Stupid Frigging Fool

By Roy Den Hollander

Part 8

Ladies' Night

Christmas Eve 2006, bitter cold, and I'm standing in line with Mark and his younger brother waiting to get into club "Deep" on West 22nd Street. As we shiver, the girls in fashionable nothings strut to the head of the line, ignoring us, and enter for free—it's "Ladies' Night." Guys have to pay $20 and wait in the cold until the doorman allows them the privilege of paying to enter. In effect, the men are financing the girls' partying because the guys make up the price the girls don't pay.

Mark's brother grumbles, "How cum they get in for free, and we have to pay? Not just to get in, but to buy them drinks. They're the ones who live for sex; they should be paying us instead of acting like hos."

The other guys in the line agree, and a case from law school pops into my head: *Seidenberg v. McSorleys' Old Ale House, Inc.*, 317 F. Supp. 593 (1970). In 1969, a couple of PC-Feminazis from NOW, the National Organization of Witches, walked into McSorleys' Ale House on the lower Eastside. The bar didn't have a doorman to stop them, just a policy of "men-only"—given the trouble girls often cause after a few drinks bought by some sucker. The bartender refused to serve them and escorted them to the door. The federal court in Manhattan ruled that the State's involvement with McSorleys' business was significant because of

> pervasive regulation by the state of the activities of the defendant, a commercial enterprise engaged in voluntarily serving the public except for women. Furthermore, the state has continued annually to renew defendant's license over the years despite its open discrimination against women, without making any effort in the exercise of the broad authority granted it, to remedy the discrimination or revoke the license which defendant must have in order to

> practice [discrimination]. . . . [T]he state's regulatory power in this area is far broader than in the case of an ordinary lawful business essential to the conduct of human affairs.

Because the State was pervasively involved, Equal Protection under the 14th Amendment applied, so McSorleys' sex-discrimination was declared unconstitutional for treating guys and girls differently, and the bar had to open up to girls.

Club Deep's Ladies' Night and all the other nightclubs in the City holding Ladies' Nights were just as pervasively controlled by the State as McSorleys' but treated guys differently than girls—a guy had to pay money to enter a club while a girl did not. Looked like a potential lawsuit for fighting against the discrimination of men and preferential treatment of females—the real objective and result of PC-Feminism. So I filed the idea away, and my buddies and I went to another club that was free for both sexes that Christmas Eve.

In May the following year, Mark and I were standing outside the club Taj on West 21st Street, which the Police closed to traffic on Saturday nights because there were so many clubs overflowing with partiers. He was trying to call the hostess inside the club, a Swedish blonde to whom I had introduced him, to see if she could get us in for free. In the middle of the street were a hot black haired girl and a blonde, so while he dialed away on his mobile, I walked over and tried to pick them up. April, the black haired girl, was luscious. The discussion somehow came around to Ladies' Nights, and I told them of my idea to sue clubs for discriminating against guys.

April said, "And where will you find the time to bring such a suit. You lawyers are always busy." She was right, and by that I knew she was dating a lawyer, which was probably why she didn't relinquish her phone number—she had her sucker hooked.

At that particular point in time, however, I did have the time, so in June 2007 I filed a sex discrimination lawsuit in the U.S. Southern District Court of New York against a handful of

nightclubs running Ladies' Nights. That was the same court that had decided the McSorleys' case.

With the McSorleys' case as precedence, I thought I had a sure winner, since the only difference in the cases was that guys instead of girls were discriminated against by bars and nightclubs that the State "pervasively" regulated. In addition, my case presented an argument not used in the McSorleys' case—bars and nightclubs were carrying out a public or state function, so equal protection of the Constitution applied. The Constitution only applies where the government is involved, whether federal, state, or local. "[W]hen private individuals or groups are endowed by the state with powers or functions governmental in nature, they become agencies or instrumentalities of the state and subject to its constitutional limitations." *Evans v. Newton*, 382 U.S. 296, 299 (1966). Government involvement or state action may be found in situations where an activity that traditionally has been the exclusive, or near exclusive, function of the state has been contracted out to a private entity. *Jackson v. Metro. Ed. Co.*, 419 U.S. 345, 352 (1974); *Horvath v. Westport Library Ass'n*, 362 F.3d 147, 151 (2d Cir. 2004). Guess what activity the states have always had exclusive control over—alcohol. The power of the state to control not just the sale and consumption of alcohol but the circumstances in which such occurs is an exercise of the ultimate sovereignty of a state. *See Crane v. Campbell*, 245 U.S. 304, 308 (1917). New York chose to delegate some of its exclusive functions to bars and nightclubs for operating premises where persons could purchase and consume alcohol. Bars and nightclubs, therefore, exercise a public or state function by which they are entirely dependent upon state decisions to operate successfully, *See Flagg Bros.*, 436 U.S. at 158-59, so equal protection under the Constitution applies.

I also thought the media would ignore the case because the issue was discrimination against men.

The media, however, jumped all over it and me. But I enjoy being pilloried by public opinion—a sure sign that one is right as H.L. Mencken would say.

The real surprised, however, came in court before Judge Miriam Cedarbaum at the preliminary conference. Judge Cedarbaum, an avowed PC-Feminist, started by laughing and mockingly saying, "This is an unpopular case." To which I agreed, and responded, "So what, popularity has nothing to do with constitutional rights."

The hearing went downhill from there with Cedarbaum interrogating me the way TV talk show hosts do their non-PC guests. She'd ask one question that I'd start answering, then interrupt with another, so I'd start answering that one, then she'd interrupt with another, and all the time I was trying to get back to finish my answer to the first question but never did because the questions and interruptions kept coming.

Cedarbaum's questions were based on papers that one of the defendant nightclubs had submitted a few days earlier as part of its motion to dismiss; that is, to throw the case out in the first inning. Under Cedarbaum's rules, oral argument on that motion to dismiss was not scheduled to occur for another three weeks so as to give me time to put together my papers and arguments in opposition to the defendant's motion. Preliminary conferences, unlike oral argument on a motion to dismiss, are used for case management, to set the case's schedule and determine what issues can be settled.

Surprisingly, or perhaps not so surprisingly for a PC-Feminist, Cedarbaum treated the preliminary conference, for which I had all of one day's notice, as the oral argument on the motion to dismiss. Cedarbaum and the defendant nightclubs had obviously laid a trap for me,

figuring they could intimidate me into withdrawing the case by assuming I would not have any counter arguments or cases, since oral argument on the motion to dismiss was not for three weeks. But they goofed. Little did she or the nightclub attorneys know that I knew more about the law for this case than they.

The turning point in the conference came when Cedarbaum hostilely declared, "You have no authorities for this case!"

"Oh yes I do!" and I cited not only the McSorleys' case, but a U.S. Supreme Court case that had used the McSorleys' case—cases that the female defense attorney had left out of her papers, since they didn't support her position. Something lawyers aren't suppose to do, but then when did a PC-Feminist ever follow the rules. Cedarbaum ignored my cases at first, and said in a mocking fashion, "Are you a lawyer?" She knew I was, since I was admitted to the Bar of the Court where she was a judge and my complaint said as much.

Enough was enough, and I replied, "I move that you disqualify yourself from this case for bias toward me, bias toward the class of men that I represent and failure to recognize cases that are more relevant than those cited by the defendants." That put her back on her Feminist heels, and she then asked for the citations to the McSorleys' case and the U.S. Supreme Court case. Later on with some civility, she said, "You must respect me." To which I replied, "I do, but you also have to respect me."

That 40 minute battle, in which the defendants' attorneys said virtually nothing, reminded me of arguing with a girl that I had gone out with too long. It also convinced me that Cedarbaum, in true PC-Feminist fashion, would find a way to rule against equal treatment for men, especially when to rule otherwise would cost girls money, and so she did.

The U.S. Court of Appeals for the Second Circuit upheld her ruling and the U.S. Supreme Court refused to hear the case. The courts distinguished the McSorleys' case by ruling that the state's involvement did not occur at the door but somewhere between the door and the bar. Baloney! The state prohibits minors, drunks and terrorists from walking through the door of a bar, the state requires clubs to keep the lines of customers waiting to enter from making too much noise and becoming rowdy, the state has to approve the actual building in which the club is located and regulates any signs outside the club. If that's not pervasive regulation, then where does the state's control start? Is it the moment a person steps through the door to observe the unobstructed view required by the state? Is it where the luminance from the club's inside lighting falls requiring that a person be able to read a certain size print? Is it at the tables where the state requires a certain number based on the floor area? Is it at the restrooms where the state requires one for each sex, transgender or not? It goes on and on with what the state requires, but because PC-Feminism requires treating males as subhuman, the courts ruled against them.

As for the argument that the clubs were carrying out a public or state function that New York delegated to them, the courts ignored it. (Details of the court proceedings and arguments are at MensRightsLaw.net).

Imagine what the result would have been, if nightclubs charged girls to enter but not guys. The courts would have ruled that unconstitutional because it violated the PC-Feminist law that females must receive preferential treatment. It wouldn't matter that charging girls more was economically fair. Girls in their 20s who live in urban areas make more than guys in their 20s, and for those in their 30s, it's equal. Conor Dougherty, *Young Woman's Pay Exceeds Male Peers'*, September 1, 2010, Wall Street Journal. Generally no one is interested in girls in their 40s, so it's girls in their 20s and 30s who frequent nightclubs. Charging them the privilege to

find a guy to fleece only seems fair. Also, back in 2007, on a per-unit of time basis, the average girl, regardless of age or location, made more than the average guy. Guys had to work 44% longer to make the iconic $1 while girls made $.77. If the girls had worked as long as the guys, they would have made $1.08. They also likely made more than a guy on a per-unit of risk basis, since guys make up around 90 percent of the employees in the more dangerous jobs.

Most guys opposed the case and were in favor of Ladies' Nights because they thought it brought out lots of girls. Of course, most guys are idiots when it comes to girls. Ladies' Nights don't produce an overflow of chicks. One club owner told me he had ladies night as a way to attract men, which increased his sales of drinks—the real money-maker for a club. Guys show up expecting lots of babes, and while they wait, they drink, anticipating the babes who never come.

As for a girl who thinks Ladies' Nights bring out lots of girls, she'll see it as having to compete against more girls, which means fewer chances to attract a guy. Most girls aren't looking for chump change—free admission; they're looking for a chump to gold-dig. She'll simply add any admission fee to what she has already spent on a manicure, pedicure, leg waxing, hair styling, hair dying, latest fashions, and sexy shoes that are too tight. She's going where there's less competition. Take an informal sampling; go to clubs with Ladies' Nights and clubs without. See which has the highest percentage of girls. In NYC, there are more girls at non-Ladies' Nights.

If the Ladies' Nights case had been successful, the nightclubs would most likely have lowered the price to guys and raised it to girls. That would have meant every guy who entered a club would have more money to buy girls drinks. True the girls would have to manipulate more

drinks from the guys to make up for their admission cost, but I was confident in their genetic ability to separate a man from his money.

Also, since the girls would have ended up drinking more, they'd have more fun and so would the guys. An added benefit was that in the morning, when the girls woke up with second thoughts about what they had done the night before, they could do what they always do—blame a man, in this case me, rather than the guys they partied with. It was a win-win situation for the guys, girls, and the clubs, but the PC-Feminists wouldn't have it.

Somewhere Beyond the Sea

> Secrecy "'provides a cloak for the malevolent, the misinformed, the meddlesome, and the corrupt to play the role of informer undetected and uncorrected.' Appearances in the dark are apt to look different in the light of day." *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U.S. 123, 172 (1951)(Mr. Justice Frankfurter concurring).

Another case challenging the preferential treatment of girls and discrimination against guys, this time by the U.S. Government, charged that certain sections of the Violence Against Women's Act (VAWA), or as I refer to it, the Violence in Aid of Witches Act, or the State Violence Against Men's Act, violated the Constitutional guarantees of procedural due process, equal protection and freedom of speech for U.S. citizens, mainly men.

This lawsuit involved three other guys and myself as the plaintiffs representing the class of men who were targeted by VAWA, which was written by NOW, the Feminist Majority and other man-hating, non-profit corporations that receive federal funding. Vice President Joe Biden was responsible for its passage when he was a Senator, and Bill Clinton, or was it Hillary, signed it into law.

VAWA adopted some of the totalitarian ways of the Communist Party from the trash heap of history to control interpersonal relationships, mainly romance. It also funneled hundreds

of millions of taxpayer dollars into the pockets of private PC-Feminist organizations that provide advice to female aliens on how to fraudulently obtain citizenship.

Before VAWA, if a citizen husband decided to divorce his alien wife within two years of marrying her, the alien wife would be placed in deportation proceedings. If an American man who was dating an alien decided to break it off, the alien girlfriend would have to find another sucker to marry in order to avoid deportation when her temporary visa expired. Under VAWA, however, the alien wife or girlfriend, even if here illegally, can escape deportation and become a citizen by simply lying to Homeland Security and the Justice Department that her husband or boyfriend committed "battery, extreme cruelty, or an overall pattern of violence" against her. Those terms are so malleable under the Act that they include mockery, criticism, yelling, kissing her when she doesn't want you to, calling her at work to see how she's doing, not buying her the presents that she whines for, accusing her of cheating, or simply failing to do what she wants, when she wants by not reading her mind to determine what she really wants.

The moment she makes any of those or other accusations to the federal government, a veil of secrecy falls across the government's determination of whether the American guy did what she claims he did. The secrecy is to shutout the American husband or boyfriend. He doesn't receive any notice of the proceedings, and, if he learns about them, he can't submit evidence to refute the accusations—any evidence from him showing he didn't do it is ignored. The adversarial process is thrown out the window. It's as though your favorite sports team is not told what stadium the championship game is in or the time for its scheduled defeat.

VAWA took the "he said" out of the "he said, she said." Not only is the husband or boyfriend presumed culpable, but he's not even allowed to prove differently, and that's the intention of VAWA: to railroad and destroy American men by denying them due process. Even

when the same accusations are made by the alien in a state court, and that court finds the man innocent, Homeland Security and the Justice Department ignore the state verdict and still find that the guy did what the alien says he did.

To be fair, the Act also applies to citizen females who marry or date foreign guys, but the vast majority, around 85% or more, of the U.S. citizens subjected to this Star Chamber proceeding are guys, which makes it a violation of equal protection by application. The words of the Act do not distinguish between the sexes, but in reality the Act is applied overwhelmingly against guys. And it happens to thousands of them every year.

After the federal government finds that a citizen committed a wrongful act, which can be anything from an innocuous insult to a felony, it promises that no harm will come to him because all its findings will be kept secret—except from (1) federal law enforcement officials, (2) state law enforcement officials, (3) local law enforcement officials, (4) Interpol (5) his ex-wife or ex-girlfriend, (6) federal agencies that provide her benefits, (7) state agencies that provide her benefits, (8) local agencies that provide her benefits, (9) private agencies that provide her benefits, and (10) nonprofit, nongovernmental groups that provide other services to his ex-wife or ex-girlfriend. All of those organizations have access to the VAWA fact-findings of wrong doing while the one against whom the facts were found—the American—does not.

If the American is looking for a job in government or a promotion within government, a background check will turn up the VAWA fact-findings—he won't get the job. If the American's job requires that he carry a gun, the VAWA fact-findings will cost him that job. He won't even know why because the law deters anyone from telling him with a fine up to $5,000. Just as the invisible hand of the McCarthy lists in the 1950s destroyed many innocent persons based on unsubstantiated accusations, VAWA does the same today—mainly to men.

Oh, and by the way, if any of the VAWA fact-findings about a citizen leaks or is intentionally made available to the general public, there is not a damn thing he can do—legally. There are no lawsuits or administrative proceedings he can bring to keep it from being published or to correct the false record once it's made public to prevent it from destroying his reputation, career, and life. The law is a modern-day witch hunt, only today the witches are doing the hunting.

Because VAWA's secrecy prevents any citizen from finding out exactly what the U.S. Government's fact-findings are and how they are being used against him, the U.S. Southern District Court for New York and the U.S. Court of Appeals for the Second Circuit ruled that our lawsuit's allegations of harm from VAWA were "speculative" and dismissed the case. Of course, the only reason the allegations weren't more specific was because the very statute the case challenged as unconstitutional prevented us from finding out what was going on behind the Government's closed doors, which is why we challenged VAWA in the first place.

By the courts' logic, proceedings authorized by Congress and carried out by the Executive Branch can make findings of fact against citizens, and those citizens cannot challenge the constitutionality of those proceedings or the accuracy of the findings because secrecy laws keep the proceedings and fact-findings concealed from them. Senator Joseph McCarthy would have loved that reasoning—there's no harm because Homeland Security and Justice violated your rights in secret and will not allow you to find out how its conclusions about you are being used to undermine your life.

Even the Inquisition allowed the accused to appear before its judges, although they were probably tied to the rack. The Inquisition at least gave people an opportunity to prove they did not do what they were accused of, but not the U.S. Government. With VAWA, you never know

what you're accused of or who your judges are—they skip the rack and go right to finding you guilty. Under American justice, the PC-Feminists eliminated the need for the rack because confessions were no longer required—just the lies of aliens.

The impact of VAWA, besides destroying the careers of American men, is to deter guys from marrying or dating foreigners. After all, if females will squeeze their feet into tiny shoes with stilts on one end, constrict the lower part of their bodies in panty hose, interfere with their respiration with tight push-up bras, paint their faces with cancer causing colors, pluck their eyebrows, glue fake eyelashes to their eye lids, and conduct chemical reactions on their heads to change hair color just to catch a guy, they will surely use the government to violate a guy's rights if it increases their chances. Since not all Feminists are lesbians, but most are physically or psychologically unattractive, they needed a federal law to restrict American guys to the pool of American females; otherwise, what guy would be dumb enough to go out with a female who blames him for every stupid decision she ever made.

The U.S. Supreme Court refused to hear the case. (Details of the court proceedings and arguments are at MensRightsLaw.net).

Woman's World

The third battle against preferential treatment for girls and discrimination against guys involved two lawsuits.

The first, Women Studies I, was against Columbia University's Women's Studies Program, the U.S. Department of Education for supporting the Women's Studies Program, and the New York State Board of Regents for both supporting the program and requiring that higher education adhere to Feminist dogma. The case claimed it was unfair for Columbia to have a Women's Studies Program but no Men's Studies Program in violation of Title IX and Equal

Protection, and that the New York Regents and the U.S. Department of Education violated the Establishment Clause ban on government aiding religion by the Regents propagating the new-age religion of Feminism in higher education and the federal government supporting such.

In 2009 in New York, 57% of all college students were female, 63% of the Master's degrees and over a majority of the doctoral degrees went to females. Soon, females would receive 64% of the Associate's Degrees, over 60% of the Bachelor's Degrees, 53% of the Professional Degrees, and 66% of the Doctor's Degrees. If anyone was in need of special programs dedicated to the furtherance of their education and employability, it was men—not females.

Judge Lewis A. Kaplan of the U.S. District Court for the Southern District of New York agreed with his Magistrate Judge's decision to dismiss the case. When a District Court Judge doesn't want to deal with a case, he assigns it to his Magistrate Judge and then accepts or rejects the Magistrate's decision. Judge Kaplan accepted his Magistrate's ruling on the Title IX and Equal Protection claims that the plaintiffs did not have standing because there was no harm to them under those two laws. As for the Establishment Clause claim, which the Magistrate largely ignored, Kaplan wrote, "Feminism is no more a religion than physics."

Now that might be true, but there is no way of telling without evidence of which there was none because the case never reached the stage where evidence is submitted to prove facts. The district court judge simply declared it such, not unlike the Kings and Queens of old. Despite this decree from on high, it was unlikely that any rational, non-PCer jury would find that the tenets of Feminism were as accurate as those of physics. A fundamental belief of Feminism is that the differences between the sexes are the result of social conditioning; that is, upbringing. Science, which includes genetics, evolution, and physics, disagrees. What's more irrational

(which is a characteristic of religion according to the U.S. Supreme Court) than believing sexual differences have nothing to do with genetics or evolution. The Judge was either an apostle who thought that Feminism was the one and only truth, or he was simply scared of the Feminists. I appealed.

In the U.S. Court of Appeals for the Second Circuit, during oral argument, one of the two judges resorted to a personal insult by asking me in a mocking matter, "Are you a lawyer?" I assumed he was a friend of the Ladies' Night Judge Cedarbaum. Can't these bureaucrats come up with original insults?

The Second Circuit upheld the District Court's decision to dismiss. On the Title IX and Equal Protection claims, it ruled that any harm caused by the lack of a Men's Studies Program was "speculative," so there was no standing. Strange that the federal courts don't say the same about the lack of a girl's sports team when a college only has a boy's team. Apparently the law is adjudicated one way for girls and another way for guys.

The Second Circuit also dismissed the claim that New York and the U.S. Government aided the religion Feminism because I did not state the obvious—that I was a taxpayer. Suing under the Establishment Clause of the First Amendment is the one instance where any taxpayer can be a plaintiff against the federal government. However, because I did not use the words "I am a taxpayer," the Second Circuit dismissed that part of the case also. That type of pleading requirement had not been seen since the early 19th century when certain words had to be used or a case would be dismissed. A court of the modern era—late 19th century to the present, would have taken judicial notice of my being a taxpayer or sent the case back to the district court to allow me to present evidence, such as my income tax return. I requested the case be sent back so I could prove my taxpayer status, but the Second Circuit from the antebellum era refused.

The Second Circuit's decision was a Summary Order, which meant that the law and arguments used by the Court to throw the case out could not be relied on in other cases. Think of it as a medieval Queen free to make a decision in one case and a different decision in another case that was similar. Summary Orders are how the U.S. Courts of Appeals in nearly identical cases can rule against parties they don't like but later rule in favor of parties they do like. For example, assume girls bring a case against a Men's Studies Program for propagating a religion that states men are the chosen ones, and they fail to use the magic words, "We are taxpayers." The Second Circuit would ignore the decision against me and say the absence of those words doesn't matter. It's the exercise of arbitrary power.

Such Summary Orders are also near impossible to appeal to the U.S. Supreme Court because they have no judicial importance, since the invented law and analyses only apply against the parties of that particular case. So if a Court of Appeals doesn't like who you are or what you believe, it simply makes up some law and arguments and you lose under a Summary Order. The law changes depending on whether you are a dissident or conformist—just like under the Commies in the old Soviet Union.

In an attempt to beat the Second Circuit's Summary Order and its reliance on discredited pleading rules that originated in the Middle Ages, I brought a second Women's Studies case alleging only a violation of the Establishment Clause in which I stated four times in the complaint that "I am a taxpayer." The Women's Studies II complaint also provided an over abundance of detail showing that Feminism is a religion under U.S. Supreme Court and Courts of Appeals' decisions, and that it was promoted and financed at Columbia by the state and federal governments. New York actually requires all college programs and studies in the state to

conform to Feminist precepts under its *Equity for Women in the 1990s, Regents Policy and Action Plan, Background Paper* (1993), which is still in effect as the Regents' policy.

The District Court Judge from Women's Studies I declined to hear this second case. Guess he had enough of me, so the lawsuit was sent to another judge, a female—kind of cute actually. On All Hallows' Eve 2011, she conjured up a revisionist history of the Women's Studies I case so as to throw out the Women's Studies II case based on the technicality of *collateral estoppel*. It means once you completely litigate an issue and it is decided, you can't bring it again in a new case against the same parties (remember this for later). The Judge claimed that in Women's Studies I the Establishment Clause issues of taxpayer and non-economic standing were fully litigated and decided as they applied to me, the only plaintiff in both cases, so I didn't have standing in Women's Studies II. That's factually wrong, but try telling that to a female judge if you're a man.

In Women's Studies I, the Magistrate ignored the taxpayer and non-economic standing issues under the Establishment Clause, and Judge Kaplan only made a decree that Feminism was not a religion without hearing any evidence—that's not good enough for "fully litigated" in the America I once knew. As for the Court of Appeals in Women's Studies I, the most favorable politically-correct or Feminist spin that could be put on its proceedings is that the taxpayer issue was decided but not litigated, and the non-economic standing issue was completely ignored by the Court.

Right after the district court judge's decision in Women's Studies II, two other men came forward to join the Women Studies II case as plaintiffs. I made a motion to the female district court judge to rescind her decision, and permit me to amend the complaint to include the two new plaintiffs. Since the two new plaintiffs were not involved in Women Studies I, the Judge

couldn't possibly divine facts that the prior case had fully litigated and decided Establishment Clause standing with respect to them—or could she?

She used a different tack by ruling the law didn't allow for an amendment to add new plaintiffs after the original complaint was dismissed for lack of standing. Strange that in the Women's Studies I case, one of the Court of Appeals' Judges admonished me for not trying to amend the complaint in that case after the district court judge dismissed for lack of standing. Guess what the law is depends on whether it will rid the federal courts of men fighting for equality.

The Women's Studies II case was appealed to the U.S. Court of Appeals for the Second Circuit. The three judge panel upheld the district court by saying that the issues of non-economic and taxpayer standing had been "fully litigated and decided" in Women's Studies I, when of course they hadn't, and the complaint could not be amended because the two "new plaintiffs are not new evidence," even though the two new plaintiffs would have testified to new facts concerning them. Sounded like new evidence to me.

The kicker, however, was the three Judges' blatant abuse of power by threatening me with Rule 11 sanctions to forever ban me from representing anyone, in any case, raising the issue of whether Feminism is a religion. That's no different than a Jim Crow court in the 1890s threatening the attorney for the New Orleans Comité des Citoyens with fines, license suspension, or disbarment for bringing another *Plessy v. Ferguson*, 163 U.S. 537 (1896), suit with a different plaintiff on the same issue—separate but not equal. And no different than at the end of every year sanctioning the American Civil Liberties Union for bringing another action with new plaintiffs against Christmas displays.

So I asked the U.S. Supreme Court to not only reverse the Second Circuit's decision, but to tell it to rescind its threat of sanctions and to stop acting like King John of England by relying on their divine right of life long tenure to arbitrarily rule in accordance with their personal beliefs instead of the Constitution:

> In the four men's rights cases, the Second Circuit has acted beyond its authority by deciding in accordance with the current popular ideology Feminism even though it is the imperative duty of the courts to support the Constitution, *Prentis v. Atlantic Coast Line Co.*, 211 U.S. 210, 226 (1908)(Holmes, J.). "[The] constitution is, in fact, and must be regarded by the judges, as a fundamental law." Alexander Hamilton, *Federalist Paper No. 78*. Supplanting it with the tenets of Feminism is an act beyond a court's authority and its duty to obey the rule of law—not the rule of the "politically correct."

The Supremes, not surprisingly, refused to hear the case.

Many Feminist organizations receive much of their funding from all levels of government. If this case had succeeded, than all that aid would have stopped, which would have allowed the Feminists to show that they really are "strong and independent women."

(Details of the proceedings and arguments in Women's Studies I & II are at MensRightsLaw.net).

Do You Want to Dance

In 2009 and 2010, I stumbled my way through two Alvin Ailey hip hop Showcases choreographed by my hip hop teacher. After the August 2010 show, one of the girls sent me a photograph by way of Facebook of me sleeping in my costume on the floor before the performance. Part of the costume was a shirt, actually blouse, in a zebra pattern. I had originally planned to wear one of my rugby jerseys with the image of a bull on it, but at the last minute was told I needed a top that looked like the skin of an animal. Someone told me to check out *H & M*, but it only had girl's tops, so I was stuck with a blouse, size six, tight in the waist but loose in the chest.

Thinking that a Facebook photo was similar to a private email, I wrote the comment "I hope no one realizes that's a girl's blouse." My hip hop teacher's assistant responded, "Well if they didn't, they know now lmaooo." "Lmaooo," reminded me of "lamooo," which brought a smile to my face. I hadn't been called that since I was a junior in high school awaiting trial for grand theft auto. My best buddy back then replaced "lamooo" with the nicknamed "Wheels." I couldn't figure out which term was more accurate for describing a guy who didn't know how to drive, steals a car, and ends up totaling it and two other cars. Too bad they didn't have hip hop back then for expressing one's rebellious tendencies.

After learning that comments on Facebook are public, I wrote, "I hate computers. I thought this was similar to private emails. Hope Jimmy Norton doesn't see it."

Norton was a co-host on the Opie and Andy XM Satellite radio show that interviewed me about the case against Women's Studies at Columbia. When I mentioned I took a hip hop class, he called me every derogatory name for queer under the sun. So, I challenged him to a duel, "Peru turns a blind eye to dueling, it's a short flight, and no jet lag." He declined. So, I challenged him to a traditional fist fight. He declined. So, I sued him for defamation. Didn't win, given my very minor public figure status, but according to Norton's attorney, it cost him a "ton of money"—probably around $75,000. Didn't cost me anything but a few hundred dollars for filing and printing fees and some time, which was fun. As I told a reporter for the N.Y. Post, "If you're an attorney, you don't have to win a case to win a case."

Opie, Andy, and Norton used an interesting trick to gain the upper hand over any guest who dared to disagree with them.

Guests on radio talk shows generally are <u>not</u> in the studio with the host. The interview is conducted over the telephone. The host or audio man in the studio controls the volume of the

guest's words that go out over the air, and what the guest says is delayed to prevent people from using the seven dirty words. This way the host or audio man hears what the guest says before the audience, so he can censor it.

The three hosts, who in their spare time clean toilets with their tongues for inspiration, were interviewing me over the telephone, so when they didn't like what I said, they did what girls and girlie-males do—they started ranting epithets. These one synapse minds weren't about to intimidate or get the better of me, but when I responded, they simply turned down my volume so that the audience could not hear me. They didn't turn the volume down because I was using the seven dirty words, they were already yelling those, but because I was showing them up as not the brightest or courageous of individuals.

Private Eyes

Back to the Ho story. In January 2012, someone mentioned or I stumbled across an Internet posting that the number 800-898-7180 provided information on alien proceedings before the Immigration Courts, which are part of the Department of Justice. The existence of such a number seemed strange because those courts are prohibited from making available a list that the public can search to find out which aliens are before the courts and when their hearings are scheduled. The Immigration Courts can't even release their decisions because the Department of Justice believes that making these decisions public are "a clearly unwarranted invasion of personal privacy" of an illegal alien's scheming to stay in America. Although the violations of many immigration laws are crimes, the reputations of alien criminals are protected while those of American criminals are not—PC bleeding heart stupidity. However, decisions of the Board of Immigration Appeals, also part of the Department of Justice, are available to the public—if you know how to find them on Westlaw.

Given America's cuddling of aliens—especially alien whores, I figured the 800 number would require a specific code known only to the alien in order to access the Court's information. As for the Ho, logic and time—11 years since the divorce, argued there wasn't any proceeding involving her because she was most likely already a U.S. citizen thanks to VAWA under which Homeland Security made findings of fact that I had committed "battery," "extreme cruelty," or an "overall pattern of violence" against the slut. Still, why not give the number a shot? After all, a decade earlier when checking whether certain people were registered voters for a Democratic State Committeeman and buddy of mine, I searched the Ho's name in the voter rolls just on a lark. That wasn't logical because she was an alien and couldn't register to vote, but registered she did and in doing so committed federal and state felonies—not that it mattered to the authorities.

So, I called the Immigration 800 number, and it did require a specific code to access the system about an alien, but if the Ho was in the system, I had her code—her alien registration number that Immigration had given her in 2000. Punching in the number, I expected nothing—but then the automated voice said her next "Master Hearing date is set for March 30, 2012 at 9:30 am at 26 Federal Plaza in Manhattan." Whoa Ho! What was this? Did she get caught lying, committing a crime, or concealing an important fact in acquiring permanent residency or in becoming a naturalized citizen? And what was a Master Hearing?

According to a lawyer with whom I was working on a case against some of the "too big to fail banks" that caused the 2008 Recession, a Master Hearing is part of a deportation proceeding—now called "removal proceeding" by the linguistically challenged PC totalitarians who think euphemisms can change reality. Could justice have actually caught up with the Ho? Not likely, but I didn't know without more information.

When Homeland Security decides to send an alien packing, it places her in a deportation proceeding before an Immigration Court Judge who decides whether she gets bounced or not. So what did the Ho do to end up in a deportation proceeding 12 years after I, like an idiot, brought her here? That might be unknowable given the Immigration Court's secrecy.

The Immigration Court, despite its name, is not a federal court but an administrative agency. The records of federal courts are open to the public—not so this administrative agency. Immigration Court hearings, however, are opened to the public, but what good does that do the public or press, since neither can find out who's appearing when without the alien's number. It's a ruse that allows America's commie-minded bureaucrats to claim transparency while keeping the proceedings of a particular case in a black hole.

Now, however, I knew when and where for the Ho's hearing, so why not just show up at the hearing? Problem was that there are certain situations in which aliens can have a hearing closed, such as a foreign whore claiming abuse. Not knowing exactly what was going on, I didn't want to screw my chances at finding out. My presence as an ex-husband might result in the judge closing the hearing, so I needed a third party the Ho wouldn't recognize. It just so happened that through an informal college reunion, an old buddy and roommate and now a one percenter, whom I hadn't seen in 30-odd years, volunteered. No way would the Ho recognize him.

On March 30th, my buddy, alias Mr. Hammer, showed at the Immigration Court, and texted me, "I'm the only American here."

To which I responded, "Ha, ha, ha, that's America."

Hammer replied, "I hope they speak English," which, considering Obama's obsession to turn America into a banana republic, was a real concern to finding out what was going on, since

Hammer didn't speak Spanish.

The Ho, her latest sucker, a short guy, and her female Russian lawyer arrived and seated themselves in the courtroom. Apparently Mundy no longer handled her immigration matters. I wondered why?

When the Ho's case was called, in English thankfully, the discussion between the Judge and the Ho's lawyer revealed that the Master Hearing was to arraign the Ho for trial on violating the Immigration and Nationality Act by entering into a fraudulent second marriage. What second marriage? When I had previously discovered that she was competing for $10,000 in the www.brideus.com contest, I assumed it another one of her cons. Apparently not, but why a second marriage? It wasn't for "love." She should have had her permanent residency and even citizenship by now, unless something went wrong.

The Ho's attorney asked for a postponement in setting a trial date because the Ho was appealing Homeland Security's decision that her second marriage was a fraud, which meant she got married a second time just to obtain permanent residency. The Government attorney said Homeland Security had found the second marriage fraudulent based on the documents in the Ho's file from her marriage to me, which, according to the Government attorney, Homeland Security had also found fraudulent. All of that was news to me, but definitely good news—lol. The Ho and Mundy must have done something really stupid to have Homeland Security's VAWA Unit rule against an alien female claiming her U.S. husband abused her. The Government attorney went on to say that the Ho had appealed the decision against her on the first marriage, the one to me, but she lost that appeal in 2008 or 2009. More lol.

The Government attorney, however, didn't know about the Ho appealing Homeland's finding that her second marriage was fraudulent and the Immigration Judge didn't have any documentation as to such either, so he postponed the hearing until June 1st.

The Ho and her crew left the courtroom to discuss matters in the hallway as Mr. Hammer nonchalantly followed, sufficiently close to hear. The Ho's pint-sized boyfriend ranted that the documents in the Ho's file were created by her "nut" first husband—me, so they shouldn't have been used against her to find the second marriage fraudulent. The lawyer, however, said the Ho's file also contained reports from the F.B.I., D.E.A. and the D.I.A., and those could be used against her. Apparently the F.B.I. and D.E.A. had actually conduct investigations into the Ho because of the stink I was making a decade earlier, but what did they discover? Who knows?

The D.I.A.'s involvement, which is the Defense Intelligence Agency, was another story. I had never contacted them. What the devil were they investigating her for? Perhaps she was a greater threat than I ever imagined, but I would never find out. Anyway, the existence of those reports helped explain why Homeland Security denied her a VAWA "battered spouse" waiver with respect to her marriage to me. It surely wasn't because Homeland Security's VAWA Unit found me innocent of abusing her, which those Feminazis rarely if ever do, since men aren't allow to defend themselves in its proceedings.

So what actually happened between the Ho and Homeland Security concerning my marriage to her? Fat chance, I'd ever get my hands on those government reports, but maybe I could find the 2008 or 2009 appeal decision.

The Board of Immigration Appeals ("BIA") hears appeals from the Immigration Courts. The VAWA Unit decision concerning her marriage to me would have sent the Ho to the Immigration Court for a decision on deporting her. The Ho would then appeal a decision to

deport her to the BIA. Unlike the Immigration Courts, the BIA publishes its decisions, but only the important ones are on its website, which didn't include any decision concerning the Ho. The only possible place that might have the decision in New York City was the Association of the Bar of the City of New York law library, and the only possible person that could find it was the reference librarian. It took him maybe five minutes navigating through a labyrinth of legal mis-directions to dig up the decision—always nice dealing with people who know their stuff.

In re: Alina Shipilina was decided February 12, 2009, and the Ho's lawyer on the appeal was the same old man, Jack Sachs, who defended her in the RICO case. Guess he hadn't tired of being paid in sex. Maybe he was in partnership with the grandpa in Cyprus. Anyway, somewhere along the line, the Ho had dumped her immigration lawyer Mundy, probably because he had changed his taste from her cold body to cold hard cash.

