

**Appeal**

**This Filing December 13, 2012**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**STEWART A. WEBB**

**Plaintiff,**

**v.**

**Case No: 12-CV-2588 EFM/GLR**

Original Filed September 5, 2012 3:15PM

**This Filing December 13, 2012**

**HON. JUDGE KATHRYN H. VRATIL, in her**

Official capacity as Chief Judge

for the United States District Court for

the District of Kansas

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

Defendant,

**Appeal**

**Appeal of Dismissal**

**Obstruction of Justice is Occuring**

**Notice to the Appellet Court**

**THE HON. KATHRYN H. VRATIL, AND THE U.S. DISTRICT COURT OF  
THE STATE OF KANSAS, et al.**

Comes now the Plaintiff Stewart A. Webb appearing pro se and in forma pauperis and files this action for Injunctive Relief against the

honorable chief judge of this court and the federal district court for prospective injunctive relief, solely in equity under the United States Constitution to allow me to have an uncompromised qualified legal counsel represent me in the Kansas District Court for a civil RICO action I will file.

The Plaintiff is entitled to injunctive relief for the following reasons:

The magistrate's order erroneously applies the principle of res judicata; that the plaintiff's current action is resolved by the earlier ex parte order of dismissal without prejudice Hon. Chief Judge Fernando J. Gaitan Jr.:

"Res judicata is an affirmative defense on which defendant has the burden of proof. See Fed.R.Civ.P. 8(c); Nwosun v. Gen. Mills Rests., Inc., 124 F.3d 1255, 1256 (10th Cir.1997). For the doctrine to apply, four elements must exist: (1) a judgment on the merits in the earlier action; (2) identity of the parties or privies in the two suits; (3) identity of the cause of action in both suits; and (4) a full and fair opportunity for plaintiff to litigate the claim in the first suit. Id. at 1257."

Zhu v. St. Francis Health Center, 413 F.Supp.2d 1232 at 1239,40 (D. Kan., 2006).

The plaintiff's new claim for prospective injunctive relief details additional events that give rise to a new and different basis for the relief sought by the plaintiff and does not have res judicata or collateral estoppel effect.

### **No Judgment on the Merits**

The Hon. Chief Judge Fernando J. Gaitan Jr.'s ex parte order of dismissal without prejudice does not preclude subsequent action: "[A] judgment is not res judicata as to any matters which a court expressly refused to determine, and which it reserved for future consideration, or which it directed to be litigated in another forum or in another action." 242 Kan. at 691, 751 P.2d 122 (citing American Home Assur. v. Pacific Indem. Co.,

Inc., 672 F.Supp. 495 [D.Kan.1987]; 46 Am.Jur.2d, Judgments § 419, pp. 588–89).

The Tenth Circuit recognizes that in matters related to a continuing course of conduct as described in the plaintiff's current complaint, the passage of time may prevent earlier decided issues from determining the outcome of a current case:

"Other jurisdictions have recognized "the principle that matters adjudged as to one time period are not necessarily an estoppel to other time periods." *Int'l Shoe Mach. Corp. v. United Shoe Mach. Corp.*, 315 F.2d 449, 455 (1st Cir.1963); see also *Harkins Amusement Enters., Inc. v. Harry Nace Co.*, 890 F.2d 181, 183 (9th Cir.1989) (rejecting idea that collateral estoppel barred a suit for conspiracy where "the plaintiff alleges conduct that occurred in a different time period"). This is particularly true "when significant new facts grow out of a continuing course of conduct." *Hawksbill Sea Turtle v. Fed. Emergency Mgmt. Agency*, 126 F.3d 461, 477 (3d Cir. 1997).

*B-S Steel of Kansas, Inc. v. Texas Industries*, 439 F.3d 653 at 663 (10th Cir., 2006).

Res judicata does not bar claims against subsequent conduct,

consistent with the US Supreme Court decision on subsequent antitrust conduct being actionable in *Zenith Radio Corp v. Hazeltine Research, Inc*, 401 U.S. 321 at 340, 91 S.Ct. 795, 28 L.Ed.2d 77 (1971).

New sets of facts arising in later incidents are described in the complaint and give the plaintiff new claims. See 46 Am. Jur. 2d 841-42, Judgments § 567 (1994) (An "earlier adjudication is not permitted to bar a new action to vindicate rights subsequently acquired, even if the same property is the subject matter

of both actions. . . . [A] judgment is not res judicata as to rights which were not in existence at the time of the rendition of the judgment").

The plaintiff's current action seeks injunctive relief based on new violations of fundamental liberty interests that occurred subsequent to the plaintiff's earlier attempt to obtain injunctive relief:

"The doctrine of res judicata does not bar a party from bringing a claim that arose subsequent to a prior judgment involving the same parties. Accordingly, the claim is not precluded by the settlement and dismissal of those claims."

American Home Assur. Co. v. Chevron, USA, Inc., 400 F.3d 265 at fn 22 (5th Cir., 2005).

### **No trial between the parties**

Magistrate Judge Gerald L. Rushfelt's order dismissing the plaintiff's current complaint based on Hon. Chief Judge Fernando J. Gaitan Jr.'s earlier ex parte order is in error when the complaint was never served on the defendants and the lawfully assigned judge on the case and Hon. Chief Judge Fernando J. Gaitan Jr. of the Western District of Missouri was not a Tenth Circuit judge.

### **Hon. Judge Gaitan was without jurisdiction**

**Judge Gaitan currently is obstructing Justice in the same Manner as his previous Obstruction of Justice which occurred**

**What will it take to remove these criminal Judges who were appointed by the Bush-Millman-Clinton Crime Syndicate who continually obstruct justice for the same crime syndicates against the plaintiff?**

**See: Case Number Stew Webb vs. AGAKIAS SITA Attempted Murder Case No: 12-CV-2705-JAR-KGG Assigned once against out of district to Criminal Judge Gaitain**

**[http://www.stewwebb.com/how\\_corrupt\\_is\\_missouri\\_and\\_kansas\\_courts.htm](http://www.stewwebb.com/how_corrupt_is_missouri_and_kansas_courts.htm)**

## **How Corrupt is Missouri and Kansas Courts?**

Karl Rove and US District Court Judge Fernando J. Gaitan Jr.  
Illegally Targeted and Prosecuted 600 Democrats Nation Wide  
Breaking News April 23, 2010

Stew Webb 25 years Federal Whistleblower

<http://www.stewwebb.com>

[http://www.stewwebb.com/breaking\\_news.htm](http://www.stewwebb.com/breaking_news.htm)



US District Court Judge Fernando J. Gaitan Jr.



Bush Criminal Stooge Karl Rove

**Kansas City; Now it can be reported that 600 Democrats Nation Wide  
were Illegally Targeted and Prosecuted by**

**Karl Rove and US District Court Judge Fernando J. Gaitan Jr.**

Click links below to read Facts:

<http://sites.google.com/site/judgegaitanandkarlrove/introduction>

**Missouri RICO Suit See: Names in Suit Democrats Targeted by Bush and Karl Rove**

<http://www.medicalsupplychain.com/pdf/Lipari%20Petition%2008-09.pdf>

**Trillions being Stolen and the Missouri/Kansas Born Federal Whistleblowers**

**are being Obstructed Illegally by Courts that are Corrupt and not serving the People.**

**What are your Congress and Senate doing about the Court Corruptions?**

[http://www.stewwebb.com/The\\_Chicago\\_Board\\_of\\_Trades\\_Role\\_in\\_Corrupting\\_Courts\\_PartII\\_01072010.htm](http://www.stewwebb.com/The_Chicago_Board_of_Trades_Role_in_Corrupting_Courts_PartII_01072010.htm)

[http://www.stewwebb.com/too\\_big\\_for\\_law\\_chicago\\_3\\_01142010.htm](http://www.stewwebb.com/too_big_for_law_chicago_3_01142010.htm)

[http://www.stewwebb.com/how\\_big\\_tobaccos\\_kansas\\_city\\_law\\_firms\\_killed\\_healthcare\\_reform\\_01182010.htm](http://www.stewwebb.com/how_big_tobaccos_kansas_city_law_firms_killed_healthcare_reform_01182010.htm)

**IN THE UNITED STATES DISTRICT COURT, Missouri Courts (Kansas, Missouri and Colorado)**

**PRO SE UNDER CIVIL RICO:**

**COURT IS NOW IN SESSION FOR FEDERAL WHISTLEBLOWERS WITH MASSIVE OBSTRUCTION OF JUSTICE BY UNITED STATES DISTRICT COURT JUDGE GAITAN AND JUDGE VRATIL**

**Federal Whistleblowers**

**Stew Webb, Bret Landrith, Sam Lipari, et al**

(See each Whistleblowers case individually below)

(Any American who has the Guts to stand up for their own Freedom can file such a case with Proof and Evidence.)

