICO statute with the end result of the Russian mafia and other organized crime syndicates escaping liability in the Second Circuit, unless the Supreme Court put a stop to it.

To bring home to the Supreme Court the Pandora's Box that the Second Circuit was opening by continuing to emasculate civil RICO, my petition's "Facts" section ran a little long so as to give the Justices a taste of how some in the Russian mafia operated and the dangers they posed.

Facts

The defendants in this case comprise a relatively few members or associates operating in different sections of the Russian mafia, which, according to former Central Intelligence Agency Director John Deutsch, reaches across international borders. Emergency Net News Service, May 3, 1996, Vol. 2-124. Echoing the C.I.A.'s assessment, former F.B.I. Director Louis Freeh said, "Evidence that organized crime activity from [Russia] is expanding and will continue to expand to the United States is well-documented." *Id.* Russian criminal operations in America, such as money laundering, illegal money transactions, prostitution, narcotics trafficking, extortion and fraud are often carried out in cooperation with La Cosa Nostra. Report on Russian Organized

Crime, 1997, Task Force headed by William H. Webster, Center for Strategic and International Studies.

The Russian mafia, once a hierarchical structure under the Soviet Union, diffused with the end of Communist Party power into a confederation of crime groups using modern-day management principles and which includes Chechen, American, Cypriot, Mexican and other nationalities. It now resembles a diversified worldwide conglomerate, or enterprise, with all the attendant business relationships. (Complaint ¶¶ 10, 11, 14, 874). The smarter members of the Russian mafia, no longer confined to scheming for rubles, are chasing hard currency by expanding their criminal operations to the wealthy West. (Complaint ¶¶ 2, 13).

Bringing Russian crime to Western shores requires an ongoing transfer of money-making assets to foreign markets where the successful utilization of assets employs a strategy of (a) using money from criminal activities to set up and expand Russian mafia businesses, such as prostitution, pornography, strip clubs, drug smuggling and money laundering; (b) protecting those businesses through criminal activities, such as tampering with informants and witnesses, obstructing justice, bribery and intimidation; and (c) running the businesses by using crimes such as white slavery, immigration fraud, importing pornography and drug trafficking. The Russian mafia uses a complex, intertwined web of racketeering acts to maintain and continue expanding its activities in a drive for new targets and more money that causes widespread and varied harm. (Complaint ¶¶ 879-85).

The Russian mafia's expansion into the West has created a vertically integrated business of supply, service, protection, profit maximization and reinvestment with a huge appetite for human capital. Each Russian mafia prostitution asset in the U.S. makes a relatively small amount of $100,000 to $150,000 tax-free a year, but considering the large number of them in the U.S., the syndicate is making substantial sums.

At the tactical level, the success of the Russian mafia's objective for one of its human-capital assets involves the following:

Step One: Transplanting a willing member or associate from Russia to the U.S. where she starts working in one or more syndicate businesses—prostitution, stripping, pornography or procuring. This involves the predicate acts of white slavery, 18 U.S.C. §§ 2421 & 2422, importing an alien for immoral purposes, 8 U.S.C. § 1328, fraud and the misuse of visas, 18 U.S.C. § 1546, and eventually procurement of nationality unlawfully, 18 U.S.C. § 1425. To keep the customers coming back for more from the new asset often also means drugs, 21 U.S.C. §§ 841 & 952.

Step Two: Protecting the mafia's human capital from deportation, arrest or imprisonment, which would ruin their money-making potential, often requires tampering with a witness, victim or informant, 18 U.S.C. 1512; threats made by mail or wire, 18 U.S.C. 1341 & 1343; use of interstate and foreign facilities in aid of the racketeering operation, 18 U.S.C. 1952; bribery, 18 U.S.C. 201; and even conspiracy to commit murder-for-hire 18 U.S.C. 1958, as in this case.

Step Three: Assuring that the mob's profits from its asset escape the taxman involves money laundering, 18 U.S.C. 1956, and failing to file reports on exporting amounts over $10,000, as required by 31 U.S.C. 5316.

This RICO case concerns just one asset, one string of events and injuries arising out of the Russian mafia's operations of transplanting prostitutes to New York and other states, passing drugs and large sums of money back and forth between countries, and threatening as well as executing reprisals against any person or business that might get in the syndicate's way.

Petitioner-plaintiff and attorney Roy Den Hollander owns and operates a one-man, unincorporated business that provides legal services and business consulting. The defendant Russian mafia members and associates include Flash Dancers Topless Club and Cybertech Internet Solutions that together sell call-girls and pornography over the internet at www.flashdancersnyc.com, www.stripclubnetwork.com, and www.exoticavip.com; the Baraev Chechen Special Islamic Regiment (responsible for the 2002 Moscow Theater hostage taking) used by certain defendants to threaten reprisals against Hollander and various of his informants and witnesses living in Krasnodar, Russia; assorted Russian Mafiosi, including the crime boss for southern European Russia; corrupt Russian government officials; gangsters in America; a corrupt New York City policeman; Alina Shipilina, a Russian mafia prostitute, money launderer and drug smuggler; the prostitute's Russian mother who is affiliated, as is her daughter, with the Baraev crime group and Russian criminals; Leonid Perlin the president of Phodes Studio in Moscow, www.phodes.net, a syndicate call-girl operation fronting as a model agency for which Alina Shipilina worked; lawyers Nicholas Mundy and Peter Petrovich[3] who manage and facilitate immigration matters in New York for the Russian syndicate; Marc Paulsen who produces and imports Russian pornography into southern California; and the Vasilyeva crime family that runs the premier model agency in Krasnodar which doubles as a call-girl operation sending prostitutes overseas to places such as Cyprus and America, where two of the family members now reside.

These and other defendants work hard and ingeniously to enrich themselves in furthering a key objective of the Russian mafia: to infiltrate and expand its illegal and ancillary legal activities into hard currency markets, especially the U.S. Each defendant plays a role in importing assets or keeping the assets here and makes lots of money doing so. Some use narcotics and prostitutes to create fraudulent marriages; some engage in immigration fraud, white slavery, bribery and importing pornography; some traffic in drugs; some use coercion, intimidation, murder-for-hire, perjury and official misconduct to protect the mafia's assets; and others maximize profits with tax evasion and money laundering while others engage in various combinations of such criminal acts. But they are all fellow travelers seeking fortune and for some glory by furthering the Russian syndicate's expansion to the West.

One method of supplying the syndicate's sex business in America is tricking American men into sponsoring and financing Russian mafia prostitutes and procurers for U.S. residency and citizenship through, unbeknownst to the American, a fraudulent marriage. Because the trail of harm originates with a sham marriage rather than a fraudulent business transaction, the injury to property interests is no less serious.[4] A scheme to defraud is measured against a standard of "moral uprightness, of fundamental honesty, fair play and right dealing in the general and business life of members of society." Gregory v. U.S., 253 F.2d 104, 109 (5th Cir.1958). When criminal instrumentalities exploit human emotions of the heart rather than the pocketbook, a man does not lose his rights under U.S. law.

The fraudulent marriage for citizenship contrivance coupled with surreptitiously feeding petitioner Hollander narcotics is what ensnared him. Defendants Shipilina and Leonid Perlin decided in July 1999 to target Hollander as part of the Russian mafia's ongoing operations to infiltrate and expand its operations in the U.S. (Complaint ¶¶135-40, 153-54, 164). At the time, Hollander was working in Russia as a consultant-manager for Kroll Associates. After Hollander

[3] Nicholas Mundy is admitted to practice in New York State and Peter Petrovich is admitted to practice in Russia.
[4] "Congress sought a broadly based statute capable of addressing a variety of complex criminal problems." Michael Goldsmith, Judicial Immunity-The Ironic Demise of Civil RICO, 30 Harv. J. on Legis. 1, 27 (1993).

completed his contract with Kroll, the conspiracy to transplant defendant Shipilina to America succeeded in marrying her to Hollander in March 2000 in Krasnodar by, in part, secretly feeding him narcotics just before the wedding to assure he would go through with it. (Complaint ¶¶ 173-183).

The first predicate act that injured Hollander was defendant Shipilina's subsequent perjury on her visa petition form filed in March 2000 with the Immigration and Naturalization Service ("INS") at the Moscow Embassy. (Complaint ¶¶ 190-91). Had Shipilina told the truth about her past prostitution, money laundering and narcotics trafficking activities, Hollander would not have paid the filing fees, nor put his business on hold, nor supported his wife nor incurred expenses living in Moscow while the forms were processed. (Complaint ¶¶ 187, 188). He would have returned immediately to New York City to resume his business there.

The second predicate act in Russia that caused Hollander to pay more filing fees, continue to keep his business on hold and continue living in Moscow and supporting his wife was Shipilina's perjury on her visa application to the State Department at the Moscow Embassy in May 2000, which repeated her earlier perjury of not working as a prostitute, money launderer or narcotics trafficker. (Complaint ¶¶ 192, 193). Had defendant Shipilina told the truth, Hollander would have left Moscow then and not have incurred those expenses.

Damages from the business interruption due to Shipilina's predicate acts in fraudulently obtaining a visa are included in the loss of profits, interruption expenses and loss of business opportunities alleged in the Complaint at ¶ 907(a)-(c).

From the beginning, the Russian mafia's agent or front was defendant Shipilina. Initially, defendant Perlin and other organized crime members in Russia stood immediately behind her. But once she entered America on her fraudulently obtained visa, other comrades in crime came out from standing in the shadows to help directly and indirectly with the syndicate's plan of keeping her in America making money. On entering the U.S. in July 2000, defendant Shipilina became a conditional permanent resident, but she was not as secure from deportation as a permanent resident or naturalized citizen. (Complaint ¶¶ 205-212).

After a few months in New York City, Hollander realized that Shipilina was working as a prostitute and had married him just for a green card, but he was still unaware of the Russian mafia's involvement. (Complaint ¶ 220). Hollander demanded a divorce which would threaten Shipilina's chances of obtaining permanent residency, so Russian mafia members Mundy and Petrovich intervened. Defendants Mundy and Petrovich are attorneys who operate an immigration mill for fraudulently obtaining Russian mafia assets visas, green cards and naturalizations, in addition to managing numerous immigration matters for the Russian syndicate in New York. (Complaint ¶¶ 27-34, 221, 222).

In October 2000, defendants Mundy, Petrovich and Shipilina tried to connive Hollander into participating in a fraud on the INS so as to assure that defendant Shipilina became a permanent resident and eventually a naturalized citizen—Hollander refused. (Complaint ¶¶ 223-226). Defendants Mundy, Petrovich, Shipilina and others then resorted to further racketeering activities to prevent the discovery and exposure of the Russian syndicate's plan as it pertained to Shipilina in order to assure its success and keep hidden the Russian mafia's operations for transplanting more human capital to America.