According to the BIA decision, the Ho filed for a VAWA "battered spouse" waiver with the VAWA Unit on June 1, 2002, six months after our divorce. Back then, aliens could file after the judicial termination of a marriage, but today they have to file while still legally married. Two years later, on October 1, 2004, Homeland Security's VAWA Unit denied the waiver and deportation proceedings were started against her in the Immigration Court. She must have freaked. Yes! The VAWA Unit decided against her not because it found no abuse by me, but that the Ho did not marry me in "good faith"—no kidding Sherlock. The lack of good faith means she married me just to obtain admission to the U.S. and a green card, also called permanent residency.

The VAWA "battered spouse" waiver has two requirements:

First, that the U.S. citizen spouse abused the alien spouse for which Homeland Security relies on the alien's word, the word of the alien's lawyer, the word of the alien's Feminazi

adviser (both adviser and lawyer are usually paid for by the federal government—your tax dollars), and any legal documents that do not include the citizen spouse's side. For instance, temporary orders of protection that are issued by a court without hearing from the citizen and complaints filed by the alien with the police, which also do not include the citizen's side of the story. Homeland Security also bars the citizen spouse from participating in its proceedings and ignores any exculpatory evidence he may submit even though its VAWA Unit is making fact-findings about what the citizen did. As for the one-sided legal documents—temporary orders of protection and complaints filed with the police—any subsequent records of legal proceedings showing that the alien lied to the court or police about abuse are either never presented to the VAWA Unit because the alien is not going to submit them or are ignored because the citizen sends them to the Unit. The VAWA Unit's kangaroo court procedures were created by the PC-Feminazis not to assure that girls have the last word, but to assure that they have the only word.

In my case, there were around 600 pages of apparent accusations and alleged evidence against me that I had obtained through an FOIA request from which I never expected to receive anything. Most of it, however, was redacted, but among the documents that weren't were the Ho's complaint to the police that I tried to extort money from her and the temporary order of protection she obtained by lying to the Queens Family Court. Sure, the cops never bothered to investigate the extortion charge and the order of protection was dismissed, but that didn't matter to Homeland Security because its procedures guaranty that evidence exonerating the U.S. citizen are never reviewed.

Once Homeland Security's VAWA Unit makes its unsubstantiated fact-findings about a citizen abusing an alien, they are kept from him, although the alien, all law enforcement agencies, and certain Feminazi organizations have access. So for me, I still don't know for sure

what Homeland Security concluded, but it seems likely it found that I had committed battery, extreme cruelty or a pattern of violence against the alien ho. The BIA decision, however, did mention in passing one accusation against me that didn't fly: "[T]he respondent's [the Ho's] assertion that her ex-husband forced her to work as a nude dancer [stripper] in the United States is undetermined by the fact that she worked in this profession before and after her divorce." That hit the Ho where it hurt, since she always pretended she was just a go-go girl and not a nude dancer or stripper, which to Russians means prostitute. (Maybe I'll have the BIA decision disturbed in Krasnodar, as I did with her diary.)

That part of the BIA's decision indicated that the Ho's diary was used by both the VAWA Unit and the Immigration Court's Judge; otherwise, how did they know she was a stripper before my marriage to her—no way would she admit that. The diary probably came from the Moscow Embassy, since I had sent it to my contact there and he must have passed it along.

The second requirement for a VAWA "battered spouse" waiver is that the alien marry in good faith and not just to acquire a green card. The Ho and her attorney at the time, Mundy, must have really screwed up to blow that part. All they needed to do before the VAWA Unit was what lawyers and Russian hos are adept at—phony up some evidence. They wouldn't even have to worry about the other side, meaning me, exposing their counterfeit evidence because as an ex-husband I was exiled from the entire process. How could these two idiots fail to show that the Ho had gotten married out of some sappy romantic notion? There were plenty of lame cards and letters to show a courtship, there were photographs of the wedding, we lived together for a while, she was on my health insurance policy, and there are many Russians willing to bear false witness for a few dollars that we had a real marriage.

With all that going for her, she and Mundy still blew it before the VAWA Unit, in part, because of her pathological obsession to evade taxes. When the Ho filed her tax return for the year 2000 during which we were married, she file as "single" instead of "married filing separately" because she paid fewer taxes that way. The BIA decision indicates the VAWA Unit used that as evidence the marriage was not made in good faith. That's what the Ho gets for being kopek wise but ruble foolish.

With the VAWA Unit's October 2004 denial of her VAWA "battered spouse" waiver, the Ho's whoring ass was put in a deportation proceeding before the Immigration Court. She dumped Mundy at that point because (1) he goofed on the good faith issue and (2) the Office of Violence Against Women in the Department of Justice no longer paid her legal fees because the removal proceeding charged the Ho with the crime of marriage fraud. The Office's Legal Assistance for Victims Grant Program cannot pay for the criminal defense of a "victim" charged with a crime. However, it can and does pay to destroy the careers of citizens and bankrupt them in defending against false accusations by aliens made in family court cases. Without the federal government picking up her legal costs, the Ho turned to Jack Sachs knowing he'd give her a discount in return for more carnal knowledge.

In order to learn more about her deportation proceeding in the Immigration Court, I requested a transcript of the trial for which I fully expected to be denied—but strangely wasn't. According to it, during the deportation proceedings in the Immigration Court, she applied for the second time for what she thought was the VAWA "battered spouse" waiver based on her marriage to me. This time the application was placed before the Immigration Court Judge in the deportation proceeding and not the VAWA Unit in Vermont. In Feminarchy America, hos always get a second bite at the apple. Sachs and the Ho hired a couple of experts and got the trial

adjourned three times from 2006 to 2008 in order to put together evidence of my alleged "battery," "extreme cruelty," and "overall pattern of violence."

It didn't do her any good because Sachs got the law confused. He requested that the Immigration Court grant the Ho the "legal termination" waiver rather than the VAWA "battered spouse" waiver. The "legal termination" waiver is closely scrutinized by immigration judges to determine whether the alien married just to live in America and whether she was at fault in the breakdown of the marriage. 8 U.S.C. § 1186a(c)(4)(B); 8 C.F.R. § 216.5(e)(2). The VAWA "battered spouse" waiver, however, is not as closely examined for whether the alien married just to come to America and the alien's nefarious activities leading to the breakup of the marriage are ignored. The idiot Sachs ended up requesting the more difficult to obtain waiver rather than the VAWA "battered spouse" waiver that the VAWA Unit had already denied her and for which she could have tried for again in the Immigration Court but didn't because of Sachs' screw up.

The actual trial didn't occur until May 2008. Sachs and the Ho, believing they were going for the VAWA "battered spouse" waiver, tried to rely on unsigned documents as evidence—probably fakes, and failed to produce the polygraph expert they claimed confirmed the Ho's testimony about my abusing her—probably because the expert found her to be lying. A PC-Feminist social worker did testify that the Ho was a battered bimbo, and that I abused her, in part, by forcing her to work at Flash Dancers. But it didn't matter because the key issue for the Ho under the "legal termination" waiver was whether she intended to enter a traditional marriage with me—not that she was abused. The Judge kept telling Sachs the issue before the Court was whether the Ho married me in order to enter a traditional marriage—not whether I had abused her. The onus was on her to show sincerity in marrying me. But Sachs must have been

distracted imagining himself the knight fighting valiantly for the fair damsel's honor and another assignation with the Ho.

The trial of errors ended with the Ho testifying. Responding to Sachs' questions, she said we had met at a "models party" in Moscow, which was actually the prostitute party that Perlin put on every Friday night back in 1999. She claimed I approached her when it was her pimp Perlin who sent her over to me. She proceeded to lie to the Judge that, "We got married through love, because of love, to be together," that she didn't know anything about green cards, and for her "it was important just to be with the person I loved, not where we lived." Oh puke, I thought reading that garbage. Then she started her prepared lies about abuse, which the Judge allowed but considered irrelevant because Sachs was trying to litigate the wrong waiver. "[H]e managed . . . for me to work in a strip club, but I wanted very much to work as a model, but I didn't have money for the [photograph] portfolio. [I]t hurt me [to work at Flash Dancers] because I love my husband and I just wanted to only do this for my husband." Yuk!

Sachs' questioning of the Ho confirmed that Homeland Security's VAWA Unit denied her 2002 "battered spouse" waiver based largely on her diary—ha, ha, ha, done in by her own sick vanity. Sachs' tried to argue that the diary wasn't hers and that I created it. The Judge didn't see the relevance of that to the issue of her intent to enter a traditional marriage and shut down Sachs' line of questioning. Sachs then started to say something about Mundy, but the Judge immediately went off the record, so there is nothing in the transcript of the trial about what was said. Perhaps Mundy got into a little trouble with the Ho—ho, ho, ho.

Back on the record, the Government started its cross-examination of the Ho at which point Sachs gets up to leave the courtroom, and the Judge actually has to order him to sit down. Talk about a disengaged lawyer—must have been beginning Alzheimer's. The Government

lawyer destroyed the Ho's credibility about marrying me for "love" by showing she was a perjurer. The lawyer nailed the Ho on the lie that I had made her work at Flash Dancers by getting her to admit she worked there well after the divorce. "[I]f you worked at Flash Dancers for two years starting in about July or August 2000, you were still working there when you were divorced, correct?" The Ho, "Yes." "Well my question is, he wasn't forcing you to work there as you and him did not live together anymore after [the divorce], is that correct?" The Ho was cornered and had to answer, "That's right." Then the attorney drove home the stake by referring to Homeland Security's decision denying her "battered spouse" waiver by getting the Ho to admit that she stripped in Mexico before our marriage while on a tourist visa and stripped in Cyprus before we even met.

Pretty hard to appear credible under oath when she lied about my forcing her to work as a stripper, and the reason the Government knew that was because of her diary. The Judge summarized, "You're claiming that you were working at a strip club in New York because essentially your husband forced you to. It would appear, in fact, that you willingly worked in strip clubs even before that, and worked in the strip club in New York, even after you were separated from your husband." The Ho was exposed as a perjurer. The loss of her credibility meant all that malarkey from her about marrying for "love" went out the window.

The Judge then addressed the key issue—evidence that indicated the Ho had intended to enter a traditional marriage. "I'm trying to determine if there was any actual proof that the two of you had a legitimate relationship as husband and wife. I have no witnesses here who could attest to that. I have no documents in support of the joint relationship during the marriage." The Ho was doomed.

The Judge decided against her and wrote an opinion, but the Department of Justice refuses to release that opinion even though it provided me the transcript of the trial on which the opinion is based—go figure.

The Ho lost because Sachs requested a "legal termination" waiver not realizing that it was different from the VAWA "battered spouse" waiver. She then had Sachs initiate an appeal to the BIA in 2008. The Ho had to be paying him with sex because there's no other reason for her to continue with such an incompetent. The appeal put her deportation on hold. For some lunatic reason those two bozos didn't file an appeal brief. Realizing their mistake, they made a motion to the BIA to file the brief late. The BIA refused and upheld the Immigration Court's decision.

Somewhere along the line in order to hedge her staying in America, the Ho married another American sucker repeating the strategy she used with me in the hope of obtaining a green card through marriage. It's unknown how the second marriage turned out. Maybe the guy was even dumber than me and sponsored the Ho for permanent residency or perhaps her second marriage repeated the first with the second sucker wising up and divorcing the slut. Either way, when she applied again for permanent residency, this time based on her second marriage, Homeland Security said no way Hose. The first marriage was fraudulent and based on that, so was the second marriage. Bammo, the Ho's aging ass is once again bounced into a deportation proceeding, which was the one attended by Mr. Hammer in March 2012. But then something third worldish happened.

At the Master Hearing on June 1, 2012, which was a continuance of the March 30th hearing where the Ho's attorney said Homeland's second decision to deport her was on appeal to the BIA, the Judge "administratively closed" the Ho's deportation case, which meant she could

legally stay in America. The Immigration Judge's Order states that the reason for allowing the slut to remain in America was that the "Board of Immigration Appeals reports it does not have the [Ho's] file." So where did it go? Did someone deep-six it? Was someone paid off? Didn't the same thing happen to the Ho's arrest record in Mexico City? Looked like America was turning into a banana republic where felons can get away with violating the law by paying bribes to disappear records and everyone will eventually look like Obama, except for the blonde hos, of course. The Ho was now free to continue her criminal activities in the U.S.A. as though she was a permanent resident—she won, for now anyway. Immigration could reinstitute the deportation proceeding, but unless Trump becomes the next President, that's not going to happen.

I made a stab at exposing the suspicious disappearance of the Ho's file with (1) the General Counsel for the Executive Office for Immigration Review in the Justice Department—never received a response; (2) the Inspector General for the Department of Justice—never received a response; and (3) the Chairman of the Senate Judiciary Committee, Charles Grassley—never received a response. Guess they couldn't afford the postage.

So, the Ho remained in America, making lots of money illegally, and still evading taxes. By my estimation, she's made well over two million over the past 15 years—not bad for a prostitute from Krasnodar. But she had help. The Ho simply exploited that which the Feminazis and PCers have corrupted—the immigration system and America as a whole.

My Little Bimbo[s] Down on the Bamboo Isle

> "To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. No field of education is so thoroughly comprehended by man [or females] that new discoveries cannot yet be made. Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our

> civilization will stagnate and die." *Keyishian v. Board of Regents of University of State of N. Y.*, 385 U.S. 589, 603 (1967)(Mr. Justice Brennan).

As a result of the publicity generated by the men's rights lawsuits, a professor in New York City asked me to teach a section on men and the law as part of a Male Studies Program to be offered online by the University of South Australia. The program was going to focus on guys the way Women's Studies Programs focus on girls so as to provide some balance to the one-sided PC-Feminist propaganda that is blindly accepted as the "truth" on college campuses. It would be the first college program of its kind in the world.

My three-week copyrighted section of one of the eight graduate courses being offered would look at how the law treated the different sexes in America and England from the beginning of the industrial revolution. Australia, like America, inherited its law from England, so I figured the students would be interested in what occurred in both America and England. My research showed that for the past 250 years, the law largely favored females—not males. Sir William Blackstone's statement in 1765 proved prescient, "So great a favorite is the female sex of the laws."

After the entire program was put together and on the eve of being offered to the University students, two yellow, female-dog-in-heat reporters jumped on their electronic broomsticks and scared the administrators of the University into canceling six of the eight courses, including the one with the section I was going to teach. They guillotined the teaching of the courses by lying that their content expressed "radical" and "extreme" male views by men's rights extremists who hate females. Neither reporter ever read any of the courses' summaries, nor interviewed me before they prominently denigrated my section and me to over seven million of their readers.

The bacchanalian-like frenzy of these two PC-Feminist, zealot reporters (they believe there are two sides to every story: the Feminist side and the politically correct side) was reminiscent of the 1933 Nazi book burnings at German universities. Back then, Joseph Goebbels said, "The era of extreme Jewish intellectualism is now at an end." The two reporters, Tory "the Torch" Shepherd for the Rupert Murdoch owned newspaper The Advertiser Messenger Sunday Mail in Adelaide, Australia, and a reporter from the Sydney Morning Herald, owned by another multi-billion dollar global corporation—Fairfax Media Publications, could now say the same about any intellectualism in Australia that wasn't pro-Feminist. The two sanctimonious, PC reporters didn't go into the University and take knowledge, ideas, and facts in the form of books and throw them on a bonfire. Instead they used the modern-day torch of the electronic media to incinerate views they personally disagreed with. The end result was the same—censorship of ideas by way of verbally mutilating the ideas and those who don't conform to current, trendy ideology.

The message was clear. On college campuses, whether in Australia or America, everybody's freedom of speech was limited to parroting PC-Feminist propaganda as determined by self-appointed members of the "PC Ministry of Truth" and other purveyors of ignorance, mindless unanimity and hatred of men.

The high-tech book burning started when Tory the Torch, in January 2014, told an official at the University of South Australia that I had been "identified as belonging to extreme right-wing groups in the USA." She then published articles falsely characterizing all of the courses as being "extreme" right-wing diatribes against women and the courses' creators as right-wingers. As for me, she was correct, if having been an active member of Students for a Democratic Society, an officer in the Riverside Democratic Club in Manhattan, a New

Democratic Coalition Delegate, a Union Delegate for Local 1199, an undercover researcher for the Village Voice into a mob judge's campaign financed by Roy Cohn and the Gambino and Mangano crime families, or being a member of the Bar of various courts, and an abuser of vodka gimlets instead of drugs means I'm right wing. Of course, it doesn't, she was just lying as Feminists do in order to get their way. Then again, perhaps she confused my playing right-wing forward for Old Blue rugby with being right-wing.

Her fellow traveler in "to not tell the truth" was Amy "McNeuter" McNeilage at the Sydney Morning Herald. "McNeuter" because that's probably the way she likes her boyfriends, unless in bed. Amy, instead of picking "extreme" from the male-hating Feminist reporter's grab bag of disparaging words, pulled out "hardline" and "radical" along with "anti-feminist," a term also used repeatedly by Tory, as if that is a crime. Amy applied "radical" to the courses and their creators to mobilize public opprobrium against both because she knew her readers would never realize that the following were also depicted as "radical" in the past: America's founding fathers, the Declaration of Independence, abolitionists, the Emancipation Proclamation, the South Australian Fabian Society, Australian Lucy Morice, the group Radical Women, the Paris Commune, Edward R. Murrow's expose on Senator Joseph McCarthy, anti-Vietnam War demonstrations, environmentalists, and assorted fighters against intolerance. As for "hardline," I guess that's what she dreams of.

Tory and Amy used their "anti-feminist" accusation to mean anti-female. If there was something none of the Male Studies courses or creators were, it was anti-female, assuming for me she's young and hot. More important was that we defined Feminism the same way Women Against Feminism define it—real-life feminism has come to mean the "vilification of men, support for female privilege, and a demeaning view of women as victims rather than free

agents." So by that definition, I plead guilty to being "anti-feminist" because I'm too intelligent not to be. Tory and Amy knew that about me because reporters in the past had publicized such; the down-under girls just chose to ignore it. I also don't agree with Communism, Nazism and whatever the Ku Klux Klan or Obama is pushing, but they didn't mention that either.

Regardless of whether I curtsy to sanctimonious PC-Feminism or not, what's that got to do with teaching a course on the history of the law? Is education now limited to history that is approved by a couple of not very bright female tabloid-reporters? Apparently, yes. Tory and Amy used the "anti-feminist" label in order to take a page from the tactics of Joseph McCarthy and Roy Cohn in the 1950s. Back then, certain words were used to label persons and their creations as sub-human, anathemas and pariahs—"communist sympathizer," "fellow traveler," and "red," while today self-righteous PC-Feminists use terms such as "anti-feminist," "right-wing," "hardline," "masculine" and "man."

The American hunters of communists in the 1950s had their "blacklists," which were kept by private organizations and used by the media to destroy a person's livelihood, or at least seriously interfere with it, by claiming he was a lefty. Today the hunters of the evolutionarily correct keep their "pinklists" on the Internet, thanks to the many man-hating PC-Feminist bloggers and reporters out for revenge because no guy asked them to the senior prom.

The pinklisters, along with reporters like Tory and Amy, have taken the place of the 1950s "loyalty review boards" that carried out so-called investigations for universities, governments, and businesses in order to certify that their programs and employees were not communistic or socialistic. Today, however, it's the PC-Feminists who mark for economic destruction programs and people that do not adhere to their ideology.

Tory and Amy's character and course assassinations are not unlike a reporter for *Pravda* in the old Soviet Union calling a person and academic curriculum "anti-communistic." Under the evil empire, all right-thinking, or more accurately left-thinking people and policies were communistic, and under today's Evil Eve Establishment, all correct thinking people and policies are Feministic and politically correct. At least a Russian commie reporter could point to intellectuals such as Marx and Lenin to argue the virtues of "Communism." Who can Tory and Amy point to for the "correctness" of PC-Feminism—their fellow groupies at consciousness lowering sessions.

Sanctimonious PC-Feminists justify the intentional harm they wreak because they have come to believe in their exceptionalism and their sense of being the chosen ones. That they have the right to decide the destinies of men because it is only PC-Feminists who can be right—just like a bossy wife or girlfriend.

Tory also criticized me as "extreme" for advocating that men exercise their right to bear arms, which of course is necessary in order to have a fighting chance against unjust state or caliphate violence, such as occurred in 1776, 1848 at the Paris Commune, 1972 Bloody Sunday, 2014 in Kiev, or defending against ISIS loony tunes here at home.

Of course, the exercise of a right cannot be "extreme." But when the media starts criticizing rights, it deters people from exercising them, which is the same as not having them. Had Tory's views held sway during the Second World War, she and Amy might have ended up as "comfort girls."

Tory and Amy not only did not interview me for their first articles (Amy only wrote one article), but they were totally ignorant of what I was going to teach. Obviously, they follow the maxim "don't let ignorance get in the way of a good story" that furthers Feminist bigotry.

Sounds like the three monkeys, or is it the three stooges? Tory did interview me for her second article, about five minutes, but by then her and Amy's high-tech book burning had succeeded.

The down-under girls also puffed up their articles with quotes from like-minded PC-Feminist ideologues and girlie-males to create the false image that all the guys involved in the Male Studies courses were demons incarnate about to roast females in their courses. Other sycophant reporters and columnists in Australia also joined the tar and feathering bandwagon. "There were Feminists to the right of me, Feminists to the left of me, Feminists in front of me volley'd and thunder'd from down under," so I sued.

The lawsuit charged the two reporters and their papers with publishing "injurious falsehoods" about my course section, "interfering with a prospective economic advantage"—my being paid for teaching the "Males and the Law" section of the "Facts and Fallacies of Male Power and Privilege" course, and the complaint accused only Tory of libeling my professional reputation as a lawyer. I didn't include the other course creators in the case because I concluded they were not interested.

Tory published four articles in all while Amy stopped at one. Most of Tory's libel occurred in her last two articles of which her January 14, 2014, article titled, *Pathetic bid for victimhood by portraying women as villains*, was a pure hate-male rant.

For example, she wrote:

> "Big ups to [University of South Australia] for having the sense to reject anything linked to those at the very fringe of the men's rights spectrum . . . overseas ring ins."

"Ring in" is a gang term meaning persons who are called to help in gang wars and fights. I have never participated in a gang war, unless rugby games are considered such, but have been in a few fights—the latest of which I can't remember due to the amount of vodka in me.

She also wrote:

> "You'd think I'd shut up now the plans [Male Studies program] are off the table, but it's really important to get across the bigger picture. See, most people probably think that the men's rights guys I was talking about - the ones who habitually call women names, argue that they routinely make up rape, and put it about that women either incite their own domestic violence or are the abusers themselves - are just circle-jerk misogynists."

I only habitually call PC-Feminists like Tory names, and do not argue that females routinely make up rape but that false allegations of rape range from 1.5% to 90% depending on the geographical location and study methodology. Rumney, P., *False allegations of rape*, The Cambridge Law Journal 65, (2006). Neither do I argue that women are abusers, rather that 38.7% of child victims were maltreated by their mothers acting alone and 17.9% percent were maltreated by their fathers acting alone. U.S. Dept. Of Health & Human Services, *Child Maltreatment 2007*, p. 29. As for circle-jerk, not quite sure what Tory means by that, never having been to one, but I am sure she has.

More of her rants:

> "They are - misogynists, I mean. And we're talking old-school misogyny - the hatred of women - as well as the new-school misogyny - entrenched prejudice against women."

As for me, were I such a hater of women, I would not spend so much time and money chasing them at nightclubs, in hip hop class or dating them.

The Torch continued:

> "The problem is the circle is no longer closed, no longer just a bunch of angry guys in a basement. They're trying to get up the stairs and into the light. They want to play outside with legitimate experts in men's issues . . . ."

I am not now, nor have I ever been a troglodyte, and I am not illegitimate, although Mother did dance on tables in the late 1920s at a club in the Hotel Astor in Times Square, which could have led to anything.

And:

> "It's a classic tactic, used by pseudoscientific fraudsters. Adopt the language of the actual scientists. Find odd reports and old stories, random statistics and shocking anecdotes, and stitch them into a Hannibal Lecter-style creation that mimics valid inquiry."

Even a blind zealot on a crusade, such as Tory, must still have a portion of her brain entertaining serious doubts when describing that which she lacks knowledge about. The "Males and the Law" section was largely based on law review articles from the mid-1800s to the early 2000s, including one commissioned by Congress for the federal court in New York. It was just going to present what the law was and is. Tory did not know any of that, but went blindly ahead accusing me of fraud. As for the "odd reports and old stories, random statistics and shocking anecdotes" that's Tory's specialty, if a lawyer uses such to create a false impression, he's risking his license—something Tory is not constrained by. As for imputing that I am a Hannibal Lecter, I am neither a serial killer nor a connoisseur of human flesh, which would definitely break my Kathy Freston "The Lean" diet.

Tory's tirades ragged on and on and can be viewed at MensRightsLaw.net

In the New York State Supreme Court, where I filed the case, Tory and Amy, along with their two multi-billion dollar corporate employers, committed perjury in their first set of affidavits on the key issue of personal jurisdiction: whether the New York court had the authority to even hear the case against the four Australian defendants? The answer depended on the extent of the defendants' contacts with the State of New York. The two reporters and the two corporations, which owned the main-stream Australian newspapers that published the articles, lied about their contacts with New York. Their man-hating attorney, Katherine M. Bolger, suborned it and probably wrote the affidavits herself, as lawyers usually do, because she didn't

think I'd spend the time to check their affidavit statements, and she was right—I didn't. A single mother in Slovakia did it for me.

Of course, we all know that PC-Feminists like Tory and Amy have a free-pass to perjure themselves in court whenever it serves their interests and harms a man. But the corporations were another matter, and I concentrated on them, as well as Tory just in case the alleged judge did not hold with preferential treatment for lying, vat-dyed blonde bimbos.

The first set of affidavits sworn to by officials of the corporations lied that the corporations didn't have business dealings or relations with companies in New York for marketing their papers and sundry products in New York—they did.

Tory, like a typical Feminazi, told the lamest of all the lies. For example, she swore in her first affidavit that the only person she contacted in New York for her articles was me. That was obvious perjury, since the idiot named a New York professor in her first article—the same professor who had first notified me about Tory's male-bashing. Turned out Tory had been talking with the professor by way of emails for over two months. Only a brain-dead reporter could have forgotten about corresponding with a professor she had castigated in an article months earlier—or a pathological liar. Tory, in her second affidavit, begged the Court's forgiveness, which sounded strangely familiar to a cheating girlfriend who had gotten caught, and claimed that she "forgot" she had ever communicated with the New York professor.

The newspapers in their second set of affidavits still failed to admit or explain the exact nature of their business dealings and relations in New York, which were numerous, including why the business address for the Chairman of the Murdoch company that operated Tory's newspaper was 1211 Avenue of the Americas, New York, N.Y., which is the headquarters for Murdoch's parent company—News Corp.

Even Bolger submitted her own perjurious affirmation—three times! An affirmation is when a lawyer swears under penalty of perjury that her statements are true. Bolger swore that the copy of McNeilage's article that Bolger submitted to the Court was a "true and correct" copy. It was not—it was a forgery under New York Penal Law § 170.05. Bolger deleted a chart in the beginning of McNeilage's article that showed her malice toward the guys who created and would have taught the Male Studies' courses. Malice is a key element of injurious falsehoods and tortious interference, which is why she deleted it.

Leading up to the first court hearing, November 24, 2014, the defendants and their lawyer, Bolger, probably figured they would win on personal jurisdiction and the case would be over. At that hearing before the male Judge, I accused the defendants of perjury and their self-righteous PC-Feminist lawyer of suborning perjury. She, like a typical PC-Feminazi, kept calling me "anti-feminist" and tried resorting to the Feminist tactic of interfering with the flow of my argument by interrupting me when it was my turn to talk, so I told her, "I don't interrupt you—don't interrupt me!" Naturally, she didn't listen, so I asked the Judge to tell her. He just gave her a look and the interruptions stopped.

Her tactic of trying to bias the Judge by calling me anti-feminist didn't work either. The Judge did two things: First, in response to Bolger's argument that the Court did not have personal jurisdiction, he said that Bolger was arguing a "fact question," which meant there would be discovery on personal jurisdiction to determine the extent of defendants' contacts with New York—something the defendants didn't want because it would prove they had committed perjury and the case would continue here in New York. Then the Judge permitted me to make an oral motion requesting an "immediate trial" on the issue of personal jurisdiction. I argued that Bolger and the defendants would continue to lie during discovery, so what was needed was a trial in

which the Judge could observe the demeanor of the defendants in the witness box rather than having their attorney manipulate their responses in affidavits or at depositions so as to avoid the truth. Lying on interrogatories, document requests, and at depositions is a lot easier than before judges who are all too familiar with lying parties and lawyers.

Allowing an oral motion to be made was within the complete discretion of the Judge, he could just as well have denied the request but did not—the tide in the battle began to turn in my favor at that oral argument because the Judge was fair-minded.

Guess what Bolger and the defendants did next—think Murdoch newspaper? You got it! They hacked into my private computer files by breaking into my digital cloud. How did I find out? Bolger filed a private legal document of mine in court that existed only on my personal computer and digital cloud, which required access codes, and was not publicly available anywhere.

The document was a privileged attorney work product of 17 pages that I had put together as tentative responses to press inquiries about the case and titled "Responses to Media." No reporters ever picked up on the case, so none of the responses were ever made public nor was the document sent out to the media as a press release. But that didn't stop the lying defense attorney Bolger from claiming the document was a "Media Release," which of course communicates it was made public to the press. She actually referred to it as a "Media Release" nine times in her papers in the hope of convincing the Court it was publicly available so as to cover up her and the defendants' criminal acts in obtaining it.

In another life, I had worked as an assignment editor, writer, and political producer at Metromedia TV News and Eyewitness TV News in New York City. I knew what the term "Media Release" meant, and that no one ever submitted a 17 page "Media Release" in the form

of the document Bolger and the defendants hacked. Given the Feminazi attorney's experience in representing news organizations, she knew it as well, but that didn't stop from lying about it.

Now I understood how those Hollywood actresses felt when their naked pictures were taken from their iClouds. Good thing I didn't have any such pictures of me on my digital cloud, not that anyone would be interested.

Immediately, I requested of the Court by an "Order to Show Cause" that the document be sealed, require Bolger and the defendants to turn over all paper and digital copies of everything they stole in their hacking—both personal and attorney work product data, Bolger and the defendants be enjoined from ever publicizing the contents, and Bolger and the defendants provide the names of everyone involved so they could be referred to the authorities.

As soon as the request was made, the case was transferred to another judge. The first Judge, an older black man, had demonstrated fair-mindedness and immunity from the modern-day, sanctimonious PC-Feminist tactics of litigation by personal destruction. The second Judge, a white middle-aged man, whom I had a case before previously, was also fair-minded, so maybe the case transfer didn't matter. That Judge denied my request for an Order to Show Cause—no big deal because he allowed me to make a formal motion, which would only take a little longer for a decision. So I filed the motion and doubted Bolger and the defendants would make public any of their ill-gotten gains while a motion for hacking was before the Court. But then something happened that I had never experienced before in any court—the case was transferred for a third time.

The third judge, Jennifer Schecter, was apparently just the type the defendants wanted—young, female and PC-Feminazi. In addition, she had been the protégé of a female Feminist judge who was related to a City Councilwoman I had dated for a time back in my 20s. One of

the Councilwoman's son, whom I regularly beat up back then for annoying his mother and me, was now the City's Controller. What a joke, he could barely add.

So what was going on? Did the Murdoch attorney exercise the influence of her client to have the case transferred to a sympathetic PC fellow traveler, or was it vengeance from an old girl-friend and her son. Who knew, but my case was now doomed.

At the May 2015 hearing before the third judge on the three motions that were before the Court, something happened that I had never experienced before in any court—once again. The papers for the key motion requesting a trial on personal jurisdiction had disappeared. Since Bolger had clearly and repeatedly suborned perjury—actually she probably wrote the affidavits—and the defendants had clearly and repeatedly committed perjury on that issue, Bolger's arguments against a trial on personal jurisdiction were implausible. So the disappearance of all the papers benefited her and the defendants.

Of the three motions, why was it that those papers were the ones to vanish. The new PC-Feminist judge tried to pressure me into withdrawing the motion, but that was not going to happen. The first Judge gave me permission to make that motion, and it was going to stay part of the case, which I had to repeat several times.

During the back and forth with the Judge, Bolger remained strangely silent. She knew as well as I that the first Judge had given me permission to make the motion, and he even instructed her on when her papers were due, which she subsequently filed. Why was she standing back from the discussion—did she know something I didn't? After the tug of war between the judge and me, she finally ruled that both sides should resubmit their papers, which we did.

It didn't do any good. The man-hating judge gave her fellow PC traveler what she wanted and threw the case out ruling the Court did not have personal jurisdiction over the

defendants. The judge knew Bolger and her clients were lying—how could she not, the evidence was overwhelming. But she hated me for being a man who dared to fight for his rights rather than kiss her feet. So, I appealed—a lot of good that would do.

The appeal went to the New York State Appellate Division for the First Department, which in the good old days had an efficient and helpful clerk's office, but these days it was a joke. A former Latino Presiding Judge of the Court decided to curry favor with the PC-Feminist and illegal alien community by appointing an incompetent south of the border female as the Clerk or Empleada de la Corte.

Normally on an appeal, a lawyer's involvement with the Empleada is non-existent since his printer files all the papers. But on this appeal, Bolger made a motion that required me to deal with the office of this south of the border oficina de secretario de la corte. When appealing a lower court decision, the appellant (here it was me) needs to provide the appeals court with the documents that the lower court's decision was based on, it's called an appendix. Bolger asked the Appellate Division-First Department to dismiss my appeal because my appendix didn't include over 400 hundred pages of irrelevant documents she had filed in Schecter's court. How do I know the documents were irrelevant—because when Bolger finally filed her brief in the Appellate Division, she did not cite to any of them, I didn't cite to any and Schecter never referred to any of them in her decision.

So why did Bolger file so many documents in the lower court—because if she won with Schecter, which was a foregone conclusion since Murdoch's corporation used its clout to get the anti-male Schecter assigned to the case, Bolger would try to get the Appellate Division to make me pay to have all those pages reproduced and filed—a cost running into the thousands of dollars. Defense attorneys with rich clients always do this in an attempt to price middle class

plaintiffs out of an appeal. Rich clients can afford printing up the masses of documents they file in the lower court hoping that if they win and their opponent appeals, they will get the Appellate Division to require their opponent to pay thousands of dollars to print up and file those documents in the Appellate Division. If the opponent is middle-class, he won't be able to afford the printing costs, five dollars a page—so he loses.

To bulk up the number of pages, Bolger filed duplicates and triplicates of the same documents. Many of the irrelevant documents were from my men's rights cases that had nothing to do with personal jurisdiction in this case. Bolger simply used them to bias judge Schecter against me for not kowtowing to PC-Feminist ideology and to price me out of an appeal. Bolger could have saved her clients the copying costs because judge Schecter would never have ruled that any man had rights when in a dispute with two PC-Feminazi female reporters.

Bolger's motion also complained that some of the documents in my appendix had not been filed in Schecter's court. Most of those had been copied from the Internet using different browsers that caused them to be formatted differently with different advertisements. The contents were identical to the documents filed with Schecter, they just looked different. Of course, bimbos like Bolger are always more concern with appearances than substance. The only thing more important to bimbos and hos is money. And that's the real reason Bolger made her motion—to increase the cost to me of appealing by increasing my printing costs and to also increase her billable hours.

The Appellate Division, including three PC-Feminist female judges and two male androgynies, fell in line with Bolger's tactic to price me out of the appeal by requiring me to print a supplemental appendix with the irrelevant documents. Legally it made no sense. The appeal was limited to the extent of contacts Bolger's clients had with New York. Then again, in

Feminarchy America, the law means nothing when it comes to any case brought by a white, heterosexual male fighting for his rights. So, I filed another 240 documents—all that I could afford, but the Appellate Division, this time four PC-Feminist judges and one male androgyny, ruled that's still not enough and kicked the case and me out of court.

During my battle with the ideologically-corrupt judges in the Appellate Division, I was also fighting with the los cretinos in the Appellate Division's Clerk's Office. During argument over Bolger's motion in the Clerk's Office, the issue came up whether I had filed a court form called the Note of Issue. The third-world millennial intake clerk said it had not been filed. I repeatedly insisted that it had until his one-synapse brain finally prodded him to look for it and miraculously he found it on the desk with the other files from my case. Apparently, the Appellate Division-First Department is still trying to decide whether it is a 19th century court requiring only paper filings or a 21st century court using digital filings or a Mexican court that can't do either competently.

The millennial idiot then said there was another problem—the Appellate Division had not received a CD of the record on appeal from the lower court. The record on appeal was a copy of all the documents that were filed in the lower court before judge Schecter. Again, I repeatedly told him that the lower court had provided the CD a few weeks earlier. He insisted it had not and directed me to go talk to the lower court's clerk. So I trudged downtown in the rain to the lower court. Its clerk gave me a certified statement that the Appellate Division's clerk had received the CD weeks earlier. Then back uptown to the Appellate Division where a different clerk pulled the CD off of the same desk where the millennial intake clerk found the Note of Issue. This new clerk explained that the CD only contained links instead of the actual documents. That was

clearly something the intake clerk could have told me without sending me on a wild goose chase downtown to the lower court.

