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April 12, 2019

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U.S. Department of Energy
1000 Independence Ave. SW
Washington DC 20585
202-586-5000**

CC: Inspector General, U.S. Attorney General, U.S. Congress, White House

Dear Dong:

The taxpayers, the media, Congress and every other knowledgeable member of the public has examined the facts and concluded that your ATVM and LGP loan programs are corrupt, organized-crime, dark-money, crony-payola, political slush-funds which have only EVER been used to pay off dirty political campaign financiers.

Everyone now knows that you have a policy of NEVER approving an application that is not part of a dark money, political quid-pro-quo, bribery deal. You are operating a felony-positive scheme.

You operate a clever, but criminally-based, scheme to take taxpayer money from the State and Federal treasuries and hand it over to your favored political campaign financiers in plain sight. It is still illegal. No matter how many layers and spider-webs of fronts and facades you use, modern forensic AI analysis has busted it wide open and revealed ALL of your operators, beneficiaries and investment bank scams.

The DOE ATVM and LGP loan programs have proven, to every non-crony applicant (AND WE INTERVIEWED MOST OF THEM) that it will always:

- Stonewall Them**
- Obfuscate The Process**
- “Lois-Lerner” Manipulate and Lose The Submissions**
- Intentionally Ignore Accurate Data**

- Intentionally Misinterpret Data And “Add-In” False Data
 - Run Political “Hit-jobs” On Competitors
 - Operate As The Bank For The “Deep State” Slush Fund
 - Run Decades-long Delays As Political Payback
- ..and, generally, be criminal crony stooges for the Palo Alto Mafia Cartel Oligarchs

Everything in your response letter is your manipulated interpretation, based on your desire to try to avoid another lawsuit for corruption. You did a fine job of building a counter-case for what you think is coming next, but your vision was limited.

You will NOT avoid the fruits of your corruption.

WE WON THE LAST LAWSUIT AGAINST YOUR LITTLE “CORRUPTION PARTY”.

WE EXPOSED YOUR WHOLE DIRTY OPERATION. THE MATERIAL, NOW ONLINE, TAKES THE “PANAMA PAPERS” TO THE NEXT LEVEL!

THE NEXT ACTIVITY WILL USE 100% LEGAL RESOURCES , MEDIA TECHNOLOGIES AND TACTICS YOU CAN’T BEGIN TO COMPREHEND! IN FACT, IT IS ALREADY UNDERWAY!

You have to live with the fact that every history book, until the end of time, will document you, and your program, as a “criminal political slush-fund crony payola scam”

Your staff lied when they said: *“Oh, no, don’t worry, we got rid of the bad ones from Solyndra”*

Not only did you NOT get rid of the crooks in your hen-house, you kept the worst ones and hired more of them. We have assembled millions of pages of evidence and hundreds of hours of video that prove it beyond a shadow of a doubt.

We should know, we were one of the whistle-blowers that led to the FBI kicking in the doors at Solyndra.

You spent many days in private meetings with campaign financiers Tesla and Fisker to guide them to the cash you had hard-wired for them. You spent vast numbers of hours on phone calls with Tesla and Fisker bosses because they were the financiers of the Obama Administration and The Obama White House told you to just hand them the crony cash. That is a felony!

You used us and Bright and ZAP and EcoMotors ...and many other sincere applicants, as a smoke-screen to make the public and the news media think you had a legitimate program underway. In fact, we are the group of companies you intentionally, and criminally, defrauded in order to run your political campaign financier kick-back scam under a dark curtain of corruption.

You gave Tesla cash when Elon Musk had already said they were bankrupt. We have the video. You denied our application today even though our debt ratio is light years better than Tesla and our cash position is one thousand times better. You change the optics perceptions to suit your criminal payola scams but it will not help you now.

You NEVER called us or met with us, EVEN ONCE, to clarify the facade of conjectures and false statements in your bullshit response today. You wanted to make certain that we were never funded by your offices again because we caught you doing crimes! You didn't want to know the truth because you can't handle the truth! You only wanted to use your made-up information without ever getting any clarifying input from us because your mission is to make us fail for your political payback!

You have known since 2008 that you would never approve any additional funding for us! DOE decided that as "political payback" for exposing your felony corruption. It was your policy to not approve non-campaign insiders. That is a felony abuse of public office! Your own staff has admitted to this!

You knew that we simply: "Provide Gas To Cars". You manipulated our application to focus on a single chemistry that you hate for political reasons and a chemistry which we stated we are NOT using. You refused to review all of our financial data: which beat every other Applicant of the last decade. You refused to acknowledge the data that our technology already mates to every fuel cell vehicle, battery vehicle and vehicle using gas across the globe. You simply lied and/or falsely assumed the things you wanted to assume without ever contacting us...yet you called our competitors who applied (who your staff owns the stock of) hundreds of times.

Every response in your letter is either false, or a lie, or an intentional misreading of our plan in order to build a case to try to get out of the next lawsuit.

Your cheap mobster slush-fund antics have truly been a joy to expose. You guys are really cheese-ball shabby mobsters in your dirty little slush-fund game.

You, and your staff, own some conflict-of-interest stock market stocks, off-shore accounts and share some assets with some very interesting people... all at the expense of the taxpayers. Let's examine that further.. we have officially asked the FBI, SEC, FTC, DOJ, EU and global investigative news industry to assist in that effort.

U.S. Attorney General William Barr has now publicly stated, before Congress, and on the record, that the Obama Administration DID abuse intelligence agency resources to manipulate federal agencies and attack U.S. Citizens in illegal and extreme reprisals, vendettas, revenge and benefits blockades and we were one of those entities that was attacked. The Department of Energy was one of the biggest tools in that corrupt operation. You used federal employees and contractors to seek to harm U.S. born, natural citizen taxpayers (Including the current President of the United States) by subjecting them to extreme reprisals, vendettas, revenge and benefits blockades as payback for assisting law enforcement in the Solyndra/Palo Alto Mafia/DOE political corruption case.

That kind of abuse of a public office by DOE is a felony violation of the law. We will be delighted to see the crowd-sourced public forensics hobbyists use all of their global social-media resources to put you, and your crony's, in prison and out of public offices.

What kind of a tunnel-vision bubble of delusion do you people live in? Do you not realize that the entire world knows what a crony scam you operate? Have you never typed: "Solyndra Corruption" into a search engine or watched the 60 Minutes Episodes: "*The Cleantech Crash*", "*Congress Trading on Insider Information*", "*The Lobbyists Playbook*", etc.?? How can you sleep at night knowing you are going into work the next day to operate a criminal, campaign financing, payback scheme?

While we love the letter from the heads of Bright Automotive: proclaiming your agency to be a sham, we think our letter gets to the meat of things. You defrauded us and our staff and now you will pay for it using the most creative and devastating 100% legal tools and tactics you ever experienced!

We demand a qualified, unbiased, conflict-free, review of the entire process of your crony kick-back scam since it was first crafted in 2006.

Our international alliance of federal investigators, FBI experts, White House staff, forensics examiners, investigative journalists and voters will not rest until this matter is fairly resolved.

To be even more specific, these are the facts and demands in greater detail:

UNITED STATES FEDERAL COMPLAINT – A HUMAN RIGHTS AND RACKETEERING COMPLAINT AGAINST THE U.S. DEPARTMENT OF ENERGY

Draft Revision 19

THE FBI, INSPECTOR GENERAL, U.S. ATTORNEY GENERAL, UNITED STATES CONGRESS AND INVESTIGATIVE MEDIA GROUPS HAVE BEEN ENGAGED TO INVESTIGATE THE CHARGES THAT APPLICANT HAS HAD THEIR BENEFITS AND RIGHTS BLOCKED AS PART OF A HIGH-LEVEL REPRISAL, RETRIBUTION, VENDETTA, POLITICAL REVENGE EFFORT IN PAYBACK FOR PLAINTIFFS WORK AS FEDERAL WHITE-COLLAR CRIME WITNESSES.

PLEASE VERIFY THAT ALL OF CLAIMANTS CLAIMS HAVE BEEN FAIRLY EVALUATED, WITHOUT BIAS OR POLITICAL INFLUENCE, AND THAT NO EFFORT TO BLOCK THEIR BENEFITS OR RIGHTS, WHEN OTHERS RECEIVED THEM AT THE SAME TIME, REFLECTS ANY POSSIBLE POLITICAL EFFORT TO HARM CLAIMANT.

ANY PROCESSING HARM TO PLAINTIFF WILL CAUSE FELONY CHARGES TO BE FILED AGAINST ANY FEDERAL EMPLOYEE OR CONTRACTOR WHO ENGAGED IN SUCH ACTIONS AGAINST PLAINTIFF.

PLEASE, ALSO, ADVISE AS TO HOW YOUR OFFICE WILL BE PAYING THE DAMAGES TO PLAINTIFF/CLAIMANT CAUSED BY THE ACTIONS OF YOUR OFFICE.

THIS COMPLAINT, AND IT'S CORROBORATING EVIDENCE, HAS BEEN PROVIDED TO THE FBI, VIA THE DIRECTOR'S OFFICE. FBI 302 REPORTS CAN BE VIEWED BY AUTHORIZED MEMBERS OF CONGRESS. SEC, GAO, OSC, CFTC, FTC, FEC AND THE INVESTIGATORY OFFICES OF RELATED AGENCIES HAVE ALSO RECEIVED THIS MATERIAL.

Domestic Citizen Group and The Class of Citizens Also Affected (DCG)

Plaintiff,

Case No. **TBD**

- JURY TRIAL DEMANDED
- GRAND JURY INVESTIGATION DEMANDED
- APPOINTMENT OF SPECIAL COUNSEL DEMANDED
- DEMAND IS MADE FOR DOJ TO JOIN THIS CASE
- DEMAND IS MADE FOR A COURT-APPOINTED ATTORNEY DUE TO HARDSHIP AND CIVIL RIGHTS CRITERIA ATTAINMENT

v.

**U.S. Department of Energy; The
Affiliates of the Agencies and
DOES 1 through 50**

Defendant(s)

**CAUSES OF ACTION: FELONY RICO RACKETEERING VIOLATIONS, FRAUD, HUMAN RIGHTS VIOLATIONS, CIVIL RIGHTS VIOLATIONS, ANTI-TRUST VIOLATIONS, INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS; INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE; CYBER-STALKING; INVASION OF PRIVACY; UNFAIR COMPETITION; THEFT OF INTELLECTUAL PROPERTY AND OTHER CAUSES
TBA...**

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FIRST AMENDED VERIFIED COMPLAINT

(For Breach of Contract, Unlawful Taking, Estoppel and 28 U.S.C. §1498(a) Compensation)

Parties

1. Plaintiff ***Domestic Citizen Group and The Class of Citizens Also Affected (DCG)*** (“DCG”) is the assignee of all rights, title and interest in the claims of this action against the Defendant(s). DCG is Silicon Valley-based innovative technology and law enforcement technology specialist group partially financed by Defendant.