The defendants: (1) attempted to intimidate Hollander into committing perjury before the INS. That amounted to tampering with an informant, witness or victim and mail fraud, which harmed Hollander's business reputation and incurred costs and time to defend against a fraudulently obtained order of protection and a false charge of extortion (Complaint ¶¶ 228-30,

234-41, 901, 906, 907 (e)); (2) used coercion communicated by interstate wire to avoid an annulment/divorce trial with the result of increasing Hollander's legal costs and injuring his business reputation (Complaint ¶¶ 243-45, 273, 901, 906, 907(e)); (3) interfered with pre-discovery investigations and silenced witnesses in Krasnodar to prevent Hollander from obtaining information for the annulment/divorce proceeding and the INS. Defendants engaged in tampering with witnesses, wire fraud, aiding a racketeering enterprise and money laundering that increased the cost and time of Hollander's investigation and necessitated a second investigatory trip to Krasnodar. (Complaint ¶¶ 256-60, 265-72, 903, 906, 907(d)); (4) threatened Hollander over interstate wire into not making a motion for a trial, which harmed Hollander's cause of action and amounted to tampering because the state court trial evidence would have been provided to the INS, which had initiated deportation proceedings against defendant Shipilina. (Complaint ¶¶ 280-84, 901, 906); (5) attempted to intimidate Hollander into silence before the INS, which was conducting an investigation of defendant Shipilina, and the Krasnodar prosecutor, who had indicted another defendant, all of which amounted to tampering and wire fraud that cost Hollander time away from his business and money to investigate and protect against the threats. (Complaint ¶¶ 285-90, 316-18, 906, 907(c) & (d)); (6) intimidated witnesses into recanting their testimony before the Krasnodar prosecutor by engaging in wire fraud, aiding a racketeering enterprise and money laundering that resulted in harming Hollander's business reputation. (Complaint ¶¶ 293-97, 903, 906, 907(e)); (7) bribed Krasnodar officials to close the case against one defendant, which required money laundering and aiding a racketeering enterprise that resulted in harming Hollander's business reputation and costing him money to reopen the case so as to clear his name. (Complaint ¶¶ 298-304, 902, 906, 907(e)); (8) attempted to have Hollander arrested twice on bogus charges that amounted to tampering and involved wire fraud with a cost to Hollander of over $3,500 in attorney fees, time away from his business to defend himself and injury to his business reputation. (Complaint ¶¶ 306-15, 901, 906, 907(c) & (e); Supp. Complaint ¶¶ 22-24, 34-38, 43); (9) attempted to intimidate Hollander into staying out of Krasnodar and not prosecuting this RICO action, which consisted of tampering, aiding a racketeering enterprise and wire fraud that cost Hollander time and money in responding to the threat and injured his RICO cause of action (Supp. Complaint ¶¶ 2, 9-10, 12, 13; Complaint ¶¶ 906, 907(c)); (10) started disciplinary proceedings against Hollander to prevent him from proceeding with this RICO case, which involved tampering and mail fraud that harmed Hollander's business reputation and cost him time and money to defend against. (Supp. Complaint ¶¶ 49, 50, 52, 53, 55; Complaint ¶¶ 901, 907(e)); (11) obstructed justice by filing false and misleading documents in this case with the District Court that injured Hollander's RICO cause of action. (Supp. Complaint ¶¶ 59, 61-63, 70; Complaint ¶¶ 901). All of these racketeering activities by the defendants were intended to make justice too costly to pursue and thereby protect the syndicate's operations.

Whether discovery and exposure of the Russian mafia's operations was to come by way of testimony in the INS's removal proceedings against defendant Shipilina, a state court trial or Russian criminal case, it was on its way to federal law enforcement officials until the defendants' racketeering activities effectively shut down the legal process. By covering up the Russian syndicate's operations as pertaining to defendant Shipilina, the defendants also protected the activities of other Russian mafia members and associates (Complaint ¶ 882), which was why it was so important to "*prevent* Hollander from investigating [the conspirators]," Cir. Order p. 3 ¶ 4 (court's emphasis). In the end, the policy of promoting social stability and justice by

encouraging resort to the courts rather than to force or threats of force proved to be no more than nice sounding words.

My "Legal Argument" section focused on the Second Circuit exceeding its authority in rewriting the civil RICO statute as interpreted by other Courts of Appeals and the Supreme Court.

The first three arguments criticized the Second Circuit's holdings on proximate causation. The Second Circuit has ruled nearly every which way on proximate causation rather than create a coherent standard that would assure justice is actually achievable in civil RICO cases. There's no consistent standard because the Court wants to preserve its ability to exercise power in an arbitrary way, which allows it to dismiss a case it doesn't like or keep one it does. By acting Orwellian in its logic and inverted in its reasoning, the Court can, and has, pulled out of the hat proximate cause arguments never intended by Congress. The Supreme Court even criticized the Second Circuit, "We do not believe … it is a form of statutory amendment appropriately undertaken by the courts." *Sedima, S.P.R.L. v. Imrex Co., Inc.*, 473 U.S. 479, 500, 105 S.Ct. 3275, 3287, 87 L.Ed.2d 346 (1985). Re-writing legislation is not what courts are suppose to do under the "rule of law" principle, which Aristotle first postulated and the Anglo-American legal tradition considers a guard against the despotic use of arbitrary rulings in individual cases to crush the human rights of government critics or nonconformists.

1. The Second Circuit's decision in my case created a loophole in the statute that allows members and associates of a criminal syndicate to use RICO crimes to prevent the exposure or discovery of earlier RICO violations. After gangsters conspire and commit RICO crimes, they are now free to commit additional RICO violations to conceal their previous felonies and conspiracies. In effect, it's amnesty for RICO crimes used to cover up prior offenses and contrary to decisions in other Courts of Appeals. The Court's argument is so bizarre that were it applied to the Nixon Administration's crimes of covering up illegal campaign activities that

occurred before the Watergate break-in, the cover-up offenses wouldn't matter because they were used to conceal the White House's earlier felonies and prevent investigations by the Washington Post, F.B.I. and Congress.

The Second Circuit cut the heart out of the very purpose of the civil RICO statute as stated by the Supreme Court, "The object of civil RICO is … not merely to compensate victims but to turn them into prosecutors, private attorneys general, dedicated to eliminating racketeering activity," *Rotella v. Wood*, 528 U.S. 549, 557, 120 S.Ct. 1075, 1082, 145 L.Ed.2d 1047 (2000), to encourage victims to go after gangsters that government prosecutors don't, *Sedima, S.P.R.L. v. Imrex Co., Inc.*, 473 U.S. 479, 493, 105 S.Ct. 3275, 3283, 87 L.Ed.2d 346 (1985). Now, in the Second Circuit, victims are discouraged from fighting against gangsters harming their business or property because any additional injury caused by the mobsters trying to shutdown or hinder a private citizen's investigation or legal action will not be the fault of the criminals but of the citizen.

It's an interesting Catch-22: if a plaintiff allows his attorney to do what every lawyer initially does concerning a new case, start an investigation and legal proceeding, that investigation and proceeding can be hampered or shutdown by RICO crimes without such crimes violating civil RICO. But if a plaintiff prevents his attorney from starting an investigation and lawsuit, how is the plaintiff to discover what is going on and to prevent further harm or rectify pass injury through the judicial process? He can't, at least in the Second Circuit, because with its decision that court shifted fault to the victim who takes legal steps to put an end to the harm affecting his business or property. It's fight, you lose; don't fight, you still lose.

2. The Second Circuit rewrote the Supreme Court's rule requiring a "direct" injury to the plaintiff. Under the Supreme Court's "direct" injury test, the harm from RICO crimes cannot

pass through someone standing between the plaintiff and the illegal acts of the defendants. "A plaintiff who complained of harm flowing merely from the misfortunes visited upon a third person by the defendant's acts was generally … at too remote a distance to recover." *Holmes v. Sec. Investor Prot. Copr.*, 503 U.S. 258, 268, 112 S.Ct. 1311, 1318, 117 L.Ed.2d 532 (1992). The Supreme Court requires this unimpeded flow of harm for practical reasons. To understand why, consider a chain reaction of car collusions:

The driver in the first car, a man from the 1950s, sees an amply endowed young broad standing alongside the road by her broken down car waving a handkerchief. She's carrying a trendy-store bag, filled with cocaine for distribution in the next state, but the man doesn't know that. As his car nears her, he starts slowing down, but she jumps in front of it to make sure he stops to give her a ride. Not being one to flatten a couple of large knockers, he steps on the breaks. The car behind him, driven by the typical pushy Feminazi is tailgating. She screams, lets go of the wheel, some how stomps on the break, but it's too late and she slams into the guy's car. The third car has a bimbo driver talking on her cell phone, switching the radio channels and stuffing her oral cavity with chocolates while she's suppose to be hitting the brakes. She careens into the Feminazi. The drug smuggling broad then hops a ride with some other guy who comes along after the pile-up.

Imagine the problems in trying to determine the amount of damages the drug smuggling broad's action caused the Feminazi's car as opposed to the Feminazi tailgating or the amount of harm the broad caused the bimbo's car as opposed to the bimbo's extra-curricular activities while driving, or the amount of damages the Feminazi's tailgating caused the bimbo' car. It just becomes too complicated, but all the harm to the guy's car flowed from the broad jumping in front of it in her effort to get the drugs to the next state, so he was directly injured.

In my case, the Second Circuit changed the law by using the legal reasons for preventing recovery by third parties, the drivers in the second and third cars, to avoid recovery by a plaintiff—the driver in the first car, me—who was on the frontline of harm emanating from the defendants' illegal acts.

3. The Second Circuit wrongly ruled that when the exact harm a victim suffered was not planned beforehand; the defendants weren't liable. This requirement of a "specifically-intended consequence" or precisely contemplated injury by the criminals when planning their conspiracy makes it near impossible to win a civil RICO case because of the unlikelihood of showing what the mobsters really thought. It also violates the Supreme Court's admonition that strict proximate cause requirements not be erected as obstacles to private RICO litigants, *see Sedima, S.P.R.L. v. Imrex Co., Inc.*, 473 U.S. 479, 497-98, 105 S.Ct. 3275, 3285-86, 87 L.Ed.2d 346 (1985).

The Supreme Court and other Courts of Appeals only require that a reasonable man in the position of the defendants would foresee the consequences of their RICO crimes. They don't have to plan the details of the harm they actually cause because their conduct creates a substantial risk of such an injury occurring. When a mother locks her young children in an unventilated car parked in the summer sun, she doesn't contemplate their death—then again maybe she planned it so as to have more freedom to ho the paper boy, however lets assume she didn't—but she sure created the risk of it occurring, and any guy would have foreseen the likelihood of death as a result.

