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9 **UNITED STATES FEDERAL DISTRICT COURT**
10
11 **OF ARIZONA**

12
13
14 **BJ DAVIS**

Case No.

15 **CV '08 01942 PHX - MEA**

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19
20 **PLAINTIFF**

**COMPLAINT UNDER
 RACKETEER
 INFLUENCED CORRUPT
 ORGANIZATIONS
 (RICO)**

21
22
23 **V.**

JURY TRIAL DEMANDED

24
25
26 **ESTATE of SALVATORE "BILL"**

1 **BONANNO, ROSALIE**
2 **BONANNO, an individual,**
3 **MICHAEL R. SAQUELLA, aka**
4 **PALOMA, an individual,**
5 **BIG SCREEN ENTERTAINMENT**
6 **GROUP, a Nevada Corp.,**
7 **KIMBERLY DAWN LEBEL aka**
8 **KATES, an individual,**
9 **MICHAEL GARDINER, an**
10 **individual, HERBERT KAUFER,**
11 **an individual, JEFFREY J. DEAL,**
12 **an individual, JAMES WONG,**
13 **an individual,**
14 **ANTHONY TARANTOLA,**
15 **an individual, COLONIAL STOCK**
16 **TRANSFER COMPANY, a corp. of**
17 **unknown origin, FIRST AMERICAN**
18 **TRANSFER, a corp. of unknown**
19 **origin, NOEL KENDALL,**
20 **an individual, HARKINS**
21 **THEATERS, LLC, a Arizona**
22 **Corp., JONATHAN DIMOCK,**
23 **aka CHUCK BANKS,**
24 **AMAZON.COM, an entity of**
25 **unknown origin, THE INTERNET**
26 **MOVIE DATABASE.COM, an entity**
27
28

1 of unknown origin, WELLS FARGO
2 BANK, a corp. of unknown origin,
3 BRIAN DRISCOLL,
4 an individual, GLORIA LUNA,
5 an individual, DAVID STOCKER,
6 an individual, STEVE BERG,
7 an individual, PHIL YOUNG,
8 an individual, BRION KOS
9 an individual, BEST DOMAIN
10 AND WEB HOSTING, a Corp. of
11 unknown origin,
12 PINE CANYON RECORDINGS,
13 LAWRENCE KAPLAN, an individual,
14 MALLVIEW CINEMAS, a Corp. of
15 unknown origin, COMANCHE
16 PROPERTIES, a Corp. of unknown
17 origin, HALFWAY TO TUCSON
18 PRODUCTIONS, a Corp. of
19 unknown origin, SCREEN ACTORS
20 GUILD, an entity of unknown origin,
21 ALAN ROSENBERG,
22 an individual, ELIZABETH
23 MOSELY, an individual,
24 SCREEN ACTORS GUILD PENSION
25 & HEALTH PLAN,
26 an entity of unknown origin,
27
28

1 BRUCE DOW, an individual,
2 PEGGY CLARK, an individual,
3 ROXANNE FITZGERALD,
4 an individual, ROBERT BUSH, an
5 individual, PETER DICKINSON,
6 an individual,
7 LOS ANGELES POLICE
8 DEPARTMENT, an entity of
9 unknown origin, NATE WILLIAMS,
10 an individual, KEITH WILLIAMS,
11 an individual, JOHN BAGNOLI,
12 an individual,
13 FEDERAL BUREAU OF
14 INVESTIGATION, an agency of the
15 United States Government,
16 JOHN QUINN, an individual,
17 JOHN VINING, an individual,
18 SHERRY MacALLISTER, an
19 individual, ARNIE MEDRANO,
20 an individual, RAY PITESKI,
21 an individual, MIKE ESCOTT,
22 an individual, MARK HUNTER, an
23 individual, INTERNAL REVENUE
24 SERVICE, an agency of the United
25 States Government,
26 ANGIE ORTANEZ, an individual,
27
28

1 SUSAN BOUTWELL, an individual,
2 CAROLINE CLARK, an individual,
3 MICHELLE KENNEY, an individual,
4 RAGING BULL, an entity of
5 unknown origin, INVESTORS HUB,
6 an entity of unknown origin,
7 BOB ZUMBRUNNEN, an individual,
8 DAVID FRANCIS ZAPPONE aka
9 JOHNNY RAMBOVA, an individual,
10 FRANCIS ZAPPONE, SR.,
11 an individual, JIM JACOB, an
12 individual, STEPHEN ECKELBERRY
13 an individual, ROSSLYN HORNSBY,
14 an individual, MICHAEL
15 MANASSERI, an individual ,
16 BELLACOSA, INC. a corp. of
17 unknown origin, MORE THAN ONE
18 PRODUCTIONS, a NV Corp.,
19 ALLUMINATION, a corp. of unknown
20 origin, PHIL AMATO aka
21 "THE CLUB", an individual,
22 ROBERT BRANER, an individual,
23 ROBERT LASKOWSKI, an
24 individual, MELISSA WELCH- BLUE,
25 an individual,
26 DONNA STEWART, an individual,
27
28

1 WILLIAM TANNAZ, an individual,
2 HERB GOLDMAN, an individual,
3 CHARLES SNIPES, an individual.
4 NILS GREVILLIUS, an individual,
5 KRISHNA MAHADOO, an individual,
6 MISTI REYNOLDS, an individual,
7 SAN BERNARDINO COUNTY
8 SHERIFF DEPARTMENT, an entity
9 of unknown origin, RICK FLEMING,
10 an individual, CA DEPARTMENT
11 OF JUSTICE, RICH VERDUCCI, an
12 individual, et al, John Does 1 thru 50

13
14 **DEFENDANTS**
15

16
17 TO ALL PARTIES AND THEIR RESPECTED ATTORNEYS OF RECORD:
18 PLEASE TAKE NOTICE that the Plaintiff BJ Davis, an individual, complains of
19 Defendants, and each of them alleges and DEMANDS TRIAL BY JURY:
20

21 **NATURE OF THE ACTION**
22

23 1) The La Cosa Nostra Family of Salvatore "Bill" Bonanno, a former
24 Arizona resident before his recent death. The Bonanno crime family is the framing
25 foundation to this instant matter before the court as the cornerstone and first "overt
26 act", predicate of all RICO LAW requirements as prescribed in 18 U.S.C. § 1962
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28

1 (a), (b), (c), (d)(Added Pub. L. 91-452, title IX, § 901, Oct. 15, 1970, 84 Stat. 942,
2 and amended Pub L. 100-690, title VII, § 7033, Nov. 18, 1988, 102 Stat. 4398)
3 violations where the venue is proper as the events were birthed in Arizona and the
4 primary parties reside in and do business in Arizona (Section § 1965); "CIVIL
5 REMEDIES UNDER SECTION 1964" - "Any person injured in his business or
6 property by reason of a violation of Section 1962 of this chapter may sue therefore
7 in any appropriate United States district court and shall recover threefold the
8 damages he sustains and the cost of the suit, including reasonable attorney
9 fees....."

10 2) Racketeering Influenced Corruption Organization as best known to the
11 statute is most easily understood in its intended context: the Mafia. In the context
12 of the Mafa, the defendant person, Estate of Bonanno (i.e., the target of the RICO
13 Act) is the deceased Godfather, Salvatore "Bill" Bonanno of the Bonanno crime
14 family. The "racketeering activity" is the criminal activities in which the Mafia
15 engages, e.g., extortion, bribery, money laundering, blackmail, loan sharking, pink
16 sheet penny stock fraud, wire fraud, mail fraud, bank fraud, Internet fraud,
17 blackmail, coercion, extortion, slander, defamation of character, physical assaults,
18 death threats, etc. RICO was created for the mob or Mafia family which has
19 engaged in these criminal actions for generations, the criminal actions constitute a
20 pattern of racketeering activity. The government can criminally prosecute the
21 Godfather and soldiers/"strawmen" under RICO and send him to jail even if the
22 Godfather has never personally killed, extorted, bribed or engaged in any criminal
23 behavior. The Godfather can be imprisoned because he operated and managed a
24 criminal enterprise that engaged in such acts.

25 3) Moreover, under Section 1964(c) of the RICO Act, the victims of the
26 Mafia family (i.e., the extorted businessman, the employers whose employees were
27
28

1 6) From a legal objective Plaintiff's case is directly linked to the Mafia
2 scenario described above, meeting every predicate of succeeding under the RICO
3 "overt" Act at the time of trial by jury with seven convictions in place involving
4 fifteen companies. This instant matter is based on the Bonanno family and a
5 multi-complexed series of "strawmen" operating as agents and representatives of
6 the prohibited racketeering organizations to include but not limited to defendants
7 as "persons" with federal employees aiding and abetting prohibited racketeering
8 enterprises and individuals. Thereby shielding said parties from investigation and
9 prosecution to include but not limited to denying plaintiff due process while
10 intentionally obstructing justice, extortion under the color of law as RICO
11 predicates, "overt acts" and as prescribed by RICO violations 18 U.S. C. §§ 1961-
12 1968 (1988) & U.S.C.A. §§ 1961-1968 (1984 & Supp. 1990) and hobbs Act
13 1946.

14 7) The Enterprise(s), the Bonanno crime family are created by the late
15 Salvatore "Bill" Bonanno, Estate of Bonanno, Mafia Capo, self-professed made-
16 man, mobster Michael Ralph Saquella aka Paloma, aka Blake, a Bonanno member
17 and Bonanno's nephew, made-man "Capo" Anthony Tarantola, who is awaiting
18 indictment for the same series of crimes involved plaintiff. Those since convicted
19 or are under investigation, to include but not limited to "strawmen" Michael
20 Gardiner, Kimberley Dawn Lebel aka Kates and others known and unknown
21 acting as agents and/or "strawmen" . Bonanno created enterprises with "an
22 ongoing 'structure' of persons associated through time, joined in purpose and
23 organized in a manner to hierarchial or consensual decision making") United
24 States v. Neapolitan, 791 F.2d 489, 500 (7th Cir. 1986). The central element is
25 structure, the enterprise is more than a group of people who get together to commit
26 a 'pattern of racketeering activity'. The Department of Justice Press release
27
28

1 clarifies and qualifies the RICO predicates and/or "overt acts".

2
3 8) Plaintiff would ask the court permission due to the death threats and
4 physical attacks for media coverage allowed in the court to dissuade any further
5 mafia attacks and to contain the unbridled arrogance of agents under the color of
6 law from further violating the constitutional rights of plaintiff and due process of
7 law. Plaintiff asks the court to intervene and to keep these issues public
8 throughout the proceedings as as per Form 5, 3) discouraging wasteful pretrial
9 activities Seattle Times Co. V. Rhinehart.

