

1 SAMUEL K. LIPARI
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6 Plaintiff, *Pro Se*

7
8 **IN THE STATE OF MISSOURI**
9 **JACKSON COUNTY SIXTEENTH CIRCUIT COURT**

10 SAMUEL K. LIPARI)
11)
12 *Plaintiff*)
13)
14 vs.)
15)
16 CHAPEL RIDGE MULTIFAMILY LLC ,)
17 SWANSON MIDGLEY LLC,)
18 CHRISTOPHER BARHORST,)
19 HOLLY L. FISHER,)
20 REGUS PLC,)
21 REGUS MANGEMENT GROUP LLC,)
22 LIANNE ZELLMER,)
23 WELLS FARGO,)
24 WACHOVIA DEALER SERVICES INC.,)
25 TROPPITO & MILLER LLC.,)
26 CHRIS M. TROPPITO,)
27 NICHOLAS L. ACKERMAN,)
28 TONY R. MILLER)
29)
30 *Defendants*)

Case No. _____

RICO Mail and Wire Fraud
RICO Conspiracy
Under 18 U. S. C. § 1961, *et seq.*

Jury Trial Requested

PETITION

Pursuant to 16th Circuit Court of Jackson County Missouri local rule 3.2, the plaintiff lists the names, addresses, and contact information if known for the parties and registered agents for service of process by the Jackson County Sheriff:

Parties

Plaintiff :

1. SAMUEL K. LIPARI, 803 S. Lake Drive, Independence, Missouri 64053

Defendants:

2. CHAPEL RIDGE MULTIFAMILY LLC; 3460 NE Akin Boulevard
Lees Summit, MO 64064
3. SWANSON MIDGLEY LLC; Plaza West Building, 4600 Madison Avenue, Suite 1100
Kansas City, Missouri 64112
4. BARHORST , CHRISTOPHER; 4600 Madison Ste 1100, Kansas City, MO 64112; (816) 842-6100
5. FISHER, HOLLY L.; 4600 Madison Ste 1100, Kansas City, MO 64112; (816) 842-6100
6. REGUS PLC; 26 Boulevard Royal L-2449 Luxembourg; +44 (0) 1932 895059 c/o
REGUS PLC registered office 22 Grenville Street; St. Helier; Jersey, JE4 8PX

- 1 7. REGUS MANGEMENT GROUP LLC; 15305 Dallas Parkway Ste 1400
2 Addison, TX 75001 c/o Registered Agent CSC Lawyers Incorporating Service, Inc.;
3 150 S Perry St. Montgomery, AL 36104
- 4 8. LIANNE ZELLMER; 2300 Main St. Ste 900, Kansas City, MO 64108;(816) 448-3100
- 5 9. WELLS FARGO; 420 Montgomery Street, San Francisco, California 94163; (866) 249-3302
- 6 10. WACHOVIA DEALER SERVICES INC.; 8575 W 110th St, Ste 100 Overland Park, KS 66210
- 7 11. TROPBITO & MILLER LLC; 508 Walnut Street, Kansas City, MO 64106
- 8 12. ACKERMAN, NICHOLAS L; 508 Walnut Street, Kansas City, MO 64106

9 10 **COMPLAINT**

11 Comes now the petitioner, Samuel K. Lipari appearing *pro se*. Samuel K. Lipari is a sole proprietor
12 competing in the market for hospital supplies within the State of Missouri, the nation, and in the national market
13 for home healthcare supplies. In the businesses injured by the conduct described in this complaint, the plaintiff
14 was at all times unincorporated and never held himself out to be incorporated.

15 **I. INTRODUCTION**

16 1. The defendants in this complaint are latecomers to a racketeering conspiracy with a criminal enterprise
17 excluding the petitioner from competing in hospital supply markets to preserve the conspirators' overarching
18 plan to defraud Medicare and Medicaid with artificially inflated hospital supply costs resulting from the
19 racketeering conspiracy's restraint of trade.

20 2. This petition arises from the legally separate defendants' decisions through their Missouri chartered law
21 firm agents to deprive the plaintiff of his virtual office phone and mail service, his apartment home office and his
22 business automobile on the same day through bad faith legal proceedings in violation of the plaintiff's contracts,
23 Missouri landlord tenant law and consumer protection act notice requirements via fraudulent filings in the 16th
24 Circuit State of Missouri Court.

25 3. The latecomer defendants expressly stated in pleadings signed by Missouri licensed attorneys that the
26 respective notice requirements had been complied with when in fact incontrovertible evidence in the records of
27 the various actions shows that the pleadings were based on documents that had been falsified through mail
28 and wire communications by the racketeering conspiracy through the defendants, the plaintiff and the 16th
29 Circuit State of Missouri Court.

1 4. The latecomer defendants' communications, letters and pleadings claimed notices had been faxed
2 when they had not.

3 5. Filings were backdated to fraudulently show notice periods were provided and delinquencies were
4 misrepresented.

5 6. Even an offer to return the plaintiff's automobile without credit reporting injury was fraudulently made.

6 7. All the latecomer defendants' frauds were committed with misrepresentations in mail and wire
7 communications and mail and wire communications were also made without false statements in furtherance of
8 the defendants' fraudulent scheme that equally violated 18 U. S. C. § 1961 section 1341 and section 1343
9 under *Schmuck v. United States*, 489 U.S. 705, 109 S.Ct. 1443, 103 L.Ed.2d 734 (1989).

10 8. The latecomer defendants' fraudulent filings and communications with the 16th Circuit State of Missouri
11 Court and the plaintiff were intended to deceive the court and the plaintiff into relinquishing property and
12 business resources he had rights to retain and were precisely the mail and wire fraud acts the US Supreme
13 Court in *Bridge et al v. Phoenix Bond & Indemnity Co. et al*, 128 S.Ct. 2131 (2008) unanimously determined
14 state a civil cause of action for violation of 18 U. S. C. § 1962.

15 9. The legally separate defendants continued the predicate acts and participation in the racketeering
16 conspiracy to achieve the aims of the RICO enterprise through their Missouri chartered law firm agents even
17 when the plaintiff brought their attention to the frauds and the temporal relationship of the concerted mail and
18 wire fraud acts of other latecomer conspirators on the same day to initiate fraudulent bad faith actions to
19 deprive the plaintiff of his virtual office phone and mail service, his apartment home office and his business
20 automobile in violation of 18 U. S. C. § 1962 (c) and (d).

21 10. The criminal racketeering enterprise and its RICO co-conspirators voluntarily joined by the latecomer
22 defendants have employed extrinsic fraud to obstruct justice in federal and state litigation and to deprive the
23 petitioner of any resources to conduct his business including depriving the petitioner of property used in his
24 business and in enforcing his business expectations.

25 11. The pattern and practice of *ex parte* defamation to obstruct justice and predetermine outcomes in the
26 plaintiff's litigation *Samuel Lipari v. General Electric Company, et al.*, 16th Cir Mo. Case no. 0616-CV07421;
27 *Samuel Lipari v. US Bancorp, NA, et al*, 16th Cir Mo. Case no. 0616-CV32307; and *Ex Rel Samuel Lipari, v.*
28 *Hon. Michael Manners* WD of Missouri Court of Appeals Case no. 68703 resulted in the Supreme Court Chief
29 Justice William Ray Price Jr.'s address to the Missouri Judicial Branch and Board of Bar Governors specifically
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1 condemning this extrinsic fraud depriving Missouri citizens of fair hearings based on fact and law. See Chief
2 Justice William Ray Price Jr.'s address. (**Exhibit 1 Justice Price**)

3 12. The central *modus operandi* employed by the RICO Enterprise and the RICO Conspiracy is to obtain
4 judgments expressly contrary to controlling law through filing motions to dismiss and for sanctions that
5 materially misrepresent the plaintiff's pleadings and the applicable case law in violation of Missouri Rules of
6 Professional Conduct Rule § 4.1 "Truthfulness in statements to others" and § Rule 3.3 "Candor toward the
7 Tribunal".

8 13. The RICO Conspiracy relied on the federal district court judges Hon. Judge Carlos Murguia; Hon.
9 Judge Fernando J. Gaitan, Jr.; Hon. Judge Otrie Smith; and the Kansas District Court magistrates Hon. David
10 J. Waxse, and Hon. James P. O'Hara (see **Exhibit 2 Pacer Index**) to adopt the RICO conspirators arguments
11 facially misrepresenting the plaintiff's written complaints, the text of enactments of Congress including the USA
12 PATRIOT Act and the controlling rulings of the US Supreme Court on the facts alleged by the plaintiff.

13 14. The RICO Conspiracy relied on Hon. Michael M. Manners and the 16th Circuit State of Missouri Court
14 to adopt the RICO conspirators arguments facially misrepresenting the plaintiff's written complaints, the text of
15 enactments of the Missouri State Legislature and the controlling rulings of the Missouri Supreme Court on the
16 facts alleged by the plaintiff.

17 15. The plaintiff's experiences with the misrepresentations to the court on discovery and mediation by the
18 RICO co-conspirator Husch Blackwell Sanders LLP resulted in Hon. Michael M. Manners permitting
19 amendment of the plaintiff's real estate contract claims against General Electric to include 18 U. S. C. § 1962
20 (c) and (d) claims based on the conspirators' conduct turning the 16th Circuit State of Missouri Court into a
21 RICO enterprise under *U.S. v. Murphy*, 768 F.2d 1518 (7th Cir. 1985) See Case documents at
22 <http://www.medicalsupplychain.com/Lipari%20v%20GE%200616-07421.htm>

23 16. The latecomer RICO co-conspirator defendants similarly relied on 16th Circuit State of Missouri Court
24 Clerk's office employees, the Hon. Judge Charles L. Stitt and the Hon. Robert L. Trout. See **Exhibit 2.1 Case**
25 **Net Index**.

26 17. The latecomer RICO co-conspirator defendants are now participants in a RICO Conspiracy that
27 includes the federal district court judges Hon. Judge Carlos Murguia, Hon. Judge Fernando J. Gaitan, Jr. and,
28 16th Circuit Hon. Michael M. Manners to deprive the plaintiff of his business property. See third proposed
29 amended complaint, exhibit I of the Motion to Amend at pgs. 123-125

1 <http://www.medicalsupplychain.com/pdf/Lipari%20Third%20Motion%20For%20Leave%20to%20Amend%2004217.pdf> and plaintiff's
2 response to show cause <http://www.medicalsupplychain.com/pdf/Answer%20to%20show%20cause.pdf>
3 and its supporting affidavit <http://www.medicalsupplychain.com/pdf/Lipari%20Affidavit.pdf>

4 18. As co-conspirators, the latecomers charged in this petition had knowledge of acts of the ongoing
5 criminal RICO conspiracy and intentionally participated in furthering the objectives of the racketeering
6 enterprise and the RICO conspiracy to restrain trade in hospital supplies and overcharge Medicare by the
7 latecomer conspirators violating Missouri statutes, and committing frauds on the 16th Circuit State of Missouri
8 Court in an agreement to join the ongoing conspiracy through predicate acts of mail and wire fraud designed to
9 injure the plaintiff's business and take his property in the manner the US Supreme Court has determined in
10 *Sedima SPRL v. Imrex Co. Inc*, 473 U. S. 479 at page 496 gives the plaintiff standing under 18 U. S. C. § 1962.
11 See **Exhibit 2.2** Web Site Index.

12 **II. AVERMENTS**

13 19. The Plaintiff makes the following allegations of fact and law relative to his claims:

14 **A. JURISDICTION**

15 20. The 16th Circuit State of Missouri Court has jurisdiction over this action for the following reasons:

16 **Subject Matter Jurisdiction**

17 21. Under *Tafflin v. Levitt*, 493 U.S. 455 (1990) (holding that RICO is not exclusively federal) this court has
18 subject matter jurisdiction over claims based on 18 U. S. C. § 1961, *et seq.*

19 **Subject Matter Jurisdiction Standing of Plaintiff**

20 22. The plaintiff's petition alleges RICO predicate acts of mail fraud, wire fraud and Hobbs Act extortion
21 committed by the defendants and by both a RICO enterprise and a RICO conspiracy joined by the defendants
22 and that these RICO predicate acts "ha[d] injured the [plaintiffs'] business and/or property interests"
23 requirement of *Lujan v. Defenders of Wildlife*, 504 U. S. 555, 561 (1992).