2. Defendants are the **U.S. Department of Energy, The Affiliates of the Agencies and DOES 1 through 50** (“The federal government”), federal agencies and their associates and financiers.

Jurisdiction and Venue

3. Jurisdiction and venue are pursuant to U.S. Const. Art. III and 28 U.S.C. §§ 1491 and 1498(a) and related federal mandates and case actions relative to other cases as shown on www.pacer.gov

Facts

Background

4. A decade ago the facts of this case would have been hard for the public to comprehend. Today, though, these kinds of heinous manipulations of democracy, via the abuse of spy trade-craft by corporate special-interests to manipulate domestic public policy, are now the daily head-lines in every mainstream newspaper. From the Watergate Spy break-in of the Nixon Era to the Trump Tower spy break-in of the modern era, the abuse of intelligence tools is now harming innocent citizens, such as Plaintiff, in the blow-back. Pursuant to 42 U.S.C. §

17013, The federal government - through Secretary of Energy Steven Chu (“Chu”), Director of Advanced Technologies Manufacturing Loan Programs, Lachlan Seward (“Seward”), their staff, advisers and consultants, Barack Obama (The President of the United States) and Defendants: White House staff: John Podesta, David Axelrod, Rahm Emanuel, Matt Rogers, Jonathan Silver, David Plouffe, Robert Gibbs, Jay Carney, Steven Rattner, Dennis McDonough, Joe Rhodes, Valerie Jarrett, Hillary Clinton and U.S. Attorney General Eric Holder; all of whom knew Plaintiff, and communicated with, and about Plaintiff; and administered the “Advanced Technology Vehicle Manufacturing Loan Program” (the “ATVM Loan Program”) and most federal agency funds, using their private email accounts and private cell phone text systems which are now held in archives by outside investigative entities. The aforementioned government employees and contractors ordered, implemented, financed, managed and operated the City, State and Federal agency attacks, reprisals, human rights blockades, Housing and Social Security benefits blockades, funding blockades, Lois-Lerner-type attacks, blacklisting, retribution acts, vendettas, character assassinations and harms to Plaintiff; and are fully responsible and liable to Plaintiff, along with the Federal Government, for all compensation and damages recovery to Plaintiff. It is now widely documented that every room in, and around the White House during this period had its conversations and communications devices recorded by NSA, FBI, DIA and other entities. Those recordings, which are now held in archives by outside investigative entities, will be available in these proceedings for Congress and investigators. It is now also widely known that “StingRay” devices, produced by the Harris Communications signals processing company, operating in, and around, Washington, DC were recording all phone communications by Obama Administration White Staff during this period. Those recordings, which are now held in archives by outside investigative entities, will be available in the proceedings for

Congress and investigators. It is now also widely known that evidence supplied by the “*Panama Papers*”, “*Swiss Leaks*”, “*Snowden Leaks*”, “*Wikileaks*”, “*Kleiner Perkins Leaks*”, and other pending disclosures, will verify the assertions herein about stock market bribes and “*Dark Money*” political racketeering payola. The federal government officials and their San Francisco, San Mateo and Marin County agencies and the California Senators connected thereto, did cooperate and comply with White House requests to engage in retribution, revenge, vendetta, reprisal and harm to Plaintiff by cooperating with the implementation of benefits blockades, funding blockades, investor black-lists, Lois-Lerner-type attacks, career blacklisting, denials of benefits, erasure of applications on networks, application manipulation, hacking of Plaintiff computers and phones and other harms to Plaintiff. The federal government is directly responsible for the rights and benefits harms to Plaintiff per federal law. The U.S. Government had previously worked with Plaintiff on many national and global programs seen on network television and national news and knew Plaintiff in advance of the attacks. Applicant had been previously awarded a multi-million dollar Congressional grant in the IRAQ War Bill by the United States Congress, was a friend of five different White House Administrations, has hundreds of letters of reference and has received more United States Government awarded technology patents than the Secretary of Energy: Steven Chu, that Plaintiff got fired for corruption. Plaintiffs were asked by the government, via U.S. Senator’s, Agency executives and Congress to participate in these efforts, invest years of their time, invest Plaintiffs life savings and place Plaintiffs brand at risk for “*the interest of the nation*”. ***Instead, U.S. Government employees and contractors used Plaintiff as a front operation smoke-screen to hide their stock market insider-trading schemes and “hard-wired” public policy profiteering for themselves and their families now exposed in global investigative news reports. They defrauded the***

Plaintiff out of Plaintiffs homes and assets. FBI and CIA XKEYSCORE-class financial tracking databases now prove this and show the cash tracking of the criminal beneficiaries who include DOE executives, former White House staff and U.S. Senators!

5. For example: Congress created the ATVM Loan Program to support the manufacture of advanced technology vehicles and components in the United States and reduce U.S. dependency on foreign oil. In 2008, Congress authorized DOE to make \$25 billion in ATVM loans. The U.S. Government currently has approximately \$16 billion of unused lending authority. As the world has now discovered, the entire post-2007 Government Agencies budgets were re-routed by the Obama Administration and used as slush-funds to payola Silicon Valley campaign financiers from Google, Netflix, LinkedIn, Facebook, Tesla and the “Palo Alto Mafia” and their “bosses”: Elon Musk, Eric Schmidt, John Doerr (Who personally told Plaintiff: “*I will never allow fuel cell cars to happen*”), Larry Page, Mark Zuckerberg, Steve Westly, Steve and Alison Spinner, Steve Jurvetson, Tim Draper, Reid Hoffman, Vinod Khosla, Peter Thiel, David Drummond, Ira Ehrenpreis, Jared Cohen, Marc Benioff, Pierre Omidyar, Rob Painter, Tom Perkins (Who personally told Plaintiff: “*We are the MAFIA in Silicon Valley*”), James W. Breyer, Gilman Louie (Who Plaintiff worked for and who founded, Defendant, In-Q-Tel with the CIA), Marc L. Andreessen, Sergey Brin, Steve McBee, and their associates as quid-pro-quo bribe kick-backs including search engine rigging and coordinated media censorship FOR certain politicians and AGAINST Plaintiff. This organized crime group revels in their love of the Mafia, poses in pictures dressed up as mafia members, are mostly under investigation for tax evasion, and write in their emails that they “*must become the mafia*” in order to control public policy.

6. At all times relevant, the U.S. Government had actual or constructive knowledge that the ATVM Loan Program evaporated private investment capital for advanced technology

vehicle manufacturing and distribution because venture capital and institutional lenders could not, and would not, compete with government interest and repayment terms (1%-3% and up to 35 years, respectively). At all times Google and its Venture Capital investors, Facebook and its Venture Capital investors, LinkedIn and its Venture Capital investors were a covert and overt part of the U.S. and California State Government and gave orders and financing to the most senior officials in the White House, HUD, DOE, EPA, FBI, SEC and most federal agencies at the time through their massive wholesale purchase of *most of the K Street Washington DC lobbyist firms and high technology law firms. These take-overs of the majority of the high tech law firms and big lobby firms included a black-listing threat which warned those firms that they would lose all of their business if they assisted Plaintiff or Plaintiffs companies.* In fact, The Intercept Article in Glenn Greenwald's news magazine about "*The Android Administration*" reveals that Google essentially staffed and controlled the Obama White House under an 'Omerta' which they operated outside of the Democratic process. Google built Google and Youtube based on copies of Plaintiffs operating companies (Proven as fact by earlier invention proof-of-use materials including: NDA's sign by VC's and major Silicon Valley executives, videos, United States Patent Office files, broadcast news coverage source code, state records, news reports, federal patent wrapper files, phone records, patents, emails, contracts, marketing materials, users, witness statements, etc...) and had a personal rivalry with Plaintiff based on Google's "*elitist frat boy rape-culture*" beginnings at Stanford University. Google bribed the Defendants, made the most stock market profits of any company in the time period from the monopoly created for them by the Defendants and, essentially coordinated a portion of the issues at hand as a RICO violating organized crime activity for political profiteering.

7. Pursuant to 42 U.S.C. §§ 16511 and 16513, Government Agencies- through Chu, Seward, their staff, advisors and consultants - also administered the “§1703 Loan Guarantee Program” (the “LGP”).

8. Congress created the LGP to support innovative clean energy projects that are typically unable to obtain conventional private financing due to high technology risks by authorizing Government Agencies to guarantee up to eighty percent of a loan for projects that “avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and employ new or significantly improved technologies as compared to commercial technologies in service in the United States at the time the guarantee is issued.” The U.S. Government currently has approximately \$34 billion of unused lending authority.

9. Since 2000 DCG has collaborated with scientists at The Department of Energy’s Sandia National Laboratory (“Sandia”), and elsewhere on advanced technology vehicle and housing development. DCG provided Government Agencies with confidential business information, intellectual property and prototypes of advanced technology vehicle energy storage systems, chassis and body materials and construction, and electronics, and Government Agencies provided DCG partners and DCG a grant, technical support and validation services. Since 1976, DCG has also assisted City, State and Federal Law Enforcement and Intelligence with White Collar Crime investigations and operations

DCG’s ATVM Loan Program Application

10. Responding to a government solicitation, on November 10, 2008, DCG applied for \$40 million in ATVM Loan Program funds to mass produce an advanced technology, family-friendly SUV-style vehicle (“DCG’s SUV”). It offered Government Agencies collateral independently valued at over \$100 million as security for this loan.

11. At all times relevant, DCG had operations, including potential manufacturing facilities, in Detroit (through Roush Automotive and other contract facilities), the San Francisco Bay area, Nevada and Utah.

12. DCG's team included highly experienced industry sales executives, managers and designers (including the senior creation staff for the Corvette and the Mustang) and aerospace industry professionals. They designed DCG's SUV to be affordable (less than \$20,000 in its base configuration); to have a virtually unlimited range without the need for either gasoline, garage or extension cords to charge; to recharge rapidly via a "hot-swap" system; to be produced quickly and cheaply by subcontracting existing and underutilized factories, workers and machines; and to be easily repaired.

13. One key innovation, based on a decade of research, was the use of polymer plastics and skinned plastic foam pressure membranes to replace metal doors, body panels, hoods and roofs on a lightweight alloy frame. Consequently, DCG's SUV could have a curb weight of less than 1,400 pounds (approximately one-third the weight of a Toyota Prius). This design also improved vehicle safety because the foam-skinned polymer membranes functioned as a wraparound, pre-deployed "airbag" to withstand impacts and damp out crash damage.

14. At all times relevant, DCG's SUV's critical parts had either been tested or used in industry-proven "off the shelf" applications. For example, the SUV's pressure membrane body technology was widely used in military applications, aerospace systems, naval and homeland security deployments worldwide, airbags, watercraft, Mars landing equipment and even buildings and arenas.