10
11 9) Godfather Salvatore "Bill" Bonanno would have been indicted with other
12 members of the Mafia family in New York and New Jersey as the Bonanno family
13 still heads the five families. Specifically the Estate of Salvatore "Bill " Bonanno
14 and his widow Rosalie Boanno, the niece of Colombo organized crime family,
15 Mafia Don, Joe Profaci. Relatedness and continuity establish the predicate "overt
16 acts" acts; 1) the acts amounted to continued criminal activity, the acts extended
17 for years; or 2) the predicate acts, pose a threat of continued activity as the history
18 reflects. Plaintiff was coerced and extorted and his companies taken over when he
19 was as the sole creator, sole officer, President and majority stock holder as
20 prescribed by Nevada law. Defendants engaged in a variety of conspiracies
21 Schiffels v. Kemper Financial Services, Inc., 978 F.2d at 346, conspiracy; has
22 standing to sue at 349. Judge Flaum noted in United States v. Neopolitan, 791
23 F.2d 489, 497 (7th Cir. 1986), "a conspiracy to violate RICO should not require
24 anything beyond that required for a conspiracy to violate any other federal law".

25
26 10) Saquella, pled guilty to multiple federal charges on March 14, 2008, in
27
28

1 the Eastern Federal District Court of Virginia based on the formal complaints by
2 Plaintiff BJ Davis and Julia Davis, who is a former federal Customs and Border
3 Protection Officer Julia Davis to the FBI and SEC about the illegal activities of the
4 Defendants. Saquella and his co-conspirators (“persons”) Lawrence Kaplan, and
5 Justin Medlin pleaded guilty and were convicted for conspiracy and mail fraud
6 involving fifteen (15) companies, including Plaintiff’s company Beverly Hills
7 Film Studios. The statute of limitations begins at the date of the conviction on
8 March 14, 2008, and the defendant shall estop from denying the essential
9 allegations of the criminal offense in any subsequent civil proceedings Section
10 §1964 Remedies, under Sedima, violations of subsection (c) of § 1962 RICO, to
11 include (b) of § 1962 and 1961(3) further illuminates Saquella’s guilty pleas of
12 multiple RICO predicates. (Exhibit ‘1’- DOJ Press Release Saquella conviction,
13 Exhibit ‘2’ Saquella Waiver of Indictment).

14
15 11) Assistant US Attorney Patrick Stokes for the Eastern Federal District
16 Court of Virginia communicated in writing that the DOJ is aware of Saquella’s
17 association with the Bonanno organized crime family. It was communicated the
18 DOJ did not have the resources to fully and thoroughly investigate and prosecute
19 all of the parties involved in this criminal endeavor. (Exhibit ‘3’ - Stokes e-mail
20 RE: Saquella/Bonanno association).

21
22 12) Plaintiff BJ Davis, an accredited film and television Hollywood
23 producer/director, member of the Directors Guild of America and Producers Guild
24 of America with his companies Beverly Hills Film Studios, Inc., Forget About It,
25 Inc. and Dirty Love, Inc. were extorted by the Bonanno crime family and fell
26 victim to the prohibited racketeering schemes of the perpetrators known herein as
27
28

1 defendants in a total of fifteen companies and other related RICO violations.
2 Plaintiff would not be part of a penny stock racketeering scheme with the Bonanno
3 group and that set the wheels into motion to get rid of the accredited film-make
4 maker and his four partners John D. Schofield, producer of Academy Award
5 winning films "ALI", "Jerry McGuire" and "As Good As It Gets" and producer,
6 Hoboken, New Jersey Detective commander, Captain Anthony Falco,
7 businesswoman, and Entrepreneur Eva Choina, Executive Producer Beau Davis
8 and screenwriter and producer Julia Davis to tally a total of 24,000 victims, nearly
9 \$20 million dollars defrauded as reflected in the DOJ PR, Exhibit '1'.
10

11 13) Third party beneficiaries, victims with point participants in economic
12 gross and net receipts to the company and film productions, to include but not
13 limited to Academy Award nominees Burt Reynolds, Raquel Welch, Robert
14 Loggia, Charles Durning, Richard Grieco, Phyllis Diller, John D. Schofield, Eva
15 Choina, Anthony Falco, Julia Davis, Beau Davis, Carmen LaBruno, Cary
16 Glieberman, Jenny Blackwood, Manual Flores and Plaintiff BJ Davis. The third
17 part beneficiaries relied on plaintiff as the sole creator, President, sole officer and
18 majority stockholder of Beverly Hills Film Studios, Inc. and, Forget About It, Inc.
19 to protect their potential income earnings to include but not limited to stock
20 holders.
21

22 14) Beverly Hills Film Studios, Inc., one of fifteen companies, has nearly
23 three thousand investors from BHFS, FAI, DLP, from a grand total of 24,000
24 victims with losses of over \$20 million as a direct result of the RICO "Enterprises"
25 and "Persons" as part of the Bonanno organized crime family engaging in
26 prohibited racketeering. Continuity plus relationship is highlighted as explained in
27
28

1 Sedima, pattern of racketeering activity exists and fact-specific in Jones v. Lapme,
2 845 F.2d 755, 757 (7th Cir. 1988). The factors 1) the number and variety of the
3 predicate “overt acts” and the years in which they were committed by recidivist
4 Saquella (1997) as a Bonanno agent, 2) 24,000 victims from 15 companies in this
5 one cluster of violations, 3) each company required its own unique and formulated
6 scheme to deceive the public, 4) \$20 million dollars defrauded from the 24,000
7 victims and the amount of theft and damages to plaintiff in totality will be
8 determined at the time of trial by jury in the dollar amount.

9
10 15) Per Saquella’s directive acting for Bonanno, the Defendants conspired
11 to execute multiple forgeries of Nevada Corporate registrations, financial, business
12 and supportive documents pertaining to Beverly Hills Film Studios, Forget About
13 It, Inc., Dirty Love Productions, Inc. were set into motion by “strawmen”,
14 Kimberley Dawn Lebel aka Kates and Michael Manasseri, Michael Gardiner,
15 Melissa Welch-Blue, to include but not limited to known and unknown others. An
16 elaborate check kiting and forgery scheme was created, with the transferral of the
17 companies, bank records. Defendants conspired to commit bank fraud, wire fraud,
18 mail fraud, theft of mail, aided and abetted by rogue federal employees Herbert
19 Kaufer, James Wong and Jeffrey Deal while orchestrated to discredit Plaintiff and
20 to stop other city, county, state and federal agencies from investigating and
21 prosecuting the complaints of Plaintiff. (Exhibit ‘13’ - Kaufer personal notes to
22 stop investigations).

23
24 15) Plaintiff sought relieve in CA Superior State Court lawsuit, Case no.
25 BG323455 that was filed on October 26, 2004, the first in a series of lawsuits by
26 Plaintiff against the parties. The Plaintiff was coerced and defrauded into signing a
27
28

1 settlement agreement drafted by co-defendant Michael Gardiner, former mafia
2 attorney of Michael R. Saquella to settle the case quietly. Defendants lied and
3 defrauded plaintiff to deceive him into signing a settlement leaving the company
4 to the co-defendants to carry on with their stock manipulations).

5
6 16) In return, co-defendants, Lebel aka Kates and others would make full
7 disclosures as to their conversations, activities and documents exchanged with co-
8 defendants Kaufer, Wong, Deal and others known and unknown as it pertained to
9 plaintiff and his wife Julia Davis who is a former federal law enforcement officer
10 whistleblower prevailing in EEOC actions against the DHS with Wong, Kaufer
11 and Deal retaliating against Julia Davis and plaintiff as they were agency
12 defendants in the Julia Davis case in which she prevailed.

13
14 17) The EEOC Judge Daniel Leach stated the agency had acted illegally
15 against Julia Davis and in the proceeding Wong, Kaufer and Deal attempted to
16 attack plaintiff with no cause or jurisdiction which is not a matter before this court.
17 Plaintiff tenders F.R.P. 9(b), Moore v. PaineWebber, Inc. 189 F.3d 165 (2d Cir.
18 1999) to fully emphasize the deceit, lies and over acts utilized to strong-arm his
19 company, his family and himself. Lebel on behalf of the Bonanno group
20 committed perjury during sworn affidavits and depositions representing full
21 compliance to the settlement pre-requisites of full disclosure for plaintiff to agree
22 to release his total ownership and control of the company while retaining certain
23 contractual rights with the return of all of his intellectual properties and film
24 projects acquisitioned by the company Beverly Hills Film Studios, Inc. as assets.

25
26 18) Contrary to the perjured misrepresentations to deceive and defraud
27
28

1 plaintiff recent discovery in other legal proceedings reveals that Lebel aka Kates
2 conspired with co-defendants, Kaufer, Deal, Saquella and others known and
3 unknown; did exactly the opposite as opposed to sworn affidavits made under the
4 penalty of perjury. The Defendants continued to conspire with each other and to
5 facilitate prohibited racketeering fully endorsed and protected under the color of
6 law while aiding and abetting the extortion of plaintiff and his companies. (Exhibit
7 '21' - Kaufer notes of Kates retractions in violation of settlement agreements)

8
9 19) It was only a means to delay this inevitable RICO action. Every
10 settlement drafted was derived to defraud and to deceive plaintiff out of his
11 economic advantage. Coerced and extorted in violation of Hobbs Act, Section
12 1964 (c) authorizes a private suit by “[a]ny person injured in his business or
13 property by reason of a violation of 1962.” Section 1962 in turn makes it unlawful
14 for “any person”-not just mobsters -to use money derived from a pattern of
15 racketeering activity to invest in an enterprise, to acquire control of an enterprise
16 through a pattern of racketeering activity, or to conduct an enterprise through a
17 pattern of racketeering activity. §§ 1962(a)-(c). *If the defendant engages in a*
18 *pattern of racketeering activity in a manner forbidden by these provisions, and the*
19 *racketeering injure the plaintiff in his business or property, the plaintiff has a*
20 *claim under §§1964 (c). Id. at 3285 (emphasis added) . Saquella and Kates*
21 continued to issue and trade forged stocks via Colonial Stock Trading Company.