Members of the Russian mafia aren't blind. They understand that when they initiate a scheme for making money illegally that contingencies will likely arise making it necessary to use additional crimes to lull a target, to prevent the mark from discovering and exposing their scheme, to conceal their operations and more. The harm caused by such criminals dealing with

contingencies may not be specifically intended in the beginning of their conspiracy, but in order to reach their goal, they willingly created a substantial risk of such harm occurring to the victim. That harm is foreseeable because it is inextricably intertwined with the success of the conspirator's plan, and whether an injury is reasonably foreseeable or anticipated as a natural—not specifically intended—consequence of racketeering acts is the rule under civil RICO. *See Holmes*, 503 U.S. 258, 267-70, 112 S.Ct. 1311, 1317-18, 117 L.Ed.2d 532 (1992); *Kaufman v. BDO Seidman*, 984 F.2d 182, 185 (6th Cir. 1993).

The RICO defendants in my case may not have specifically intended me "to cease work and thereby lose profits…," *Cir. Order* p. 4 ¶ 1, but they created a substantial risk of that occurring by using a fraudulent scheme to make sure the Commie Ho entered America and stayed there generating money for as long as possible. Actually, the defendants couldn't help but anticipate that I, a lawyer and manager of a private detective agency in Russia, would become suspicious and start an investigation that might uncover their scheme, which would require them to engage in more RICO crimes that would cause out-of-pocket expenses, legal fees, distraction from my business and loss of reputation and goodwill in order to pressure me into giving up by making the price to my livelihood too great.

The Second Circuit's "specifically-intended consequence" rule has the result of allowing gangsters to use racketeering acts on an ad hoc basis to protect criminal operations as they move toward their goals because the harms from such acts were not part of their thinking when they embarked on their money-making scheme. That's not the law, but another manifestation of the Court's willingness to act in an imperial manner to further its bureaucratic interests in expediency and Feminism over justice.

The other arguments in my petition didn't deal with proximate causation but did attack the Second Circuit for more transgressions of the law as determined by the Supreme Court and other Courts of Appeals. Two of them were the Second Circuit's revision of the definition for injury under civil RICO and its use of two archaic procedural rules to help bounce my case out of court.

1. The Second Circuit goofed by ruling the defendants' interference with my annulment/divorce action, my defense to the fraudulent restraining order and my RICO case didn't violate the statute because lawsuits aren't property interests that can be injured. Civil RICO requires an injury to "business or property." 18 U.S.C. § 1964(c). The Supreme Court and other Courts of Appeals hold that the nature of a property interest is an individual entitlement determined by state law. *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 430, 102 S.Ct. 1148, 1155, 71 L.Ed.2d 265 (1982)(citations omitted); *e.g.*, *Isaak v. Trumbull Sav. & Loan Co.*, 169 F.3d 390, 397 (6th Cir. 1999); *Doe v. Roe*, 958 F.2d 763, 768 (7th Cir. 1992); *Living Designs, Inc. v. E.I. DuPont De Nemors*, 431 F.3d 353, 364 (9th Cir. 2005) (citations omitted). Under New York State law, a cause of action, case, lawsuit, defense or whatever you want to call suing or defending in court is a property interest. *Loucks v. Standard Oil Co. of N.Y.*, 224 N.Y. 99, 110, 120 N.E. 198, 201 (1918); *Hein v. Davidson*, 96 N.Y. 175, 177, 1884 N.Y. Lexis 481 (1884). As such, the harm to my lawsuits and legal defenses from the defendants' illegal acts were injuries to property and, therefore, violated civil RICO.

2. The Second Circuit also screwed up by following the District Court's lead in ruling that some of my factual allegations about injuries were "general." This is a characterization used to dismiss a plaintiff's allegations that harkens back to the beginning of the last century before the Federal Rules of Civil Procedure gave it the old heave-ho. In 2006, some lawyers and judges

still resorted to it for dismissing parts of a RICO complaint. The judges simply say "general" and poof the allegations are gone even though it violates the Courts of Appeals decisions in *Trollinger v. Tyson Foods, Inc.*, 370 F.3d 602, 615 (6th Cir. 2004), and *Mendoza v. Zirkle Fruit Co.*, 301 F.3d 1163, 1168 (9th Cir. 2002), as well as the Supreme Court in *NOW v. Scheidler*.

The Supreme Court held in *NOW* that "general factual allegations of injury resulting from the defendant's conduct may suffice, for on a motion to dismiss we presume that general allegations embrace those specific facts that are necessary to support the claim." *NOW v. Scheidler*, 510 U.S. 249, 256, 114 S.Ct. 798, 803, 127 L.Ed.2d 99 (1994)(quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561, 112 S.Ct. 2130, 2137, 119 L.Ed.2d 351 (1992)(citations omitted). All that the federal rules required in a complaint in 2006 was that a party should set forth the allegations, which can be made with great generality. Wright & Miller, *Fed. Prac. & Proc.*: Civil 3d § 1215. Discovery, not the complaint, bears the burden of filling in the details. *Id.* The petitioners in *NOW*, as with me, alleged that the RICO conspiracy had injured their business and property interests and that a defendant had threatened reprisals. The Supreme Court concluded that "[n]othing more is needed to confer standing on [petitioners] at the pleading stage," which means a RICO complaint should not be dismissed for making "general" allegations about injuries.

The Second Circuit, as did the District Court, used another archaic magic word, "conclusory," to dismiss allegations for which its other reasons would appear too absurd even for that Court. Both the Second Circuit and District Court used *Kadar Corp. v. Milbury*, 549 F.2d 230, 233 (1st Cir. 1977) to eliminate some of my allegations as "conclusory," but the two courts used *Kadar* misleadingly by deleting the qualification that if the allegations reasonably followed from the plaintiff's description of what happened, then they are not "conclusory" and must be

accepted as true. The Second Circuit also ignored that a complaint can allege conclusions if they provide the defendants with a minimal notice of the claims, *Kyle v. Morton High School*, 144 F.3d 448, 455 (7th Cir. 1998). My RICO Complaint easily gave the defendants fair notice of the basis of the claims against them, after all it was 91 pages long and the Supplemental Complaint another nine, and both complied with the rules. "A complaint that complies with the Federal rules of civil procedure cannot be dismissed on the ground that it is conclusory or fails to allege facts. The Federal rules require (with irrelevant exceptions) only that the complaint state a claim not that it plead the facts if true would establish … that the claim was valid." *Higgs v. Carver*, 286 F.3d 437, 439 (7th Cir. 2002)(Posner, J.)(citation omitted).

My Supreme Court petition concluded that the Second Circuit exceeded its Constitutional power by amending the civil RICO statute:

"Since civil RICO first captured judicial attention, the lower courts [District and Courts of Appeals] have systematically sought to dismantle the civil remedy. Despite a series of Supreme Court decisions rejecting various judicially imposed limitations, the lower courts have continued to create numerous obstacles to civil RICO litigation." Michael Goldsmith, Judicial Immunity for White-Collar Crime: The Ironic Demise of Civil RICO, 30 Harv. J. on Legis. 1, 41 (1993). No longer does the statute say what it says but now says what lower federal courts want it to say.

In this case, the Second Circuit continued to ignore Supreme Court guidelines by unduly narrowing the statute. But unlike the Second Circuit's other cases that have created a virtual immunity for white-collar crime, *see id.* at 4, this case extends that immunity to Russian organized crime. Perhaps, it is understandable that lower federal courts would engage in judicial revisionism to avoid commercial fraud cases brought against some of society's most respected businesses. But rejecting the claims of a directly injured victim for lack of proximate cause and specificity in a suit against the "FBI's most formidable criminal adversary the Russian mafia" [5] eviscerates RICO where Congress most obviously intended the law to apply—against the archetypal, intimidating mobsters of organized crime.

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[5] Russia's international professional criminals have caused the most economic damage in the US. Scott O'Neal, Russian Organized Crime, FBI Law Enforcement Bulletin, May 2000. "Blending financial sophistication with bone-crunching violence, the Russian mob has become the FBI's most formidable criminal adversary, creating an international criminal colossus that has surpassed the Columbian cartels, the Japanese Yakuzas, the Chinese triads and the Italian mafia in wealth and weaponry." Robert I. Friedman, Red Mafiya: How the Russian Mob Has Invaded America, p. xix. Unlike the former Communist Party that was out to bury us, today's Russian syndicate is out to fleece us.

If the Supreme Court permits the lower courts to rewrite civil RICO, then any federal statute is vulnerable to judicial revisionism that undermines the legislative process. "It is easy by very ingenious and astute construction, to evade the force of almost any statute, where a court is so disposed …. Such a construction annuls … the law, and renders it superfluous and useless." Pillow v. Roberts, 54 U.S. 472, 476, 14 L.Ed. 228 (1851), 1851 Lexis 872, 1851 WL 6699.

No way Sotomayor ever read that last case or ever would.

Younger Girl

From mid-February to mid-April, struggling to finish my Supreme Court petition, I kept up my Salsa and Hip-Hop classes as a counterweight to my chronically stupid life.

During a Salsa class, one of the Twins was more preoccupied than usual with her cell phone. She looked pensive and even upset. Something I had never seen before in either of those two bubbly personalities.

"What's wrong?" I asked.

"It looks like the guy I've been dating is not going to take me to the senior formal. We've kind of broken up."

Uh-ho, I thought. Columbia College's senior prom and one of the Twins might miss it. Looks like trouble in paradise.

"What about your other beaus?" I replied trying to solve her problem—the foolish second nature of any man dealing with a pretty young lady in distress, which usually ends up costing him money, something of other material value or a lot of grief.

"The formal is in two days. Everybody has dates. He may change his mind, but if he doesn't, I don't have the time to find someone else."

I wasn't about to let that opening fade into eternity. "If he doesn't come around, I still have a tux from my days working on Wall Street. I'd be glad to take you." I said with earnest while inside licking my chops and grinning from ear to ear.

"You won't need a tux, just a suit and tie."

"I've got plenty of them, let me know."

Boy would that be great, taking one of the Twins to the Columbia formal. The dance would have plenty arrogant, self-righteous, dogmatic teacher and professor chaperons who adamantly believed themselves the sole possessors of the truth, the harbingers of a new brave sexless person-kind and the founders of a thousand-year lefty Reich of hypocrisy and condescension—the true minions of the antichrist. Just think of all the effete, eastern-intellectual, white trash, elitist Feminazis I could thumb my gray hair at. What a great arena for violating the Feminazis' number one taboo: middle-aged men shall not date hot young babes.