24 23. The plaintiff's petition alleges RICO predicate acts of mail fraud and wire fraud were committed by the
25 defendants directly or through conspiracy in specific identified communications made through the US Mail and
26 electronically that injured the plaintiff in his business under the standing requirement of the unanimous court in
27 *Bridge et al v. Phoenix Bond & Indemnity Co. et al*, 128 S.Ct. 2131 (2008).

28 24. The plaintiff's petition alleges injury to his business' tangible property through RICO predicate acts
29 providing the plaintiff standing under *Regions Bank v. J.R. Oil Co., LLC*, 387 F.3d 721 at 729 (8th Cir., 2004).

Subject Matter Jurisdiction Over Defendants

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2 25. The plaintiff's petition alleges RICO predicate acts of mail fraud, wire fraud and Hobbs Act extortion
3 committed by both a RICO enterprise and a RICO conspiracy joined by the defendants making the defendants
4 liable to the plaintiff even if they are found to have committed no RICO predicate act of their own and found to
5 have lacked knowledge of the RICO enterprise and the RICO conspiracy's predicate acts against the plaintiff
6 under *United States v. Yannotti*, 06-5571-cr, 2008 WL 4071691 (2d Cir. September 4, 2008).

7 26. The plaintiff's petition alleges the named defendants voluntarily joined a RICO enterprise and a RICO
8 conspiracy to commit 18 U. S. C. § 1961 predicate acts through the actions of the defendants' Missouri
9 licensed attorney agents in violation of Missouri Rules of Professional Conduct §§ 4-3.3(a)(1) and (3); 4-3.4(b);
10 4-5.1(c) (1) and (2); 4-8.4(b), (c), (d) and (f).

11 27. The plaintiff's petition's allegations of the RICO conspiracy that the defendants willingly joined as
12 latecomer co-conspirators subject the latecomer defendants to liability for all acts during conspiracy's
13 existence. *Dextone Co. v. Building Trades Council of Westchester County*, 60 F.2d 47 (2d Cir. 1932).

14 28. The plaintiff's petition's allegations against the defendants arising through the actions of the defendants'
15 Missouri licensed attorney agents controlling and directing the RICO predicate acts in a managing role and in
16 violation of Missouri Rules of Professional Conduct and make the defendants co-conspirators under 18 U. S. C.
17 § 1961(d) under *Reves v. Ernst & Young*, 494 U.S. 56 (1990), *Reves II*, 507 U.S. at 185, 113 S. Ct. at 1173;
18 *Handeen v. Lemaire*, 112 F.3d 1339 at 1350-1351 (C.A.8 (Minn.), 1997); and *Reynolds v. Condon*, 908F.Supp.
19 1494 at 1510 (N.D. Iowa, 1995).

20 29. The plaintiff's petition alleges the named defendants participated in 18 U. S. C. § 1961 enumerated
21 predicate acts through Missouri licensed attorneys filing *fabricated documents* as material evidence supporting
22 their abuse of process to injure the plaintiff necessitating the finding of a conspiracy under *Hazel-Atlas Glass v.*
23 *Hartford Empire Co.* 322 U.S. 238 64 S.Ct. 997, 1000, 88 L. Ed 1250.

24 30. The plaintiff's petition alleges the named defendants participated in frauds through mail and wire
25 communications in the pre-litigation phase of lawsuits against the plaintiff that are not immune from RICO
26 liability on the basis of a First Amendment right to petition *Cardtoons, L.C. v. Major League Baseball Players*
27 *Ass'n*, 208 F.3d 885 (10th Cir. 2000) ("*Cardtoons V*").

28 31. The plaintiff's petition alleges the named defendants participated with state and federal judges who
29 have immunity that does not transfer to the named defendants under *Robinson v. Bergstrom*, 579 F.2d 401,

1 404 (7th Cir. 1978) and *Adickes v. S. H. Kress & Co.*, 398 U.S. at 152, 90 S.Ct. 1598.

2 32. The plaintiff's petition alleges the latecomer defendants joined a RICO enterprise and RICO conspiracy
3 created by General Electric and called the Novation LLC cartel which has the over arching goal of artificially
4 inflating hospital supply costs to skim Medicaid, Medicare and private insurance funds from hospitals and is
5 described fully in the litigation documents at [http://www.medicalsupplychain.com/Lipari%20v%20GE%2007-](http://www.medicalsupplychain.com/Lipari%20v%20GE%2007-0849.htm)
6 0849.htm

7 **Personal Jurisdiction**

8 33. The plaintiff SAMUEL K. LIPARI resides in the State of Missouri.

9 34. The defendant entities CHAPEL RIDGE MULTIFAMILY LLC; SWANSON MIDGLEY LLC; TROPBITO
10 & MILLER LLC are Missouri corporations.

11 35. The defendant entities REGUS PLC; REGUS MANGEMENT GROUP LLC; WELLS FARGO, and
12 WACHOVIA DEALER SERVICES INC regularly do business in the State of Missouri.

13 36. The defendant entities REGUS PLC; REGUS MANGEMENT GROUP LLC; and WELLS FARGO
14 maintain offices in the State of Missouri.

15 37. The defendant persons CHRISTOPHER BARHORST, HOLLY L. FISHER, LIANNE ZELLMER, CHRIS
16 M. TROPBITO, NICHOLAS L. ACKERMAN, and TONY R. MILLER reside or work in the State of Missouri.

17 **Venue**

18 38. The plaintiff's injuries from the latecomer defendants' predicate acts of racketeering described in this
19 complaint occurred in Jackson County of the State of Missouri.

20 39. The defendants' conduct against the plaintiff occurred in Jackson County of the State of Missouri.

21 40. The defendants' real estate holdings subject to *lis pendens* and satisfaction of the RICO conspiracy's
22 joint and several liability is located in Jackson County of the State of Missouri. See **Exhibit 3-3.1** Chapel Ridge
23 Articles

24 41. The Jackson County legal description of the defendant conspirator CHAPEL RIDGE MULTIFAMILY
25 LLC's commercial real estate is:

26 Lot 22 and Tract L, Chapel Ridge Business Park Lots 19 thru 22 and Tracts L&M, a subdivision in Lee's
27 Summit, Jackson County, Missouri.

28 **Exhibit 4** *lis pendens*, plaintiff's *lis pendens* against the CHAPEL RIDGE MULTIFAMILY LLC apartment
29 complex known as The Fairways at Lakewood.

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Timeliness

42. A four year limitations period from the last enumerated predicate act applies to all civil RICO claims under *Agency Holding Corp. v Malley-Duff & Associates, Inc.*, 483 U.S. 143 (1987).

43. The conduct of the latecomer defendants described in this complaint resulted in “new and independent injuries” to the plaintiff’s business property separate from those alleged against the RICO conspiracy in earlier litigation under *Glessner v. Kenny*, 952 F.2d 702 (3d Cir. 1991).

44. The last predicate act on information and belief was procuring the scheduling of the plaintiff’s Western District of Missouri Court of Appeals hearing to take place on December 15, 2009 in order to provide an overwhelming show of the defendant RICO conspiracy’s power over the State of Missouri legal system. See **Exhibit 5** Appeal Case Docket WD70832.

45. Following a nationally distributed news article, the Western District of Missouri Court of Appeals rescheduled the hearing to take place in January 2010. See **Exhibit 6** OpEd.

46. The last predicate acts of the defendant co-conspirators WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPBITO & MILLER LLC, CHRIS M. TROPBITO, NICHOLAS L. ACKERMAN, and TONY R. MILLER addressed in the present complaint occurred on December 15, 2009 when the firm completed its fraud scheme’s misrepresentations by failing to withdraw them on the demand of the plaintiff.

Governing Law

47. The plaintiff is suing the defendants under a private right of action provided in 18 U. S. C. § 1962 (c) for acts of the RICO enterprise committed by the defendants that are enumerated in 18 U. S. C. § 1961.

48. The plaintiff is suing the defendants under a private right of action provided in 18 U. S. C. § 1962 (d) RICO Conspiracy for acts of the RICO enterprise committed by the defendants that are enumerated in 18 U. S. C. § 1961.

49. The plaintiff’s charges of violations of 18 U. S. C. § 1962 (d) by the defendants SWANSON MIDGLEY LLC; CHRISTOPHER BARHORST; HOLLY L. FISHER; TROPBITO & MILLER LLC, CHRIS M. TROPBITO; NICHOLAS L. ACKERMAN; and TONY R. MILLER as knowledgeably joining the RICO conspiracy by intentionally committing 18 U. S. C. § 1961 section 1341 Mail frauds on the 16th Circuit of Missouri Court and by additional acts specifically prohibited by the Missouri Rules of Professional Conduct (“MRPC”) §§ 4-3.3(a)(1) and (3); 4-3.4(b); 4-5.1(c) (1) and (2); 4-8.4(b), (c), (d) and (f) and by disobeying their mandatory duty to report

1 MRPC violations of co-conspirators.

2 50. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants CHAPEL RIDGE
3 MULTIFAMILY LLC; SWANSON MIDGLEY LLC; CHRISTOPHER BARHORST; HOLLY L. FISHER as
4 knowledgeable joining the RICO conspiracy by intentionally committing frauds and conduct specifically
5 prohibited by Missouri Revised Statutes, Chapter 535, Landlord-Tenant Actions.

6 51. The plaintiff's charges of violations of 18 U. S. C. §§ 1962 (c) and (d) by the defendants' predicate acts
7 of 18 U. S. C. § 1961 section 1341 Mail Fraud.

8 52. The plaintiff's charges of violations of 18 U. S. C. §§ 1962 (c) and (d) by the defendants' predicate acts
9 of 18 U. S. C. § 1961 section 1341 Mail Fraud Deprivation of the Honest Services of Public Officials.

10 53. The plaintiff's charges of violations of 18 U. S. C. §§ 1962 (c) and (d) by the defendants' predicate acts
11 of the Hobbs Act (against Extortion) 18 U.S.C. §1951 that resulted in the loss of property by the plaintiff.

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13 **B. STATEMENT OF FACTS**

14 54. The Plaintiff makes the following allegations of fact relative to his claims:

15 **Parties**

16 55. The Plaintiff has listed the parties to this litigation and their places of business on the cover page of the
17 petition and the second page pursuant to 16th Circuit Court of Jackson County Missouri local rule 3.2 requiring
18 the plaintiff to lists the names address and contact information if known for the parties and registered agents for
19 service of process by the Jackson County Sheriff on the cover of the complaint.

20 56. On February 9 2008 the plaintiff, Samuel K. Lipari served the defendants and the Honorable Judge David
21 J. Waxse and Carlos Murguia with a, "Settlement Brief Notice" and three volumes of evidentiary exhibits
22 indexed by volume, exhibit number and the description of the document.

23 57. The settlement brief "*Lipari v US Bank Settlement Brief*", "Settlement Brief Evidence Exhibits Vol. I",
24 "Settlement Brief Evidence Exhibits Vol. II", and "Settlement Brief Evidence Exhibits Vol. III" were created by
25 the plaintiff in an effort to accelerate settlement and to stop the damage against citizens of the United States
26 and residence of the State of Missouri.

27 58. What the plaintiff instead encountered was the same criminal misconduct, fraud, extortion and retaliation
28 the plaintiff had already suffered for the past decade. See Lipari Affidavit **Exhibit 7**

29 59. On information and belief, the defendants in this action formed an agreement on July 24th, 2009 to
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1 participate in a criminal conspiracy with agents of the following RICO Conspiracy members General Electric
2 Company, General Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global
3 Signaling, LLC, Jeffrey R. Immelt, Seyfarth Shaw LLP, Stuart Foster, Heartland Financial Group, Inc.,
4 Christopher M. McDaniel, Husch Blackwell Sanders LLP, Bradley J. Schlozman, Novation LLC, US Bancorp
5 and The Piper Jaffray Companies whose conduct against the plaintiff is described fully on the plaintiff's web site
6 www.medicalsupplychain.com/news

7 60. On information and belief, the purpose of this agreement between the latecomers and the existing RICO
8 Conspirators is to commit RICO predicate acts of fraud and extortion against the plaintiff's business to further
9 an ongoing criminal RICO conspiracy which has the over arching goal of skimming hospital funds in artificially
10 inflated claims against Medicaid, Medicare and private health insurance funds.

11 61. On information and belief the existing conspirators had enlisted the aid of the Western District of Missouri
12 US Department of Justice, the Western District of Missouri Federal Bureau of Investigation field office at
13 Kansas City, Missouri and the police departments of Lee's Summit, Missouri; Blue Springs, Missouri; and
14 Independence, Missouri to assist the RICO conspiracy in obstructing justice in the plaintiff's private civil
15 litigation in state and federal courts to protect the RICO conspiracy's overarching criminal interest in controlling
16 the market for hospital supplies in an ongoing hospital skimming scheme.