22
23 20) The settlement agreements drafted by the Bonanno group were derived
24 by coercion, extortion, fraud and deceit and only recent discovered in the Central
25 Federal District Court of California, Davis v. USA Case No. ED-5:07-CV-00481-
26 SGL-OP was the fraud and deceit under RICO and extortion under the color of
27
28

1 law were made known separate and unrelated. As a result of the RICO violations
2 all agreements and/or actions taken, agreed to or ruled on by any court can be
3 vacated and the business concerns returned to the injured party, i.e., the plaintiff in
4 accordance with RICO provisions will seek injunctive relief.
5

6 21) Plaintiff also secured AZ Restraining orders on January 17, 2006,
7 against Salvatore "Bill" Bonanno, Michael Paloma aka Saquella, Anthony
8 Tarantola, Kimberley Dawn Lebel aka Kates, Michael Manasseri and Stephen
9 Eckleberry in CA Superior Court.
10

11 22) The Defendants conspired to attack plaintiff under the color of law
12 where Kaufer and Deal's own handwritten notes state that they will be protected
13 personally and they in turn, will protect the agents and representatives of the
14 various enterprises, Bonanno crime family. Specifically, Kaufer, Deal and Wong
15 with Kimberley Dawn Lebel aka Kates, Michael Saquella aka Paloma, Anthony
16 Tarantola, Jonathan Dimock, Noel Kendall, Robert Braner, Melissa Welch-Blue
17 and Michael Gardiner and others known and unknown, acting as an agents for the
18 Bonanno family, Estate of Bonanno, Rosalie Bonanno, Beverly Hills Film Studios,
19 Inc., Big Screen Entertainment, Inc., Forget About It, Inc., Dirty Love
20 Productions, Inc., Comanche Properties, More Than One Productions, Inc.,
21 Halfway To Tucson, Inc., Best Domain Web Hostings, Amazon.com, Internet
22 Movie Database, Screen Actors Guild, Screen Actors Guild Producers Health
23 Plan, Sedona Cinemas, Mallview Cinemas, Raging Bull, Allumination, San
24 Bernardino County Sheriff Department, Los Angeles Police Department, Federal
25 Bureau of Investigation, Internal Revenue Service. Kaufer and Deal discussed
26 engaging other law enforcement agencies to selectively and maliciously prosecute
27
28

1 plaintiff and his family members while revealing plaintiffs complaints to the FBI
2 and SEC to co-defendants of the organized prohibited racketeering entities and
3 individuals. Kaufer and Deal conspired with the San Bernardino County Sheriff
4 Department to have plaintiff and Julia Davis arrested on false and contrived
5 charges while knowing plaintiff was innocent and consequently facilitated by
6 Kaufer and Deal to falsify accusations with state statutes that did not apply.

7 23) Consequently, the CA Superior Court dismissed the case by Ex Parte
8 Motion and then ruled that the plaintiff and Julia Davis were factually innocent,
9 sealed and destroyed the court record as a result of Kaufer and Deal's criminal and
10 corrupt acts under the color of law and Hobb's Act violations 1946 (Exhibit '4'-
11 CA Superior Court Ruling).

12 24) The Mafia as the force behind these RICO violations 18 U.S.C. § 1962
13 (a), (b), (d) comes full circle of the four (4) predicates "overt acts" with defendants
14 as persons and enterprises as well associates in fact.

15
16 25) **"DEFENDANT PERSONS"** - "Person" within the meaning of 18
17 U.S.C. §§ 1961 (3) and 1964(c). As a result, the Estate of Bonanno, acting on
18 behalf of the late Don Salvatore "Bill" Bonanno crime family as officers, agents
19 and employees (including but not limited to the entities, enterprises named in the
20 complaint) constitute an association-in-fact enterprise within the meaning of 18
21 U.S.C. §§ 1961 (4) and 1962 (c) (the "Mafia Bonanno Family Enterprise(s)). In
22 the alternative within the meaning of 18 U.S.C. §§ 19621 (4) and 1962 (c). Herein
23 known as the Estate of the late SALVATORE "BILL" BONANNO. Plaintiff
24 herein alleges deceased defendant mob boss Salvatore "Bill" Bonanno of the
25 Bonanno Mafia crime family which is a RICO enterprise that perpetuates criminal
26 patterns of long term crimes for criminal financial gain, in criminal penny stock
27
28

1 fraud, pump and dump scams, forgery, check kiting, bank fraud, wire fraud, mail
2 fraud, theft, extortion, coercion, blackmail, slander, defamation of character,
3 assault, death threats, copyright violations to include but not limited to the
4 participation and knowledge of Defendants ESTATE OF SALVATORE "BILL"
5 BONANNO, ROSALIE BONANNO, MICHAEL R. SAQUELLA aka PALOMA
6 aka BLAKE, KIMBERLY DAWN LEBEL aka KATES aka PATRICIA
7 BANDERA, aka MAPPIN, MICHAEL AARON GARDINER, HERBERT
8 KAUFER, JEFFREY J. DEAL, JAMES WONG, RICK FLEMING, NICHOLAS
9 BROWNING, III, DAVID FRANCIS ZAPPONE aka JOHNNY RAMBOVA,
10 FRANCIS T. ZAPPONE, JIM JACOBS, STEPHEN ECKLEBERRY, ROSSLYN
11 HORNSBY, MICHAEL MANASSERI, NOEL KENDALL, PHIL "THE CLUB"
12 AMATO, JONATHAN DIMOCK aka CHUCK BANKS, PHIL YOUNG,
13 ANTHONY TARANTOLA, DAVID STOCKER, LAWRENCE KAPLAN,
14 JUSTIN MEDLIN, STEVE BERG, BRION KOS, ROBERT BRANER, ROBERT
15 LASKOWSKI, MELISSA WELCH- BLUE, DONNA STEWARD, WILLIAM
16 TANNAZ, HERB GOLDMAN, CHARLES SNIPES, NILS GREVILLIOUS,
17 KRISHNA MAHADOO, MISTI REYNOLDS, GLORIA LUNA, BRIAN
18 DRISCOLL, NATE WILLIAMS, KEITH WILLIAMS, JOHN BAGNOLLI,
19 ANGIE ORTANEZ, ARNIE MEDRANO, RAY PITESKI, MIKE ESCOTT,
20 SHERRY MacALLISTER, JOHN QUINN, JOHN VINING, MARK HUNTER,
21 MIKE ESCOTT, SUSAN BOUTWELL, CAROLINE CLARK, MICHELLE
22 KENNEY and John Does 1 through 50. Hobbs Act and See National Organization
23 For Women v. Scheilder, 510 U.S. 249, 259 n.5 (1994), 18 U.S.C. § 1962 (c), 18
24 U.S.C. §§ 2, 1341 and 1343.

25
26 26) Plaintiff alleges the Defendants named herein, associated with their
27
28

1 enterprises have intentionally and habitually by reason of the defendants
2 participation and management of the enterprise and pattern of racketeering, the
3 Plaintiff is entitled to treple damages, attorney fees and costs under Section 1964
4 (c). (commonly referred to as RICO's civil liability provision). Section 1962 (a)
5 and (b) Plaintiff has sustained more than injury flowing from the racketeering
6 activity.

7
8 27) Section 1962 (a) Plaintiff contends and will prove at the time of trial
9 injuries by defendants investment of the proceeds of racketeering activities. Under
10 Section 1962 (b), Plaintiff was injured by Defendants coercion, defendant's
11 acquisition ("strong-arming" - Hobbs Act) or maintenance of an interest in or
12 control over an enterprise through a pattern of racketeering activity in the pink
13 sheet penny stock fraud schemes. Further illuminated by the convictions of seven
14 (7) individuals operating in RICO predicates by Bonanno Lieutenant, Co-
15 Defendant Saquella, pleading guilty on March 14, 2008 in the Eastern Federal
16 District Court of Virginia who waived his rights and indictment.

17
18 28) A clinical review of these multiple flagship penny stock scam
19 companies, prefaced foundationally with the multiple convictions with only a
20 partial conviction of the co-defendants, Plaintiff has demonstrated and established
21 meeting the RICO application even certain legal interpretations of the RICO Act.

22
23 29) Plaintiff respectfully reaffirms having met Section 1962 (c) standards;
24 1) Plaintiff will prove at time of trial the "Defendants/Persons" affiliated, 2) were
25 employed by or associated with the enterprises, 3) that they engaged in or affected
26 interstate commerce, 4) the Defendants/Persons" operated or managed the

1 enterprise(s), 5) through a “ recitative, long term pattern”, 6) racketeering in penny
2 stock fraud since 1997) the Plaintiff was injured in his business and properties by
3 reason of the “long term and intentional racketeering pattern for financial criminal
4 gain as articulated in the Department of Justice press release in part; praising the
5 waiver of indictment of Bonanno “Cash Cow” mob Lieutenant Michael Ralph
6 Saquella.

7
8 30) “**ENTERPRISES**”: Herein known as the “Enterprises”. Plaintiff
9 alleges the following shell companies or corporations, agencies, unions, city,
10 county, state and federal entities operated as enterprises operating in prohibited
11 racketeering enterprises of penney stock scams and conspired to engage in a
12 variety of overt illegal activities in support of prohibited racketeering enterprises
13 under the directives of Salvatore “Bill” Bonanno with co-conspirators Anthony
14 Tarantola, Michael Ralph Saquella and others known and unknown. United States
15 v. Turkette, 452, U.S. 576, 580-81(1981). “Enterprises” within the meaning under
16 Subsection (4) of § 1961, the term “includes any individual, partnership,
17 corporation, association, or other legal entity, and any union or *group of*
18 *individuals associated in fact* although not a legal entity.”

19
20 31) United States v. Turkette describes a racketeering enterprise as “a group
21 of persons associated together for common purpose of engaging in a course of
22 conduct” and as an “ongoing organization, formal or informal {with} various
23 associates functioning as a continuing unit”. The Bonanno crime family is not
24 structured as formal as a corporation or partnership, but the relationships with the
25 structured entities are “associations in fact” or that a combination of individuals
26 and corporations constitutes an enterprise. The Seventh Circuit has held that a sole
27
28

1 proprietorship could be an “enterprise” with which the proprietor can be
2 associated. Labor unions , government and public agencies have been
3 characterized as enterprises in the concept of RICO purposes. United States v.
4 Conn. 769 F.2d 420 (7th Cir. 1985). Defendants as co-conspirators with their
5 multiple failed and/or revoked companies operating in the commerce of prohibited
6 racketeering, money laundering, mail fraud, forgery, theft and Hobbs Act
7 violations frame plaintiffs filing.

