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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL A. BRUZZONE,

Plaintiff,

No. C 14-01279 WHA

v.

INTEL CORPORATION, et al.,

Defendants.

**ORDER GRANTING INTEL'S  
MOTION TO DECLARE  
MICHAEL BRUZZONE  
A VEXATIOUS LITIGANT**

**INTRODUCTION**

The essence of this matter is that our plaintiff has relentlessly pursued defendant manufacturer in a series of lawsuits that have now become extremely far-fetched and abusive. On motion, this order finds that plaintiff is a vexatious litigant, at least as to litigation involving defendant and its employees, and will impose pre-filing restrictions.

**STATEMENT**

*Pro se* plaintiff Michael A. Bruzzone describes himself as a “Relator” who became involved in investigating alleged “antitrust and espionage violations occurring domestically in the x86 microprocessor industry.” He allegedly participated in the Federal Trade Commission’s investigation of defendant Intel Corporation in 1998 and 1999 (Compl. ¶¶ 18, 19, 21, 23). But he is not a “relator” and the United States is *not* a party to this civil action.

In 1999, Mr. Bruzzone filed a *pro se* complaint against Intel Corporation and others in Santa Clara County Superior Court. *See Bruzzone v. Intel Corporation, et al.*, No. 1:99-cv-779409 (Santa Clara Sup. Ct. Jan. 20, 1999) (Judge Mark Pierce). In 2001, he — via counsel

1 Leshin & Dincel LLP — filed a second amended complaint alleging eighteen claims, including,  
2 *inter alia*, stalking, fraud, intentional interference with prospective business advantage,  
3 defamation, intentional infliction of emotional distress, breach of contract, and unfair business  
4 practices. The action settled with confidential terms, but it “remains open for the purpose of  
5 allowing the Court to enforce the settlement” (Faulkner Decl. ¶¶ 17, 19, 20, Exhs. P, R).

6 In 2008 and 2009, Mr. Bruzzone filed two sealed actions in this district. *See Nos.*  
7 3:08-cv-04169-WHA, 3:09-cv-00679-WHA. Both were terminated.

8 In 2010, Mr. Bruzzone was found “guilty of five counts of contempt of court for failure to  
9 obey” an October 2006 permanent injunction entered in the 1999 action. Judge James Emerson  
10 of Santa Clara County Superior Court found that Mr. Bruzzone “willfully disobeyed” the  
11 permanent injunction by: (1) initiating correspondence in July 2009 with four Intel executives  
12 with whom contact and correspondence were prohibited; (2) initiating email correspondence in  
13 August 2009 with an Intel executive with whom contact and correspondence were prohibited; (3)  
14 attempting to initiate telephone contact in August 2009 with an Intel executive with whom  
15 contact and dialogue were prohibited; (4) initiating email correspondence in August 2009 with an  
16 Intel executive with whom contact and correspondence were prohibited; and (5) initiating a  
17 second email correspondence in August 2009 with an Intel executive with whom contact and  
18 correspondence were prohibited (Faulkner Exh. T).

19 In 2011, plaintiff filed a *pro se* complaint against Intel Corporation in Santa Clara  
20 Superior Court. *See Bruzzone v. Intel Corporation*, No. 1:11-cv-213829 (Santa Clara Sup. Ct.  
21 Nov. 29, 2011) (Judge Peter Kirwan). The complaint alleged eleven claims, including, *inter alia*,  
22 “Constructed Fraud to Misprison [sic] Federal Reporter,” “Corporate & Attorney Cover Up to  
23 Conceal Network Crime,” “Interference w/ Prospective Business Advantage,” and “Retaliation.”  
24 Paragraph 32 to the complaint stated (Faulkner Exh. I at ¶ 31–32) (emphasis omitted):

25 31 Intel agent objectives are three fold, first to depress into drug  
26 addiction, second to depress into suicide, third is to target for  
27 assassination stimulating cardiac arrest by agent implemented drug  
28 overdose including bating with drug as set up to record abuse,  
suspect stunning with Tazer, rewarding with drugs trapped in the  
confines of 11 foot by 11 foot space where handlers implement  
Staton DeGrandpre behavioral-pharmacologic conditioning, inject  
coming in and out of sedation confined in that space, and

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transported by car, interrogate in quasi lucid state known by Burkes reported too and allowed to escape by California Department of Justice, gassing, suspect electrocution and in one instance just avoiding what seems to be Anastasia in preparation for plaintiff's castration.