17 62. On information and belief the police department of Lee's Summit was participating in a joint federal and
18 state task force that resulted in elite members of the Lee's Summit Police Department residing across from and
19 next to the plaintiff in the CHAPEL RIDGE MULTIFAMILY LLC apartment complex, The Fairways at Lakewood
20 to supplement the warrantless wiretapping.

21 63. The plaintiff supports the following statements with a sworn affidavit and evidentiary exhibits that
22 describe and document the public official corruption the plaintiff found running rampant in our Federal and State
23 agencies, courts and public offices which was used by the defendants CHAPEL RIDGE MULTIFAMILY LLC,
24 SWANSON MIDGLEY LLC, CHRISTOPHER BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS
25 MANGEMENT GROUP LLC, LIANNE ZELLMER, WELLS FARGO, WACHOVIA DEALER SERVICES INC.,
26 TROPPILO & MILLER LLC, CHRIS M. TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER and
27 their co-conspirators to injure the plaintiff and to carry out the over arching goals of the RICO conspiracy as set
28 by the RICO enterprise controlling hospital supplies in Missouri and the nation.

29 64. On February 26 2008 the plaintiff emailed U.S. Senator Claire McCaskill's office and Corey Dukes with
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1 information discussing the continued retaliation and interference with the plaintiff's Federal and State cases,
2 civil rights, property rights and business interests. See Lipari Affidavit **Exhibit 8**.

3 65. On February 28, 2008 the plaintiff sent an email to the plaintiff's Missouri State Representative for
4 Jackson County House Minority Party Leader Paul Lavota explaining the gravity of the plaintiff's situation and
5 asking why Missouri Governor Jay Nixon's office is not doing something about the public official corruption
6 obstructing justice in private civil litigation problem.

7 66. The plaintiff's letter gave notice that the problems seem to have escalated during the period Governor
8 Jay Nixon was the Attorney General for Missouri.

9 67. The plaintiff explained that Corey Dukes at Senator Claire McCaskill's office also knew all about the
10 problems the plaintiff had encountered. See **Lipari Affidavit Exhibit 9**.

11 68. On March 25 2008 the plaintiff called the US Attorneys office in Kansas City to complain of the
12 interference the plaintiff was experiencing when trying to transfer data via the internet (FTP and by email) for
13 his business when the plaintiff was informed by US Attorney for the Western District of Missouri, Assistant US
14 Attorney Jeffrey P. Ray that Ray would be representing former US Attorney Bradley Schlozman for his conduct
15 in his personal capacity before and after his service as a prosecutor in the Western District of Missouri Federal
16 Court case #07-0849 *Lipari v. GE*. See Lipari Affidavit **Exhibit 9.1**.

17 69. On March 28 2008, the plaintiff responded to the Administrative Office for US Courts regarding their
18 effort to restore confidence in our judiciary decimated by corruption under the Bush administration with showing
19 the "Straw Man Fraud" the plaintiff had documented was used by the defendants' RICO conspiracy to
20 fraudulently procure court rulings through out the plaintiff's eight-year legal battle and that resulted in decisions
21 never being based on fact or law. See Lipari Affidavit **Exhibit 10**.

22 70. On April 2, 2008 the plaintiff emailed Senator Claire McCaskill's office Corey Dukes and the U.S. House
23 Judicial Chairman John Conyers with the attached ethics complaint the plaintiff filed against the Honorable
24 Judge Carlos Murguia on February 1, 2008 for his continued misconduct in several of the plaintiff's cases See
25 Lipari Affidavit **Exhibit 11-11.1**.

26 71. On April 2, 2008 the plaintiff emailed Senator Claire McCaskill's office Corey Dukes with a letter to The
27 Honorable Judge John W. Lungstrum written in 2003, concerned about the lack of fact-based law decisions in
28 the plaintiff's litigation in Kansas District Court.

29 72. Additionally, the plaintiff sent an article from The Washington Post on how combined federal and state
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1 intelligence or threat fusion centers are run by states including the State of Missouri and have access to
2 sensitive personal information. See Lipari Affidavit **Exhibit 12-14**.

3 73. On April 3, 2008 the plaintiff emailed a reporter named Tom Flocco and explained the plaintiff's
4 difficulties with the Honorable Judge Carlos Murguia, US Senator Claire McCaskill, US Representative
5 Emanuel Cleaver II, US Attorney Bradley Schlozman and US Attorney John Wood regarding the judicial
6 misconduct, cover up, extortion, obstruction of justice and fraud being committed against the plaintiff, his family
7 and associates. See Lipari Affidavit **Exhibit 15**.

8 74. On April 14, 2008 the plaintiff emailed Corey Dukes with Senator Claire McCaskill's office and Geoffrey
9 Jolly with Representative Emanuel Cleaver's office, a confidential petition and a second ethics complaint
10 against the Honorable Judge Carlos Murguia. See Lipari Affidavit **Exhibit 16-17.1**.

11 75. On April 14, 2008 the plaintiff emailed a copy of the demand letter to AT&T for their role in obstructing
12 justice, warrantless wiretapping and illegal surveillance programs to interfere with the plaintiff's litigation,
13 businesses, personal property and civil rights. See Lipari Affidavit **Exhibit 18-18.1**.

14 76. On April 15, 2008 the plaintiff emailed Norm Siegel with Stueve Siegel Hanson LLP seeking help with the
15 plaintiff's up coming mediation and settlement negotiations with links to the three complaints the plaintiff
16 needed help with. See Lipari Affidavit **Exhibit 19**.

17 77. On April 15,th 2008 the plaintiff emailed Rick Holtsclaw with Holtsclaw & Kendall LC for help with the
18 plaintiff's cases mediation and settlement negotiations with links to the three complaints the plaintiff needed
19 help with. See Lipari Affidavit **Exhibit 20**.

20 78. On May 5, 2008 the plaintiff emailed Phil Cardarella for help with the plaintiff's cases mediation and
21 settlement negotiations with links to the three complaints the plaintiff needed help with. See Lipari Affidavit
22 **Exhibit 21**.

23 79. On May 8, 2008 Federal Task Force informant Suzanne Gauch provided introduction by email to Mike
24 Lavota as a potential attorney to represent the plaintiff in his cases. See Lipari Affidavit **Exhibit 22**.

25 80. On June 8, 2008 the plaintiff gave an interview to INN World Report outlining the obstruction of justice in
26 the plaintiff's six-year litigation and the continued fleecing of Medicare and Medicaid funds. See Lipari Affidavit
27 **Exhibit 23**.

28 81. On July 10, 2008 the plaintiff sent an email to Sidney J. Perceful, a Commissioner, of the Federal
29 Mediation & Conciliation Service of the United States Government following a meeting she had with the
30

1 Honorable Judge Dean Whipple concerning the plaintiff 's attorney Bret D. Landrith and his fraudulent
2 disbarment which was reciprocally imposed on Landrith without a hearing in the US District Court for the
3 Western District of Missouri.

4 82. According to Sidney J. Perceful, Judge Dean Whipple said he knew nothing about the Bret D. Landrith
5 disbarment which he observed was highly unlikely since it was to be introduced at a monthly meeting of judges
6 for a vote and he would have remembered it since the disbarments were so unusual but that the documentation
7 of the order bears his name.

8 83. The plaintiff's email shows the Honorable Judge Dean Whipple had notice of the fraudulent disbarment
9 See Lipari Affidavit **Exhibit 24**.

10 84. On November 20, 2008 the plaintiff emailed the latecomer defendants CHAPEL RIDGE MULTIFAMILY
11 LLC, SWANSON MIDGLEY LLC, CHRISTOPHER BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS
12 MANGEMENT GROUP LLC, LIANNE ZELLMER, WELLS FARGO, WACHOVIA DEALER SERVICES INC.,
13 TROPPILO & MILLER LLC, CHRIS M. TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER 's co-
14 conspirator Joel B. Voran with notice of criminal misconduct from Voran's firm Lathrop & Gage LLP and Lathrop
15 & Gage LLP's attorney showing that Lathrop & Gage LLP was engaged in a scheme with former Missouri
16 Governor Matt Blunt to artificially inflate the cost of hospital supplies and to extort Medicare and Medicaid funds
17 through the "Insure Missouri" hospital skimming scheme which included Neil L. Patterson and Cerner
18 Corporation, a Kansas City-based medical software corporation that makes health care management systems
19 to conceal the fraudulent claims against Medicaid and Medicare funds and that Governor Matt Blunt and the
20 Novation LLC cartel planned to use to administer Medicaid funds without oversight in the Insure Missouri
21 scheme. See Lipari Affidavit **Exhibit 25-25.1**.

22 85. On December 1, 2008 the plaintiff spoke with US Senator Claire McCaskill's caseworker Lisa M. Foehner
23 regarding the plaintiff's FOIA request for the plaintiff's case file, Lisa M. Foehner informed the plaintiff that
24 Senator Claire McCaskill had closed the plaintiff's case.

25 86. The plaintiff then emailed Senator McCaskill's Corey Dukes and U.S Representative Emanuel Cleaver
26 II's Geoffrey Jolley and explained the plaintiff's call with Lisa M. Foehner.

27 87. Corey Dukes and Geoffrey Jolley said that US Senator Claire McCaskill and U.S Representative
28 Emanuel Cleaver II were sending the plaintiff's request to the proper authorities in Washington regarding the
29 Western District of Missouri US Department of Justice Office of former US Attorney Bradley Schlozman and US
30

1 Attorney John Wood See Lipari Affidavit **Exhibit 26**.

2 88. On January 4, 2009 the plaintiff emailed notice to the members of the Missouri Board of Bar Governors
3 as prospective injunctive relief defendants in the first of three amended petitions outlining the continued
4 misconduct of the conspirators' licensed Missouri attorneys in misrepresenting the controlling case law and the
5 facts on the face of the plaintiff's pleadings to the 16th Circuit State of Missouri Court to procure through
6 extrinsic fraud sham dismissals of the plaintiff's claims for the purpose of protecting the RICO hospital supply
7 enterprise and the RICO conspiracy through a lack of legal review or law based decisions in Missouri case #
8 0816-04217 before the Honorable Judge Michael M. Manners. See Lipari Affidavit **Exhibit 27-27.1**.

9 89. On January 20, 2009 the plaintiff emailed notice to the Missouri Board of Governors concerning the
10 plaintiff's appeal #70534 in case # 0816-04217 before the Honorable Judge Michael M. Manners. See Lipari
11 Affidavit **Exhibit 28**.

12 90. On January 22, 2009 the plaintiff emailed Melissa Streeter (an acquaintance of Federal Task Force
13 Informant Susanne Gauch) on the ongoing and difficulties sending standard business documents and
14 communications by email. See Lipari Affidavit **Exhibit 29**.

15 91. On January 26, 2009 the plaintiff sent an email notice to David @storesecured.com which is the plaintiff's
16 consumer/home healthcare storefront's distributor and for which the plaintiff resold products under the brand
17 Medical Supply Line from the plaintiff's apartment provided by CHAPEL RIDGE MULTIFAMILY LLC and
18 through a virtual office mail and phone service provided by REGUS PLC, REGUS MANGEMENT GROUP LLC,
19 and LIANNE ZELLMER.

20 92. The email notice the plaintiff sent to David @storesecured.com stated that the business plaintiff operated
21 was forced to shut down due to continued antitrust, racketeering, conspiracy and fraud conduct by the RICO
22 enterprise and RICO conspiracy which sought to shut down even the separate consumer/ home healthcare
23 business and deprive the plaintiff of resources he could use to enter the hospital supply market. See Lipari
24 Affidavit **Exhibit 30**.

25 93. The RICO enterprise and RICO conspiracy are formed around the Novation LLC hospital supply cartel
26 scheme created by General Electric and Jeffry Immelt to skim hospitals by overcharging Medicare, Medicaid
27 and private insurers for hospital supplies.