My dealings with the Mexican clerk's office were not over yet. An issue arose on Bolger's motion. One of the papers she filed, her Reply, had been served after it was filed. Under the law, you are supposed to serve motion papers first and then file. Normally, I would not care, but it gave me another chance to show that Bolger was a congenital liar, since she claimed the Reply was served first. I submitted a letter to the Appellate Division, Bolger responded in a letter with her usual Clintonesque lies, and then I tried to submit another letter to the Appellate Division with newly discovered proof from Federal Express that Bolger had lied in her letter. That's when I ran into a different millennial clerk, tall, muscular, unshaven, and eminently arrogant who referred to himself as the "Supervising Clerk." Boy, I would have liked to have played against him on the rugby field. I'd given him the ball just to take him apart.

This clown, while talking on a telephone attached to his ear, took my letter and proceeded to swagger about the clerk's office continuing to talk on his earpiece. So I waited, and waited, and eventually he ended his telephone call. I could not tell whether it was court related or not.

He glanced at my letter with exhibits and said in an arrogant tone, "I'm not going to accept these!" He didn't say the Court wasn't going to accept them but that "I'm" not going to accept them. I told him the letter was important because it contained recently discovered proof exposing Bolger's lies that affected her Reply. He sophistically remarked, "It doesn't affect the Reply, just the service of the Reply." What an idiot! If service is improper, then due process prevents any court from considering it—that sounds like an effect.

I remarked, "So this Court accepts falsehoods and doesn't permit their corrections?" To which he arrogantly replied "Yes!" Then covering his butt, he added, "The Court's rules only

allow one letter for each side in a case." I searched the rules and didn't find that one anywhere. He obviously made it up to get rid of me, so he could go back to acting the big shot by taking calls on his earpiece.

As a result, I drafted a motion on Bolger's illegal service of her Reply and her cover-up over it, and went to file it. The clerk's office opens at 9 AM and I arrived a couple of minutes after to file my motion papers. Behind me was another attorney also filing motion papers. A lady clerk with a Spanish accent told us that we would have to wait because the system was not up and running—whatever that meant. The other attorney had previously been told by the clerk's office to arrive as early as possible, and I was told to file any papers before 10 AM. Both of us had other appointments, but we had to wait. During our wait, I heard the lady clerk talking with another female clerk and tried to listen for any indication as to what the problem really was and how long it would take to fix it. They were talking in Spanish, however, which I do not speak—felt as though I was back in Ecuador or Los Angeles. The third-world intake clerk finally arrived for work, which was the real reason we couldn't file our papers. So two American attorneys in America ended up wasting half an hour on these incompetents with a Mexican attitude toward work. The Appellate Division judges, the original three PC-Feminist female judges and the two male androgynies, denied my motion—guess female attorneys can violate the court's rules and lie with impunity.

I did send a letter to the Appellate Division's Acting Presiding Judge complaining about the personnel in his clerk's office—twice, but never once heard back.

With the Appellate Divisions' dismissal of my case against the PC-Feminazi book-burning bimbos from down under, I made a motion to the State's highest court, the Court of Appeals, requesting that it allow me to appeal the Appellate Division's dismissal.

My argument was simple: the Appellate Division effectively overruled the policies behind the Court of Appeal's ruling in *E. P. Reynolds, Inc., v. Nager Electric Company, Inc.*, 17 N.Y.2d 51, 55-56 (1966) and the policies of the *Second Preliminary Report of Advisory Comm. on Practice and Procedure* (N. Y. Legis. Doc., 1958, No. 13), pp. 344-347; Eleventh Annual Report of N. Y. Judicial Council, 1945, pp. 414-416.). The growing concern over the high and continually increasing cost of printing documents from the lower court for an appeal and the use of it by "deep-pockets" to deter appellate review caused the State Legislature to institute the appendix system. That system allows for printing only the relevant portions of the lower court's record. *E. P. Reynolds, Inc., v. Nager Electric Company, Inc.*, 17 N.Y.2d 51, 55-56 (1966) stated:

> We note that the appendix system was adopted in New York after extended study indicated the need to reduce the cost of printing records on appeal. (*Second Preliminary Report of Advisory Comm. on Practice and Procedure* (N. Y. Legis. Doc., 1958, No. 13), pp. 344-347; Eleventh Annual Report of N. Y. Judicial Council, 1945, pp. 414-416.). . . .
>
> The draftsmen [of CPLR 5528] assumed that the main practice problem would be the printing of appendices that were too extensive rather than too attenuated. Thus, while the provision for sanctions in subdivision (e) of CPLR 5528 allows the court to "withhold or impose costs" for "any failure to comply with subdivision (a), (b) or (c)" (see 7 Weinstein-Korn-Miller, *N. Y. Civ. Prac.*, par. 5528.03, p. 55-208 [1965]), the draftsmen assumed that the power would be exercised "if unnecessary parts of the record are printed;" (*Second Preliminary Report of Advisory Comm. on Practice and Procedure* (N. Y. Legis. Doc., 1958, No. 13), p. 354; italics supplied). This, of course, is the situation in which sanctions are most useful.
>
> The most effective guarantee against an inadequate appendix, of course, is an attorney's desire to supply the court with all material necessary to convince it to adopt his client's position. And with the tactical and practical risk of omission so great, the main danger to be guarded against, in the view of the draftsmen, is the too verbose rather than the too cryptic appendix.

The Appellate Division wanted me to pay the cost of submitting all of the more than 400 pages that Bolger lied about needing for her brief. Over 400 pages at five dollars a page that Bolger never needed for her brief.

There are seven judges on the New York State Court of Appeals—four PC bimbats and three androgynous guys who can't figure out what they are. Too bad Trump doesn't get to appoint state judges as he does all federal judges. That's a good argument to stay out of the state courts, especially in the state that elected Hillary Clinton—twice! True to their pinko beliefs, the judges denied my motion.

"There can be no equal justice where the kind of [appeal] a man gets depends on the amount of money he has." *Griffin v. Ill.*, 351 U.S. 12, 19 (1956)(Justice Hugo Black). Modern-day America has changed Justice Black's statement to "There can be no equal justice where the kind of appeal a white, heterosexual man gets depends on man-hating feminists and wimpy males."

If the case had been successful, the private pinklisters and those who rely on them would have been put on notice that they are legally liable for the professional and financial damage they cause with their falsehoods and economic interference with a man's business relations. That's what finally put the nail in the coffin of the McCarthyite-Cohn inquisition of the 1950s.

Cloud Nine

There wasn't anything legal to do against the man-hating Judge Schecter. Sure the State had a Commission on Judicial Conduct, but it was staff mainly by girls who couldn't get a date with a man even after extensive plastic surgery. As for the guys at the Commission, they were either queer, didn't know what they were or simply terrified of girls. To the Commission employees, female judges were the untouchables (not that anyone would want to touch them).

The Commission saw its duty as protecting these nervous Nellies from those barbarian men who actually thought a judge should be competent and fair. This loony-tune belief system ignored the teachings of the Bible about all those not-so-innocent and overly malicious females. It's the modern-day version of women's rights called "Nell Fenwick Feminism." Men are either "Snidely Whiplash" or the metro-sexual wimp "Dudley Do-Right," and girls are always the victims of a male controlled society—even when their lies and tears send an innocent man up the river for decades. So complaining to the Commission, as I had done in the past with other unfit female judges, would be a waste of time. And since Schecter was a "judge," she was immune from being sued for her actions in court.

Bolger, however, could be sued for hacking into my MensRightsLaw.net website (a.k.a. iCloud)—so I did. The one nice part about being a lawyer is that when you sue the miscreants, you don't have to pay an attorney while they usually do. Even when suing other lawyers, they usually hire someone else to defend themselves because their malpractice insurance often cover's the fee—but not always.

The defendants in my case against Bolger included her androgynous male associate, Matthew L. Schafer and an unknown person designated as "Jane Doe." Whenever a lawyer suspects there are people involved in nefarious activities whose names he does not know, he throws in a couple of "John Does." I use "Jane Does"—not wanting to be gender insensitive. Of course in this age of "transgenderism," I should have put "Its." Jane Doe was probably the private investigator that Murdoch's organization used to hack into computers and cell phones.

The case was filed in the U.S. District Court for the Southern District of New York—not because the judges there were any less biased against white heterosexual men, but because they

were smarter. Sometimes bright people possess enough pride not to succumb to moronic mob mentality.

The action accused Bolger, Schaffer and Jane Doe of violating the following;

a. The Computer Fraud and Abuse Act of 1986, 18 U.S.C. § 1030(a)(2)(C) ("CFAA'), by intentionally accessing without my authorization a computer or computers used in interstate or foreign commerce, obtaining information there from, and causing loss to my law and consulting business.

b. The civil Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 *et seq*., ("RICO")—my favorite—by engaging in wire fraud, 18 U.S.C. 1343, and robbery—theft of computer related material that violated N.Y. Penal Code § 156.30, which is a Class E felony.

c. The Copyright Act of 1976, 17 U.S.C. § 101 *et seq*., by copying, distributing, and displaying an unpublished attorney work product and copying or downloading other documents from my iCloud that were registered with the U.S. Copyright Office—all without my permission.

d. Trespass to chattel under New York State law by interfering with the personal property—electronically stored information—of my law and consulting business.

e. Injurious falsehood under New York State law by making available to the public a knowingly false representation about my business product—the attorney work product that Bolger lied about it being a press release.

f. Replevin under New York State law by Defendants continuing to wrongfully retain copies—paper or digital—of business and personal information belonging

to me, which were stolen from a computer or iCloud used by me for business and personal purposes.

g. For attorney defendants Bolger and Schafer, violation of the New York Rule of Professional Misconduct 4.1 by (1) knowingly making a false statement—perjury—to the New York State Supreme Court in the case *Hollander v. Shepherd, et al.*, 152656/2014 (N.Y. Sup. Ct. 2014) that an attorney work product document of my business was a press release, and (2) violating N.Y. Penal Code § 156.30 when they duplicated computer related material of my business without having any right to do so.

Bolger and Schafer's lawyer was a Joseph L. Francoeur from Wilson Elser Moskowitz Edelman & Dicker LLP. A typical neo-McCarthyite-PC defense lawyer—addicted to personally attacking his opponent (me) and inventing accusatory falsehoods. Such lawyers lack the intelligence to argue the merits, so they resort to the typical PC-Feminist disparagements and empty threats.

In the preliminary letters among both sides and the Court, I responded to Francoeur's school girl insults:

> First, can't these defense attorneys get over their addiction to *ad hominem* attacks and invented accusatory dissemblings? I previously worked as an associate for a defense firm, Cravath, Swaine & Moore, and they never engaged in such prevaricating and dissembling garbage as Francoeur. For example, Francoeur writes or infers:
>
> [Plaintiff is] "a serial litigant," [well so is the ACLU];
> "Rule 11" [sanctions were threatened against Plaintiff by the Second Circuit, what does that have to do with this case?];
> [Plaintiff's] "attempts to establish a 'men's rights' course," [actually a program of eight courses created by various professors that was approved by a university until the Pravda Correct press demonized every one involved];
> "Judge Peter Moulton refused to sign [Plaintiff's] order to show cause," [but Judge Moulton did rule that the motion could be brought by noticed, and it was];
> [Plaintiff] "violat[ed] a court order," [Plaintiff, semi-retired, could not afford the printing

costs for 400 pages of irrelevant documents filed by Francoeur's clients];
[Plaintiff is] "seeking to relitigate . . . rejected fraud allegations," [the fraud allegations in this case are different, as is the fraud that Francoeur is trying to perpetrate with his pre-motion letter];
[Plaintiff] "purposely omitted the two exhibits," [see below for exposure of this Francoeur fraud];
[Plaintiff is engaged in] "harassing litigation," [Plaintiff has a First Amendment right to go to court against those who violate his rights]; and
[He is a] "vexatious plaintiff," [typical modern-day name calling].

Oh well, I'm not going to open a Twitter account to expose Francoeur's falsehoods, prevarications and dissemblings. I'll just ignore his calumny until my opposition to his motion to dismiss. . . .

Second, can't these defense attorneys refrain from cheating by violating the spirit of a court's rules? Here Francoeur refers to two exhibits: "the screenshot of Plaintiff's publicly accessible website as visited by Mr. Schafer on December 30, 2014 (Ex. 1) and the screenshot of the Google-cache version of how the website appeared on January 3, 2015." Exhibits are not permitted in a pre-motion conference letter, but Francoeur is trying to create a fraudulent image in the Court's mind based solely on his dissembling description of the two documents. It's the perfect dissemblance because the Court cannot view the documents itself to realize Francoeur's trick.

Here's the deceit in this trick by Francoeur. The Complaint at ¶ 8 alleges that once the defendants broke into the iCloud "they stripped the access codes thereby making it viewable to them and the public at any time." Without the access codes, the website became public, so of course the defendants were then able to obtain a screenshot and a Google-cache version. In that sense, Francoeur actually got a fact right, since it admits his clients' hacking—they hacked in and then stripped the codes to make the iCloud public. Without the two documents, however, the Court is not able to see through Francoeur's subterfuge [that was shown by the dates on the two screen shots, which I raised in my opposition to his motion to dismiss].

As far as the facts go, Francoeur is clearly trying to create an alternate reality to support his disingenuous arguments. He never refers to all the materials that the defendants stole from the iCloud—actually, they probably downloaded the entire site, but their law firm refuses to say. He only refers to one, calling it a "document about" the N.Y. Supreme Court case. The prevarication here is that the document was an attorney work product—big difference. . . .

Francoeur then made a motion asking the Court for an additional 10 pages for his memorandum of law to dismiss. The Court has a limit of 25 pages, but Francoeur wanted 35 pages. In opposing his request, I told the Judge:

> Attorney Francoeur and his clients' conduct thus far in this action make it clear that they will just use the additional space to continue their litigation of personal destruction. In their two letters to this Court, Francoeur and his clients, also defense attorneys, have raised irrelevant matters in order to engage in their neo-McCarthyite-PC smear tactics.
>
> The additional pages will only provide more of their self-righteous, hypocritical and bigoted ideological rants against me for resorting to the courts to defend my rights under the laws and the U.S. Constitution.
>
> Francoeur and his clients are marked by a severe strain of intolerance toward anyone who does not believe as they do. Especially, if that person worked as a volunteer in Donald Trump's campaign for the presidency—as I did.
>
> From the powerful to the tyrant next door, those who aim to exploit, control and silence others predictably turn to personal attacks, lies and deception.

My words didn't do any good—the Judge gave Francoeur the additional space to play his girlie PC tactic and also allowed me 35 pages, which at the time I didn't think I needed.

The Judge's decision to allow longer memoranda seemed strange to me. Judges, even in federal court, are often overwhelmed by the mere amount of papers filed in a case and the number of cases they handle, so why wasn't this Judge. Was he an Evelyn Woods speed reader? Generally, I don't bother researching judges but my suspicions were up. My Slovakian, single-mother paralegal researched his Honor. Turns out he was Latin and appointed by Obama—that explained it. He belonged to that Orwellian party of feminists, ethnics, Muslims, illegals and queers who think they are superior to everyone else, especially white males. It's the FEMIQ Party. No way he'd rule against the neo-McCarthyite-fascho defendants and their lawyer. (Fascho is a French term for fascist that Brigitte Bardot uses against the alt-left—boy was she hot in her day.) The website called "The Robing Room" lists comments by attorneys who appear before a judge. One comment on this Obamite judge was "I don't know why he's on the bench, doesn't know the law and doesn't care to." The gods must have it in for me.

After all the years, booze, dope and rugby, it takes a while for the remnants of my brain to realize something important. In this case, I missed for a few weeks that I should have requested early discovery on exactly what Bolger and her eunuch copied from my iCloud. Normally, you have to wait until after a preliminary conference in court before being allowed to demand documents and factual answers from the opposing party. The Court had scheduled one but canceled it after Francoeur said he wanted to file a motion to dismiss. Such often happens. Why bother with a time-consuming conference when a motion to dismiss may end the case. If it doesn't, then the Court will hold a conference.

There is a rule, however, that allows you to ask for documents or answers before the preliminary conference if the other side agrees or the court orders it. So the week before Bolger's attorney was to submit his memorandum of law depicting me as a demon from the TV show "Supernatural" (only to have that kind of power), I requested of Francoeur copies of all the documents Bolger and Schafer stole from my iCloud. Under the Judge's rules, Francoeur had 72 hours to respond to my request, which he received by mail on Friday morning, May 5, 2107. That gave him until Monday morning. It took him until Monday afternoon—missing the deadline. He whined like a high school girl committed to a weekend of partying that receiving my request on Friday morning gave him only one business day to respond no. This guy is a partner in an international law firm. If he didn't want to work on a weekend, he should have told an associate to handle it.

So I turned to the Court and made a letter motion requesting production of copies of the documents. The following was the gist of my motion:

> The reason for my request for early discovery is simple. The full extent of defendants' nefarious activities, and therefore the harm they have caused and are in a position to cause are not fully known. Yet Francoeur argues this case should not be investigated

> further with discovery—the legal system should forget about it; thereby, granting his clients the right to keep everything they took without consent to use or sell as they wish.

Naturally, I mocked Francoeur for not wanting to work on a weekend as well as lying and trying to cover-up the extent of his clients' thievery. He blew a gasket—began acting as Generalissimo Franco[eur]—demanding that I "immediately" withdraw the motion or "we" [he and the defendants] will take "appropriate" action. In PC lingo, that translates they will lie, cheat and commit any crime to get their way. What a clown, if we weren't in court, I'd challenge him to a duel. Instead, I made another motion accusing him of coercion in the second degree. It's only a misdemeanor but prohibits "expos[ing] a secret or publiciz[ing] an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule." That's exactly what Generalissimo Francoeur was going to do in his dismissal memorandum of law. So I asked the Court to restrain him from engaging in personal attacks and irrelevant accusatory dissemblings—it didn't bother.

The reason for discovery of all the documents Bolger and Schafer copied was to show that when they hacked my iCloud, they downloaded everything. Throughout the proceeding, Francoeur ignored that allegation and focused only on the one document Bolger submitted to the New York Supreme Court in the case against Tory the Torch and the Murdoch newspaper. Obtaining all the documents was crucial for the copyright part of my case because a copyright action for infringement can only be brought if the work was registered with the U.S. Copyright Office. The document Bolger filed in the New York court over which she committed perjury by calling it a press release was not registered. Other documents on my iCloud, however, were registered. So, if they copied those documents, the Court could not throw out the copyright cause of action. Also, because none of those registered copyrighted documents were submitted to the New York court, Francoeur could not argue "fair use." Courts often hold that when a

registered copyrighted document is filed in court and it is relevant to the case, there is no infringement for having copied it without the author's permission—that's "fair use." Lastly, by copying those registered copyrighted documents without my permission, Bolger and her associate would be liable for damages set out in the Copyright Act of from $750 to $30,000. And if I could show that they knew those documents were copyrighted, which simply meant pointing out the © on them, it could be up to $150,000. You can see why Francoeur was trying to avoid discovery. The Court let him get away with it—what do you expect; the Judge was appointed by Obama.

Fascho Francoeur submitted his 29 page memorandum—a somewhat diatribe against me. The surprise was he didn't use the 35 pages he whined to the Court he needed—guess he ran out of insults. But my law memorandum used all of the allowed 35 pages and ended with "I am glad that [Francoeur] requested memoranda with an extended page length. I never would have been able to keep all this to 25 pages—thanks Joe." "All this" included at the beginning:

> Defendants' attorney, Joseph L. Francoeur ("Francoeur"), just can't shake his neo-McCarthyite-fascho addiction to *ad hominem* attacks, lies, prevarications and invented accusatory dissemblings. Right at the beginning of his 29 page memorandum-diatribe against a proud Trump supporter (after all we won), Francoeur launches into his litigation tactic of personal destruction by demonizing me, the opposing lawyer and plaintiff. He clearly believes the Politically Correct ("PC") adage that one must vilify and incite hatred against those with whom PCers disagree for surely non-PCers are sub-humans without rights.

That last line was based on Lenin's, "we must vilify and incite hatred against those with which we disagree." I didn't cite to Lenin because I did not want to confuse the Judge that lefties are more than capable of using Nazi tactics. The Judge might have thought, oh, if the lefties do it than it is okay. Continuing:

> Picking up where Francoeur left off in his pre-motion letters, he paints me as malicious, alleging I brought this action to "harass" (Def. Mem. at 3), and that it is "frivolous" as are all the cases I have brought trying to defend the rights of

> white, heterosexual men (Def. Mem. at 1). I know, that very phrase is considered by half of the country as a blasphemy—but not the other half. To them, and the Founding Fathers, I have a First Amendment right to go to court against those who violate my rights and the rights of the group to which I belong.
>
> * * *
>
> As a firm believer in not turning the other cheek, let's look at Francoeur a little. I'm sure he will whine pompously in his reply. Francoeur "spearheaded" his firm's involvement with the tax exempt organization "Safe Passage Project" that thwarts the deportation of "unaccompanied minors" who illegally enter the U.S. In effect, Safe Passage facilitates schemes to keep illegal alien youths in the U.S., such as M-13 gang members. "[T]he image of unaccompanied alien children as little children is misleading. Out of nearly 200,000 UAC apprehended from 2012 to 2016, 68 percent were ages 15, 16 or 17." Stephen Dinan, *Obama knew gang members part of illegal immigrant surge*, Washington Times, May 24, 2017. Just recently, U.S. Immigration and Customs Enforcement arrested eight gang members who illegally crossed the border as unaccompanied minors. These so-called innocent children engage in murder, racketeering, rape and sex trafficking. Stephen Dinan, *Feds nab three Dreamers, 10 UAC in nationwide gang operation*, Washington Times, May 11, 2017.

Francoeur submitted a reply in which he sniveled that I had insulted him. What did the little girl expect—he started it. It's a typical PC-Totalitarian tactic. They personally attack you in the hope you'll cave, but when you don't and respond in kind, it's boo-hoo-hoo, he's being mean to me. Sounds like the proverbial recent girlfriend. That's how androgynies like Francoeur act. Just look at that French President Macron who married his mother.

All the papers filed in the case can be read at MensRightsLaw.net under "Bimbo Book Burners' Lawyers Hack Roy's iCloud" or through the PACER website—go to New York Southern, log in, Query, Case Number 16-9800.

Usually in the district court, the judges do not bother with oral argument but make their decisions to dismiss or not based on the papers each side submits. I requested oral argument, however, because I wanted to appear in court with Francoeur. When the attorneys for both sides show up to argue in court, they usually introduce themselves to each other as a matter of courtesy. Hopefully Francoeur would approach me to do such, allowing me to insult him to his

face with the aim of a fist-fight breaking out. Such does happen in court now and then. My last court fight was in the New York Civil Court. If things went according to plan, my next one would allow me to practice my Krav Maga on a Generation Xer.

It didn't go according to plan because Francoeur never approached me, but my efforts to have a fight in court prevented me from being sanctioned by the court—ironic. Because of my request for oral argument the Judge held a two-hour hearing before deciding the motion to dismiss. Prior to the hearing, the Judge issued a list of questions that would be raised at the hearing. Most were directed at me and my first amended complaint.

In the beginning of the hearing the Judge said,

> COURT: The issue is what is the basis for the claim that in fact [Defendants hacked your website.] You haven't established through documentation that in fact this website that you say, through whoever the website provider, was a secured website. Because just Googling your name quite frankly you do find references to articles that have been written where other individuals who had written the articles have had access to some website that you had. I don't know what website it is or anything like it. So at some point there were certainly publicly available information with regard to you. Whether it was with regard to the allegations of this other lawsuit, I have no idea. I guess what I am saying is you haven't established that you actually had an account that was in fact secure.

Wait-a-minute, I'm thinking, a judge is not allowed to conduct an investigation into a party. "Judges . . . have no responsibility to gather evidence and indeed commit grave error if they attempt to do so on their own." Charles W. Wolfram, *Modern Legal Ethics*, § 12.3.2. If a judge goes looking for evidence, then he has to give reasonable notice, which means beforehand, or if after, exactly where the judge looked to obtain the evidence. The Judge did neither, which means he violated my due process rights under the Constitution. *Ward v. Village of Monroeville*, 409 U.S. 57 (1972); *Tumey v. Ohio*, 273 U.S. 510 (1927).

My response was that the information the Judge obtained by Googling my name was the result of a former website—not the one at issue in the case—that had been closed down and various interviews the press conducted with me.

During the hearing in which I did most the talking in answering the Judge's questions, the Judge at one point said that when the hearing began he was prepared to dismiss the entire complaint and seriously considered sanctions against me for bringing it, but oral argument had changed his mind. So, thanks to my request for an oral hearing, such was prevented—for the time being at least. The Judge did dismiss all the actions except the Defendants violating the Computer Fraud and Abuse Act and the Copyright Act. However, he refused to allow me to find out all of the documents that the Defendants had copied. As for sanctions, the Judge told me to provide the Court with documents from the website host about the setting up of the website. The tide was turning.

Toward the end of the hearing, Francoeur tried putting words in my mouth on one occasion, but it was so obvious that all I needed to say in my sarcastic response was "I am not admitting that. Give me a break!" Francoeur ended with a tug at the Judge's heart strings.

MR. FRANCOEUR: I told myself I didn't want to belabor the point about vexatious litigation, but I would like to make a very brief point. My clients are here in the courtroom. This is a painful.

THE COURT: I saw some shaking heads back there and I figured they were people who might have an interest. Go ahead.

So that's who all those people in the peanut gallery were. But I was just suing two persons and a Jane Doe—not eight or more, so why were they here?

MR. FRANCOEUR: It is hard to listen to. There is a lot of serious allegations. There is no merit. There is no basis. The closest we came was logic. I just ask the Court to keep in mind these are people, these are lives with reputations. It is very hard for them. There are claims being withdrawn it seems almost flippantly. It doesn't matter to the plaintiff, but it matters tremendously to the people on it defense and I ask that the Court to keep that in mind.

THE COURT: I understand that.

I thought, hey two can play this game.

MR. HOLLANDER: Your Honor, may I say something?

THE COURT: Yes.

MR. HOLLANDER: I am 70 years old. I am going to be 71 in September. How do I get by? I get by doing the lowest of lowest of legal work called document review. One reason I am doing that document review is because of their defendants back there and their litigation of personal destruction, including Mr. Francoeur and his litigation of personal destruction. The first -- the second letter he sends to your Honor, he brings in all this irrelevant stuff in support, which I can see now didn't work to bias the Court. That is what I went through in the New York Supreme Court. Nothing but allegations, ad hominem attacks. You know why I lost the case in New York Supreme Court? Because I didn't have enough money to put together an appendix that was stuffed with irrelevant, repetitive documents that were filed in the New York Supreme Court by the defendant Bolger and Defendant Schafer. I am also a victim here. I really hate using that phrase, but I am not here as some evil Trump-ite trying to get revenge. I just want justice. My rights have been stepped on and I have been called all kinds of names by them.

The Judge repeated for me to get the set-up documents from my website host and provide such to the Court and Francoeur. The host, however, had no indication that the site was private because all it did was rent computer space. It did not set up sites and determine access—the renter did. However, I had an ace in the hole. My computer consultant who set up the site and maintained it for me provided two affidavits that right from the beginning the site was private—protected by access codes. That meant someone had hacked in and stripped the codes to make it public for a couple of weeks until I saw what was going on and had my consultant establish new codes. I also had a king in the hole. The Wayback Machine has been making archive records of websites since 1996. My website was set up in 2012. The Wayback Machine, however, can only archive publicly-viewable sites—not private sites. The Wayback had no archives of my site, which inferred, although did not prove, it was private. My consultant's affidavits and the Wayback Machine were enough for the time being to dodge any sanctions and allow me to submit another amended complaint, Second Amended Complaint, that only dealt with the

Computer Fraud and Abuse Act and the Copyright Act. The Judge also allowed Francoeur to make a motion to strike parts of the Second Amended Complaint.

During this back and forth via letters with the Court, Francoeur, who is of French descent, tried to paint my computer consultant as Russian because my consultant was in Moscow when he executed his affidavits. Francoeur was such a jerk.

My response, "My computer consultant is not Russian he is French. I would think his name makes that obvious" to a fellow Frenchman. "If Mr. Francoeur wants to employ the current trend of raising suspicion against anyone who was involved with Russians, then he should stick to the facts: I previously managed the Kroll Associates Office in Moscow and married a Russian woman whom I met while working there."

In addition, I threw in the following in a letter to the Court:

> It is clear from the continuing misrepresentations of attorney Joseph Francoeur in his March 19, 2018, letter that he desires to keep the truth hidden. But that's understandable for someone against whom the State of New York has issued tax warrants.
>
> In 2013 and again in 2017, the State of New York issued two tax warrants against Mr. Francoeur: Warrant Id E-038499833-W001-5 and E-038499833-W002-9. (Ex. A, Tax Warrants). A tax warrant is issued when a taxpayer refuses to pay a deficiency assessed against him. These two tax warrants were equivalent to legal judgments against Mr. Francoeur that created liens against his real and personal property, which gave Mr. Francoeur the impetus to pay what he owed. Mr. Francoeur's tax skirting is especially egregious, since he is a lawyer. This may just be the tip of the iceberg, since the tax warrant records from before 2004 are on paper at the Department of State Office and the two above were found on the Internet.

Defense lawyers who practice in the age of the Internet should not throw verbal insults.

Francoeur had specifically requested the Judge allow him to make a motion to strike, but it was clear this clown would also add in a motion to dismiss even though the Judge did not say he could. These PC-fascho lawyers, just like the #MeTooLyingHos are genetically incapable of telling the full truth because they would lose. So for a few weeks before Franco-Fascho filed his motions, I drafted my opposition. When dealing with these PCers, it's always best to formulate a

draft of your opposition brief first, which emphasizes the strategy you want to use. That way you won't waste the limit space you have—here 25 double spaced pages, exposing a PC-fascho's lies, prevarications and dissemblings.

At the hearing on Francoeur's first motion to dismiss under Fed. R. Civ. P. 12(b)(6), the Judge clearly wanted to know whether my iCloud was private or public—the key fact question in the case. But on this type of motion to dismiss, the plaintiff, me, must not be put to the test to prove his allegations at the pleading stage by providing evidence. *NOW, Inc v. Scheidler*, 510 U.S. 249, 256 (1994)—thank you NOW; *Hickman v. Taylor*, 329 U.S. 495, 500-01 (1947); *Geisler v. Petrocelli*, 616 F.2d 636, 640 (2d Cir. 1980). The Judge, however, clearly wanted evidence, which is why he told me to dig up proof that my website or iCloud was private. The Judge may have taken this tack because he was looking to turn the proceedings into a summary judgment situation. Summary judgment requires both sides to present their evidence as to the facts and if—only if—the remaining issues are how the law would deal with those facts, then the Judge can decided the case without a trial. If he was moving toward summary judgment—fine. If not, then I would have an issue on appeal to the Second Circuit in that he required evidence on a Rule 12(b)(6) motion.

Okay, the Judge wanted evidence, so my strategy in my opposition to Francoeur's motions was to provide all the evidence available that my iCloud, now termed in court papers "MensRightsLaw.net" or "MRL.net," had always been private. Private, that is, until Bolger and her Murdoch clients hacked MRL.net and stripped the access codes that made it public for a couple of weeks.

My opposition essentially presented the following that the website was private:

1. None of the twenty-something web archives that take snapshots of publicly viewable websites had any snapshots of MRL.net—this included the Internet Archive's "Wayback Machine." Libraries and other organizations have been preserving the written history of mankind since at least the Royal Library of Alexandria in 330 B.C. by storing clay tablets, papyrus scrolls, books and pictures. Over the past 20 years, much of our history has been recorded in digital form and preserved by archiving. "Today's research libraries and archives recognize website archiving ('web archiving') as an essential component of their collecting practices, and various programs to archive portions of the Web have been developed around the world, from within national archives to individual institutions." Gail Truman, *Harvard Library Report*, January 2016, at 5 (Harvard Library sponsored an environmental scan to explore and document current web archiving programs.).

2. More evidence that MRL.net was private came from the paucity of "cached" versions of a page from MRL.net. Internet services, such as search engines, record caches of publicly available webs. From September 2012, when MRL.net was created, to the end of 2014, when Bolger hacked the site, there were around 10 services or search engines that provided caches. Search Engine Showdown, *Finding Old Web Pages and Cache Copies* at 2-3, March 26, 2013. Bolger was able to provide only one cache of MRL.net from Google and that cache was taken on January 3, 2015, after she or her Murdoch clients made MRL.net public by having its access codes stripped. The only thing the Google-cache showed was that MRL.net was public on January 3, 2015—it did not show that it was public on December 30, 2014, when Defendants admit accessing the site and claimed it was public. Had MRL.net been public during Bolger and Schafer's searching of the web in the New York State Supreme Court case from at least July 14, 2014, to December 30, 2014, when they claim to first access the site; their searching would have

easily turned up numerous caches of MRL.net, which they would have produced—they did not. The reason is simple—the site was private, so there were no caches from before they stripped the access codes.

3. My computer consultant and I both swore that when MRL.net was created, it was a private website, and that whenever accessing the site on the Internet, required codes to view it. Until January 12, 2015, that is, when I discovered that Bolger or her Murdoch clients had invaded the site. A new password was immediately applied and MRL.net remained private. Bolger and Schafer's affidavits claim the site was public when they accessed it from December 30, 2014, to January 12, 2015, and neither they nor to their knowledge did anyone hack into it. Looks like a tie! My computer consultant's sworn statements and mine were admissible evidence.

Further, my opposition argued logic. Something you'll never hear from a PCer. Bolger and Schafer, or one of their agents, were searching the Internet in the Murdoch Case beginning at least on July 14, 2014, for information on me. Why did it take them over five months to access MRL.net if it had been open to the public all that time? Also, I first learned from the Internet exhibits Bolger filed on August 29, 2014, in the New York State Supreme Court that she and others from her firm or clients were trolling the Web for anything she could spin to support her litigation by vilification. If MRL.net was public, why would I—a semi-rational man—keep it public knowing that she was searching for information?

On the copyright infringement, the screenshot of MRL.net and the January 3, 2015, Google-cache copied by Bolger's pansy, Schafer, contained material copyrighted and registered by me. That evidence simply came from the U.S. Copyright Office.

The Judge now had all the evidence available to me without being allowed discovery, which is how a plaintiff usually finds evidence. Francoeur whined to the Court that evidence is not supposed to be relied on at this stage in a case—before discovery. Funny, he did not complain of such at the hearing when the Court required me to come up with evidence that MRL.net was private. Ah, must be PC hypocrisy.

As for Francoeur's legal arguments, he wanted the entire Second Amended Complaint thrown out because it was immaterial, prejudicial and irrelevant. My opposition stated, "[I]t is settled law in this District [S.D.N.Y.] that 'immaterial allegations . . . need not be stricken unless their presence in the complaint prejudices the defendant.'" *Federated Dep't Stores, Inc. v. Grinnell Corp.*, 287 F.Supp. 744, 747 (S.D.N.Y. 1968) (internal quote *Fleischer v. A. A. P., Inc.*, 180 F.Supp. 717, 721 (S.D.N.Y. 1959)). The prejudice to be protected against by a Rule 12(f) motion to strike a complaint is "that which may be suffered if the jury sees the complaint . . . ." *Federated Dep't Stores, Inc.* at 748. But the challenged allegations in my Second Amended Complaint would not be seen by a jury because "such is not the practice in this District." *Id.* at 748 (citing *Avon Pub. Co. v. American News Co.*, 122 F.Supp. 660, 662 (S.D.N.Y. 1954)). Also, "As the cases make clear, it is neither an authorized nor a proper way to procure the dismissal of all . . . of a complaint" by using a Rule 12(f) motion. Wright & Miller, 5C *Fed. Prac & Proc. Civ.* § 1380 at 1 (3d ed.); *see Day v. Moscow*, 955 F.2d 807, 811 (2d Cir. 1992) ("not for dismissal of claims in their entirety").

Francoeur additionally argued that just by my referring to Bolger and Schafer's underhanded activities in the New York State Supreme Court case was scandalous. Of course, it was okay for him to use the proceedings in that case for his arguments, but not me—typical PC hypocrisy.