Current U.S. Federal Court Cases vs. the Bush-Millman-Lindner-Clinton Crime Syndicate

**WHAT THE OBAMA-HOLDER JUSTICE DEPARTMENT REFUSES TO DO**

**PUT AN END TO GOVERNMENT CORRUPTION AT THE TOP**

**STOP HEALTH CARE FRAUDS, BANK BAIL OUT FRAUDS, TREASON AND SEDITION**

**INCLUDING ALL THE FRAUDS COMMITTED IN THE PAST 40 YEARS BY**

**THE BUSH-MILLMAN-LINDNER-CLINTON CRIME FAMILY SYDICATE AGAINST AMERICA AND THE AMERICAN PEOPLE.**

**VIEW ALL OBSTRUCTION OF JUSTICE CURRENTLY HAPPENING BY KANSAS CITY FEDERAL JUDGES**

**Who will be brought to Justice.**

**Call Your Congressman and demand these cases go forward with Justice.**

**Stew Webb vs. Bush-Millman-Lindner-Clinton Crime Family Syndicate**

<http://www.stewwebb.com/Stew%20Webb%20Savings%20&%20Loan%20Whistleblower%20faces%20federal%20charges.jpg>

<http://www.stewwebb.com/Inside%20The%20Bush%20Crime%20Family%20Part2.htm>

[http://www.stewwebb.com/stew\\_webb\\_grand\\_jury\\_demand\\_vs\\_bush\\_millman\\_clinton\\_etal\\_09142009.htm](http://www.stewwebb.com/stew_webb_grand_jury_demand_vs_bush_millman_clinton_etal_09142009.htm)

[http://www.stewwebb.com/kerre\\_millman\\_attempted\\_murder\\_fugitive\\_022109.htm](http://www.stewwebb.com/kerre_millman_attempted_murder_fugitive_022109.htm)

[http://www.stewwebb.com/stew\\_webb\\_vs\\_bush\\_millman\\_lindner\\_clinton\\_crime\\_syndicate\\_122009.htm](http://www.stewwebb.com/stew_webb_vs_bush_millman_lindner_clinton_crime_syndicate_122009.htm)

[http://www.stewwebb.com/Bush Millman Clinton Lindner Crime Family Flow Chart1.jpg](http://www.stewwebb.com/Bush_Millman_Clinton_Lindner_Crime_Family_Flow_Chart1.jpg)

[http://www.stewwebb.com/stewwebb.com/FRAUDS ARE US AT MDC.html](http://www.stewwebb.com/stewwebb.com/FRAUDS_ARE_US_AT_MDC.html)

[http://www.stewwebb.com/bank bail out crooks enemies of america.htm](http://www.stewwebb.com/bank_bail_out_crooks_enemies_of_america.htm)

[http://www.stewwebb.com/bush\\_narcotics\\_money\\_laundry\\_funds\\_obama\\_mccain.htm](http://www.stewwebb.com/bush_narcotics_money_laundry_funds_obama_mccain.htm)

[http://www.stewwebb.com/aig\\_british\\_based\\_ponzi\\_scheme\\_exposed\\_030209.htm](http://www.stewwebb.com/aig_british_based_ponzi_scheme_exposed_030209.htm)

[http://www.stewwebb.com/stewwebb.com/Junk Bond Daisy Chain Fraud by Stew Webb.html](http://www.stewwebb.com/stewwebb.com/Junk_Bond_Daisy_Chain_Fraud_by_Stew_Webb.html)

[http://www.stewwebb.com/bush\\_satanic\\_rituals\\_and\\_human\\_sacrifices\\_01172010.htm](http://www.stewwebb.com/bush_satanic_rituals_and_human_sacrifices_01172010.htm)

<http://www.prosecutegeorgebush.com>

[http://www.stewwebb.com/35\\_articles\\_to\\_impeach\\_bushfraud\\_stewwebb.com.htm](http://www.stewwebb.com/35_articles_to_impeach_bushfraud_stewwebb.com.htm)

**Felonies Continue in US District Courts Missouri and Kansas**

**Motion for Criminal Referral to U.S. Attorneys Kansas City**

**Beth Phillips Official Notice: 18 U.S.C.4 Federal Reporting Crime Act**

**Illegally Disbarred Attorney Bret Landrith**

[http://www.stewwebb.com/bret\\_landrith\\_vs\\_\\$1.3\\_trillion\\_dollar\\_bush\\_hospital\\_supply\\_frauds\\_12072009.htm](http://www.stewwebb.com/bret_landrith_vs_$1.3_trillion_dollar_bush_hospital_supply_frauds_12072009.htm)

[http://www.stewwebb.com/Motion\\_for\\_Criminal\\_Referral\\_January\\_5\\_2010\\_Civil\\_Case\\_number\\_092603cv02603FJG.htm](http://www.stewwebb.com/Motion_for_Criminal_Referral_January_5_2010_Civil_Case_number_092603cv02603FJG.htm)

[http://www.stewwebb.com/official\\_notice\\_us\\_attorney\\_kcmo\\_gene\\_porter\\_01192010.htm](http://www.stewwebb.com/official_notice_us_attorney_kcmo_gene_porter_01192010.htm)

**Stew Webb vs. Judge Vratil for Injunctive Relief**

[http://www.stewwebb.com/webb\\_petition\\_112409.htm](http://www.stewwebb.com/webb_petition_112409.htm)

[http://www.stewwebb.com/AFFIDAVIT\\_IN\\_SUPPORT\\_OF\\_STEWART\\_WEBB\\_11242009.htm](http://www.stewwebb.com/AFFIDAVIT_IN_SUPPORT_OF_STEWART_WEBB_11242009.htm)

<http://sites.google.com/site/stewwebbvjudgevratil/>

[http://www.stewwebb.com/MOTION\\_FOR\\_EN\\_BANC\\_REHEARING.pdf](http://www.stewwebb.com/MOTION_FOR_EN_BANC_REHEARING.pdf)

## **Official Notice**

### **Federal Whistleblower Demands Hearings**

#### **18 U.S.C. 4 Federal Reporting Crime Act**

[http://www.stewwebb.com/Senator\\_Leahy\\_and\\_Congressman\\_John\\_Conyers\\_Official\\_Notice\\_18usc4\\_01052010.htm](http://www.stewwebb.com/Senator_Leahy_and_Congressman_John_Conyers_Official_Notice_18usc4_01052010.htm)

[http://www.stewwebb.com/Barack\\_Obama\\_and\\_Eric\\_Holder\\_Obstructing\\_Justice\\_01032010.htm](http://www.stewwebb.com/Barack_Obama_and_Eric_Holder_Obstructing_Justice_01032010.htm)

### **Attempted Murder of Stew Webb since Filing September 2009**

[http://www.stewwebb.com/honorable\\_jan\\_schakowsky\\_03242010.htm](http://www.stewwebb.com/honorable_jan_schakowsky_03242010.htm)

[http://www.stewwebb.com/honorable\\_ron\\_paul\\_united\\_states\\_congress\\_03242010.htm](http://www.stewwebb.com/honorable_ron_paul_united_states_congress_03242010.htm)

[http://www.stewwebb.com/robert\\_gates\\_orders\\_murders\\_of\\_stew\\_webb\\_and\\_tom\\_heneghan\\_02062010.htm](http://www.stewwebb.com/robert_gates_orders_murders_of_stew_webb_and_tom_heneghan_02062010.htm)

### **Obama Bush Health Care Frauds Continue in Missouri and US District Courts**

#### **Sam Lapari vs. Bush Crime Syndicate**

#### **Obama Bush Health Care Frauds Continue 2 Dead US Attorneys**

[http://www.stewwebb.com/obama\\_bush\\_health\\_care\\_frauds\\_continue\\_2\\_dead\\_us\\_attorneys\\_12272009.htm](http://www.stewwebb.com/obama_bush_health_care_frauds_continue_2_dead_us_attorneys_12272009.htm)

#### **Samuel Lipari vs. GE Jeb Bush Novation, LLC US Bank et, al.**

## **Medicare and Hospital Supply Frauds in the Trillions**

[http://www.stewwebb.com/samuel\\_lipari\\_vs\\_GE\\_Jeb\\_bush\\_Novation\\_US\\_Bank\\_etal\\_12142009.htm](http://www.stewwebb.com/samuel_lipari_vs_GE_Jeb_bush_Novation_US_Bank_etal_12142009.htm)

## **Bret Landrith vs. \$1.3 Trillion Dollar Bush Hospital Supply Frauds**

### **Illegally Disbarred Attorney**

[http://www.stewwebb.com/bret\\_landrith\\_vs\\_\\$1.3\\_trillion\\_dollar\\_bush\\_hospital\\_supply\\_frauds\\_12072009.htm](http://www.stewwebb.com/bret_landrith_vs_$1.3_trillion_dollar_bush_hospital_supply_frauds_12072009.htm)

## **US District Court Judge Fernando J. Gaitan Jr.'s Obstruction of Justice**

<http://www.medicalsupplychain.com/pdf/En%20Banc%20Petition%200849-3115.pdf>

## **Missouri RICO Suit See: Names in Suit Democrats Targeted by Bush and Karl Rove**

<http://www.medicalsupplychain.com/pdf/Lipari%20Petition%2008-09.pdf>

[http://www.stewwebb.com/public\\_notice\\_jan\\_16\\_2010.htm](http://www.stewwebb.com/public_notice_jan_16_2010.htm)

<http://www.stewwebb.com>

[http://www.stewwebb.com/breaking\\_news.htm](http://www.stewwebb.com/breaking_news.htm)

## **Letter to Us Marshals Judge Fixing Cases**

US\_Marshall Service KCK

District of Kansas (D/KS)

U.S. Marshal: Walter Bradley

Robert Dole Federal Courthouse

500 State Avenue, Suite G-22

Kansas City, KS 66101

(913) 551-6727

Talked oct 29.