28 94. The plaintiff also found that the RICO enterprise and RICO conspiracy are formed around the Novation
29 LLC hospital supply cartel scheme created by General Electric and Jeffry Immelt included the latecomer RICO
30

1 conspirators CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER BARHORST,
2 HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER, WELLS FARGO,
3 WACHOVIA DEALER SERVICES INC., TROPBITO & MILLER LLC, CHRIS M. TROPBITO, NICHOLAS L.
4 ACKERMAN, and TONY R. MILLER who formed an agreement to help shut down the plaintiff's home
5 healthcare/ consumer business in furtherance of the overarching goals of the RICO hospital supply enterprise
6 and the RICO conspiracy to keep me out of the institutional and with the intent to shut down the plaintiff's
7 financial resources. See Lipari Affidavit **Exhibit 30**.

8 95. On January 26, 2009 the plaintiff sent an email responding to the plaintiff's sister's son who was being
9 harassed by teachers in the Blue Springs school district.

10 96. The plaintiff's reply documented the continued interference from federal and State of Missouri agency
11 employees including those of the City of Blue Springs Police Department in conduct of public official corruption
12 to shut down the plaintiff's business and financial resources to further the overarching goals of RICO hospital
13 supply enterprise and the RICO conspiracy. See Lipari Affidavit **Exhibit 30.1**.

14 97. On January 26, 2009 the plaintiff took the plaintiff's mother to the "Bank of The West" and added her to
15 the plaintiff's account so that the plaintiff would have access to the funds invested by his brother and sister.

16 98. When the plaintiff and his mother sat down with the plaintiff's personal banker they learned "Bank of The
17 West" already had the plaintiff's mothers' name, address and social security number on file.

18 99. The plaintiff's mother has never conducted business with any bank in over 20 years (having only been a
19 credit union customer) and had never been a customer of the "Bank of The West".

20 100. Bank of The West was instructed by federal and State of Missouri agency employees to participate in
21 public official corruption and Bank of The West complied with the instruction from federal and state agencies to
22 monitor and report all activity regarding the plaintiff account(s) and activity.

23 101. On February 14, 2009 the plaintiff contacted Attorney General Mr. Eric Holder by mail and email pleading
24 for help (See Lipari Affidavit **Exhibit 31**) following US Senator Claire McCaskill's office's Regional Director
25 Michelle Sherod making a similar request to the Office of Inspector General. See Lipari Affidavit **Exhibit 31.1**.

26
27 **FBI AGENT KEVIN PERKINS HOBBS ACT EXTORTION IN**
28 **PARTICIPATION WITH THE RICO CONSPIRACY'S PUBLIC OFFICIAL CORRUPTION**

29 102. Deputy Inspector General Paul K. Martin forwarded the plaintiff's complaint to Kevin Perkins with the
30 Inspector Division of the Federal Bureau of Investigation ("FBI"). See Lipari Affidavit **Exhibit 31.2**.

1 103. The inspector Division declined to take action for lack of evidence (See Lipari Affidavit **Exhibit 31.3**) in
2 what turned out to be a form letter sent by the agency to obstruct justice in the cases the FBI had knowledge
3 the agency had used illegal letters of inquiry and warrantless wiretaps.

4 104. The plaintiff posted his request to Attorney General Mr. Eric Holder on Democratic Underground. See
5 Lipari Affidavit **Exhibit 31.4**.

6 105. On February 28, 2009 following the plaintiff's latest complaint to the Senate Judiciary Committee, the
7 Missouri Board of Bar Governors, the US Department of Justice ("USDOJ"), the FBI; the US Attorney for the
8 Western District of Missouri, John Wood resigned and Assistant US Attorney ("AUSA") Matt J. Whitworth took
9 over as interim US Attorney.

10 106. On July 1, 2009 the plaintiff mailed a notice to all the plaintiff's creditors and later duplicated copies to his
11 creditors by fax and email. See Lipari Affidavit **Exhibit 31.5**

12 107. On July 1, 2009 the plaintiff provided email notice to the Missouri Board of Governors with attached
13 exhibits (See Lipari Affidavit **Exhibit 32**) illustrating the Missouri Western District Appeals Court Clerk Terrance
14 Lord refused to accept the plaintiff's appeal brief (See Lipari Affidavit **Exhibit 32.1**) for word count even though
15 it conformed with the published online rules of the Missouri Supreme Court. See Lipari Affidavit **Exhibit 32.2**.

16 108. The plaintiff had previously attached a copy of the second request of June 27, 2009 pleading for help
17 from US Attorney General Mr. Eric Holder and hand delivered it to the City Attorney for the City of Lee's
18 Summit, City of Blue Springs, City of Independence and City of Kansas City on June 29 2009. See Lipari
19 Affidavit **Exhibit 32.3**.

20 109. On July 16 2009 the plaintiff received an email from LIANNE ZELLMER concerning my August invoice
21 for the REGUS PLC, REGUS MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33**.

22 110. The plaintiff replied by email and letter of July 1, 2009 explaining that as a third party contract beneficiary
23 of the business contracts and expectancies the plaintiff had lost due to the negligence of FBI Director Mr.
24 Robert Mueller in training FBI agents to investigate Public Official Corruption the FBI had knowledge of and
25 failed to stop allowing the RICO conspirators to continue procuring fraudulent outcomes in court, so the United
26 States Government would provide REGUS PLC, and REGUS MANGEMENT GROUP LLC the full amount due
27 along with any interest or penalty under the Federal Tort Claims Act as interpreted in *Limone v. U.S.*, 497
28 F.Supp.2d 143 at pgs. 231-243 (D. Mass., 2007). See Lipari Affidavit **Exhibit 33.1**.

29 111. The plaintiff attached a Federal Torts Claim Act Form 95 and the appropriate mailing address for LIANNE
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1 ZELLMER to submit on behalf of REGUS PLC, and REGUS MANGEMENT GROUP LLC to receive full
2 compensation for the plaintiff's obligations for the mail and phone service they had provided the plaintiff. See
3 Lipari Affidavit **Exhibit 33.1**.

4 112. On July 21, 2009 the plaintiff requested Attorney General Eric Holder start a criminal referral right here in
5 Kansas City. See Lipari Affidavit **Exhibit 34**.

6 113. On July 22, 2009 at 9:00 am the plaintiff sent a request for a criminal referral by email to the Professional
7 Responsibility Advisory Office regarding all of his letters, complaints and notices the plaintiff provided during the
8 plaintiff's eight year litigation and the plaintiff posted many of those letters, complaints and notice links on the
9 blog of Democratic Underground. See Lipari Affidavit **Exhibits 34.1**.

10 114. The plaintiff began posting documents on Democratic Underground because Internet communications
11 and emails were no longer reliable means of communicating with legislators, senators and representatives to
12 exposing the ongoing public corruption in our courts and US Department of Justice.

13 115. On July 22, 2009 at 1:30 pm the plaintiff went to Kansas Federal Court in Kansas City, Kansas at 500
14 State Avenue Kansas City, KS 66101-2400 to ask for information about a Freedom of Information Act ("FOIA")
15 request regarding information and communications between the courts, clerks and judges relating to the
16 ongoing interference with the plaintiff's 8-year litigation. See Lipari Affidavit **Exhibit 35**.

17 116. The plaintiff met with the clerk on the second floor and was asked to wait while he checked into the
18 plaintiff request.

19 117. Upon the clerk's return 5 minutes later he asked that the plaintiff leave the plaintiff name and number
20 because everyone was still out to lunch but that someone would get back to the plaintiff.

21 118. The plaintiff left his name and number and then proceeded to the Missouri Federal Court at 400 E. 9th
22 Street Kansas City, MO 64106 where the plaintiff made the same request and where he also left his name and
23 number and again someone would get back to the plaintiff.

24 119. In addition to making the plaintiff's request to the Missouri Federal Court the plaintiff went to the 5th floor
25 US Attorney's office and made a similar request but was given the name of Ms. Stafford to call at a later date.

26
27 **FBI SENIOR FIELD AGENT'S HOBBS ACT EXTORTION IN**
28 **PARTICIPATION WITH THE RICO CONSPIRACY'S PUBLIC OFFICIAL CORRUPTION**

29 120. The plaintiff then at about 2:15 pm proceeded to the FBI field office in Kansas City, Missouri at 1300
30 Summit Kansas City, Missouri 64105 and made a similar request to ask about the format of a FOIA and who

1 the records custodian the request should be addressed to.

2 121. A senior FBI field officer was sent out to meet with the plaintiff and he asked further questions about the
3 plaintiff's request.

4 122. The Western District of Missouri Senior FBI field officer then alarmed the plaintiff by looking at the
5 plaintiff and telling the plaintiff in a serious voice "Make sure the hill you are fighting for is worth dying for."

6 123. On July 22, 2009 at 5:17 pm the plaintiff was so alarmed and in fear that the plaintiff requested Federal
7 protection from Attorney General Mr. Eric Holder, which the plaintiff posted on Democratic Underground.

8 124. The plaintiff's post was later removed to cover up the criminal enterprise centered at the Kansas City FBI
9 field office and the office of Interim US Attorney Matt J. Wittworth. See Lipari Affidavit **Exhibit 35.1**.

10 125. On July 22, 2009 at 8:47 pm, the plaintiff emailed a notice to the Missouri Board of Governors regarding
11 the FBI field officer that threatened the plaintiff for making a FOIA request concerning the *ex parte*
12 communications between courts and the agency that appeared to have interfered with and obstructed justice in
13 the plaintiff' private civil litigation in Missouri state courts.

14 126. The plaintiff provided the Democratic Underground link showing the plaintiff's request for Federal
15 protection, which provided in the body of the plaintiff's email. See Lipari Affidavit **Exhibit 36**.

16
17 **THE LATECOMER DEFENDANTS' ENTER**
18 **INTO AGREEMENT TO JOIN RICO CONSPIRACY JULY 24, 2009**

19 127. On **July 24, 2009** the plaintiff checked his Appeal status for case #WD70832 on Missouri Case Net and
20 found the plaintiff was targeted with an eviction from the plaintiff's CHAPEL RIDGE MULTIFAMILY LLC
21 apartment filed in court (case #09-CV22818) that was the plaintiff's residence and business office and that the
22 case was filed at 4:58 pm Friday July 24, 2009. See Lipari Affidavit **Exhibit 37**.

23
24 **THE LATECOMER DEFENDANTS'**
25 **APARTMENT/OFFICE EVICTION MAIL FRAUD of**
26 **REGUS PLC, REGUS MANGEMENT GROUP LLC, and LIANNE ZELLMER**

27 128. On July 27, 2009 the plaintiff received a registered letter Dated **July 24, 2009** From LIANNE ZELLMER
28 immediately terminating my business services at the REGUS PLC, REGUS MANGEMENT GROUP LLC Office
29 Suites. See Lipari Affidavit **Exhibit 37.1**.

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**THE LATECOMER DEFENDANTS'
APARTMENT/OFFICE EVICTION MAIL FRAUD
Of SWANSON MIDGLEY LLC And CHRISTOPHER BARHORST**

129. On July 28, 2009 the plaintiff received a letter dated July 22 2009 from CHRISTOPHER BARHORST at SWANSON MIDGLEY LLC (See Lipari Affidavit **Exhibit 37.2**) that was post marked July 27 2009 as notice for rent not yet 30 days past due. See Lipari Affidavit **Exhibit 37.3**.

130. CHRISTOPHER BARHORST at SWANSON MIDGLEY LLC filed suit on Friday **July 24, 2009** before a notice or demand was ever mailed.

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**THE LATECOMER DEFENDANTS'
AUTOMOBILE REPOSSESSION MAIL FRAUD
WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPBITO & MILLER LLC,
CHRIS M. TROPBITO, NICHOLAS L. ACKERMAN, And TONY R. MILLER**

131. The plaintiff later received a notice document from NICHOLAS L. ACKERMAN with TROPBITO & MILLER LLC representing WELLS FARGO and its subsidiary WACHOVIA DEALER SERVICES INC. dated **July 24 2009** showing the concentrated effort to retaliate against the plaintiff for exposing the threat from the FBI field officer participating in the public official corruption utilized by the RICO conspiracy on July 22, 2009. See Lipari Affidavit **Exhibit 37.4**.

132. On July 28, 2009 the plaintiff emailed CHRISTOPHER BARHORST at SWANSON MIDGLEY LLC (See Lipari Affidavit **Exhibit 38** with the notice the plaintiff provided CHAPEL RIDGE MULTIFAMILY LLC and The Fairways at Lakewood on July 2, 2009. See Lipari Affidavit **Exhibit 38.1**.