32 Mr. Bruzzone becomes strange attractor trapped as mad within operative's environmental illness where the crime ring comes back for more and through successive stings Mr. Bruzzone records and reports to FBI and Department of Justice in near real time the activities of a hit squad.

The action, according to Mr. Bruzzone, arose "under Department of Labor code, Federal false claims act, State and Federal antitrust and civil law" (*id.* at ¶ 62). In 2012, he filed a *pro se* first amended complaint alleging eleven claims, including, *inter alia*, "Undue Influence, Duress, Manipulate Unsound Mind," "Violation of Federal Civil Rights; 42 USC 1983, 42 USC 1985, 42 USC 1986," "Intent to Destroy Plaintiff Beyond the Bounds of Fair Competition and Fair Play," "False Light," and "Gross Negligence." Judge Peter Kirwan described Mr. Bruzzone's claims as "unintelligible" and/or "time-barred." Intel's demurrer was sustained, although Mr. Bruzzone was permitted to amend the false light claim. Mr. Bruzzone then filed a second amended complaint seeking to "overrule" defendant's demurrer on "racketeering influenced organization's decade of obstruction in cartel case matter" and "witness character assassination." Intel's demurrer was sustained and Judge Kirwan stated: "Plaintiff's allegations are so confusing that Intel cannot reasonably respond" (Faulkner Decl. ¶¶ 10, 12-15; Exhs. I, K, L, M, N). The decision was affirmed by the California Court of Appeal for the Sixth Appellate District, which stated that Mr. Bruzzone's argument was "brief and perplexing" (Second Supp. RJN, Exh. 1).

In October 2012, an order renewing Intel's permanent injunction was entered by Judge Mark Pierce. The permanent injunction is currently in effect. In the main, Mr. Bruzzone is to stay at least one hundred feet from Intel's buildings, is to stay at least fifty feet from certain Intel personnel, and cannot commence any communications and/or dialogue concerning Intel with certain Intel personnel. Violations of the permanent injunction are "punishable by one year in jail, a \$1,000 fine, or both, or may be punishable as a felony" (Dkt. No. 67-2).

In 2013, Mr. Bruzzone, via Attorney R. Kenneth Bauer, filed a *qui tam* complaint. See *Bruzzone v. Intel Corporation, et al.*, No. 3:13-cv-03729-WHA (N.D. Cal. Aug. 12, 2013). The

1 United States declined to intervene and consented to dismissal, without prejudice as to the United  
2 States (Dkt. Nos. 8, 20). In February 2014, Mr. Bruzzone “substitute[d] himself as his own  
3 counsel, In Pro Se” (Dkt. No. 25). At the third case management conference, Mr. Bruzzone made  
4 the following statements (Dkt. No. 36 at 8–9):

5 THE COURT: When is the last time you ever worked for Intel as  
6 an employee? . . . .

7 MR. BRUZZONE: I was a consultant in '97, your Honor.

8 THE COURT: That was it? That’s as close as you ever got to  
being an employee?

9 MR. BRUZZONE: They brought me in to provide my assessment  
10 of the anticompetitive activities I had seen in the field in August of  
11 '97, and by May of 1998, I had been invited by Mr. Robert Cook  
12 with the Federal Trade Commission to assist in Docket 9288. That  
13 went on through 2001, all the period of which I was retaliated  
against. That actually accelerated and escalated into 2005, 2006.  
I’m a survivor of being made a target by people who I consider  
were a hit squad, attempts on my life through 2005.

14 \* \* \*

15 MR. BRUZZONE: I believe that there were detectives hired to  
16 assassinate me, your Honor, at that time . . . . The primary strategy  
17 is to create anxiety and depression and force you into various  
addictions, drug addictions, which they’d service and promote, and  
I believe that they were hoping that I would commit suicide and die  
by overdose.