CO Michael Thibault US Marshals Served

Michael.thibault@usdoj.gov

Western District of Missouri (W/MO)

U.S. Marshal: Alfred Lomax

U.S. Courthouse

400 E. 9th St., Room 3740

Kansas City, MO 64106

(816) 512-2000

Email:

District of Kansas (D/KS)

U.S. Marshal: Walter Bradley

Robert Dole Federal Courthouse

500 State Avenue, Suite G-22

Kansas City, KS 66101

(913) 551-6727

Email:

Voice mail

October 20, 2012

Servicing call me 816 478 3267 injunctive relief

PLAINTIFF'S OJECTIONS TO REPORT AND RECOMMEDATIONS

Filed October 11, 2012

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

STEWART A. WEBB

Plaintiff,

v. Case No: 12-CV-2588 EFM/GLR

Original case Filed September 5, 2012 3:15PM

Filed October 5, 2012

Filed October 11, 2012

HON. JUDGE KATHRYN H. VRATIL, in her

Message Sat am 110am October 20, 2012

Official capacity as Chief Judge

for the United States District Court for

the District of Kansas

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

Defendant,

PLAINTIFF'S OJECTIONS TO REPORT AND RECOMMEDATIONS

Filed October 11, 2012

MOTION TO REVIEW MAGISTRATES ORDER OF DISMISSAL

COMPLAINT FOR INJUNCTIVE RELIEF AGAINST

THE HON. KATHRYN H. VRATIL, AND THE U.S. DISTRICT COURT OF  
THE STATE OF KANSAS, et al. Filed October 5, 2012

(See: Documents attached in Filing October 5, 2012 MOTION TO REVIEW  
MAGISTRATES ORDER OF DISMISSAL above

[http://www.stewwebb.com/PLAINTIFFS\\_OBJECTIONS\\_TO\\_REPORT\\_AND\\_RECOMMEDATIONS\\_20121011.pdf](http://www.stewwebb.com/PLAINTIFFS_OBJECTIONS_TO_REPORT_AND_RECOMMEDATIONS_20121011.pdf)

Magistrate Judge Rushfelt cannot use the earlier order made by a judge without jurisdiction as a basis to dismiss the plaintiff's claims. See Elliot v. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828), the order is simply void.

There are provisions for substituting a judge in a federal civil action. The judge can even initiate the substitution sua sponte. However, the Kansas District Court and its chief judge did not follow these procedures.

Hon. Chief Judge Kathryn H. Vratil may have decided she was not able to perform her responsibilities related to the earlier action by the plaintiff where she was a defendant. She respectively did not have the right however to appoint Hon. Chief Judge Fernando J. Gaitan Jr. of the Western District of Missouri instead, she was required under 28 USC § 136 to select another judge in the District of Kansas:

**“28 USC § 136 - Chief Judges; precedence of district judges**

(e) If a chief judge is temporarily unable to perform his duties as such, they shall be performed by the district judge in active service, present in the district and able and qualified to act, who is next in precedence.”

The defendants Chief Judge Vratil and the Kansas District Court could have referred the problem of substituting a judge to the Judicial Council of the Tenth Circuit, however the Tenth Circuit judges were under limiting statutes that have the effect of requiring the Kansas District judge on the plaintiff’s case to have been substituted with a judge from the Tenth Circuit, not Hon. Chief Judge Fernando J. Gaitan Jr. See 28 USC § 46 - Assignment of judges; panels; hearings; quorum... (b) “a majority of whom shall be judges of that court” and 28 USC § 44 - Appointment, tenure, residence and salary of circuit judges

(c)... “each circuit judge shall be a resident of the circuit for which appointed at the time of his appointment and thereafter while in active service.

The substitution with Hon. Chief Judge Fernando J. Gaitan Jr. did not meet the requirement of F.R. Clv. P. Rule 63. Judge's Inability To Proceed which incorporates an express requirement that the parties not be prejudiced.

Hon. Chief Judge Fernando J. Gaitan Jr. was known and knew himself that he not to meet the requirement of an unbiased judge for substitution. And

that he could not have heard the case under *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994) and 28 U.S.C. §455(a).

Hon. Chief Judge Fernando J. Gaitan Jr. was on the Board of Directors of the Novation LLC hospital St. Luke's and had already used his authority as a federal judge while a Novation director to deprive Landrith's client Medical Supply Chain and Samuel K. Lipari of redress in concerted action with Hon. Judge Carlos Murguia. See Exhibit A Lipari Answer To Show Cause Order Of December 5th, 2008. This was done to obstruct Samuel K. Lipari's efforts to obtain redress and to enter the nationwide hospital supply market as a sole proprietor after Hon. Judge Carlos Murguia's decision in *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006).

Hon. Chief Judge Fernando J. Gaitan Jr. was also the judge on the companion action against the Novation Cartel member General Electric (Jeffrey Immelt, the CCEO of GE is the architect of the Novation Cartel) *Lipari v. General Electric*, US District Court for the Western District of Missouri, Case No. 07-0849-CV-W-FJG. This action was Lipari's attempt to continue to pursue his contract rights against General Electric from a case initiated in Kansas District Court by Landrith. *Medical Supply Chain, Inc. v. General Elec. Co.*, 03-2324-CM, (D. Kan. Jan 29, 2004).

The substitution of a Kansas District Court judge with Hon. Chief Judge Fernando J. Gaitan Jr. was knowingly done or known to Magistrate

Rushfelt to be an act in furtherance of the deprivation of the plaintiff's and Landrith's federal constitution rights for reporting grave felonies.

The substitution with Hon. Chief Judge Fernando J. Gaitan Jr. who had a material private interest in Novation and the Novation hospital St. Luke's (St. Luke's held itself out to be an owner of Novation and to receive kickbacks and residual income from the Novation Cartel's sales of hospital supplies nationwide) was done to injure the plaintiff through violation of the Due Process Clause of the U.S. Constitution. As a director of St. Luke's , Hon. Chief Judge Fernando J. Gaitan Jr. had a direct personal material interest in the outcome of *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F.

Supp. 2d 1316 (D. Kan. 2006), the case used by the Kansas District Court to abandon its prior order to stay proceedings until the outcome of the Bolden case and which obstructed justice in Landrith's reciprocal disbarment proceeding. The prior proceeding was not a case or controversy before an impartial court but instead an irregular commission or tribunal violating the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

Hon. Chief Judge Fernando J. Gaitan Jr. was not reversed or publicly disciplined after dismissing the plaintiff's earlier injunctive relief action. However, the Chief Judge of the Tenth Circuit did step down and leave the bench.

### **Lack of a full and fair opportunity to litigate**

No claim or issue preclusion results from the out of circuit judge's ruling of dismissal without prejudice of an earlier cause of action for frivolousness before service on the defendants and without an opportunity for the plaintiff to amend.

The magistrate's order dismissing the plaintiff's current cause of action must respectfully be reversed because the magistrate relies on the out of circuit judge's earlier ex parte dismissal where the trial judge lacked jurisdiction to make a determination on the merits of the plaintiff's cause:

"It is important to realize, however, that denial of leave to amend and dismissal with prejudice are two separate concepts. See generally, *N. Assurance Co. of Am. v. Square D Co.*, 201 F.3d 84, 88 (2d Cir.2000) (noting that where denial of leave to amend does not reach underlying merits of claim, "the actual decision denying leave to amend is irrelevant to the claim preclusion analysis."). A denial of leave to amend to repair a jurisdictional defect, even on futility grounds, does not call for a dismissal with prejudice. The two concepts do not overlap in those cases where, although amendment would be futile, a jurisdictional defect calls for a

dismissal without prejudice. See *Hutchinson v. Pfeil*, 211 F.3d 515, 519, 523 (10th Cir.2000) (affirming district court's denial of leave to amend to add state law claims on futility grounds, while also affirming dismissal, apparently without prejudice, of entire action for lack of standing); *Bauchman ex rel. Bauchman v. West High School*, 132 F.3d 542, 549-50, 561-62 (10th Cir.1997) (upholding district court's denial of leave to amend complaint

under futility analysis, but reversing merits disposition on pendent state claims and remanding for dismissal without prejudice for lack of jurisdiction). The district court extended the futility principle too far in this case by dismissing with prejudice for lack of standing, since it lacked jurisdiction to make a determination on the merits of the complaint.”

*Brereton v. Bountiful City Corp.*, 434 F.3d 1213 (Fed. 10th Cir., 2006).

### **Magistrate Rushfelt’s Order violates 28 U.S.C. § 1915(d)**

Magistrate Judge Gerald L. Rushfelt’s order dismissing the current complaint inherently finds that the plaintiff’s claim for prospective injunctive relief is frivolous because Judge Vratil and the Kansas District Court are immune. This is a clear error of law.

The Tenth Circuit has since reversed a court over dismissing claims for prospective injunctive relief based on official capacity immunity:

“Guttman appears to have advocated a claim for prospective injunctive relief throughout the litigation. If that is the case, then the district court erred in *Guttman I*, 320 F.Supp.2d at 1171, when it held that the individual defendants' absolute immunity barred the *Ex parte Young* claim. See *Verizon*, 535 U.S. at 645, 122 S.Ct. 1753.”

*Guttman v. Khalsa*, 25 A.D. Cases 1316, 44 NDLR P 130, 669 F.3d 1128 (10th Cir., 2012).

Hon. Judge Vratil and the Kansas District Court are not immune. In *Knox v. Bland*, 632 F.3d 1290 (10th Cir., 2011), the Tenth Circuit stated judicial immunity exists for monetary damages not injunctive relief:

“In any event, judges are generally immune from monetary liability for actions taken in their judicial capacity. See *Lundahl v.*

*Zimmer*, 296 F.3d 936, 939 (10th Cir.2002). In *Pulliam v. Allen*, 466 U.S. 522, 544, 104 S.Ct. 1970, 80 L.Ed.2d 565 (1984), the Supreme Court said that attorney fees in § 1983 cases are a statutory exception to the general rule; but this exception was abrogated by the Federal Courts Improvement Act of 1996. See 42 U.S.C. § 1988(b).”