15. At all times relevant, DCG was in discussions with private sources of capital including Wells Fargo Bank; developing a distribution network; and otherwise preparing to

commence production and sales. DCG's pending customers and financial partners included the Ranson Green Community Development Foundation, ZAP, Detroit Electric, DCG's sister company DCG partners and over forty distributors and resellers accounting for potential sales in excess of the first anticipated production run.

16. DCG's ATVM Loan Program application contained confidential and patented business information, as defined by 10 C.F.R §§ 1004.10(b)(4) and (11), and 5 U.S.C. § 552(b) (4), including a solid-state NaALH (aka "NALH") energy storage system and pressure membrane technology, among other things.

17. Government Agencies, in confidence and in consideration for DCG's and DCG partners's submission of ATVM Loan Program applications, promised to guard this information from unauthorized disclosure and use, or infringement.

18. The U.S. Government also promised to evaluate ATVM Loan Program applications on a "first in, first out" basis; to treat all applicants fairly and to provide a level review using objective published criteria; and to make ATVM Loan Program funds available beginning by the end of December, 2008, but no later than January, 2009, to those who qualified for such funds.

19. On December 2, 2008, HUD acknowledged receipt of DCG's application and requested additional information. *See Exhibit 1.* DCG provided this additional information and on December 31, 2008, DCG's application was deemed substantially complete. Government Agencies said that they would specifically request additional information as needed. *See Exhibit 2.* Upon information and belief DCG's ATVM Loan Program application was among the first deemed substantially complete..

20. At all times relevant, DCG qualified for ATVM Loan Program funds under published criteria and was in fact deemed a “qualified applicant” by the federal government. The non-bribed federal employees own Excel comparison matrices dated December 29, 2008 and March 2, 2009 placed DCG in the top 5% of all applicants.

21. The government’s representations and promises led DCG to believe that the government would began processing DCG’s ATVM Loan Program application upon receipt but no later than the end of December, 2008, and that the review process would take a matter of weeks consistent with normal commercial lending practices and procedures. It turned out that attacks had been ordered against DCG as soon as the Obama campaign organizers began creating the Obama presidential campaign in Chicago because they had planned to take all of the Government Agencies funds, and other funds, for themselves. *Plaintiff was induced, By lies from federal officials, to invest Plaintiffs life savings in the effort based on State and Federal assurances, and previous Congressional contracts and payments, which stated that Plaintiffs funding was coming through from the U.S. Government. Plaintiff hand-delivered the largest set of national voter and customer letters of support to the U.S. Congress, of any related Applicant in U.S. History!*

22. However, DCG soon found that the Government Agencies had reneged on its promises and that the federal review was intentionally stonewalled, on White House orders, in order to benefit Tesla, Google (both investors in each other’s company) and the White House kick-back program. Tesla bribed Obama White House and DOE officials and Senators Reid, Feinstein and Pelosi in order to get their government cash. Discomfited by the federal delay, which blocked private capital loans and investment and prevented production, DCG repeatedly

provided agency officials engineering, financial and other information to proactively speed and inform the agency's review.

23. At all times relevant, DCG was unaware both that its 2007, and forward federal funding programs had been "set aside" and hard-wired only for, an in favor of applications from politically-connected government cronies and that Government Agencies had "fixed" and rigged the funding process to benefit political donors. DCG also was unaware that Government Agencies had no intention of approving DCG's applications under any circumstances, notwithstanding all of its representations and assurances to the contrary, because DCG competed with Obama government-favored companies. Instead, DCG assumed Government Agencies were acting in good faith, and in accordance with the law, to carry out Congress's intent by providing billions for the development and production of advanced technology vehicles in the United States to reduce U.S. dependency on foreign oil.

24. On April 23, 2009, Jason Gerbsman from California, DOE's Chief of Staff and Senior Investment Officer at the Loan Programs Office Automotive Division notified DCG that:

[DCG] has submitted a substantially complete application and has been assigned to both a technical eligibility and merit review team, as well as a financial viability analysis team. The technical team is very close to finishing their evaluations on both eligibility and project merit, and the financial team will be launching a more detailed and interactive due diligence phase of the [DCG] application review very soon. Following the technical and financial evaluation under the second stage of the process, we will move into the underwriting phase where our goal is to negotiate a conditional commitment, including a detailed term sheet. This will be followed by the fourth phase of the loan process where the final details will be negotiated and the loan will be closed.

25. On May 26, 2009, Gerbsman offered DCG an in-person meeting to discuss "next steps."

26. On May 28, 2009, DCG flew a representative from California to meet with Gerbsman. Gerbsman said that The federal government had determined "everything was in

order” with DCG’s ATVM Loan Program application; that “everything looked good;” and that DCG “appeared to be fully compliant and passed technical review.”

27. Shortly thereafter, DCG discovered that Tesla Motors, Inc. (“Tesla”) and Fisker Motors, Inc. (“Fisker”) were receiving special assistance from The federal government staff with the ATVM Loan Program application process. Fisker was even given extraordinary access to The federal government staff time, offices and conference rooms in The federal government’s headquarters at no charge. Both Tesla and Fisker were DCG competitors.

28. DCG requested similar assistance from The federal government staff but was denied it because, as The federal government staff put it, DCG’s application was so good that special assistance was not needed.

29. Notwithstanding The federal government’s delays and the bankruptcy of other industry players (due to these companies’ failure to meet consumer needs) DCG continued to grow. On June 15, 2009, DCG informed The federal government that it was a semi-finalist in the Forbes “America’s Most Promising Companies List” for that year.

30. On or about June 22, 2009, The federal government advised DCG that a Northern California solar energy company called Redwood Renewables (“Redwood”) had requested a copy of DCG’s ATVM Loan Program application from The federal government through the Freedom of Information Act (“FOIA”).

31. DCG contacted Redwood to see why it was interested in DCG’s ATVM Loan Program application, and spoke with Redwood’s principal, Tom Faust.

32. Faust said that he had been “screwed over” by The federal government and had wanted to know if others had similar experiences.

33. Faust said that Plaintiffs company had suffered “bad dealings” with Matt Rogers, a “stimulus advisor” to Chu from McKinsey & Company, and Steven Spinner, a The federal government loan program office official. Spinner, an accomplished campaign contribution “bundler” who had raised millions of dollars for the White House, was given this important government position in exchange for Plaintiffs fundraising. Spinner too had worked at McKinsey & Company and, according to a biography posted by the Center for American Progress, was a Tesla advisor and investor.

34. Faust said that Rogers and Spinner were “rigging the game” with respect to all The federal government loans. He gave DCG Spinner’s personal cell phone number and told DCG to call Spinner and ask why DCG’s ATVM Loan Program application had stalled.

35. DCG texted Spinner and then called him. Spinner answered the phone and said words to the effect of “Do not ever call me again. The awards have already been decided.”

36. On June 24, 2009, The federal government announced \$8 billion in ATVM loans to Ford Motor Company (“Ford”), Nissan North America, Inc. (“Nissan”) and Tesla. The federal government gave Tesla \$465 million at a rate of 1.6% and on extremely favorable below-market terms to manufacture an expensive electric car targeted at rich actors, media personalities and businessmen, not average Americans.

37. On June 29, 2009, DCG wrote to Gerbsman again asking for action on its ATVM Loan Program application. DCG told Gerbsman that other lenders were hanging back until after The federal government issued its term sheets.

38. Over the next seven weeks, Gerbsman and other authorized The federal government representatives repeatedly assured DCG that “everything was fine,” “everything is on-track,” and “you [DCG] appear to meet every criteria” with respect to its ATVM Loan

Program application. DCG was even told that “we [The federal government] should be able to announce [a loan] any day now...”

39. However, on August 21, 2009, The federal government denied DCG’s ATVM Loan Program application. *See Exhibit 3.*

40. The federal government, through Seward, said that DCG’s application was “determined to be eligible” in accordance with the “evaluation criteria” in 10 C.F.R. §611.103 but that The federal government was “not in a position to award every eligible application [ATVM Loan Program funds].”

41. The federal government said necessity required The federal government to “choose applications that are most likely to use [ATVM Loan Program] proceeds in a way that will best achieve the goals of the program” and that DCG’s application was rejected on this basis after a “merit review.” The federal government did not disclose the criteria used to weigh competing qualified applications nor explain how or why DCG fell short in the “merit review.”

42. DCG then asked The federal government to specify its reasons for denial.

43. In an email to The federal government’s Chris Foster, DCG requested The federal government’s merit review documents and asked how The federal government could reasonably conduct a ten month comparative review of DCG’s ATVM Loan Program application without working with a single company engineer or senior project staff member for even one percent of the time that The federal government staff spent with Tesla, Nissan, Ford and/or Fisker (the ATVM Loan Program “winners”) during the same period of time.

44. Foster did not answer.

45. On or about August 26, 2009, DCG called Foster directly and Foster picked up the phone.

46. Foster told DCG that he would pull DCG's file and read to DCG the reasons given there for The federal government's denial.

47. Foster said that the file indicated that The federal government had denied DCG's application because DCG's SUV did not use E85 gasoline; DCG was not planning on building "enough" vehicles; DCG was not planning on government sales; DCG's electric motors and batteries were too futuristic and not developed for commercial use; DCG's SUV was a "hydrogen car;" and DCG had underestimated the cost of metal body fabrication.

48. At all times relevant, however, The federal government had actual knowledge that the "reasons" it had given for denying DCG's ATVM Loan Program application were baseless pretexts.

49. First, none of the politically-connected ATVM Loan Program winners used E85 gasoline in all-electric vehicles.

50. Second, DCG's SUV was designed for fast and inexpensive mass production. This is why it was based on the use of commonly available parts from existing commercial sources with multiple points of supply and why it could be sold at a base price of only \$20,000.00.

51. Third, DCG's business plan specifically provided for large government and fleet sales. Defendants were aware this plan had been developed by an experienced automotive fleet sales expert responsible for over \$2 billion in sales for domestic automakers.

52. Fourth, DCG's SUV's so-called "futuristic" electric motor and battery configuration had been in commercial and government use for decades.

53. Fifth, DCG's SUV was an electric and not a hydrogen vehicle.

54. Sixth, DCG's SUV minimized the number of metal parts, using safer and easier to source and fabricate polymers and plastics.

55. As DCG was explaining to Foster that the "reasons" given for The federal government's denial were actually no reasons at all, Seward entered Foster's office and directed him to terminate the call. Seward told Foster to advise DCG that it would receive a letter from The federal government with respect to its concerns.

56. Despite the passage of weeks, no letter was forthcoming.

57. Therefore, on September 21, 2009, DCG wrote to Chu requesting reconsideration of The federal government's denial of its ATVM Loan Program application. *See Exhibit 4.*

58. In this letter, DCG demonstrated that the "reasons" for The federal government's denial read by Foster from DCG's file were false. It asked Chu to explain why The federal government staff repeatedly assured DCG that approval would be forthcoming and that no additional information was necessary; to describe the merit review criteria; and to justify why government-crony companies that applied after DCG were reviewed earlier, given the benefit of extensive access to and interaction with The federal government staff (a benefit denied to DCG), and then awarded funds.

