

I. JURISDICTION

This Court has already established jurisdiction over all parties. A federal court has supplemental jurisdiction "of the subject matter of a counterclaim if it arises out of the transaction or occurrence that is the subject matter of an opposing party's claim of which the court has jurisdiction." Great Lakes Rubber Corp. v. Herbert Cooper Co., 286 F.2d 631, 633 (3d Cir. 1961)

II. PENDING MOTION FOR SUMMARY JUDGMENT

Richeson in his capacity as Defendant has recently asked that this Court enter summary judgment on Xcentric Ventures causes of action in favor of Richeson in (DOC 60).

Xcentric Ventures LLC. has subsequently responded to Richeson's Motion by way of (DOC 61).

Richeson has supplemented his motion for summary judgment by way of (DOC 62) and still wishes that this Court rule on Xcentric Ventures causes of action in favor of Richeson.

Richeson now clarifies his intent of (1) part of (DOC 62) and Richeson respectfully asks that Richeson be permitted to withdraw the wire fraud counterclaim only.

III. CAUSE OF ACTION
18 U.S.C § 1512 - WITNESS TAMPERING

James P. Rogers is a witness in this cause of action as well as a witness in cause no. 2:2010cv01360, styled *Asia Economic Institute v. Xcentric Ventures, LLC. Etal.*

Richeson conducted a series of telephonically recorded interviews with James P. Rogers on September 30th 2010, October 18th 2010, November 19th 2010 and on November 23rd 2010.

James P. Rogers admitted that he was employed for the past 10 years by Ed Magedson and Xcentric Ventures LLC. to create false or fictitious email accounts at Google, Yahoo and Hotmail, create and falsify ripoff reports posing as a consumer and enter false credential and postings through the internet about various businesses and persons at the web site: www.RipoffReport.com

James P. Rogers indicated in these recorded conversations that Maria Crimi Speth had asked him to lie in other Federal proceedings, well within the statute of limitations still actionable for indictment under 18 USC 1512.

On Wednesday October 20th 2010, just 2 days after learning of James P. Rogers; Attorney Adam Kunz conspired with Ed Magedson and Xcentric Ventures LLC. to intimidate, threaten and bribe James P. Rogers to give false testimony in a Federal proceeding in violation of 18 U.S.C. 1512.

On Wednesday October 20th 2010, Adam Kunz took the ex parte deposition of James P. Rogers, using Mr. Rogers criminal past against him and in conspiracy with Ed Magedson and subsequently lodged a complaint with the Mesa Police Sex Crimes Division to get James P. Rogers arrested for a trumped charge in retaliation for giving testimony in this cause of action.

Attorney Maria Crimi Speth did then file her sworn declaration as did James P. Rogers in cause no. 2:2010cv01360 in an attempt to manufacture evidence in Speth's motion for summary judgment and again in violation of 18 U.S.C. 1512.

The aforesaid recordings of James P. Rogers are incorporated herein by reference for all intents and purposes and have been forwarded in unedited format to the FBI in Phoenix Arizona and the Immigration and Customs Enforcement Agency, New York field office, in care of Special Agent Mike Colombo.

IV. RELIEF REQUESTED AND PRAYER

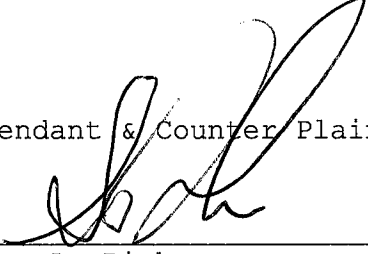
Wherefore, premises considered, the Defendant & Counter Plaintiff respectfully pray that upon final trial they have:

A court order mandating that the domain registrar, DNS hosting companies and all relevant parties disable the domain RipoffReport.com and badbusinessbureau.com.

A court order mandating that Ripoffreport.com and badbusinessbureau.com forever permanently resolve to a 404 error and the aforesaid domain remain locked by the Internet Corporation for Assigned Names and Numbers (ICANN), indefinitely.

Respectfully submitted to this honorable Court this Sunday
the 5th Day of December 2010.

Defendant & Counter Plaintiff, Pro. Se.



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CERTIFICATE OF SERVICE

I, Shawn A. Richeson do hereby certify that a true and correct copy of this 1st amended counter claim was served upon all parties and attorneys via email this Sunday the 5th day of December 2010 and in person in Killeen Texas on this Monday the 6th day of December 2010 to Attorney Adam S. Kunz, of Jaburg and Wilk PC.



Shawn A. Richeson

Maria Speth - EMAIL
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United States District Clerk ✓
Sandra Day O'Connor U.S. Courthouse
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Phoenix, AZ 85003

PLEASE FILE THIS IN CAUSE OF ACTION: 10-1931 PHX NVW