8
9 32) As a result, the Estate of Bonanno, acting on behalf of the late mob Don
10 Salvatore “Bill” Bonanno crime family as officers, agents and employees
11 (including but not limited to the entities, enterprises named in the complaint)
12 constitute an association-in-fact “Enterprise” within the meaning of 18 U.S.C. §§
13 1961 (4) and 1962 (c) (the “Mafia Bonanno Family Enterprise(s)). In the
14 alternative within the meaning of 18 U.S.C. §§ 1962 (4) and 1962 (c), United
15 States v. Castellano, 610 F.Supp. 1359, (S.D.N.Y. 1985).

16
17 33) These acts with convictions advances the standing of the filings. The
18 officers and parties operated “under the appearances” of legitimate corporate
19 parents and their subsidiaries engaged in criminal penny stock fraud, pump and
20 dump scams, fraud, deceit, check kiting, bank fraud, mail fraud, mail theft, wire
21 fraud, forgery, extortion, Hobb’s Act violations, theft, coercion, blackmail,
22 slander, defamation of character, material misrepresentations to defraud the public
23 and to do irreparable financial and professional harm to the Plaintiff by the
24 ESTATE OF SALVATORE “BILL” BONANNO, the late Salvatore “Bill”
25 BONANNO, BIG SCREEN ENTERTAINMENT GROUP, PARACORP [
26 Seventy (70) companies] INCORPORATED, AMAZON.COM, INTERNET
27
28

1 MOVIE DATABASE.COM, MORE THAN ONE PRODUCTIONS, PINE
2 CANYON RECORDINGS, BEST DOMAIN AND WEB HOSTINGS, INC.,
3 COMANCHE PROPERTIES, HALFWAY TO TUCSON PRODUCTIONS,
4 HARKINS THEATERS, dba SEDONA CINEMAS, LLC., ALLUMINATION,
5 FIRST AMERICAN STOCK_TRANSFER, COLONIAL STOCK TRANSFER
6 COMPANY, BELLACOSSA FILMS, INC., LOS ANGELES POLICE
7 DEPARTMENT, WELLS FARGO BANK, MALLVIEW CINEMA, SAN
8 BERNARDINO COUNTY SHERIFF DEPARTMENT, CA DEPARTMENT OF
9 JUSTICE, FEDERAL BUREAU OF INVESTIGATION, INTERNAL REVENUE
10 SERVICE. Plaintiff alleges the parties solicited the “association-in-fact” of some
11 parties while operating the enterprises for the Bonanno crime family and deriving
12 income and influence for the parent entity/Godfather. 18 U.S.C. § 1961 (4).

13
14 34) Formal or informal the assembly of parties and/or enterprises surpass
15 the pre-requisite three (3) characteristics; 1) continuity of structure and personnel,
16 2) a common shared purpose to drive the stock prices in penny stock scams, to
17 deceive and entice the public; 3) a clearly defined structure that is inherent in the
18 pattern of racketeering to achieve goals and objectives legally and/or illegally. Co-
19 defendants guilty pleas define the RICO overt acts. Diamonds Plus v. Kolber, 960
20 F. 2d 765,769 (8th Cir.1992). At the time of trial Plaintiff will articulate activity
21 distinction in the stock fraud, “*pump and dump*” which is memorialized in United
22 States v. Michael R. Saquella from the Eastern Federal District Court of Virginia,
23 the Honorable Judge Leonie M. Brinkema presiding, Case No.1:07CR305-001 and
24 Saquella’s guilty pleas (Title 18, United States Code Section 371) to commit
25 securities fraud and in violation of (Title 15, U.S.C. sections 78j(b) and 78ff and
26 17 C.F.R. Section 240.10-b(5)) and (2) conspiracy to commit mail fraud, Title 18

1 U.S.C. section 1037(a)(3) and (b)(1)(A).

2
3 35) Saquella waived indictment and entered pleas after plaintiffs formal
4 complaints to the Securities Exchange Commission and Federal Bureau of
5 Investigation in Phoenix, AZ and Los Angeles, CA, both being the origin of the
6 investigations and subsequent court findings when plaintiff was made an FBI
7 Confidential Informant.

8
9 36) Co-Defendants DAVID STOCKER, LAWRENCE KAPLAN and
10 JUSTIN MEDLIN have been convicted or pled guilty while Defendant
11 ANTHONY TARANTOLA, Bonanno's nephew awaits a federal indictment as a
12 cornerstone and Bonanno family representative with companies/enterprises such
13 as Comanche Properties, Halfway To Tucson Productions, Red Rock
14 Entertainment, Pine Canyon Recordings, Pine Canyon Studios, NevCal, Big
15 Screen Entertainment Group, Paracorp Inc., AT Emerald, Inc., Broadleaf
16 Investments, Franklin-Blue Consulting, Big Screen Entertainment Group, Inc.,
17 Forget About It, Inc., Dirty Love Productions, Inc., and Latin Heat all which are
18 tied to the co-defendants as referenced in the Department of Justice Press release
19 related to the multiple conspired and organized schemes of person(s), convicted
20 felons, the co-defendants, enterprises and subsequent convictions. The names
21 herein total nine convictions because of plaintiffs reports to the FBI and SEC and
22 others forthcoming.

23
24 *The Ninth Circuit stated:*

25
26 [T]he Supreme Court's statement in *Turkette* that an enterprise
27
28

1 is an entity separate and apart from the pattern of activity in which it engages is
2 not a statement that an associated-in-fact enterprise must have some kind of
3 separate structure. 452 U.S. 583, 101 S.Ct. 2524. Rather, it is merely a statement
4 of the obvious: The enterprise and its activity are two separate things. One is the
5 enterprise. The other is the activity.

6
7 *Id.* At 551. The Ninth Circuit concluded that a viable association-in-fact
8 enterprise must simply possess their characteristics: “the group must have a
9 common purpose”, the group must function as an ongoing organization, formal or
10 informal,” and the various associates must function as a “continuing unit.” *Id.* At
11 552 (citingTurkette, 452 U.S. at 583, 101 S.Ct. 2524).

12
13 **37) “Enterprise Engaged in Affecting Interstate Commerce”** - When a
14 RICO claim is based upon a violation of federal criminal statues (see 18 U.S.C.
15 1961 (1)(B)), the nexus with interstate commerce is necessarily established by the
16 commission of the underlying federal crime. See United States v. Urban, 404 F.3d
17 754, 767 (3d Cir. 2005)(stating that “the government /plaintiff”need only prove
18 that Hobbs Act extortion “potentially affected interstate commerce”). Moreover,
19 because the U.S. Constitution confers the postal powers upon the federal
20 government, acts of mail fraud, theft of mail, even interstate use of the mails, have
21 an inherent nexus with interstate commerce. United States v. Elliot, 89 F.3d 1360
22 (8th Cir. 1996). Saquella and co-defendants pled guilty to the acts and conspiracy
23 while other co-defendants overtly engaged in the ongoing conspiracies of
24 racketeering while perpetuating other felonies under the RICO and Hobbs Act.

25
26 **38) RICO §1962 (a), Mail fraud, U.S.C. 18 §1341 and theft of United States**
27
28

1 mail was perpetrated repeatedly by Kimberley Lebel aka Kates in association with
2 Bonanno, Saquella, Tarantola, Welch-Blue, Gardiner and others stole plaintiffs
3 mail, filed a fraudulent and forged change of address, stole the mail as delivered to
4 a false address and then copied and distributed the mail to the co-defendants as
5 recounted in the handwritten notes of Herbert Kaufer and Jeffrey Deal with the
6 endorsement of James Wong. Lebel aka Kates, Saquella, Bonanno, Tarantola,
7 Gardiner, Welch-Blue, Braner, Laskowski, Kaufer, Deal, Wong and others known
8 and unknown did make material and false misrepresentations in the furtherance of
9 commerce and criminal activities to government agencies (co-defendants), press
10 releases, Business Wire, Securitron Magnallock Corp. V. Schnabolk 65 F.3d 256
11 (2d Cir. 1995) (Exhibit '20' - Kaufer notes per Lebel aka Kates confessions of
12 mail theft, fraud and forgery).

13
14 39) Violations of the mail fraud statute are almost always alleged in RICO
15 complaints, a nexus with interstate commerce is almost always present. Mail fraud
16 and theft was utilized extensively in the continuity and parties under the organized
17 crime activities of Bonanno, Saquella, Gardiner, Kates and Tarantola while
18 protected by co-defendants, rogue ICE employees Herbert Kaufer, James Wong
19 and Jeffrey Deal as documented with tangible irrefutable evidence to include but
20 not limited to Salvatore "Bill" Bonanno, all of whom are on surveillance audio
21 tape, video and/or pictures threatening the life of Plaintiff to surrender his
22 company and proceeds meeting every aspect of the Hobbs Act in association with
23 RICO violations as prescribed in these statutes, 18 U.S.C. § 1962 (a), (b), (c), (d).,
24 formulating RICO's "Golden Triangle".

25
26 40) Evidence of handwritten notes of Immigration and Customs
27
28

1 Enforcement Agents Herbert Kaufer, James Wong and Jeffrey Deal articulate the
2 bank fraud, mail fraud, theft of mail, wire fraud, Internet fraud, theft, forgery and
3 fraud endorsed by Kaufer and Deal "under the color of law" while revealing the
4 identities of plaintiff and Julia Davis to the Bonanno family in violation of the
5 Identities Protective Act 1982, a federal felony as provided by the Phoenix, AZ
6 office of the Federal Bureau of Investigation egregiously. During discovery
7 Plaintiff will ascertain the number of violations and will amend the complaint.
8 Discovery shows that Kaufer and Deal utilized the Patriot Act and wasted
9 government resources to aid and abet these racketeering enterprises. At the time of
10 trial by jury plaintiff will establish an improper relationship with Herbert Kaufer
11 and Kimberley Dawn Lebel aka Kates (Exhibit '5'- Kates Affidavit Plaintiff "CI").
12

13 41) Under the color of law while being aware of plaintiff protected
14 disclosures, whistleblowing and formal complaints to the Federal Bureau of
15 Investigation, Securities Exchange Commission, Los Angeles Police Department,
16 Los Angeles County District Attorneys office, San Bernardino County Sheriff
17 Department, Wells Fargo Bank, Kaufer and Deal with Wong conspired and
18 exerted all of their influence to protect the racketeering conspiracy and activities
19 of the Bonanno crime family from being investigated and prosecuted. Wong
20 exceeded the scope and authority of his office to make false and perjured requests
21 to the Arizona Attorney General Terry Goddard to prosecute plaintiff while
22 knowing the Bonanno crime family was being protected by his agents Kaufer and
23 Deal. Wong in a letter to Arizona Attorney General Goddard states, "his office
24 does not have jurisdiction". A) Wong recites an FBI number for Plaintiff and
25 during the course of discovery plaintiff will ascertain if that FBI number is
26 Plaintiff's code number as a Confidential Informant "CI" unlawfully released by
27
28

1 the FBI to Kaufer, Wong and Deal. B) Wong, Kaufer and Deal conducted
2 warrantless searches, warrantless surveillance, refused to comply with a CA
3 Superior Court order to return items taken by all of the defendants of property
4 belonging to plaintiff and family members. C) The defendants executed “sneak
5 and peak:” searches; D) abused the “Patriot Act” to advise the co-defendants from
6 the Bonanno family the whereabouts of plaintiff for Mafia elements to stalk and
7 attack plaintiff. E) Attorney Peter Szabadi’s letter of plaintiff’s standing in
8 company (Exhibit ‘6’ - Attorney Peter Szabadi affidavit).