59. On October 23, 2009, Seward wrote to DCG. *See Exhibit 5.* He did not answer DCG's questions to Chu. Instead, Seward attempted to back-fill the record with new but equally baseless justifications for The federal government's denial of DCG's qualified application.

60. To begin with, Seward said that DCG's application was "deemed Substantially Complete on November 10, 2009." In fact, DCG's application had been deemed substantially complete on December 31, 2008.

61. Seward said that the “proposed technology appeared...to be at a development stage and not yet ready for commercialization” and that the “assumption that the vehicle concept would be ready for production in three years” was a “significant weakness” due to the “high level of risk associated with the design.” In fact, DCG’s SUV technology had been used commercially by the U.S. Department of Defense, NASA and the automobile industry; the politically-connected companies that were awarded ATVM Loan Program funds were no further ahead in production than DCG; and elements of DCG’s “high risk design” were already in use by Toyota and Nissan in the retail consumer market worldwide.

62. Seward said “the proposed project’s impact on fuel economy...was determined to be weak.” In fact, non-gasoline powered automobiles were uniformly acknowledged by The federal government and other industry experts as the most significant source of fuel economy improvement. And, DCG’s SUV promised even better fuel economy than any of the ATVM Loan Program “winners” (Tesla, Nissan, Ford or Fisker) proposed or actually offers to this day.

63. Seward said “A review of the advanced fuels in your project and the feasibility of that energy source...was questionable.” In fact, the fuels, products and sub parts of the “questionable” energy source are readily available to consumers at REI Sporting Goods, Amazon.com and Safeway supermarkets, among other places.

64. Seward said “A review of the calculations and assumptions supporting your claims for reductions in petroleum use were deemed to be unrealistic.” In fact, DCG’s calculations and assumptions were confirmed by institutional research and white papers from respected government and university agencies.

65. Seward said that DCG’s project “may be commercializable in the future, but is far too early in the development process to qualify” for an ATVM loan. In fact, DCG was at least as

far along in the “development process” as Tesla and Fisker, the politically-connected companies funded by The federal government.

66. Seward’s letter was the first time any of these issues had been raised by The federal government with DCG, notwithstanding ten months of “review” including multiple meetings, phone calls and emails.

67. Furthermore, not only had The federal government never before raised these “issues” with DCG, it had affirmatively declined, over a period of months, to consult with any of DCG’s engineers and denied DCG the “interactive” review that it had promised to give in April, 2009, and that it had in fact given to the politically-connected ATVM Loan Program winners Tesla and Fisker.

68. Critically, The federal government did *not* say, in Seward’s October 21, 2009 letter or at any other time, that DCG had offered inadequate security for the ATVM Loan Program funds; that DCG was a repayment risk; that DCG had failed to demonstrate that there was a “reasonable prospect of repayment” of the proposed loan; that DCG had failed to demonstrate it was capable of building, distributing or selling the proposed SUV; or that DCG had failed to demonstrate “financial viability without the loan” as required by law.

69. To this day, neither Foster nor Chu nor Seward nor anyone else at The federal government has ever provided DCG with The federal government’s “merit review” evaluation records or criteria. The federal government has repeatedly refused Freedom of Information Act requests aimed at securing disclosure of these records and criteria.

70. At all times relevant, DCG qualified for the requested ATVM Loan Program funds pursuant to 10 C.F.R. Part 611.

71. At all times relevant, DCG had numerous viable offers from potential investors, manufacturing partners, distributors and customers. However, The federal government's wrongdoing, including its purposeful delay and baseless denial of DCG's ATVM Loan Program application, denied DCG the benefit of these business opportunities.

DCG partners's ATVM Application

72. Or about February 1, 2009, DCG partners applied for \$15 million in ATVM Loan Program funds to produce a "best of breed and state of the art" advanced technology vehicle component energy storage system using DCG partners's patented technology. Sandia was designated as a key subcontractor in this effort.

73. On April 10, 2009, The federal government denied DCG partners's application on the grounds that the components in question "[did] not appear to be designed for installation in an advanced technology vehicle..." See Exhibit 6. However, these grounds were false and a mere pretext to preserve ATVM Loan Program funds for government-favored companies and/or to protect those companies from competition.

74. On April 11, 2009, DCG partners requested reconsideration, reminding The federal government the relevant patents stated that the components in question were meant for use in advanced technology vehicles; that Sandia's vehicle technologies group was the prime subcontractor for the project; and that The federal government had funded the technology's development specifically for such use. See Exhibit 7.

75. On May 13, 2009, The federal government again denied DCG partners's application because the components were "not installed in the advanced technology vehicle." This time, though, it asked for more information. See Exhibit 8. On June 3, 2009, DCG partners responded with the requested information. It again requested reconsideration pointing out that

the questioned components “*must* be installed prior to use in an advanced technology vehicle and are, accordingly, designed for such installation, and therefore...‘qualifying components.’” See Exhibit 9. The federal government never responded to this letter.

76. At all times relevant, DCG partners qualified for the requested ATVM Loan Program funds pursuant to The federal government’s criteria at 10 C.F.R. Part 611.

DCG partners’s LGP Application

77. At all times relevant, The federal government recognized that the LGP application fees and process were unduly onerous and burdensome.

78. On or about February 1, 2009, DCG partners participated in a conference call with John Podesta, Chu and Interior Secretary Kenneth Salazar during which Chu said that he felt the LGP fees and process were unduly onerous and burdensome. Chu further promised to waive the application fee.

79. Relying on this promise, DCG partners filed a LGP application on or about February 10, 2009, with a cover letter stating that it was DCG partners’s understanding The federal government had waived the application fee.

80. DCG partners heard nothing from The federal government until February 26, 2009, the application deadline. On that day, The federal government’s Myrtle Gross called and said that the initial application fee of \$18,000 had to be wired by midnight for DCG partners’s LGP application to be considered. This was DCG partners’s first and only notice that The federal government reneged on its promise to waive the LGP application fee.

81. DCG partners had the funds to make payment but could not complete the transaction by the midnight deadline. Therefore, it considered the matter as closed.

82. On February 27, 2009, Daniel Tobin, The federal government’s Loan Programs Office Senior Investment Officer, called DCG partners and said that there were “a few days of flexibility” to send in the application fee and promised to provide wire instructions. Tobin also promised to “pre-review” the application and to call back with feedback for DCG partners’s investors.

83. Over the next six weeks, DCG partners sent The federal government emails and letters, and made phone calls, seeking what Tobin had promised. However, DCG partners never heard back from Tobin or anyone else at The federal government with wire instructions or the promised pre-review. Instead, on April 9, 2009, The federal government dismissed DCG partners from the LGP without recourse because of “non-remittance of the required application fee...” See Exhibit 10.

84. DCG partners requested reconsideration of this decision, which The federal government denied.

The federal government’s Cronyism and Program Abuses

85. Because The federal government’s “merit review” criteria and process were so opaque, the taxpayer-funded ATVM Loan Program and LGP became cash cows for government cronies.

86. Politics and political pressure infected these programs, shaping, in whole or in part, the judgment of The federal government’s ultimate decision makers including Chu, Seward, their staff, advisors and consultants.

87. In February, 2011, GAO issued an investigative report on The federal government’s ATVM Loan Program. See Exhibit 11 “Advanced Technology Vehicle Loan

Program Implementation Is Under Way, but Enhanced Technical Oversight and Performance Measures Are Needed,” GAO-11-145 (Feb 28, 2011).

88. GAO found that The federal government had made billions in loans without engaging “engineering expertise needed for technical oversight.” As a result, GAO said “The federal government cannot be adequately assured that the projects will be delivered as agreed.”

89. Furthermore, GAO found that “The federal government has not developed sufficient performance measures that would enable it to fully assess the extent to which it has achieved its...program goals” contrary to sound administrative agency practices.

90. The federal government’s irrational failure to employ appropriate engineering expertise for application reviews and its arbitrary and capricious refusal to use objective administrative performance measures facilitated the politicization of The federal government’s loan program.

91. In truth, The federal government’s ATVM Loan Program was nothing more than a veil for political officials to steer hundreds of millions of taxpayer dollars to government cronies, including Tesla and Fisker.

92. For example, Tesla’s loan of \$465 million, announced on June 24, 2009, was obtained in whole or material part through the efforts and influence of its political patrons.

93. These patrons included Steven Westly, who was a major campaign contributions “bundler” for the White House. Westly’s fundraising bought him special White House access and an appointment on a key The federal government advisory board. Upon information and belief, Westly sat on Tesla’s board from March, 2007, to December, 2009, when The federal government gave Tesla \$465 million.

94. These patrons also included The federal government's Spinner, whose fundraising had bought him a primary role in The federal government's Loan Program Office. Upon information and belief, Spinner was at all times relevant a Tesla investor and advisor.

95. Tesla's patrons' contributions, and the political access secured thereby, were material factors in The federal government's favorable treatment of and preferences for Tesla during the ATVM Loan Program application process and in The federal government's decision to lend Tesla nearly half a billion taxpayer dollars at highly favorable, below-market terms and rates.

96. Predictably, Tesla's business results have not justified The federal government's special favors.

97. For example, Tesla, using taxpayer money to build a luxury vehicle aimed at rich actors, media personalities and businessmen, has repeatedly missed production targets, burned through cash and required The federal government to repeatedly renegotiate loan terms to survive.

98. On November 12, 2012, Tesla notified the Securities and Exchange Commission that:

On January 20, 2010, we entered into a loan facility with the Federal Financing Bank (FFB), and the Department of Energy (DOE), pursuant to the Advanced Technology Vehicles Manufacturing (ATVM) Incentive Program. This loan facility was amended in June 2011 to expand our cash investment options, in February 2012 to modify the timing of certain future financial covenants and funding of the debt service reserve account, and in June 2012 to allow us to effect certain initiatives in our business plan. We entered into another amendment with the DOE in September 2012 to remove our obligation to comply with the current ratio financial covenant as of September 30, 2012 and amend the timing of pre-funding the principal payment due in June 2013. Under the DOE Loan Facility, the FFB has made available to us two multi-draw term loan facilities in an aggregate principal amount of up to \$465.0 million. Up to an aggregate principal amount of \$101.2 million had been made available under the first term loan facility to finance up to 80% of the costs eligible for funding for the powertrain

engineering and the build out of a facility to design and manufacture lithium-ion battery packs, electric motors and electric components (the Powertrain Facility). Up to an aggregate principal amount of \$363.9 million has been made available under the second term loan facility to finance up to 80% of the costs eligible for funding for the development of, and to build out the manufacturing facility for, our Model S sedan (the Model S Facility). Under the Loan Facility, we are responsible for the remaining 20% of the costs eligible for funding under the ATVM Program for the projects as well as any cost overruns for each project. As of August 31, 2012, we have fully drawn down the aforementioned facilities.