133. On July 29, 2009 at 10:17 am and again to follow up at 3:44 pm the plaintiff posted notice to Attorney General Mr. Eric Holder through the Democratic Underground Justice Forum and asked that someone forward the plaintiff's pleading for help to Mr. Eric Holder. See Lipari Affidavit **Exhibit 39-39.1**.

134. On July 30, 2009 the plaintiff emailed CHRISTOPHER BARHORST at SWANSON MIDGLEY LLC again with the same notice the plaintiff later forwarded to the Missouri Board of Governors regarding the fraud committed on the court. See Lipari Affidavit **Exhibit 40-41**.

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**THE LATECOMER DEFENDANT
CHAPEL RIDGE MULTIFAMILY LLC's FAILED
ATTEMPT TO WITHDRAW FROM THE RICO CONSPIRACY**

135. On July 31, 2009 at 10:30 am the plaintiff's residence at the CHAPEL RIDGE MULTIFAMILY LLC

1 apartment complex known as The Fairways at Lakewood had an unusual amount of activity in the parking lot
2 with the apartment manager DeeDee Diaz and members of the Lee's Summit Police Joint Task Force meeting
3 in the parking lot and then suddenly leaving together.

4 136. That weekend according to several neighbors DeeDee Diaz, the CHAPEL RIDGE MULTIFAMILY LLC
5 Apartment Manager was fired and she moved out in the middle of the night.

6 137. On August 3, 2009 the plaintiff updated CHRISTOPHER BARHORST as an agent of CHAPEL RIDGE
7 MULTIFAMILY LLC with formal notice of their fraud against the court and the plaintiff with attached exhibits.

8 138. The plaintiff mailed notice of the fraud to the cc: recipients Attorney General Mr. Eric Holder, FBI Director
9 Mr. Robert Muller and the FBI field office in Kansas City.

10 139. The plaintiff hand delivered notice to The Honorable Judge Charles L. Stitt, the Lee's Summit City
11 Attorney Teresa Williams, the City Manager of Lee's Summit Stephen Arbo, and the owner and registered
12 agent of CHAPEL RIDGE MULTIFAMILY LLC, Scott Sperry and Grant A. Ramsey outlining the criminal
13 misconduct, the plaintiff's family being targeted and documented proof of fraud being committed on the court.

14 See Lipari Affidavit **Exhibit 42**.

15 140. The court clerk and the Honorable Judge Charles L Stitt omitted the plaintiff 's notice of fraud and
16 proceeded to participate in a fraudulent procured judgment. See Lipari Affidavit **Exhibit 42.1**.

17 141. While waiting for a copy of the judgment, the plaintiff could not believe that a court with notice of the
18 fraud would enter a fraudulent judgment so the plaintiff asked the clerk for to see the notice the plaintiff sent.

19 142. The Honorable Judge Charles L Stitt and the clerk of the court knowingly omitted the plaintiff's notice
20 from the file.

21 143. Because the plaintiff had a copy of the notice with the plaintiff during the hearing, the plaintiff asked the
22 court to file stamp the plaintiff's notice and enter it into the file.

23
24 **COMPLETION OF FRAUD ON**
25 **THE 16TH CIRCUIT COURT By CHAPEL RIDGE MULTIFAMILY LLC,**
SWANSON MIDGLEY LLC, CHRISTOPHER BARHORST, And HOLLY L. FISHER

26 144. The clerk was extremely nervous but stamped the plaintiff's notice and entered it into the file after the
27 fraudulently procured judgment was already entered. See Lipari Affidavit **Exhibit 42.2**.

28 145. On August 3, 2009 the plaintiff provided notice to the Missouri Board of Governors and the plaintiff's
29 defendants with formal notice of the fraud being committed on the court by SWANSON MIDGLEY LLC,
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1 CHRISTOPHER BARHORST, and HOLLY L. FISHER while the defendants' co-conspirators were already in
2 Federal and State court for the same fraudulent misconduct. See Lipari Affidavit **Exhibit 43**.

3 146. On August 12, 2009 the plaintiff sent notice to The Board of Governors showing the plaintiff's request for
4 Mr. Holder to start enforcing our laws and support the President Obama healthcare initiative. See Lipari
5 Affidavit **Exhibit 44**.

6
7 **MISSOURI ATTORNEY GENERAL CHRIS KOSTER'S**
8 **PARTICIPATION IN THE RICO CONSPIRACY'S PUBLIC OFFICIAL CORRUPTION**

9 147. On August 14, 2009 the plaintiff sent notice to the Board of Bar Governors showing what the plaintiff
10 posted on Democratic Underground to Attorney General Mr. Chris Koster regarding a notice signed by Jodi
11 Lehman from the Missouri Attorney General Chris Koster's office targeting the plaintiff with a sham consumer
12 complaint to artificially create a negative inquiry on the plaintiff's business record. See Lipari Affidavit **Exhibit**
13 **45**

14 148. Missouri Attorney General Chris Koster is responsible for knowing, the company he targeted is a Kansas
15 corporation that is inactive and has never made a consumer sale in addition to being out of Attorney General
16 Chris Koster's jurisdiction.

17 149. Missouri Attorney General Chris Koster's complaint was in bad faith and in furtherance of the RICO
18 conspiracy's over arching goal to loot Medicaid and Medicare through control of hospital supplies because of
19 the fact the plaintiff was the consumer making a purchase from a company in Texas. See Lipari Affidavit
20 **Exhibit 45.1**.

21 150. On August 17, 2009 the plaintiff emailed notice to the Board of Bar Governors (See Lipari Affidavit
22 **Exhibit 46**) regarding the plaintiff's next business injuries to be litigated for treble damages. See Lipari Affidavit
23 **Exhibit 46.1**.

24 151. On August 17, 2009, the plaintiff emailed a news link that three U.S. Senate Committees have now
25 requested the same information the plaintiff has requested as discovery only to be confronted by sham un-
26 researched misrepresentations of controlling law by Missouri licensed attorneys who obstructed justice with
27 their misrepresentations of law and fact to state and federal tribunals for the past 8 years. See Lipari Affidavit
28 **Exhibit 47**.

29 152. On August 19, 2009, the plaintiff emailed notice to the Board of Bar Governors and the defendants
30 regarding the completed fraud under the controlling case law of this jurisdiction for fraud on the court committed

1 in Missouri See Lipari Affidavit **Exhibit 48**.

2 153. On August 21, 2009 at 8:07 am the plaintiff emailed notice to the Board of Bar Governors that Missouri
3 Attorney General Chris Koster failing to do anything doing about the harm to Missourians caused by the refusal
4 to enforce Missouri Laws against the plaintiff's defendants and the public officials protecting the RICO
5 enterprise and RICO conspiracy. See Lipari Affidavit **Exhibit 49-49.1**.

6 154. By 12:54 pm certain public officials had instructed administrators for the blog Democratic Underground to
7 begin censoring the plaintiff's speech and remove him from posting any more information about the ongoing
8 criminal RICO enterprise being protected by the Western District of Missouri Office of the USDOJ. See Lipari
9 Affidavit **Exhibit 49.2**.

10 155. The same public officials who had the plaintiff removed from Democratic Underground knew the plaintiff's
11 email service and web site postings were no longer reliable forms of communication due to the ongoing
12 interference from my Internet Service Provider and email client provider GoDaddy.com.

13 156. On August 31, 2009 the plaintiff emailed notice to the Board of Bar Governors, the St Louis FBI office of
14 John Gilles and the Inspector General of the US Department of Justice regarding the continued public
15 corruption, retaliation, obstruction of justice and targeting of the plaintiff, his family and business associates to
16 interfere with the plaintiff's Federal and State litigation. See Lipari Affidavit **Exhibit 50-50.4**.

17 157. On September 1, 2009 the plaintiff emailed additional evidence to the Missouri Board of Bar Governors
18 about the plaintiff's family being targeted and harassed by the US Attorney's Office, which was physically
19 carried out by Federal and State law enforcement including the Federal/ State Joint Task Force members the
20 City of Lee's Summit, Blue Springs and Independence police departments. See Lipari Affidavit **Exhibit 51**.

21 158. On September 9, 2009 the plaintiff emailed notice to the Missouri Board of Governors regarding the loss
22 of life and damages to US Citizens and Missouri residents as a result of Federal and State agencies refusing to
23 enforce our Federal and State Laws against criminal misconduct and public official corruption to maintain the
24 RICO conspiracy's monopoly in healthcare. See Lipari Affidavit **Exhibit 52**.

25 159. On September 16, 2009 the plaintiff emailed notice to the Missouri Board of Governors regarding the
26 continued retaliation and harassment toward the plaintiff, members of the plaintiff's family and business
27 associates. See Lipari Affidavit **Exhibit 53-53.1**.

28 160. On September 17, 2009 the plaintiff responded to LIANNE ZELLMER with REGUS PLC, REGUS
29 MANGEMENT GROUP LLC office suites regarding a collection agency email from HQ and a balance of
30

1 \$3533.70, which is dramatically more (4x) than was requested at the time the plaintiff services were
2 immediately terminated in coordination with the eviction from the plaintiff's residence that also began on **July**
3 **24 2009**. See Lipari Affidavit **Exhibit 54**.

4 161. In addition to the plaintiff's account being immediately terminated and turned over for collection with no
5 offer made to restore service, the plaintiff sent notice to LIANNE ZELLMER and Susan Conley regarding
6 REGUS PLC, and REGUS MANGEMENT GROUP LLC's participation in the ongoing RICO enterprise after the
7 plaintiff provided an offer on July 16 2009 for a complete and total resolution including any penalty and interest
8 See Lipari Affidavit **Exhibit 54.1**.

9 162. The plaintiff responded again on September 18 2009 as a follow up to the plaintiff's previous response
10 asking for the name of REGUS PLC, and REGUS MANGEMENT GROUP LLC's legal counsel so that the
11 plaintiff could serve them a new or amended RICO complaint. See Lipari Affidavit **Exhibit 54.2**.

12 163. On September 24, 2009 Missouri's Chief Supreme Court Justice William Ray Price Jr. addressed the
13 Missouri Board of Governors and officers of the courts about systemic misconduct in our Missouri state courts
14 that the plaintiff had repeatedly experienced including predetermined outcomes that procured court judgments
15 through extrinsic fraud, depriving Missouri citizens of a trial in front of a jury. See Lipari Affidavit **Exhibit 55**.

16 164. On September 29, 2009 the plaintiff emailed notice again to US Senator Claire McCaskill following her
17 September 16, 2009 response in addition to the Board of Bar Governors and the Senate Judiciary Committee
18 (see Lipari Affidavit **Exhibit 55.1**) regarding the RICO enterprise in hospital supplies including its continued
19 misconduct and retaliation through public official corruption. See Lipari Affidavit **Exhibit 55.2**.

20 165. On September 30, 2009 the plaintiff emailed notice to the Board of Bar Governors (see Lipari Affidavit
21 **Exhibit 56**) and hand delivered notice to the Honorable Judge Robert L. Trout and the Honorable Senior Judge
22 W. Stephen Nixon file stamped by the clerk of the associate court in Independence, Missouri Division 32 and
23 Division 5 outlining the latest RICO co-conspirators CHRIS M. TROPPILO, TONY R. MILLER and NICK L.
24 ACKERMAN of TROPPILO & MILLER LLC participating in the ongoing enterprise's conspiracy to control
25 hospital supplies.

26 166. The plaintiff replied to the RICO enterprise with a letter outlining the plaintiff's position on the continued
27 harassment and targeting of the plaintiff, his family and his business interests. See Lipari Affidavit **Exhibit 56.1**.

28 167. On October 7, 2009 the plaintiff sent notice to The Missouri Board of Governors showing the Honorable
29 William Ray Price Jr., Supreme Court Justice of Missouri addressing the plaintiff's complaints and misconduct
30

1 about Missouri State courts participating in support of fraudulent outcomes. See Lipari Affidavit **Exhibit 57**.
2 168. The plaintiff attached the most recent fraud on the court by TROPBITO & MILLER LLC. See Lipari
3 Affidavit **Exhibit 57.1**.

4 169. On October 8, 2009 the emailed notice to the Board of Bar Governors with a cc: to US Senator Claire
5 McCaskill regarding the Honorable Judge Charles L. Stitt's continued participation in the criminal enterprise
6 See Lipari Affidavit **Exhibit 58**.