*Knox v. Bland*, 632 F.3d 1290 at FN1 (10th Cir., 2011).

The Error of sua sponte Dismissal of an Arguable Question

The Magistrate was respectfully in error to dismiss the plaintiff’s complaint and deprive him of a trial where the law is unsettled on the issue of federal judicial immunity from prospective injunctive relief:

“[I]t is unsettled whether the corresponding immunity afforded federal judges in *Bivens* cases permits or precludes such claims. Compare *Mullis v. United States Bankr. Court for the Dist. of Nev.*, 828 F.2d 1385, 1394 (9th Cir. 1987) (distinguishing *Pulliam* and extending federal judicial immunity to preclude equitable *Bivens* claim) and *Bolin v. Story*, 225 F.3d 1234, 1240-42 (11th Cir. 2000) (following *Mullis*, but noting issue “is a closer one than it would seem at first blush”), with *Scruggs v. Moellering*, 870 F.2d 376, 378 (7th Cir. 1989) (finding *Mullis* immunity analysis to be “of doubtful merit,” though not deciding issue). We express no opinion on the issue and rely instead for our disposition on uncontroversial principles specifically barring the equitable relief sought here.” [Emphasis added]

*Switzer v. Coan et al.*, 261 F.3d 985 at FN 9 (10th Cir., 2001).

An arguable question of law states a basis that facially invalidates the Kansas district Court’s dismissal for frivolousness under 28 U.S.C. § 1915(d) ( now § 1915(e)(2)(B)) as the controlling precedent for this court proscribes in *Neitzke v. Williams*, 490 U.S. 319, 325, 328 (1989):

“In dismissing the complaint [in *Nietzke* ], the district court equated the standard for frivolousness with the standard for a dismissal for the failure to

state a claim upon which relief may be granted. On appeal, the Seventh Circuit reversed the district court's determination that the complaint was frivolous, and a unanimous Supreme Court affirmed the Seventh Circuit's decision. The Court explained that "[w]hen a complaint raises an arguable question of law which the district court ultimately finds is correctly resolved against the plaintiff, dismissal on Rule 12(b)(6) grounds is appropriate, but dismissal on the basis of frivolousness is not." *Id.* at 328." [Emphasis added]

*Brown v. Bargery*, 207 F.3d 863 at 867 (6th Cir., 2000).

The magistrate's order violates the test of legal frivolity in the Tenth circuit which is whether a plaintiff can make a rational argument on the law and facts in support of his claims. *Bennett v. Passic*, 545 F.2d 1260 (10th Cir. 1976).

The magistrate's order like Hon. Chief Judge Fernando J. Gaitan Jr.'s order in the earlier case violates the United States Supreme Court rulings *Neitzke v. Williams*, 490 U.S. 319, 109 S.Ct. 1827, 104 L.Ed.2d 338 (1989) and *Denton v. Hernandez*, 504 U.S. 25 (1992):

"An in forma pauperis complaint may not be dismissed, however, simply because the court finds the plaintiff's allegations unlikely. Some improbable allegations might properly be disposed of on summary judgment, but to dismiss them as frivolous without any factual development is to disregard the age-old insight that many allegations might be "strange, but true; for truth is always strange, Stranger than fiction." Lord Byron, *Don Juan*, canto XIV, stanza 101 (T. Steffan, E. Steffan & W. Pratt eds. 1977)."

*Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992).

Magistrate Rushfelt appears to violate 18 U.S.C. § 241

Magistrate Judge Gerald L. Rushfelt appears to be committing a felony violation of 18 U.S.C. § 241 in Magistrate Rushfelt's knowing furtherance of the conduct by state of Kansas officials in trafficking children to defraud the federal government out of US Treasury Medicare and Health and Human Services funds through false claims and to protect the order made by Hon.

Judge Carlos Murguia that was used to obstruct Bret Landrith's US District Court reciprocal disbarment proceeding and hearing.

Even though Magistrate Judge Gerald L. Rushfelt is a federal official, he is committing a civil rights violation of 18 U.S.C. § 241 in concert with State of Kansas officials every time he deprives Landrith of his property right in pursuit of his profession for his federally protected representation of the African American James L. Bolden and Bolden's witness, David M. Price of American Indian descent in the vindication of rights from race based federal civil rights discrimination statutes, that resulted in *Bolden v. City of Topeka, Kan.*, 441 F.3d 1129 (10th Cir., 2006).

Magistrate Rushfelt was the magistrate in Hon. Judge Carlos Murguia Novation Cartel case where the two Assistant U.S. Attorney's died. First Assistant US Attorney Thelma Quince Colbert who brought the sealed False Claims act proceeding against Novation with testimony of a Novation medical supply purchasing executive verifying the nationwide restraint of trade in hospital supplies that I had alleged in the private civil action *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006) against Novation for violations of 15 U.S.C. §§ 1,2 (Sherman Antitrust Act) and for predicate acts of 18 U.S.C. § 1962 (Racketeer Influenced and Corrupt Organizations Act ) that are also grave felonies.

Assistant US Attorney Shannon Ross, who supervised 70 U.S. Justice Department prosecutors and who signed the criminal subpoenas against Novation was found dead in her home just before Landrith's expert testified in the U.S. Senate antitrust hearing on Novation's conduct to restrain trade in hospitals, and mere days after she signed the criminal subpoenas.

The plaintiff had a famous investigative journalist Tom Flocco <http://www.tomflocco.com> investigate the deaths of the Northern District of Texas US Attorneys Thelma Quince Colbert and Shannon Ross. Tom Flocco determined the attorneys had likely been murdered due to their investigation of Novation LLC and the hospital supply cartel members and the threat to the hospital skimming scheme. See: Tom Flocco, Dead, fired

attorneys' Medicare fraud probe linked to White House.

<http://www.tomflocco.com/fs/FiredAttorneysFraudProbe.htm> Exhibit B

Hon. Judge Carlos Murguia's sanctioned Bret Landrith for asserting there was a private right of action under the USA PATRIOT Act (Public Law 107-56—OCT. 26, 2001) which had been used by the Novation Cartel members to keep Landrith's client Samuel K. Lipari and Medical Supply Chain, Inc. out of the nationwide hospital supply market they monopolized.

It is beyond dispute that expressly creates several new private rights of action by modifying existing statutes to create liability from private actions for damages. Specifically the USA PATRIOT Act expressly recognizes private liability related to Suspicious Activity Reports made with malicious intent:

“(3) MALICIOUS INTENT.—Notwithstanding any other provision of this subsection, voluntary disclosure made by an insured depository institution, and any director, officer, employee, or agent of such institution under this subsection concerning potentially unlawful activity that is made with malicious intent, shall not be shielded from liability from the person identified in the disclosure. “

Subsequent to Hon. Judge Carlos Murguia's order sanctioning Landrith in *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006), the Arkansas Supreme Court found liability for a Suspicious Activity Report under the USA PATRIOT Act in the absence of good faith *Bank of Eureka Springs v. Evans*, 353 Ark. 438, 109 S.W.3d 672 (Ark. 2003) in materially the same circumstances as the complaint Hon. Judge Carlos Murguia sanctioned Landrith over.

Magistrate Rushfelt is responsible for knowing the misconduct of Hon. Judge Carlos Murguia in ordering that Landrith be sanctioned over \$20,000.00 for lawfully reporting the commission of federal felonies under 15 U.S.C. §§ 1,2 and 18 U.S.C. § 1962 in *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006).

Magistrate Rushfelt had a duty to report Hon. Judge Carlos Murguia. Which it appears he did not. See Abramson, Leslie W., The Judge's Ethical Duty to Report Misconduct By Other Judges and Lawyers and its Effect on Judicial Independence. Hofstra Law Review, Vol. 25, No. 751, 1997.

Reciprocal disbarment based on fraud on Kansas District Court

As a magistrate on *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006), Magistrate Rushfelt knew or is responsible for knowing that the case that was used to controvene the order staying Landrith's reciprocal disbarment was procured through fraud on Hon. Judge Carlos Murguia, both in the intentional misrepresentation of law by the Novation cartel attorney John K. Power and by Power's misrepresentation of the facts regarding Landrith's complaint. The Novation defendants including Neoforma also misrepresented the monopolistic

consolidation of the electronic hospital supply marketplace Neoforma, Samuel K. Lipari and Medical Supply Chain, Inc. closest competitor with Novation LLC and General Electric during the trial itself in an attempt to placate Neoforma's investors (which included member hospitals) who had been mislead through securities frauds when Neoforma had been taken over by the Novation cartel to prevent it Neoforma from being profitable or from challenging prices set in the nationwide market by Novation LLC.

Hon. Judge Carlos Murguia respectfully in error erroneously relied upon Husch Blackwell LLP attorney John K. Power's summary of the case in Power's Motion for Hearing on Dismissal. See Exhibit C Pleading of John K. Power. And shortly thereafter, and without a hearing Hon. Judge Murguia sustained the motions to dismiss and in the order Hon. Judge Murguia sanctioned LANDRITH and Med. Supply Chain, Inc. See Exhibit D Memorandum and Order.

The complaint however had each element John K. Power's motion (exhibit C) stated it lacked. The elements were arranged in a table of contents which directed the parties and the court to the outline sections of the complaint where numbered paragraphs provided supporting averments of fact for each element. See Exhibit E *Med. Supply Chain, Inc. Complaint*.

The court respectfully in error found that the non fraud based RICO allegations for Hobbs Act extortion and obstruction of justice predicate acts in what was mainly a Sherman Act antitrust action were insufficiently pled. The plaintiff hereby includes a separate attachment of the table of contents section and complaint's RICO elements and supporting facts. See Exhibit F Med. Supply Chain, Inc. RICO excerpt.