99. In other words, Tesla has spent all of the taxpayer funds it was given but it needs new ATVM loan repayment terms because it cannot keep its original commitments.

100. In 2008, Tesla promised to construct a factory in 2009 and then begin mass production of the vehicle known as the “Model S.” On November 7, 2012, it reported delivering a total of 256 such vehicles. Between 2008 and 2012, Tesla sold fewer than 2,500 of its “Roadster” models worldwide. Now, it promises “mass production” of the “Model S” will begin in 2013.

101. Fisker’s ATVM loan of \$528.7 million, announced on September 22, 2009 (approximately one month after The federal government rejected DCG’s ATVM Loan Program application), also was obtained in whole or material part through the efforts and influence of political patrons.

102. Fisker’s patrons were John Doerr and the investment firm of Kleiner, Perkins, Caufield & Byers (“KPCB”), they financiers of Google and the Obama and Clinton campaigns . At all times relevant, Doerr was a KPCB partner who was sued for sex abuse by Plaintiffs partner, had Plaintiffs emails leaked and was caught bribing Stanford University for special favors; along with former Vice President Al Gore, among others, and KPCB was a Fisker investor. Doerr and Plaintiffs partners donated millions to the 2008 Obama campaign and related Democrat political causes, buying preferential government treatment for their business

interests. Among other things, Doerr's contributions purchased high-level White House access and a seat on the President's Council on Jobs and Competitiveness. Al Gore had written Plaintiff numerous White House commendations on White House letterhead as Vice President of The United States and was now embarrassed that Kleiner Perkins ordered Plaintiff to "Be Destroyed" because he competed with Kleiners funded ventures.

103. Contributions by Fisker's patrons, and the political influence secured thereby, were material factors in The federal government's favorable treatment of and preferences for Fisker during the ATVM Loan Program application process and in its decision to lend Fisker over half a billion taxpayer dollars at incredibly favorable rates and terms.

104. Predictably, Fisker's performance has not justified The federal government's favors.

105. For example, The federal government gave Fisker approximately \$169.3 million for "engineering integration" of a high-cost electric luxury car in Finland, and approximately \$359 million for manufacturing a low-cost plug-in hybrid sedan in the U.S. known as "Project Kx." *See Exhibit 12* "Conditional Commitment Letter by and between United States Department of Energy and Fisker Automotive, Inc. – Execution Copy (September 18, 2009)." The federal government committed this money to Project Kx without a seeing prototype or properly verifying Fisker's engineering, sales and supply chain claims and assumptions. Nevertheless, The federal government asserted Fisker's loan would "create or save about 5,000 jobs" just for domestic parts suppliers" and parroted Fisker's claim that "up to 75,000-100,000 [Project Kx] vehicles will roll off assembly lines in the U.S. every year beginning in late 2012."

106. Fisker did not make a Kx prototype available to the public or begin Kx production in 2010.

107. Fisker did not make a Kx prototype available to the public or begin Kx production in 2011, although it promised “mass production” would begin by the end of 2012.

108. On or about February 7, 2012, after Fisker had spent over \$170 million taxpayer funds, The federal government froze its credit facility due to many missed deadlines. In June, 2012, Fisker made the Kx prototype available to the public. The “low cost” sedan funded by The federal government in 2009 turned out to be a \$55,000 luxury car called the “Atlantic.”

109. The federal government had said that 75,000 – 100,000 Fisker Kx cars would be rolling off domestic assembly lines by the end of 2012. On October 18, 2012, Fisker reported that mass production of the “Atlantic,” which still has yet to begin, was delayed until 2014 or 2015.

110. Since 2008, Fisker has sold approximately 1,500 vehicles world-wide. Upon information and belief, the \$170 million of taxpayer money spent by Fisker to date has “saved or created” one hundred or fewer jobs.

111. In March, 2012, and in response to complaints by DCG partners and others, GAO reported on The federal government’s LGP performance. *See Exhibit 13* “The federal government Loan Guarantees: Further Actions Needed to Improve Tracking and Review of Applications,” GAO-12-157 (March, 2012).

112. GAO found that The federal government treated LGP applicants inconsistently, favoring some and disadvantaging others; lacked systematic mechanisms for LGP applicants to administratively appeal its decisions; often ignored its own underwriting standards and skipped review steps; and re-reviewed rejected applications on an ad hoc basis. It also found that The federal government’s practice of “[o]mitting or poorly documenting reviews reduces LGP’s assurance that it has treated applicants fairly and equitably.”

113. In October, 2012, emails released by Congress confirmed politics had impermissibly infected The federal government’s loan programs, and were shaping the judgment of The federal government’s decision makers with respect to funding determinations. *See e.g.* Exhibit 14 (Email from Jonathan Silver, former Executive Director, DOE Loan Programs Office, to James C. McCrea, The federal government LPO credit adviser, dated June 25, 2010, stating “WH wants to move Abound [project] forward. Policy will have to wait...”); Exhibit 15 (Email from James C. McCrea to B. Oakley stating “Pressure is on real heavy...due to interest from VP”); Exhibit 16 (Email from Monique Fridell to Kimberly Heimert, et al. dated May 25, 2010 stating “The federal government has made a political commitment to get Unistar through the approval process by 6/15”); Exhibit 17 (Email from James C. McCrea to Monique Fridell dated June 1, 2010 stating “Secretary [of Energy]...is adamant that this transaction is going to OMB by the end of the day Fri if not sooner. Not a way to do things but a direct order”).

114. Thus, The federal government bent the rules for White House allies such as Sen. Harry Reid and Rep. Steny Hoyer and government cronies received special personal access to high-ranking The federal government loan program officials. *See e.g.* Exhibit 18 (Email from James C. McCrea to “barbiar” dated December 5, 2009 stating “[Harry] Reid may be desperate. WH may want to help. Short term considerations may be more important than long term considerations and what’s a billion anyhow?”); Exhibit 19 (Email from James C. McCrea to Julie Stewart dated May 25, 2010 stating “7th Floor has decided mid June CRB...there has been a commitment from S1 [Secretary Chu] to Steny Hoyer on this. Nothing like over committing and under delivering”); Exhibit 20 (Email from Brightsource Chairman John Woolard, an LGP applicant, to Jonathan Silver, The federal government Loan Office Director dated November 10,

2010 stating “Thanks for offering to meet at your house tomorrow morning.” Silver replied “Came [sic] anytime. Guest bedroom is ready.”)

The federal government’s Abuse of DCG and DCG partners

115. The federal government did not review DCG’s and DCG partners’s ATVM Loan Program applications in good faith and in accordance with The federal government’s regulations, policies and promises. Instead, The federal government’s decision makers stonewalled DCG and DCG partners to benefit Tesla, Fisker and others favored because of their political contributions and connections. This damaged DCG and DCG partners severely.

116. To begin with, when The federal government “fixed” the ATVM Loan Program and LGP to benefit government cronies, it knowingly and intentionally rendered DCG’s and DCG partners’s ATVM Loan Program and LGP applications futile. Through multiple written and verbal representations from The federal government officials and staff with actual and apparent authority to bind the agency, The federal government intentionally induced DCG, DCG partners and others similarly situated to spend hundreds of thousands of dollars and invest thousands of hours of engineering and professional time on a meaningless snipe hunt.

117. The federal government’s ATVM Loan Program abuses, including delaying term sheets and wrongly denying loans among other things, hamstrung DCG’s and DCG partners’s ability to raise private capital, to begin production and to sell advanced technology vehicles to customers that were ready, willing, able and eager to buy DCG’s SUV.

118. The federal government fixed the ATVM Loan Program and the LGP to protect and advance the business and political interests of government cronies at DCG’s and DCG partners’s eDCGense. For example:

- a. The federal government made ATVM loans only to companies with political clout, contributions and influence-peddling patrons.
- b. The federal government discriminated among applicants based on political contributions and connections.
- c. The federal government: (1) changed the ATVM Loan Program funds distribution date and the “first in, first out” review process to benefit Tesla, Fisker and other politically-connected companies; (2) arranged for Tesla, Fisker and others in the favored class to have their applications reviewed first; (3) arranged for Tesla, Fisker and others in the favored class to receive special favors from The federal government officials and unique The federal government staff assistance; and (4) arranged for Tesla, Fisker and others in the favored class to be walked through the “review” process, then approved and then given money. However, DCG, DCG partners and other similarly situated companies that lacked political connections and political patrons were denied these things, and instead were subjected to pretextual diligence and application reviews. For example, DCG spoke with Carol Battershel, who claimed to be the due diligence technical lead on DCG’s ATVM Loan Program application. DCG offered her complete access to company engineers and management to assist the review process. Battershel declined, saying that she had gotten everything she needed “off [DCG’s] website.”
- d. The federal government ignored standard commercial lending procedures and its own rules, guidance and policies - including the use of competent engineers to carry out technical review and the consistent application of the same funding criteria to each application – whenever necessary to benefit government cronies.

- e. The federal government's political officials made final ATVM Loan Program and LGP review and funding decisions without material regard for The federal government's published criteria and regulations. For example, in or about October, 2009, DCG and DCG partners were told by a The federal government contractor that Seward had been angered by DCG's and DCG partners's public complaints about The federal government's loan program administration and that Seward told Plaintiffs staff in late 2008 that it would be "a cold day in hell before I let them [DCG and DCG partners] get any money."
- f. Notwithstanding billions in lending authority; a Presidential directive to put "one million electric cars on the road;" and multiple qualified applicants (including DCG and DCG partners), The federal government has not made even one ATVM loan since September, 2009. The federal government's refusal to give effect to Congressional and Presidential directives by making ATVM loans to *all* qualified applicants, up to the limit of the lending authority, is the result of a political determination to protect government favorites such as Fisker and Tesla from competition and not because of merit or other legitimate factors.
- g. Upon information and belief and at all times relevant, The federal government "carved out" funds from The federal government's authorized lending authority and "held" same for government cronies who made political contributions; provided political support for and assistance to the Administration; and/or hired political fixers to obtain "top-tier status" and "special relationships."