9
10 42) Wong knew plaintiff was not a party to any crimes regarding plaintiffs
11 own company while contacting a “strawman” and forger of the Bonanno clan, a
12 figure Nevada police know very well, Melissa Welch-Blue, a noted gang member.
13 Wong, Kaufer and Deal made material misrepresentations to Attorney General
14 Goddard who declined their unlawful and non-jurisdictional solicitations. Herbert
15 Kaufer sends Kates, the subject of formal forgery and check kiting complaints, an
16 adult film actress plaintiffs signatures samples from various government agencies
17 while stopping Kates from being investigated for forging on Kaufer’s official
18 government letterhead. Kaufer and Deal conspire to launch the Internal Revenue
19 Service against plaintiff and his family members.
20 Exhibit ‘7’ - Wong Letter to AZ AG, Exhibit ‘8’ - Wong letter to a Bonanno
21 “strawman”. Exhibit ‘9’ - Kaufer Fax to Kates).

22
23 43) **“Defendant’s Operation or Management of Enterprise”** The
24 liability of RICO violation is NOT limited to “upper management” per the
25 Supreme Court. Defendant(s) must operate and manage the enterprise as they have
26 historically . Reeves v. Ernst & Young, 507 U.S. 170, 183 (1993). An enterprise
27
28

1 is "operated" not just by upper management but also by lower rung participants in
2 the enterprises who are under the direction of upper management and in this case,
3 the Mafia Mob Boss Salvatore "Bill" Bonanno. An enterprise also might be
4 operated or managed by others associated with the enterprise who exert control
5 over it as, for example, by bribery. Bonanno reigned as the Godfather while his
6 soldiers/"strawmen" acted on his behalf buffered and protected by all forms and
7 jurisdictions of law enforcement headed by Herbert Kaufer and Jeffrey Deal with
8 their supervisor James Wong, three federal employees heralded as being
9 America's front line of defense against terrorism. These three individuals in
10 association with the Salvatore "Bill" Bonanno crime family represent a form of
11 tyranny and financial terrorism that should be purged from American society and
12 federal employment at the taxpayer's expense. A paramount civil and financial
13 ruling on behalf of plaintiff where the constitution is violated and citizens
14 deceived by the thousands by criminal elements from both sides of the badge to
15 advance the extortion of Americans everywhere is proper.

16
17 **44) "The Pattern"**

18
19 a) Relatedness - Penny Stock Fraud Schemes ring true with the
20 same pattern of similar purposes ("pump and dumps") , results (estimated \$20
21 million in losses and earned income from prohibited racketeering enterprises), the
22 participants (Bonanno crime family and lieutenant Michael Ralph Saquella,
23 Anthony Tarantola and Kimberley Dawn Lebel aka Kates), victims (in this case
24 there are 24,000), or methods of commission or otherwise interrelated by
25 distinguishing characteristics. United States v. Daidone, 471 F.3d 371, 376 (2d
26 Cir. 2006). This represents only one block of fifteen companies. Plaintiff will
27
28

1 show at trial where the parties made a reported \$45 million in days via other
2 RICO enterprises. This is foundational in the Department of Justice's own Press
3 Release related to the convictions of the defendants.

4
5 b) Continuity - The guilty pleas of Bonanno Lieutenant
6 Michael R. Saquella on March 14, 2008 constitutes nearly ten (10) years of
7 prohibited racketeering enterprises. Beverly Hills Film Studios, Inc., Forget About
8 It, Inc., Dirty Love Productions, Inc. were birthed by Saquella and Phil Young of
9 First American Stock Transfer from a shell company "Blue Shadows" and
10 Cornerstone, Inc. in 1997. Some courts have held "a substantial period of
11 time" may be as little as a year. See Religious Technology Ctr. V. Wollersheim,
12 971 F.2d 364, 366 (9th Cir. 1992). Bonanno, Saquella and Tarantola are not new
13 to this endeavor with Comanche Properties, Halfway To Tucson Productions,
14 More Than One Productions, Inc. Big Screen Entertainment Group, Best Domain
15 Website Hostings, Pine Canyon Recordings, AT Emerald, Inc. Saquella was
16 sanctioned in early 2000 as a recidivist violator represented by co-defendant
17 Michael A. Gardiner in other related legal matters. Long term and continuity are
18 clearly defined as RICO predicates "OVERT ACTS" 18 U.S.C. § 1961(5).
19 Bonanno's nephew awaits indictment and Salvatore "Bill" Bonanno would have
20 been prosecuted had he not died.

21
22 c) Multiple Schemes and Pattern - March 14, 2008, the guilty
23 pleas of Michael Ralph Saquella having pillaged fifteen (15) companies, a BJ
24 Davis company Beverly Hills Film Studios, Inc., Forget About It, Inc., Dirty Love
25 Productions, Inc. being one of those with 24,000 victims and nearly \$20 million
26 dollars as validated in the Eastern Federal District Court of Virginia, Case No
27
28

1 1:07CR305, the Honorable Leonie Brinkema as reported by plaintiff. Checking,
2 forgery, theft of mail, bank fraud, wire fraud, mail, mail theft, fraud, deceit, "pump
3 and dump" penny stock scams and schemes. Sanctioned, protected, endorsed and
4 conspired with James Wong, Herbert Kaufer and Jeffrey J. Deal as members of the
5 enterprises were not prosecuted and justice obstructed, while attempting to have
6 plaintiff and his family prosecuted, to include but not limited to the Los Angeles
7 Police Department, San Bernardino County Sheriff Department, Internal Revenue
8 Service, Federal Bureau of Investigation and other known and unknown. Multiple
9 organizations were created and as a direct and proximate cause of Defendant's acts
10 of mail fraud, theft and wire fraud, and it's violation of 18 U.S.C. § 1962 (c),
11 Plaintiff has been injured in his business, profession, bonding, banking and
12 properties within the meaning of 18 U.S.C. § 1964 (c), in that Plaintiff suffered
13 consequential damages from unauthorized trading that would not have occurred to
14 conduct if defendants had not first covertly acted and then strong-armed plaintiff
15 (Exhibit '15' - Kates notes re: IRS - Angie Ortanez, Exhibit '16' - Kaufer
16 response).

17
18 45) In furtherance of the RICO enterprise attorneys, co-defendants Michael
19 A. Gardiner and Nicholas Browning acting as agents for Saquella, Bonanno,
20 Kates, Kaufer and Deal with others did engage in racketeering acts utilizing
21 federal courts to obstruct justice and as a weapon to commit acts of theft without a
22 gun. At the time of trial this will be articulated and clearly received as fact, by
23 means of fraud, deceit, forgery while aided and abetted by federal law enforcement
24 defendants, a union, the Screen Actors Guild, Los Angeles Police Department, San
25 Bernardino County Sheriff Department, FBI, SEC, IRS and Harkins Theaters,
26 Sedona Cinemas, LLC., plaintiff was extorted, where his economic well being was
27

1 interfered with and civil rights violated under the color of law. Sec. §3.17,
2 Handeem v. Lemaire, 112 F.3d 1339, 1348 (8th Cir. 1997). Gardiner and Browning
3 in violation of Sec. §3.18 conspired with their co-defendants and exhausted all of
4 their resources to execute the perfect crime of stealing a motion picture and film
5 company under the directions of Salvatore “Bill” Bonanno lieutenants.

6
7 46) Gardiner himself being affiliated. Defendants have evaded
8 accountability by ‘harassment by litigation’ shattering Rule 11 of F.R.P. An
9 primary line of defense will be DiSilvestro v. United States, 767 F.2d 30, 32 (2d
10 Cir. 1985) - accusations of plaintiff acting in bad faith and a vexatious litigant has
11 been a means to distract from the facts which being has been endorsed under the
12 color of law previously. Mr. Gardiner is now one of many co-defendants and his
13 perjured acts and material misrepresentations are showcased that smacks of rank
14 disrespect for the court. Title 18, United States Code Section 371) to commit
15 securities fraud and in violation of (Title 15, U.S.C. sections 78j(b) and 78ff and
16 17 C.F.R. Section 240.10-b(5)) and (2) conspiracy to commit mail fraud, Title 18
17 U.S.C. section 1037(a)(3) and (b)(1)(A)

18
19 47) “Racketeering Activity”

20
21 a) Section 1961 (1) of the RICO lists to the predicate acts. Plaintiff’s
22 filing meet the standard and letter of the law. Sedema, S.P.R.L. v. Imrex Co., 473
23 U.S. 479, 500 (1985). Repeatedly, defendants have made material
24 misrepresentations to deceive and entice the general public to invest in bogus shell
25 and or “pump and dump” companies utilizing the Internet, media and maintained
26 by Jonathan Dimock aka Chuck Banks and his Best Domain Web Hosting located
27

1 in Scottsdale, AZ. Securities Act of 1933 - Defendants made material
2 misrepresentations and fraudulent claims in press releases enlisting the support of
3 Business Wire, Amazon.com, Internet Movie Database and others who were
4 legally advised of the criminal activities and elected to proceed incurring more
5 losses to the general public and irreparable damage to plaintiff and his good
6 standing as the only legitimate and accredited film maker in this lot of "Soprano"
7 type rejects.