7
8 **COMPLETION OF SECOND FRAUD ON**
9 **THE 16TH CIRCUIT COURT By CHAPEL RIDGE MULTIFAMILY LLC,**
10 **SWANSON MIDGLEY LLC, CHRISTOPHER BARHORST, And HOLLY L. FISHER**

11 170. The Honorable Judge Charles L. Stitt continued his participation with CHAPEL RIDGE MULTIFAMILY
12 LLC even after Judge Charles L. Stitt had notice of the fraud but instructed the court clerk to omit the notice
13 from the file in further participation of the RICO conspirator's fraud by attempting to conceal his role and the
14 misconduct of the defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC,
15 CHRISTOPHER BARHORST, and HOLLY L. FISHER. See Lipari Affidavit **Exhibit 58.1**.

16 171. The Honorable Judge Charles L. Stitt then proceeded with a garnishment Honorable Judge Charles L.
17 Stitt knew was procured through fraud committed on the court by SWANSON MIDGLEY LLC, CHRISTOPHER
18 BARHORST, and HOLLY L. FISHER. See Lipari Affidavit **Exhibit 58.2**.

19 172. On October 29, 2009 the plaintiff emailed another notice to the Missouri Board of Bar Governors outlining
20 the continued negligence in policing against the open public official corruption and the continued fraudulent
21 outcomes procured through extrinsic fraud on the court and the cases affected by the fraud. See Lipari Affidavit
22 **Exhibit 59**.

23 **THE RICO CONSPIRACY'S CONTINUED**
24 **DEPRIVATION OF LEGAL REPRESENTATION FOR THE PLAINTIFF**

25 173. On November 11, 2009 the plaintiff sent another notice to The Missouri Board of Governors outlining
26 again the continued negligence in policing against the open public official corruption and the continued
27 fraudulent outcomes procured through extrinsic fraud on the court (see Lipari Affidavit **Exhibit 60**) with the first
28 page of a new RICO action against defendants that included Missouri licensed attorneys CHRISTOPHER
29 BARHORST, HOLLY L. FISHER CHRIS M. TROPBITO, NICHOLAS L. ACKERMAN, and TONY R. MILLER
30 and the Missouri chartered law firms SWANSON MIDGLEY LLC and TROPBITO & MILLER LLC that the

1 plaintiff would be forced to file for subsequent RICO conduct over the past two years even while the same
2 misconduct was still being litigated in Federal and State courts. See Lipari Affidavit **Exhibit 60.1**.

3 174. During this same period covered in this complaint, the plaintiff has been repeatedly injured by US Bank
4 and US Bancorp in conspiracy with the RICO enterprise and RICO co-conspirators to deprive the plaintiff of
5 legal counsel by tortuously interfering with my business expectancies for legal representation by Hawver Law
6 Office and Steven Siegel Hanson, LLP.

7 **CAUSES OF ACTION**

8 169. The plaintiff makes the following allegations incorporating by reference the contents of this petition and
9 its exhibits.

10 **COUNT I** 11 **Civil RICO violations of 18 U.S.C. § 1962(c)**

12 170. The defendants have injured the plaintiff in his business or property by reason of violations of 18 U.S.C.
13 § 1962.

14 171. The defendants have injured the plaintiff's home healthcare/consumer supplies business and the
15 plaintiff's hospital supply business impact on interstate commerce

16 **(1) conduct**

17 172. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
18 BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER,
19 WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M. TROPPILO,
20 NICHOLAS L. ACKERMAN, and TONY R. MILLER have engaged in conduct individually, jointly as part of a
21 RICO enterprise in the 16th Circuit State of Missouri Court and as part of a RICO Conspiracy with the Novation
22 LLC Cartel RICO enterprise to injure the plaintiff's business and property to prevent him from competing in the
23 market for hospital supplies.

24 **(2) of an enterprise**

25 173. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
26 BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER,
27 WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M. TROPPILO,
28 NICHOLAS L. ACKERMAN, and TONY R. MILLER have participated jointly as part of a RICO enterprise in the
29 16th Circuit State of Missouri Court and as part of a RICO Conspiracy with the Novation LLC Cartel RICO
30

1 enterprise to injure the plaintiff's business and property to prevent him from competing in the market for hospital
2 supplies.

3 174. The defendants are an "association-in-fact" enterprises under 18 U.S.C., section 1961(4).

4 **(3) Pattern**

5 175. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
6 BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER,
7 WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M. TROPPILO,
8 NICHOLAS L. ACKERMAN, and TONY R. MILLER have participated jointly as part of a RICO enterprise in the
9 16th Circuit State of Missouri Court:

10 176. As part of a RICO Conspiracy with the Novation LLC Cartel RICO enterprise to injure the plaintiff's
11 business and property to prevent him from competing in the market for hospital supplies as part of a regular
12 way of doing business in the 16th Circuit State of Missouri Court,

13 177. And as a way to continue the RICO pattern of RICO predicate acts against the plaintiff's business in
14 court began by the defendants fellow RICO co-conspirators General Electric Company, General Electric Capital
15 Business Asset Funding Corporation, GE Transportation Systems Global Signaling, LLC, Jeffrey R. Immelt,
16 Seyfarth Shaw LLP, Stuart Foster, Heartland Financial Group, Inc., Christopher M. McDaniel, Bradley J.
17 Schlozman, Novation LLC, US Bancorp and The Piper Jaffray Companies.

18 **(4) Racketeering Activity**

19 178. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
20 BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER,
21 WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M. TROPPILO,
22 NICHOLAS L. ACKERMAN, and TONY R. MILLER have engaged in conduct individually, jointly as part of a
23 RICO enterprise in the 16th Circuit State of Missouri Court and as part of a RICO Conspiracy with the Novation
24 LLC Cartel RICO enterprise to commit the following RICO predicate acts enumerated under 18 U.S.C. § 1961:

25 **18 U. S. C. § 1961 section 1341 Mail fraud**

26 179. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
27 BARHORST, HOLLY L. FISHER engaged in a scheme to defraud the 16th Circuit Court of Missouri and the
28 plaintiff through the above stated misrepresentations and the attachments to the plaintiff's affidavit to perpetrate
29 a fraud on the court..

1 180. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
2 BARHORST, HOLLY L. FISHER used the US Mail to send letters on the dates described above and in the
3 attachments to the plaintiff's affidavit to further the defendants' fraudulent scheme to injure the plaintiff.

4 181. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
5 BARHORST, HOLLY L. FISHER deceived the 16th Circuit Court of Missouri to evict the plaintiff from his
6 apartment/business office on the date and time stated above and in the plaintiff's affidavit attachments.

7 182. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
8 BARHORST, HOLLY L. FISHER deceived the 16th Circuit Court of Missouri to obtain a garnishment against the
9 plaintiff and his Bank of the West accounts.

10 183. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
11 BARHORST, HOLLY L. FISHER deceived the plaintiff into relinquishing his leasehold in his
12 apartment/business office on the date and time stated above and in the plaintiff's affidavit attachments because
13 of the fostered illusion of the RICO conspiracy to keep the plaintiff from being able to sale hospital supplies had
14 the courts of the State of Missouri were rigged..

15 184. The plaintiff was injured in his business and property by the loss of his leasehold in his
16 apartment/business office, the remaining days under the Missouri landlord tenant law chapter that the plaintiff
17 could have used to save his business expectancies and to protect his credit from the defendants' injury.

18 185. WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M.
19 TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER have engaged in mail fraud manufacturing
20 evidence as stated in the facts above and the plaintiff's affidavit and attachments.

21 186. WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M.
22 TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER used the US Mails to further their fraudulent
23 scheme.

24 187. WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M.
25 TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER used the US Mails and electronic
26 communications to further the fraudulent scheme to deceive the plaintiff into voluntarily returning his business
27 car to avoid negative information on the plaintiff's credit report when the defendants had no intention to avoid
28 injuring the plaintiff's personal and business credit reputation as part of the over all scheme to deprive the
29 plaintiff of any resource he could use to enter the hospital supply market.
30

1 188. On July 1, 2009 plaintiff sent notice to WACHOVIA DEALERS SERVICES INC. that was later faxed on
2 July 27 2009 explaining that as a third party contract beneficiary of the business contracts and expectancies the
3 plaintiff had lost due to the negligence of FBI Director Mr. Robert Mueller in training FBI agents to investigate
4 Public Official Corruption the FBI had knowledge of and failed to stop allowing the RICO conspirators from
5 continuing to procure fraudulent outcomes in court, so the United States Government would provide
6 WACHOVIA DEALERS SERVICES INC. the full amount due along with any interest or penalty under the
7 Federal Tort Claims Act as interpreted in *Limone v. U.S.*, 497 F.Supp.2d 143 at pgs. 231-243 (D. Mass., 2007).
8 See Lipari Affidavit **Exhibit 31.5**.

9 189. On or about the last week of July plaintiff was interviewed for two hours by Lee's Summit Police
10 Department Detective Griggs regarding evidence through legally unrepresented statements of an insurance
11 claim created by Joint Task Force and its informant Suzanne Gauch.

12 190. Plaintiff was targeted in effort to manufacture evidence that would justify the fraud and criminal
13 misconduct from Federal and State public officials and to interfere with plaintiffs Federal and State litigation.

14 191. When Lee's Summit Police Department Detective Griggs was preparing to leave plaintiff insinuated the
15 USDOJ's negligence was also responsible for the death of Mr. George Tiller.

16 192. Plaintiff told Lee's Summit Police Department Detective Griggs that Kansas Attorney General and later
17 Johnson County District Attorney Phil Kline should also be responsible because he also failed to protect Dr.
18 George Tiller.

19 193. Detective Griggs violently defended Kansas Attorney General and later Johnson County District Phil
20 Kline and then proceeded to press plaintiff explaining what a late term partial birth abortions is and that Mr.
21 George Tiller deserved what he got.

22 **1st Section 1341 Mail fraud Predicate Act**

23 194. On August 27, 2009 plaintiff received a letter from NICHOLAS ACKERMAN Bar#54761 with
24 TROPPILO + MILLER, LLC representing WACHOVIA DEALERS SERVICES INC. See Lipari Affidavit **Exhibit**
25 **49.3**.

26 195. On September 3 2009 plaintiff provide email notice to NICHOLAS ACKERMAN BAR#54761 with
27 TROPPILO + MILLER, LLC representing WACHOVIA DEALERS SERVICES INC. outlining the notice plaintiff
28 mailed on July 1 2009 and faxed on July 27 2009 to WACHOVIA DEALERS SERVICES INC. Jorge Torres
29 which explained in detail how WACHOVIA DEALERS SERVICES INC. could obtain a full resolution to plaintiffs
30

1 contractual obligation and plaintiffs wiliness to work with WACHOVIA DEALERS SERVICES INC. See Lipari
2 Affidavit **Exhibit 51.1**

3 **2nd Section 1341 Mail fraud Predicate Act**

4 196. On September 28, 2009 a law suite was filed against plaintiff by NICHOLAS ACKERMAN BAR#54761
5 with TROPBITO + MILLER, LLC representing WACHOVIA DEALERS SERVICES INC. Jorge Torres without
6 any response to plaintiffs letter of September 3 2009. See Lipari Affidavit **Exhibit 51.2.**

7 197. On September 29th 2009 at or about 10:30 am Plaintiff called WACHOVIA DEALERS SERVICES INC.
8 JORGE TORRES from the intersection of I-35 and Metcalf but the phone did not work properly so plaintiff
9 proceeded to I-35 and 95th Street and called from a convenience store.

10 198. Plaintiff spoke with WACHOVIA DEALERS SERVICES INC. JORGE TORRES when Mr. TORRES
11 knowingly made a fraudulent misrepresentation.

12 199. WACHOVIA DEALERS SERVICES INC.' Jorge Torres offered to the plaintiff that if the plaintiff
13 surrendered the vehicle, WACHOVIA DEALERS SERVICES INC. Jorge Torres would make sure there would
14 be no negative reporting on plaintiffs credit report and no collection effort for any outstanding balance when the
15 vehicle was sold.