- h. The federal government repeatedly renegotiated the Tesla and Fisker loans contrary to sound commercial lending practices to avoid political embarrassment and to protect those companies' political patrons.
- i. The federal government denied DCG's and DCG partners's ATVM Loan Program applications on baseless pretexts. These included false DCG application "defects" and the assertion that an energy storage component developed by DCG partners with The federal government and patented for use in an advanced technology vehicle was, in fact, not an advanced technology vehicle component for ATVM Loan Program purposes.
- j. The federal government promised to waive the LGP application fee for DCG partners. Hours before the payment deadline, The federal government reneged. The next day, The federal government contacted DCG partners promising to accept late payment. Again, The federal government reneged.
- k. The federal government hid the "merit review" data, criteria, reviewer identities, reviewer work histories, and other information from DCG, DCG partners, all other ATVM Loan Program applicants and the public. This information, if disclosed, would have allowed DCG, DCG partners and others similarly situated to evaluate the efficacy and fairness of that review. Instead, The federal government has wrongly refused to make this information available.
- l. The federal government willfully, intentionally and substantially overestimated government crony company production capabilities and sales performance to justify ATVM Loan Program funding. For example, The federal government promised that Fisker alone would have "75,000 – 100,000" ATVM Loan

Program-funded cars rolling off of U.S. assembly lines. Paradoxically, The federal government denied DCG's Loan Program application because DCG allegedly would not produce "enough" vehicles, yet in 2012, the politically-connected companies funded by The federal government, combined, sold fewer than 25,000 advanced technology vehicles nationwide.

119. As a direct consequence of The federal government's wrongdoing, broken promises and political cronyism, DCG and DCG partners were improperly denied ATVM Loan Program and LGP funds; deprived of an equal opportunity to have their applications judged fairly, on a level playing field and in accordance with law; wrongly refused funds that they were entitled to receive under applicable The federal government criteria, including 10 C.F.R. Part 610; and prevented from creating good American jobs through the production, marketing and sale of advanced technology vehicles and systems developed in conjunction with The federal government's own scientists.

The federal government Sells Out DCG partners's and DCG's Secrets

120. DCG partners and DCG have collaborated with The federal government on advanced technology vehicle development for over a decade.

121. Pursuant thereto, they provided The federal government with confidential business information, technical documents, software, intellectual property, patented chemistry and devices, and prototypes, among other things (collectively the "Protected Information") relating to advanced technology vehicle energy systems, chassis, body materials and electronics.

122. The federal government, in turn, repeatedly promised and agreed to guard the Protected Information from unauthorized disclosure, use and infringement. For example:

- a. On or about March 8, 2002, there was a transfer of Protected Information from DCG partners to The federal government that was covered by and subject to a non-disclosure agreement of even date.
- b. On or about May 24, 2006, there was a transfer of Protected Information from DCG partners to The federal government that was covered by and subject to a non-disclosure agreement of even date.
- c. On or about November 10, 2008, there was a transfer of Protected Information from DCG to The federal government that was covered by and subject to The federal government's promises of ATVM Loan Program application confidentiality.
- d. On or about December 12, 2008, there was a transfer of Protected Information from DCG partners to The federal government that was covered by and subject to a non-disclosure agreement of even date.
- e. On or about February 1, 2009, there was a transfer of Protected Information from DCG partners to The federal government that was covered by and subject to The federal government's promises of ATVM Loan Program application confidentiality.

123. At all times relevant, The federal government agreed and was obligated to guard and keep confidential the Protected Information and to prevent its unauthorized disclosure, use and infringement. This included the patented NALH energy storage chemistry and pressure membrane technology, among other things.

124. At all times relevant, The federal government worked closely with General Motors Company ("GM") on many projects and viewed it as a key government client. GM

collaborated and contracted with Sandia on a variety of projects, including advanced technology vehicle energy systems. At all times relevant, The federal government was committed to GM's success, even at DCG's and DCG partners's expense.

125. On or about September 11, 2008, an DCG representative was invited to tour the Sandia facility. There, in a room where large glove-boxes and chemical testing equipment were used, he saw a table with a presentation that was prepared for another group. On that table were duplicates of an energy system that DCG's sister company DCG partners had built, tested, patented and disclosed to The federal government.

126. The signs on the table read: "General Motors hydrogen vehicle production system" and "NALH General Motors Reversible Hydrogen Vehicle Energy System built by General Motors and Sandia."

127. At all times relevant, The federal government knew that the "NALH" chemistry and the device on the table labeled "built by General Motors and Sandia" were Protected Information given to The federal government, and that The federal government, in turn, had promised to guard against unauthorized disclosure, use and infringement. In fact, when Sandia scientists Chris Moen and Daniel Dedrick were informed of this discovery, they admitted that there might be "a problem with that" and suggested DCG and DCG partners contact GM for a "partnership" so that "there was no acrimony."

128. At all times relevant, The federal government knew that the Protected Information it had given to GM was valuable. As Sandia confirmed on January 6, 2009, the NALH-based energy system was "well situated to exceed the performance of battery systems" and could outperform more traditional advanced technology vehicle batteries "by a factor of 3." *See Exhibit 21* Sandia Memorandum dated January 6, 2009 at 5.

129. Given that there are more than 2800 different potential chemistries that GM and Sandia conceivably could have used for their advanced technology vehicle energy system; that neither DCG nor DCG partners had disclosed this Protected Information to GM; and The federal government's close ties with GM and its commitment to GM's success, The federal government is the only likely and plausible conduit through which GM obtained DCG's and DCG partners's Protected Information.

130. Additionally, upon information and belief, The federal government surreptitiously turned over Protected Information on pressure membrane technology and NALH energy system chemistry to the Ford Motor Company ("Ford").

131. On or about March 12, 2012, DCG partners and DCG discovered that Ford had created a "pressure membrane design group" that was developing and had manufactured pressure membrane technology-based seats, seat belts and auto body parts. Upon information and belief, this design group and these products were based on and/or covered by Protected Information given to The federal government and that The federal government had promised to guard against unauthorized disclosure, use and infringement.

132. On or about December 22, 2012, DCG partners and DCG discovered a Ford power point presentation that had been prepared in 2012 for The federal government to summarize "Ford/BASF-SE/UM Activities in Support of the Hydrogen Storage Engineering Center of Excellence." This power point presentation referenced the patented NALH chemistry given by DCG partners and DCG to The federal government and that The federal government, in turn, had promised to guard against unauthorized disclosure, use and infringement.

133. Given the unique nature of the pressure membrane technology and NALH chemistry; that neither DCG nor DCG partners disclosed any Protected Information to Ford; and

The federal government's relationship with and political commitment to Ford's success, The federal government is the only likely and plausible conduit through which Ford obtained DCG's and DCG partners's Protected Information.

Claims for Relief

First Claim for Relief: Breach of Contract (Protected Information).

134. DCG repeats paragraphs 1-133.

135. The federal government breached its contractual duty to guard the Protected Information from unauthorized disclosure, use and infringement. Instead, The federal government disclosed and provided Protected Information to GM and Ford, including NALH energy system and pressure membrane technology.

136. As a result, plaintiff has suffered direct and consequential damages in excess of \$250 million.

Second Claim for Relief: Fifth Amendment Taking (Protected Information).

137. DCG repeats paragraphs 1-136.

138. The federal government has taken plaintiff's property (i.e. the Protected Information), valued in excess of \$200 million, without paying compensation in violation of the Fifth Amendment of the U.S. Constitution.

Third Claim for Relief: 28 U.S.C. § 1498(a) Damages (Protected Information).

139. DCG repeats paragraphs 1-138.

140. The NALH energy system given by Sandia to GM, and the pressure membrane technology apparently given by Sandia to Ford, were both an "invention described in and covered by a patent of the United States."

141. These inventions were and are being used or manufactured by or for the United States without license or the lawful right to use or manufacture same.

142. Therefore, plaintiff is entitled to reasonable and entire compensation for such use and manufacture, including reasonable costs and fees for expert witnesses and attorneys incurred in pursuing this action.

Fourth Claim for Relief: Breach of the Duty of Good Faith and Fair Dealing (Protected Information).

143. DCG repeats paragraphs 1-142.

144. The nondisclosure agreements between DCG partners and DCG, respectively, with The federal government contained an implied duty of good faith and fair dealing which obligated the parties not to do anything which would have the effect of destroying or injuring the right of the other party to receive the fruits of their contractual bargain with respect to the relevant confidentiality and non-disclosure provisions of their various contracts.

145. The federal government, however, intentionally evaded the spirit of its agreements, willfully rendered imperfect performance, and otherwise acted in bad faith to favor and benefit GM and Ford.

146. The federal government's breach of its duty of good faith and fair dealing has caused plaintiff direct and consequential damages, including but not limited to lost profits, exceeding \$250 million.

Fifth Claim for Relief: Estoppel (ATVM Loan Program Applications).

147. DCG repeats paragraphs 1-146.

148. The federal government promised DCG partners and DCG that it would fairly and objectively evaluate their ATVM Loan Program applications and lend funds to qualified companies without regard for political contributions or White House connections.

149. The federal government reasonably expected and intended for DCG partners and DCG to rely on these promises and they in fact did so.

150. Both DCG and DCG partners were qualified applicants for ATVM Loan Program funding under The federal government's applicable criteria, including 10 C.F.R. Part 611.

151. At all times relevant, The federal government had the authority, the obligation and more than enough lending authority to fund ATVM Loan Program loans to DCG and DCG partners.

152. But The federal government's affirmative misconduct as set forth herein to benefit government cronies and/or to punish DCG and DCG partners for publically expressing concerns about The federal government's administration of its loan programs, DCG's and DCG partners's ATVM Loan Program applications would have been granted.

153. The federal government is therefore estopped from denying DCG's and DCG partners's ATVM Loan Program applications.

Sixth Claim for Relief: Estoppel (LGP Application).

154. DCG repeats paragraphs 1-153.

155. The federal government, promised DCG that it would waive the LGP application fee. After The federal government broke this promise, it promised that DCG partners could pay the fee after the February 26, 2009 deadline and have its application "pre-reviewed" as well.

156. The federal government reasonably expected and intended for DCG partners to rely on these promises and DCG partners in fact did so. It was prepared to pay the application fee and repeatedly requested instructions on how to do so, as well as an opportunity to discuss the "pre-review" The federal government promised.

157. However, The federal government refused to acknowledge DCG partners's communications and rejected DCG partners's LGP application without recourse.

158. This rejection was the result of affirmative misconduct by The federal government to protect the interests of government crony companies and/or to punish DCG partners for publicly addressing its concerns about The federal government's loan program administration.

159. This is the case that exposed the dark heart of American corruption. U.S. Senators, and other political figures, tag-team with their investment banker, stock market-playing spouses and friends, to harvest hundreds of millions of dollars per year, in personal profits from bribes, at the expense of taxpayers. Goldman Sachs, JP Morgan, and other banks, act as money laundering operations for these schemes. How do politicians that are only supposed to be only making \$150K per year walk away with tens of millions of dollars per year - WITH EVERY CENT DERIVED FROM DIRTY STOCK MARKET AND PAYOLA FROM THEIR POLITICAL DEALS? This is how!

160. "... since the 1970's, FBI/GAO Witness-A365 has been a U.S. Patent Office awarded Silicon Valley inventor of seminal first-ever inventions, now in use by billions of people globally, and a program director of national projects. FBI/GAO Witness-A365 has been awarded federal commendations, state and federal innovation grants, government R&D contracts, White House commendations by The Vice President, Mayoral proclamations, industry innovation awards, issued patents, and recognition in thousands of news articles and news broadcasts. FBI/GAO Witness-A365 is affiliated with no political party.