8
9 48) Herbert Kaufer and Jeffrey Deal's handwritten notes describe their
10 knowledge and participation in this prohibited racketeering enterprises and
11 individuals under the color of law and continued to conspire to execute a series of
12 patterns of racketeering acts connected by a common scheme, plan and act. The
13 finding of factual innocence by a California Superior Court after Kaufer and Deal
14 conspired with the San Bernardino County Sheriff Department arrest plaintiff and
15 Julia Davis on charges that defy the intellect. H.J. Inc. V. Northwestern Bell
16 Telephone Co., 109 S. Ct. 2893, 106 L. Ed. 2d 1951 (1989). Title 18, United States
17 Code Section 371) to commit securities fraud and in violation of (Title 15, U.S.C.
18 sections 78j(b) and 78ff and 17 C.F.R. Section 240.10-b(5)) and (2) conspiracy to
19 commit mail fraud, Title 18 U.S.C. section 1037(a)(3) and (b)(1)(A)

20
21 49) The San Bernardino County Sheriff Department conspired with Kaufer,
22 Wong, and Deal to arrest plaintiff and Julia Davis on contrived and false charges
23 on February 19, 2006. As a result of those charges the case was dismissed and
24 plaintiff and Julia Davis found factually innocent, the record ordered sealed and
25 destroyed with all items taken in two warrantless searches to be returned.
26 Kaufer and Deal were assisted by San Bernardino County Assistant District
27
28

1 Attorney Rick Young in the false charges to impact plaintiff financially so he
2 could not legally and financially protect his film, television production companies,
3 professional business and multiple intellectual properties, literary books, films, tv,
4 music and merchandising under seige by the Bonanno crime family attacked with
5 violence and overt acts from both sides of the badge under the color of law.
6 Plaintiff reserves the right to amend this RICO to include civil rights violations as
7 discovery reveals more outrageous and illegal activities of the growing number of
8 defendants (Exhibit '4' - CA Superior Court Ruling of Factual Innocence”).

9
10 50) The CA Department of Justice - Firearms Division conspired with
11 Kaufer, Wong, and Deal to arrest plaintiff and Julia Davis on contrived and false
12 charges on February 19, 2006. As a result of those charges the case was dismissed
13 and plaintiff and Julia Davis found factually innocent, the record ordered sealed
14 and destroyed with all items taken in two warrantless searches to be returned.
15 Kaufer and Deal were assisted by CA DOJ employee Rick Fleming in the false
16 charges to impact plaintiff financially so he could not legally and financially
17 protect his film, television production companies, professional business and
18 multiple intellectual properties, literary books, films, tv, music and merchandising
19 under seige by the Bonanno crime family attacked with violence and overt acts
20 from both sides of the badge under the color of law. Plaintiff reserves the right to
21 amend this RICO to include civil rights violations as discovery reveals more
22 outrageous and illegal activities of the growing number of defendants (Exhibit '4'
23 - CA Superior Court Ruling of Factual Innocence”).

24
25 51) Kaufer, Wong, and Deal conspired with Rick Fleming of the Ca
26 Department of Justice - firearms Division to arrest plaintiff and Julia Davis on
27

1 contrived and false charges on February 19, 2006. As a result of those charges the
2 case was dismissed and plaintiff and Julia Davis found factually innocent, the
3 record ordered sealed and destroyed with all items taken in two warrantless
4 searches to be returned. Kaufer and Deal were assisted by San Bernardino County
5 Assistant District Attorney Rick Young in the false charges to impact plaintiff
6 financially so he could not legally and financially protect his film, television
7 production companies, professional business and multiple intellectual properties,
8 literary books, films, tv, music and merchandising under seige by the Bonanno
9 crime family attacked with violence and overt acts from both sides of the badge
10 under the color of law. Plaintiff reserves the right to amend this RICO to include
11 civil rights violations as discovery reveals more outrageous and illegal activities of
12 the growing number of defendants (Exhibit '4' - CA Superior Court Ruling of
13 Factual Innocence”).

14
15 52) Rick Verducci of the Alcohol & Tobacco Firearms conspired with
16 Kaufer, Wong, and Deal to arrest plaintiff and Julia Davis on contrived and false
17 charges on February 19, 2006. Verducci made material misrepresentations to
18 individuals via the Internet, NCIC and TECS with fraudulent and perjured
19 representations As a result of those charges the case was dismissed and plaintiff
20 and Julia Davis found factually innocent, the record ordered sealed and destroyed
21 with all items taken in two warrantless searches to be returned. Verducci slandered
22 and defamed plaintiff making false records and statement of facts and events.
23 Kaufer and Deal were assisted by Verducci to make false charges and permanent
24 records to impact plaintiff financially so he could not legally and financially
25 protect his film, television production companies, professional business and
26 multiple intellectual properties, literary books, films, tv, music and merchandising
27
28

1 under seige by the Bonanno crime family attacked with violence and overt acts
2 from both sides of the badge under the color of law. Verducci represented that
3 plaintiff was arrested with a shotgun in his possession in Santa Monica, CA
4 Plaintiff reserves the right to amend this RICO to include civil rights violations as
5 discovery reveals more outrageous and illegal activities of the growing number of
6 defendants (Exhibit '4' - CA Superior Court Ruling of Factual Innocence”).

7
8 53) Amazon.com and Internet Movie Database.com despite legal notices
9 have continued to post items submitted by Michael R. Saquella, Jonathan Dimock,
10 Michael Gardiner, David Zappone, Kimberley Dawn Lebel aka Kates, Caroline J.
11 Clark, Michelle Kenney and others, known and unknown, with false and
12 misrepresentations to remain published on their websites that have greatly
13 damaged the reputations of the plaintiff and his associates while destroying the
14 income earning ability of the film properties. The commentary prompted
15 cancellation with NetFlex and loss of sales making material misrepresentations
16 that the 2006 New Jersey Film Festival winner was a poorly made film and
17 panned. Fraudulent critics a la Chuck Banks who is actually Jonathan Dimcock
18 created by the mafia to impact the stock and to slander and defame plaintiff was
19 the double edged sword. Comparable to Saquella's fake film critic presented by
20 Jonathan Dimock aka Chuck Banks. Michael A. Gardiner conspired and executed
21 the same type of slander and defamation of material misrepresentation from the
22 San Diego, CA law firm of Reidl, McCloskey and Waring before his termination
23 for unlawful use of the computers and Internet stalking of plaintiff. Title 18, United
24 States Code Section 371) to commit securities fraud and in violation of (Title 15,
25 U.S.C. sections 78j(b) and 78ff and 17 C.F.R. Section 240.10-b(5)) and (2)
26 conspiracy to commit mail fraud, Title 18 U.S.C. section 1037(a)(3) and (b)(1)(A)

1
2 a) Mail and Wire Fraud - Mail fraud, wire fraud, theft and bank fraud
3 are instruments in which the Bonanno gang robbed plaintiff and the public. See 18
4 U.S.C. §§ 1341, 1343. Plaintiff presents the Saquella guilty pleas to three (3)
5 counts of fraud while the court was generous and left the bulk of this cancerous
6 entity to continue this criminal legacy under the Bonanno mantel. Kimberly Dawn
7 Lebel aka Kates and Melissa Welch-Blue forged corporate and financial
8 instruments to unlawfully take control of the company and bank accounts.
9 Plaintiff has the handwritten notes of federal agents James Wong, Herbert Kaufer
10 and Jeffrey Deal as to the bank fraud, mail fraud, mail theft and Wells Fargo
11 camera captured perpetrators taking money from a stolen ATM card. Totaling
12 nearly \$50,000 dollars in cash. Reasonable Reliance for Plaintiffs has been met
13 and surpassed as will be established before a jury. Summit Properties, Inc. V.
14 Hoechst Celanese Corp. 214 F. 3d 556 (2000). Purposeful misrepresentations,
15 omissions, false statements, fraud, deceit and intentional withholding of settlement
16 pre-requisites to coerce, extort and entice Plaintiff were used in violations of
17 Hobbs Acts by Saquella, Tarantola, Eckleberry, Hornsby, Manasseri,
18 Zumbrennum, Raging Bull and Investors Hub. Bank of China v. NBM LLC, 359
19 F.3d 171,178 (2d Cir. 2004) .

20
21 54) Herbert Kaufer and Jeffrey Deal's handwritten notes describe their
22 knowledge and participation in this prohibited racketeering enterprises and
23 individuals under the color of law. 18 U.S.C. §§ 1341, 1343. The individual acts
24 are harmful in stand alone statues. However, in carrying out the design of the
25 conspirators which constitutes the cause of action and thereby legal damage to
26 Plaintiff, the injured person has a right to action (*Emphasis added*). RICO in civil
27
28

1 actions demonstrates relief for a person “injured..by reason of: a conspir[acy], “ it
2 meant to adopt these well-established common-law conspiracy principles. See
3 Black’s Law Dictionary 383 (4th ed. 1968).

4
5 b) Bank Fraud - Check Kiting \$1.2 million dollars and forgery of
6 Plaintiff’s names to financial and legal instruments. In part, 18 U.S.C. § 1344
7 (*Emphasis added*) Under Section 1344(2), bank fraud potentially arises even if the
8 victim is not a bank and even if the bank did not lose any of its own property
9 pursuant to a scheme to defraud. Bank fraud arguably occurs whenever a scheme
10 to defraud enables the perpetrator to obtain any funds “under the custody or
11 control of” of the bank. Additional and recent information connects Wells Fargo,
12 Gloria Luna and Brian Driscoll, Wells Fargo employees with the RICO act and
13 extortion under the color of law by Kaufer and Deal (See Kaufer notes , “puts
14 Wells Fargo investigation to bed”).