18 His complaint was dismissed without prejudice and judgment was entered (Dkt. No. 31).

19 In March 2014, Mr. Bruzzone commenced the instant action by filing a *pro se* complaint  
20 (72 pages), titled “Federal Relator Civil Complaint.” *See Bruzzone v. Intel Corporation, et al.*,  
21 No. 3:14-cv-01279-WHA (N.D. Cal. Mar. 19, 2014). The caption referenced Intel Corporation,  
22 “Advanced RISC Machines, Inc.,” and various individuals (“Ms. Evangelina Almirantera, Mr.  
23 Steve Lund, Dr. Harley Stock, Dr. Andrew Grove” and “Mr. Ian Drew, Ms. Yvonne Carey, Mr.  
24 Eric Shorn, Mr. Simon Segars, Mr. Ehab Youseff”) as “Defendants.” The complaint appeared to  
25 identify two claims: “Conspiracy to Defraud on Deceit” and “Gross Negligence” (Compl. ¶¶  
26 93–137, 138–152). Nonetheless, sprinkled throughout the complaint were references to numerous  
27 federal and state statutes and the Constitution, including, *inter alia*, the Sherman Act, the Clayton  
28 Act, 42 U.S.C. 1983, 42 U.S.C. 1985, and sections of the California Civil Code. The complaint

1 also made passing references to many criminal statutes, including, *inter alia*, the “Anti kick back  
2 [sic] Act of 1986,” “Mail Fraud (18 U.S.C. 1341),” and “RICO [18 U.S.C.] 1961” (Compl. ¶¶ 8,  
3 9, 11, 12, 53, 59, 64, 65, 77, 86, 89, 91, 92, 96, 134–37, 145, 150).

4 ARM, Inc. appeared stating that it was “erroneously sued as Advanced RISC Machines,  
5 Inc.” and moved to dismiss. Intel moved to dismiss as well, identifying, *inter alia*, 24 federal  
6 laws mentioned in Mr. Bruzzone’s complaint, which it argued was “unintelligible” (Dkt. No. 16).

7 In April 2014, Mr. Bruzzone filed a motion requesting “time to correspond to United  
8 States Attorney General Eric Holder, and President Obama” (Dkt. No. 37). He filed a declaration  
9 stating (Dkt. No. 53, Bruzzone Decl. ¶¶ 5, 33):

10 [P]laintiff’s motion [asks] for time to contact Attorney General  
11 Holder, President Obama, Ms. Sara Winslow, Congress, United  
12 States Department of Labor, Office of Special Counsel, United  
13 States Merit Systems Protection Board, General Services  
14 Administration, Federal Trade Commission Investigator Generals of  
15 many agencies to secure administrative relief including attorney  
16 representation as there is nothing standing in the way of my doing  
17 so on so many federal provisions for relief.

18 \* \* \*

19 For all these reasons, Mr. Bruzzone Motion that is time to  
20 correspond to Attorney General Mr. Eric Holder and President  
21 Obama, Congress, Department of Labor, Federal Trade  
22 Commission Investigator General, United States Department of  
23 Justice Investigator General for consideration to provide this federal  
24 civic servant United States Attorney representation, or Office of  
25 Special Counsel representation, or for the United States government  
26 to provide forms of relief available to all employees retaliated  
27 against, whether regular federal employee or invited federal civic  
28 service in technical assistant role, be supported and Mr. Bruzzone’s  
motion upheld.

He continued to referred to himself as a “Relator.”

22 In May 2014, counsel for Intel filed a letter briefing seeking a discovery stay. Counsel  
23 stated that they had conferred with “Mr. Bruzzone through email rather than by telephone or in  
24 person for safety reasons.” Appended to Intel’s letter was an email from Mr. Bruzzone to counsel  
25 for Intel, dated April 23, 2014, stating (Dkt. No. 44, Exh. C):

26 Would it not be more efficient to just settle with me on negligence?  
27 Then put me under an NDA, to find out who the bad guys are for  
28 my personal protection, or Subpoena me as a witness where I will  
eventually discovery that in the specific proceeding. Or become my  
attorney . . . . I am a better witness than a plaintiff. It would be

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more effective for your actions that is not necessarily my action, but certainly announces the causes and reasons for my action.

His complaint herein was thereafter stricken. He was given until June 4 to file a first amended complaint (Dkt. No. 51).