161. Silicon Valley is run by a group of men known as "The PayPal Mafia" AKA "The Silicon Valley Mafia". They are a group of wealthy ivy league frat boys who have been charged

with numerous rapes, sextortions, tax fraud, political bribery, college admissions bribery, sex trafficking, and stock market manipulation by various federal agencies and ex-employees. This group came to see FBI/GAO Witness-A365 multiple times and sought to examine FBI/GAO Witness-A365's technology under the guise of pretending to "want to invest in FBI/GAO Witness-A365". They, instead, copied Plaintiffs patented technologies and later formed duplicate companies to those of FBI/GAO Witness-A365.

162. They have, as of today, made over \$100 Billion+ (Per SEC filings), from technologies the U.S. Patent office says that FBI/GAO Witness-A365 first invented and deployed. Each time FBI/GAO Witness-A365 tries to sue them for Plaintiffs intellectual property rights and owed licensing fees, they spend ten times more and hire ten times more lawyers and stall Plaintiffs cases out. They hire attack bloggers to attack FBI/GAO Witness-A365, on social media, to try to character assassinate Plaintiffs brand. It costs over \$3 Million+ to sue each one of the "Paypal Mafia" members and their companies (Google, Facebook, Tesla, etc).

163. FBI/GAO Witness-A365 has billions of dollars in proven damages but has yet to be allowed to get into a court-room in an actual unbiased jury trial. The Palo Alto Cartel will do anything to keep him out of a jury room because they will lose, dramatically, in an equally-resourced jury hearing. They got over 400 of their members hired by the White House (As revealed in the INTERCEPT articles about Google and The White House) and they have the lobby-clout to control parts of the U.S. Government for corrupt purposes.

164. Most high tech law firms have been told by the Cartel that they will be "black-listed" just like the Paypal Mafia was caught doing in the "AngelGate Scandal" and the "Silicon Valley No-Poaching Class Action Lawsuit"; (both of which can be easily researched online) if any tech law firm's take FBI/GAO Witness-A365's cases. These cases, along with the recent

Stanford University Admissions Bribery Scandals and the Panama Papers, Stratfor Leaks, Wiki-leaks and Swiss Leaks prove the depths of criminality that these people are willing to engage in.

165. From 2006, forward the "PayPal Mafia" Cartel spent more money than any group had ever spent in history to hire most of the lobbyists in politics and to pay bribes to hundreds of elected officials and agency staff in order to get things their way in public policy decisions and to seek to monopolize the digital communications world. They seek to control all alternative energy and digital media programs. The PayPal Mafia bribes U.S. Senators, Agency Heads and Congress using these methods which include: 1.) Billions of dollars of Google, Twitter, Facebook, Tesla, Netflix and Sony Pictures stock and stock warrants which is never reported to the FEC, 2.) Billions of dollars of Google, Twitter, Facebook, Tesla, Netflix and Sony Pictures search engine rigging including shadow-banning, de-boosting, DNS re-routing, directed search suggestion, subliminal messaging bias, and hundreds of other psychological manipulation tricks; the value of which is never reported to the FEC but proven by invoices and bank payments between Google and Gawker, Gizmodo, DNC, Fusion GPS, Black Cube, etc., 3.) Free rent for public officials, 4.) The providing of prostitutes and rent boys, 5.) Cars, 6.) Dinners, 7.) Party Financing, 8.) Sports Event Tickets, 9.) Campaign Services "Donations"

166. , 10.) Secret PAC Financing, 11.) Jobs in Corporations in Silicon Valley For The Family Members of Those Who Take Bribes And Those Who Take Bribes, Themselves, 12.) "Consulting" contracts from McKinsey as fronted pay-off gigs, 13.) Overpriced "Speaking engagements" which are really just pay-offs conduited for donors, 14.) Private jet rides and use of Government fuel depots (ie: Google handed out NASA jet fuel to staff), 15.) Real Estate, 16.) The use of Cayman, Boca Des Tores, Swiss and related laundering accounts, 17.) The use of HSBC, Wells Fargo and Deutsche Bank money laundering accounts, 18.) Free spam and bulk

mailing services owned by corporations, 19.) Use of high tech law firms such as Perkins Coie, Wilson Sonsini, MoFo, Covington & Burling, etc. to conduit bribes to officials and to block victims from getting to court; and other bribes...

167. The FBI, The SEC, The OSC, The GAO, The FEC and all other agencies are fully aware of this, yet they have no management will to make the arrests of the "famous" people involved. FBI/GAO Witness-A365 has never cooperated with bribes and corruption and the PayPal Mafia hates him because: 1.) he is the original inventor some of their core technologies, 2.) A anti-corruption entity, 3. A federal witness against the PayPal Mafia.

168. At one point FBI/GAO Witness-A365 won a Congressional commendation and a federal grant, in the Iraq War Bill, ordering the U.S. Department of Energy to hire FBI/GAO Witness-A365 and Plaintiffs team to build America's alternative energy "back-up plan". FBI/GAO Witness-A365 has been working with U.S. Energy programs since 2000. The "PayPal Mafia" believes that it controls U.S. domestic alternative energy industries and that FBI/GAO Witness-A365 was an "outsider" non-Frat boy who dared to operate on their turf.

169. In a later stage of the Energy Department project, The federal government asked FBI/GAO Witness-A365 to invest with them in building a car factory. In the course of that effort, FBI/GAO Witness-A365 and Plaintiffs Team witnessed a crime being committed by Energy Department officials and reported that fact to a U.S. Senate Committee and the U.S. Attorney General. FBI/GAO Witness-A365 spent Plaintiffs life savings at government request and years of Plaintiffs life only to later find that he, and Plaintiffs team had been defrauded and that money's that Plaintiffs project had been had secretly been promised to PayPal Mafia members including Elon Musk, Eric Schmidt and Reid Hoffman.

170. Members of Congress encouraged FBI/GAO Witness-A365, and Plaintiffs team, to sue the Government under a novel new kind of litigation process. FBI/GAO Witness-A365 agreed to do so. These actions resulted in the termination of very famous public officials and their crony criminal embezzlement scams and almost resulted in the President being forced to leave office, mid-term, based on revelations of a massive crony kick-back scheme which began to be exposed after the FBI raid of Solyndra. The director of the FBI was fired for assisting in cover-ups related to this matter. (FYI: "Paranoia" is defined as "unfounded fears of harm". "Caution" is defined as "security measures based on previous threats and attacks")

171. FBI/GAO Witness-A365 was exposed to severe cellular-level toxic poisoning via: micro-particulated nano-powdered radioactive tritium batteries, cesium, uranium, plutonium, transuranic waste, beta-voltaic batteries, high frequency-high voltage EMF, heavy metal, solvent and lead compounds in government energy and weapons labs exposures from decades of work with U.S. Department of Energy programs and projects as contractor/partner/Congressional awardee. The affliction is blood poisoning at a cellular level. In reprisal for reporting the crimes, FBI/GAO Witness-A365 has been subjected to benefits blockades, hacking, internet server re-direction, web search shadow-banning, blacklisting and other retribution/vendetta actions by public officials. **PARTIAL SAMPLE OF APPLICANT # SDR1 TOXIC EXPOSURES AND**

MSDS DOCUMENTS:

172. Lithium Powders

173. https://www.cdhfinechemical.com/images/product/msds/51_1328465259_LithiumMetal-CASNO-7439-93-2-MSDS.pdf

174. <http://www.farnell.com/datasheets/1935761.pdf>

175. http://www.produktinfo.conrad.com/datenblaetter/1200000-1299999/001296254-si-01-en-ANSMANN_LITHIUM_MIGNON_BATTERIEN_10ER.pdf

176. Benzene Solvent

177. <http://cepsa.ca/client/documents/benzene.pdf>

178. <http://www.megs.ca/MSDS/Pdf/Benzene.PDF>

179. <http://www.farnell.com/datasheets/1299304.pdf>

- 180. Sodium Borohydride**
181. <http://dept.harpercollege.edu/chemistry/msds/Sodium%20borohydride%20ScienceLab.pdf>
182. <https://www.fishersci.com/shop/msdsproxy?productName=S67810>
183. <https://www.sigmaaldrich.com/catalog/product/aldrich/452173?lang=en®ion=US>
- 184. Lithium Niobate**
185. <https://www.ltschem.com/msds/LiNbO3.pdf>
186. <https://www.sigmaaldrich.com/catalog/product/aldrich/254290?lang=en®ion=US>
187. https://goochandhousego.com/wp-content/uploads/2013/12/Lithium_Niobate_LiNbO3_MSDS.pdf
- 188. Plutonium**
189. https://science.energy.gov/~media/nbl/pdf/price-lists/SDS/SDS-Plutonium_Metal.pdf
- 190.
191. https://science.energy.gov/~media/nbl/pdf/price-lists/SDS/SDS-Plutonium_Oxide.pdf
192. http://www.molbase.com/en/msds_13981-16-3-moldata-1750159.html
- 193. Tritium**
194. <https://www.eraqc.com/MSDS/812-752%20Rad%20Tritium.pdf>
195. <http://www.hpschapters.org/northcarolina/NSDS/3HPDF.pdf>
196. https://www.uwyo.edu/risk/safety/_files/docs/procedures/nuclearsafetydatasheets/3hpdf.pdf
- 197. Cesium Powders**
198. <http://www.fishersci.ie/store/msds?partNumber=10518522&productDescription=25GR+Cesium+chloride%2C+99%2B%25%2C+pure&countryCode=IE&language=en>
199. <http://www.espimetals.com/index.php/msds/122-cesium>
200. <http://www.sciencelab.com/msds.php?msdsId=13280>
- 201. Uranium**
202. <http://www.unitednuclear.com/msdsuraniumdioxide.html>
203. https://science.energy.gov/~media/nbl/pdf/price-lists/SDS/SDS-Uranium_Metal.pdf
204. <http://andalyze.com/wp-content/uploads/MSDS-Uranium-Standard-Solution.pdf>
- 205. Beta Voltaic Compounds**
206. <http://large.stanford.edu/courses/2013/ph241/harrison2/>
207. <https://sst-soa.arc.nasa.gov/03-power>
208. <https://www.scribd.com/doc/82423523/Nuclear-Battery-Seminar-Report-Prg2>
- 209. Lead Powders**
210. <http://www.sciencelab.com/msds.php?msdsId=9927204>
211. <http://dept.harpercollege.edu/chemistry/msds/Lead%20metal%20foil%20sheets%20Fisher.pdf>
212. https://www.teck.com/media/2015-Products-Lead_Metal_SDS-T2.5.pdf
- 213. Alanate Compunds**