The Feminazis come up with all sorts of lame reasons for this totalitarian commandment: an older guy has nothing to talk about with a young girl or older broads are better sexually, or is that genderly. Idiots, just talking about the weather with a pretty young chick pumps out more adrenalin and endorphins in a man's brain than anything a Feminazi could do. Besides, girls just out of high school or college have spent the passed 12 to 16 years working their brains to understand new concepts almost daily. If anyone can carry on an intellectually challenging conversation with new takes on old concepts, it's them, not some old broad who reads romance novels, has been doing the same thing for decades or cites by rote Feminazi propaganda. The young mind is an inquisitive mind not yet crippled by habitual thinking. The Twins shear brainpower could beat any group of Feminazis. As for the sexual side, great artists don't carve statutes of flabby old broads.

The real reason for the Feminazi taboo is to sucker men from listening to Mother Nature telling them to chase pretty young things. If older guys followed their genes, there would be few males for the over-the-hill Feminazis to inculcate with their lunacy by coercing the fools that

date them with: "you can't have any unless you believe the penis is inferior to the c---." Also known as "p < c" brainwashing. When will guys learn that it makes no sense to go against Mother Nature, who can't be fooled forever, just to satisfy a special interest group that has their harm at heart.

My chance to bring the battle of liberty to a Feminazi stronghold never materialized. The Twin's boyfriend took her to the dance, after which she promptly dropped him.

The Twins came to salsa class religiously through the spring. Not being able to decide which one I lusted after the most, I did a little probing to see whether my intuition could read the possibility of a ménage a trios, "So what happens when the both of you meet a hot guy? How do you decide who gets him?" The Twins were always on the alert for "hot guys" as they called them. Once upon a time, I was a hot guy, but now, nothing but cold blue anger.

"That's up to the guy, he chooses," they said.

"What if he chooses both?" They just giggled, not much to go on there, since they always giggled. Although the guy allegedly chose one or the other, it didn't mean they sat by dumb and passive. They competed with each other, fiercely, for that hot guy.

The Twins always went to Club Cache after Salsa to practice the steps from class. Our instructor got his students in for a reduced fee that didn't discriminate against guys--cool. I went as often as I could so as to dance with the Twins. They especially liked turning, which reminded them of when they were kids spinning around as fast as possible until they fell down. So I turned them as much as possible because they often lost their balance and needed someone, me, to catch them. My older brother's instructions for catching a football came in handy: use both arms and your chest! Their hip-hugger jeans also tended to inch downward after a few spins, requiring me, always the gentleman, to help them pull their pants up.

The Twins unfortunately graduated and went to pursue their Ph.D.s in Chemistry at Berkeley. Lucky them, the University I had always wanted to attend out of high school, but the President of my hometown's Broad of Education, my father, made sure the guidance counselors prevented that. When the Twins left, I gave them a Salsa CD and an album by "Fever Tree," a group they never heard of, but their parents probably had. The reason for "Fever Tree" was the group's biggest hit "San Francisco Girls," which was what the Twins would become, for me anyway. These two were the type of girls that make a man forget what he has to do, but unlike in the song, my future was in NYC and not San Francisco.

On finishing the writing of my Supreme Court petition, I discovered the cost to have it printed in accordance with the Court's rules would run well over $5,000. An amount I could no longer afford. My steady girlfriend, Jihada, was not only a jealous mistress but a very costly one as well and would be the death of me yet. Since I was now a member of Bakunin's "lumpenproletariat," I made an *in forma pauperis* motion that would allow me to file my petition in a different format costing a couple of hundred dollars. In America, only the poor or rich can afford to use the legal system, but the poor generally don't know enough about their rights or are too intimidated to fight for them in court. That leaves the rich as the only group with meaningful access to justice American style.

Jeff knew my economic plight and after reading over my petition volunteered to contact a partner he knew in a prestigious Washington, D.C firm to see whether the firm might take my case *pro bono* because the issues were interesting. If so, the firm would pay for the printing, rewrite the petition and donate its time. The firm would also handle the oral argument, which I didn't like, because I wanted to verbally battle with the Supreme Court Justices. However, having that firm's name on the brief would increase the chances of the Court accepting my case

for review. The Supreme Court rejects review of 90% of *pro se* cases while refusing to hear 60% of cases in which the petitioner is represented by a lawyer that's not the petitioner. Jeff's contact tried to interest his firm, but the *pro bono* committee decided not to because the committee only took cases involving non-government organizations, that is, do-gooder groups. So I continued as a lone gun and filed my petition *in forma pauperis*.

Despite my poverty, I wasn't about to give up partying. One Friday night, I journeyed uptown with some of my fellow Salsa students to a Dominican club at 167th Street and Amsterdam Avenue. The place was small but the music great—all Latin. There were too many guys, however, but it didn't matter. Three chicks from class came along, so I danced with them and tried to hustle a native girl here and there.

The club had one restroom, so the best place to hit on the babes was while standing in line for the toilet. They weren't about to walk away if I didn't appeal to them. One, however, did ignore my opening lines, although it's hard sometimes in New York City to know whether the girl's not interested or doesn't speak English. Perhaps, I should have mentioned "Benjamin Franklin" that's a universal language. A second babe was polite, but the third really responded, laughing at me jokes while intermittently touching my arm—sure sign she's interested. Losing her after the commode, I went on a search and fine mission. Spotted her with some guy wearing an extra large gold chain. She saw me, smiled without the guy noticing, and I smiled back. Both of us knew and wistfully regretted we weren't going to hookup because the next step would have caused unpleasantness for all, so I went back to my friends to dance some more.

The next time on my way to the bathroom, some lady with a large posterior bumped into him and sent me tumbling over the bandstand onto the floor, flat on my back. As I laid there like a drunken Russian, a young guy, wearing a couple of gold chains, reached down and pulled me

to my feet. Thanking him, he nodded you're welcome. That's what I liked about places with the demographics of that club. The people were civilized. This young guy actually showed some concern. If I had fallen in an Eastside, preppy, white bar, they would have gone about their partying stepping over or on me. Education and money don't breed manners. But had I done something obnoxious or disrespectful uptown, I would have been bounced out on my head, which I would have deserved, as do so many arrogant yuppies in the downtown bars.

Stupid Girl (Stones)

Since the Second Circuit ruled in the Russian mafia defendants' favor, they could recover from me the costs for printing their briefs. Under the Federal Rules of Appellate Procedure, the defendants had to request printing expenses within 14 days of the Appeal Court's judgment. No one did, although Flash Dancers' attorney Rudofsky made a motion for his client's costs after the 14-day deadline had passed. Rudofsky asked the panel of judges presided over by Sotomayor to excuse him for missing the deadline because:

> "I was attending a Bar Association meeting in California when the Clerk's written notification regarding the submission of an itemized bill of costs was received and due to several sets of motion papers and briefs required to be filed in several other matters, immediately following my return to New York, I did not see this item."

Rudofsky screwed up because of a junket to California during the cold weather and bad eyesight and was now trying to make me pay for his mistake. He also tried to slip in a couple of charges not allowed under the rules, such as the cost of mailing Flash Dancers' brief to all the parties involved in the appeal.

My response told the Second Circuit Court that he belongs to a three member firm, which means when he's out-of-town or dealing with other cases, his firm must have procedures in place to prevent missing legal deadlines. At the very least, someone must open his mail and keep him apprised of court decisions, but if not, California has Internet service and Rudofsky could have

gone on line at any time to check whether the Court had made a decision, assuming he wasn't on the beach catching rays. Rudofsky was simply trying to shift the consequence of his firm's negligence to me by asking the panel to suspend the deadline required by the rules of procedure. No man should be allowed to escape the consequences of his own wrong, which is what negligence is. He represented Flash Dancers—not me. The harm Flash Dancers suffered because of its attorney's incompetence was not my fault. If anyone should pay for the printing, it was Rudofsky. In addition, I asked the Court for sanctions against Rudofsky for wasting the Court's and my time.

Rudofsky replied he "has been an honorable member of the Circuit Court Bar and practitioner in that Court for more than thirty (30) years." So what! That's no excuse for violating the rules, if anything, he should know better, so I told the Court:

> "What we have in Mr. Rudofsky's bill of costs motion and his opposition to plaintiff's sanction's motion is not a law firm that got caught in a force majeure but rather a firm that shuts down when one of its three members is voluntarily in California because of an inept system or no system for tracking cases. That is not the fault of the plaintiff or this Court, and it is unbefitting of a long-time practitioner before this Court to blame everyone else for his firm's mistakes."

In the Second Circuit, however, who was at fault no longer mattered, especially with the man-hating Sotomayor at the helm of a panel. Sotomayor's panel denied my motion for sanctions and granted Rudofsky his costs, minus the ones he tried to pad his bill with.

The Sotomayor panel decision ignored the law in the Courts of Appeals. A court can excuse a party for missing the 14-day deadline, *Apex Oil Co. v. Belcher Co. of N.Y., Inc.*, 865 F.2d 504, 505 (2d Cir. 1989), but only "for good cause," *Denofre v. Transportation Ins. Rating Bur.*, 560 F.2d 859, 860 (7th Cir. 1977). So the question was whether Rudofsky's junket to California coupled with his firm overlooking the papers notifying him of the appeal judgment amounted to "good cause"? Cases from a few Courts of Appeals said it did not.

In *Sims v. Great-West Life Assur. Co.*, 941 F.2d 368, 370 (5th Cir. 1991), the lawyers claimed they had "inadvertently misplaced the blank Bill of Costs form that accompanied their copy of the judgment" and had not become aware of the 14-day period until receiving a motion from another party. The Fifth Circuit found these excuses "patently insufficient to demonstrate good cause to enlarge the time limits in question."

In *Denofre v. Transportation Ins. Rating Bur.*, 560 F.2d 859, 861 (7th Cir. 1977), the Seventh Circuit ruled "[t]he fact that the attorney of record was absent from his office [out of town on other matters] during the relevant times does not save the situation. We do not think that good cause is shown to enlarge a time period expressly specified in the Federal Rules of Appellate Procedure by the mere in attendance to the daily chores in one's law office, particularly by a firm of fourteen lawyers.... If attention had been given promptly to incoming matters which ... involve deadlines, there was sufficient time at least to have filed within the fourteen days a motion for extension of time...."

In *Mollura v. Miller*, 621 F.2d 334, 335-36 (9th Cir. 1980), the Ninth Circuit stated, "in attendance to office chores and good faith mistakes are not sufficient to show good cause. Claims for costs should be filed promptly after the entry of judgment. The definite time limit must be scrupulously observed by litigants."

The situations that the Courts of Appeals considered "good cause" are those beyond a lawyer's power, such as receiving a judgment after the 14-day period had expired because of Christmas mailing delays, *Knoblaugh v. C.I.R.*, 752 F.2d 125, 128 (5th Cir. 1985), or as a result of the shutdown in aviation, including U.S. Postal flights, following 911, *Tickmor v. Choice Hotels International, Inc.*, 275 F.3d 1164, 1165 (9th Cir. 2002).