Med. Supply Chain, Inc. appealed the dismissal (after Landrith had been reciprocally disbarred) on the grounds that the appeal did sufficiently plead Sherman Act and RICO violations. The appellees made a motion to dismiss the appeal for timeliness. However, the Tenth Circuit referred this issue to the panel and required the parties to brief the action. See Exhibit G Med. Supply Chain, Inc. Brief. The brief identifies each of the elements required under the then controlling precedent for the Tenth Circuit regarding the pleading of RICO claims. The brief identifies by paragraph number each of the supporting averments of fact for each required pleading element. None were missing. See Exhibit F Med. Supply Chain, Inc. Brief RICO excerpts.

The Tenth Circuit ultimately ruled that the appeal was untimely and did not address the issues appealed by Med. Supply Chain, Inc.. See Medical Supply Chain, Inc. v. Neoforma, Inc., 508 F.3d 572 (10th Cir.,

2007). Samuel K. Lipari as sole successor in interest to Med. Supply Chain, Inc. sought relief from judgment. See Exhibit 8 Lipari Rule 59(e) Answer. But Lipari's motion was stricken by Hon. Judge Murguia.

Since Hon. Judge Carlos Murguia's ruling in Med. Supply Chain, Inc. v. Neoforma, Inc., 419 F. Supp. 2d 1316, 1333-36 (D. Kan. 2006), dismissing the antitrust and RICO claims, the Kansas District Court and the Tenth Circuit Court of Appeals have reexamined Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007) where the court addressed the plausibility of an inferred antitrust conspiracy to their Rule 12(b)(6) dismissal standard. The majority of Med. Supply Chain, Inc.'s were non fraud based and the antitrust conspiracy was alleged to be express and averments supporting an overt agreement and concerted action in furtherance of the antitrust and RICO conspiracy claims were contained in Landrith's complaint.

The Tenth Circuit recognized that Fed. R. Civ. P. Rule 8 is still the valid standard for evaluating non fraud based claims under Fed. R, Civ. P. 12(b)(6):

“There is no indication the Supreme Court intended a return to the more stringent pre-Rule 8 pleading requirements. See *Iqbal*, 129 S. Ct. at 1950 (“Rule 8 marks a notable and generous departure from the hyper-technical, code-pleading regime of a prior era . . .”). And in fact, the Supreme Court stated in *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 514 (2002), a pre-*Twombly* case, that “[a] requirement of greater specificity for particular claims is a result that must be obtained by the process of amending the Federal Rules, and not by judicial

interpretation.” *Id.* at 515 (internal quotation marks omitted). Thus, as the Court held in *Erickson v. Pardus*, 551 U.S. 89 (2007), which it decided a few weeks after *Twombly*, under Rule 8, “[s]pecific facts are not necessary; the statement need only ‘give the defendant fair notice of what the . . . claim is and the grounds upon which it rests.’” *Id.* at 93 (quoting *Twombly*, 550 U.S. at 555 (alteration in original)); see also *al-Kidd v. Ashcroft*, 580 F.3d 949, 977 (9th Cir. 2009) (“*Twombly* and *Iqbal* do not require that the complaint include all facts necessary to carry the plaintiff's burden.”).

While the 12(b)(6) standard does not require that Plaintiff establish a prima facie case in her complaint, the elements of each alleged cause of action help to determine whether Plaintiff has set forth a plausible claim. See *Swierkiewicz*, 534 U.S. at 515; see also *Twombly*, 550 U.S. at 570.”

*Khalik v. United Air Lines* at 5-7 (10th Cir., 2012).

Legal basis for finding a violation of 18 U.S.C. § 241

Magistrate Judge Gerald L. Rushfelt appears to be in violation of 18 U.S.C. § 241 where the magistrate knows or should have known that the first judge on *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006), the defendant Hon. Chief Judge Kathryn H. Vratil acted ex parte to procure Landrith’s disbarment by the Kansas Supreme Court.

The Internet postings of filings by Samuel K. Lipari describe Hon. Chief Judge Kathryn H. Vratil's participation in ex parte communications for the purpose of negatively influencing Bret Landrith's oral arguments in defense of his law license and constitutional property right in pursuing his trade by Hon. Chief Judge Kathryn H. Vratil's acting under color of state

law to cause retaliation against Landrith for his contracts to represent Bolden and Price's federal civil rights in protected speech against race based animus:

"208. The petitioner's counsel was disbarred through Stanton Hazlett and the State of Kansas Disciplinary office presenting ex parte testimony by Kansas District Judge Kathryn H. Vratil to personnel and justices of the Kansas Supreme Court, disparaging Medical Supply's counsel without his knowledge or opportunity to question Kansas District Court Judge Kathryn H. Vratil's testimony on October 20, 2005 minutes before the Kansas Supreme Court justices heard Medical Supply's counsel's oral argument in defense of his law license. "

Lipari v. General Electric, US District Court for the Western District of Missouri, Case No. 07-0849-CV-W-FJG Proposed Amended Complaint1.

These posting by Landrith's former client Samuel K. Lipari are from cases he had before Hon. Chief Judge Fernando J. Gaitan Jr. in the Western District Court. And were part of filings made before Hon. Judge Gaitan was substituted in the plaintiff's earlier case to deprive him of access to a meaningful hearing to protect himself from continuing retaliation for his whistleblowing.

In the plaintiff's prior action for injunctive relief before this court he filed a motion for summary judgment which contained factual information of Magistrate Judge Gerald L. Rushfelt working in concert with State of Kansas officials to deprive Landrith of constitutional rights under color of state law and to further a racketeering enterprise depriving Landrith's former Cremeen clients of recovery in a mortgage fraud Ponzi scheme:

“128. The affidavit stated Sherri Price came on to Fred Sanders property with two City of Topeka police cars and a code compliance officer to perform an inspection knowing Fred Sanders attorney was out of town. See exhibit 31 Kirtdoll Affidavit.

129. The KDC has knowledge though Magistrate Judge Gerald L. Rushfelt that the replacement attorney Dennis Hawver in Cremeen et al v. Schaefer et al 04-cv-02519-CM-GLR was threatened if he did not voluntarily dismiss the Ponzi Scheme co-defendant Steve Strayer.

130. Magistrate Judge Gerald L. Rushfelt threatened to sanction Hawver because Rex A. Redlingshafer of Stanton & Redlingshafer, LLC had given a notice of Strayer’s bankruptcy filing on 02/25/2005 before a finding of Strayer’s guilt in the Arizona real estate development RICO Enterprise Ponzie racketeering scheme.

131. The KDC has knowledge though Hon. Judge Carlos Murguia that Hon. Judge Carlos Murguia sanctioned Landrith and threatened to sanction Samuel K. Lipari if the action and any replacement attorney if MSC v. Neoforma was continued in anyway.”

#### Webb Motion for Summary Judgment

These paragraphs are also part of the plaintiff’s filings in the present case. And show what appears to be Magistrate Judge Gerald L. Rushfelt’s knowing participation with State of Kansas and federal officials in 18 U.S.C. § 241, conspiracy to deprive Landrith and now the plaintiff of constitutional rights and protections under color of state law:

“A conspiracy under 18 U.S.C. § 241 is different than conspiracies under other statutes in that no proof of an overt act is necessary to establish the existence of the conspiracy. United States v. Skillman, 922 F.2d 1370, 1375-1376 (9th Cir.1990). Indeed, to prove a Conspiracy Against Rights, the government must only show that two or more parties entered into an agreement; that the purpose of their

agreement was to injure, oppress, threaten or intimidate; that the agreement was intended to affect inhabitants of a State; and that the

agreement was directed towards the free exercise or enjoyment of rights and privileges secured by the Constitution and federal law. *United States v. Redwine*, 715 F.2d 315, 319 (7th Cir.1983), cert. denied, 467 U.S. 1216, 104 S.Ct. 2661, 81 L.Ed.2d 367 (1984).”

*US v. Hayward*, 764 F. Supp. 1305 at 1307 (N.D. Ill., 1991).

Besides being the prosecuting witness in the federal cases reporting grave violations and federal felonies under 15 U.S.C. §§ 1,2 and 18 U.S.C. § 1962 in *Medical Supply Chain, Inc. v. General Elec. Co.*, 03-2324-CM, (D. Kan. Jan 29, 2004) and *Med. Supply Chain, Inc. v. Neoforma, Inc.*, 419 F. Supp. 2d 1316 (D. Kan. 2006) against the Novation Cartel, Landrith and Lipari were likely witnesses in Assistant US Attorney Thelma Quince Colbert and Shannon Ross’ Medicare False Claims Act proceeding styled *US ex rel Cynthia I. Fitzgerald v. Novation LLC, VHA, University Healthcare Consortium et al*, N. Dist. Of Texas Case 3:03-cv-01589.

The state and federal officials including Magistrate Judge Gerald L. Rushfelt’s actions against Landrith and now the plaintiff fit the requirements of an 18 U.S.C. § 1503 charge but are also appear to properly be 18 U.S.C. § 241 violations:

“ On April 2, 1981, the government brought a superceding indictment which replaced the count of the indictment against Rizzitello involving conspiracy to obstruct justice under 18 U.S.C. § 1503 with conspiracy to violate a citizen's civil rights, 18 U.S.C. § 241. Section 241 contains a harsher penalty than Section 1503. The government represents that

the reason for bringing the superceding indictment is the dearth of evidence going to Rizzitello's awareness of Napoli's status as a federal witness. Proof of such an awareness is a necessary element under 18 U.S.C. § 1503, but not an element under 18 U.S.C. § 241.”