Even if the Second Amended Complaint allegations were scandalous, it didn't matter because

> [w]hen the party seeking the elimination of alleged scandalous matter was the "first to hurl epithets," a court will deny the motion to strike. *See Lewis v. Shaffer Stores Co.*, 218 F.Supp. 238, 240 (S.D.N.Y. 1963); *von Bulow by Auersperg v. von Bulow*, 657 F. Supp. 1134, 1146 (S.D.N.Y. 1987) (quoting *Lewis*, defendant is "hardly in a position to complain when plaintiff responds in kind"). Francoeur and his clients started slinging mud at the very beginning of this case by denigrating Plaintiff over a prior case that had nothing to do with this action or the Murdoch Case and tarring him as a "serial litigant," "vexatious" and one who resorts to "harassing litigation" of an "abusive nature." (Letter at 3, January 31, 2017, Dkt. 14; Letter at 2, April 5, 2017, Dkt. 20). They continued using irrelevancies from Plaintiff's prior cases that had nothing to do with this action to further their disparagement of him. Francoeur's first memorandum to dismiss cited to six of Plaintiff's past cases—12 times, and Francoeur's reply falsely stated that Plaintiff "attacks . . . courts" and filed an "invective filled" memorandum. (Def. Dismissal Mem. at iii-iv, Dkt. 35; Reply at 1, Dkt. 38). Francoeur's calumny continued with his memorandum to strike by repeatedly accusing Plaintiff of harassing Defendants. (Def. Strike Mem. at 8, 11, 12, 21, Dkt. 67).

Francoeur's *modus operandi* of dredging-up past irrelevancies gave me the idea of doing the same to him. Here's what I wrote based on what my private investigator found:

> [L]et's take a brief look at an attorney who lives in a glass house. Throughout these proceedings, Francoeur has engaged in numerous misrepresentations, prevarications and dissemblings in order to keep the truth hidden. Such conduct is understandable for someone, according to one private detective agency, with a hidden arrest record in the County of Pulaski, Virginia that resulted in a misdemeanor conviction *in absentia* as well as someone against whom the State of New York has issued tax warrants. On July 14, 2001, Francoeur apparently committed a misdemeanor offense involving a motor vehicle, but was not arrested until July 16, 2001. He was subsequently found guilty *in absentia* on November 13, 2001, apparently for operating a motor vehicle with a device in defective or unsafe condition. Exactly what occurred is unclear for the Virginia State Police will not provide any details from its computerized Central Criminal Records Exchange unless Francoeur okays it. Nor can the Virginia courts provide any records because they were purged after 10 years. The Internet, however, contains the scraps of information above but not the full story, which allows for any number of negative conclusions as to Francoeur's character and credibility. Such is what Francoeur has been doing in this case—spinning scraps of information into demonizing and sanctioning Plaintiff. The only difference is that the full stories behind those scraps censuring Plaintiff are

> available, but Francoeur, as with Defendant Bolger, volitionally ignore the full stories.

After some reflection, I decided to take the above out. Part of my strategy in writing the opposition was to keep out of the mud where Francoeur resided.

The crux of Francoeur's Rule 12(b)(6) motion to dismiss the Computer Fraud and Abuse action rested on whether the MRL.net site was private or public. That is, whether I had provided enough evidence that the site was private to allow me discovery.

The Rule 12(b)(6) motion on copyright depended whether Bolger use of copyrighted registered documents in two court proceedings and sending them to her Murdoch clients was considered "fair use." All the documents under copyright law were unpublished.

> The publication status of a work affects whether others may make fair use of it. One of the four factors analyzed in fair use analysis is "the nature of the copyrighted work." 17 U.S.C. § 107(2). The unpublished nature of a work can have a dispositive impact on the fair use analysis. In *Harper & Row, Publishers, Inc. v. Nation Enters.*, 471 U.S. 539, 564 (1985), the Supreme Court held that "[t]he fact that a work is unpublished is a critical element of its 'nature,'" under the second of the four fair use factors. *Id*. "[T]he scope of fair use is narrower with respect to unpublished works." *Id*. "[T]he author's right to control the first public appearance [publication] of his undisseminated expression will outweigh a claim of fair use." *Id*. at 555. In *Harper & Row*, the unpublished nature of President Ford's manuscript was the critical piece of evidence that defeated the fair use defense. *Id*. at 569.

So this issue depends on how much weight the Judge gives to the documents unpublished status.

Francoeur filed a reply to my opposition in which he basically lied so that his "fake facts" would fit his legal arguments. He did much the same in filing his motion to strike and dismiss papers. It's a way to get something before a court with a minimal number of billing hours. But why do it if his attorney clients have the deep pockets of a malpractice insurance company behind them? Lawyers are paid on an hourly basis, so when their clients have money, they spend more time on a case that allows them to more thoroughly examine the law, facts and

provide better arguments. The only possible answer was Bolger and Schafer did not have an insurance company paying the bills.

RICO, which was no longer part of the case, and CFAA are criminal statutes that allow for an individual to file civil actions. Although those actions are civil, they accuse the defendants of crimes that the plaintiff need only prove by a preponderance of the evidence. Bolger and her eunuch Schafer worked for the law firm Levine Sullivan Koch & Schulz when they arranged for hacking into MRL.net. That firm carried malpractice insurance for whenever the firm or its lawyers were sued. When this case started, an agent from CNA insurance contacted me requesting an extension of time to respond to the complaint. The agent said he was "handling the above claim under the commercial general liability policy for our insured Levine Sullivan Koch & Schulz regarding the litigation you served on them." I said, "OK." I always grant requests for additional time because I may need the same.

Then a week later Francoeur contacted me saying that he was representing Bolger and Schafer and asked for the same thing—an extension of time to response to the complaint, which I once again gave. Strange, why two requests for the same thing? So I called the CNA agent. According to him, he was not the one who hired Francoeur. That indicated CNA was not picking up the legal fees for Bolger and Schafer and the reason is simple. Lawyers' malpractice insurance rarely covers accusations of criminal conduct. Even though actions under RICO and CFAA are civil, they are still based on criminal allegations. So by including CFAA and RICO allegations in the complaint, Bolger and Schafer are likely on the hook for some or all of the legal fees to defend—ha, ha, ha. Boy they must have been ticked when the Judge accepted my Second Amended Complaint, which required more legal fees for Francoeur to move to strike or dismiss. It also explains why he moved to strike the entire complaint, which is highly disfavored

by the courts, instead of just part. Also why he added the Rule 12(b)(6) motion to dismiss when he never asked the Court for permission to make it. So Francoeur is operating on a cash-strapped budget most likely coming out of the pockets of Bolger, Schafer and their peanut gallery.

[Update Hacked]

Party Lights

During the battles with Australia's nouveau ideologues and hackers, I still kept going to nightclubs, usually one night on the weekend to keep my sanity with vodka gimlets and chasing young babes. Sometimes actually catching one, but generally not, since I didn't look the same as when I was younger, and I wasn't rich.

Most of the time I'd hit a club with another lawyer whom I had known for years from Upper Westside politics. He was a "one per center" and his wife had recently died, so I started showing him around the club scene. The guy I used to hang out, Mark, had found a steady girl friend and then went up the river for a few years on a securities fraud conviction. He wasn't the same when he got out. No one physically bothered him given his martial arts ability, but he had changed.

Bob, the one per center, was even more obnoxious than I, so we ended up flirting with a lot of chicks and having a lot of fun. To get in a club, we'd often go up to the doorman and ask if this was such and such a place and how do we get in. Generally, he'd unhook the rope and show us in without us having to stand in line with the millennials. Why not, we were two gray haired guys who looked like we'd spend a lot of money and not cause trouble—we deserved special treatment. Sometimes, we'd say we were looking for our daughters. Bob actually had a hot daughter, and I was looking for the daughter I never had.

Every so often, however, because we were two guys, the doorman demanded we purchase a bottle of watered-down, brandless vodka. We always declined and went elsewhere. One such club, Amnesia, said we could enter on the condition that we bought a $350 bottle once inside, we didn't, but I decided it was time to file a complaint with the New York State Division of Human Rights against this common club practice. Nightclubs in the City were notorious for requiring guys without dates to buy a bottle for $300 to $500 as the price of admission while girls entered for free or $20.

At Amnesia, the young ladies in front of us and behind weren't required to buy a bottle, so with Bob as a witness, I figured the complaint would succeed. The State investigated and basically said it wasn't sex-discrimination but age discrimination. Guess my delusional self-image kept me from thinking about that. The complaint couldn't be amended because the State did not have jurisdiction over age discrimination by a nightclub. However, the City Commission on Human Rights did. So I took the State's findings and tried to file a complaint with the City Commission for age discrimination.

The City Commission's Executive Director for Law Enforcement, Ramon Velez, refused to let me file a complaint saying there was no discrimination because had we agreed to buy a bottle, we could have entered. What a retard. Years ago in Montgomery, Alabama, people with relatively darker skin color could enter a public bus, but on the condition that they sit in the back. By Velez's reasoning, such conduct was not discriminatory because those with a different skin complexion were not barred from entering and riding the buses as long as they sat in the back.

The U.S. Supreme Court disagreed with such stupidity in *Browder v. Gayle*, 352 U.S. 903 (1956), which found that allowing blacks to enter a bus, but requiring them to sit in the back as a condition of admission was unconstitutional discrimination because it treated whites and blacks

differently. In another case, the U.S. Supreme Court ruled that a discriminatory injury can be the existence of a "barrier [read $350 bottle of brandless, water-downed vodka] that makes it more difficult for members of one group [read older white guys] to obtain a benefit [read chasing young ladies] than it is for members of another group [read younger guys]." *Northeastern Fla. Chapter, Associated Gen. Contractors of America v. Jacksonville*, 508 U.S. 656, 666 (1993).

A letter to Velez's boss, the Commissioner, with those arguments resulted in her telling Velez to open a case file and investigate. He didn't like that, so he conducted an Inspector Clouseau investigation from his desk top that probably took him all of a couple of hours during his siesta break.

Velez failed to interview two of the three eyewitnesses: Bob who was with me at the time and the doorman who refused to let us in unless we agreed to buy a bottle. Velez did, however, rely on (1) two Yelp.com blogs by persons who had gone to Amnesia but whom Velez never tried to contact, whose real identities Velez did not know, whose levels of sobriety were unknown, and who were not even at Amnesia at the time Bob and I were refused admission; (2) an Internet article titled "*NYC Attorney Out To Reclaim Ex-Wife From Feminism's Clutches, Get Laid Easier*," written by some unknown person using the pseudonym "Jezebel" who never interviewed me, and, as far as I know, never was at Amnesia; (3) a Verified Answer by Amnesia that was useless because the person making it did not have firsthand knowledge of the facts as required by law; and (4) a missing Amnesia silent video that showed the line outside the club. How Velez could rely on a video he never saw, and, if he did, could not heard what was said because it was silent is a cute trick reminiscent of Kafka's *The Trial*.

Velez wrote up his slipshod research in an official government document called a *Determination and Order After Investigation* in which he ruled there was no "probable cause"

that age discrimination had occurred. "Probable cause" means a reasonable person looking at all the evidence would conclude it was more likely than not that Bob and I had been discriminated against because of our age. Remember the State, which had actually sent investigators to Amnesia, found age discrimination was likely, but the Aztec descendant Velez said that didn't matter.

Under the City's rules, Velez's *Order* was required to list the evidence and his reasons for finding no probable cause. Among that evidence and reasons, he wrote the following paragraph:

> Complainant is a self-professed advocate for men's rights who identifies himself as an 'anti-feminist lawyer' on his website, www.roydenhollander.com. He has filed a number of lawsuits against bars and clubs that have "Ladies Nights," and admits in several online publications that he is 'bitter' from an ex-wife who used him for his US citizenship and money. Complainant's description of himself is consistent with his pattern of filing several gender discrimination suits.

Okay, so I'm "bitter" toward my ex-wife and proud of being a lawyer who opposes the bigotry of sanctimonious PC-Feminists, but what does that have to do with an age discrimination complaint against a New York City nightclub? Nothing, unless Velez was resorting to the all too familiar PC tactic derived from how girls fight that the "personal is political," which means "attack the person and you'll be politically victorious." Sounds like President Obama and Hillary Clinton, and that's exactly what Velez was doing as well as venting his bigotry toward Euro-American males; otherwise, why include that paragraph in an official decision that is public.

As often happens when members of previously disfavored groups in America achieve a modicum of power, some of those members abuse that power to vent revenge for discrimination they suffered—both real and imagined. Velez likely believes that Euro-Americans discriminated against him; therefore, he is justified in settling the score by using his power against a member of that group. Even if Velez's career was hampered by discrimination, it was not I who did such. More importantly, however, two wrongs don't make a right.

Had Velez left that paragraph out, I would have said, "Okay appealing this isn't worth the effort." But, noooo, this Obamite bigot tried to intimidate me by, in effect saying , that if I appealed, the City would go after me with the usual PC-Feminist mudslinging. So, I not only appealed, but filed a complaint with the City Commission on Human Rights against Velez for discrimination:

> This is a complaint against Carlos Velez ("Velez"), attorney and Executive Director of Law Enforcement for the City of New York Commission on Human Rights ("City HR"), for illegally discriminating against attorney Roy Den Hollander, a Euro-American. Then again, maybe Velez discriminated against Den Hollander for being an African-America. After all, everyone's ancestors originated in Africa. Anyway, Velez, in his capacity as the City HR's Executive Director for Law Enforcement, intentionally discriminated against Roy Den Hollander ("Den Hollander") in investigating and issuing a Determination and Order ("Order") motivated by Velez's prejudice, in part, against Euro-Americans.

The Commission ignored the complaint but not my appeal to the courts.

In the trial court, the New York State Supreme Court, a black male Judge upheld Velez's *Order*, in part, by finding that "Amnesia's decision for requiring $350 bottle service was based upon a nondiscriminatory, legitimate reason of . . . the goal of furthering the image of the establishment" by populating the finite space within the club with only people who fit its image, which was youth. The Ku Klux Klan should have thought of that excuse when it was opposing integration in the 1960s. Those bigots of the Deep South could have argued that public lunch counters admit only those who furthered the counters' image—white. Of course, maybe the Judge meant his rule only applied to older Euro-American guys trying to integrate a public nightclub filled with young babes.

Next stop was the Appellate Division for the First Department. To get around the lower court's ludicrous endorsement of discrimination by a public accommodation in order to serve a particular image, the City argued that Amnesia's image of youth was not intentional but the

result of demographics, "young people frequent Amnesia at a greater rate because Amnesia, like most dance clubs in New York City, attracts primarily younger patrons. This inference . . . is common sense . . . ." That's the same type of excuse as claiming the members of a country club are all white because it is mainly white people who play golf and bridge.

In my court papers, it was necessary to make references to certain pages in Velez's *Order*. But for some strange reason, Velez never numbered the pages of his *Order*, so I did it for him by marking the pages "uno," "dos," "tres," and so on. When the case was heard by the Appellate Division, a black female Judge tried to give me a hard time over my use of Spanish to which I answered, "In the spirit of *quid pro quo*, one bad turn deserves another. Velez showed disrespect for me, so I did the same to him." That shut her up.

The Appellate Division upheld the lower court's dismissal of my complaint by saying that Velez didn't do a slipshod job and was not motivated by biased toward Euro-Americans. It didn't make legal sense that the Appellate Division even bothered with those issues because the trial court only held that the Election of Remedies doctrine prevented my filing a complaint with the City. The trial court did comment that Velez's investigation procedure was okay and that he was not bias, but all of that was *dicta*—of no legal value:

> [P]etitioner's [that's me] application for an order reversing the Commission's January 11, 2013 Final Determination is denied pursuant to [the Election of Remedies doctrine]. No further review is warranted in this matter, however, were this court to review the January 11, 2013 Final Determination, this court would find that the above mentioned determination was rationally based.

The Judge says no further review, meaning legal analysis, is "warranted," so he didn't make any decisions on the issues of Velez's Clouseau investigation and bias. Yet the Judge presents the conclusion he would have come to if he had done the legal analysis. How does he know what the conclusion will be without doing the legal analysis necessary to reach it? He doesn't, so

what did he do? Simple, he followed PC ideology, if it's a white heterosexual man fighting for his rights—he loses.

On the Election of Remedies doctrine, the Appellate Division held that because I had first filed a sex discrimination complaint with the State, I was barred from filing an age discrimination complaint with the City, even though the State found age discrimination likely but had no jurisdiction to correct it. This part of the decision meant that in situations where a person complains about discrimination to the State, and the State dismisses because it finds age, partnership status, alienage, or citizenship discrimination, all of which it has no jurisdiction over in public accommodations, the person is left with no legal remedy, and the bigots win. So I made a stab for the State's highest court, the Court of Appeals, and the City submitted papers opposing my request.

The Court of Appeals only hears cases it thinks are important to New York law, so I nearly fell out of my chair at the law library when I saw they agreed to take the case. Ha-ha-ha, those Feminist, millennial-girl attorneys at the City Law Department must have scheduled an extra session with their therapists. My laughter didn't last for long, however.

The City PC-Feminist attorneys got the Court to reverse its decision to hear my case by making a motion to dismiss the Court of Appeals' decision to hear my appeal. No such type of motion exists, so the Feminist infested Court of Appeals changed it to a "Motion to Reargue"—how PC of it—and threw out its prior decision that granted me leave to appeal.

The Court rarely, rarely grants motions to reargue when it involves whether it will hear a case in the first place, especially when the movants are making an argument they previously unsuccessfully made to the Court to keep it from hearing a case. The girl attorneys for the City made the same arguments in their now Court designated "Motion to Reargue" as they did when

originally opposing my motion for leave to appeal. The only difference was they added a few more pages of talk to their reargument motion. Perhaps, like the husband of a nagging wife, the Court thought okay, okay have it your way—just shut up.

Since the Court of Appeals changed its decision once, maybe it would change it again. So I moved for reargument of the Court's decision to deny my appeal and wrote that "since the Government of the most populous city in America was granted a second chance [bite at the apple], it seems only fair that one of its residents be granted a second shot."

> [A]n underlying assumption of the rule of law is the worthiness of a system of justice based on fairness to the individual.' *Regents of University of California v. Bakke*, 438 U.S. 265, 319 n. 53 (1978).

Fine words, but in America today, they are meaningless for white heterosexual guys, so I lost the reargument motion and my request to appeal—not exactly a surprise. The Feminist deranged Court also fined me $100 and the City's copying costs for doing what the girl attorneys for the City did—make a motion for reargument. They never got their money.

The irony is that the entire case cost me around $5,500 in expenses. That would have bought 15 bottles at Amnesia, and made Bob and I the club's big spenders. We could have flirted, danced, fondled, and more with the pretty young ladies all night long, since they tend to gravitate to free drinks and the appearance of money. In addition, we probably would have gotten a free pass to the club into the near future.

The lesson from the Amnesia case is that today there's a reversal of Jim Crow. Euro-Americans are now in the balcony, those with darker skin in the orchestra. Regardless of color, the bigots are still in control. (The court papers can be found at roydenhollander.com under "Discrimination by Obamite Bigots" or N.Y. Unified Court System-ecourts-WebCivilSupreme-Index Search-13-100299-New York).

Only in (PC) America

Fighting for my rights as a white, heterosexual male ended my ability to attract paying clients other than for close friends. Opposing attorneys would simply make me the issue in the PC-Feminist infested court system. It made no sense for a client to pay me to defend myself when it was the client who needed justice. Even I wouldn't hire me. Most Judges in New York are either sanctimonious PC-Feminist ideologues or scared of them. No way they were going to rule in favor of my client no matter how just his cause.

Even without the prevalent PC-Feminist bigotry, most judges—not all—but most in the Federal and State courts are not even a pale shadow of Justice Felix Frankfurter, Judge Benjamin Cardozo, Judge Learned Hand or Judge Jack B. Weinstein. Most judges graduate in the bottom half of their law school classes, and since law schools grade on a curve, they would have flunked out without it. They ended up as judges because the private sector weeds out the dummies. Trial judges in the New York State Supreme Court make as much as a millennial just out of law school hired by a good law firm, and, as government bureaucrats, judges don't have to worry so much about the law but what is "PC appropriate."

The financial problem facing me was how to survive until finishing what I wanted to do. I started doing extra work for TV shows and movies. Amazingly, they didn't care about my anti-PC-Feminist reputation. On one occasion a female casting director called me to do an extra role and asked, "Are you the Roy Den Hollander in yesterday's Post article?" To which I answered, "Can I plead the Fifth on that?" We both laughed, but I still got the job.

Then a piece of luck came my way—luck was something I had forgotten existed. An employment agency that specialized in renting out attorneys for temporary work called me out of the blue with an offer.

The legal profession had changed dramatically with the computer age. Now a major case between large corporations or involving the federal government no longer entailed hundreds of thousands of documents but millions. No client was going to pay a law firm for the number of associates needed to review all those documents for relevance and privilege. At the same time there was an over abundance of attorneys just out of law school and more experienced attorneys who saw their practices destroyed by the Clinton-Bush recession of 2008. Employment agencies started channeling the glut of attorneys into these cases on a temporary basis and at a fraction of the cost of a law firm associate.

"When I hadn't eaten, I played it straight" and accepted the offer, which resulted in three and half years of steady work into 2014 reviewing documents—from near the top of the legal profession at Cravath to the bottom. Still it financed my jihada, kept me in vodka gimlets, and the case was against virtually every crooked Wall Street bank that had helped cause the recession with their montage-backed security frauds.

My money-making fate was cast—document review and extra work on which I was surviving—until Homeland Security and the Social Security Administration intruded into my life.

In June 2015, while working on another document review project, Homeland Security and Social Security informed my employer that I was an "illegal alien."

"What!" I said to my boss, "I don't understand, my Spanish isn't that good!" Didn't want to miss the chance at a joke. Anyway, there went that job and any other document review or extra work. Had the Federal Government finally targeted me for destruction, or was it some PC-Feminist, or Obamite hate-whitey bureaucrat abusing her power, or the ever present Federal incompetence?

Homeland and Social Security operate a program called E-Verify that allows any employer to determine if an employee can legally work in the U.S. The employee sends in copies of documents to E-Verify to show that he is allowed to work here. I sent two of the required documents, my driver's license and Social Security Card. BAM! Homeland and Social Security immediately confiscated my U.S. citizenship making it impossible for me to legally work in America. Boy, was I glad I didn't vote for Obama—wrote-in Putin instead.

The situation was so absurd, it made me laugh. After all, as an illegal alien, I now had more rights than as a U.S. citizen: I didn't have to pay taxes, I could get free legal advice from La Raza, and if I was arrested, I'd be sent back to where I came from—Midland Park, New Jersey. The only draw back was that people who knew about my situation started making illegal alien jokes: "You can't enter the law library without your green card," "We didn't know you could swim," or "I'll represent you in your deportation proceeding, since some tax-exempt NGO will pay my fee."

Of course, the real problem was that I needed money for my jihada, which meant work. Doubted I'd have much success hanging out with the illegals on the street corner waiting for employers to hire me in my Joseph Bank's blue pinstripe suit with an Old Blue rugby tie.

Perhaps the Violence Against Women's Act could get my citizenship back. All I'd have to do is date an American girl then accuse her of abuse. Did not matter whether it was true or not because Homeland Security would only listen to me, the illegal alien. It would conclude that I'd been abused and make me a permanent resident. In three years, I could become a citizen again. Boy, I hope she's hot.

Before trying that plan, I sent the Regional Administrator for Social Security a politically incorrect letter to which he never responded:

Your agency and the Department of Homeland Security recently rendered an e-Verify "Nonconfirmation" finding that I am not a U.S. citizen. (Ex. A). In effect, both agencies told my temporary employer at the time that I was an "illegal alien," which resulted in the loss of employment on a project.

If you find the term "illegal" offensive, then substitute "criminal," since anyone who entered the country in violation of U.S. law is either guilty of a misdemeanor or felony, which are criminal classifications. That is what your agency and Homeland Security effectively called me to my former employer.

All my life, I thought I was a U.S. citizen—as if that means anything anymore. My mother told me I had been born at a hospital in Paterson, New Jersey; the same town that Lou Costello was from, so perhaps this is all a Government joke.

My earliest memories are of a small town in New Jersey—a state which was one of the original colonies. We had no mariachi bands, Taco Bells or "Don't Drink the Water" signs. However, I did take two years of Spanish in high school, but my Spanish is nowhere good enough to be an illegal.

I thoroughly understand that the Obama Administration could care less about the money, time, and annoyance this lunacy is costing me. After all, I am the Administration's latest synonymy for demon—a white, heterosexual man who is politically incorrect, or as I like to say, "evolutionarily correct."

Due to typical Obama Administration ineptitude or malice, I now have to prove to bureaucrats drunk with power, who enforce their sanctimonious lefty ideologies instead of the law, that I am a U.S. citizen. So, just how do I do that, since Homeland and Social Security have already rejected my Social Security card and driver's license as invalid? Perhaps, I should just change my name to José Jiménez and leave La Raza to deal with it.

My Social Security card was issued in the 1960s. It shows that my last name is "Den Hollander." (Ex. B). Many people of Dutch heritage have two words for a last name, such as Vincent Van Gogh, although I still have both my ears. Most illegals, however, have so many names, they can easily interchange identities. Russians do the same by using their patronymics as a last name, but that's okay—they're commies as are many in the current administration.

Because my last name has two words, which means "the Dutchman," mostly likely invented by Homeland Security's predecessors at Ellis Island when my father arrived in the 1920s, some institutions in America have shorten my last name to "Hollander" while others have combined the words into one, sometimes with a lower case "h"—"Denhollander," sometimes with a capital "H"—"DenHollander." And, as hard as it is to fathom, some bureaucracies have actually gotten my last name right—"Den Hollander" with a space between the words.

When Social Security switched from paper files to digital, some mentally challenged clerk probably entered something wrong from my paper file. Most likely, they muddled the last name, but it could have been anything—I have no idea. Then again, it might be malicious, since a search of my name "Roy Den Hollander" on the Internet makes clear that I do not subscribe to the prevalent loony tune PC ideology of the day that substitutes for thinking and the rule of law.

So, as the precursor to a lawsuit if necessary, here's my proof of citizenship, which includes those bureaucracies that got my last name correct and those that did not. Therein lies a defense for Homeland Security and your agency by blaming me for bureaucratic incompetence—I should have corrected the entities that got my name wrong. Not so fast, especially where the entities relied on Homeland Security and your inaccurate computer records. Additionally, I accurately completed the many bureaucratic forms but some fool chose to fit my name into a digital formula. That's their fault; I'm not paid to waste my time doing their job.

Alleged proof of U.S. citizenship:

Ex. B Social Security Card

Ex. C Birth Certificate

Ex. D New York State driver's license

Ex. E George Washington University Law School alumni membership card

Ex. F Columbia University alumni reading card

Ex. G U.S. Passport

Ex. H New York State Unified Court System Attorney Secure Pass

Ex. I U.S. District Court Southern District of New York Attorney Service Pass

Ex. J Certificate of Good Standing Appellate Division of the Supreme Court of NY

Ex. K Certificate of Good Standing U.S. District Court Southern District of New York

Ex. L Certificate of Good Standing U.S. District Court Eastern District of New York

Ex. M Certificate of Good Standing U.S. Court of Appeals for the Second Circuit

Ex. N Certificate of Good Standing Supreme Court of the United States of America.

Unfortunately, I do not have a Matrícula Consular de Alta Seguridad, so the preceding exhibits may not be sufficient, and the courts will have to decide whether I originated from south of the border.

Ironically at the same time, Donald Trump was telling the truth about illegal aliens in his bid for the Presidency. My buddy Blackie suggested sending Trump a letter about how perverse the Obama Administration had become by seizing the citizenship of a native born American. My letter explained what happened and included:

> The real issue here is not me; I can take care of myself, perhaps with a lawsuit against these idiots. But what of those other Americans who lose jobs that are vital to their livelihoods and families because these illegal alien sycophants and haters of everything American are too inept or malicious to do their jobs as required by the law.

No response, perhaps he's all talk.

Next stop was Ann Coulter who recently published a book titled Adios America:

> This Edward R. Murrow "small picture" or "Adios America" tale maybe of interest to you.

It wasn't, guess she didn't see any money in it. So I put on my dark blue suit and Old Blue rugby tie and headed for a confrontation at the Social Security Regional Administrator's office at 26 Federal Plaza.

I decided to confront Social Security instead of Homeland security because I didn't want to end up in Guantanamo. Although if I had and escaped, I'd be riding around in 56 Chevies with hot Latinas and smoking Cuban cigars—not a bad way to go.

Federal Plaza contains Government offices that I had visited before through the side door when going to the F.B.I. and Immigration to alert them of the Ho's criminal activities. This time some Rastafarian security guard who could barely speak English would not even let me into the

building that my federal taxes paid to maintain. So I walked around to the back and snuck in a door as someone was exiting but didn't get two steps before another Rastafarian security guard who could barely speak English stopped me. Just as I always suspected, under Obama, America was now the United States of the Third World.

The Caribbean security guard sent me down to Williams Street to wait with all the other immigrants trying to con their way into America. Most of the clerks there, hiding behind bullet-proof windows, were Obama look-a-likes—just what bigots like him and his white wife wanted. But I got lucky, and my number gave me a white, middle-aged man who spoke fluent English. "How may I help you?" "I'd like my U.S. citizenship back," and showed him the E-Verify Non-confirmation document. "Damn," he said in surprise and went to work. He was thorough, took his time, and figured out what had happened. According to him, someone in Social Security had gone into my file recently, but he could not tell who. The white clerk made some changes and double checked everything to make sure I would not have any more problems with E-Verify. I thanked him and left. Always a pleasure dealing with a white American guy who knows his stuff.

After regaining my citizenship, I went back to doing temporary document review jobs to keep me in drinks at the trendy nightclubs on the weekend that would let me in. Drinks were now running $20 with tip for a vodka gimlet with Absolute and Rose's Lime.

My next job was on the roof of 1115 Broadway—no joke, on the roof. The building had set up a make-shift, large office next to the building's water tower. To access the roof-top office, we attorneys took an elevator to the 12th floor, proceeded down a hallway passed numerous offices to the end of the floor where we entered the fire escape stairwell. Up a flight of narrow (two abreast), steep stairs to a door that opened onto a large wooden deck on the roof, then 10

yards down a walkway made of wood, which was opened to the elements, reaching a door that entered into the roof-top office space where we, eventually numbering 60 attorneys, worked with computers reviewing documents. The roof-top office had no other access or exit unless one considered the windows in the office that looked out on the roof and water tower—clearly a fire hazard.

It also had no heat in the middle of January, so we sat reviewing documents in our winter coats. The law firm for which we worked was Weil, Gotshal & Manges whose client Staples was in a litigation dispute with the Federal Government.

After about a week freezing my derriere, I got into a minor dispute with a squat illegal alien maintenance worker for the roof-top office space. When he tried to intimate me, I said "watch it illegal." Not even defamatory or derogatory, since the phrase "illegal alien" is a legal term used throughout immigration cases; used by the Immigration Service; and even by the PC hypocrite Billy-Bob Clinton who used it repeatedly in his Memorandum Deterring Illegal Immigration, 60 FR 7885, February 7, 1995, 1995 WL 17211539. But as soon as the illegal's boss told my employer what I had said, its female PC-Feminazi HR boss fired me. That's what I get for living in a sanctuary city where the cuddling of criminal aliens trumps the free speech of U.S. citizens. And they are criminals because when they enter without permission, it's a crime—first time a misdemeanor, second time a felony. So, I sued. My employer settled for two grand, which was fine, but I'd never be able to or would want to work for that employer again.

As for the illegal, Jairo Franco, and his boss, Dominick Olivo, who had complained to my employer, I initially sued them for various personal injuries: injurious falsehoods, defamation, harassment, etc. The illegal's boss referred the case to his company's insurer. Virtually every business carries insurance to cover any type of personal injury that occurs on its

premises. The insurance company picks up the legal costs and pays any judgment the courts render against the business. That would not do. This illegal and his PC-sycophant boss were going to pay personally for violating my rights—even in politically-commie America.

So I step back from my gut reaction to sue for personal injuries and re-thought the situation. It didn't make sense that Dominick Olivo, the illegal's boss, and Olivo's company, Select Office Suites, which had rented office space to my employer, would try to get me fired for calling one of its many illegal maintenance workers an "illegal." Why not just give the illegal an extended siesta break or a discount on tacos to soothe his hurt feelings. So I started snooping around and found that Select Office Suites was part of a group that not only hired illegals but found them employment—for a fee of course. By calling the maintenance worker an "illegal," it alerted Olivo and his associates that I, a former producer of investigative news stories, at least knew they hired illegal aliens, which is a racketeering crime, and might just be looking into other illegal activities at Select Office Suites. I wasn't, but they didn't know that. So they got me fired to get me off the premises to prevent me from learning more about their illegal activities.

The whole nature of the case changed. Out the window went the personal injury complaint, and in came a complaint against Olivo and Franco for violating the federal Racketeer Influenced Corrupt Organization Act—RICO! Not only did it accuse them and their associates, one of whom was Olivo's mother—a realtor and rather hot for a 50-something—of participating in a criminal enterprise that hired illegals but also accused them of running an employment agency for illegals in the greater metropolitan, sanctuary area of New York City. An added benefit was that there were no more personal injuries involved, so their insurance company would not pick up the legal fees or any judgment against them. They now had to pay their own way—"Mother of mercy!"

The illegal and his boss offered me $8,000 to get lost—so I got lost. In the end, I made a total of 10 grand. Not a bad way to make a living, suing illegals and their sycophants—open those borders! As an added benefit, the client I was working for on the roof in the bitter cold lost its case—ha, ha, ha. That's what Staples gets for being so cheap that it had its attorneys working in a Triangle Waste hypothermic shop.

A couple of years later while working on another document review case and recounting passed review jobs with an attorney, he told me that the NYC fire marshals had showed up and closed the roof-top operation down because someone had made a complaint.

"Yeah, I was the one who made the complaint." We laughed.

Saigon Bride

One last case—maybe. As with so many guys from my generation, the Vietnam War really ticked me off. Over fifty-eight thousand dead, over 150,000 wounded, and who knows how many psychologically maimed and for what—nothing!

Some of my contemporaries went willingly, so they assumed the risk. But those who were drafted were forced—648,000 of which 17,700 never returned. For the girls of my generation, eight—not 8,000, not 800, not 80, but 8 American military females died in the war and if you include American civilian females, the total is 68. All the females were volunteers—none were drafted.

In the mid to late 1960s, the draft was the sword of Damocles hovering over the head of nearly every American guy 18 to 25 years old. Girls could not comprehend the relentless terror of having the most powerful country in the history of the world lying in wait for the chance to send you half way around that world to use your life to defend U.S. business interests, such as

Firestone's rubber trees in the Mekong Delta, and to increase the profits of the "military-industrial complex."

When America finally admitted defeat and the war's stupidity in 1973, President Ford ended the draft, and two years later, registration with the Selective Service System ended. Then the Soviets invaded Afghanistan in 1980 and President Carter reinstituted draft registration even though there was no draft. To his credit, he requested that Congress amend the Military Selective Service Act to require girls to register—seemed fair, since females were considered equal to guys.

Congress disagreed by stating that the purpose of draft registration was to create a pool of potential soldiers for combat in case of a national emergency. At the time, a couple of laws and the Department of Defense's policy prohibited females from engaging in combat, so the girls, even if wearing bikinis, were not allowed to jump into the pool with the guys.

At the same time, a leftover case from the Vietnam War was being heard in the U.S. District Court for the Eastern District of Pennsylvania: initially called, *Rowland v. Tarr*, but re-titled *Goldberg v. Rostker*, 509 F. Supp. 586 (E.D. Pa.1980).

The case started in June 1971 during the War when the total number of American men who had come home in boxes or were turned into jungle fertilizer was around 45,000. Four guys in Pennsylvania, most likely destined for Vietnam because of their lottery numbers, and not the Powerball or Mega kind, didn't want to go. The lottery numbers, running from 1 to 366, depending on your date of birth, determined whether the U.S. Government was going to risk your life to make a profit for the military-industrial complex that President Eisenhower had warned against. The lower the lottery number, the more likely you were on your way. Mine was 18.

The Government instituted the lottery in 1969 in an attempt to quell opposition to the war by the classic tactic of "divide and rule." Before the lottery, virtually every young guy faced the prospect of Vietnam when he graduated from high school or college. With the lottery, many guys knew their necks were no longer on the line, so they curtailed or ended their anti-war activities. Of course, the lottery didn't affect females. On the night of the drawing, young men across America tuned in to listen for their fate while females went about their usual concerns with short dresses, see-through blouses, make-up, and how much their boyfriends spent on them.

By 1980, the draft was gone, so only draft registration was left to litigate in *Goldberg v. Rostker*. Surprisingly, a three judge panel of the U.S. Eastern District Court of Pennsylvania declared the Military Selective Service Act unconstitutional as a violation of Equal Protection as incorporated in the Fifth Amendment to the Constitution because it treated guys and girls differently solely because of their sex.

Whenever the federal government does something, a clause in the Fifth Amendment requires that "No person shall be . . . deprived of life, liberty, or property, without due process of law . . . ." Due process of law means "fairness," and it is not fair for the federal government without a valid reason to treat similarly situated persons differently the way King George III did and many modern-day PC judges and bureaucrats do.

Now different groups of people who are in similar situations can be treated differently by the federal government, but in doing so, it needs to serve a valid government purpose. Whether the government purpose is a valid one and how effectively that purpose is served depends on the reason for treating similarly situated groups differently. For example, if the reason is a difference in skin color, then the government must have a "compelling" purpose that is strictly served—that's the highest standard. If it is a sex difference, then the government must have an

"important" purpose that is substantially served—that's the middle standard. The lowest and easiest to meet standard is that the government must have a "legitimate" purpose that is rationally served, which usually involves an economic difference.