Trips to sunny Californiay and overlooking Court correspondence do not "good cause" make, but Sotomayor and her panel ruled it did. So I appealed by filing a petition requesting that all the judges in active service on the Second Circuit reconsider the panel's decision. The full court can overrule any decision by a three-judge panel, but first a majority of the judges must agree to hear the matter, which requires a Petition for Rehearing En Banc. The Second Circuit grants very few en banc petitions a year, but I filed one anyway. A copy of my petition would be circulated to every judge, so I figured, assuming the judges actually read it, the petition would at least expose Sotomayor and her panel for making a decision clearly contrary to the law.

After filing my Petition for Rehearing En Banc, I receive a letter from Shatisa Gibbs, the employee in the Clerk's Office, assigned to my case. Gibbs said the "petitiin," her spelling, was not acceptable and wouldn't be docketed because it had been filed too late after the February decision of my appeal, the Summary Order. Gibbs had obviously confused my petition requesting a rehearing by the full court of the panel's decision on Flash Dancers' motion for costs with asking for review of the original appeal decision, the Summary Order I was trying to get the Supreme Court to review. Okay, busy bureaucrats make mistakes, so I called her to clear up the misunderstanding.

Boy, what a nasty, arrogant and stupid girl she is. Gibbs said the rules didn't allow me to file a petition for rehearing en banc of the Flash Dancers' motion.

"Yes they do. I talked with the administrative attorney in the Civil Appeals Management Office, and he said such a petition could be filed for reconsideration of a panel's decision of a motion. En banc petitions are not limited to the Circuit's decisions of appeals."

"I don't care what he says. I don't work for him. This is a different part of the court."

"Are you an attorney?" I asked.

"No I'm not!" she said with hubris dripping in her voice. "I'm telling you, you can't file that petition."

Hanging up, I was amazed that an ignoramus like her worked in the Second Circuit, but of course, I shouldn't have been. Additionally, I regretted having mailed her a "Thank You" card for doing her job the previous year. Should have sent her a white towel to wear on her head, so she could pretend at being a blonde, since she was just as stupid.

Rather than a towel, I sent her a motion asking the Second Circuit Court of Appeals to tell Gibbs to docket my Petition for Rehearing En Banc of Sotomayor's decision requiring me to pay Flash Dancers' cost. The Rules of Appellate Procedure state, "A majority of the circuit judges who are in regular active service may order that an appeal or other proceeding be heard or reheard by the court of appeals en banc." My Petition for Rehearing En Banc of the decision on Flash Dancers' motion fell under the "other proceeding" part of the rule, despite Gibbs' proclamation to the contrary.

What a piece of work is female. They weasel a little authority and right away believe they can imperiously do what ever they want according to their emotional whim of the moment and expect men to genuflect in submission. There is a theory, so far proven true by the Feminazis, that power should never rest in feminine hands for they know no restraint in the harm they will gladly do men.

Eight days after filing my motion against Gibbs, the Second Circuit granted it. Nice to see the Court doing what it should, but the absurdity of the situation was simply amazing. In the 21st century in the United States of America a man has to file a motion with a Federal Court of Appeals to direct a female employee of that Court do her job.

You haven't heard nothing yet! Gibbs still refused to docket my Petition. In the face of a Second Court of Appeals directive, she still refused. It began to look like the Court had no power over princesses who worked for it of which Gibbs was clearly one with all the negative connotations.

Princess Gibbs then telephones me with her latest lunacy. "I'm calling regarding your petition. You filed a petition. Did you file a petition?"

Is she kidding, I'm wondering, but said nothing.

"That was my question because I see that you filed a motion to file a petition late, and I received a package of 25 copies. I think you assumed it was a petition but that's not actually a petition."

To myself in disbelief, can't you read ditz? It says Petition for Rehearing En Banc on the front page, and only petitions require 25 copies. Motions require a special cover, an original and three copies. But I was cool and said, "No it's a petition for rehearing en banc"

"Well, with a petition for rehearing, there is a limit of 15 pages [mine was seven] plus it has to have the decision attached to it [mine did], and it has to have a full caption [mine didn't]. Also, your petition is not fully numbered.

"What do you mean not 'fully numbered'?" She probably lacks the ability to count along with her inability to read the Court's rules.

"You have numbers, exhibit A then exhibit B and then it starts from numbers again."

That is how virtually every legal paper submitted to every court in the land is organized. The first part contains a narration of facts or arguments with the pages numbered in ascending order just like books, magazines and newspapers: 1, 2, 3, etc. The documents that the narration refers to are attached to the back as exhibits with each assigned a letter and arranged

alphabetically: A, B, C, and so on. Each document included as an exhibit also has its own page numbers in ascending order. Now is that clear children. Princess Gibbs apparently needs to repeat the third grade. What a blooming idiot, but I was still cool and said, "Let me get the procedural problems down here. Number one is …."

The Princess cut me off, "Let me direct you to the Rule 40 [wrong rule, it's actually 35] if you have any questions."

"I'll review the petition and see if all this is accurate and if it is, I'll correct it."

The only accurate criticism, however, by Princess Gibbs was that the front page of my petition didn't list all the parties. That's what she meant by it not having the "full caption." Everything else she said was wrong under the Federal Rules of Appellate Procedure, but then again princesses have their own rules that change with the emotions produced by the unbalanced biochemical reactions in their bodies, or, this princess was intentionally jerking me around.

After listing all the parties on the front page, I got Alan send Gibbs another 25 copies of the petition. By having Alan mail the copies instead of me, I had proof of service from a third party in the form of Alan's affidavit. I didn't put it pass Princess Gibbs to claim she never received the copies. As an added precaution, I sent a copy of the petition's cover letter outlining her screw-ups to the Chief Deputy Clerk. He was the highest-ranking employee in the Clerk's Office who was "apparently" a man. Even so, I still had no faith that anyone in the Clerk's Office would do his or her job.

After a month with still no docketing of my petition, I wrote the Chief Judge a letter—my fourth attempt to prod Princess Gibbs into doing her job. If the letter went nowhere, I'd start a "mandamus" action against the entire Court, another interesting fight: me versus the Second Circuit Court of Appeals, and a "Bivens" action against Princess Gibbs. Any citizen can bring a

mandamus suit, which means "we the people command" the Federal Government, or any part of it, to do what it's suppose to do. The Bivens action allows citizens to sue individual Federal Government officials or agents for violating someone's constitutional rights. Since the violation of a person's rights by officials and agents exceeds the job authority granted by the Federal Government, only the individual can be dragged into court under Bivens, not the Government. Princess Gibbs' refusal to follow the Federal Rules of Appellate Procedure and docket my petition as required by my motion that the Court granted violated my right of access to the Court, and if she did so because I'm a white, middle-aged man, then she also violated my right to equal protection under the 5th Amendment.

Subterranean Homesick Blues

During the battle with Princess Gibbs, I met a Rwandan aristocrat in my Hip-Hop class: tall, pretty, a model, Tutsi and friendly, although with a French boyfriend, as if that mattered. She was only in town for a month and had a strange schedule. Maybe not so strange, it was similar to the Commie Ho's: up around 10 AM, lots of telephone calls in the morning and for the rest of the day out modeling or something. I called her mobile morning, noon and night, but she never answered. She hadn't set up her voicemail, so I couldn't leave a message, but she would see on her phone that I had called and would call me back. Unfortunately, I was always in the law library and never noticed she called until I left for the day. Then I'd try her again, which only started all over again the same whirlpool of man and girl futilely reaching out for each other. Her return calls eventually stopped, and I assumed she went back home.

One Saturday, Mark and I went to an Upper Eastside bar. I usually stayed out of these joints because the guys were embarrassments to men in general and white men in particular, which is where this stereotyping society places me. One bozo in a trio of blanco yuppies pulled

a thong out of his pocket and tried to adorn some girl's head with it. What a dunce, not because he treated the broad like trash, which is what she was, but because that move wouldn't get him anywhere. The point is to take a girl's thong off, preferably with your teeth, not put it on the opposite end of her body. The only female vacuum of interest to a man is her lower not upper one. Mark and I just looked at this pitiful spectacle and smiled.

Some distance off to my right was another mixed-up and insecure guy standing next to a hot looking blonde who was sitting alone at the bar. The guy just stood there, kept looking at the blonde but didn't say anything.

"Look at this guy wasting valuable real estate," I said to Mark. "Why doesn't he move, so someone else can take advantage of that strategic position? These white guys have been so brainwashed by the Feminazis that they don't know how to pick up chicks anymore."

"Here's your chance," Mark said. I turned and the guy was gone, yes!

Her name was Brynn, which rang a bell from somewhere in the dim reaches of my memory. At WNEW TV News, I knew an intern called Brynn but this was not she, maybe her daughter. We talked about nothing, laughed a little and then I hit a chord. This hot young thing was bored silly of the leftover college and graduate school scene in Upper Eastside bars. When I started telling her about the social world beyond preppydom—Salsa and Hip-Hop, life gleamed back into her eyes. She wanted something new, but would she have the courage to try. She gave me her email address, and I sent her information on my Salsa class, but she never showed. More important, however, after talking with Brynn, it dawned on me that I had stumbled into a gold mine of nookie. Every bar on the Upper Eastside was probably full of girls like her—tired of the confused androgynous guys created by the first generation of Feminazi mothers. All I needed to do was to go mine that gold.

A couple of weeks later, Mark and I headed to upstate New York to catch a performance of the Hip-Hop dance troupe his younger brother Chanan danced with. Mark wanted some videotape to put together a digital resume for the group. I wanted to hit on some coeds and get out of the City for the first time in two-years.

The performance took place at Mount Saint Mary College west of Poughkeepsie, a rural area of more cows than people, or so it seemed to me, and too much rain. The dance troupe consisted of some guys Chanan had gone to Mount Saint Mary with, including his girl friend Pilly, who choreographed the group, and another a hot babe. Some of the guys I knew from when they would come into Manhattan to hit the clubs. These guys could dance! In a club, they'd form a circle and one guy or girl would jump in the middle to do a routine. Soon a crowd would gather around to watch, which I would exploit to tell this or that girl I was the groups' lawyer, a little white lie.

At Mount Saint Mary while the group went over their routines, I walked around the student union trying to corner one coed or another. Talked to a couple but nothing more. The show included a number of groups singing or dancing but they were all a snooze except for Chanan's. The bimbo master of ceremonies clearly reveled in the attention of the spotlight, but she didn't have the mental ability to think of anything witty to say, so she kept conducting a geography lesson by rote. She'd say "Puerto Rico" and the audience cheered, then "New York City," more cheers, "Brooklyn," some cheers, "Bronx," almost as many cheers as "Puerto Rico." Her favorite, however, was "Puerto Rico." She repeated it nearly every time an act finished. What about "Paterson, New Jersey," I kept asking of my birth place—nothing.