*United States v. Bufalino*, 518 F.Supp. 1190 at 1193 (S.D.N.Y., 1981).

Landrith had and the plaintiff has a clearly established right to report violations of federal law without retaliation. The actions taken against Landrith under color of state law to deprive him of his constitutional rights in

violation of federal statutes cannot lawfully prevent him from being an attorney in federal court.

"...the right to inform the United States authorities of violation of its laws, In re Quarles, 158 U.S. 532 [15 S.Ct. 959, 39 L.Ed. 1080]." Twining, 211 U.S. at 97, 29 S.Ct. at 19."

Young v. Matsushita Elec. Indus. Co., Ltd., 939 F.2d 19 at 20 (C.A.2 (N.Y.), 1991).

This court cannot follow the magistrate's recommendation of dismissal against public policy and controlling precedent:

"The public policies embedded in the criminal laws have long been deemed of such importance that the law also encourages persons to report criminal activity to public authorities... Such rulings recognize the long-established proposition that public policy encourages citizens to report crimes. See In re Quarles & Butler, 158 U.S. 532, 533-35, 15 S.Ct. 959, 960-61, 39 L.Ed. 1080, 1080-81 (1895); Lachman v. Sperry-Sun Well Surveying Co., 457 F.2d 850, 853 (10th Cir.1972) ("[I]t is public policy ... everywhere to encourage the disclosure of criminal activity."). Effective implementation of that policy requires the cooperation of citizens possessing knowledge thereof. See, e.g.,

Palmateer v. International Harvester Co., 85 Ill.2d 124, 52 Ill.Dec. 13, 421 N.E.2d 876, 879-80 (1981); Garibaldi v. Lucky Food Stores, Inc., 726 F.2d 1367, 1374 (9th Cir.1984)."

Fox v. MCI Communications Corp., 931 P.2d 857 at 861 (Utah, 1997).

Under the facts of the present complaint, the plaintiff is in imminent danger of irreparable harm from retaliation for his federal whistle blowing activities and requires capable counsel which he still cannot obtain, to protect his fundamental liberty interests:

"Although "a private citizen lacks a judicially cognizable interest in the prosecution... of another," private citizens have the right to inform law enforcement officers of violations of the law. Leeke v. Timmerman, 454

U.S. 83, 85-86, 102 S.Ct. 69, 70, 70 L.Ed.2d 65 (1982) (internal quotation marks omitted). In re Quarles, 158 U.S. 532, 535-36, 15 S. Ct. 959, 960-61, 39 L. Ed. 1080 (1895).”

Woody v. Cronin at 7-8 (11th Cir., 2010).

**Previous filings in this case where Obstruction of Justice Is Occuring::**

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**Letter to NY Attorney General, US Attorney, SEC Attorneys**

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**U.S. Magistrate Judge Gerald L. Rushfelt appears to be a felony violation of 18 U.S.C. § 241**

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**IN THE JOHNSON COUNTY DISTRICT COURT**

**IN AND FOR THE STATE OF KANSAS**

**OLATHA, KANSAS**

**Case Number: 12 CV 08274 Filed October 22, 2012**

**Removed to: IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF KANSAS**

**12-cv-02705-JAR-KGG**

**Stew Webb Federal Whistleblower**

**Vs.**

**Millman-Bush-Clinton Organized Crime Syndicate**

**For Attempted Murder of Stew Webb October 25, 2010  
And burning customers house to ground October 8, 2011**

**CURRENT October 22, 2012:**

**[http://www.stewwebb.com/STEWART WEBB COMPLAINT IN KANSAS COURT 20121022.pdf](http://www.stewwebb.com/STEWART_WEBB_COMPLAINT_IN_KANSAS_COURT_20121022.pdf)**

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**CURRENT OCT 21, 2012 Removed to U.S. District Court for The District of Kansas**

**CURRENT OCT 21, 2012**

**[http://www.stewwebb.com/Stewart Webb Amended Complaint 20121121.pdf](http://www.stewwebb.com/Stewart_Webb_Amended_Complaint_20121121.pdf)**

**Illegally Disbarred Attorney Bret Landrith**

**Related Cases Below:**

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**<http://www.medicalsupplychain.com>**

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**Stew Webb's previous filing to enter evidence in US District Court to  
Illegal Disbarment of Bret Landrith 2009**

**[court\\_cases\\_naming\\_bush\\_millman\\_lindner\\_clinton\\_crime\\_syndicate.htm](#)**

Respectively submitted,

---

s/Stew Webb Federal Whistleblower Plaintiff,

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Previous Filing in this Case No: 12-CV-2588 EFM/GLR

Filed September 5, 2012

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[http://www.stewwebb.com/NOTICE\\_TO\\_COURT\\_THREAT\\_FIRST\\_AMENDMENT\\_VIOLATIONS\\_20120907.htm](http://www.stewwebb.com/NOTICE_TO_COURT_THREAT_FIRST_AMENDMENT_VIOLATIONS_20120907.htm)

September 25, 2012

[http://www.stewwebb.com/EX\\_PARTE\\_MOTION\\_FOR\\_PRELIMINARY\\_INJUNCTIVE\\_RELIEF\\_20120925.pdf](http://www.stewwebb.com/EX_PARTE_MOTION_FOR_PRELIMINARY_INJUNCTIVE_RELIEF_20120925.pdf)

October 5, 2012

[http://www.stewwebb.com/MOTION\\_TO\\_REVIEW\\_MAGISTRATES\\_ORDER\\_OF\\_DISMISSAL\\_20121005.pdf](http://www.stewwebb.com/MOTION_TO_REVIEW_MAGISTRATES_ORDER_OF_DISMISSAL_20121005.pdf)

October 5, 2012

<http://www.stewwebb.com/Letter to NY Attorney General US Attorney SEC Attorneys 20121005.htm>

Including Notice to Court of U.S. Mail theft Police report filed: electronic filing

Including 84 Documents submitted as evidence: Electronic filing

<http://www.stewwebb.com/NOTICE TO COURT THREAT FIRST AMENDMENT VIOLATIONS 20120907.htm>

Police report filed:

++++  
++++

Exhibits A-G filed electronically this date as exhibits:

Attached and enclosed herein exhibit H Stewart A. Webb Official SEC Whistleblower Filing with SEC

Note: Oct 2, 2012 JPMorgan sued for fraud by New York attorney general over mortgage-backed securities:

<http://www.ag.ny.gov/>

<http://www.ag.ny.gov/press-release/ag-schneiderman-sues-jpmorgan-fraudulent-residential-mortgage-backed-securities-issued>

Plaintiff Stewart Webb Official SEC Whistleblower Filing Filed March 12, 2012 online after a call from SEC Tim Casey

Official SEC Whistleblower Complaint Securities Frauds

Larry Mizel Mortgage Backed Securities Frauds and Bank Bailout Frauds

MDC Holding, Inc. (MDC NYSE)

Official SEC Whistleblower Complaint Securities Frauds

[http://www.stewwebb.com/Larry Mizel Mortgage Backed Securities Frauds and Bank Bailout Frauds 03122012.htm](http://www.stewwebb.com/Larry_Mizel_Mortgage_Backed_Securities_Frauds_and_Bank_Bailout_Frauds_03122012.htm)

<http://www.stewwebb.com>

MDC Holding, Inc. (MDC NYSE)

This has lead to World Wide Financial Collapse and Bailouts

Here are the Entities Larry Mizel used to Bundle the Fraudulent Mortgage Backed Securities

Official SEC Whistleblower Complaint

False Claims-Whistleblower Act

By Stewart Webb Federal Whistleblower

Filed March 12, 2012 online after a call from Tim Casey

<http://www.sec.gov/whistleblower>

Email sent this same date and submitted online to SEC see bottom of this page:

[WADHWAS@sec.gov](mailto:WADHWAS@sec.gov)

[Michael.Levy@usdoj.gov](mailto:Michael.Levy@usdoj.gov)

[sansonj@sec.gov](mailto:sansonj@sec.gov)

[ago@state.ma.us](mailto:ago@state.ma.us)

[oig@sec.gov](mailto:oig@sec.gov)

<http://www.sec.gov/whistleblower>

False Claims-Whistleblower Act

Welcome to the Office of the Whistleblower

Assistance and information from a whistleblower who knows of possible securities law violations can be among the most powerful weapons in the

law enforcement arsenal of the Securities and Exchange Commission. Through their knowledge of the circumstances and individuals involved, whistleblowers can help the Commission identify possible fraud and other Violations much earlier than might otherwise have been possible. That allows the Commission to minimize the harm to Investors better preserve the integrity of the United States' capital markets, and more swiftly hold accountable those responsible for unlawful conduct.

The Commission is authorized by Congress to provide monetary awards to eligible individuals who come forward with High-quality original information that leads to a Commission enforcement action in which over \$1,000,000 in sanctions is ordered. The range for awards is between 10% and 30% of the money collected.

The Office of the Whistleblower was established to administer the SEC's whistleblower program. We greatly appreciate your interest and we hope that this website answers any questions you may have.

We understand that the decision to come forward with information about securities fraud or other wrongdoing is not one taken lightly and we are here to answer any questions you may have. You can reach the Office of the

Whistleblower at (202) 551-4790.

Larry Mizel Bank Bailout Criminal

1% Illuminati Bankers

Get the Money Back

Solve the World Financial Crisis

The American Revolution Continues in 2012

Larry Mizel Bank Fraudster

One of the 100 Illuminati Bankers that control 90% of the Worlds wealth illegally gained.