Since it was undisputed that the Military Selective Service Act created a sex-based difference, it was up to the federal government to show that keeping females from registering substantially served an important government purpose or that guys and girls were not similarly situated.

The Pennsylvania District Court panel found that the purpose of draft registration was to equip the Department of Defense with information so that if it decided on a national mobilization, it could move quickly, effectively, and with great flexibility to achieve wartime personnel requirements from the pool of registered persons: 18 to 25 year-olds. Since the military included women in some roles, young guys and girls were similarly situated. The judges then had to decide whether excluding females from that pool substantially served the purpose of mobilizing the military in time of national emergency quickly, effectively, and with flexibility in conscripting registrants? The three judges ruled it did not and declared draft registration unconstitutional:

> It is incongruous that Congress believes on the one hand that it substantially enhances our national defense to constantly expand the utilization of women in the military, and on the other hand endorses legislation excluding women from the pool of registrants available for induction. Congress allocates funds so that the military can use and actively seek more female recruits but nonetheless asserts that there is justification for excluding females from selective service, despite the shortfall in the recruitment of women. Congress rejects the current opinion of each of the military services and asserts that women can contribute to the military effectively only as volunteers and not as inductees.
>
> The President, the Director of the Selective Service System, and representatives of the Department of Defense informed Congress that including women in the pool of registrants eligible for induction would increase military flexibility. The record reveals that in almost any conceivable military crisis the armed forces

> could utilize skills now almost entirely concentrated in the female population of the nation. Congress itself has appropriated funds for the increased recruitment and utilization of women in the armed services.
>
> The problem with [prohibiting female registration] is that the record before [this court] proves that there already is extensive utilization of females in the military and that this utilization will substantially increase. The die is already cast for substantial female involvement in the military. Furthermore, the military does not lose flexibility if women are registered because induction calls for females can be made according to military needs as they accrue in the future. Though military flexibility might call for less utilization of female inductees than male inductees in a given crisis situation, it is the antithesis of "flexibility" to exclude women from the pool of registrants that could be called upon in a time of national need.
>
> The principal reason the government proffers for a male-only registration is that it provides military flexibility. The record here, however, reveals that women do serve a useful role in the military and provide important skills. The foregoing discussion also illustrates that flexibility is not enhanced, but is in fact limited by the complete exclusion of women. We therefore hold that the complete exclusion of women from the pool of registrants does not serve "important governmental objectives" and is not "substantially related" . . . to any alleged government interest. Thus, the Military Selective Service Act unconstitutionally discriminates between males and females.

Goldberg v. Rostker, 509 F.Supp. 586, 603 - 605 (E.D. Pa.1980).

Sounds fair, sounds just, and then the Supremes stepped in.

The Supreme Court simply changed the purpose of registration from mobilizing the military in time of national emergency quickly, effectively, and with flexibility in conscripting registrants to just creating a pool of potential combat troops. Since women were excluded from combat, the Supreme Court decided it made no sense to require females to join a pool for doing something they were prohibited from doing.

But what about all those non-combat support jobs that females were performing? Logically a draft could have been used to fill those roles during an emergency, but the Court believed enough females would volunteer. Sure, if the military paid them enough, which it wasn't, which was why its recruitment efforts for women were not going as planned. The

Supreme Court simply overlooked these realities—as it often does—and ruled that equal protection did not apply because guys and girls were not similarly situated.

> This is not a case of Congress arbitrarily choosing to burden one of two similarly situated groups, such as would be the case with an all-black or all-white, or an all-Catholic or all-Lutheran, or an all-Republican or all-Democratic registration. Men and women, because of the combat restrictions on women, are simply not similarly situated for purposes of a draft or registration for a draft.

Rostker v. Goldberg, 453 U.S. 57, 78 (1981). (The caption names switched when appealed).

Since *Rostker v. Goldberg*, the laws barring females from combat were repealed; the nature of war changed, such that those in the rear were now engaging in combat; and Pentagon policies continued to allow more and more females into combat positions. Then on January 23, 2013, the Pentagon decided to end the policy of excluding women from any combat position by January 2016, except for possibly a few limited ones. The two sexes now seemed to be similarly situated under the 1981 decision of the Supreme Court when it came to draft registration. By requiring only one sex to register for the draft and barring the other should therefore be a violation of the Equal Protection Clause of the Fifth Amendment.

A group of men's rights activists in California, with whom I had been in contact for years, filed a lawsuit on behalf of a young man claiming that draft registration discriminated against him and other guys 18 to 25 years old by not requiring females to register. *National Coalition for Men et al. v. Selective Service System et al.*, 13-cv-02391 (C.D. Cal. 2013).

The U.S. District Court for Central California threw the case out on two grounds. One, the case was not "ripe" for adjudication, since the facts were uncertain at the time. The Pentagon stated it was opening combat positions to females but to what extent that would happen had not yet occurred. Two, even if the Court did declare draft registration unconstitutional because it did not include females, the inclusion of females resulting from such a Court decision would not help

the male plaintiff or any other males because they still had to register. The plaintiff, therefore, did not have "standing."

The light bulb in my head doesn't work too well these days, but it went off after reading the Court's decision—bring a case against registration with a young lady as plaintiff and class representative for all the 18 to 25 year old females in America. That would eliminate the standing problem because she'll be arguing that the Selective Service prevented her from registering—that's the harm, and the Court can cure it by requiring females to register along with males.

The Supreme Court has held that equal protection does not only require similar benefits for those in similar situations but also similar burdens. Registering for the draft is a burden foisted on young males by the U.S. Government, so not requiring the same burden for young females is discriminatory against the females. The Supreme Court strikes down discrimination based on traditional stereotypes regardless of whether men or women are the beneficiaries. "[I]f the statutory objective is to exclude or 'protect' members of one gender because they are presumed to suffer from an inherent handicap or to be innately inferior, the objective itself is illegitimate." *Mississippi. Univ. for Women v. Hogan*, 458 U.S. 718, 725 (1982).

The issue of "ripeness" would still remain a problem at the beginning of a case, but by the time my planned class action with a female plaintiff reached the Supreme Court, most, if not all, the combat jobs would be open to females. Legally, the Court could not then duck a decision based on a procedural matter of ripeness. Politically, however, the Justices can do whatever they want.

But where to find a young lady willing to fight for her right to a burden, and why would someone choose equality over preferential treatment? There were, however, such ladies out

there because they viewed such discrimination as treating them as second class citizens. All I had to do was find one.

Back in 1980, the National Organization of Women testified before Congress that "omission from the registration and draft ultimately robs women of the right to first-class citizenship. . . . Because men exclude women here, they justify excluding women from the decision-making of our nation." In 1981, NOW filed an amicus brief in *Rostker v. Goldberg*, 453 U.S. 57 (1981), advocating that draft registration should be extended to women. In 2012, Maj. Mary Jennings Hegar defended her decision to challenge the combat exclusion policy in court at the risk of potentially subjecting women to the draft. "The question isn't whether we want our daughters to be drafted, she explained, but what kind of world we want them to inhabit: one where they're infantilized as passive objects of chivalry or one where they're empowered to achieve their potential as genuinely equal citizens?" *Hegar et al. v. Panetta*, 12-cv-06005 (N.D. Cal. 2012).

Okay, the Feminist groups seemed like a good start. A buddy of mine in Houston and I contacted nearly every Feminist group in the country—none even bothered to respond. Sounded like the silence of hypocrisy. The search expanded to female military groups, girls' colleges, sororities, Craig's List, Facebook ads, Google ads, women rugby players, girls' law school groups, the girls that I hit on at clubs, and the Columbia University Alumni network. There were a few responses from young ladies who were interested, but then they told their parents or boyfriends and that put an end to it for them.

The Columbia Alumni network resulted in a discussion over the question, "Should women 18 to 25 have to register for the draft as do men 18 to 25?" One bizarre response came from Erica Jong:

> From the very beginning this "discussion" has made deeply disappointed in Columbia's educational assumptions. What I value most when I teach is questioning and humility. There is a know-it-all tone here that makes me glad I went to Barnard. I wonder how I even made it through Grad Fac. Education is for opening the mind—not competing over prejudices and tired old ideas.
>
> Gentlemen—I leave you to your insular jousting over who has the biggest you know what.
>
> ERICA MANN JONG, Poet & Novelist
> Barnard, Columbia Graduate Faculties, 25 Books published (sic) in 40 languages.

To which I responded: "Ah, the smell of Portnoy immaturity."

During my search for a plaintiff, I started taking classes at the Krav Maga Academy on 26th Street. Krav Maga is the Israeli Defense Force's martial arts for killing Arabs with your bare hands. Given Israel's win-lost record at war, I figured it was pretty good. Former IDF guys taught the classes, which were more practical than other martial arts courses I had taken, except for Mark's. Surprisingly, one of the female employees agreed to be the plaintiff in the draft case, but then her life fell apart, so my search continued. As a side note, I lasted a little over two years at the Academy, but then they kicked me out for flirting with the young babes. Guess the instructors were jealous that I could make the girls laugh and they couldn't, or they didn't want any of their Jewish chicks consorting with a true blooded Aryan. So I went looking for another martial arts school at which to wear out my welcome.

Back to finding a plaintiff—what about actresses? They love publicity and the case should attract lots of coverage. Out went a mailing to virtually every talent and casting agent in the City. A few responded and a couple of interviews resulted. One said thanks but no thanks, and the other was willing but too busy with her career to devote the time necessary to prepare for the expected interviews.

Desperation was setting in when I realized I had not contacted everyone for whom I had an email address and all my alleged friends on Facebook. The Facebook effort resulted in a few less friends of the two-faced kind, but my emails resulted in an attorney with whom I had worked on the case against the Wall Street crooks who caused the 2008 recession. She referred me to a 17 year-old high school senior who was about to graduate, the daughter of one of her friends. This young lady not only proved willing but more competent and mature than any of the other ladies I had communicated with and most of the attorneys I have encountered. The case began over the July 4th weekend of 2015, and was assigned to this hot Latina Judge in the U.S. District Court for New Jersey whom Obama had appointed. At first, I wanted to ask the Judge out, but thought she might hold me in contempt.

The attorney for the federal government came out of the Department of Justice in D.C. rather than the New Jersey U.S. Attorney's Office. In her motion to dismiss, she raised the issue that the plaintiff was only 17 and draft registration applied to 18 to 25 year olds. But she took so long in submitting the Government's motion that 17 year old was now within 30 days of her 18th birthday, which was good enough. Guys are allowed to register for the draft beginning 30 days before they turn 18. Justice's delay, therefore, allowed me to file an amended complaint with the plaintiff now old enough to register, if she had been a guy. Even without the amended complaint, it was unlikely the Court would dismiss because the original plaintiff was too young, since the plaintiffs in the *Rostker v. Goldberg* case were underage when it began.

In response to the amended complaint, the Government filed a new motion to dismiss. The female attorney did what female defense attorneys do—lie, prevaricate, dissemble, and exaggerate. This always seemed strange to me, since I had worked at a defense law firm, Cravath, and they never did that. With the help of the attorney who referred the 17 year old

plaintiff to me, we filed an opposition brief in the hope of popping the Government's bubbles of disingenuousness. The filing occurred after Secretary of Defense Carter had announced on December 3, 2015, that all military positions would be open to females.

The Judge, unlike in the California case, got cold feet about making a decision using as an excuse the machinations in Congress. The House Armed Services Committee included in its version of the 2017 National Defense Authorization Act an amendment that young women should register for the draft just as do young men. Rep. Duncan Hunter (R) in Jonathan Swift fashion sponsored the amendment in order to mock sending females into combat, which he adamantly opposed. Hunter voted against his own amendment in committee but it passed, which he didn't expect, and was sent to the House Rules Committee. He quickly became the butt of late-night talk-show mockery.

House Republican leaders were not laughing. It became increasingly clear that Hunter's amendment might pass a House floor vote. House leaders scrambled behind the scenes to block it. They used a rare procedural maneuver in the Rules Committee to strip the female registration amendment from the Defense Authorization Act while punting with a time-delaying study on reforming the Selective Service. The Republican Chairman of the Rules Committee called requiring women to register for the draft a "reckless policy." On May 18, 2016, the House passed its version of the Defense Authorization Act without draft registration for females but with instructions for the Secretary of Defense to submit a study on whether to eliminate the Selective Service.

Meanwhile in the Senate, the Armed Services Committee approved an amendment to its version of the Defense Authorization Act, sponsored by its chairman Sen. John McCain that required females to register for the draft. Sen. McCain said, "The fact is every single leader in

this country, both men and women, members of the military leadership, believe that it's fair since we opened up all aspects of the military to women that they would also be registering for Selective Services." Majority Leader Sen. Mitch McConnell, at least for the media, supported the amendment. The Senate passed its version and the Senate and House bills were sent to a House-Senate Conference Committee to resolve the differences in the two bills.

We're Not Going to Take It

While the draft case was imprisoned in the N.J. District Court, I started doing volunteer work for the Trump Presidential Campaign—leaving the law library in the early afternoon for Trump Tower, 12 blocks up Fifth Avenue, to make telephone calls during the primaries and the general election. Once I mentioned to a pal lawyer, a Clinton supporter, "I'm off to the Alamo," to which he responded, "Don't forget your Bowie knife."

Most of the Trump Tower callers were aging baby boomers like me. Once in a while some hot young model chick would show up to make calls. They never sat next to me. In addition to the telephone calling, what I thought was a great idea to help Trump win the election popped into my head.

The FBI had just cleared Hillary of any wrong doing in keeping state secrets on her personal server, in part, by asserting that the server had never been hacked. If any of the 30,000 emails she had "bleached" off the server or any of the classified emails that were made public but redacted by the Government showed up in their original form, then obviously her server had been hacked. Such would reignite the controversy and help Trump's campaign. At that time, the FBI and media were accusing Russian GRU of hacking the DNC and Hillary's campaign chairman. If so, maybe they also hacked Hillary's private server. So I contacted a GRU buddy requesting a few copies of the bleached or classified emails, if they had them. Telling him, I'd

make them public through my media contacts. He replied, however, that GRU did not have them, which meant they did not hack the server or they wanted Hillary to win. Personally, had I been Putin, Hillary would be better for Russia, since he had already bribed her over the Uranium One deal. She was in his pocket.

That didn't work, so I tried another angle. From day one of the campaign the PC—*Pravda Correct*—news media hammered Trump. The reporters lied, prevaricated, dissembled, took quotes out of content, spun them around to say what the reporters wanted and then reported such as facts to depict Trump as "inappropriate"—to put it mildly.

The PC-Feminists had taken over much of the news media since I had worked in TV News in the 1970s and 1980s as a writer and political producer. Back then, one station for which I worked, Metromedia Channel 5 in New York City, had a sign over the only exit from the newsroom: "There are two sides to every story, make sure you get both of them!" Today, for the propaganda press, the two sides of every story are the left and the far left, and if neither exists, make it up. The reporters think they are better than their audience—that the public should accept their biased words as gospel. They believe their PC philosophy is the one and only truth in the Universe. We've heard that before—the Commies, Nazis, Klan and every lunatic dictator and religious cult to come down the pike.

All reporters have a duty to the public—to be the observers of world events for the rest of us. As Archibald MacLeish said,

> Freedom of the press is a right belonging, like all rights in a democracy, to all the people. As a practical matter, however, it can be exercised only by those who have effective access to the press. Where financial, economic, and technological conditions limit such access to a small minority, the exercise of that right by that minority takes on fiduciary or quasi-fiduciary characteristics.

Freedom of the Press, a Report from the Commission on Freedom of the Press at 99 n. 4 (1947).

That duty does not mean acting as acolytes for PC ideology, Clinton and Obama. It means to enlighten, elucidate and educate, not turn into a Goebbels's like propaganda monster foisting a particular ideology on the populace. "It is a principle among [the press] that when truth has fair play, it will always prevail over falsehood." Benjamin Franklin. PC reporters were no longer giving truth a fair play in the presidential election. They were undermining the most important right of all with their biased and deceitful reporting: "No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined." *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964).

In America there are checks and balances for every major institution except the press. If the President violates his duty, there are the courts and Congress. If Congress violates its duty there are the courts and the President. If judges violate their duties, Congress can impeach them. If businesses violate the law the district attorney can prosecute or citizens can sue. But what if the press violates its fiduciary duty of fairness in political reporting? A political figure can sue for defamation, but he'll lose because the requirement of Constitutional malice is extremely difficult to prove. It requires determining what reporters were thinking when they wrote their stories. Naturally, as card-carrying PCers, they would lie.

So what to do? Then late at night, lying in bed, the light bulb went on, again—RICO! PC ideologue reporters were violating the Racketeer Influenced and Corrupt Organizations Act, and I could sue them under RICO—yes! RICO is a criminal statute so normally a case can only be brought by a government prosecutor. But Congress decided to also allow everyday citizens to bring a case when their properties or businesses were injured by those engaging in racketeering activities. It's called a private right of action and was put in the RICO Act to provide for and

encourage private attorneys general "to fill prosecutorial gaps." *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 493 (1985); *United Health Care Corp. v. Am. Trade Ins. Co.*, 88 F.3d 563, 575 (8th Cir. 1996) (congressional intent to enroll private claimants in deterring racketeering). I'd still have to prove the *Pravda* reporters violated certain criminal acts, but I would only have to show it by a preponderance of the evidence rather than beyond a reasonable doubt. That was fine. In effect the reporters would be accused of criminal acts by me—a private attorneys general. An added benefit was that insurance companies that provide personal or property injury coverage to the news media companies, or any other company, usually don't cover criminal acts—and RICO is nothing but criminal acts.

RICO has many requirements, but the key one needed to sue is that a defendant engaged in a "racketeering activity" of which there are many. So which ones were the PC reporters guilty of? The only one was wire fraud. They created and caused to be broadcast and electronically published intentionally false and misleading news reports concerning the Trump Campaign; they provided commentary based on false sets of alleged facts or failed to reveal the factual bases for their judgments; and they lobbied on various news-talk shows in furtherance of their opposition to the Trump Campaign. Wire fraud didn't require determining what PC reporters were thinking; only that their actions indicated they had devised, participated in, or abetted a scheme to defraud others. That scheme, or as it turned out, seven schemes by seven different news groups was to trick the electorate into voting for Clinton.

Another main element of RICO, and any lawsuit, is injury—how was I injured by PC reporters foisting fraudulent reports, commentaries and lobbying in their efforts to trick the electorate? The answer was that for members of the Trump Campaign, such as me, to counter the PC reporters' efforts to defraud, we needed to circumvent the mainstream-media bottle-neck

on campaign information, commentaries and lobbying. To do so required us to contribute more funds and time to reach voters directly in order to present voters with the Trump Campaign side and counter—in the law it's called rectify and mitigate—the PC reporters fraudulent reports, commentaries and their anti-Trump lobbying. After all, "Voting rights subsume . . . [the] chance to contribute to a chosen candidate," Lawrence Tribe, *American Constitutional Law* at 1062 (3rd ed.), and I chose to contribute to Trump.

If the PC reporters were faithfully fulfilling their duty to the voters by providing reports and communications that were fair, balanced and impartial; then the amount of contributions and time provided by Trump Campaign members and supporters would be significantly less. Since time is money, especially for a lawyer, and money is money, the added time and money were both injuries to property, which is what RICO requires.

Okay, so which reporters to sue? There were so many PC reporters toadying to the PC-Feminist elite that wanted Hillary Clinton for President and to hobble the effectiveness of members of the Trump Campaign. Seven of them seemed to be the biggest liars and deceivers with the largest audiences, so I sue them. Perhaps unconsciously, I identified them with the seven deadly sins of hubris, greed, lust, malicious envy, gluttony, inordinate anger, and sloth—then again, maybe they were just liars. Either way, the seven were deadly to this democracy. They were, in order of the channel dial on the television set of my youth plus a couple of newspapers: Major Garrett, CBS News; Katy Tur, NBC News; Chuck Todd, NBC Meet the Press; Tom Llamas, ABC News; Jim Acosta, CNN; David Brooks, New York Times and PBS News Hour; and Jenna Johnson, Washington Post.

Judges, especially in Bolshevik New York City, dislike RICO because it has so many parts—means too much work. They also shy away from decisions contrary to PC ideology for

fear of upsetting the PC storm troopers. Besides those two problems of which I had no control over, the main argument against the case was that The First Amendment guarantees freedom of speech. It wasn't the guarantee of freedom of the press because the U.S. Supreme Court—where I was aiming—decides cases involving what the press states under the freedom of speech clause. The reason is simple: "[t]he press in its historic connotation comprehends every sort of publication which affords a vehicle of information and opinion." *Lovell v. City of Griffin, Ga.*, 303 U.S. 444, 452 (1938). Since this definition is so broad, it's impossible for the courts to distinguish press protection from the general doctrine of free speech. So the key issue was whether the freedom of speech clause protected the news media defendants engaging in wire fraud.

It doesn't. "'From 1791 to the present' . . . the First Amendment has 'permitted restrictions upon the content of speech in a few limited areas,' and has never 'include[d] a freedom to disregard these traditional limitations.'" *U.S. v. Stevens*, 559 U.S. 460, 468 (2010) (quoting *R.A.V. v. St. Paul*, 505 U.S. 377, 382–383 (1992)). These areas, such as "speech integral to criminal conduct, *Giboney v. Empire Storage & Ice Co.*, 336 U.S. 490, 498 (1949, are 'well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem.'" *Stevens*, 559 U.S. at 468-469 (quoting *Chaplinsky v. New Hampshire*, 315 U.S. 568, 571–572 (1942)). The *Stevens* decision from 2010 emphasized that speech integral to criminal conduct was not protected by mentioning that traditional limitation several times. *Stevens*, 559 U.S. at 468, 471.

Since RICO and the criminal act of wire fraud are crimes—the *Pravda* reporters' pursuit of their schemes by fraudulent reports, commentaries and lobbying were not protected speech. The First Amendment doesn't guarantee freedom to lie, deceive and commit wire fraud. Also,

along with freedom comes responsibility. The press does not have the freedom to intentionally or with reckless disregard for the truth paint a false reality in conformance with an ideology that has run amok across this land replacing the Constitution and principles on with this nation was founded. The right to vote in a free and fair election is more important than biased reporters mouthing PC ideology.

My researcher, the single mother in Slovakia, found a lot of the seven deadly reporters' false and misleading communications that were included in the complaint filed on August 23, 2016, in the United States District Court for the Southern District of New York. A day after filing, I moved by Order to Show Cause for a preliminary injunction to put a temporary halt to the seven deadly reporters subverting the electoral process. Had I gone the usual motion by notice route, the Court would not have gotten around to it until after the election in November.

The Judge quickly denied the request for a preliminary injunction—ruling it a forbidden prior restraint. Apparently the propaganda press can do what ever it wants, but trying to stop its illegal activities is forbidden. The ruling meant the case would have no impact on the election unless it emotionally shook-up the seven deadly reporters into doing what they were supposed to do—report both sides fairly. Assuming that it might, I added not only more reporters but the news outfits they worked for in an amended complaint. The final list of defendants were

CBS News Inc.;
    Major Elliott Garrett, CBS News reporter;
NBCUniversal News Group;
    Lester Don Holt, Jr., NBC News anchor;
    Katharine Bear Tur, NBC News reporter;
    Charles David Todd, NBC News moderator of Meet the Press;
    Andrea Mitchell, NBC News reporter;
    Hallie Marie Jackson, NBC News reporter;
    Kristen Welker, NBC News reporter;
ABC News Division;
    Thomas Llamas, ABC News reporter and anchor;
    Cecilia M. Vega, ABC News reporter and anchor;

Jonathan David Karl, ABC News reporter;
NewsHour Productions LLC;
Gwendolyn L. Ifill, PBS NewsHour anchor and co-managing editor;
John Yang, PBS NewsHour reporter;
Lisa Desjardins, PBS NewsHour reporter;
Cable News Network;
Abilio James Acosta, CNN reporter;
New York Times Newsroom;
Megan M. Twohey, New York Times reporter;
David Brooks, commentator for the New York Times
and PBS News Hour;
Washington Post Newsroom;
Jenna Johnson, Washington Post reporter;

Twenty-four lying, prevaricating and dissembling media defendants—alright! I also tried to get some Trump supporters to join me in the case as plaintiffs, but they were too scared to publicly stand up for their beliefs. Voting for Trump in the secrecy of the election booth was the extent of their courage, but that was understandable considering the threat of Clinton's Commie hit squads. Such fears made me realize that this must be what people living in the former Soviet Union experienced, although we still had a choice of whom to elect. It also probably explained why the polls were wrong about the election—people were simply scare to admit for whom they would vote. Can't blame them; I won't wear my red "Make America Great Again" hat in the streets of NYC.

Unlike some of my other cases, this one attracted zero media attention. Couldn't figure out why, since it was timely and dealt with an important topic. Then the reference librarian at the law library enlightened me, "Who's going to cover it? You're suing everybody." He was right; the case was against much of the news media.

A couple of weeks after filing the amended complaint, Trump won the election—take that you succubi of PC totalitarianism. Every so often truth and justice win out. The election night party was great, and to my surprise largely populated with millennials, most wearing

"Make America Great Again" red hats. The victory party had Fox News on the giant screens and when Megyn Kelly started whining about the lying hos who accused Trump of molesting them, the Crowd let out with a loud round of boos. When Fox mentioned Hillary, the crowd chanted, "Lock her up! Lock her up!" Fox often cut away to Clinton's headquarters showing the teary-eyed, sad-sack, PC loonies watching their power of intolerance go down the drain. The losers at Clinton's headquarters dressed the part—they looked like bums, not a suit nor a dress in the bunch. Trump's supporters, however, were all in suits or dresses and no cross dressers that I could see. Could this be the end of PC-Feminism? Maybe, but it will take a while to push these self-righteous, commie-like fanatics out of office and power. I soon learned it would take more than time.

The Trump volunteers who had spent a fair amount of 2016 calling voters from Trump Tower organized a field trip to the inauguration, so I went—my third inauguration. The first was to protest Nixon's in 1973, and the second was Reagan's in 1981 while working as the Channel 7 TV News political producer. The day before we left for Trump's inauguration, a reporter from France TV 2 contacted me wanting to do an interview about the anti-PC-Feminism cases: Ladies' Nights, VAWA and the one against Columbia's Women's Studies Program. She was flying into D.C. on Inauguration Day, to mainly cover the female march the next day. So we arranged to meet in D.C. on Inauguration Day.

The weather for the inauguration was cold and rainy, so naturally security for the event confiscated everyone's umbrellas. Leading up to Trump's speech they introduced the hoi polloi as they were seated on the dais—not unlike the aristocratic receptions given in old Europe. When the Clintons were introduced—the crowd booed, and many yelled "Lock them up"! When Obama as well as his wife were introduced—the crowd booed, and some yelled "Lock them up

too”! Before Trump spoke they were a few speeches, including one by Senator Chuck Schumer of New York. Couldn’t figure out why he was speaking, and he probably wished he wasn’t. The crowd booed him through his entire speech—not just because he was the epitome of the PC Pol, but he wouldn’t stop talking. He just went on and on as though he had been elected President. Trump gave a short but solid speech.

Afterward, I went to meet the French reporter Zoe, wearing my red “Make America Great Again.” There were so many of us in D.C. that the PC Neo-Bolsheviks probably would not bother me—didn’t know about the Antifa wimps. Zoe was cute with a sexy accent and accompanied by her cameraman. We headed to the post-inaugural parade with them filming and periodically interviewing me. On our way, a trio of Obamite, hate-whitey young punks tried to interfere until I challenged them. They split—never underestimate the influence of the threat of physical violence. Near the parade route on Pennsylvania Avenue, we stopped and Zoe conducted a more extensive interview. Some Antifa millennial stuck his face in front of the camera. Okay, he and the other baby millennials lost, so give him one chance. But then he did it again, I instinctively pushed him aside, struck him with an open hand to his throat, and the fight ensued. Had I used a spear hand strike, he would have been dead—but I showed him the mercy he didn’t deserve. Not one of my best fights, since it ended in a draw—both of us still standing, but I doubt he’ll do that again. A Trump supporter who had witnessed the incident suggested I complain to the D.C. Police on the corner. Okay, but the Police Lieutenant, after watching the video, said in a nice manner you were really the aggressor, but if you would like to apply to my squad let me know. So what’s the lesson? When dealing with Neo-Bolsheviks like Antifa—never underestimate the influence of physical violence.

Zoe came up to NYC to interview some others and did another interview with me. One of her questions this time was whether I had ever been discriminated against because I was a guy—that was easy:

> The female head of my draft board tried to send me to Vietnam twice.
>
> The news director of Metromedia TV News in NYC wanted to hire me as a researcher but couldn't because I was a guy, and the Federal Communication Commission was pushing a quota system to hire girls. He got around it by having all the five stations in the network hire a fifth of me. That way, it would not show up on his employment roster that he had hired a guy when the FCC was forcing the news media to hire girls—regardless of their competence.
>
> After working at Metromedia for over a year, the news director came up to me and said, "Roy I'd make you a reporter but I can't because you're a guy."
>
> When I graduate law school near the top of my class, eleventh out of 400, I only applied for the most prestigious positions with the Federal Government that were called Honor's positions for new law school graduates. I landed 10 interviews. For eight of the positions, I was interviewed by a girl who would make the hiring decision, one by a homosexual, and one by a regular guy. Guess from which ones I didn't get an offer? Everyone in which a girl made the hiring decision and the one in which a queer made the decision. I didn't care about the queer's decision—during the interview, I decided not to take that job even if it was the last one in the Federal Government. But I did care about being denied an offer from the Department of Justice and the State Department. They were considered numbers one and two on the prestige list. I ended up taking number three on the prestige list—the Treasury Department where a guy made the hiring decision. What made me realize discrimination was at work and not credentials was that the hiring matrons in all the other jobs of less prestige and requirements denied my applications.
>
> When I left Cravath, I applied to a number of law schools to pursue a master's degree. This was the early nineties. Each and every one denied me admission. The PC/Feminist ideology had taken control of law schools and they were ramping up their quotas for girls. So instead, I earned a Masters of Business from Columbia University.
>
> More discrimination came in the NYC divorce court. Ask any divorce lawyer in New York, male or female, and they will tell you there is no justice for a husband or father in NYC courts. The ideology of PC/Feminism rules—men have no rights. My wife—a Russian mafia prostitute who repeatedly lied on her immigration filings and committed a felony by registering to vote while not a

> citizen—was treated as an angelic being by the lesbian judge who clearly wanted to shove her face between my wife's legs.
>
> But probably the most blatant discrimination came from the various judges in the men's rights cases. It didn't matter whether they were state court judges—whom every prestigious law firm tries to avoid because the vast majority are idiots—or the best and the brightest in the federal courts. Every single judge—and there were around 20 (not counting the U.S. Supreme Court ones who refused to hear any of my cases)—every single judge ruled according to the law of PC/Feminism rather than the U.S. Constitution or statutes.

The PC/Feminist ideology running and ruining the court system is not restrict to courts in NYC as decisions by federal courts on the left coast have made clear by illegally restricting the executive orders of President Trump on immigration.

The beginning of Trump's presidency didn't help my case against the *Pravda Correct* press. The defendants made their motions to dismiss. After filing my opposition, I checked out the biography of the Judge. After law school, he worked as a newspaper reporter and was subsequently appointed to the bench by Obama—the case was doomed.

The Judge threw it into the can by ruling the news media could say anything it wanted on political affairs under the free speech clause of the First Amendment, except for defamation and some other "truly rare cases"—meaning, I assume, cases that involve interference with PC speech. He even noted that speech integral to the commission of a crime was not protected but somehow missed that was exactly what the news media defendants were accuses of—RICO and wire fraud—criminal statutes. I'll bet he never even read my memorandum of law.

The Judge's entire decision focused only on the free speech issue, which he actually admitted by saying, "the Court develops only" that issue. As for the other issues, he just ruled in one sentence that the *Pravda Correct* press prevailed on those. No reasoning, no analysis just an order from one of those PCers who believe they are akin to the aristocracy of feudal Europe—"we say what's right—you obey!" So I appealed to the U.S. Second Circuit—a lot of good that

would do, but it was necessary to have a shot at the U.S. Supreme Court. By then, Trump might have appointed another Justice besides Neil Gorsuch.

The procedure in the Second Circuit commie friendly court—where was Judge Kaufman when we needed him—is that after the appellant (the one who lost in the district court, which means me whenever I'm fighting for the rights of white heterosexual men) files his brief, the PC-Feminists on the other side file their brief. I then have the opportunity to file a reply and request oral argument, which I have done since 2003 fighting these PC-Totalitarians in court. It never did any good, so why bother this time. I knew how the PC-Totalitarians in the Second Circuit would decide—just wanted the decision so that I could try for the Supreme Court.

The three judge panel did exactly what I expected. They issued a three page unpublished decision, or summary order, that stated, "We have reviewed all of the arguments raised by plaintiff on appeal and find them to be without merit." No analysis just a decree from the life-term PC bureaucrats of the Second Circuit. Guess they did not want to take time away from the golf course for such a trivial issue as the mainstream news media using wire fraud to try to throw a presidential election.

An unpublished decision means it has no value for future cases—it's not precedent. That way, if a case arose in which the press tried to throw an election for an anti-politically correct candidate, the Court would not be bound by its decision. It could then rule in accordance with PC-Feminist ideology by finding the press liable for its fraud on the voters. In addition, by declaring the decision had no precedential value, the Second Circuit panel was running a con—judges do that a lot. Here's the con: the losing attorney and party will figure that because the decision has no value for future cases, the Supreme Court will automatically deny any request to hear the case. After all, why would the Supreme Court waste its time on a case that has no

precedential value? That con has tricked a lot of lawyers and parties. Many are unaware of what former Supreme Court Justice John Paul Stevens said, "[I] tend to vote to grant [certiorari] more on unpublished opinions, on the theory that occasionally judges use the unpublished opinion as a device to reach a decision that might be a little hard to justify." J. Cole & E. Bucklo, *A Life Well Lived: An Interview With Justice John Paul Stevens*, 32 Litigation 8, 67 (Spring 2006).

"A little hard to justify" is an understatement, so off to the U.S. Supreme Court the case went. Trump did not have an opportunity before then to appoint another justice, but I gave it a shot anyway. The first step was to file a petition for writ of certiorari. The petition argues that the Court should hear the case because it is important to the country and the Second Circuit's decision conflicted with Supreme Court decisions and those of other circuit courts.

On importance, I argued:

"The Constitution specifically selected the press . . . to play an important role in the discussion of public affairs." *Mills v. State of Ala.*, 384 U.S. 214, 219 (1966).

What happens when that crucial role is subverted is at the heart of this case. Whether members of the news media may commit fraud with impunity to undermine the most fundamental right of all—to participate in a fair electoral process.

> No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.

Wesberry v. Sanders, 376 U.S. 1, 17 (1964).

"In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential." *Citizens United v. Fed. Election Comm'n*, 558 U.S. 310, 339 (2010) (quoting *Buckley v. Valeo*, 424 U. S. 1, 14-15 (1976)). As Ida B. Wells once said, "People must know before they can act and there is no educator to compare to the press." Providing that the press is telling the truth.

The Mainstream News Media, however, intentionally misinformed the electorate during the 2016 presidential election by communicating via wire, radio, television and Internet intentionally or recklessly false, prevaricating or dissembling ("fraudulent") statements and reports about the Trump Campaign as set out in the Appendix.

The Mainstream News Media's "use of the known lie as a tool is at once at odds with the premises of democratic government and with the orderly manner in which economic, social, or political change is to be effected." *Garrison v. State of La.*, 379 U.S. 64, 75 (1964). As the Radio, Television and Digital News Association's Guiding Principles state:

Journalism's obligation is to the public. Journalism places the public's interests ahead of commercial, political and personal interests. Journalism empowers viewers, listeners and readers to make more informed decisions for themselves; it does not tell people what to believe or how to feel. . . . Journalism verifies, provides relevant context, tells the rest of the story and acknowledges the absence of important additional information.

In America there are checks and balances for every major institution except the press. If the President violates his duties, there are the courts, Congress and the press. If Congress violates its duties, there are the courts, the President and the press. If judges violate their duties, Congress can impeach them. If businesses violate the law, the district attorney can prosecute, citizens can sue or the press can expose. But what if the press violates its fiduciary duty of fairness in political reporting? A public figure can sue, but he will likely fail because of the requirement of constitutional malice. This case is simply trying to bring about a check and balance on the Mainstream News Media to stick to its duty of fairness and nonpartisanship—a duty it most assuredly must fulfill.

As Mr. Justice Black put it, "In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed . . . ." *New York Times Co. v. U.S.*, 403 U.S. 713, 717 (1971) (concurring opinion). "The extraordinary protections afforded by the First Amendment carry with them something in the nature of a fiduciary duty to exercise the protected rights responsibly a duty widely acknowledged but not always observed by editors and publishers." *Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 560 (1976).