15
16 55) Thus, if a scheme to defraud results in elderly victims mailing checks to
17 the perpetrator who has then cashed them, the proceeds pocketed by the
18 perpetrator, the perpetrator has arguably engaged the bank in fraud. Kates,
19 Manasseri, Bellacosa Films, Inc., Saquella, Tarantola, Dimock, Pine Canyon
20 Recordings and Welch-Blue, Robert Braner in association with Bonanno forged
21 corporate and banking documents to remove Plaintiff from his sole Nevada
22 standing with forged filings, to include but not limited to Wells Fargo corporate
23 bank accounts, the Nevada Secretary of State where the names were forged to
24 change the name of Beverly Hills Film Studios, Inc. to Big Screen Entertainment.
25 Defendants unlawfully changed the name of the company by forgery and fraud but
26 their status and false claims are exposed by the dates of the documents as to when
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1 they were done with the appearances of legality. To include but not limited to
2 Forget About It, Inc. and Dirty Love Productions, Inc., Murder On The Hudson
3 and others. Wong, Kaufer and Deal conspired with and assisted in this extortion
4 and extortion under the color of law in violation of RICO and Hobbs Act.
5

6 56) Wells Fargo employees Gloria Luna failed to perform her duties and due
7 diligence, acting unlawfully in accessing and dispensing plaintiffs banking
8 information providing legal opinions and obstructed justice with Wells Fargo
9 representative Brian Driscoll to the detriment of plaintiff. Luna and Driscoll acting
10 as agents for Wells Fargo to escape financial liability for Kates forgery conspired
11 with Kaufer and Deal to stop the investigation Plaintiff requested. Luna illegally
12 accessed plaintiff's wife, Julia Davis' checking account and provided the
13 information without a warrant to Kaufer and Deal. Wells Fargo assisted in
14 stopping an investigation they were conducting based on the Plaintiff's CA
15 Superior Court lawsuit "first filed". Kaufer and Deal conspire with Luna
16 representing Wells Fargo offering an unfounded legal opinion while engaging in
17 felony violations (Exhibit '14' - Kaufer notes to stop WF investigation).
18

19 57) Kaufer and Deal who were acting as direct agents of this racketeering
20 enterprise under the color of law that stopped active investigations by Wells
21 Fargo, The FBI, LAPD and SEC aiding and abetting a RICO conspiracy and a
22 pattern of racketeering in the exploitation of Beverly Hills Film Studios, one of
23 fifteen companies ravaged per DOJ reports and convictions (*Emphasis added*).
24 Herbert Kaufer and Jeffrey Deal's handwritten notes describe their knowledge and
25 participation in this prohibited racketeering enterprises, aiding and abetting
26 individuals under the color of law.
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2 c) Extortion - U.S.C. § 1951 (Emphasis added) The audio taped words of
3 Salvatore “Bill” Bonanno, with “death threats”, to include threats of blackmail,
4 extortion and physical attacks by mobster nephew “Capo” Anthony Tarantola,
5 “Strawman” Michael Manasseri, threatening e-mails from Phil Amato, Kimberley
6 Dawn Lebel aka Kates, Phil Amato, Jim Jacobs and others. Physical attacks by
7 David Zappone and Phil Amato, stalking by Stephen Eckelberry wherein Plaintiff
8 obtaining restraining orders against all of the Bonanno family defendants.
9

10 58) AUS Attorney Patrick Stokes recounts his knowledge of Saquella’s ties
11 to the Bonanno family resulting in convictions in the Eastern Federal District
12 Court of Virginia where Saquella’s tough talk is referenced by AUS Attorney
13 Stokes and memorialized in the Department of Justices own Press release of the
14 March 14, 2008 sentencing of Michael Ralph Saquella. Herbert Kaufer and
15 Jeffrey Deal’s handwritten notes describe their conspiracy, knowledge and
16 participation in this prohibited racketeering enterprises and individuals under the
17 color of law while allowing theft of US mail and the unlawful copying and
18 distribution of the stolen mail by Kimberley Dawn Lebel aka Kates and others
19 known and unknown in the furtherance of RICO enterprise(s).
20

21 i. Obtaining Property From Another and Threats of Physical Violence
22

23 As set forth, the Hobbs Act defines “extortion” as the
24 “obtaining property from another, with this consent, induced by
25 wrongful use of actual or threatened force, violence, or fear, or under
26 color of official right” (*Emphasis added*). It should be noted that
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1 Wong, Kaufer and Deal with the FBI, LAPD, san Bernardino County
2 Sheriff Department and others in violation of the FEDERAL
3 IDENTITIES PROTECTION ACT OF 1982 jeopardized plaintiff's
4 safety, life, family and well being by making plaintiff "CI" status
5 public and known to the Bonanno crime family.
6

7 59) Whoever in anyway or degree obstructs, delays, or affects commerce or
8 the movement of any article or commodity in commerce, by robbery or extortion
9 or attempts or conspires so to do, or commits or threatens physical violence to any
10 person or property in furtherance of a plan or purpose to do anything in violation
11 of this section shall be fined under this title or imprisoned not more than twenty
12 years or both. Defendants are in violaiton of a court order to return all items taken
13 during a warrantless search engaged in by Kates, Mansseri, Kaufer, Deal and others
14 that include but not limited to intellectual properties, the original and produced
15 television series "Medal Of Honor" hosted by Academy Award nominee Burt
16 Reynolds, "Charlie Sheen's Stunts Spectacular" and "How To Become a
17 Hollywood Stuntman" hosted by Charlie Sheen, to include plaintiffs' book,
18 "Confessions Of A Hollywood Stuntman", numerous other projects in various
19 stages of development worth millions of dollars.
20

21 ii. Issue of Consent
22

23 *"Civil Plaintiffs cannot press a RICO claim based on attempts*
24 *at extortion that did not succeed in harming them."* Sanchez, 492 F
25 .3d at 14. The mere fact that plaintiff had consented to part with
26 property in response to threats or coerced settlements due to fraud and
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1 government uses his or her legitimate governmental powers to obtain an
2 illegitimate objective. The number of violations will be determined at the time of
3 trial by jury. These pleadings meet the overt act requirements and the felony
4 violation of the federal officer, co-defendants in making plaintiffs identity known
5 as a Confidential Informant violates the trust and credibility of city, county, state
6 and the federal law enforcement offices of the Los Angeles Police Department,
7 San Bernardino County Sheriff Department, , CA Department of Justice, Federal
8 Bureau of Investigation, Internal Revenue Service and those known and unknown,
9 represented in the misconduct of the agents involved that includes Wong, Kaufer,
10 Deal, Quinn, MacAllister, Vining, Escott, Hunter, Piteski, Medrano, Dillard,
11 Ortanez, Williams, N., Williams, Bagnolli and others known and unknown, John
12 Does 1 through 50.

13
14 62) In violation of federal law Immigration and Customs Enforcement
15 Personnel Herbert Kaufer Jeffrey J. Deal, James Wong revealed Plaintiffs identity
16 to the Bonanno crime family as an FBI Confidential Informant when unlawfully
17 released by the FBI. Herbert Kaufer also sent via government letterhead and
18 facsimile receipt signatures of Plaintiff to forger Kimberley Dawn Lebel while
19 Kaufer and his subordinate, Jeffrey Deal obstructed justice in Saquella, Kates and
20 Bonanno being investigated and prosecuted. Kaufer and Deal personally, in their
21 official government capacities stopped Wells Fargo, The Phoenix office of the
22 Federal Bureau of Investigation, Securities Exchange Commission, Nevada
23 Secretary of State, Arizona Attorney General and the Los Angeles Police
24 Department from investigating and prosecuting the Bonanno crime activities,
25 forgeries and check kiting schemes to include but not limited to the forged
26 signatures of financial, business, corporate and stock certificates with the forged
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1 signatures of Plaintiff bJ Davis. Los Angeles Police Officers Nate Williams,
2 Keith Williams and John Bagnolli obstructed justice and aided and abetted a
3 racketeering enterprise after being enlisted by Kaufer and Deal in the department
4 to facilitate criminal activities under the color of law. Plaintiffs identity as a
5 Confidential Informant was illegally revealed in violation of the IDENTITIES
6 PROTECTION ACT of 1982 (Exhibit '5' - Kaufer reveals to Kates FBI status)

7
8 63) In violation of federal law Immigration and Customs Enforcement
9 Personnel Herbert Kaufer, Jeffrey J. Deal, James Wong revealed Plaintiffs identity
10 to the Bonanno crime family as an FBI Confidential Informant. Herbert Kaufer
11 also sent via government letterhead and facsimile receipt signatures of Plaintiff to
12 forger Kimberley Dawn Lebel while Kaufer and his subordinate, Jeffrey Deal
13 obstructed justice in Saquella, Kates and Bonanno being investigated and
14 prosecuted. Kaufer and Deal personally, in their official government capacities
15 solicited other city, county, state and federal agencies to investigate and prosecute
16 plaintiff that is ongoing. Kaufer, Deal and Wong have exerted all of the resources
17 of their federal offices under the color of law to contrive and enlist other legal,
18 professional and personal attacks against plaintiff by the Internal Revenue Service
19 (criminal and civil divisions), Federal Bureau of Investigation (Phoenix, AZ, Palm
20 Springs, CA, Los Angeles, CA, San Diego, CA, Ventura, CA field offices), Los
21 Angeles Police Department, Los Angeles County District Attorneys office,
22 Arizona Attorney Generals office, Maricopa County District Attorneys Office,
23 Phoenix Police Department, Mesa Police Department, San Diego County District
24 Attorney, San Diego Police Department, , SBCSD, CA Department of Justice,
25 San Bernardino County Sheriff Department, United States Attorney Generals
26 offices. The government agencies elected to ignore complaints against the

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1 Bonanno family and assist Kaufer, Deal and Wong in their conspiracy to divert
2 attention away from the prohibited racketeering enterprises and focus on plaintiff
3 and his family members. Plaintiffs identity as a Confidential Informant was
4 illegally revealed in violation of the IDENTITIES PROTECTION ACT of 1982
5 (Exhibit '9' - Kaufer Fax to Kates with Plaintiff's multiple signatures).
6

7 64) James Wong in his official capacity having evidence and or information
8 contrary to his material misrepresentations and facts, Wong solicited the AZ
9 Attorney General Terry Goddard to maliciously prosecute plaintiff for contrived
10 and fraudulent allegations about plaintiff. Wong references a plaintiff FBI number
11 in the correspondence that will be subpoenaed in discovery as this could be the
12 "CI" file that was privileged and confidential. Plaintiffs identity as a Confidential
13 Informant was illegally revealed in violation of the FEDERAL IDENTITIES
14 PROTECTION ACT of 1982 (Exhibit '7' - Wong Letter to AG Goddard).
15

16 65) Herbert Kaufer, Jeffrey Deal, James Wong and Susan Boutwell
17 conspired to obstruct justice and make material misrepresentations under the color
18 of law to deny plaintiff and his family members due process and economic
19 advantages while being slandered and defamed to aid and abet prohibited
20 racketeering enterprises of the Salvatore "Bill" Bonanno crime family. Boutwell
21 referenced film and television star Brittany Murphy to slander and defame plaintiff
22 and his family members while knowing the representations made were perjured,
23 falsified and designed to conspire with elements of the Bonanno crime family in
24 the blackmail, coercion and extortion of plaintiffs film company and titles. Susan
25 Boutwell, A Customs and Border Protection officer who perjured herself during
26 plaintiffs wife's EEOC hearing in which Davis prevailed conspires with Kaufer and
27

1 Deal to attack Julia Davis and plaintiff as validated in audio tape recordings and
2 surveillance video.

3
4 66) Julia Davis is a former federal officer, a whistleblower with protected
5 disclosures who made national security breach revelations known that embarrassed
6 Customs and Border Protection management while exposing Kaufer and Deal's
7 incompetence and corruption. Kaufer and Deal headed two failed selective and
8 malicious prosecutions of the Davis' that was subsequently dismissed before
9 motions were filed to become part of court records exposing gross government
10 misconduct in the huge agency cover-up in which Julia Davis wins a sexual
11 harassment case.