After the show, we went to a diner for dinner with most of the troupe and a few other students. Pilly and I sat next to each other with Mark and Chanan opposite us in the same booth.

The others were at a table to the back of us and across the aisle. We ordered. While waiting, I noticed this white, middle-aged couple diagonally across from Pilly and me staring at the two of us with daggers of bigoted condescension. I stared them down and figured that was it. My pancakes came, but the couple was still staring hatefully at Pilly and me. That was it! I had put up with this garbage years earlier while hanging out with a co-worker at Columbia and, during law school in D.C., with the daughter of a couple of black panthers, but no more, and definitely not when I'm about to eat my pancakes.

I got up, walked over to these two dirt farmers with a cumulative education of the eighth grade, if they were lucky, and said, "I'm a lawyer," slapping my business card on their table. "If you two don't refrain from your bigoted staring at my friends and me, I'm going to drag you into court for harassment. Not state court, but Federal Court!"

They didn't say a word. The guy pushed my card towards to me to which I said, "Keep it, I've got plenty," and went back to enjoy my pancakes. The dirt farmers moved to another table. They should have kept going until they reached Mississippi.

After dinner, everyone was going to hit a club, but that was a few hours off, so I ended up crashed on someone's bed in a dorm room without heat. Hadn't, I been in this situation before?

Around midnight, we all met outside a club in Poughkeepsie in the rain. Mark and I stood in the back of the short line, the others in the front. Some arguing started at the entrance between Chanan's friends and two white bouncers, so at Mark's suggestion, I went to see what I could do. The bouncers said management's policy prohibited customers from wearing a track sweatshirt with a hood, which some of the guys with us had on. They volunteered to put their sweatshirts in their cars despite the rain when just then up walks some bimbo in a sweatshirt and hood. Into the club she goes without any problem.

"Hey, how cum she can go in with a hoodie but we can't!" Chanan and his buddies demanded.

"Yeah, why do you let her in and not us? This is bogus!"

The bouncers wouldn't answer, so I told one of them to get the manager, hoping some reasoning with the boss might resolve the situation, since most bouncers just do what they are told by management. Out comes this white, arrogant troglodyte who comes up with a new reason to keep the Hip-Hop guys out.

"They're pants are too baggy!"

Looking down at the pants the manager was pointing to, they weren't any bagger than the "easy fit" Levis that I buy. Just then, up walks some white guy in pants as baggy as those prohibited by the manager, and into the club this guy goes without any problem. Now I'm ticked off and Chanan and his friends' tempers start to flare. I threaten to sue the club for discrimination making sure they know I'm a lawyer. The manager retreats back inside. One bouncer retorts, the guy they just let in wasn't white but Hispanic, to which Chanan and his buddies justifiably start cursing the bouncers. Meanwhile, I'm trying to keep myself between the white bouncers and Chanan's group whose expletives are justifiably escalating. One bouncer, with the other standing behind him, begins venting his bigoted based anger on me. Fine, I'm used to hostility. Besides, the last thing I wanted was a fight in which Chanan and his young friends ended up behind bars in a part of the country that time had forgot. So I stayed in the middle, certain the bouncers wouldn't hit a gray-haired, white attorney. But if they did, I could feel Mark somewhere behind me ready to intervene to quickly end any altercation. Just then a cop car rolls up. Great, it's the Gestapo, or more accurately "Bull" Connor's fan club. I turned from the bouncers and started a little crowd control with my arms out stretched motioning

Chanan and his buddies down the street while they continued inveighing the bouncers who deserved that and more.

We made it to another club without the cops interfering, but by then I was seething inside. Not because some 80 I.Q. bouncer got in my face, but because ignoramuses can violate the rights of others without having their heads blown off. Mark said, "Try to put it aside," so I had a couple of drinks and start doing a sandwich dance on this little white blonde friend of one of the hip-hoppers, Moss. He took up the rear and I the front with her in between—its new age dancing. But I wasn't sure whether she was Moss' girlfriend or just a friend until Mark pulled me off her. So I hit on a few other chicks without success. Mark and I caught a 3:30 AM train back to civilization. After my sojourn, I couldn't understand why anyone would live in that part of the country. I'm white and I won't.

Money

In April, a legal battle arose over a small amount of money. Judge Castel in the District Court finally got around to focusing on my request for reimbursement from the defendants of my costs in using a process server. The defendants violated the Federal Rules of Civil Procedure by refusing to accept my Complaint by mail, which required me to use a process server. The defendants' attorneys decided to ignore the mailed Complaint out of the usual low-life lawyerly effort to increase an opponent's workload and expenses even when it violates the rules. Judge Castel instructed the defendants to submit reasons why they shouldn't reimburse me for the costs to use a process server.

Only Dubin and Rudofsky put up a fuss. The others paid, except for the Commie Ho, no surprise there.

Dubin made two main arguments, first:

Plaintiff's letter application provides absolutely no details or supporting documentation and utterly fails to satisfy the burden of demonstrating that plaintiff served a waiver of service upon the defendants, that defendants failed to respond, that plaintiff complied with the procedures designated under Fed. R. Civ. P. 4(d)(2)(A)-(G) and that plaintiff incurred additional costs by defendants alleged failure to respond.

Dubin essentially said, "Oh yeah, prove it, and prove that my client didn't respond." Proving what I did was easy, I kept records. But proving that someone didn't do something or as it's called in the law "proving a negative" is well near impossible. It's a tactic the Inquisition used against scientists and Protestants, Stalin used against military officers in the 1930s purge trials, the Nazis used against everybody and the Feminazis always use against men.

Take the Justice Clarence Thomas confirmation hearings. Some broad, backed by the Feminazis, accused Justice Thomas of doing this and saying that at sometime in the past. How could Justice Thomas possibly prove he didn't? He would need a 24-hour videotape of all his activities to show that what the broad claimed had happened, didn't—that's the negative, which is impossible to prove. In America, before the Feminazis pretty much took over, the broad's accusations would require additional proof before anyone took them seriously because one of the main tenets held sacred by the founding fathers of this country was that the accused are presumed innocent until proven guilty. The person making the accusations had to do more then just say believe me. They had to provide evidence, but that cornerstone of liberty has largely vanished for half of America's population. Now, the presumption is all men are guilty until they prove themselves innocent and all broads innocent no matter what they do.

My response included:

Bradley E. Dubin has represented the above defendants throughout this case and, assuming he has not lost all or most of the papers submitted, has in his files all the "details or supporting documentation" that show the plaintiff has complied with Rule 4(d)(2). Mr. Dubin's clients chose to ignore their "duty to avoid unnecessary costs of serving the summons," Rule 4(d)(2), and now Mr. Dubin chooses to ignore his duty not to conceal or knowingly fail to

disclose pertinent information to this Court, especially when he knows the details and supporting documentation that he now claims do not exist actually lie in his filing cabinets.

Mr. Dubin's objection falsely implies his clients did respond by stating the plaintiff fails to show that the "defendants failed to respond." The plaintiff, a lawyer admitted to practice before this Court, affirms the defendants did not respond; therefore, the burden shifts to Mr. Dubin's clients to show they did. Mr. Dubin's clients can do that by producing copies of the signed and dated documents of their response plus an affidavit that such were mailed to me.

Dubin's second argument claimed that his "logic dictates that plaintiff should not be entitled to recover costs of serving a frivolous action, which has been dismissed with prejudice and affirmed by the Second Circuit." To which I countered, "There's been no finding by any court that this civil RICO action is frivolous. Mr. Dubin's brand of logic is not the law," since the only way a defendant can escape payment requires a showing of "good cause," and just calling a suit "frivolous" is not that. Dubin lost that round, but what did it matter—nothing.

Rudofsky took a different tack. He claimed some of the costs I included weren't permitted under the rules, although they were. He also tried to mislead the District Court into believing a final decision had been made by the Second Circuit that I owed Flash Dancers the printing cost of its brief. Had the decision by Sotomayor and her panel been the end of the line in the Second Circuit, Rudofsky could offset the printing cost against the amount Flash Dancers owed me for my use of a process server. The Second Circuit, however, would not have a final decision until it dealt with my Petition for a Rehearing En Banc. Rudofsky lost on both issues but won on a minor one that saved Flash Dancers about $60 while costing it a lot more just to pay Rudofsky to make the objections. But what did Flash Dancers care? The owners save millions every year just by cheating on the strip joint's taxes.

Don't Play That Song (You Lied)

The Supreme Court allowed the defendants until the end of May to file their briefs opposing my Petition for a Writ of Certiorari, but no one bothered, except Flash Dancers.

Rudofsky filed a two-page, rancorous memorandum to which he attached my entire Complaint and Supplemental Complaint, which he failed to print on both sides of the pages in order to make them look more voluminous then they were—a subtle trick to subconsciously ward off busy judges and clerks from a case. Rudofsky was playing the same old defense song: load a court down with papers not needed to decide the issues, since the appendix I submitted already contained the pertinent parts of both complaints, and use acrimonious words to stir emotions against me so as to deflect attention from the legal issues of Flash Dancers' RICO violations. Basically, try the individual, not the issues—usual Russian and political correctionalist scheme to divert government officials from fairly weighing the arguments. Rudofsky even made clear in his memorandum that his tactics were intended to submarine the reasonableness of my petition's argument. But why bother? The odds were already overwhelmingly in his favor that the Supreme Court would not grant review of my case. Maybe he needed the billing fees he charged for his memorandum to payoff his trip to California.

Rudofsky accused me of intentionally trying to deceive the Supreme Court with my abridged versions of the Complaint and Supplemental Complaint by claiming they disguised my "bald assertions, periphrastic circumlocutions, unsubstantiated conclusions, or outright vituperation and subjective characterizations or conclusory descriptions." The Supreme Court's rules, however, don't require the inclusion of the entire complaint in a petition for certiorari, just those sections essential to understanding the petition's arguments. Sup. Ct. R. 14(1)(i)(vi). Even so, if Rudofsky was right in his characterizations of my complaints, then why didn't he list for the Court the specific allegations to which each of his objections applied? Because he couldn't, but more importantly, he just wanted to plant the seed in the minds of the Justices and clerks that I was duplicitous. He knew full well that neither the Justices nor the clerks were going to go

through my complaints to confirm or disprove his accusations. Rudofsky was just using a Hitler tactic: if you're going to lie, tell a big one because the chances are people wouldn't bother to disprove it and they may buy into some of it.

Rudofsky's angry venting even claimed my case "patently incredible, patently vexatious and unreasonable"—not when it's against members and associates of the Russian mafia.