The June 4 deadline passed. Plaintiff did not file a first amended complaint. There was and is no operative complaint in this action.

Mr. Bruzzone then filed a motion to disqualify the undersigned judge. On June 17, Judge Yvonne Gonzalez Rogers denied the motion (Dkt. No. 58).

The parties were then ordered to show cause why this action should not be dismissed. Mr. Bruzzone filed a response refusing to file a first amended complaint. With no operative complaint herein, the action was dismissed and judgment entered (Dkt. Nos. 72, 73). Mr. Bruzzone then filed an “appeal to the United States Court of Appeals for the Federal Circuit” (Dkt. No. 75). He has received permission to proceed *in forma pauperis* as to that appeal.

\* \* \*

Intel has now filed a motion to declare Mr. Bruzzone a vexatious litigant. Intel proposes the following pre-filing review:

- (1) any complaints or notices of appeal filed by Michael A. Bruzzone in the Northern District of California against Intel Corporation or any person employed or formerly employed by or associated with Intel shall be forwarded by the Clerk to this Court for pre-filing review; (2) if the Court ascertains that the complaint or notice of appeal is duplicative or frivolous, it will not be filed and will be returned to Mr. Bruzzone, but (3) if the Court finds that the proposed complaint or notice of appeal is not duplicative or frivolous, it will be given to the Clerk with instructions to file it, subject to payment of fees.

The deadline for Mr. Bruzzone to file an opposition passed and no response was timely filed. A July 2014 order gave plaintiff another chance to file a response. Mr. Bruzzone filed an opposition and Intel filed a reply (Dkt. Nos. 61, 80, 81). (To be clear, only Intel has moved to declare Mr. Bruzzone a vexatious litigant; ARM has not joined the motion.)

Mr. Bruzzone sent Intel’s in-house counsel and numerous other recipients (including individuals with “usdoj.gov,” “ftc.gov,” and “ec.europa.eu” domain addresses) a lengthy email, dated July 23, 2014. Here are excerpts from Mr. Bruzzone’s email with the subject line “Fm

1 Bruzzone Re Arrest Intel Attorneys William Faulkner and Jim McManis NOW” (Dkt. No. 83,  
2 Second Supp. Faulkner Decl. ¶ 2, Exh. 1) (all typographical errors in original):

3 Please note my observation that it’s time to arrest IntelcounselMr.  
4 William Faulkner and Mr. James Mcmanis for manipulating my  
5 civil actionsincluding many Judges participating to conceal  
6 minimally a \$26,626,000,000cartel theft by Intel executives,  
7 marketing and sales employees.

8 Mr. Faulkner and Mr. McManis are attorneys,forringmasters,  
9 engaged in cartelcrime ring that have been manipulating Bruzzone  
10 V Intel case matters for192 months,with their Secret service  
11 Affiliate Dr. Harley Stock, includinginfluencing many Superior  
12 Court and State Judges for a very long time.

13 That is why all three of those aforementioned individual should  
14 bearrested now; for obstruction of justice, conspiracy to conceal  
15 felonyantitrust, criminal RICO and treason against the UnitedStates.

16 And any who does not follow through on the arrest of Faulkner,  
17 McManisand Stock, will also have committed a treason; 18 USC 3  
18 and 4; cognizant offelonies and cowards not to act.

19 Ms. Almirantearena, you fire Messrs. Faulkner and Mcmanis  
20 NOW.Theyare not working for Intel.They are representatives of  
21 organized crime,and as a result,you may be as well.So please show  
22 all of us you arenot by dismissing Messrs. Faulkner and McManis  
23 from the Bruzzone casematter(s).

24 \* \* \*

25 Arrest Faulkner, McManis, Stock now, and the gang of detectives  
26 includinglaw agents engaged with them in their sting: FBI, Secret  
27 Service, police, manyof their identities are known and their acts  
28 which aremultiple forms offelony criminal violations, targeting me,  
well recorded.