16 200. On September 29 2009 plaintiff emailed NICHOLAS L. ACKERMAN Bar #54761 TONI R. MILLER and
17 CHRIS M. TROPBITO with TROPBITO + MILLER, LLC notice of the conversation plaintiff had with
18 WACHOVIA DEALERS SERVICES INC. JORGE TORRES and ask that service be provided by email. See
19 Lipari Affidavit **Exhibit 55.3.**

20 **3rd Section 1343 Wire fraud Predicate Act**

21 201. On September 29, 2009 plaintiff received notice "Delivery of the following recipients failed". See Lipari
22 Affidavit **Exhibit 55.4.**

23 202. The delivery notification failure was a server generated failure rather than the normal network failure for
24 a non-deliverable email address . See Lipari Affidavit **Exhibit 55.4.**

25 203. Because plaintiffs email was blocked at the TROPBITO + MILLER, LLC server, plaintiff sent his 28
26 page September 30 2009 letter with attached exhibits highlighting the continued fraudulent misconduct of
27 NICHOLAS L. ACKERMAN BAR#54761 TONI R. MILLER and CHRIS M. TROPBITO with TROPBITO +
28 MILLER, LLC to the Missouri Board of Governors. See Lipari Affidavit **Exhibit 56.1.**

1 204. Plaintiff also hand delivered his September 30 2009 letter and evidentiary exhibits to the clerk of the
2 associate court and The Honorable Judge Robert L. Trout and The Honorable Senior Judge W. Stephen Nixon.

3 See Lipari Affidavit **Exhibit 56.2**.

4 205. Plaintiff witnessed the clerk file stamp the 28-page document.

5 206. On October 2 2009 plaintiff faxed the 28 page document dated September 30 2009 with attached
6 exhibits in a continued effort to communicate with NICHOLAS L. ACKERMAN, TONI R. MILLER and CHRIS
7 M. TROPPILO with TROPPILO + MILLER, LLC and WACHOVIA DEALERS SERVICES INC. Jorge Torres.

8 See Lipari Affidavit **Exhibit 56.3**

9 **4th Section 1341 Mail fraud Predicate Act**

10 207. On October 5, 2009 plaintiff finally received a letter from NICHOLAS L. ACKERMAN, TONI R. MILLER
11 and CHRIS M. TROPPILO with TROPPILO + MILLER, LLC with attached exhibits of the Retail agreement with
12 WACHOVIA DEALERS SERVICES INC. JORGE TORRES and a copy of plaintiff pay history. See Lipari
13 Affidavit **Exhibit 56.4**.

14 208. On October 6, 2009 plaintiff faxed the 28 page September 30 2009 letter with exhibits of NICHOLAS L.
15 ACKERMAN BAR#54761 TONI R. MILLER and CHRIS M. TROPPILO with TROPPILO + MILLER, LLC
16 fraudulent misrepresentations to WACHOVIA DEALERS SERVICES INC.'S Jorge Torres. **(See Lipari**
17 **Affidavit Exhibit 56.5)**

18 209. On October 7, 2009 plaintiff replied to the October 6 2009 letter of NICHOLAS L. ACKERMAN
19 BAR#54761 TONI R. MILLER and CHRIS M. TROPPILO with TROPPILO + MILLER, LLC fraudulent
20 misrepresentations and omission of the facts to the court. See Lipari Affidavit **Exhibit 56.6**.

21 **5th Section 1341 Mail fraud Predicate Act**

22 210. On October 17 2009 plaintiffs' brother received service for case #0916-CV29828 and recognized
23 several fraudulent statements and misrepresentations. See Lipari Affidavit **Exhibits** Email and Fax

24 211. When plaintiff received service October 17 2009 court documentation did not reflect factual events or
25 statement. See Lipari Affidavit **Exhibit** Email andFax

26 212. The entire affidavit misrepresents the facts outline and supported evidentiary exhibits. See Lipari
27 Affidavit **Exhibit** Email andFax

28 213. Plaintiff's one additional document that has never been presented to plaintiff called the first notice of
29 consumer's right to cure. See Lipari Affidavit **Exhibit 37.4**.

1 **6th Section 1341 Mail fraud Predicate Act**

2 214. Plaintiff on information and belief avers that Exhibit B of the WACHOVIA DEALERS SERVICES INC.'S
3 petition was fraudulently created and filed to give the appearance of a timely notice to cure. **(See Lipari**
4 **Affidavit Exhibit 37.4)**

5 215. Plaintiff on information and belief avers that the plaintiffs' residence, business and personal and
6 business assets were all targeted on **July 24 2009** in retaliation for exposing the death threat from an FBI field
7 officer July 22 2009. See Lipari Affidavit **Exhibits** Email and Fax

8 216. REGUS PLC, REGUS MANGEMENT GROUP LLC, and LIANNE ZELLMER used the mails in a
9 scheme to defraud the plaintiff and to deprive him of the virtual office services of mail and telephone
10 communications.

11 217. On information and belief REGUS PLC, and REGUS MANGEMENT GROUP LLC, entered into this
12 fraudulent scheme as a result of the electronic communications of the RICO conspirators to LIANNE ZELLMER
13 who later used the mails in a scheme to obtain four times the arrearage when the shut off of virtual office
14 services had led to the plaintiff having to curtail his consumer home health care portion of his business.

15 218. On May 15, 2009 plaintiff received his June email invoice totaling \$ 295.85 from LIANNE ZELLMER for the
16 REGUS PLC, REGUS MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33.2**).

17 219. On June 8, 2009 plaintiff received a certified mail from LIANNE ZELLMER for the REGUS PLC, REGUS
18 MANGEMENT GROUP LLC office suites **(See Lipari Affidavit Exhibit 33.3**

19 ***Re: Notice of default and late fee assessment letter per agreement (the "Agreement") dated September 24, 2007***
20 ***by and between Regus Management Group, LLC and Medical Supply Line***

21 220. On June 15, 2009 plaintiff received his July email invoice totaling 265.29 from LIANNE ZELLMER for the
22 REGUS PLC, REGUS MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33.4**.

23 221. The plaintiff replied by email and letter on July 1, 2009 explaining that as a third party contract beneficiary of the
24 business contracts and expectancies the plaintiff had lost due to the negligence of FBI Director Mr. Robert Mueller in
25 training FBI agents to investigate Public Official Corruption the FBI had knowledge of and failed to stop allowing the
26 RICO conspirators to continue procuring fraudulent outcomes in court, so the United States Government would provide
27 REGUS PLC, and REGUS MANGEMENT GROUP LLC the full amount due along with any interest or penalty under the
28 Federal Tort Claims Act as interpreted in *Limone v. U.S.*, 497 F.Supp.2d 143 at pgs. 231-243 (D. Mass., 2007). See Lipari
29 Affidavit **Exhibit 33**

1 222. The plaintiff attached a Federal Torts Claim Act Form 95 and the appropriate mailing address for LIANNE
2 ZELLMER to submit on behalf of REGUS PLC, and REGUS MANGEMENT GROUP LLC to receive full compensation
3 for my obligations for the mail and phone service they had provided the plaintiff. See Lipari Affidavit **Exhibit 33.1**.

4 **7th Section 1341 Mail fraud Predicate Act**

5 223. Also on July 1,5 2009 plaintiff received a certified mail from LIANNE ZELLMER for the REGUS PLC, REGUS
6 MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33.5**.

7 *Re: Termination of service under agreement (the "Agreement") dated September 24, 2007 by and between Regus
8 Management Group, LLC and Medical Supply Line*

9 224. On July 16, 2009 plaintiff received his August email invoice totaling \$ 278.06 from LIANNE ZELLMER for the
10 REGUS PLC, REGUS MANGEMENT GROUP LLC office suites with a past due amount showing \$ 561.18 for a total of
11 \$ 839.24. See Lipari Affidavit **Affidavit Exhibit 33**.

12 **8th Section 1341 Mail fraud Predicate Act**

13 225. Again on July 24, 2009 plaintiff received a certified mail from LIANNE ZELLMER for the REGUS PLC,
14 REGUS MANGEMENT GROUP LLC office suites See Lipari Affidavit **Exhibit 33.6**:

15 *"Re: Services Agreement (the "Agreement") dated September 24, 2007 by and between Regus Management
16 Group, LLC and Medical Supply Line for virtual office services at Crown Center 2300 Main Street, Suite 900,
17 Kansas City MO*

18 *Accordingly, the agreement is terminated as of the date of this letter."*

19 **9th Section 1343 Wire fraud Predicate Act**

20 226. On September 17, 2009 plaintiff received a collection letter by email demanding payment of \$ 3533.70 payable to
21 NRS, for further credit to HQ dba Regus. See Lipari Affidavit **Exhibit 33.7**:

22 *"My firm has been retained by HQ dba Regus. They have provided me with your most recent statement and
23 invoices, and have requested immediate action be instituted in Jackson County. No attorney fees have been
24 added to this case yet. We are willing to waive all additional fees and stop all pending action in Jackson County,
contingent on this case being resolved by September 17, 2009. Your cashier's check is to be forwarded to the
address below via Federal Express or other overnight courier. Calling me back with the air waybill tracking
number from your overnight receipt will allow me to stop all actions. Alternatively, your remittance may be made
via bank wire transfer to the following:*

25 *Payable to: NRS, for further credit to HQ dba Regus
26 Bank: Capital One, N.A.
27 Routing Number: 111901014
Account Number: 3620515522*

28 *Failure to adhere to the terms set forth herein may result in legal action. Govern yourself
29 accordingly. If you have any questions, please feel free to contact me.*

30 *Sincerely,*

1 *Ulisses Garcia*

2
3 *NRS*
4 *2304 Tarpley Rd. Ste 134*
5 *Carrollton, TX 75006*
6 *469-521-0372 Voice*
7 *972-798-1028 Fax”*

8 227. On September 17, 2009 plaintiff responded with an email to LIANNE ZELLMER for the REGUS PLC, REGUS
9 MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33.8**:

10 *“Hi Lianne, I received this email and it seems like a scam? If I recall correctly, the last invoice I received from*
11 *you was around \$900. I don’t think you or Regus would like someone representing your interest in this way?*
12 *Anyway I thought you should know. Best regards, S~”*

13 **10th Section 1343 Wire fraud Predicate Act**

14 228. On September 18 2009 plaintiff received an email from LIANNE ZELLMER for the REGUS PLC, REGUS
15 MANGEMENT GROUP LLC office suites confirming \$ 3533.70 is the amount owed. See Lipari Affidavit **Exhibit 33.9**:

16 *“Good morning. Unfortunately the email is not a scam. Our collections agency is in Dallas and the amount is*
17 *very close to what I submitted. Since your contract had already renewed I had to submit to collections for the*
18 *current default as well as the renewal for the next year. I know sometimes they negotiate the fees so I would give*
19 *them a call.*

20 *Thanks,”*

21 229. On September 18, 2009 plaintiff responded by email to LIANNE ZELLMER for the REGUS PLC, REGUS
22 MANGEMENT GROUP LLC office suites. See Lipari Affidavit **Exhibit 33.10**.”

23 *“No, that’s OK. I will send them the attached form to recover everything from the DOJ or FBI. You might want*
24 *to check into it because I don’t believe the email (Collection.Manager@nrs.us) and they only give me a day to*
25 *wire money into some unknown account. I also question the bank, the routing # and the account # with one day*
26 *to pay for services I am not receiving (Contract = consideration given for consideration received). Did you ever*
27 *send the attached claim form for recovery of my contract obligations to you and Regus as a third party*
28 *beneficiary? Please see attached claim form notice I sent you on the 16th of July. I am providing this email to*
29 *you as a notice to send to your collection agency and your Regus council. By the way, who will be your counsel*
30 *so that I can send them and Regus my amended Rico complaint? Best regards, S~”*

230. The anniversary date for plaintiff service is *(the “Agreement”)* dated September 24, 2007.

231. Plaintiff service was not scheduled for renewal until September 24, 2007, 2008, 2009, 2010 etc.

232. Plaintiff services were terminated prior to any renewal date and therefore a renewal date would not apply or
renew until September 24, 2009. See Lipari Affidavit **Exhibit 33.6**.

233. As of the August invoice, which was sent July 15 2009, and includes up to August 24, 2009 plaintiff owed
\$839.24. See Lipari Affidavit **Exhibit 33.11**.

1 234. Because plaintiff services were terminated on *July 24, 2009* plaintiff only owes \$ 561.18 for June and July
2 because services were not provided after *July 24, 2009*.

3 235. When plaintiff began service with LIANNE ZELLMER for the REGUS PLC, REGUS MANGEMENT GROUP
4 LLC office suites in 2007 plaintiff fell behind waiting on capital and was more than three months in arrears without any
5 disconnect or termination of services. See Lipari Affidavit **Exhibit 33.12**.

6 236. The plaintiff was a customer for two years and when the RICO conspirators succeeded in delaying operating
7 funds for two months, the RICO co-conspirators LIANNE ZELLMER for the REGUS PLC, REGUS MANGEMENT
8 GROUP LLC participated in a malicious effort to terminate services fraudulently charge for an entire year for services
9 when LIANNE ZELLMER for the REGUS PLC, REGUS MANGEMENT GROUP LLC had no intention to provide.