According to Archibald MacLeish:

> Freedom of the press is a right belonging, like all rights in a democracy, to all the people. As a practical matter, however, it can be exercised only by those who have effective access to the press. Where financial, economic, and technological conditions limit such access to a small minority, the exercise of that right by that minority takes on fiduciary or quasi-fiduciary characteristics.

Freedom of the Press, A Framework of Principles, A Report from the Commission on Freedom of the Press at 99 n.4 (Univ. of Chicago Press 1947).

The Mainstream News Media intentionally breach its duty to the public in order to present voters with a fraudulent reality in its news reports so that voters would decide to elect the "politically correct" choice for President, Hillary Clinton. "[A]ny medium has the power of imposing its own assumption[s] on the unwary." Marshal McLuhan, *Understanding Media: The Extensions of Man*, Chapter One at 6, *The Medium is the Message* (McGraw-Hill, 1964).

The influence of the news media of which the Mainstream News Media is a major component should not be underestimated. The news media is a major driving force in the voting decisions of tens of millions of Americans. The extent of its power to manipulate the election process is expressed by the characterization of it as "The Fourth Estate." Let's not forget that Clinton received 2.9 million more votes than Trump.

The argument that the Second Circuit ignored decisions of the Supreme Court basically stated two reasons:

1. The Supreme Court has held as a general matter that content-based restrictions on speech are permitted when that speech is an integral part of criminal conduct that violates a valid law.

The Supreme Court in *United States v. Alvarez*, 567 U.S. 709, 717 (2012) stated:

> [C]ontent-based restrictions on speech have been permitted, as a general matter, only when confined to the few " 'historic and traditional categories [of expression] long familiar to the bar.' " *United States v. Stevens*, 559 U.S. 460, 470 (2010) (quoting *Simon & Schuster, Inc. v. Members of N.Y. State Crime Victims Bd.*, 502 U.S. 105, 127, (1991) (Kennedy, J., concurring in judgment)). Among these categories are . . . speech integral to criminal conduct, *see, e.g., Giboney v. Empire Storage & Ice Co.*, 336 U.S. 490 (1949); . . . . These categories have a historical foundation in the Court's free speech tradition. The vast realm of free speech and thought always protected in our tradition can still thrive, and even be furthered, by adherence to those categories and rules.

This Court has repeatedly held that speech integral to the commission of a crime is a category of speech that does not enjoy First Amendment protection. "[I]t has never been deemed an abridgement of freedom of speech or press to make a course of conduct illegal merely because the conduct was in part initiated, evidenced, or carried out by means of language, either spoken, written, or printed." *Giboney*, 336 U.S. at 502 (citing *see e.g., Fox v. Washington*, 236 U.S. 273, 277 (1915) (Holmes, J.); *Chaplinsky v. New Hampshire*, 315 U.S. 568, 571-572 (1942)). This Court in *Rumsfeld v. Forum for Acad. & Institutional Rights, Inc.*, 547 U.S. 47, 62 (2006), cited the same quote from *Giboney*. In both *Osborne v. Ohio*, 495 U. S. 103, 110 (1990), and *New York v. Ferber*, 458 U.S. 747, 762 (1982), this Court again relied on *Giboney* by quoting from that decision: "It rarely has been suggested that the constitutional freedom for speech and press extends its immunity to speech or writing used as an integral part of conduct in violation of a valid criminal statute." *Giboney*, 336 U.S. at 498.

The complaint in this case alleged that the Mainstream News Media violated RICO, 18 U.S.C. § 1964(c). RICO is a criminal statute that allows private persons to bring an action for injury caused by parties engaging in certain criminal acts that are called predicate acts. This case is concerned with the predicate act of wire fraud, 18 U.S.C. § 1343:

> Whoever, having devised or intending to devise any scheme or artifice to defraud . . . by means of . . . fraudulent pretenses, representations, or promises, transmits

> or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both. . . .

Clearly, speech is an integral part of what is proscribed by the wire fraud statute because it is necessary for executing the illegal conduct.

The Mainstream News Media's schemes were simply to trick voters into voting for Clinton instead of Trump and to cause Trump Campaign members to spend more time and money circumventing it by going directly to the voters. The Mainstream News Media relied on the truism that "You can fool all the people some of the time, and some of the people all the time . . . ." Attributed to Abraham Lincoln. The Mainstream News Media executed its schemes by publishing over the wires fraudulent information about the Trump Campaign.

Will Rahn of CBS News admitted the Mainstream News Media's motivation: "It shouldn't come as a surprise to anyone that, with a few exceptions, we were all tacitly or explicitly #WithHer [Clinton] . . . ." Will Rahn, *Commentary: The unbearable smugness of the press* at 1, November 10, 2016. Journalists believed they had access to "a greater truth, a system of beliefs divined from an advanced understanding of justice." *Id*. Rahn is a political correspondent and managing director for politics at CBS News Digital.

The reporting by the Mainstream News Media alleged as wire fraud was not speech protected by the First Amendment.

The Second Circuit also found this argument was "without merit." (Summary Order at 3).

2. The Supreme Court has held that fraudulent statements bring speech outside the First Amendment.

Fraud is one of those historic categories of speech in which content-based restrictions have been permitted. In *Stevens*, 559 U.S. at 468–469 this Court recounted:

> "From 1791 to the present," . . . the First Amendment has "permitted restrictions upon the content of speech in a few limited areas," and has never "include[d] a freedom to disregard these traditional limitations." *R.A.V. v. City of St. Paul, Minn.*, 505 U.S. 377, 382–383 (1992). These "historic and traditional categories long familiar to the bar," *Simon & Schuster*, 502 U.S. at 127 (Kennedy, J., concurring in judgment)—includ[e] . . . fraud, *Virginia Bd. of Pharmacy v. Virginia Citizens Consumer Council, Inc.*, 425 U.S. 748, 771 (1976) . . . .

In *Virginia Bd. of Pharmacy* at 771, this Court relied, in part, on *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974), which held:

> [T]here is no constitutional value in fraudulent statements of fact. Neither the intentional lie nor the careless error materially advances society's interest in 'uninhibited, robust, and wide-open' debate on public issues. *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964). They belong to that category of utterances which 'are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.' *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942).

When it comes to fraudulent statements, this Court's unanimous decision in *Illinois* held that "the First Amendment does not shield fraud." *Illinois*, 538 U.S. at 612 (citing *see, e.g., Donaldson v. Read Magazine, Inc.*, 333 U.S. 178, 190 (1948) ([T]here is not "the slightest support for a contention that the constitutional guarantees of freedom of speech and freedom of the press include complete freedom, uncontrollable by Congress, to use the mails for perpetration of swindling [sic] schemes.").

Donaldson rejected freedom of speech and freedom of press challenges to the mail fraud statute because the government's power "to protect people against fraud" has "always been recognized in this country and is firmly established." *Donaldson*, 333 U.S. at 190. Such also applies to the wire fraud statute because "[t]he mail and wire fraud statutes share the same language in relevant part, and accordingly we apply the same analysis to both sets of offenses." *Carpenter v. United States*, 484 U.S. 19, 25 n.6 (1987); *United States v. Tarnopol*, 561 F.2d 466, 475 (3rd Cir. 1977), *abrogated on other grounds*, *Griffin v. U.S.*, 502 U.S. 46 (1991) (elements of mail and wire fraud have been construed *in pari materia*).

So while the "honest utterance, even if inaccurate, may further the fruitful exercise of the right of free speech, it does not follow that the lie, knowingly and deliberately published . . . should enjoy a like immunity. *Garrison*, 379 U.S. at 75.

> At the time the First Amendment was adopted, as today, there were those unscrupulous enough and skillful enough to use the deliberate or reckless falsehood as an effective political tool to unseat the public servant or even topple an administration. *Cf.* Riesman, *Democracy and Defamation: Fair Game and Fair Comment I*, 42 Col.L.Rev. 1085, 1088-1111 (1942). That speech is used as a tool for political ends does not automatically bring it under the protective mantle of the Constitution. For the use of the known lie as a tool is at once at odds with the premises of democratic government and with the orderly manner in which economic, social, or political change is to be effected. Calculated falsehood falls into that class of utterances which 'are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.' *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942). Hence the knowingly false statement and the false statement made with reckless disregard of the truth, do not enjoy constitutional protection.

Id. at 75.

The communication of words for fraudulent purposes, whether by an individual, news media or some other organization is not protected by the First Amendment. If it were, then no person or organization could be prosecuted for fraud. *See Giboney*, 336 U.S. at 502 ("Such an expansive interpretation of the constitutional guaranties of speech and press would make it practically impossible ever to enforce laws against agreements in restraint of trade as well as many other agreements and conspiracies deemed injurious to society.").

Once again, the Second Circuit found this argument was "without merit." (Summary Order at 3).

As for the Second Circuit making a decision that was contrary to decisions in other circuit courts, I merely listed those decisions with a one sentence summary. Those circuits were the Sixth, Seventh, Eighth and Ninth, although the Ninth really doesn't count.

The concluding paragraph stated:

This case raises an issue of great significance to our democratic form of government. Will the powerful Mainstream News Media remain free to do as it wishes in violation of the law so as to propagate its prevailing ideology, to undermine the right to vote and to defraud voters? Such will be the inevitable result of allowing the decisions below to stand.

The Supreme Court denied my petition for certiorari—not exactly a surprise given the tenor of the times and fear of the yellow-dog press. The news media, now known as "fake news," continues its lies, prevarications and dissemblings in an effort to have Trump impeached and trick citizens into voting for Democrats, a.k.a. Socialists—the Democrats already have the illegal alien vote.

In this age of digital communication, the Supreme Court not only requires that documents be filed electronically but also on paper. Therein lies the Supreme Court's favoritism for the rich and corporations that has existed since its inception. Certioraris and briefs must be in the form of booklets 6 1/8 by 9 1/4 inches in size. There are a limited number of printers who can produce such booklets, which allows them to keep the prices high. The Supreme Court Justices, all of whom previously worked as lawyers, know this, and, even in the digital age, they still require

such costly printing in other to keep middle class folks out of the Court. My Trump case's certiorari printing costs were $8,000 for 50 booklets—$160 per booklet. What middle class family could afford that, not to mention the cost of their lawyer. For the rich and corporations—that's peanuts. The Justices, however, aren't completely heartless. If a person claims poverty, such as a deadbeat, drug addict, illegal alien, terrorist, or #MeTooHo, then the Justices will not require that documents be filed in booklet form—how nice. Apparently justice for the hard working is in the streets or vigilantism.

Coup d'état

Following the election and Trump's inauguration, the National Socialist Democrats just couldn't accept that all those American believers in liberty had rejected their particular form of totalitarianism. Since the PC model for the superior person means behaving like high school girls, they were furious over their rejection. They cried, they moaned and pointed their burnt fingers at others—the Russians—to blame. Sore losers was an understatement for describing them. These high school female clones, ever adept at self-delusion, claimed Putin wanted Trump elected, so he rigged the election. Right, a country barely out of the Middle Ages where even the educated believe in the supernatural, which is not particularly advanced technologically, and has a GDP of $1.6 trillion manipulated America with its $19 trillion economy that is the second most educated country in the world according to U.S. News & World Reports. I don't think so.

One More Time

After the inauguration, I read that the Department of Justice under the new Attorney General began increasing its review of cases that had already been decided by an immigration judge. Such reviews of an immigration judge's decision could result in a reversal of the decision. So whom does that bring to mind—the Ho. She was now scamming people as a real

estate agent in New York. Sent a letter to Attorney General Sessions telling him about the immigration judge who dismissed the deportation case against the Ho because her incriminating file had disappeared.

> Immigration Judge Jesse B. Christensen, appointed by the Obama Administration, dismissed the second removal proceeding against a Russian national with ties to the Chechen Barayev crime organization because the Russian's immigration file had disappeared.
>
> As a former manager of Kroll Associates in Moscow, Russia, I was aware of crucial files disappearing from government offices in both Russia and Mexico through bribery, but never realized that the practice had apparently reached America under the Obama Administration.

Added some background between the Ho and Homeland Security:

> On October 1, 2004, the Department of Homeland Security denied her first application for a waiver under the Immigration and Nationality Act, 8 U.S.C. § 1186a(c)(4), based on the contents of her file and placed her in a removal proceeding. Her file contained reports from the Federal Bureau of Investigation, the Drug Enforcement Agency and the Defense Intelligence Agency.
>
> On March 20, 2008, Immigration Judge Paul A. DeFonzo ruled that she be deported. Ms. Shipilina appealed to the Broad of Immigration Appeals ["B.I.A."], which denied her appeal on February 2, 2009.
>
> While her appeal was still pending, Ms. Shipilina married an America for a second time and subsequently filed once again for a waiver under 8 U.S.C. § 1186a(c)(4). The Department of Homeland Security for a second time denied her application once again based on the contents of her file and placed her in a removal proceeding for a second time.
>
> On March 30, 2012, Immigration Judge Jesse B. Christensen adjourned her removal hearing to June 1, 2012, in order to obtain confirmation that Ms. Shipilina was again appealing to the B.I.A. the Department of Homeland Security's second decision to have her removed.
>
> On June 1, 2012, Immigration Judge Jesse B. Christensen administratively closed the removal proceeding against Ms. Shipilina because B.I.A. "reports it does not have the file."
>
> In 2015, the above information was provided to the General Counsel for the D.O.J. Executive Office for Immigration Review and the D.O.J. Inspector General, but given the Obama Administration's policies, neither took any action.

> Perhaps now with you as Attorney General, the Department of Justice may look into this micro-aggression against the rule of law.

In a subsequent letter, I sent the NYC Board of Election's referrals to the U.S. Attorney for the Eastern District of N.Y. and the Queens District Attorney to prosecute the Ho for registering to vote when she was not a citizen. The DOJ referred my letters to the "Office of the Chief Immigration Judge, who has established a procedure that allows any person to file a complaint about the conduct of an Immigration Judge." I was hoping the Chief was not an Obama appointee, but it turned out worst. She had been appointed by Attorney General Loretta E. Lynch. More worst, the Chief Judge was a female PCer, Mary Beth Keller. She concluded that the Ho's immigration judge did nothing wrong by dismissing the deportation because someone had deep-sixth her file. The holdovers from the lawless, socialistic Obama administration were still in power.

Then in May 2018, Attorney General Jeff Sessions issued a new directive telling immigration judges they could no longer administratively close deportation cases, which is what happened to the Ho. Obama and the socialists (Democrats) loved administrative closures because it suspended deportations and allowed the illegals to roam the country, and, of course, vote Democratic. Over 200,000 illegals, including the Ho, had received *de facto* amnesty under America's third world president—Obama. Session concluded this Obama amnesty was not legally justified. So now Homeland Security was slowly re-visiting those administrative closure cases.

July 2018, my telephone rings—it's USCIS. and they want to meet to talk about the Ho.

The agent said, "We'd like to meet with you and talk about your ex-wife."

"Sure. I can be there in a half an hour."

"Not right now, let's make an appointment."

"Just tell me when and where and I'll be there."

The agent added that he had reviewed her file. But according to the Immigration Judge, the file had been lost. Most likely the Ho had simply bought-off the judge to say that.

The agent continued, "You've really gone through a lot."

To which I said, "And so have you guys trying to deport her.

On July 24, 2018, I meet with a USCIS officer in its Fraud Detection and National Security division at 26 Federal Plaza. By then, the building was quite familiar to me after my dealings with those two corrupt FBI agents, Pisano and Thomas. Session's new directive had worked its way down into my past—now maybe some justice.

One of the officer's first questions was "Do you know who was your ex-wife's second husband. I'd like to talk to him."

"No, I tried to find that out after I learned that she had married for a second time in order to avoid deportation for her fraudulent marriage to me. But NYC keeps those marriage records secret from the general public."

"I think talking to him would be useful, so let me know if you come across any information on who he was or if they are still married."

For the next two hours, I provided a summary of the Ho and her associates' illegal activities along with the immigration court's administrative closure of her case. The officer thought her registering to vote while not a citizen was "big." At the end of the interview, he requested the names of anyone in the U.S. whom I knew had associated with her, which I subsequently provided and told him to contact me any time with any more questions.

While working on a paper in the law library to simplify tonal music theory (Appendix 45) that had evolved out of my one year course with the hot millennial Juilliard teacher, my dimmed and delayed light bulb went off again. "Contact the private eye you use for your cases to see whether he can come up with who was the Ho's second husband."

My PI got back to me. "Unfortunately I was unable to connect the dots to see if she had married [again]. The only evidence I could find is a man by the name Onn Rapeika from Fort Lee, NJ has apparently lived with her for a while. Rapeika is supposedly a drug dealer and was convicted of hording weapons."

Well the drugs, crime and Rapieka's name being Russian clearly fit with the Ho's modus operandi, so I sent the information along to the USCIS officer.

Perhaps something would come of this new investigation, but America has been so corrupted by the socialist PCers and Feminists that I doubted it.

[Update if any]

The Second Time Around

The Ho wasn't the only bimbo, or more accurately, bimbat with whom my battles started again. Tory "the Torch" Shepherd from down under published another article in which she used my name in a derogatory fashion. Google alerts notified me of the article.

She just couldn't leave well enough alone. Her lawyers most likely told her to leave me out of future articles, but her hatred got the best of her.

Tory's misandrist articles are not only published in Australian newspapers but by PressReader, Inc. PressReader is a digital newspaper and magazine distribution and publishing operator that contracts with thousands of newspaper and magazine publishers across the globe to

publish their articles by way of the Internet and mobile telephone apps. It claims seven million "active," whatever that means, "users," whatever that means.

The article was published on April 4, 2018. It was titled *Misplaced fear of gay revenge* in the West Australian and PressReader Internet sites and *Freedom of religion cannot Trump other rights* in the Advertiser website. Tory's lead sentence stated, "Self-described 'anti-feminist lawyer' Roy Den Hollander once likened the position of men in society to black people in 1950s America 'sitting in the back of the bus.'" Except for that sentence, Tory did not mention me again.

The entire article was about submissions by Australians to an Australian Federal Government panel concerning the Australian Government's review of religious freedom in Australia. In 2017, the Australian Federal Parliament passed the marriage equality act that allowed two people, regardless of sex, to marry. The political impact, in part, caused the Australian Federal Government to appoint a panel to receive submissions on the conflict between gay rights and religious freedom in Australia.

So what did have to do with me? I never lived in Australia, never visited Australia, did not submit any comments to the Australian panel and have never been involved in a case dealing with gay rights versus religious freedom—anywhere. Played rugby with and against some Australians and hung out one night decades ago with an Australian guy. Boy was he obnoxious. It was summertime and the girls were bare shouldered. He'd walk up behind them and blow on their shoulders—boy they got ticked.

Tory's article went on with "It's become common; men thinking they're oppressed by women, whites thinking they're oppressed by ethnic minorities. The traditional oppressors believing they have become oppressed." Tory was really reaching by trying to use me as the

icon of the traditional oppressor—anti-female, anti-black, anti-queer, anti-same sex marriage (half true, just anti-marriage), anti-pigs (well when I was in SDS), anti-abortion (hey, walk down to the corner drug store and buy a contraceptive instead of murdering an incipient human being when there are no medical problems), immoral (stay off of my rights), anti-teacher (not if she's hot like Susan was), and anti-big cakes (hey, where's your cake now as one fat brother said the other fat brother, actually I like cakes, especially the classic ones made in Russia).

My last case against this bimbat and her publisher went down the drain because Justice Jennifer Schecter ruled that her Feminazi Court did not have personal jurisdiction over Tory in Australia.[1] The same would happen if I sued Tory again in any N.Y. court. But PressReader was a different story. When it published the article, it was licensed to do business in New York State by the Secretary of State. If that wasn't good enough, it had contracts with New York newspapers and the N.Y. Public Library. So the New York courts would have jurisdiction under CPLR § 302(a)(1) because PressReader transacts business within New York State and contracts with businesses in New York State to provide its services.

PressReader's attorney fees and if any settlement will likely tick it off against Tory. Indirect, but still a boot in her flabby ass.

Tory's statement might be considered defamatory by implication but such was way too complicated for a New York State judge. So my case charged PressReader—not Tory—just PressReader for violating my right to publicity—not privacy—but publicity. N.Y. does not have a right to privacy action. It does, however, have under N.Y. Civil Rights Law § 51 a private cause of action for protecting the unauthorized use of a person's name:

[1] Recently, Schecter, in a hot flash of power madness, ordered President Trump to show for a deposition in one of the cases before her. What a ditz—it'll never happen.

> Any person whose name . . . is used within this state . . . for the purposes of trade without the written consent first obtained . . . may also sue and recover damages for any injuries sustained by reason of such use . . . .

The right to publicity generally applies to someone with a modicum of fame so that the courts can find economic value in the use of that person's name. Thanks, in part, to the articles Tory published about me, I qualified as having some fame, or more accurately infamy.

PressReader's insurance company hired a law firm in the City to defend. That wasn't good enough because I wanted PressReader to pay its own legal fees—not its insurance company. So I amended my complaint to include a RICO cause of action. Remember, insurance companies usually cover the costs of a lawsuit providing it does not involve criminal accusations. RICO is nothing but criminal accusations even though it allows an action to be brought by an individual or a business. My amended complaint accused PressReader of engaging in wire fraud to further Tory's scheme of harming my legal practice and business consultancy because, as we all know, she considers me an enemy who should me completely destroyed. Actually, the feeling is mutual.

PressReader's lawyers filed the proverbial motion to dismiss, after which I filed my amended complaint that added the RICO charge. In New York State courts, as in federal courts, a plaintiff has an absolute right to file an amended complaint after a defendant files a motion to dismiss claiming that the complaint does not state a claim on which relief can be granted. PressReader's lawyer and I appeared before Civil Court Judge Denise Dominguez who had no clue that CPLR 3025(a) permitted my filing the amended complaint without her approval or any judge's approval. I tried to educate her in the law but no way was this escapee from the second caravan going to believe a white-male U.S. citizen. These identity group members are such idiot bigots. This issue was basic, basic civil procedure and this judge didn't know it. How could

such an ignorant lawyer get on the bench? Simple, some wetback district leader nominated her and the illegals in Manhattan elected her. To be fair, she did grant me leave to file the amended complaint, but I had to file it again—for the second time.

Naturally, the defense attorney kept quiet during the argument and in an email afterward said, "The Judge informed you that your amended complaint was not properly filed because you had not sought leave to file an amended pleading. We, like the Court, are thus treating your prior document and its service as a nullity." He knew the amended complaint was properly filed under CPLR 3025(a), but since the Judge made a mistake that favored him, he went along with it—typical Abbott & Costello lawyer. So I re-filled and re-served the amended complaint.

This Abbott & Costello lawyer, Gary Meyerhoff, then removed the case to the federal court, which didn't matter. But this typically wimpy male of modern times tried to threaten me. Either I drop the case, or he would make a motion for Rule 11 sanctions. My response was fine, and I sent him my Rule 11 sanctions motion against him that would be filed the same day he filed his.

Then the light went off in my head—file another amended complaint, but in the federal court. Since the Judge in the NYC Civil Court and the Abbott & Costello lawyer considered my first amended complaint in City court as not using up my absolute right to file such, logically, I still had the right to do so. Besides, once the Abbott & Costello lawyer transferred the case to federal court, the federal rules took over, and I had not yet used my absolute right in federal court to file an amended complaint, which is allowed under Fed. R. Civ. P. 15(a)(1)(B). My new amended complaint for the federal court turned a case asking for $21,000, which was below the limit of the $25,000 maximum allowed in the City court, into one for $1.7 million. Since the Abbott & Costello lawyer wanted to turn this case into a big deal—that was fine with me.

The federal magistrate judge, however, summarily refused to allow my amended complaint without any argument or sufficient knowledge of the events that had taken place in the City court. So I made a motion that she reconsider her decision in which all the facts were laid out. Also made a motion asking for her permission to amend, assuming she was not about to change her mind on allowing me to amend as a matter of right. If she went against me on both motions, at least I'd have an issue for the Second Circuit Court of Appeals when the case got there, if it ever did.

[Update]

Saigon Bride (cont.)

In December 2016, both sides in the draft case submitted a status report to the Judge on what the House-Senate Conference Committee had done with the Senate's call for females to register for the draft.

The Department of Justice had a new attorney—a man, because the female was pregnant—thank goodness for her lack of contraception. Girls generally hate guys. Imagine every day you open a store, clean it, decorate it and perfume it, but no one comes in to buy—how would feel? Girls are the shop keepers selling their wares. They engage in every type of advertising—bait and switch, black Fridays, and discounts when drunk—but they're the ones who wait, and they're the ones who can't pick and choose their customers. They have to settle for whomever enters the shop, and they hate men for it. So whenever a girl finds herself in a position to wreck revenge on a man—she will, assuming he's not a queer. And it doesn't matter whether the guy's decent or a jerk—she'll lie, manipulate and cheat for her revenge. So for guys, we might as well act as jerks.

Speaking of jerks, the House-Senate Conference Committee dropped the provision for females to register. It did include, however, the creation of a National Commission on Military, National, and Public Service to determine whether the current Selective Service System would be reformed, eliminated or require females to register.

The draft was last used in 1973, and in the 17 U.S. armed conflicts since then, including America's longest war in Afghanistan, the volunteer military had handled the fighting. So why bother requiring any registration for a draft that had not been used in over 40 years? It was a fair question. Of course, given America's military-industrial complex's hunger for profits, at some point a draft would be needed to provide the masters of war with enough cannon fodder to maximize profits. The Pentagon's position was that the "registration database itself mitigates risk to the Nation; its very existence would reduce the time required for full defense mobilization. . . . [in] a conflict of global proportions or mammoth national emergency."

Both the Senate and the House passed the Conference Committee's version of the 2017 National Defense Authorization Act and Obama signed it into law. That created a problem for my case because the Commission had nearly three years to make its recommendations to Congress, then Congress would dicker over what to do, and, if it actually passed a law changing the Selective Service System, Trump would have to sign or veto it. This could go into Trump's second term or whomever might be president then. Congress had punted so that they could duck the issue.

Neither my client nor I had any intention of cooling our heels for three or more years. We asked the New Jersey court to make a decision without waiting for the Commission, Congress and the President. The argument was that according to the U.S. Supreme Court just because judges "have no way of knowing how [Congress] will in fact respond," that is no reason

"to hold that underinclusive statutes [which included the registration law] can never be challenged because any plaintiff's success can theoretically be thwarted" or furthered by a legislature's subsequent action or inaction. *Orr v. Orr*, 440 U.S. 268, 272 (1979). A couple of other cases said the same thing: *Texas Monthly, Inc. v. Bullock*, 489 U.S. 1, 8 (1989) ("Texas cannot strip appellant of standing by changing the law" after the injury occurred) and *Arkansas Writers' Project, Inc. v. Ragland*, 481 U.S. 221, 227 (1987) (to "effectively insulate underinclusive statutes from constitutional challenge [is] a proposition we [have] soundly rejected . . . .").

The Government argued that the Executive Branch and Congress had extensive authority over the military, and since they were engaged in possibly changing the law, the Court should wait. We argued that "possibly" was not good enough because our client's right to equal protection was being violated everyday that the law was on the books. The Court apparently agreed with us and decided to proceed with the case. The Judge's magistrate then instructed both sides to brief whether our client had standing. (Every federal district court judge has an assistant judge called a magistrate who helps out with deciding motions, but the Judge makes all the final decisions).

Standing is a Constitutional requirement in every case and has three parts. The plaintiff must have suffered some injury or is about to suffer an injury, the injury was caused by the defendant's illegal action, and the court has the power to remedy the injury. The Government argued that our client's injury was nebulous, speculative and she needed more than just being discriminated against. We argued that discrimination itself is the injury. "[A] victim of discrimination suffers a dehumanizing injury as real as, and often of far more severe and lasting harm than, a blow to the jaw." *Hassan v. City of New York*, 804 F.3d 277, 290 (quoting *Mardell*

v. Harleysville Life Ins. Co., 65 F.3d 1072, 1074 (3d Cir.1995) (*per curiam*)). If the Court agreed with our injury argument then it could also find that being prevented from registering caused the discrimination against young ladies, and that the Court could do something about it—declare the law unconstitutional.

The Court ruled in our client's favor—she had standing to challenge the draft registration law. Up until that decision, I had brought six cases fighting for the rights of men against PC ideology, and not once did I ever win a substantive motion like this one. But here was a victory on a key motion in the fight for equal rights—the only difference was female rights instead of male rights. I wonder why?

The Court ruled in pertinent part that:

> Plaintiff has alleged sufficient facts to establish a concrete injury for purposes of Article III standing. Plaintiff alleges that she tried to register for the military draft but was refused. (*See* SAC ¶ 5). As Plaintiff explains in her opposition brief, the "MSSA's (Military Selective Service Act) male-only registration and [the Selective Service's] enforcement of it barred Plaintiff from registering based solely on her sex while at the same time allowing males who were similarly situated as her to register." (Pl. Opp. Br. at 20). The Supreme Court has observed that "[w]hen the suit is one challenging the legality of government action or inaction" and "the plaintiff is himself an object of the action (or forgone action) at issue . . . there is ordinarily little question that the action or inaction has caused him injury . . . ." *Lujan*, 504 U.S. at 561-62.
>
> Plaintiff is challenging the legality of the MSSA's male-only requirement. As Plaintiff persuasively argues (*see* Pl. Opp. Br. at 24-27), this kind of sex-based discrimination constitutes "a harm that has traditionally been regarded as providing a basis for a lawsuit in English or American Courts," *Spokeo*, 136 S. Ct. at 1549. Indeed, the Third Circuit has stated that "virtually every circuit court has reaffirmed—as has the Supreme Court—that a discriminatory classification is itself a penalty and thus qualifies as an actual injury for standing purposes, where a citizen's right to equal treatment is at stake." *Hassan v. City of New York*, 804 F.3d 277, 289-90 (3d Cir. 2015) (cleaned up).
>
> Defendants contend that Plaintiff will not be deprived of any opportunities in life because she can enlist in the military. (*See* Def. Mov. Br. at 12). But this misstates Plaintiff's injury. As Plaintiff explains, her injury
>
> > is *not* that she is kept out of combat positions, *not* that she may be harmed by future inductions, *not* that she is prevented from enlisting, and *not* that possible

> career opportunities in the military will be hindered *but rather* that she is prevented—solely because of her sex—from *registering for the draft*.

(Pl. Opp. Br. at 21) (emphasis in original). . . .

Defendants argue that "Plaintiff's complaint is akin to a policy grievance, unsuitable for resolution in federal court." (Def. Mov. Br. at 18). According to Defendants, "[i]n the absence of some particularized cognizable harm to Plaintiff herself, the alleged injury is not a matter of individual concern, but rather a generalized and public one." (*Id.*).

In opposition, Plaintiff argues that she suffered "a particularized injury" because "she, as an individual, was personally prevented from registering with the SSS." (Pl. Opp. Br. at 12; *see also* SAC ¶¶ 5, 8-10). The Court agrees. Indeed, the Court finds that Plaintiff easily satisfies the particularization requirement of Article III standing based on the allegations in her [Second Amended Com plait] and the attached exhibits. . . .

Here, Plaintiff wants to register for the draft, tried to register for the draft, but can't register for the draft because she is a woman. (*See* SAC ¶¶ 5, 8-10; D.E. No. 54-1 (Ex. A) & 54-2 (Ex. B)). Thus, Plaintiff has alleged a concrete injury. *See Horizon*, 846 F.3d at 633 (noting that the contours of the injury-in-fact requirement are "very generous").

Our next move was to ask the Court for permission to file a motion for Summary Judgment. A court can skip a trial and make a decision when the facts in a case are clear and not disputed. In such a situation, all a court does is make a legal decision by applying the law to those facts. In the draft case the facts were obvious. Our client fell within the age range of 18 to 25 years of age, and when she tried to register for the draft, the Selective Service said no because she was a woman.

The DOJ opposed our request to get on with deciding this case so that it could move up the ladder to the Third Circuit U.S. Court of Appeals. At that time, the case had been in the district court for nearly three years. DOJ asked permission to make another motion to dismiss—its fourth motion to dismiss. Unfortunately, Judge Esther Salas granted DOJ a do-over of its prior motions to dismiss the case for lack of ripeness under Rule 12(b)(1) and failure to state a claim under Rule 12(b)(6). Judge Salas had never made a decision on those motions. She had "terminated" them allegedly because of the political shenanigans in Congress. Was she trying to

keep this case in her court until a weatherman showed her which way the legal winds were blowing despite that

> The irreplaceable value of the power articulated by Mr. Chief Justice Marshall [*Marbury v. Madison*, 5 U.S. 137 (1803)] lies in the protection it has afforded the constitutional rights and liberties of individual citizens and minority groups against oppressive or discriminatory government action.

U.S. v. Richardson, 418 U.S. 166, 192 (Powell, J., concurring) (1974).

Compare three years of motions to dismiss in Salas's Court to the case in the U.S. Southern District Court of Texas on exactly the same issue of the draft registration statute violating the Equal Protection Clause of the Constitution. *Nat'l Coal. for Men v. Selective Serv. Sys.*, 2018 WL 1694906 (S.D. Tex 2018). That case had been transferred to Texas by the California court. The only difference in the Texas case was that two guys were the plaintiffs and a white 70 year-old man was the judge. After about a year and a half, the Texas case moved into the second inning—summary judgment. We, however, were still in the first inning fighting over DOJ's fourth motion to dismiss. Just unbelievable, by now we should have been knocking on the U.S. Supreme Court's door, but lady unluck stuck us with an Obama appointee.

Female judges didn't bother me as long as they were middle age or older black ladies. They seemed to have an understanding of how life worked and were not about to be conned by any foot dragging lawyer. Latinas, however, were usually a problem—driven by an inferiority complex. After Salas agreed to allow the DOJ its fourth motion to dismiss, I checked her bio. It was the usual effort to blame a man and turn someone into super girl—daddy abandoned us, we were indigent, which means they lived off of the taxpayer, but we overcame all odds. Right, affirmative action got her into and through college and law school. Salas worked as an associate in an ambulance chasing firm doing basic criminal work. Left that firm to work as a public defender in the New Jersey District Court representing lumpen proletariat ne'er-do-wells. Joined

politically correct organizations trying to convince America that whites, especially white males, were barbarians, and all those of a darker skin complexion were victims. She did, however, have one accomplishment—high school cheerleader.

DOJ argued that federal courts could not make decisions on civil rights when the military was involved; the case was contingent on what the National Commission on Military, National, and Public Service may or may not decide in the future; the Rostker case, decided under completely different facts, dictated that male-only registration was still constitutional; and the Selective Service did not violate Plaintiff's equal protection rights by preventing her from registering. Just a lot of malarkey intended to delay a decision further.

We argued that DOJ was continuing its strategy of delay: *"Justice too long delayed is justice denied."*—Martin Luther King, Jr. King had added the words "too long" to William Gladstone's phrase "Justice delayed is justice denied." Our brief in opposition to the DOJ argued against further delay:

> Equal treatment for young American women has not only been delayed by the Federal Government, but it has been delayed for far too long. Women continue moving into combat positions in the military, but they are still sitting on the sidelines when it comes to registration with the Selective Service System ("SSS").
>
> The Government defendants, SSS and its Director (together, "Defendants") persist with their argument of delay. Defendants specifically requested a stay in their response to Plaintiff's motion to proceed. (Def. Resp. at 13-15, D.E. No. 61). It was not granted. (See Order at 5, D.E. No. 67). Defendants again request a stay (now called "abeyance") in their current motion to dismiss. (Def. Mov. Br. at 2, 3, 12, 18, 27, D.E. No. 80-1). Whether making a specific request or not, Defendants' argument focuses on delay: (1) wait until a commission with no law making authority makes some unknown suggestions; (2) wait until . . . Congress decides to adopt, change or ignore the unknown suggestions; (3) wait until President Trump decides to sign or veto an unknown bill that may never exist; and (4) if there actually is a bill but it is veto, wait for a vote to override the veto of a bill that not even a fortune teller can tell what it may say.
>
> The obvious question is why delay while Plaintiff's rights are being violated? Congress can always enact a statute that abrogates a court's decision—providing the statute is constitutional. Perhaps Defendants are aiming for this case to become moot, which will happen when the Plaintiff turns 26 years old. . . . If Defendants have their way, she may be a practicing

veterinarian by the time all the appeals in this case end. Of course, by then, the appeals may have ended prematurely because of mootness when the Plaintiff turns 26—a victory for Defendants and discrimination, but a defeat for justice and equal treatment.

DOJ's reply loaded up on lies, prevarications and dissemblings about the law and the facts. DOJ and the new alleged lawyer it added to the case went for the con of delay. Why not, more delay would look good to their bosses, and DOJ would only have to worry about the case in Texas when it was appealed to the Fifth Circuit and then to the U.S. Supreme Court where DOJ would most assuredly lose.