12
13 67) Retaliation against the former officer who prevailed in an EEOC case
14 against the agency. The case of sexual harassment shelved by Kaufer and Deal was
15 confirmed by the Department of Homeland Security, Office Inspector General
16 Elizabeth Redman and where the EEOC Judge Daniel Leach ruled the agency
17 (Kaufer and Deal - *Emphasis added*) acted illegally towards Julia Davis. Kaufer
18 and Deal were compensated for their contributions by Kates on behalf of the
19 Bonanno crime family that defies the intellect. Wilkie v Robbins, U.S., 2007 WL
20 1804315 (2007). Kaufer and Deal interfered with Julia Davis' right to work and
21 Phase II hiring as an FBI agent. It should be noted that Deal was a former FBI
22 agent but left the agency for a "lesser" agency and plaintiff seeks those personnel
23 records.

24
25 68) Plaintiffs Confidential informant status was revealed to members of the
26 Bonanno crime family by Kaufer and Deal as conveyed by the Phoenix and Los

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1 Angeles field offices of the FBI, agents Ray Piteski, Arnie Medrano, John Vininig,
2 Brenda Dillard, Mark Hunter, Mike Escott, Sherry MacAllister and John Quinn, all
3 of whom obstructed justice and chose to ignore irrefutable evidence, audio
4 recordings and video surveillance of Salvatore "Bill" Bonanno and others extorting
5 plaintiff while they were aiding and abetting organized racketeering activities
6 under the color of law. Contrary to Plaintiff having been made a Confidential
7 Informant by the Federal Bureau of Investigation with the code name, "Fall Guy",
8 plaintiff and his family were subjected to physical violence, extortion, fraud, theft,
9 slander, defamation of character, and interference with economic advantage, right
10 to work and income earning ability. The Federal Bureau of Investigation took
11 plaintiffs formal complaints, then solicited his participation as a "CI" only to
12 violate the trust and confidentiality after conspiring with Kaufer and Deal to expose
13 Plaintiffs identity as a Confidential Informant in violation of the IDENTITIES
14 PROTECTION ACT of 1982.

15

16 69) Kaufer, Deal with Kates acting on behalf of the racketeering enterprise
17 recruited Internal Revenue Service - Agent Angie Ortenaz to initiate an
18 investigation against the plaintiff and his family to harass, selectively and
19 maliciously investigate and prosecute as per Kaufer and Deal's own written
20 communications with Kates as an agent for the Bonanno family and prohibited
21 racketeering enterprises. This added legal and financial burden would further
22 diminish plaintiffs ability to protect himself and his family from the combined
23 attacks and efforts of the co-defendants forcing plaintiff into compromised
24 situations in order to extort plaintiff.

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26 iv. Extortion vs. Legitimate Exercise of Government Power

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70) Kaufer and Deal conspired with FBI Agent Mark Hunter to create a bias and prejudice against Julia Davis in her Phase III hiring with the Federal Bureau of Investigation. Kaufer, Deal and Hunter exchanges notes on how “to get Julia Davis”. Instead of processing her employment application Hunter, Kaufer and Deal are soliciting AUS Attorneys Karen Hewitt and as many as eighteen “18” other AUS Attorneys to “create “ charges against plaintiff and his family members per Kaufer’s own handwritten notes and records (*Emphasis added*).

71) Kaufer hoping to attack Plaintiff even attacked family members and contacted the Los Angeles County Sheriff Department where Julia Davis had successfully passed two polygraphs in the course of law enforcement employment asking the polygraph expert to “change” his findings and falsify a passing report to a “failing” report per Kaufer’s own handwritten notes (*Emphasis added*) . Herbert Kaufer and Jeffrey Deal in addition to the Mafia Five families are a threat to society and to plaintiff. There is no allegation or contention in these representations to the court as Herbert Kaufer’s own daily diary shows the true nature of this criminal with a badge feeding off of the taxpayers dollars when he should be housed with Michael Ralph Saquella in federal prison. Criminal deeds by criminals are expected, criminal acts by law enforcement officers like Herbert Kaufer, James Wong and Jeffrey Deal is an outrage, a need and demand for change.

72) Kaufer and Deal empowered the Bonanno crime family and “strawmen” of this prohibited racketeering enterprises by divulging information detrimental regarding plaintiff to be used in civil proceedings while seeking two selective and malicious prosecutions of Plaintiff and his spouse under the color of of law while

1 protecting RICO violations. Kaufer and Deal encouraged the Bonanno group to do
2 as they will with the company and film since plaintiff would be in prison and Julia
3 Davis deported. Kaufer and Deal would then protect all or most of the organized
4 crime group. Only plaintiffs tenacity prevails and keeps the investigations and
5 convictions active. Currently the SEC is investigating Kates and the remaining
6 Bonanno groups, Tarantola awaits indictment and the LAPD is investigating the
7 dirty deeds of those officers. The Office of Inspector Genral for the DHS refers the
8 matter back to the very subjects that are to be investigated. Herbert Kaufer and
9 Jeffrey Deal.

10
11 73) Plaintiffs identity as a Confidential Informant was illegally revealed in
12 violation of the FEDERAL IDENTITIES PROTECTION ACT of 1982. Two
13 selective and malicious prosecutions were instigated by Kaufer, Deal and Wong
14 that were dismissed by the government's own Ex Parte filing prior to Motions To
15 Dismiss were filed and becoming public record based on Gross government
16 misconduct. Per personal service and certified US Mail as well as notices by
17 Michael Proctor of the law firm Caldwell, Leslie & Proctor to the US attorneys
18 office all knew in advance that the plaintiff had been victimized by the Bonanno
19 group and the US Attorneys office was acutely aware of the crimes committed by
20 Kaufer, Deal and other federal agents and did nothing. The Screen Actors Guild
21 and Screen Actors Guild Producers Health Plan conspired with Kaufer, Deal, Kates
22 and others to make material misrepresentations and to release money, private
23 information in violation of plaintiffs privacy and rights. SAG has thirty years of
24 continued wrong doing in retaliating against plaintiff for his exposing the union's
25 corruption, bias and other acts that are memorialized on audio tape. Their paths
26 crossing with Kaufer and Deal open the conspiracy and doors of opportunity all the

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Plaintiff was denied "due process of law" when attempting to litigate in civil court issues regarding the film "Forget About It" and company. In the Central Federal District Court of California Judge Alvin Howard Matz who is now being investigated by the 9th Circuit Court for judicial misconduct, Judicial Committee Case No. 07-89141 presided in the now dismissed criminal case and took jurisdiction over the civil matter involving Plaintiff's company and film, Case CV06-3800 "before the criminal case was closed" (*Emphasis added*).

74) In this unprecedented and landmark, unethical action, Judge Matz stated on the record that there was no mob activity in the case while knowing that Plaintiff was a "CI" for the FBI regarding the Bonanno crime family. The Judge being biased and predisposed denied Plaintiff fair and equal protection under the law and assisted the Bonanno crime family into coercing Plaintiff into signing a settlement agreement, one of four, all of which were never complied with as drafted by mafia attorney Michael Gardiner and negotiated by Bonanno's nephew mafia made-man nephew Anthony Tarantola representing Kates, Saquella and a bevy of "strawmen". Under the color of law, a penalty of one thousand (\$1,000) dollars a day was imposed upon Plaintiff to pay based on an alleged contempt of court that Plaintiff never engaged in or was party to. The court dockets and records were falsified and the Judge allowed the Bonanno attorney, co-defendants in these proceedings to perjure their testimony in court with impunity. It should be noticed that Kaufer, Wong and Deal were the agents involved in the contrived and now dismissed cases where there were findings of factual innocence on the plaintiffs

1 part.

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3 75) Plaintiff filed several formal complaints that the council took very
4 seriously based on the actions by Judge Matz under the color of the law in direct
5 violation of the constitution and Canonized Code of Judicial Conduct. This is a
6 recurring role from that court as cited in Paul v. Clinton where comparable
7 outrageous conduct occurred beyond the scope of the law and due process in
8 Judicial Committee Case No. 07-89141. Herbert Kaufer and Jeffrey Deal's
9 handwritten notes describe their knowledge and participation in this prohibited
10 racketeering enterprises and individuals under the color of law. The existence of
11 the RICO predicate is Copyright Infringement Anti-Counterfeiting Consumer
12 Protection Act of 1996, Pub. L. No. 104-153 § 3, 110 Stat. 1386 (adding criminal
13 copyright infringement, 18 U.S.C. § 2319, is added to the RICO list 18 U.S.C. §
14 1961(1)(B)). Defendants clearly violated copyrighted materials from feature films,
15 artwork, photo likeness by means of forgery and extortion perpetrated by Noel
16 Kendall, Harkins Theaters, Sedona Theaters, Allumination, Jonathan Dimock, Los
17 Angeles Police Department, San Bernardino County Sheriff Department, Federal
18 Bureau of Investigation, Securities Exchange Commission, Nevada Secretary of
19 State, Misti Reynolds, Phil Young, First American Stock Transfer, Colonial Stock
20 Trading Company, Phil Young, Brian Kos, David Stocker, Steve Berg, Michael
21 Saquella, Robert Braner, Melissa Welch-Blue, Robert Laskowski, William Tannaz,
22 Herb Goldman, Donna Steward, Bill Bonanno, Herbert Kaufer, James Wong,
23 Jeffrey J. Deal, Rick Fleming, Susan Boutwell, Anthony Tarantola, Michael
24 Gardiner, Kimberley Dawn Lebel aka Kates, William Ward, Don Anderson,
25 Timothy Stutler, Caroline J. Clark, Michelle Kenney, Stephen Montes, A. Howard
26 Matz, Nicholas Browning, Wells Fargo, Gloria Luna, Brian Driscoll, Nils

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