And ask Governor Jerry Brown, Treasurer Bill Lockyer, Attorney  
Tom Greenwith the FTC who they are concealing at the FBI, Intel  
Corporate and privatedetectives, and ARM private detectives, and  
other law enforcement, along withDr. Stock, engaged in their sting  
to disqualify my witness status and to blockdiscovery of those  
targeting me in a felony crime.And all thewhilethey systematically  
strip me of myability to work, my finances, andindirectlystrip my  
family of their propertieson their blacklist andgroup boycott of my  
Intel competitive professional services in trade andcommerce.

Arrest them now.

This order follows full briefing and oral argument.

1 ANALYSIS

2 1. REQUESTS FOR JUDICIAL NOTICE.

3 Citing FRE 201(b) and *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803, n.2 (9th Cir. 2002),  
4 Intel has made fifteen requests for judicial notice in support of its motion to declare Mr. Bruzzone  
5 a vexatious litigant (Dkt. Nos. 63, 65, 78). Intel’s requests as they pertain to Exhibits A, B, D, F,  
6 I, K, L, M, P, Q, R, S, and T to the Declaration of William Faulkner, Exhibit 1 to the  
7 Supplemental Declaration of William Faulkner, and Exhibit 1 to the Second Supplemental  
8 Declaration of William Faulkner are **GRANTED**. The remainder of the requests, to the extent not  
9 relied upon in this order, are **DENIED AS MOOT**.

10 2. MOTION TO DECLARE MR. BRUZZONE A VEXATIOUS LITIGANT.

11 Our court of appeals has recognized the inherent power of federal courts to regulate the  
12 activities of abusive litigants by imposing carefully tailored restrictions under appropriate  
13 circumstances. *De Long v. Hennessey*, 912 F.2d 1144, 1147 (9th Cir. 1990). Our court of appeals  
14 has stated:

15 When district courts seek to impose pre-filing restrictions, they  
16 must: (1) give litigants notice and an opportunity to oppose the  
17 order before it is entered; (2) compile an adequate record for  
18 appellate review, including a listing of all the cases and motions  
19 that led the district court to conclude that a vexatious litigant order  
20 was needed; (3) make substantive findings of frivolousness or  
21 harassment; and (4) tailor the order narrowly so as to closely fit the  
22 specific vice encountered.

23 *Ringgold-Lockhart v. Cnty. of Los Angeles*, No. 11-57231, 2014 WL 3805579, at \*2 (9th Cir.  
24 Aug. 4, 2014) (internal quotation marks omitted; citing *De Long*). Although pre-filing review  
25 orders are an “extreme remedy that should rarely be used,” “[f]lagrant abuse of the judicial  
26 process cannot be tolerated because it enables one person to preempt the use of judicial time that  
27 properly could be used to consider the meritorious claims of other litigants.” *Molski v. Evergreen*  
28 *Dynasty Corp.*, 500 F.3d 1047, 1057 (9th Cir. 2007) (citing *De Long*).

A. Notice and Opportunity to be Heard.

The first procedural requirement is satisfied. Mr. Bruzzone has had notice and an opportunity to be heard. He was promptly served with Intel’s motion and reminded of the



1 August 14 hearing date in a July order (Dkt. Nos. 68, 79, 80). Mr. Bruzzone filed an opposition  
2 to the motion and noted that the “time of Intel[’s] motion . . . is August 14, 2014” (Opp. 4). On  
3 the noticed hearing date, the matter was called. Defense Attorney James McManis was present  
4 but Mr. Bruzzone did not appear. Mr. Bruzzone has had notice and an opportunity to be heard.

5 **B. Adequate Record.**

6 “An adequate record for review should include a listing of all the cases and motions that  
7 led the district court to conclude that a vexatious litigant order was needed,” although the court  
8 need not list every case filed by the litigant. *Molski*, 500 F.3d at 1059 (internal quotation marks  
9 omitted). This order has already summarized the actions, orders, and briefs relevant to the motion  
10 herein. To repeat, Mr. Bruzzone has filed at least two state actions and four federal actions  
11 (including this one) against Intel Corporation based on many of the same underlying facts.