"The Russian mafia has been operating in the United States for years. Scott P. Boylan, Organized Crime and Corruption in Russia, Vol. 19, Fordham Int'l L.J., 1999, 2013 (1996). With the fall of the Soviet Union, the activities of Russian organized crime groups have spread to the United States and Europe. Id. 'Not only does the Mafia kill and steal in Russia, it does so in the United States as well.' Id. at 2001. Mafia members are involved in 'theft, extortion, money-laundering, gun-trafficking, drug running, prostitution, smuggling, loan sharking, contract killing and more.' Id. 'The U.S. Department of Justice has established task forces to deal with the Russian Mafia in New York, Los Angeles, and Miami.' Id. In 1994, the Russian mob had more than 300 members in the New York area alone, making it larger than the Bonanno, Colombo, or Lucchese crime families. Allan Friedman, The Organizatsiya: Brooklyn's Booming Russian Mob is Slicker, Smarter, and Much Meaner than La Cosa Nostra, N.Y. Mag., Nov. 7, 1994, at 50. Russia's international professional criminals have caused the most economic damage in the U.S. Scott O'Neal, Russian Organized Crime, FBI Law Enforcement Bulletin, May 2000."

Rudofsky also criticized my complaints as full of "subjective characterizations and conclusory descriptions." To which, I essentially answered, oh yeah, what about this!

"Flash Dancers openly operates a sexual bazaar in Times Square, New York City, which hardly puts it in a position to claim the allegations against it in this case are 'subjective characterizations or conclusory descriptions.' A quick scan of Flash Dancers' website, www.flashdancersnyc.com, reveals just some of the defendant's sordid activities. The site has been tamed down a great deal since this case started in the federal courts. Previously, the site sold pornography, escorts and the viewing of live sex acts over the internet in the same manner that New York Elites and Exotica 2000 did before U.S. Immigration and Customs Enforcement closed down those Russian mafia operations for prostitution and money laundering."

"Defendant Cybertech Internet Solutions, Flash Dancers' website administrator and designer, continues to advertise Flash Dancers at http://www.stripclublist.com/c.asp?c=8534 with links to escort services that include travel packages sporting various prostitutes. Rather than continue to advertise such illegal interstate activity on its own website, Flash Dancers uses the vast Internet network operated by Cybertech for selling just about everything involving sex. Flash Dancers' other strip clubs, Private Eyes and NY Dolls, http://www.nydollsclub.com/aboutus.asp, are also advertised on the Cybertech network.

Rudofsky should like the analogy of Flash Dancers to New York Elites and Exotica 2000. Cybertech's Internet Network used to advertise Exotica 2000 before that whore operation was busted. Exotica and New York Elites, different names for the same call-girl service, operated in 22 states and overseas with over 200 hos, charging $500 to $1,500 an hour with the hos receiving 50%. The virtual brothel made $13.5 million in four years. Not bad, I'm clearly on the wrong side.

Rudofsky's memorandum even came up with a new personal attack in the defense lawyers' strategy of "don't confuse the courts with the law, just demonize the opponent."

"Any notion as to Hollander's good faith is quickly dispelled by review of his public website www.royandalina.com, which has titled Stupid Frigging Fool: The tragicomedy of an American lawyer and a Russian mafia prostitute, and has dedicated "To Mother, May She Burn in Hell."

How'd he find that? He couldn't have hired a private eye, since I wasn't that important to a multi-million dollar operation like Flash Dancers and its Internet partner Cybertech—or was I? Maybe one of the goons at Flash Dancers was trolling the web, but could any of them read? Besides the site should have been under construction. Who knows, but there it was, and I had to deal with it because Rudofsky was relying on the maxim that the truth always hurts the one who speaks it, especially unpopular truths. Defense wouldn't do, so I went on the offense.

"Character assassination … has all too often been successful for the unscrupulous by hiding their nefarious deeds under the cloak of patriotism, religion or other popular views [meaning motherhood] depending on the particular time period in America's history.

"Flash Dancers' attorney forgets that the purpose behind the Bill of Rights, and of the First Amendment in particular, is to protect unpopular individuals [me] from retaliation—and their ideas from suppression—at the hand of an intolerant society. McIntyre v. Ohio Elections Commission, 514 U.S. 334, 357, 115 S.Ct. 1511, 1524, 131 L. Ed. 2d 426 (Stevens, J.)(1995). 'The proponents of the First Amendment … were determined that every American should possess an unrestrained freedom to express his views, however odious they might be to vested interests whose power they might challenge.' Feldman v. United States, 322 U.S. 487, 501, 64 S.Ct. 1082, 1089, 88 .Ed 1480 (Black, J. dissenting) (1944)."

Actually, it was the character of my mother that was odious, not the words used to describe the fate she deserved. My memory still recalls my seventh summer on this planet when I stepped on a rusty nail. Mother refused to take me to the doctor for a tetanus shot, so I spent those bucolic months waiting for my jaw to lock. But I didn't need to go there, in my reply to Rudofsky. The Justices of the Supreme Court know that appellations do not make the person. There are plenty of mothers out there who murder their children, boil their babies and otherwise destroy the living. Procreation does not a saint make. Even Rudofsky knows that, but he's the type of hypocrite who will pander to any popular belief in order to attack his opponent's freedom of speech while vociferously arguing that Flash Dancers' selling of porno and girls on the Internet is protected by the First Amendment as a form of commercial speech.

When I showed my buddy Blackie the quote Rudofsky used from that website, he laughed and laughed saying, "That's a classic, that's a classic." A phrase from our high school rah rah days that we used as a compliment for a cool act of rebellion. Thank you Mr. Rudofsky for that trip back in time when my classmates and I regularly mocked the hypocrisy of conventional delusions.

A minor sideshow occurred while I was drafting my reply to Rudofsky's memorandum. Two days after his papers arrived, which were also mailed to all the other defendants, someone called my mobile that Sunday morning but left no message. To me, if a stranger doesn't leave a message, then he shouldn't telephone me in the first place, so I didn't bother returning the call to the number on my caller id. Around two in the afternoon, I received a call on my landline.

"Hello, is this Roy?" Some middle-aged man nervously asked.

"Who's calling," I replied, expecting a telemarketer. If it was, I'd tell him Roy's not here, which I always do with telemarketers.

"John Jacoby. I'm calling about a web site and looking for Roy." Okay, not a telemarketer, but some clown trying to pump me for information about the www.royandalina.com website that Rudofsky had learned about.

"Sorry, you've got the wrong number." Having done plenty of these information-gathering calls when working in the news media, I was not about to participate in one that would likely cause me grief.

"I'm from the Federal Government," Jacoby said. That was a mistake because I started to draw my verbal sword. Rather than scaring me, anyone from the Feds makes me want to punch them in the face. Couldn't do that over the telephone, so I readied a verbal assault.

"Are you recording this?" I asked.

"No," he lied. "I'm not calling on official business, just trying to figure something out about a web site." I'm sure he was, but when he said the call wasn't official and failed to identify the federal agency he worked for, I knew he was either a private eye or mobster.

"What's your number," I asked looking at my caller id, which registered (212) 212 1212.

"It's (212) 212 2121."

"Okay, that's (212) 212 2121, got it!"—another lie.

"It's a federal number," he added. No it wasn't, but I'd call to see whose it was.

"So you work Sunday?" Now I was just toying with him. I had worked for the Federal Government and no one worked on a Sunday.

"I work every day." Maybe true, but not for the Federal Government.

"Too bad, take it easy," and I hung up. Immediately my mobile rang. It was Jacoby again calling from (212) 212 1212, but I didn't answer. Dialing on my landline the numbers from my caller id (1212) and the one he gave me (2121), I received a telephone company

recordings that my calls couldn't be completed as dialed. Neither of the numbers existed. For the number that showed on my caller id, Jacoby had used a "black box" that allows a caller to send any number he wants to the receiver's caller id. Checking my mobile again more closely, I found that the first of Jacoby's calls came early in the morning. An obvious but lame attempt to catch me half-asleep in the hope I'd spill my guts. Jacoby also had made a second call to my mobile around noon, which I had missed completely. On that one he left a message.

"Yes, how are you? I was looking on your web site. I believe you and I can trade some information. As you'll notice my phone number is not trackable or traceable, so I'll call later on today and would appreciate it if you would pick up the phone call. I'm in the United States. I'm affiliated with certain government agencies, and I could use some of your information for a pending case, I guess you could say that is in the works. I'll try you later. Thank you very much. And have a great day."

At least he didn't say, "Have a nice day" as did John Madison a.k.a. Pierre.

Two days later I received an email from Onn Rapeika, ORapeika@Gti.Net:

"I find your site story very interesting but now site down and not working I not get chance to read all story, but story very good. Why site down? Can you please put back up? Or can you email me story? I on chapter 4. –Oveon Csheeen"

To which I replied,

"Do I know you? I don't understand what you are talking about, please explain."

Of course, I did understand that it was the same guy using a different tack. What I couldn't figure out was who was behind it and why. Maybe Rudofsky, but he had already gotten into the site, which was now under construction as it should have been all along. If he or any of the defendants wanted the story, all they needed to do was go to www.been-scammed.com. They'd have to wait a while until the serialization was complete but so what.

That weekend, as usual, I checked the advertisements for various clubs to decide which ones were possibilities for hunting. The advertisement for club Deep assured I wouldn't be attending:

"Standard Saturdays. Open Bar. Hosted by Supermodel: Angelina Shipilina."

You mean "Super Slut" don't you. How could she host anything besides whoring, she could barley speak English, and a Supermodel she wasn't. She, like all broads, was just constitutionally unable to tell the truth. The club should have at least changed its advertisement from "Open Bar" to "Open Ho."

Heat Wave

Global warming finally turned the beginning days of summer in the City into the way they were before global warming—hot and humid with no place steamer than my Hip-Hop class. One sweltering Friday, most of the girls showed up in class dressed for Siberia: full-size shirt over a halter or bathing suit top and baggy sweat pants. Didn't they check the thermometer? They knew Broadway Dance didn't have air conditioning. Were they self-conscious because of a gray-haired chronic luster in the class trying to move up to molester? Who knows, but after ten minutes in that rotisserie, the shirts came off, the remaining tops rolled up to just below their boobs, the sweat pants down to the beginnings of their thongs and their pants' legs, or at least one in deference to fashion, pulled up as high as possible. The sweat started beading on their bare backs, firm bellies and around those breasts that still defied gravity. With every move, more sweat broke out, cascading into glistening streams down the curves of power Mother Nature had given them. One girl's thong had moved off from the center of her rear, so I stationed myself behind her for a time until distracted by another babe steaming up my eyeballs. They all looked so delicious that I hit on this one and then that one; I just couldn't make up my

mind—cherry bonbons, gummy dips, dots, malt drops, juicy fruit, caramels, and chocolate squares. Oh, to lick the sweat from the snatch of every one of those babes. But as the old song advises, "Better go home son and make up your mind," so I tried to focus on one of Bev's assistants, a teenage something or other. She was friendly and laughed at my jokes, but I never made it to first base with her.