10
11 **18 U. S. C. § 1961 section 1343 Wire fraud**

12 237. The plaintiff incorporates by reference the specific wire fraud predicate acts listed above.

13 238. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
14 BARHORST, HOLLY L. FISHER used electronic communications and caused to be communicated
15 electronically via fax and the Missouri Case Net on the dates described above and in the attachments to the
16 plaintiff's affidavit to further the defendants' fraudulent scheme to injure the plaintiff.

17 239. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
18 BARHORST, HOLLY L. FISHER deceived the 16th Circuit Court of Missouri to evict the plaintiff from his
19 apartment/business office on the date and time stated above and in the plaintiff's affidavit attachments.

20 240. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
21 BARHORST, HOLLY L. FISHER deceived the 16th Circuit Court of Missouri to obtain a garnishment against the
22 plaintiff and his Bank of the West accounts.

23 241. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
24 BARHORST, HOLLY L. FISHER deceived the plaintiff into relinquishing his leasehold in his
25 apartment/business office on the date and time stated above and in the plaintiff's affidavit attachments because
26 of the fostered illusion of the RICO conspiracy to keep the plaintiff from being able to sale hospital supplies had
27 the courts of the State of Missouri were rigged.

1 242. The plaintiff was injured in his business and property by the loss of his leasehold in his
2 apartment/business office, the remaining days under the Missouri landlord tenant law chapter that the plaintiff
3 could have used to save his business expectancies and to protect his credit from the defendants' injury.

4 243. WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO & MILLER LLC, CHRIS M.
5 TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER engaged in electronic communications and in
6 the closing of email access to the plaintiff to further the defendants' fraudulent scheme to injure the plaintiff as
7 stated in the facts above and in the attachments to the plaintiff's affidavit.

8 244. REGUS PLC, REGUS MANGEMENT GROUP LLC, and LIANNE ZELLMER engaged in electronic
9 communications and in the closing of the plaintiff's phone service and fax messaging to further the defendants'
10 fraudulent scheme to injure the plaintiff as stated in the facts above and in the attachments to the plaintiff's
11 affidavit and to obtain four times the previous bill for payment from the plaintiff as described above..

12 **18 U. S. C. § 1961 section 1346 Wire fraud theft of honest services**

13 245. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
14 BARHORST, HOLLY L. FISHER, WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO &
15 MILLER LLC, CHRIS M. TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER engaged in
16 communications they caused to be transmitted through Case Net to procure judgments through fraud with each
17 of the 16th Circuit Court Judges that participated with the defendants after receiving notice of the fraud as stated
18 in the facts above, the plaintiff's affidavit and its attachments.

19 246. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER
20 BARHORST, HOLLY L. FISHER, WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPPILO &
21 MILLER LLC, CHRIS M. TROPPILO, NICHOLAS L. ACKERMAN, and TONY R. MILLER caused the email, fax
22 and US Mail communications to:

- 23 (1) further a scheme or artifice to defraud the 16th Circuit Court;
- 24 (2) for the purpose of depriving the plaintiff of the intangible right of honest services of Honorable
25 Judge Charles L Stitt;
- 26 (3) where the misrepresentations as stated above in the facts and in the plaintiff's affidavit and
27 attachments made by the defendants are material in that they have the natural tendency to
28 influence or are capable of influencing the Honorable Judge Charles L Stitt change its behavior;
29 and

1 (4) the defendants used the mails or wires in furtherance of the scheme");

2

3

Hobbs Act (against Extortion) 18 U.S.C. §1951

4

247. The plaintiff was the direct target of the 18 U.S.C. § 1951(a) by the defendants through the Western District of Missouri FBI Office Senior Field Agent.

5

6

248. The Western District of Missouri FBI Office Senior Field Agent as stated above in the facts and in the plaintiff's affidavit and attachments employed the wrongful use of actual or threatened force, violence, or fear to obtain the property of a right to Freedom of Information Act records from the plaintiff.

7

8

9

249. The plaintiff did not return or otherwise request the records from the Western District of Missouri FBI Office records custodian,

10

11

250. The plaintiff was the direct target of the 18 U.S.C. § 1951(a) by the defendants through Kevin Perkins with the Inspector Division of the Federal Bureau of Investigation.

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251. Kevin Perkins in his official position with the Inspector Division of the Federal Bureau of Investigation caused the plaintiff to be sent a letter stating the agency had no records of the ongoing investigation of the plaintiff and that the plaintiff did not have evidence proving the investigation, the letters of inquiry or the warrantless wiretaps had occurred.

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252. Kevin Perkins used the color of law to prevent the plaintiff from obtaining access to the FBI records related to the plaintiff.

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253. The plaintiff did not resubmit his request to the FBI or otherwise ask US Senator Claire McCaskill to request the records from the FBI,

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COUNT II
Civil RICO violations of 18 U.S.C. § 1962 (d)

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254. The plaintiff hereby incorporates the allegations of this petition, his accompanying affidavit and specifically incorporates the above averments related to the defendants' participation in concerted predicate RICO acts stated under Count I to allege the following:

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255. The defendants have injured the plaintiff in his business or property by reason of the defendants' violations of 18 U.S.C. § 1962(d).

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256. The defendants CHAPEL RIDGE MULTIFAMILY LLC, SWANSON MIDGLEY LLC, CHRISTOPHER

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1 BARHORST, HOLLY L. FISHER, REGUS PLC, REGUS MANGEMENT GROUP LLC, LIANNE ZELLMER,
2 WELLS FARGO, WACHOVIA DEALER SERVICES INC., TROPBITO & MILLER LLC, CHRIS M. TROPBITO,
3 NICHOLAS L. ACKERMAN, and TONY R. MILLER in this action formed an agreement to participate in an 18
4 U. S. C. § 1962(d) criminal conspiracy meeting the requirements of *Salinas v. United States*, 522 U.S. 22, 63-
5 64 (1997) with agents of the following existing RICO conspiracy members General Electric Company, General
6 Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global Signaling, LLC,
7 Jeffrey R. Immelt, Seyfarth Shaw LLP, Stuart Foster, Heartland Financial Group, Inc., Christopher M.
8 McDaniel, Bradley J. Schlozman, Novation LLC, US Bancorp and The Piper Jaffray Companies whose
9 overarching purpose is to artificially inflate hospital supply costs in an ongoing hospital skimming scheme to
10 loot Medicaid, Medicare and private insurance funds.

11 257. The conduct against the plaintiff by existing RICO co-conspirators is described fully on the plaintiff's web
12 site www.medicalsupplychain.com/news

13 258. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants SWANSON MIDGLEY
14 LLC; CHRISTOPHER BARHORST; HOLLY L. FISHER; TROPBITO & MILLER LLC, CHRIS M. TROPBITO;
15 NICHOLAS L. ACKERMAN; and TONY R. MILLER as knowingly joining the RICO conspiracy by
16 intentionally committing frauds and conduct specifically prohibited by the Missouri Rules of Professional
17 Conduct ("MRPC") §§ 4-3.3(a)(1) and (3); 4-3.4(b); 4-5.1(c) (1) and (2); 4-8.4(b), (c), (d) and (f) and by
18 disobeying their mandatory duty to report MRPC violations of their co-conspirators.

19 259. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants CHAPEL RIDGE
20 MULTIFAMILY LLC; SWANSON MIDGLEY LLC; CHRISTOPHER BARHORST; and HOLLY L. FISHER as
21 knowingly joining the RICO conspiracy by intentionally committing frauds and conduct specifically
22 prohibited by Missouri Revised Statutes, Chapter 535, Landlord-Tenant Actions.

23 260. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants SWANSON MIDGLEY
24 LLC; CHRISTOPHER BARHORST; and HOLLY L. FISHER because they sabotaged CHAPEL RIDGE
25 MULTIFAMILY LLC's attempt through Scott Sperry and Grant A. Ramsey to withdraw from the RICO
26 Conspiracy that included Grant A. Ramsey's firing of property manager DeeDee Diaz to escape the liability for
27 treble damages under 18 U. S. C. § 1964 that will result in a judicial sale of The Fairways at Lakewood
28 apartment complex.

1 261. SWANSON MIDGLEY LLC; CHRISTOPHER BARHORST; and HOLLY L. FISHER sabotaged the
2 affirmative act of to withdraw from the RICO conspiracy by continuing to commit predicate acts of mail and wire
3 fraud as the agent of CHAPEL RIDGE MULTIFAMILY LLC.

4 262. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants SWANSON MIDGLEY
5 LLC; CHRISTOPHER BARHORST; and HOLLY L. FISHER because HOLLY L. FISHER under the supervision
6 and managing partner CHRISTOPHER BARHORST's control completed the fraud on the 16th Circuit Court by
7 obtaining the judgment evicting the plaintiff after receiving notice of the fraud.

8 263. HOLLY L. FISHER under the supervision and managing partner CHRISTOPHER BARHORST also
9 then later furthered the mail and wire fraud by obtaining a garnishment order on the plaintiff and by serving the
10 order on Bank of the West.

11 264. CHAPEL RIDGE MULTIFAMILY LLC refused to accept payment in full and all penalty and late fees by
12 turning in the FTCP form provided by the plaintiff.

13 265. The plaintiff's charges of violations of 18 U. S. C. § 1962 (d) by the defendants TROPPILO & MILLER
14 LLC, CHRIS M. TROPPILO; NICHOLAS L. ACKERMAN; and TONY R. MILLER which proceeded in the
15 fraudulent scheme to defraud the 16th Circuit State of Missouri Court even though the statute required notices
16 to the plaintiff had been falsified and CHRIS M. TROPPILO; NICHOLAS L. ACKERMAN; and TONY R.
17 MILLER received notice of the exposure of TROPPILO & MILLER LLC's mail and wire fraud predicate acts to
18 perpetrate the fraud on the court.

19 266. TROPPILO & MILLER LLC kept their clients WELLS FARGO, and WACHOVIA DEALER SERVICES
20 INC. in the 18 U. S. C. § 1962 (d) RICO conspiracy through repeated predicate acts of mail and wire fraud by
21 CHRIS M. TROPPILO; NICHOLAS L. ACKERMAN; and TONY R. MILLER to ensure payment by their client
22 and to have the protection of a big bank in court.

23 267. WELLS FARGO, and WACHOVIA DEALER SERVICES INC. refused to accept payment in full and all
24 penalty and late fees by turning in the FTCP form provided by the plaintiff.

25 268. REGUS PLC, REGUS MANGEMENT GROUP LLC, and LIANNE ZELLMER performed an affirmative
26 act to withdraw from the 18 U. S. C. § 1962 (d) RICO conspiracy after terminating the plaintiff's mail and
27 telephone services.

28 269. LIANNE ZELLMER sent a communication offering to turn back on the mail and phone services
29 providing the plaintiff bring the account to current.

1 270. REGUS PLC, REGUS MANGEMENT GROUP LLC, and LIANNE ZELLMER refused to accept
2 payment in full and all penalty and late fees by turning in the FTCP form provided by the plaintiff.

3
4 **PRAYER FOR RELIEF**

5 The plaintiff seeks the following statute mandated relief:

6 **RICO Damages Under 18 U.S.C. § 1964**

7 The plaintiff was repeatedly injured by the above-described predicate acts in violation of 18 U.S.C.
8 § 1962 (c).

9 The plaintiff would not have been injured but for the defendants' repeated violations of
10 18 U.S.C. § 1962 (c).

11 The plaintiff was injured as a direct and proximate cause of the defendants' repeated violations of
12 18 U.S.C. § 1962 (c).

13 The plaintiff was injured in his business and property from the defendants' repeated
14 violations of section 18 U.S.C. § 1962 (c).

15 The plaintiff is entitled to joint and several redress from the defendants of four hundred and
16 Fifty million dollars (\$450,000,000.00), trebled under 18 U.S.C. § 1964 to an amount of one billion,
17 Three hundred and fifty million dollars (\$1,350.000.000.00 dollars).

18 The plaintiff seeks any other relief the court believes is just.

19
20 **JURY DEMAND**

21 The plaintiff respectfully requests a jury decide all questions of fact.

22 Respectfully submitted,

23
24 _____
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26 803 S. Lake Drive
27 Independence, MO 64064
28 816-365-1306
29 saml@medicalsupplychain.com
30 Plaintiff, *Pro Se*