- 12 • *Bruzzone v. Intel Corporation, et al.*, No. 99-779409 (Santa Clara Sup. Ct. 1999);
- 13 • No. 08-04169 (N.D. Cal. 2008);
- 14 • No. 09-00679 (N.D. Cal. 2009);
- 15 • *Bruzzone v. Intel Corporation*, No. 11-213829 (Santa Clara Sup. Ct. 2011);
- 16 • *Bruzzone v. Intel Corporation, et al.*, No. 13-03729 (N.D. Cal. 2013);
- 17 • *Bruzzone v. Intel Corporation, et al.*, No. 14-01279 (N.D. Cal. 2014) (this action).

18 In 2010, Mr. Bruzzone was found “guilty of five counts of contempt of court for failure to  
19 obey” a court order. The California Court of Appeal for the Sixth Appellate District has found  
20 Mr. Bruzzone’s arguments “brief and perplexing” and a Superior Court judge has found Mr.  
21 Bruzzone’s claims “confusing” and “unintelligible.” In his *qui tam* action, the government  
22 incurred time and expense declining to intervene, consenting to dismissal, and appearing at  
23 hearings. In the instant action (to which the government is not a party), Mr. Bruzzone has filed a  
24 motion to contact senior government officials, including United States Attorney General Eric  
25 Holder and President Barack Obama, along with Assistant U.S. Attorney Sara Winslow, the  
26 Department of Justice, Congress, and various agencies. He has filed a motion to disqualify the  
27 undersigned judge (denied by Judge Gonzalez Rogers), and Intel has filed a motion to declare him  
28 a vexatious litigant. In addition, some of the emails Mr. Bruzzone has sent are distressing. Most

1 recently, Mr. Bruzzone has asked members of the United States Department of Justice to “Arrest  
2 Intel Attorneys William Faulkner and Jim McManis” of the firm McManis Faulkner and directly  
3 emailed Intel’s in-house counsel asking that they “fire Messrs. Faulkner and Mcmanis.” This  
4 order finds Mr. Bruzzone’s email misguided and inappropriate.

5 Accordingly, there is an adequate record to review and this requirement is satisfied.

6 **C. Substantive Findings of Frivolousness and/or Harassment.**

7 Before entering a pre-filing order, the district court must make substantive findings as to  
8 the frivolous and/or harassing nature of the litigant’s actions. Our court of appeals has stated that  
9 “[t]o determine whether the litigation is frivolous, district courts must look at both the number  
10 and content of the filings as indicia of the frivolousness of the litigant’s claims.”

11 *Ringgold-Lockhart*, 2014 WL 3805579, at \*4 (quotation marks omitted). Generally, this involves  
12 a finding that the number of claims made was inordinate and those claims were patently without  
13 merit. Our court of appeals has also stated that “the district court may make an alternative finding  
14 that the litigant’s filings show a pattern of harassment,” meaning several similar types of actions  
15 constituting an “intent to harass the defendant or the court.” *Id.* at \*4–5. Our court of appeals has  
16 stated that the Second Circuit’s five-factor standard “provides a helpful framework” for this  
17 determination:

- 18 (1) the litigant’s history of litigation and in particular whether it  
19 entailed vexatious, harassing or duplicative lawsuits; (2) the  
20 litigant’s motive in pursuing the litigation, *e.g.*, does the litigant  
21 have an objective good faith expectation of prevailing?; (3) whether  
22 the litigant is represented by counsel; (4) whether the litigant has  
caused needless expense to other parties or has posed an  
unnecessary burden on the courts and their personnel; and (5)  
whether other sanctions would be adequate to protect the courts and  
other parties.

23 *Molski*, 500 F.3d at 1058 (quoting *Safir v. U.S. Lines, Inc.*, 792 F.2d 19, 24 (2d Cir. 1986)).

24 “Finally, courts should consider whether other, less restrictive options, are adequate to protect the  
25 court and parties.” *Ringgold-Lockhart*, 2014 WL 3805579, at \*5.

26 This order makes a substantive finding of harassment in light of Mr. Bruzzone’s actions.  
27 This order finds that Mr. Bruzzone has a personal vendetta against Intel as evidenced by the six  
28 actions he has filed in state and federal court. All of these actions, the earliest one dating back to

1 1999, have related to Mr. Bruzzone’s allegation that Intel has interfered with his “efforts to obtain  
2 and sustain employment” (Faulkner Exh. P). This is allegedly in “retaliation” for Mr. Bruzzone’s  
3 conduct in 1998 and 1999.