Mizel created Mortgages through MDC Asset Investors on houses that were never built in southern California (Richmond Homes) and other states, including duplicating Mortgages up to 9 times by bundling and selling them in Billion Dollar Bundles to Banks and Pension Funds to steal your money then after the temporary 2008 Bail Out by U.S. Citizens they start robbing people who had been paying their Mortgage to their legal Mortgage holders and came in and stole 3.5 million homes from Mortgage paying Americans.

These are Larry Mizel Entities that were used by Larry A. Mizel aka Larry Mizell aka Larry Mizei

To commit Frauds and False Claims against the United States of America and the American People including Securities Frauds and Frauds against Investors and Foreign Banks.

Other Culprits include Norman Phillip Brownstein Former Director MDC NYSE Mizel's attorney and partner in crime who is Managing Director of DEUTSCHE BANK AG-REGISTERED (DBK:Xetra) Runs a team of sales and marketing professionals responsible for bringing HSBC's global derivative capabilities to Canadian clients. Product coverage includes rates, credit, equity, funds and emerging market derivatives. Team is divided into retail and institutional coverage. Retail team is responsible for all structured notes issues by HSBC Bank Canada (all asset classes) as well as Structured GICs. Products are sold through the private bank, HSBC securities as well as multiple third party distributors. Institutional team covers clients ranging from mid-market to multi-national to provide financial solutions on both the asset side and liability side of the balance sheet.

Does this sound like the Mortgage Frauds?

[http://www.stewwebb.com/Junk Bond Daisy Chain Fraud by Stew Webb.html](http://www.stewwebb.com/Junk_Bond_Daisy_Chain_Fraud_by_Stew_Webb.html)

[http://www.stewwebb.com/frauds\\_are\\_us\\_at\\_mdc\\_holdings\\_04262010.htm](http://www.stewwebb.com/frauds_are_us_at_mdc_holdings_04262010.htm)

|

Here are the Criminals who caused the World Wide Economic Collapse and the Entities used the U.S. Government has 53 Attorneys and 200 agents on a Special Task Force and they claim they cannot figure it out. BULLSIT!

Other Culprits are named in the Documents herein below:

Original Letter to SEC Attorneys

February 6, 2012

[WADHWAS@sec.gov](mailto:WADHWAS@sec.gov)

[Michael.Levy@usdoj.gov](mailto:Michael.Levy@usdoj.gov)

[sansonj@sec.gov](mailto:sansonj@sec.gov)

[ago@state.ma.us](mailto:ago@state.ma.us)

[oig@sec.gov](mailto:oig@sec.gov)

Filed online March 13, 2012 SEC.gov

RE: After call from Tim Casey

<http://www.sec.gov/whistleblower>

Welcome to the Office of the Whistleblower

Note: The U.S. Government never has Paid this Whistleblower a dime only tried to Murder me many time...Stew Webb

[http://www.stewwebb.com/DHS\\_Assassination\\_attempt\\_on\\_Stew\\_Webb\\_Photos\\_12052010.htm](http://www.stewwebb.com/DHS_Assassination_attempt_on_Stew_Webb_Photos_12052010.htm)

[http://www.stewwebb.com/Grandview\\_Missouri\\_Police\\_Cover\\_up\\_attempted\\_Murder\\_11122010.htm](http://www.stewwebb.com/Grandview_Missouri_Police_Cover_up_attempted_Murder_11122010.htm)

[http://www.stewwebb.com/Grandview\\_Missouri\\_Police\\_Report\\_105206\\_10252010.htm](http://www.stewwebb.com/Grandview_Missouri_Police_Report_105206_10252010.htm)

[http://www.stewwebb.com/Stew Webb Drawing of Accident Attempted Murder\\_10252010.htm](http://www.stewwebb.com/Stew_Webb_Drawing_of_Accident_Attempted_Murder_10252010.htm)

[http://www.stewwebb.com/Bush Whacked Again Stew Webb Federal Whistleblower\\_01102011.htm](http://www.stewwebb.com/Bush_Whacked_Again_Stew_Webb_Federal_Whistleblower_01102011.htm)

[http://www.stewwebb.com/Obama Killing Americans Unite the Governor s Revolution\\_11302010.htm](http://www.stewwebb.com/Obama_Killing_Americans_Unite_the_Governors_Revolution_11302010.htm)

[http://www.stewwebb.com/dhs attempted murder of whistleblower stew webb\\_06092010.htm](http://www.stewwebb.com/dhs_attempted_murder_of_whistleblower_stew_webb_06092010.htm)

Companies responsible for Mortgage Securities frauds

Houses that were never built and Duplicated Mortgages

Not to be published.

Let me know.

s/Stew Webb Federal Whistleblower

[stewwebb@stewwebb.com](mailto:stewwebb@stewwebb.com)

816 478 3267

[http://www.stewwebb.com/stew webb grand jury demand vs bush millman clinton etal\\_09142009.htm](http://www.stewwebb.com/stew_webb_grand_jury_demand_vs_bush_millman_clinton_etal_09142009.htm)

[http://www.stewwebb.com/stew webb vs bush millman lindner clinton crime syndicate\\_122009.htm](http://www.stewwebb.com/stew_webb_vs_bush_millman_lindner_clinton_crime_syndicate_122009.htm)

<http://www.stewwebb.com>

[http://www.stewwebb.com/breaking\\_news.htm](http://www.stewwebb.com/breaking_news.htm)

[http://www.stewwebb.com/savings and loan whistleblower faces federal charges\\_091692.gif](http://www.stewwebb.com/savings_and_loan_whistleblower_faces_federal_charges_091692.gif)

[http://www.stewwebb.com/Bush Millman Clinton Lindner Crime Family Flow Chart1.jpg](http://www.stewwebb.com/Bush_Millman_Clinton_Lindner_Crime_Family_Flow_Chart1.jpg)

[http://www.stewwebb.com/Bush\\_Millman\\_Organized\\_Crime\\_Syndicate\\_Bank\\_Accounts1.htm](http://www.stewwebb.com/Bush_Millman_Organized_Crime_Syndicate_Bank_Accounts1.htm)

[http://www.stewwebb.com/bush\\_clinton\\_mizel\\_organized\\_crime\\_syndicate\\_06172010.htm](http://www.stewwebb.com/bush_clinton_mizel_organized_crime_syndicate_06172010.htm)

[http://www.stewwebb.com/kerre\\_millman\\_aka\\_kerre\\_smith\\_fugitive\\_from\\_justice\\_05162010.htm](http://www.stewwebb.com/kerre_millman_aka_kerre_smith_fugitive_from_justice_05162010.htm)

[http://www.stewwebb.com/Amanda\\_Janusz\\_Where\\_is\\_The\\_Justice\\_Department\\_11162010.htm](http://www.stewwebb.com/Amanda_Janusz_Where_is_The_Justice_Department_11162010.htm)

[http://www.stewwebb.com/inside\\_the\\_bush\\_crime\\_family\\_part1.htm](http://www.stewwebb.com/inside_the_bush_crime_family_part1.htm)

[http://www.stewwebb.com/inside\\_the\\_bush\\_crime\\_family\\_part2.htm](http://www.stewwebb.com/inside_the_bush_crime_family_part2.htm)

[http://www.stewwebb.com/WANTED\\_FOR\\_TREASON\\_AND\\_SEDITION\\_12072010.htm](http://www.stewwebb.com/WANTED_FOR_TREASON_AND_SEDITION_12072010.htm)

[http://www.stewwebb.com/Obama\\_Killing\\_Americans\\_Unite\\_the\\_Governors\\_Revolution\\_11302010.htm](http://www.stewwebb.com/Obama_Killing_Americans_Unite_the_Governors_Revolution_11302010.htm)

[http://www.stewwebb.com/obamas\\_crystal\\_nacht\\_american\\_people\\_under\\_attack\\_09262010.htm](http://www.stewwebb.com/obamas_crystal_nacht_american_people_under_attack_09262010.htm)

[http://www.stewwebb.com/dhs\\_attempted\\_murder\\_of\\_whistleblower\\_stew\\_webb\\_06092010.htm](http://www.stewwebb.com/dhs_attempted_murder_of_whistleblower_stew_webb_06092010.htm)

[http://www.stewwebb.com/DHS\\_Assassination\\_attempt\\_on\\_Stew\\_Webb\\_Photos\\_12052010.htm](http://www.stewwebb.com/DHS_Assassination_attempt_on_Stew_Webb_Photos_12052010.htm)

[http://www.stewwebb.com/Bush\\_Whacked\\_Again\\_Stew\\_Webb\\_Federal\\_Whistleblower\\_01102011.htm](http://www.stewwebb.com/Bush_Whacked_Again_Stew_Webb_Federal_Whistleblower_01102011.htm)

[http://www.stewwebb.com/may\\_6th\\_market\\_event\\_mdc\\_holdings\\_nyse\\_larry\\_mizel\\_culprit\\_news\\_05182010.htm](http://www.stewwebb.com/may_6th_market_event_mdc_holdings_nyse_larry_mizel_culprit_news_05182010.htm)

[http://www.stewwebb.com/Wall\\_Street\\_how\\_Larry\\_Mizel\\_MDC\\_NYSE\\_Does\\_a\\_Deal\\_07182011.htm](http://www.stewwebb.com/Wall_Street_how_Larry_Mizel_MDC_NYSE_Does_a_Deal_07182011.htm)

[http://www.stewwebb.com/bush\\_narcotics\\_money\\_laundry\\_funds\\_obama\\_mccain.htm](http://www.stewwebb.com/bush_narcotics_money_laundry_funds_obama_mccain.htm)

[http://www.stewwebb.com/rush\\_for\\_gold\\_how\\_silverado\\_operated.htm](http://www.stewwebb.com/rush_for_gold_how_silverado_operated.htm)

Companies responsible for Mortgage Securities Frauds

Houses that were never built and Duplicated Mortgages

The below are the Buffers used to pass the Illegal Mortgage Securities in Bundles

that has lead to the Illegal Bank Bailout and World Financial Collapse

These are Trillions of Dollars Stole my the Persons herein the Filings.