Four months after the submission of our papers on DOJ's fourth motion to dismiss, Salas schedules oral argument to take place in two more months. Three and a half years after this case started, she throws in another delaying tactic—she'll likely take another six months after oral argument to make a decision. Then the case will be four years old and the plaintiff, who had just graduated from high school when the case started, will have graduated college. Salas was apparently scared of making a decision one way or the other. If she ruled draft registration unconstitutional, the Feminists who believed females deserved preferential treatment would criticize her. If she ruled that it did not violate the Constitution, then those Feminists who advocate for equal treatment would criticize her. Either way it was lose-lose for Salas unless someone took the risk of leading the way.

Throughout the history of the human race, who has been willing to take the lead—men. True, there were always a few brave females willing to go in front, but not many. On February 22, 2019, the Texas Court granted the two male plaintiffs summary judgment. Summary judgment meant the Court did not need to bother with a trial because the facts were clear—these two guys had to register with the SSS or face a plethora of unpleasant consequences. The DOJ now had to appeal that decision to the Fifth Circuit U.S. Court of Appeals. DOJ did luck out to

an extent in the Texas decision. The attorney for the two male plaintiffs screwed up, so the Court didn't issue an injunction. The Judge wrote, "Although Plaintiffs' complaint requests injunctive relief, Plaintiffs have not briefed the issue and their summary judgment motion only requests declaratory relief. Therefore, Plaintiffs' request for an injunction is DENIED." That meant the decision would have no effect on the Government until another court instituted an injunction, so the SSS kept on doing business as usual.

The Texas decision did, however, have an effect on the New Jersey District Court. Eleven days after publication of the Texas decision, Judge Salas issued her decision denying the DOJ motion to dismiss our Equal Protection claim. Thank heavens for older white-male judges willing to act as blocking backs. Judge Salas did grant the DOJ motion to dismiss our Substantive Due Process claim, but that was a Hail Mary anyway and we simply dropped it.

After reading her opinion, Rick's comment in Casablanca to Ugarte came to mind, "Yes, you're right Ugarte. I am a little more impressed with you."

Judge Salas held that our Equal Protection claim was ripe meaning the facts were clear and did not need any further additions, such as what the National Commission on Military, National, and Public Service might end up advising.

> [T]the Commission serves simply in an advisory capacity. Its sole duty and authority is to review the SSS and draft a report for Congress. *See* FY17 NDAA §§ 551(a), 555(e)(1). While the Commission may be taking concrete steps towards providing a recommendation by March 2020, there is no guarantee that the Commission will complete its obligations by then, or that Congress will even act on the Commission's report. [Opinion at 9].
>
> Meanwhile, Plaintiff and putative class members continue to have their constitutional rights allegedly violated. . . . [T]he constitution and the rights it protects cannot be held hostage to a possibility that a commission is investigating a particular policy, which may or may not give rise to legislation, which may or may not be enacted into law, which may or may not ultimately make the injury Plaintiff and others similarly situated are currently suffering, moot. *See Am. Petroleum Inst.*, 683 F.3d at 388 (noting that government agency cannot "stave

> off judicial review of a challenged rule simply by initiating a new proposed rulemaking that would amend the rule in a significant way"); *Am. Petroleum Inst. v. U.S. E.P.A.*, 906 F.2d 729, 739–40 (D.C. Cir. 1990) ("If the possibility of unforeseen amendments were sufficient to render an otherwise fit challenge unripe, review could be deferred indefinitely."). [Opinion at 10].
>
> Plaintiff is not challenging the Commission, the Commission's ongoing review, or what Congress may or may not do with the Commission's recommendations. (*See* Pl.'s Opp. Br. at 26). Rather, Plaintiff is challenging the current enforcement of the MSSA. (*Id.*). That present enforcement gives rise to an injury today, and Defendants fail to show how review of that injury would "prove too abstract or unnecessary." *See Ohio Forestry Ass'n v. Sierra Club*, 523 U.S. 726, 735 (1998). The question is fit for adjudication. [Opinion at 12]

Judge Salas also held that it was the Plaintiff who was currently suffering a substantial legal hardship and any decision by the Court to protect her rights would not interfere with the Government.

> [D]iscrimination itself, by perpetuating "archaic and stereotypic notions" or by stigmatizing members of the disfavored group as "innately inferior" and therefore as less worthy participants in the political community, can cause serious noneconomic injuries to those persons who are personally denied equal treatment solely because of their membership in a disfavored group.

Hassan v. City of New York, 804 F.3d 277, 290 (3d Cir. 2015) (quoting *Heckler v. Mathews*, 465 U.S. 728, 739–40 (1984)). [Opinion at 13-14].

> Regardless of this Court's ultimate decision, the Commission and Congress are free to continue with the current policymaking process, and Congress is free to pass legislation based on the Commission's recommendation—or not. The courts cannot stop Congress from legislating any more than Congress can stop the courts from interpreting the Constitution and any legislative acts repugnant to it.

See United States v. Nixon, 418 U.S. 683, 704–05 (1974); *Marbury*, 5 U.S. at 177. [Opinion at 14].

> [C]ourts cannot avoid their responsibility merely 'because the issues have political implications.'" *Zivotofsky ex rel. Zivotofsky v. Clinton*, 566 U.S. 189, 196 (2012) (quoting *INS v. Chadha*, 462 U.S. 919, 943 (1983)). And that duty requires this Court to determine whether the Constitution is being obeyed today, not to speculate whether it might be obeyed in the future. Therefore, the Court does not perceive any potential separation of powers issues with proceeding on the merits,

> and to the extent any may exist, it does not outweigh the hardship befalling Plaintiff. [Opinion 14-15].

Finally, as to the DOJ's lame argument that because the Supreme Court in 1981 found male-only registration constitutional, every court other than the Supreme Court must also fine that male-only registration is still constitutional regardless of all the changes that have occurred.

> [W]here a law has been previously sustained the "decision sustaining the law cannot be regarded as precluding a subsequent suit for the purpose of testing [its] validity . . . in the lights of the later actual experience." *Abie State Bank v. Weaver*, 282 U.S. 765, 772 (1931). Indeed, "[a] statute valid as to one set of facts may be invalid as to another. A statute valid when enacted may become invalid by change in the conditions to which it is applied." *Nashville, C. & St. L. RY. v. Walters*, 294 U.S. 405, 415 (1935) (footnote omitted); *United States v. Carolene Products Co.*, 304 U.S. 144, 153 (1938) ("[T]he constitutionality of a statute predicated upon the existence of a particular state of facts may be challenged by showing to the court that those facts have ceased to exist."); *see also Third Nat. Bank of Louisville v. Stone*, 174 U.S. 432, 434 (1899) ("A question cannot be held to have been adjudged before an issue on the subject could possibly have arisen."). Therefore, in light of the alleged substantial factual changes since *Rostker* was decided, this Court cannot at this stage of the litigation find that *Rostker* controls the outcome of Plaintiff's claim. [Opinion at 30-31].

Next steps were motions for Class Certification so that the case would have an impact beyond just my client, and after that Summary Judgment on the Equal Protection claim so that we could get out of this quagmire of a court as quickly as possible. Whether we won or lost the Summary Judgment meant next stop the Third Circuit U.S. Court of Appeals. The problem was when.

Salas clearly wanted to further her career by moving up the judicial ladder to the Court of Appeals or maybe even the Supreme Court. After all, there was now a Latina seat in the form of Sotomayor on the Court. But such judicial advancements were hindered from a judge being identified as an advocate for either side in the American political divide—remember Judge Robert Bork. Regardless of how Salas ruled, one side was going to oppose her moving to a

higher court. The solution was simply to delay until the Texas case led the way. Then just follow the law that it set.

[Update]

Crazy in Love
(2013)

For some reason, probably insecurity, every girl I dated always pressured me into saying, "I love you."

"How come you never say you love me?"

"All you want to do is play around."

"I'm not that kind of girl."

"You don't love me," as she turns her back. "Yes, I do," I say. "Then say it," she demands. "Okay," I cross my fingers and say it.

But once, only once did I actually feel it. In 2013, at the 50th anniversary of the Old Blue Rugby team, we had an old boy's game. I hadn't played in 20 years, but when I walked out on to the field and look around, I said to myself, "I love this game." That was the only time I meant to use that word.

Sympathy for the Devils

The Stones left out one category of people synonymous with the devil—doctors, not all, just most. Twelve alleged followers of the Hippocratic Oath sent me on a cruise of horror crossing the river Styx. Hopefully, things will improve once I reach the other side.

For a handful of years, I was having difficulty breathing at night while trying to sleep. My primary care physician ("PCP"), Mark Gorny at Mt. Sinai West, referred me to an Ear, Nose and Throat ("ENT") specialist. The specialist diagnosed a deviated septum, probably from numerous hits to the nose while playing rugby decades earlier. The doctor was pushy to do an

operation. He said, “You should get it done before you get any older, or I get older and my hands start shaking,” as he demonstrated shaking his hand with a grin. I declined.

Gorny then prescribed a steroid nasal spray called fluticasone propionate and over-the-counter decongestants. Both provided enough relief for a decent night’s sleep, which is crucial for any attorney. Gorny also referred me to another Mt. Sinai ENT doctor. This one had a CT sinus scan done, but he couldn’t find anything in the scan that might be causing my difficulty breathing while trying to sleep, so he referred me for allergy tests. The allergy tests were negative. That’s when I started doing my own medical research. This wasn’t exactly rocket science, but three Mt. Sinai doctors couldn’t figure out the problem. It took me about three hours to accurately diagnose the condition—turbinate hypertrophy, or so I thought.

Turbinates are parts of the nasal passages. They warm, moisturize and filter the air before it reaches the lungs. But when they become enlarged (hypertrophy) as a result of too much blood flowing into them, they block the nasal passages causing difficulty breathing. In my situation, standing was not a problem because gravity apparently prevented too much blood flowing into the turbinates. Lying down was a different story because blood then accumulated in the turbinates. The cause was simple—old age. As my former boxing trainer from Gleason’s and Wall Street Boxing said, “Once you hit 70, nothing works anymore.”

Armed with my diagnosis, Gorny referred me to another ENT doctor who confirmed the problem and operated to reduce the size of the turbinates in October 2016. After the operation, the difficulty breathing while sleeping or just lying down was gone, so I thought it a success, for a while. Clinical studies showed that my respite might last a couple of years or only months—it was impossible to predict. Over time, downsized turbinates tend to start enlarging again and

might even grow back. If the condition returned, nasal sprays and decongestants could be effective in relieving breathing difficulties, but ultimately another operation would be needed.

Around April 2017, some difficulty in breathing returned at night while trying to sleep. So in June, I visited Gorny. It often takes weeks to see Gorny unless it's an emergency. Gorny told me to resume using the fluticasone spray. Saw Gorny three more times over 2017 and into 2018, in part, concerning the difficulty breathing that fluctuated in intensity and frequency. He continued to advise using fluticasone and decongestants, which sometimes helped and sometimes didn't.

By August 2018, the difficulty breathing had reached a point that for three hours or more a night, I could barely breathe at all through my nose and was unable to sleep during that time. I called for an appointment with Gorny, but the earliest available was October 10, 2018. I told the appointment person, "That's nearly two months off! Doctor Gorny is usually able to fit me in when it's important and this is important." Sorry he said, "That's the earliest we have." Sounded as though Gorny's office was turning into the VA.

At the October appointment with Gorny, he told me to continue using the fluticasone spray every day. As far as examining the anatomy of my breathing, he would leave that to my ENT whom I was visiting later that day. This was the ENT who had performed the turbinate surgery.

At the ENT's office, while examining my right nasal cavity, he said in surprise, "What's that brown mass?" Oh great, I thought. On further examination, he concluded, "It's a polyp growing in your nasal cavity that's blocking your breathing. It wasn't there when I did the turbinate operation." My thought was "polyp" is a nice word for tumor. I knew then I was dead, sooner than planned. He sent me for a CT sinus scan and did a biopsy. Cancer, but not just any

form of cancer, the most virulent and fast spreading one—melanoma. In six weeks, it can doom a patient.

Melanoma usually attacks the skin because of ultra violet rays from the sun. My melanoma, however, never saw the sun. It was known as mucosal melanoma because it grew in the mucous membranes inside the body. It was rare, usually attacked older persons like me, an additional benefit of the "Golden Years," and its cause was unknown.

Mother Nature, as females usually do, tricked me. After the turbinate surgery restored my breathing, she apparently started a melanoma tumor growing in my nasal cavity that mimicked the same symptoms as turbinate hypertrophy. Naturally, like any male-fool, I assumed that the old problem was back and dealt with it the way Gorny suggested.

My ENT referred my to a couple of oncology surgeons who also took my medical insurance—AARP Medicare Complete Mosaic by UnitedHealthcare (more on that later). I also contacted Gorny's office requesting a referral to a specialist in mucosal melanoma, but never heard back from him. All of this was a nice stressful addition since it occurred in the middle of preparing for oral argument in a federal case before a lazy and incompetent Latina judge appointed by Obama. But what really annoyed me was the time consumed to deal with this doom. I had things to do to balance the accounts, but time was now rapidly running out.

I saw the two oncology surgeon's recommended by my ENT, but like an idiot, I didn't go with the one my instinct told me to because he wasn't a Mt. Sinai doctor. That alone should have made me choose him. I stupidly thought it would be more convenient to stick with Mt. Sinai doctors since all my doctors were with Mt. Sinai. In addition, because a couple of them were really good, I thought the odds were that the oncologists would also be good. Boy was that a mistake.

On November 6, 2018, the Mt. Sinai oncology surgeon, Alfred Iloreta, advised a treatment plan where he would do a full operation to try and take out all the cancer providing it had not spread to other parts of my body. If it had spread, then a more limited operation to temporarily restore breathing to allow me to sleep so as to maintain my "quality of life" for a period of time. In every meeting with every doctor or nurse, I told them, "I'm not looking for survivability but functionality so that I can get done what I have to do. Longevity has its place, but not for me at this point in life. A year maybe two will do just fine, providing I can still function as a lawyer, do wind-sprints and attend my boxing class." Boxing had become a gift from the gods I didn't want to give up.

Iloreta's treatment plan also included radiation therapy after the operation. His plan made sense, so we agreed to an MRI of the sinus area, which would specify the location of the tumor for an operation, and a full-body PET scan, which would look for cancer in other parts of my body. Iloreta's office scheduled the tests with the earliest possible operation for November 15th or at the latest December 6th. Iloreta stressed the importance of having an operation sooner rather then later because melanoma was an aggressive form of cancer that usually spread quickly. Because of my age, Iloreta needed a pre-screening physical exam by a doctor to determine the odds of my body reacting negatively to the surgery. Gorny did the pre-screening on November 7th and concluded my body healthy enough for the operation. The MRI and PET scans were completed on November 8th.

Iloreta also referred me to a medical oncologist, Dr. Philip Friedlander, and a radiation oncologist, Dr. Sonam Sharma. When a patient has a cancerous tumor, hospitals often require these three kinds of specialists to agree on treatment along with a tumor board.

Dr. Friedlander was apparently a world renowned big-shot to whom other doctors at Mt. Sinai deferred. Friedlander's Mt. Sinai biography states his

> clinical interests include the development of targeted therapies and immunotherapies for patients with melanoma. As a member of the Division of Hematology/Medical Oncology and as the Director of the Melanoma Medical Oncology Program at Mt. Sinai, he handles patients with cutaneous malignancies and works to develop collaborative translational and basic science projects and treatments for patients with cutaneous malignancies.

Entering Friedlander's office on November 12th, there was no indication it was a bait and switch operation.

"Bait 'n' switch" is when a merchant represents he has one item or service for sale, but when you show up, that item or service magically disappears and is replaced by one you don't want or costs too much. Friedlander made his money and furthered his medical career by treating patients with melanoma using immunotherapy. It's the modern-day horror of chemotherapy all over again. Chemotherapy targets and tries to kill oncogenes, which are mutated normal genes that cause cells to multiply rapidly and haphazardly—cancer. Immunotherapy, however, targets a person's immune system by putting it in high gear so it will attack and destroy the cancer cells. The problem is that the immune system on "speed" may also go after the lungs, heart, liver, eyes and so on with a litany of horrors. Immunotherapy had a success rate of 30% to 50% for melanoma—skin melanoma, not mucosal melanoma. The statistics for its side effects, regardless of what it was used for, were nowhere to be found, at least by me. The drug companies clearly kept such statistics on side-effects, but probably locked them away in their vaults. Not unlike the cigarette companies of old.

Another problem was that as with chemotherapy, immunotherapy is just a hit and miss approach. The drug companies find or invent expensive drugs but can't tell whether they will work unless the doctors sucker patients into being guinea pigs. If the drug doesn't work—

meaning the patient dies or suffers to the end—then they move on to another drug and another patient. As of this writing, the drug companies had around 600 different immunotherapy poisons to test.

The chemicals of choice for Friedlander's snake-oil remedy were Opdivo and Yervoy manufactured by Bristol-Myers Squibb for metastatic melanoma. A month's treatment would gross Bristol-Myers $45,000 to $75,000. Friedlander made laudatory statements to the press about these alleged wonder-drugs, conducted clinical trials and published articles while his patients went through misery. In turn, Friedlander benefited financially—he owned stock in Bristol-Myers and other major drug companies pushing immunotherapy. He undoubtedly also received hefty speaker fees in the tradition of Bill Clinton to tout their effectiveness and sucker patients into taking these poisons. The drug companies most likely also paid for business trips complete with hotel, bar and perhaps carnal knowledge.

At first, Friedlander outwardly agreed with my surgeon's plan to do a full operation providing the cancer had not spread, and, if it had, a limited operation to restore breathing followed by radiation. Friedlander also added immunotherapy after the radiation if the cancer had spread. Friedlander reviewed the PET scan and said it showed "lesions" in my sternum and lower back that may indicate cancer. A "lesion" can be almost any abnormal change involving any tissue or organ due to disease or injury.

I responded, "Those lesions are most likely old or even recent sports injuries. I've cracked ribs a few times playing rugby, took more than a few hits to the sternum from martial arts and boxing. As for the lower back, one rugby game pushed the vertebrae you're talking about out of alignment. Currently, I'm being treated for it at Mt. Sinai's Spinal Center, which gives me steroid injections to mitigate the pain. Before I went there, I had to use crutches when I

got up in the morning to get to the bathroom. Once the blood started flowing, I could make it to the law library or court."

Friedlander replied, "It is unlikely that the melanoma has spread that far from the nasal cavity, but let's be sure with two focused MRIs, one on the sternum and one on the lower back." He scheduled the two additional MRIs for November 15th, which meant the earliest possible operation by Iloreta went out the window. That didn't seem to be a problem at the time, since the later date of December 6th was still set for the operation, and the pre-screening done by Gorny was still good because December 6th was within 30 days of the pre-screening. Pre-screening for an operation has a shelf-life of only 30 days. Additionally, the oral argument in the federal court was set for December 4th, so a December 6th operation fit Iloreta's and my schedules.

The following day at my appointment with Sharma, the radiation oncologist, she repeated Iloreta's advice that an operation soon was crucial and that December 6th should be soon enough. She said that radiation treatment after the operation would last about three weeks. She clearly believed that either a full-blown or limited surgery would occur by December 6th. She listed the side effects of radiation, and, as with other doctors, I emphasized that my interest was not to maximize my existence but maintain my functionality for one, maybe two years, since I had things to do.

The second appointment with Friedlander was on November 19th. Friedlander said both the sternum and lower back MRIs also showed lesions as did the PET scan but a conclusion could not be made that they were cancerous. Once again, I told him they were probably old or even recent sports injuries and about the treatment provided by the Mt. Sinai Spinal Center to my lower back. To which Friedlander sharply responded, "I want you to stay away from steroids."

Oh yeah, as my lawyer state of mind took hold. Was this doctor telling me to go back to using crutches when I awoke in the morning to get to the bathroom?

Friedlander then advised doing a biopsy of the sternum and lower back to confirm whether the lesions were cancerous. If they were, he said "full-body" immunotherapy would be needed without any surgery or radiation. That wasn't part of the original treatment plan.

Friedlander continued, "Even if the biopsies are negative for cancer, full-body treatment is still necessary. The biopsies that are done use a needle and take only a small section of each area, so they might miss the cancer." For emphasis, he made a downward motion with his right hand holding an imaginary needle. So, heads he wins and tails he wins. That made no sense.

When doing biopsies, a doctor takes samples from different areas to decrease the chance of missing any cancer. Also, earlier Friedlander said the lesions on the sternum were the size of a finger nail. When I was a kid, I could hit that at 20 paces with my .22 rifle. Further, why do biopsies at all if the results didn't matter. Something stunk here, but I did agreed to a brain MRI for the following day. As for the biopsies and immunotherapy, I tentatively agreed to them until I had time to analyze Friedlander's actions and figure out his game.

At home I researched the side effects of these two drugs, Opdivo and Yervoy, used in combination. My research made clear that after spending over 50 years keeping my body in shape, I was not about to allow some doctor to pump poisons into it. My primary objective was not survival but to stay functional long enough to wrap-up my affairs. As a former weight-lifting champion in Florida once said, "Cancer knocks you down, but chemo [now immuno] finishes you off." I wasn't going that route. It was my car and I was the one holding the keys.

At about 5:45 pm November 20th, a couple of hours after the brain MRI, Friedlander calls to say that it showed a mild stroke in the occipital lobe (extreme back of the head). He had

compared this MRI with the November 8th MRI of the face and neck ordered by Iloreta and saw the difference. The November 8th MRI did not show a problem in the occipital lobe but the new MRI did. He added that the new MRI did not show any melanoma, but the stroke was dangerous. Friedlander claimed he had shown the MRI to a female neurologist who feared that this stroke might be the beginnings of a major problem—a "cascade" of strokes. According to Friedlander, she had advised that I immediately go to Mt. Sinai's emergency room and see its Stroke Intervention Team. Friedlander went over a list of symptoms, asking me whether I had experienced any—to which I replied no for all of them. The urgency in his voice started me thinking that Friedlander has been running a con all along. He wraps his voice in the emotion of urgency to push you into doing what he wants in order to serve his interests.

"If I had a stroke it's because of those unnecessarily, inconclusive tests you put me through," I angrily replied. Apparently the intentional infliction of emotional distress and dissembling were drivers of his con to manipulate patients into submitting to immunotherapy.

At the ER, the neurologists' team extensively questioned me and did physical ability, strength and sensitivity touching tests. One of the neurologist's first name was Helen, Asian, young and pretty—she could touch me anywhere she wanted. ER did blood work, took an EKG and did a head CT scan. The neurologists wanted me to undergo an echocardiogram, but to do that, I would have to spend the night in the ER. Four hours in that zoo was enough. I chose to walk out. Before reaching the door, however, one female neurologist did her best to scare the bejesus out me by listing all the horrors that might occur at home. It was then that I realized some doctors rely on two tactics to manipulate their patients into serving the doctors' interests rather than the patients'—false hopes and fear.

After escaping the ER Cabinet of Dr. Caligari, I was sure Friedlander was running a scam. He had initially agreed with the plan of doing a full operation to remove the tumor or a limited one to restore breathing followed by radiation treatment—the bait. All the while, he intended to drag out the search for more cancer, which meant delay that increased the emotional stress so as to pressure me into becoming one of his experiments with immunotherapy. That was the switch. As a friend said, "He's trying to use you as a guinea pig."

Friedlander was not pursuing my interests but his interests. My cancer was a rare form, so there weren't that many human guinea pigs around on which to experiment. The immunotherapy would make him money, provide another test case for an academic journal article, use me to develop science projects and bogus treatments that furthered his career, and, most importantly, curry favor with Bristol-Myers to reward him for suckering another patient into taking its costly drugs. Since my functionality was on the line—I ran. Canceled the biopsies, the immuno and went looking elsewhere for treatment.

My search took me to an old buddy, an oncology doctor. We used to chase girls at NYC nightclubs. He said the traditional treatment for this type of cancer was to do surgery first than radiation and maybe immunotherapy. Even if the cancer had spread, an operation on the tumor often lessens the ongoing spread of the disease. He suggested Memorial Sloan Kettering, New York University's Perimutter Cancer Center and Manhattan Eye, Ear and Throat Hospital.

Gorny also suggested Sloan or NYU and questioned whether the November 8th face MRI actually showed the same part of the brain as the November 20th MRI. A neurologist subsequently confirmed that the November 8th scan could not be compared to the November 20th one. The reason was that the scans were like cameras that used different f-stops depending of what area they were trying to record. The minuscule stroke was in the back of the brain while

the November 8th MRI focused on the face and neck. So Friedlander lied about the stroke occurring after the November 8th MRI. He knew that a stroke subsequent to my pre-screening on November 7th would prevent an operation on December 6th, and used that lie and his political clout to convince Iloreta and Sharma to defer treatment to him. At the very least, it would cause more delay—read emotional distress—because pre-screening would have to be done again. Had the operation occurred on December 6th, Friedlander would have lost a pristine, untouched subject on which to experiment. Friedlander even had his own facility for such experiments in Paramus, New Jersey. At least it wasn't located in Ingolstadt, Germany.

Sharma and Iloreta had parroted Friedlander's position. Sharma advised doing biopsies on the sternum and lower back but cautioned that biopsies only access a tiny area via the biopsy needle. So if the results came back negative, there was still the possibility of cancer being in those areas. Did Friedlander write this script for her? She suggested that after doing the biopsies to then discuss future treatment. Of course, that would occur after December 6th, the last possible day for an operation due to the pre-screening time limit. This young lady could talk water out of the desert.

Later that day, Friedlander's office contacted me by telephone. Sharma had obviously told Friedlander about our telephone call. He was now trying to see whether I was dumb enough to follow her suggestion, which would increase the stress of delay and give him another shot of making good on his con. The young lady from Friedlander's office wanted to know what I was going to do about treatment. My response was that I wanted another opinion. She said, "Our invitation is always open." Right, to be a poisoned guinea pig serving Friedlander's interests and Bristol-Myers' profits.

Iloreta had a somewhat different interpretation from Sharma on the tests. He said that the PET scan showed a chance the cancer had spread. He also looked at the MRIs of the lower back and sternum that showed indications of lesions but saw nothing conclusive that the melanoma had spread. He suggested doing a biopsy and if negative then do a second biopsy. With two biopsies both negative, he was willing to do an operation attacking just the nasal cavity. But if either was positive, there would be no operation even to restore breathing as we had originally agreed. Friedlander had gotten to him.

Even with both biopsies negative, any operation had to be approved by the Mt. Sinai Tumor Board. Friedlander appeared to have sufficient political pull to veto any operation backed-up by his lie about a post-November 8th stroke, which indicated an increased risk of any operation. My time was running out. I didn't like those odds, so Sloan became my next place to request help.

At Sloan, a pleasant young lady answered the "New Patients" number. Gorny had never gotten back to me with a specific doctor's name. She asked a number of questions and I gave her my insurance information. She said they would need the written reports of all the tests Mt. Sinai had performed—two Cat scans, one PET scan and four MRIs. That's where another of Friedlander's tricks on imprisoning his patients occurred. This guy was really turning into my number one enemy.

Mt. Sinai has its own intranet system that allows patients to view the written test results and a separate system that allows doctors to view both the written and imagining results. Friedlander delayed in putting on the patient system the test results for the three MRIs that he had ordered: sternum, back and brain. The doctor's system had them but to access that, I needed to be in a Mt. Sinai doctor's office. So why the delay? Friedlander knew that any other hospital

or cancer center would first want all the written reports of the tests before referring me to any of its physicians. Any delay in obtaining the reports would increase the stress of my condition worsening, which it most definitely would and did given melanoma's virulent nature. Friedlander was still playing a delay game. He knew my stress would escalate knowing that the longer without treatment decreased the chances of any possible cure or temporary cure and would continue condemning me to a few hours of sleep a night due to the breathing blockage. He was still hoping such would drive me to the desperation of immunotherapy.

Since Friedlander's written test reports were on the doctor's system, I made a long put-off appointment with my orthopedist. At his office, his assistant printed out the missing reports. Armed with all the reports, I dropped them off at Sloan's office. At first the Sloan lady wanted me to fax them because Sloan did not have an office. That seemed strange. It surely was not a fly-by-night operation. She relented, however, and gave me an address on First Avenue to drop them off. She warned that there was no sign to indicate Sloan had a presence there and instructed me to push the doorbell for the seventh floor, someone would buzz me in. I was to go to the eighth floor desk of a particular female who would put me in a room and get the Sloan lady to whom I would give the documents in that room. Must be a CIA operation.

That done, Sloan then needed the imaginings from the tests. Friedlander had no control over that, so it only took a day to obtain the CDs. Sloan, now having all the test results, a sincerely nice and competent nurse made appointments for me with two Sloan doctors, a surgeon and a medical oncologist.

At a little after 4 pm on the day before the appointments, this nasty sounding young lady from Sloan's Finance Department calls.

"We don't accept your insurance. If you want to go ahead with tomorrow's appointments it will cost you $1,000 for each."

"What are you talking about? I already went through the insurance approval."

"Who gave you the approval?" I told her the lady at the New Patients number.

"Hold on, I'll try to call her."

(Holding on)

"She's not in today."

Sounded convenient to which I responded, "So you waited until late afternoon on the day before the appointments to call and tell me this. Why didn't you call sooner?"

No answer, just more of $1,000 per appointment. Was this a shake down?

"I'm dying of cancer and you pull this stunt. Why don't you just send me a six shooter to blow my brains out?"

Her tone changed, and she actually tried to help. She explained that switching my insurance wouldn't work because the enrollment period had closed five days earlier—December 7th. Was there suppose to be irony in that? Friedlander's delaying con kept coming back to haunt me. The same insurance problem surfaced at NYU—AARP Medicare Complete, which wasn't as complete as the name implies, was not accepted there either. I always knew there was a reason for not liking AARP besides its socialist propaganda.

The Sloan finance lady did help by getting out-of-network authorizations from my AARP Medicare insurance. But all that took time—more delay, and the authorizations came through too late to make appointments in 2018, thanks to Christmas. I knew there was a reason for not liking that holiday.

The AARP authorizations only covered one-time appointments. For ongoing coverage at Sloan, NYU or elsewhere a different insurance plan was needed. This threw me into the Medicare insurance morass. I'm a relatively bright guy with two graduate degrees with honors, but figuring out which insurance might still be available and which doctors it covered approximated the denseness of Leibniz's modal metaphysics. How could those Federal and State bureaucratic idiots make something so complicated?

Since it was too late to change plans, another option was needed, but time kept ticking away as the most virulent form of cancer continued to march toward my brain. I felt like an infected earthling in the movie Alien.

A couple of friends helped steer my doomed existence to the only insurance possibility. Cancel my current insurance, which would throw me back into traditional Medicare A & B and buy a Medicare Supplement plan to pick up the remaining 20% of Part B along with the Part A deductible. The problem was that none of this coverage would take effect until January 1, 2019, and I would lose my prescription plan, but there was no choice.

Friedlander's intentional manipulations at imprisoning his hoped for human guinea pig kept on ticking. Whenever a doctor sees a patient he writes up a "consultation report." It summarizes the patient's condition and treatment plan. My oncology buddy told me to request that the consultation notes from all three Mt. Sinai doctors be faxed to him. The surgeon and radiotherapist did so the next day because that is what N.Y. Public Health Law § 17 requires. As for Friedlander, he just ignored it.

Another of his tricks was that he and his staff never left any voicemail messages. Clearly out of fear that someone would use those party opponent statements against him in court to prove his pathological malfeasance and lying.

By now, any inkling of hope of a cure or temporary cure went out the window. Friedlander had boxed me into a corner from which there was no escape—do what he wanted or die sooner rather than later because of the delay he intentionally caused. Just before Christmas, I chose to die sooner—seemed a fitting present for that time of year.

Friedlander, cancer's ally and the drug companies' shill, had caused a delay in treatment for at least two months. Time was running out, but I started researching possible lawsuits such as medical malpractice, negligent misrepresentation, fraud and intentional infliction of emotional distress against Friedlander. After talking with a couple of lawyers who did malpractice work, both declined to take the case. That left me with bringing my own case. The problem was I wouldn't be around long enough. Such a case would take a few years just in the trial court, and, of course, Friedlander's lawyer would delay, delay and delay until I dropped dead. So instead, I filed a complaint with the Office of Professional Medical Conduct at the N.Y. State Department of Health and sent a copy to Mt. Sinai's CEO. Mt. Sinai did nothing, other than send me a PR letter from its "Director of Service Excellence." The Department of Health, however, started an investigation.

After going through numerous doctor appointments, medical tests pumping radioactivity and other drugs into me while being inundated with radiation, and the continuing lack of sleep, it became clear that my law practice was over. The problem is that you think about the illness all the time, trying to figure out your next move. For me, my mind had always been preoccupied with my cases, now they were just an afterthought.

On the medical side, since Mt. Sinai was the place were people go to suffer undo death, I started looking for any surgeon not connected with Mt. Sinai who would remove at least some of the tumor allowing me a near normal sleep that would enable me to wrap-up my affairs.

Looking for a little escape from these horrors, my oncology buddy and I planned to hit a nightclub in Queens on New Year's Eve 2018. That New Year's Eve turned out different from all the others over all the years. The tumor decided to start bleeding, sending blood flowing out my right nostril. Dripping blood like a vampire who had just supped wouldn't exactly go over well with the girls, so I canceled.

In 2019, my insurance apparently changed. Apparently because no one at UnitedHeathcare or Medicare were able to give consistent answers. The answers always changed with the person. A friend said he once went to a seminar addressed by the head of Medicare for New York who admitted that not even he knew all the ins and outs of the program.

My first appointment in January 2019 was with the surgeon that Sloan had assigned me. He wasn't the one I requested, but Sloan's administration, similar to Obamacare, assigns you a doctor. Take it or leave it. The surgeon was also a medical oncologist like Friedlander and had reviewed the records provided to Sloan.

After the introductions, I said, "Given my situation and the uncertainty of whether the cancer has spread, it's necessary for me to arrange my cases so that they can be handed-off to other attorneys. To do this, I need to be functional—meaning capable of acting as a lawyer until the cases are transferred. The tumor in the right nasal cavity is blocking any breathing through it. That inability to breathe now allows me only 3 to 4 hours of sleep a night because of my alternative breathing pattern. Such sleep deprivation is negatively impacting my functioning as a lawyer, putting my affairs in order, and maintaining a semblance of quality of life, such as physical activity. What I need first off is a palliative operation to restore at least temporarily my breathing." (My oncology pal told me to use that word, "palliative." In the law, we use mitigate.)

The Sloan surgeon said, “I understand your objective, but we as physicians also have an objective not to do something that does not cure the disease.”

To which I thought, “It’s my life not yours, so my objective takes precedence.” This guy was looking like another Friedlander who just wanted a lab rat.

The surgeon continued, “Immunotherapy will treat the whole body for any other cancer that may have spread. It can shrink the tumor and offers the best chance of extending a patient’s life.” This was his “false promise” tactic that duplicitously left out “quality of life.”

I countered, “There’s no reliable statistics on immunotherapy shrinking a tumor. It may, it may not, and no studies show the time it might take even if it does actually shrink a tumor. All the evidence is anecdotal.”

This surgeon/medical oncologist then resorted to the other manipulation that many cancer doctors use to make a patient do what serves the doctor’s interests as opposed to the patient’s—fear.

“An operation could show that there is leakage from the brain, which will make it a major operation with siginifcant risks—possible loss of sight, impairment of the brain or injury to nerves.”

“I’ll take the risk,” thinking he didn’t go into the risks of immunotherapy because that was what he wanted to do.

I then asked two questions: “If I don’t have medical treatment, how long will I live?” His face registered shock. Apparently, he’s accustomed to patients so desperate to live that they accept his statements as gospel.

“I have no way of knowing.”

My second question brought home the point that I was about to walk out. "How will I know I am near the end by not having any medical treatment?" He mentioned a few consequences of which I already knew.

Having undercut his smug arrogance by making him realize I was not about to blindly follow his dictates, I offered him a deal.

"Do the palliative operation to restore my quality of life, at least temporarily, and I will consent to any experimental procedure you want." Of course I had my fingers crossed behind my back. I might or might not go with the immunotherapy. It depended on whether I had accomplished the things I wanted to do before embarking for Dante's Eighth circle. Realizing he would lose this human guinea pig with a rare form of cancer, he steps out to call Sloan's medical oncologist to whom I had also been assigned. After the call, he agreed and arranged for me to see that medical oncologist right away. Apparently at Sloan as at Mt. Sinai, the medical oncologist is the boss.

The medical oncologist was considerate and agreed to the palliative operation. She also knew Friedlander and said my melanoma was at stage four. How did she know that without biopsies—more fear tactics.

The next day brought me to NYU's cancer center to meet with a very considerate nurse and doctor. The manipulation, however, consisted of anecdotal examples of miraculous recoveries from immunotherapy alone. "It reduced or eliminated patients' tumors while destroying cancer in other parts of their bodies." NYU's treatment plan for me was once again playing craps with immunotherapy to eliminate the tumor and destroy the cancer allegedly in other parts of my body. No one knew whether the cancer had spread, although thanks to Friedlander, by now, it probably had.