4 None of Mr. Bruzzone’s actions in federal and state court has survived the pleading  
5 stage. The allegations raised in his dismissed Santa Clara Superior Court action (affirmed by the  
6 California Court of Appeal) in many ways mirrored the actions he has brought in federal court —  
7 which defendants, the government, and the court have spent significant time and expense sifting  
8 through. His allegations have been characterized as “confusing” and “unintelligible.” Mr.  
9 Bruzzone’s representations are bizarre and hard to believe.

10 Nonetheless, Mr. Bruzzone was given a fair opportunity to file a proper first amended  
11 complaint, but he never did herein. He instead filed a motion to disqualify, which was found to  
12 lack any evidence of bias or facts that could form a legitimate basis upon which to disqualify.  
13 Mr. Bruzzone has misdirected government resources by filing unsuccessful “*qui tam*” actions and  
14 has sought “time to correspond” with senior government officials, including the President of the  
15 United States. Despite a permanent injunction prohibiting him from corresponding with Intel  
16 personnel, he violated that order and was found guilty of five counts of contempt. As recently as  
17 last month, Mr. Bruzzone sent an email to Intel’s in-house counsel and the Department of Justice  
18 calling for the arrest of counsel from the firm of McManis Faulkner (Second Supp. Faulkner  
19 Decl. ¶ 2). On several occasions, Mr. Bruzzone has proceeded *pro se* and represented that he  
20 lacks resources. Nonetheless, he continues to file lengthy complaints, including a 72-page  
21 complaint referencing more than 24 federal statutes. His claims in this action and others are  
22 numerous and inordinate, seeming to arise from a bizarre belief that Intel has allegedly retaliated  
23 against him by trying to assassinate him by suicide. He accuses Intel of crimes and seeks to  
24 involve vast swaths of government resources investigating his claims, even though the United  
25 States declined to intervene in his prior *qui tam* action.

26 This order finds that Mr. Bruzzone’s claims are frivolous, harassing, and brought with no  
27 objective good faith expectation of prevailing. His approach is to repeatedly sue Intel using  
28 complaints referencing an uncalled-for number of statutes, which forces Intel to incur needless

1 expense defending itself in court. This is a flagrant abuse of the judicial process and has enabled  
2 Mr. Bruzzone to consume a considerable amount of time and resources from Intel, other  
3 defendants, the government, Superior Court judges, the California Court of Appeal, and federal  
4 judges. Accordingly, this order makes a substantive finding of harassment in light of Mr.  
5 Bruzzone's actions.

6 \* \* \*

7 The question that remains is whether less drastic sanctions would accomplish the same  
8 ends. In particular, our court of appeals has pointed to sanctions under FRCP 11, including:

9 nonmonetary directives; an order to pay a penalty into court; or, if  
10 imposed on motion and warranted for effective deterrence, an order  
11 directing payment to the movant of part or all of the reasonable  
attorney's fees and other expenses directly resulting from the  
violation.

12 *Ringgold-Lockhart*, 2014 WL 3805579, at \*5.

13 This order finds that monetary sanctions would have little deterrent effect on Mr.  
14 Bruzzone's harassing actions. In this action, he has filed an application to proceed *in forma*  
15 *pauperis*, representing under penalty of perjury that he was not presently employed, he was  
16 unmarried, and he had "6800 checking 300 savings." In the past, he has also represented to the  
17 undersigned judge that he was not in a financial position to fund his actions without government  
18 intervention. It may be difficult to collect a penalty or order of attorney's fees and/or expenses  
19 from *pro se* Mr. Bruzzone.

20 This order also finds that nonmonetary directives would not have the weight necessary to  
21 deter Mr. Bruzzone from continuing to harass Intel and from needlessly draining resources from  
22 the government. Mr. Bruzzone is currently subject to a permanent injunction prohibiting him  
23 from commencing communications with and approaching certain Intel personnel. Currently, this  
24 permanent injunction expires in October 2015, but may be renewed. Nevertheless, Mr. Bruzzone  
25 violated his permanent injunction in 2010 and most recently has asked Intel's in-house counsel to  
26 fire attorneys from the law firm of McManis Faulkner.