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_ACCEPTANCE\\_INC.htm](http://www.stewwebb.com/ASSET_INVESTORS_ACCEPTANCE_INC.htm)

[http://www.stewwebb.com/Asset\\_Investors\\_Corporation.htm](http://www.stewwebb.com/Asset_Investors_Corporation.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_EQUITY\\_INC.htm](http://www.stewwebb.com/ASSET_INVESTORS_EQUITY_INC.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_FINANCE\\_CORPORATION.htm](http://www.stewwebb.com/ASSET_INVESTORS_FINANCE_CORPORATION.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_FUNDING\\_CORPORATION.htm](http://www.stewwebb.com/ASSET_INVESTORS_FUNDING_CORPORATION.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_LLC.htm](http://www.stewwebb.com/ASSET_INVESTORS_LLC.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_MORTGAGE\\_FUNDING\\_CORPORATION.htm](http://www.stewwebb.com/ASSET_INVESTORS_MORTGAGE_FUNDING_CORPORATION.htm)

[http://www.stewwebb.com/ASSET\\_INVESTORS\\_OPERATING\\_PARTNERSHIP\\_LP.htm](http://www.stewwebb.com/ASSET_INVESTORS_OPERATING_PARTNERSHIP_LP.htm)

[http://www.stewwebb.com/B\\_R\\_ASSET\\_INVESTORS\\_LIMITED.htm](http://www.stewwebb.com/B_R_ASSET_INVESTORS_LIMITED.htm)

[http://www.stewwebb.com/B\\_R\\_ASSET\\_INVESTORS\\_LLC.htm](http://www.stewwebb.com/B_R_ASSET_INVESTORS_LLC.htm)

[http://www.stewwebb.com/D\\_R\\_Asset\\_Investors.htm](http://www.stewwebb.com/D_R_Asset_Investors.htm)

[http://www.stewwebb.com/GREENWOOD\\_ASSET\\_INVESTORS\\_LLC\\_02052012.htm](http://www.stewwebb.com/GREENWOOD_ASSET_INVESTORS_LLC_02052012.htm)

[http://www.stewwebb.com/INVESTORS\\_ASSET\\_MANAGEMENT\\_GROUP\\_LLC\\_02052012.htm](http://www.stewwebb.com/INVESTORS_ASSET_MANAGEMENT_GROUP_LLC_02052012.htm)

[http://www.stewwebb.com/INVESTORS\\_ASSET\\_MANAGEMENT\\_LTD.htm](http://www.stewwebb.com/INVESTORS_ASSET_MANAGEMENT_LTD.htm)

[http://www.stewwebb.com/MDC\\_Asset\\_Investors\\_38\\_Found.htm](http://www.stewwebb.com/MDC_Asset_Investors_38_Found.htm)

[http://www.stewwebb.com/MDC\\_ASSET\\_INVESTORS\\_INC\\_02052012.htm](http://www.stewwebb.com/MDC_ASSET_INVESTORS_INC_02052012.htm)

Note 50 South Steel Denver, Colorado

Is nothing more than a RICO Securities Headquarters?

Below

Aka MDC Janus Funds

and other Len Millman-Larry Mizel-Norman Brownstein Entities

Foreign Limited Partnership

Jurisdiction: British Virgin Islands

[http://www.stewwebb.com/Palm\\_Structured\\_Asset\\_Investors\\_02052012.htm](http://www.stewwebb.com/Palm_Structured_Asset_Investors_02052012.htm)

<http://www.stewwebb.com/20041257435.pdf>

<http://www.stewwebb.com/20051281539.pdf>

<http://www.stewwebb.com/20111385721.pdf>

[http://www.stewwebb.com/PRINCIPAL\\_ASSET\\_INVESTORS\\_02052012.htm](http://www.stewwebb.com/PRINCIPAL_ASSET_INVESTORS_02052012.htm)

[http://www.stewwebb.com/Real\\_Asset\\_Investors\\_LLC\\_02052012.htm](http://www.stewwebb.com/Real_Asset_Investors_LLC_02052012.htm)

[http://www.stewwebb.com/ServiceStar\\_Asset\\_Investors\\_02052012.htm](http://www.stewwebb.com/ServiceStar_Asset_Investors_02052012.htm)

[http://www.stewwebb.com/SKB\\_ASSET\\_INVESTORS\\_02052012.htm](http://www.stewwebb.com/SKB_ASSET_INVESTORS_02052012.htm)

[http://www.stewwebb.com/TECH\\_ASSET\\_GROUP\\_INVESTORS\\_LLC\\_02052012.htm](http://www.stewwebb.com/TECH_ASSET_GROUP_INVESTORS_LLC_02052012.htm)

Note: Len Millman's National Acceptance Company Aka National Brokerage as in

AIG Maurice Hank Greenburg and Meyer Blinder

Aka First National Acceptance Company Aka First National Banks

50 South Steel Denver, Colorado

lots of Securities Frauds.

Respectively submitted,

s/Stew Webb Federal Whistleblower Plaintiff,

[stewwebb@stewwebb.com](mailto:stewwebb@stewwebb.com)

<http://www.stewwebb.com>

816 478 3267

16508 A East Gudgell

Independence, Missouri 64055

Copies by email to:

NY Attorney General

<http://www.ag.ny.gov/>

[nyag.pressoffice@ag.ny.gov](mailto:nyag.pressoffice@ag.ny.gov)

Mortgage Fraud Federal Strike Force

[WADHWAS@sec.gov](mailto:WADHWAS@sec.gov)

[Michael.Levy@usdoj.gov](mailto:Michael.Levy@usdoj.gov)

[sansonj@sec.gov](mailto:sansonj@sec.gov)

[ago@state.ma.us](mailto:ago@state.ma.us)

[oig@sec.gov](mailto:oig@sec.gov)

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.**

U.S. District Court

DISTRICT OF KANSAS

### Notice of Electronic Filing

The following transaction was entered on 12/13/2012 at 0:18 AM CST and filed on 12/13/2012

**Case Name:** Webb v. Vratil  
**Case Number:** [2:12-cv-02588-EFM](#)  
**Filer:** Stewart A. Webb  
**Document Number:** [24](#)

#### Docket Text:

**APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Stewart A. Webb re [2] Civil Cover Sheet, [20] Order on Motion for Reconsideration, [17] Appeal Number Information, [21] Supplemental ROA Sent, [6] Exhibits in Support of Motion,,,,,, [22] Order, [14] Order on Motion for Preliminary Injunction, Order on Report and Recommendations, Order on Motion for Hearing, Order on Motion to Compel,,,,,,, [19] Order, [23] Record on Appeal Sent to 10CCA, [1] Complaint, [10] Objection to Report and Recommendations, Docket Annotation, [4] Notice (Other), [16] Preliminary Record on Appeal Sent, [12] Notice (Other), [15] Notice of Appeal - Final Judgment, [7] Order on Motion for Leave to Proceed In Forma Pauperis, (Webb, Stewart)**

**2:12-cv-02588-EFM Notice has been electronically mailed to:**

Stewart A. Webb [stewwebb@stewwebb.com](mailto:stewwebb@stewwebb.com)

**2:12-cv-02588-EFM Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1028492125 [Date=12/13/2012] [FileNumber=2856255-0] [c31add7783f9149b3cb8a48795005123cfa1d8ac6cf1b2b4f2be0cee72f644e6048d14bebdfa09e004bd736f74f26c4c9f812c9dec9f79df8b3ecf7b3644c6a]]

## **Appeal Documents**

[2:12-cv-02588-EFM Webb v. Vratil](#)

**U.S. District Court**

**DISTRICT OF KANSAS**

### **Notice of Electronic Filing**

The following transaction was entered on 12/13/2012 at 0:18 AM CST and filed on 12/13/2012

**Case Name:** Webb v. Vratil

**Case Number:** [2:12-cv-02588-EFM](#)

**Filer:** Stewart A. Webb

**Document Number:** [24](#)

#### **Docket Text:**

**APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Stewart A. Webb re [2] Civil Cover Sheet, [20] Order on Motion for Reconsideration, [17] Appeal Number Information, [21] Supplemental ROA Sent, [6] Exhibits in Support of Motion,,,,,, [22] Order, [14] Order on Motion for Preliminary Injunction, Order on Report and Recommendations, Order on Motion for Hearing, Order on Motion to Compel,,,,,,, [19] Order, [23] Record on Appeal Sent to 10CCA, [1] Complaint, [10] Objection to Report and Recommendations, Docket Annotation, [4] Notice (Other), [16] Preliminary Record on Appeal Sent, [12] Notice (Other), [15] Notice of Appeal - Final Judgment, [7] Order on Motion for Leave to Proceed In Forma Pauperis, (Webb, Stewart)**

**2:12-cv-02588-EFM Notice has been electronically mailed to:**

Stewart A. Webb [stewwebb@stewwebb.com](mailto:stewwebb@stewwebb.com)

**2:12-cv-02588-EFM Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1028492125 [Date=12/13/2012] [FileNumber=2856255-0] [c31add7783f9149b3cb8a48795005123cfa1d8ac6cf1b2b4f2be0cee72f644e6048d14bebdafa09e004bd736f74f26c4c9f812c9dec9f79df8b3ecf7b3644c6a]]