Salsa class brought a new opportunity one night in the shape of a tall Latina. Unlike Hip-Hop, a good deal of the dancing in Salsa class is with a partner. Everyone gets to dance with everyone. The instructor tells the girls to rotate to another guy, after repeating a routine with one partner. It reminded my of the make-out parties we used to have in sixth-grade, except then everybody was sitting and while kissing copping a feel. No kissing in Salsa, but now and then subtly copping a feel.

When the Latina rotated to me, I introduced myself.

"Hi, I'm Roy," and held out my hand.

"I'm sorry, what's your name?" she asked. Sometimes girls do this intentionally to throw a guy off balance.

"My name is Roy, but I usually just introduce myself as a lawyer." She laughed and became friendly, thinking me overflowing with Benjamin Franklins of which I no longer had, but I wasn't going to tell her that. Deception? Sure, but girls lie every chance they can to get what they want.

The Latina wore a tight, low cut top with tiny straps holding up large breasts of which ample amounts were visible. We started dancing the steps our instructor showed, and halfway through the song, I realized I had been staring at her tits the entire time. Not to be a complete cad, I shifted my revelry to her face—very pretty, but I could feel the tug on my eyes from those

boobs as though they were magnets. I struggled to keep looking at her face so as to increase my chances of obtaining a closer inspection of those glands later on. Now I understood what Leni Riefenstahl meant by "Triumph of the Will."

When the song ended, our instructor went over a new step. The Latina checked her mobile with its Technicolor screen.

"Does that take pictures?" I asked.

"Sure."

I pulled out my mobile saying, "Mine doesn't. It's pre-millennium," to which she laughed, a little.

"Did you get that in 1999?" she asked.

"Good guess, that's when I picked it up, but I can't see anything on the monotone screen because I'm wearing contacts."

"You can't see anything with your contacts?"

"Oh, I can see you, and if you were on the other side of the dance floor at the Copa I could pick you out." She smiled at the compliment.

Moving closer to her under the guise of showing her the screen on my mobile, I said, "But when I go through the menu looking for a name, I can't see a thing."

"You mean you can't read any of this?" she pointed, as I felt the heat radiate from that luscious Latina body with dark skin.

"Can't make out a thing," and I couldn't.

"So how do you use it?"

"I ask some pretty girl to help me." She gave me one of those knowing girl smiles.

When class ended, people stood around listening to our instructor give some information on upcoming events and Salsa techniques. Pulling out my mobile to make a call to this girl, I needed someone to find the number. So, I walk around with my mobile in hand looking for help and over comes the Latina with a smile.

"Do you need help?"

"Yes, I'm trying to increase the volume to high, would you do it for me?" I wasn't so dumb as to ask her to find the girl's number.

"Sure,' she said, taking the mobile. We flirted some more until the arrangement of people shifted while out instructor kept talking. Somehow I found myself in the middle of the dance room talking with two guys, including one from Russia with whom I chased girls when his wife was visiting their home country cheating on him. When I saw the Latina standing by herself near the room's entrance, I left these guys to make my move for her telephone number or talk her into going to the Salsa club the class usually hit after our two-hour practice.

She smiled and said, "You're a good dancer."

I wasn't, I stunk, but graciously accepted the compliment as one of her tactics to move our flirtation along. "Not as good as you. How long have you been taking classes?"

"Three months, but I grew up with the music."

We were connecting, the pheromones were doing their job, but then my peripheral vision caught the gleaming, razor-sharp pendulum of the Matrix swinging in my direction again. This time it took the form of the two guys I had just left in the middle of the room. There they were, standing right next to me with grins spread over their mugs as they stared at the Latina trying hard to work up the courage to say something not completely inane. Unbelievable! These guys

had followed me over to the Latina. I left them talking to each other so that I could hit on her, but they decided to interfere with my hustle.

The vast, vast majority of guys always do that, but only to a buddy or some other man they know. A guy will never, unless drunk or retarded, interfere with some stranger who's hitting on a chick, even if he saw the girl first or was previously hitting on her. Why, because he doesn't want a punch in the nose or he's afraid the girl will snub him. But when guys see one of their buddies or acquaintances hustling a pretty girl, the fear of a fight doesn't exist and neither does the dread of rejection because they already have an in with the girl through their connection with the guy who did the hard work of initiating the conversation. Insecurity toward girls also causes those guys' egos to push them into interfering. They're trying to prove to themselves and their buddy that they too can hustle girls, but they can't, unless their buddy breaks the ice first. It comes down to cowardice and self-doubt with a lot of stupidity mixed in.

Guys should realize that as soon as a girl has more than one man competing for her, she's at her most powerful. She'll grin with delight, play coy and even scold as she banks one guy off another. In the end, she'll either choose the highest bidder, pick one this week and another the next or reject them all while her ego inflates with the conviction that she is fulfilling her divine right to make guys stumble, bumble, mumble and trip over each other for her favor. That was a game I hadn't played since high school, and wasn't about to start again now no matter how big the Latina's pillows, so I went to the men's room ticked-off not at the girl but my alleged pals for ruining my hustle. And ruined it was, because by refusing to play her competition game, I insulted her. She knew why I left and likely said to herself, "He'll be back and when he is, I'll play with him like he was a mouse. How dare he not curry my favor!" I didn't go back.

A couple of nights later, an American guy and I went to Gonzales y Gonzales. A hot Latina babe paused to stand in front of the two of us. She'd have to wait until the second coming before the American guy hit on her, so I did. We flirted a little. She was looking for her friends in another part of the bar, so I temporarily halted my hustle figuring to pickup on her later by asking for a dance. She starts to go and immediately the American guy pounces. She fends off his overtures and moves on.

"What are you doing?" I ask him, really ticked-off.

He cavalierly answers, "You stopped talking to her, so I went after her."

"Don't you realize; I was setting her up for later?"

"Everybody does whatever they want," he says with laisser-faire, social-Darwinian disdain. That was something I had heard before, mainly in the former Soviet Union where nearly every individual religiously believes they are superior to all others. Such arrogance, really a product of insecurity, justifies in their eyes the astonishing lack of ethics and honor routinely exhibited by people from that part of world. They're willing to grovel like dogs, just to maneuver themselves into a position to rip someone off, take an unfair advantage or plunge a knife into another's back both literally and figuratively. You can take the person out of the former Soviet Union, but you can't take the former Soviet Union out of the person.

"Okay," I said, "if everybody does what they want, go hit on those two blondes sitting at the table over there. Go ahead! You drool every time you look in their direction. Walk over and hustle them."

This superior specimen of man just stood there with his brain short-circuiting.

"Go ahead hit on them," I dared again. "I'll even give you a line." He just looked at them and turned to watch the dancers. Some people can only compete with a knife from the shadows.

To rub it in, I walked over to the two blondes, both very pretty, threw my opening line and started a fairly long conversation. Both were professional ballet dancers with the American Ballet Theatre—that was impressive. We talked about the Kirov and Bolshoi in Russia, laughed a little, and then I gave it a rest until the band started. With the first salsa tune, I started dancing with the taller of the two ballerinas. Leia couldn't dance salsa, but that didn't matter, since neither could I. She could, however, turn. Just one little movement of my hand and whooos, she was around in a flash with her arm seductively stretched above her head. Throughout our dancing, she wore this wide soft smile, probably her stage persona, but it still made me smile. Beneath her dress, I could feel a body of iron-band muscles. I wanted more, but she was moving to Seattle that Thursday. Too bad Mark wasn't there. Had he been, I would have brought him into my earlier conversation with the two ballerinas, which might have led to a fun night for all of us. Leia was not about to leave her friend, typical for two girls out on the town, and I wasn't about to help the American guy by introducing him to Leia's fellow ballerina. After that night, I avoided hanging out with him. It's tough enough picking up girls without having someone ready to interfere every time you're on a roll. Besides, I've had my share of experience with the lack of scruples of insecure people.

The Chief Judge of the Second Circuit, as men born in the middle of the 20th Century always do, came through concerning my letter of complaint about Princess Gibbs. He referred the letter to the lady in charge of the Court's Operations: probably one of those few females of competence so secure in her womanhood that she doesn't need an emotional hatchet to deal with

men. She sent me a very courteous letter of apology, something Feminazis like Gibbs are incapable of. Her letter confirmed that my Petition for Rehearing En Banc should have been sent to the full Court back in April and was now, months later, before the Court. The real justice came when she said she had a little sit-down with Princess Gibbs to explain how my petition should have been handled. That ought to teach Gibbs a lesson, for she sure needed one. Supreme Court Justice Anthony Scalia once wrote in a Court of Appeals decision, "No matter how bad someone is, [she] can always be worse." But that's not much solace when dealing with the Clerk's Office at the Second Circuit of which Gibbs is just one example of belligerent incompetence. The Court eventually denied my petition, but at least some bureaucratic bimbo driven by feminine malice didn't succeed in abusing her authority to obstruct the rights of a man. As for the money owed Flash Dancers for its printing costs, I never paid it. What was the man-hater Sotomayor going to do—send me to Guantanamo? Hot, humid climates were preferable, and, if I escaped, I'd get to ride around in 56 Chevys with hot Latinas and smoke Cuban cigars.

Before summer ended, I had lunch with Alan and one of the best tort lawyers in New York City. The lawyer and I had not seen each other since we were political enemies in the Riverside Democratic Club decades earlier. Despite our political warring, I always liked this guy and appreciated his superior verbal acuity in cutting me to ribbons. He was not someone to argue with, and all these years later had not lost his edge, especially when dicing bloodless, bureaucratic disciples of collectivism who overlook individuals in favor of "the people."

Our waitress was very pretty, and I detected a familiar accent.

"Are you from Russia?" I asked, unable to stop myself.

"Yes, how could you tell?"

"By your accent. Where in Russia?"

"The southern part."

Oh great! Would I never escape the curse that came from that part of the world? Pausing, but I had to know and asked "Anywhere near Krasnodar?"

"Yes, in a little village outside of it."

The Commie Ho had lived in a little village outside Krasnodar where I had visited her for the millennium celebration, which felt like two hundred years ago. The end to this conversation became apparent the moment I mentioned the name of the Ho's village. "Is it Adygea?"

"Yes," she said with great surprise, but I wasn't. "Do you know Adygea?"

"I've visited there in another life."

"That's amazing that you were actually there. I've never met anyone here in America who has even heard of it!"

"I wish I hadn't."

"Why?" her pretty face asked with pretended concern.

"That my dear is a long story."

Hey Joe

The U.S. Supreme Court made its decision to deny my Petition for Certiorari on September 25th—the birthday of the Commie Ho's mother. From the dungeons of the Queens Family Court to the alleged lofty heights of the Supreme Court, there is no justice in feminarchy America for a man.

"Hey Joe" was suppose to be the final solution to this story, but I got distracted by an ancillary Jihada that grew into a crusade against the Feminists.