So far, three medical oncologists from three different reputable hospitals all pushed the same Bristol-Myers drugs. Could all three be on that company's payroll, either directly or indirectly? Friedlander was—he owned stock in Bristol-Myers and other major drug companies pushing immunotherapy drugs. Or was it just the trendy new miracle cure touted by a profession dependent on drug company grants.

Until now, I had always thought that doctors were supposed to relieve suffering, not prolong it to serve their material and research interests. Yet three reputable medical institutions, Mt. Sinai, Sloan Kettering and NYU Langone didn't give a damn about what suffering I was going through. All they cared about was conning another human being into being a lab-rat for the latest trendy unproven cancer treatment for my type of melanoma. The cancer profession was reminding me of used car salesmen.

There was one more oncology surgeon to try. The one my instinct told me to go with at the beginning but didn't. He was sharp, understood my position and agreed that a patient's quality of life was crucial. His nurse was competent, nice and an attractive blonde—too bad I wasn't younger. They functioned the way I remembered doctors and nurses used to—focusing on the patient's problems rather than viewing a patient as just another brick in the wall of their careers and bank accounts. So I went with their treatment plan and canceled the Sloan operation. Why have a surgeon operate on me who didn't want to do the operation. Also politely told NYU thanks but no thanks.

Before the operation, the surgeon referred me to a medical oncologist at Columbia Presbyterian. Just the title "medical oncologist" gave me trepidation after my prior experiences with these specialists, so I was once again ready to walk. This oncologist at least appeared to be the opposite of the other three. Friedlander was a con artist, and both Sloan and NYU wanted to

do immunotherapy first and have me wait to see whether it actually shrunk the tumor regardless of the impact the side effects would have on my life. The Columbia doctor understood the need for me to get enough sleep to put my cases in shape for another attorney and maintain a semblance of whatever quality of life remained. He also said there were a number of different drugs used in immunotherapy, not just Bristol-Myers' Opdivo and Yervoy, which depended on the patient's condition, but we would talk about that after the operation.

The surgeon scheduled the operation. Then, just days before surgery, pre-screening demanded a doctor's note (sounded like grammar school) that my body was in good enough shape to undergo the operation after Friedlander's delaying con discovered a miniscule stroke from some unknown time. Gorny, my PCP, was the logical choice. He had been my doctor for 19 years, treated numerous injuries from old boys' rugby games, martial arts, hip-hop and a few fist fights. He clearly knew my physical condition better than anyone. In addition, he earlier told me that the stroke would not impact an operation on the tumor. So what does this Mt. Sinai doctor do? He refuses to provide clearance for the operation the day before surgery—unbelievable. As a result the operation is put off—more delay.

What's with these Mt. Sinai doctors? Freudian slips began sneaking into my conversations with medical personnel substituting Mount St. Helens for Mount Sinai. The actions of that con artist Friedlander just kept-on plaguing me.

Since that miniscule stroke may have been caused by a blood clot from the heart or an artery leading to the brain, the surgeon's nurse, not one to waste time, arranged an appointment with a cardiologist for the next day, the day the surgery would have occurred but for Gorny. The cardiologist was sharp and knew her stuff.

I explained Friedlander's delay of inconclusive tests that prevented an operation.

"He was basically just trying to use me as a . . . ," and simultaneously we both said "guinea pig." She knew the ways of doctors like Friedlander.

She also highly recommended my current surgeon as someone who had operated successfully on a couple of her relatives.

Armed with my echo cardiogram and other information, she used a program to estimate the chances that my physical shape couldn't handle the operation. It was 0.9% that there would be a problem. Gorny, who also had access to my echo cardiogram since he ordered it, should invest in such a program.

The January 22, 2019, operation was on again but almost off again due to a Lennox Hill Hospital latina employee in admissions who spoke an English I never heard before, and who didn't understand how things work in America. She refused to accept my NYS Court ID as proof that my last name was "Den Hollander" and not "Hollander" as the DMV had recorded. Latinas usually have four or five words in their names; she should have understood. Her immediate boss, however, was an American steeped in our ways and concluded that if they changed my name in their records to match my DMV license, then insurance would not pay. Ah, the power of the buck.

Everybody else was very competent and considerate, and the operation went off without a hitch. Afterwards, my surgeon said he couldn't understand why no one else would operate and added that he couldn't imagine the suffering I had gone through. Since my first appointment with Dr. Friedlander two months earlier, the tumor had grown 270%. Melanoma cancer cells still remained because a radical operation in my head at that time would have turned me into what my high school Spanish teacher used to call me—a vegetable. Radiation would be needed

to deal with the remaining melanoma cells. The question of course is could it all have been removed back when Iloreta first wanted to operate, November 15, 2018?

The Columbia medical oncologist recommended a radiation doctor, Horia Vulpe, with whom he worked. On my first visit, Vulpe explained the procedure and the initial preparation for it. He was young, Romanian, and seemed to be a decent guy interested in helping his patients. He added that the radiation shouldn't start until a month after the operation. Meanwhile, he had to present my case to Columbia University's Tumor Board. The board meets monthly at the Columbia University Medical Center. It is made up of skull base tumor experts that determine the "optimal treatment" for individual patients. According to Columbia, "the tumor board is able to make patient-centered decisions that are less biased by a particular provider's personal experience or specialty." Terrific, now a committee was making decisions about my life.

On my second visit, a month after the operation and arranging my life for weeks of radiation, five days a week, and fully expecting to begin the medical preparation for it—everything changed. Vulpe was no longer gun-ho to get moving with the treatment, but said he wanted to do more testing to find out whether the melanoma had spread and tried to push me into doing—you guessed it—Opdivo and Yervoy. Here we go again, I thought—*déjà vu* Dr. Friedlander. Vulpe also seemed in a rush to get through the visit. Was something going on again behind the scenes to manipulate me into doing this immunotherapy? Was Columbia just another sell-out cancer institution acting as a front for drug company experiments and patient exploitation that transferred insurance dollars into drug company pockets, and, of course, Columbia's pockets by way of a *quid pro quo* arrangement? Then again, maybe Vulpe and Friedlander were in cahoots. Vulpe knew about Friedlander because he had asked about my Mt.

Sinai experience, which I told him. But a conspiracy between these two—that seemed far-fetched.

The first test ordered by Vulpe was the proverbial PET scan. The MRIs were scheduled for two weeks later. The problem with the MRIs was that Vulpe's office scheduled them all for one session lasting three hours. At the MRI unit at Columbia Presbyterian, the technician said, "This is too much for one person at once. We're not going to do all these MRIs in one sitting. The body just can't take it." So they did an hour and a half for the face and neck MRIs and scheduled me for another session a week later. The face and neck MRIs were necessary for Vulpe to start radiation treatment while the next session would focus on whether the cancer had spread.

The following week, the MRI technician told me that only the back would be scanned.

"What about the sternum?" I asked.

She answered, "It's just going to be your back from below the neck to the bottom. There's no sternum or chest MRI ordered."

That was strange. Why didn't Vulpe also order an MRI of the sternum? Dr. Friedlander had emphasized that Mt. Sinai's PET scan showed "nail size lesions in the sternum." Then again, given his pathological conning, maybe not so strange. Friedlander had relied more on the fear tactic of cancer spreading to the sternum than my lower back because I had a great explanation with rugby for the lower back lesions not being cancer—at least four months ago. By now—who knew.

MRIs show whether there is a mass of tissue in the body where one does not belong. It may or may not be cancer. PET scans on the other hand claim to indicate the presence of cancer but are notoriously inaccurate. They use a measurement called "standardized uptake value" or

SUV to indicate whether an area might, I repeat might, be cancerous. They should really call it SVU. They inject you with a radioactive substance, usually sugar from the Alamogordo Dessert. The PET measures how much radioactivity was absorbed in an area compared to the rest of the body. An SUV above 2.5 may indicate cancer. However, there are a lot of problems with this measurement, not the least of which are false-positives indicating cancer, but after the patient dies, an autopsy shows no cancer. Also, an SUV above 2.5 can result from infection, inflammation, autoimmune processes, sarcoidosis, benign tumors or injuries. In my case, Friedlander's Mt. Sinai PET reported 4.7 for the sternum, 4.6 for the lower back and 11 for the nasal cavity, which everyone already knew was cancer. The Columbia PET was 4.0 for the sternum and 4.6 for the lower back and the nasal cavity was 6.6 absent the tumor. Given the fast spreading, virulent nature of melanoma and the intervening four months, I would have expected higher readings from the Columbia PET than the Mt. Sinai PET, assuming both were actually measuring cancer. Unless, of course, Friedlander had falsified the Mt. Sinai findings at the time, but now—thanks to his intentional delays—the Columbia tests might accurately show melanoma.

Still, no matter what a PET or MRI shows, the only way to confirm cancer is with a biopsy.

Vulpe said he wanted biopsies of the sternum and lower back. The scheduling office for Columbia called me about the upcoming biopsies.

"You're biopsies are scheduled for 8:30 am this coming Tuesday," the young lady from the scheduling unit told me on the Friday morning, the weekend before the biopsies.

"How do you know I don't have to be in court that day? Aren't you supposed to work out your scheduling with the patient?"

"Well, it's set for Tuesday, but before the biopsies you need to have blood tests done."

"And where do I get the tests done before Tuesday?"

"You can do the tests here. Also you need an escort home after the biopsies because you'll be given sedation."

"Friday, before an operation for Tuesday morning, I'm supposed to find an escort. People I know work, they can't just drop everything on a moment's notice. What if I can't come up with someone—do I try an escort service?"

"Then we'll have to cut back on the sedation and it will be more uncomfortable."

"You mean it will be more painful."

"Yes." These medical people always use "uncomfortable" to mean pain.

"Let me get back to you if I can find an escort."

Needless to say, I couldn't find an escort on such short notice; a friend was willing to do it later in the same week of the scheduled biopsies. So I called the scheduling office back but had a real hard time getting through. Someone picked up the phone a couple of times but didn't say anything. I waited and waited, "Hello, hello." Nothing. When I finally got a live but moronic person in scheduling on the phone, she immediately transferred me somewhere without even letting me explain the reason for my call. The person to whom I was transferred, who was naturally in the wrong department, transferred me back. Eventually I got through on the following Monday, but the incompetents in Columbia's scheduling office arranged for the blood tests on Tuesday, so the biopsies were off.

After the blood tests, I never heard back from Columbia's scheduling office, so I called Vulpe's office—twice. No one who was alive ever answered that phone. So my messages went to voicemail asking when the biopsies would be and when Vulpe would start my radiation

treatment. After all, the reason for seeing him was radiation treatment—not another Mt. Sinai run-around.

Called Vulpe's office a third time, but still no living person answered, so I left another useless voicemail. None of these delays made any sense. Radiation treatment should have started February 22nd, now it was the end of March, and every minute melanoma was most likely spreading. So I went looking for another radiation oncologist by calling my surgeon's nurse navigator to complain about Vulpe's delays and asking for a recommendation for another radiation oncologist. My surgeon had previously been a power at Columbia before moving over to Manhattan Eye, Ear and Throat Hospital. A couple of days later, Vulpe called me to arrange for a CT scan needed as preparation to start the radiation treatment. Nothing like knowing influential people.

At my third visit with Vulpe for the CT scan, I made clear to him that my functionality was primary—not longevity, and that I was not doing immunotherapy.

"We'll deal with that later," he said. "Right now, you need to reschedule the biopsies."

I said, "After my experience with Columbia's scheduling office, I'm not doing it."

"Alright, try the front desk or one of the nurses to schedule it."

A nurse in the CT scan section decided to dare the gauntlet of idiots and the brain dead in scheduling to arrange for the biopsies. After much delay and her clear frustration over the telephone, she managed to set-up the biopsies.

Columbia's Interventional Radiology Division handled biopsies—a group of competent and considerate medical professionals.

The doctor said, "We're just going to biopsy your sternum."

"What about the lower back," I said after lying face down on the table.

He replied, “If we don’t find what we’re looking for in the sternum, then we’ll try the lower back.” So I turned over.

To which I thought, and if there’s nothing in the lower back, what’s next, my knees, then my feet—where does it end? Conspiracy theories whirled in my head thanks to the experience with Friedlander. Was all of this part of Columbia’s Tumor Board and Vulpe’s strategy of delay to stress me into relenting to immunotherapy that would make money for Columbia and the drug companies? Had I escaped one bait & switch to fall into another in which the bait was radiation therapy, which likely would eliminate some or all of the cancer in my head, and the switch was again immunotherapy? The tumor operation was January 22nd, so radiation should have started February 22nd. Vulpe’s additional testing and his less than efficient office had delayed the treatment, which was now set to start on April 1—were the fates mocking me? The prospect of more biopsies and the accompanying delays made me decide that if radiation didn’t start the first week in April, then I was walking. I’d try to find a radiation oncologist who would start treatment immediately, but if I couldn’t, then I’d do without.

That contingency plan didn’t happen. The biopsy found what Columbia and Vulpe wanted to find—melanoma in my sternum. Was the melanoma there five months ago when Mt. Sinai did its PET scan, or had it spread thanks to Friedlander’s scam and Vulpe’s delay? No way to know, but logic says it had spread. So, Friedlander essentially committed second degree murder on me out of greed and Vulpe’s unnecessary delay made him an accomplice.

The biopsy report stated “Metastatic Melanoma,” and later on in the report that I was a prime candidate—guinea pig—for immunotherapy using the same two chemicals Dr. Friedlander, Sloan Kettering, NYU Langone and Vulpe had pushed—Bristol-Meyers’ Opdivo

and Yervoy—the proverbial “bad penny.” That was never going to happen, which I made clear to Vulpe.

What were the odds that four different institutions would push the same two chemicals to treat my mucosal melanoma? Especially, when there were no reliable statistics or dedicated clinical trials on the effectiveness of those chemicals for mucosal melanoma. The reason there were none is that those two chemicals were used to treat skin melanoma—that’s not the melanoma I have, which is genetically different. The only logical conclusion is that each and every institution, except for the one where my surgeon was a boss, wanted to use me as a lab-rat to see if those two poisons worked on mucosal melanoma. Were all the delays meant to give melanoma time to spread so that the only treatment left was immunotherapy—you decide.

Now, if they had offered me 50% of what Bristol-Meyers would make by pumping those poisons into me, good chance I would have agreed. After all, by now my life was over. Why not use the money for hitting strip clubs, like the good old days in Russia. But no, they had to try conning me. So was delay the full-extent of Columbia’s con? Vulpe kept bringing up combining radiation with immunotherapy to be administered by the Columbia medical oncologist, but I kept telling him no way. After radiation, I would find my own way into oblivion.

Three weeks of radiation was not exactly pleasant, although the technicians, nurses and the front desk were great. I couldn’t see how they did it. Everyday, one doomed patient after another, but they kept a smile on their faces and a perkiness that lifted even my nihilistic attitude. I actually looked forward to seeing them, maybe because they laughed at my jokes. Amazing that going for radiation, which made the inside of my mouth feel like I had been chewing on a cactus, was something to anticipate. The world still produces, now and then, human beings.

Vulpe, on the other hand, was a different story. The worst part of radiation was Vulpe's failure to give me some instructions during it. As a result, seven days into the radiation, the right side of my tongue felt like it had been sliced and diced. I—not Vulpe—came up with the idea to mitigate further damage to my tongue, which had nothing to do with the cancer—keep it lying flat and off to the left assuring it was out of the way of the radiation. Worse, there were medical techniques to protect the tongue from radiation, such as a mouth piece with a tongue depressor or medications used to coat the tongue. Vulpe didn't use any of them on me, didn't tell me about any of them, and didn't warn me about what could happen to my tongue. Why?

When I visited my surgeon after the end of radiation and showed him the injury to my tongue, he got angry. Asked me for Vulpe's telephone number, which I gave him. I didn't witness the call, but I'm sure he bawled out Vulpe. The location of the injury made no sense. The cancer was in the right nasal cavity—not the mouth or the tongue.

So, was Vulpe an East European incompetent? At first, I thought yes—on three occasions he prescribed pain medicine to deal with the tongue, but when I showed at the pharmacy—no prescription. I had to remind him all three times to send the prescription to the pharmacy. Then, however, I looked more closely on what transpired when the tongue pain started. Vulpe initially prescribed a topical mouthwash that was useless beyond 15 minutes of using it. He then prescribed a bottle of morphine, which made me sick, and replaced that with a bottle of oxycodone.

Oxycodone was no stranger. After the turbinate operation, I took it in pill form—one in the morning and one in the evening. It relieves pain alright, but the real danger is that it makes reality look great. When I awoke in the middle of the night craving another pill—something that

never occurred during my druggie days in college—I threw the remaining bottle of 40 pills in the garbage. No way, I'd ever try that stuff again.

My conclusion is that Vulpe intended to slice and dice my tongue so that I'd end up on either morphine or oxycodone, taken every four hours, which would turn me into a malleable patient lacking in critical thinking or a desire for the truth about what he and Columbia were scheming. His con didn't work. But ten weeks of near constant pain, much of it sever, from the tongue injury, which required eating only baby food, oatmeal, applesauce, yogurt and macaroni and cheese, made me curse this monster from the show Supernatural. Even talking was painful, which is what lawyers do a lot.

Vulpe was one smooth operator who would have sold a lot of used cars if he had chosen that profession. At our last meeting, most likely assuming I was stoned on oxycodone, he even tried to convince me to continue with radiation by him to the lower back, and, of course to start immunotherapy.

"How do you know my lower back even has a cancerous tumor?" I asked.

"It's there," he said in a voice of over-confidence of the con-artist.

Now it was clear why he didn't have a lower back biopsy done. If a biopsy had been done and was negative, then there was no chance of getting me to agree to lower back radiation. Of course, if it was positive, then I'd have to do radiation, but since I was still clear headed—it wouldn't be with him.

Thinking me stoned on oxycodone, Vulpe's greed pushed for more radiation by resorting to one of the two psychological methods so often used by oncologists—the fear tactic. In response to my questions, he actually estimated how much life I had left without more radiation

and by implication immunotherapy—six months. That was a surprise—not the six months, but that no other oncologist, other than my pal, would even make an estimate.

It was an obvious trick I had been expecting—low balling. But even if he was right, I didn't care, since it gave time to do that which I intended. Vulpe, however, was trickier than that.

He emphasized that without the lower back radiation and immunotherapy, the cancer would likely paralyze me—making my legs useless. "The moment you feel any tingling in your legs, come see me immediately, so we can prevent any paralysis."

This guy was as good as any girl I ever dated at manipulation. First he obtained the information on my life-style in the disguise of preserving my "quality of life." He knew that nearly everyday I had to travel on my legs to the law library or court. He knew that once a week I ran wind sprints on my legs and attended boxing class on my legs. He also knew I was being treated by a spinal institute for age related problems and the old rugby injury that misaligned one of my lower vertebras and hurt nearly everyday. One of the symptoms the spinal institute told me to watch out for was "tingling in my legs," which Vulpe knew. So he mixed that all up into a fear tactic meant to manipulate me—assuming I was stoned on the oxycodone he prescribed—into doing what made him and Columbia money: more radiation and immunotherapy. None of the other oncologists I saw ever raised a paralysis issue. If the problem actually arises before my death, I'll go to the radiation oncologist recommended by my friend—not Vulpe.

Vulpe's radiation had ended on a Friday and the following Monday the office of the Columbia medical oncologist who does immunotherapy called to make an appointment for me. Coincidence—I doubt it. More likely, these two hatched the con to get me on morphine or oxycodone so as to make me amendable to immunotherapy and more radiation.

Both Friedlander and Vulpe played with my life in order to make money and further their hospitals' *quid pro quo* relationships with the drug companies. They didn't give a damn about me.

This end of life experience taught me that a deadly conformity of belief has infected the cancer profession. Most doctors buy into the hype of immunotherapy as a cure-all. There is a systemic conspiracy among cancer institutions and the drug companies. Both make lots of money and gain fame pushing today's alleged magic bullet for cancer. It's always been the same old scam with most cancer doctors, institutions and medical companies. Create an illusion that medicine has finally discovered the cure for cancer, sell it to the public and everybody involved makes a lot of money while the patients die miserably—often from the new-improved bogus treatments. In the past, there were radical mastectomies, anti-viral drugs, chemotherapy and now immunotherapy. If you want to find out the truth about any alleged cancer miracle, ask the technicians—not the doctors—who work at these institutions.

The neurological profession didn't appear to be much better—exploit the patients with multiple tests to meet the medical "test or perish" requirement (similar to academia's publish or perish rule).

To deal with the non-symptom, miniscule stroke, I visited a neurologist at NYU's stroke center before Vulpe's "slice-n-dice" radiation started. The center had a good reputation and was just 20 blocks up First Avenue from my apartment. She was cute, always a plus, and Asian, so at the upper end of the bell curve. She showed me my brain MRI and pointed out the small area where a blood vessel had burst. Strokes happen when clots build up in a blood vessel that block the flow, so the vessel bursts. Twenty years ago, the technology wouldn't even have found it because it was so small.

She asked about any symptoms.

“No, no head aches outside of the usual for lawyers, no numbness, no black outs—I haven’t drunk that much in years.” I answered.

“Are you physically active?”

“Once a week, I do wind-sprints, and once a week I take a boxing class. I don’t spare, just train the way boxers do—heavy bag, pads, double under bag, and exercises.” Looking back, I wish I had kept my mouth shut, but I thought she needed to know and would be impressed. Guys always spill the beans trying to impress good looking babes.

She replied, “The first thing we need to do is determine the cause of this stroke. There are two possibilities: cancer, because it causes the blood to thicken, which increases the chance of a clot in the brain . . .”

That made sense, since the cardiologist had told me the same thing.

“. . . or you’re doing too much physical activity for someone your age.”

That made no sense, and my suspicion antenna went off.

“When people around your age exercise too much, their hearts may become arrhythmic. Some beats come too quickly causing an increase in pressure that causes a blood clot to break off and travel to the brain causing a stroke. In order to determine whether you have arrhythmia, we need to monitor your heart for a month.”

“I’m not stopping the wind-sprints and definitely not stopping boxing.”

“You can continue with your usual activities, but you’ll be wearing a patch on your chest that sends a signal to a monitor that records the rate of your heart beats.”

I went along with this tentatively, and she referred me to another neurologist who handles patch monitoring—talk about specialization.

The second neurologist provided the patch and a cell phone that picked up the signals from the patch on my chest and sent them to—where else—a computer. The second neurologist also added that the cause of the stroke might be a hole in my heart, and that I should undergo a special test for such. I almost laughed in his face. I've been playing sports since I was kid—never did anything like a hole in my heart come up. One of my girl friends had been born with one, but that's the closet I ever got. This neurologist was just another doctor pushing unnecessary tests to make more money or comply with the test or perish rule in the medical profession.

The following day, I put the patch on just above my heart. Next day, did my wind-sprints—guess who called? The monitoring company, which I ignored. Two days later the monitoring neurologist called.

"Sunday your heart rate went up well over 100, what was going on?"

"As I told you and the other NYU neurologist, I do wind-sprints. That's what wind-sprints do."

"Did you ever have a stress test?"

"Sure years ago."

"You should come in for a stress test."

"I'll deal with that later."

This guy was really pushing my patience. One of the purposes of wind-sprints and boxing is to keep your heart in shape. I do wind-sprints and because my heart rate goes up, he wants a stress test—no way. All this neurologist was doing was adding to my stress by implying something was wrong when it wasn't. Like Friedlander, he hoped I'd relent just to relieve the

anxiety he intentionally caused by doing whatever stupid thing he wanted because it would make him money and he'd look good to the hospital administrators. No way!

To prepare for the then upcoming radiation treatment, Vulpe needed a three dimensional map of my head to highlight the melanoma, which meant a specialized CT scan. That required taking the monitoring patch off. According to the NYU neurologists, it could be taken off and then put back on at any time. So off it went, did the CT prep scan and back on it went. Later that night the monitoring cell phone starts beating. It was not receiving signals from the patch. I called the monitoring company, twice—do this, it didn't work, so now "we'll trouble shoot." Then I realized. Strokes are caused by stress, and this test involving a computer not doing what it was supposed to was causing plenty of stress. Not only was I fighting doctors using fear tactics to manipulate me into taking unnecessary, time consuming tests and unproven drugs, but I was also now fighting another computer. I had enough computers in my life to fight—I canceled the test, terminated the "test or perish" neurologist and kissed (unfortunately not literally) the Asian neurologist goodbye.

All of these medical shenanigans made me realize that often when an older patient visits a doctor, the doctor jumps for the Medicare money by exploiting the patient. Through false hopes and fear tactics, the doctor manipulates the patient into numerous useless tests, multiple visits and unproven treatments while suckering the patient into becoming the doctor's latest guinea-pig. The patient goes through hell, stupidly believing the doctor is trying to help him rather than con him.

No girl ever jerked me around as much as the medical profession. Shakespeare obviously mistakenly wrote in Henry VI, "The first thing we do, let's kill all the lawyers." He must have

meant “doctors.” Sure some lawyers will rob you, but plenty of doctors will torture, exploit and even kill you.

The End (well, almost)

To my surprise, I finally found a competent and considerate radiation oncologist at Sloan Kettering thanks to a friend’s recommendation. She was Asian, pretty and usually entered the treatment room with young assistant girl doctors following her. Pretty babes are always a pleasure—dangerous, but still a pleasure.

The other nice part about her was she didn’t push or try to con me into immunotherapy. She did suggested it as systemic treatment, but left the issue alone after I said, “I did my research, but decided against it. The drugs Opdivo and Yervoy were developed for skin cancer not mucosal melanoma. I know their success rate is 35%. But whatever cancer they are used for, significant side effects are 50%. I don’t like those odds. My aim is not longevity but functionality.” She dropped the subject after that.

She scheduled a couple of tests and a biopsy of the lower spine. The biopsy showed my melanoma cancer was now in my L1 and L2 vertebrae, so to treat it, I agreed to proton therapy. It’s supposedly more accurate than what Vulpe used to slice and dice my tongue.

Sloan and Mt. Sinai opened the first proton radiation facility in NY in August 2019. For some unknown reason they set it up in East Haarlem. The four story building took up nearly half a city block. The building was spacious, spanking new and filled with friendly people. During my 7 hour stay, I only noticed one other patient. Probably because proton radiation is considered new by medical standards and many insurance companies do not cover it.

My radiation oncologist scheduled me for mapping my body above the thighs, so she would know where to tell the technicians to aim the proton beam; scheduled a PET scan and an MRI of the same area.

A pretty young nurse, who practiced origami, showed me to my changing room. I changed into the proverbial hospital gown with the opening in the back and as with other PET and MRI scans kept my underpants on—it does provide some sense of security. It was cold while I waited for the mapping scan, so I put on another gown with the opening in the front. The wait wasn't long, but just in case, I brought Jules Verne's Master of the World for reading.

Another pretty young lady brought me into the PET scan room where we joined three other pretty young babes and one big black guy. The head girl with short dyed blonde hair said, "We're going to put marks on your body so that the radiation technicians know where to aim the beam when you start proton treatment in a couple weeks or so. For now, we have to do a CT-PET for the mapping. Later, we'll do a PET scan and after that someone from upstairs will come to get you for an MRI."

"Okay," I said, but I had never heard of a CT-PET but knew about mapping from the nasal radiation.

The blonde boss said, "You'll have to take your underwear off because it could interfere with the PET scan." Never had to do that before with three prior PET scans, but she was pretty, so off they went. "You'll also have to take off this gown," motioning to the one that opened to the front. But before I made a move, two ladies were already at work stripping it off. That left me with my backside exposed. This was getting good.

"Sit up here," the blonde said indicating the gang plank into the machine. "We'll have to lower the front of your gown so that we can make markings." My arms come out as the ladies

pulled it down to my abdomen. There I sat bare bottomed with a flimsy piece of cloth from my lower abdomen to the top of thighs.

"How do you girls walk around New York dressed with so little," I remarked.

Lie down the blonde said. So there I lied stripped to just above my sex organs with these pretty babes using magic markers on my body. Every so often one would lean her elbow on my dick for leverage. I kept telling myself, "Don't get a hard on, don't get a hard on."

"This is better than a strip club," I remarked. A few giggles. Then I realized why there was a big black guy who was also a technician. To, in part, keep someone like me from getting out of line.

All in all a pleasant experience—the most action I had in months.

After the enjoyable hands-on mapping and the actual PET scan, another pretty young lady took me upstairs for the MRI. She did the MRI, but then a doctor came in and wanted some more pictures taken, so she took those. This male millennial doctor from Mt. Sinai requested pictures well below the L1-L2 vertebrates that would be the target of the proton beams.

When the entire MRI was over, at around 3:30 pm on a Friday, the doctor said there were indications that the spinal core in the so-called "horse tail" area was being squeezed. "Dr. Lee and I will check the data tonight," he continued. Not on a Friday before the weekend, I thought.

He warned, "It may mean you have a condition called Cauda Equina Syndrome. The symptoms that may occur this weekend could be numbness in your legs or in wiping yourself, weakness in your legs, foot drop, or incontinence. The treatment for this is emergency surgical decompression immediately after the onset of any of the symptoms. If any occur, you should go immediately to the nearest emergency room." The nearest emergency room to my apartment was a Mt. Sinai emergency room. Immediately, I became suspicious, but didn't ask this

purveyor of fear whether he was a surgeon. Either way, Mt. Sinai would financially benefit, he would get a gold star for his successful fear tactic from the administration, and I would be stuck with months of therapy, drugs, and incontinence that might never end.

Nowadays, when most doctors see an older man with insurance coverage, they right away assume he's a sucker for their lies, prevarications and dissemblances.

At home, I went back and reviewed the November 15, 2018, and March 15, 2019, back MRIs. Both stated that the Cauda Equina part of the spine was normal with no evidence of spinal cord impingement.

The three sessions of proton radiation occurred just before Thanksgiving. All the personnel involved were competent, efficient and straight forward—the way the medical profession is supposed to be. The radiation significantly reduced the pain—much to my surprise. Now I had a little more time to wrap-up my affairs, including suing Vulpe.

Filed a deceptive trade practices case under N.Y. Gen. Bus. Law § 349 against Vulpe. When Vulpe's radiation started slicing and dicing my tongue, I told him to stop the treatment. Vulpe claimed the pain would stop in just two or three weeks after treatment ended, and the radiation would not be effective if stopped. "We don't want the melanoma to come back," he said. So like an idiot, I believed him. The two to three weeks was the deception so that he could continue making money off of the treatment. The pain last 10 weeks and to this day hurts intermittently.

Vulpe worked in the Columbia University Irving Medical Center that was part of the New York-Presbyterian Hospital, which used the Heidell, Pittoni, Murphy & Bach law firm to defend its doctors. Heidell mailed me its answer to my complaint and set a deposition of me for December 9, 2019. Then, just before Thanksgiving, Heidell mails me demands to provide them

with a slew of documents that had nothing to do with my deceptive trade practices case. Heidell's demands were for a medical malpractice case, which I had not brought. I wasn't so stupid as to fall for this con.

The timing of Heidell's expensive, burdensome and irrelevant demands was meant to maximize the stress on me during the holiday season. Heidell and Vulpe figured "Let's ruin his holidays by ratcheting up his emotional distress. Maybe he'll die sooner, and we can chalk up another victory." I laughed at their sophomoric attempt, but wondered how mainly of New York-Presbyterian's patients Heidell intentionally put through such harassment.

On December 9, 2019, Alan, my part-time paralegal, and I trudged through the rain and the wind for which every step was painful for me to the deposition at Heidell's office, 99 Park Avenue, New York, N.Y. We were on time and at the correct address as noticed by Heidell, but the law firm essentially said, "Never mind." There would be no deposition. Heidell was a no-show at the deposition it had ordered at its own office. Was this another tactic to harass a dying man? To push me into giving up the case? Of course it was. They want to fight, fine. I'll fight them to my last dollar, my last breath and if there is anything after death—for eternity. They should have shown a little more respect for a dying man, especially during the holidays.

I filed a RICO suit against the Columbia University Irving Medical Center, Heidell, and Vulpe that accused them of the racketeering activity of mail fraud. Heidell, with the Medical Center and Vulpe's approval since Heidell represents them, formulated the strategy of using the U.S. mail to fraudulently claim the deceptive trade practices case was one for malpractice—it wasn't. After all, I wrote the complaint. Malpractice cases require expensive and burdensome accumulation of documents by a plaintiff, which exponentially increases the stress on any plaintiff. That's why Heidell made such demands just before Thanksgiving and never showed

for a deposition the firm ordered. They know my condition; they represent Vulpe, so they reasoned, “Let’s maximize his stress and pain by requiring him to show at a deposition we wouldn’t bother having.”

Heidell, the Columbia University Irving Medical Center and Vulpe figure if they can’t pressure me into giving up, then they’ll just drag out the deceptive trade practices and RICO cases until I drop dead. In the meantime, however, lacking anything else to do, I entertained myself by filing a default motion in the deceptive trade practices case and a summary judgment motion in the RICO case.

You Don’t Own Me
(Modern Day Political Cultists)

What is with these Socialist Democrats? What drives them to ignore reality, logic, facts and the harm they cause? Simple, it’s their ideology. Think religious cultists, such as the Moonies and the loons at Jones Town. Just like the Nazis and Commies, they all think their ideology or belief system is the only truth in the Universe. Since it’s the only truth, any other idea is that of a false prophet. It does not matter what logic, reason or the facts say. They are all wrong when in conflict with the tenets of their PC ideology, or more accurately, Political Cultists beliefs. Any harm, to any non-believer is justified in defense of the one and only true ideology.

Why are such people so gullible, because they are scared, ruled by inferiority complexes that drive them to any stupid deed and belief just to belong. In sum, they are cowards, which is their fundamental weakness. Crush a few of their leaders and the rest will scurry for the shadows.

“Change”
by Taylor Swift

Today’s newly favored special-interest groups (girls, latins, the emasculated, illegals,

gays and ?s) are no different than the old ones. Just as stupid, bullying, uncivilized and inferior while believing a superficial characteristic makes them better.

It wasn't rush hour, so there was plenty of room in the NYC subway. But some 6' 1", 200 lbs. millennial bully cuts me off leaving a train car. Alright, maybe he's blind from AIDS. Then he turns to look at me, 5'11", 155 lbs., and says something I couldn't make out because at 72 years my hearing doesn't pick up high frequency sounds. Still, his demeanor communicated an attempt to intimidate me—which wasn't going to happen.

We start yelling at each other. He calls me an "old man"—twice. I remember law school and the term "quid pro quo"—one bad turn deserves another. So I call him a "queer." His belief in his superiority (consistent with the views of the PC media and other idiots) couldn't handle it. He angrily stutters, "You . . . you called me a Queer!" and charges. As with all guys overstuffed from eating too many donuts, he uses the momentum of his bulk to knock into me. For some reason, fat fools think that by <u>not</u> using their hands absolves them of committing a battery. I for one don't, and punched him in the face.

That took the wind our of his self righteous PC sails. I realized he wasn't going to continue the battle, so I started bobbing and weaving saying, "Come on old man, let's go, you coward." Boy was acting like Ali exhausting, must be the cancer.

Like all favored special interest groups, they fold when faced with someone willing to fight for his rights instead of beg like most white, heterosexual males have been doing for 50 years.

(I Can't Get No) Satisfaction
MPHS Class of 1965, Reunion or Unfinished Fates

Toward the end of my existence with just another stupid and futile thing to do, my high school class held, what was for me, its final goodbye reunion.

Back in 1965, we had a lot of potential and were looking forward to the future. The girls were young and hot. The guys got into fights. But now, half a century later, nearly everyone was decrepit, or near so, and the girls were unrecognizable, as though they had gone to plastic surgeons to disguise their looks. In talking with some of them, I kept thinking, "I remember your name, your voice, and how you looked, but this can't be you." The destruction of time was clear.

There were tragedies along the line—guys died before their time, especially in Vietnam. Girls and guys failed in their dreams, families grew and fell apart, and memories of youth haunted all with a surreal realism.

A girl in our class and I were enemies back then. She was using the power pretty young girls always possess to tame a young guy—my best friend, by turning him into a well-respected man through marriage and children. I was trying to convince him to hold onto his spirit of a wild man, knowing that we had a lot of adventurers ahead of us if he stayed free. But she won and the last time I saw him was when I acted as an usher at their wedding.

There was a deeper reason to keep those two from marrying. At the reunion, she told me of the disaster that resulted from their union—two dead children from two diseases, the inevitable divorce, and eventually my buddy's death from cancer to a brain that coined the phrase "it's all relative" and invented the means for scarring Bergen County with U.F.O. sightings. MPHS's own Orson Welles. She had won initially, but in the end she lost. How different it would have been if I had won—for both of them.

Now she was driving me to the Ridgewood bus station after the reunion. Somehow a fitting end to an old unfinished battle. "You've had an interesting life," she said. "Yes, it was somewhat interesting, but fundamentally irrelevant," I replied.

She dropped me at the bus station around eleven at night. We said out goodbyes. There were a couple of other people waiting for the bus to the City, but it was as quiet as a graveyard on a warm summer's night. I'm standing where I've stood a hundred times before—looking across the lamp-lit street at the trees of Van Neste Park, wondering "What's the point?"