214. <https://www.sigmaaldrich.com/catalog/product/aldrich/357472?lang=en®ion=US>
215. <https://www.sigmaaldrich.com/catalog/product/sigma/10260?lang=en®ion=US>
216. <https://www.sigmaaldrich.com/catalog/product/aldrich/323403?lang=en®ion=US>
217. https://en.wikipedia.org/wiki/Sodium_aluminium_hydride
218. http://www.merckmillipore.com/INTL/en/product/Lithium-aluminium-hydride,MDA_CHEM-818875
219. http://www.merckmillipore.com/TR/tr/product/L-Ethyl-alanate-hydrochloride,MDA_CHEM-841688
- 220.
221. <http://www.nilechemicals.com/LITHIUM%20ALUMINIUM%20HYDRIDE%20MSDS%20LAB.htm>
222. <http://www.t3db.ca/system/msds/attachments/000/001/086/original/T3D1532.pdf?1413587623>
- 223. Sodium Iodide**
224. <https://www.sigmaaldrich.com/catalog/product/aldrich/409286?lang=en®ion=US>
225. https://www.fishersci.com/content/dam/fishersci/en_US/documents/programs/education/regulatory-documents/sds/chemicals/chemicals-s/s25554.pdf
226. <http://www.labchem.com/tools/msds/msds/LC24645.pdf>
- 227. Titanium Dopants**
228. <https://www.sigmaaldrich.com/catalog/search?interface=CAS+No.&term=13463677&N=0&mode=partialmax&focus=product&lang=en®ion=US>
229. <https://www.sigmaaldrich.com/catalog/search?term=1317-80-2&interface=CAS%20No.&N=0&mode=partialmax&lang=en®ion=US&focus=product>
230. <https://snf.stanford.edu/SNF/materials-and-chemicals/msds-std-chemicals/msds-ald-precursors>
231. A COMPLETE LIST AVAILABLE PER COURT SUBPOENA AND CONFIDENTIALITY DOCUMENT EXECUTIONS.
232. This natural-born American domestic group of engineers was attacked with a \$30

million dollar+ retribution/political reprisal program contracted by White House political operatives, and their appointees, who were also the business competitors of the engineers. The attackers hired Fusion GPS-type character assassination smear campaigns (operated by their cronies at Google, Gawker, Gizmodo, Jalopnik and Facebook), NVCA black-listing, Solyndra-laundering, stone-walling, Lois Lerner-class agency manipulation and search engine rigging. In-Q-Tel turns out to be the only federally financed "charity" whose staff are also employed by each of the suspects in this case and who financed the suspects in this case. It was revealed that White

House executives ordered government agencies to harm members of the public and to reprisal with-hold public resources from the public. This was a violation of tort, RICO and anti-trust laws.

233. The victims, including FBI/GAO Witness-A365, fought back using 100% legal methods, including many of those methods that were used to attack the FBI/GAO Witness-A365s/victims (If they are not illegal for the attackers to use, then they must not be illegal for the victims to use to seek justice)

234. With an idea suggested to the victims by the members of Congress the victims, essentially; helped the United States government sue itself! With encouragement from Congress, the FBI/GAO Witness-A365's undertook a multi-million dollar, decade-long, epic series of anti-corruption lawsuits, financed by public-interest law-firms.

235. First, with a unique new kind of pioneering federal lawsuit, victims established — FOR THE FIRST TIME IN LEGAL HISTORY — that political cronyism is a valid basis for a claim of arbitrary-and-capricious agency action under the Administrative Procedure Act. See: Federal Case One, (D.D.C. 2015). The victims created new federal law around this.

236. Second, they prevailed in the United States Court of Appeals for the District of Columbia Circuit on their appeal of the district court's ruling that an agency may escape judicial review of its action by requesting a voluntary remand but refusing to reconsider its initial denial of an application. See: Case Federal Two, (D.C. Cir. 2017). The Washington DC Circuit agreed with the victims that an agency may only seek a remand if it promises to reconsider its initial decision. It is because of that victory that the government, under court order is now re-doing the victims applications and GAO, FBI, IG's and Congressional oversight offices are watching to assure effective ethics and transparency.

237. Third, these cases placed, on permanent public record, one of the most detailed documentation sets, ever assembled, about how modern political "Dark Money" conduits operate. The legal team hired ex-FBI, CIA and SEC experts to track down covert bank accounts, revolving door bribes, insider stock trades and other payola between the victim's competitors and public officials. This documentation now prevents the use of those kinds of criminal efforts, in the future, by exposing their tactics to the public.

238. Fourth, the victim's team engaged in the interdiction and termination of corrupt agency executives, contractors and their financiers. This included some of the most well-known names in Washington, DC, at the time. Many of them were, and are still being, investigated and surveilled by the FBI, GAO, SEC and Congress. In the course of this case, victims campaigned for the new law called THE AMERICAN JOBS ACT which created the first SEC approval of legal "Crowd-Funding", which allowed start-ups to get funding without going through the Palo Alto "Vulture Capitalists".

239. Fifth, and most important, the effort put every corrupt political scheme on notice that they WILL be found out and interdicted! The bottom line?

240. The victims group WON on every single aspect of their public-interest litigation goals EXCEPT they STILL have yet to be recompensed for their damages!

241. *IMAGINE LIVING IN A WORLD WHERE ALMOST EVERY ONE OF THE PUBLIC OFFICIALS THAT WERE SUPPOSED TO HELP YOU TURNED OUT TO BE YOUR BUSINESS COMPETITORS. IMAGINE HAVING THEM USE GOVERNMENT RESOURCES TO PROFIT AT YOUR EXPENSE, BLOCKADE YOU AND TREAT DEMOCRACY LIKE A GARAGE SALE! THIS IS THAT STORY!*

242. This is about a group of U.S. Senators, Silicon Valley Oligarchs, Crooked Law Firms and Lobbyists who commit crimes in order to manipulate over a trillion State and federal tax dollars into their, and their friends pockets. They use media monopoly tricks to try to shut out any other viewpoints. They push issues that they believe will get more tax money allocated to "issue solutions" that they, and their friends, happen to already own the business monopolies for. They are felons yet they control some of the offices of the agencies who are supposed to arrest them. Silicon Valley bought K Street lobby firms and U.S. Senators, gave them more Dark Money than history has ever seen and then had giant tech-law firms bribe, hit-job and blockade any attempts to arrest them.

243. You can verify the facts yourself in the federal court records of this, and related cases, and in the hundreds of thousands of confirmed evidence documents at these links:

- 244. <http://www.grand-jury.net>
- 245. <http://londonworldwide.com>
- 246. <http://fbi-report.net>
- 247. <http://CronyCapitalism.info>
- 248. <http://www.case-xyz.com>
- 249. <http://www.siliconvalley123.com>
- 250. <http://www.google-is-a-mobster.com>
- 251. <http://www.attacked.biz>
- 252. <https://stopelonfromfailingagain.com>
- 253. (REDACTED PER AGENCY REQUEST)
- 254. <http://tesla-motors-cronyism>
- 255. <https://www.thecreepyline.com>

256. <https://www.icij.org>
257. <http://vcracket.weebly.com>
258. <https://www.transparency.org>
259. <https://www.judicialwatch.org>
260. <https://corruption123.com>
261. Multiple CBS News 60 Minutes episodes incl: “Cleantech Crash”, “Congress
“Trading On Insider Information”, “Lobbyists Playbook”, etc.
262. <https://wikileaks.org>
263. <https://causeofaction.org>
264. <https://fusion4freedom.com/about-gcf/>
265. <http://phone-free.net>
266. <http://peterschweizer.com/>
267. <http://globalinitiative.net>
268. <http://phone-free.net>
269. <https://fusion4freedom.com/the-green-corruption-files-archive/>
270. <https://propublica.org>
271. <https://www.allsides.com/unbiased-balanced-news>
272. <http://wearethenewmedia.com>
273. http://ec.europa.eu/anti_fraud/index_en.html
274. <http://gopacnetwork.org/>
275. <http://www.iaaca.org/News/>
276. <http://www.interpol.int/Crime-areas/Corruption/Corruption>
277. <http://www.icac.nsw.gov.au/>

278. <http://www.traceinternational.org/>
279. <http://www.oge.gov/>
280. <https://ogc.commerce.gov/>
281. <https://anticorruptionact.org/>
282. <http://www.anticorruptionintl.org/>
283. <https://represent.us/>
284. http://www.giaccentre.org/dealing_with_corruption.php
285. <http://www.acfe.com/>
286. <https://www.oas.org/juridico/english/FightCur.html>
287. <https://www.opus.com/international-anti-corruption-day-businesses/>
288. <https://www.opengovpartnership.org/theme/anti-corruption>
289. <https://www.ethicalsystems.org/content/corruption>
290. <https://sunlightfoundation.com/>
291. <http://www.googletransparencyproject.org/>
292. <http://xyzcase.weebly.com>
293. <https://en.wikipedia.org/wiki/Angelgate>
294. <https://www.opensecrets.org/>
295. https://en.wikipedia.org/wiki/High-Tech_Employee_Antitrust_Litigation
296. <http://corruption123.com>
297. This case is protected by previously distributed “dead man switch insurance files”, ie: <https://heavy.com/news/2019/04/julian-assange-dead-mans-switch-wikileaks-insurance-files/>

298. Search any terms that you are unfamiliar with on any non-Google search engines. Copies of this report, and the associated evidence documents, have been provided to every known law enforcement and regulatory agency."

299. The federal government is therefore estopped from refusing to accept DCG partners's LGP application and obligated to provide an on the merits review independent of political considerations.

Seventh Claim for Relief: Implied-in-Fact Contract (Fair Review of ATVM Loan Program Applications).

300. DCG repeats paragraphs 1-159.

301. There was an implied-in-fact contract between both DCG and DCG partners with The federal government concerning their respective ATVM Loan Program applications.

302. The federal government offered and DCG and DCG partners each accepted the opportunity to submit these applications.

303. In consideration for these applications, which required DCG and DCG partners each to expend all of their life savings in substantial sums for accounting, business and technical information, including a National Environmental Policy Act ("NEPA") review, The federal government agreed to provide a fair process and a level playing field among all applicants, whether they were politically connected and had made large campaign donations or not.

304. At all times relevant, The federal government's representatives had actual authority to bind, and in fact did bind, The federal government to this contract.

305. At all times relevant, DCG and DCG partners fully performed their contractual obligations.

306. However, The federal government breached its contractual obligations by denying DCG and DCG partners the fair opportunity and objective review that they had bargained for and

The federal government had agreed to provide; by skewing, manipulating and fixing the ATVM Loan Program review process to benefit government favorites; by wrongly denying DCG's and DCG partners's ATVM Loan Program applications; and by favoring political cronies over companies that did not make political contributions or have influential patrons with White House connections.

307. As a result, plaintiff has suffered direct and consequential damages, including but not limited to lost profits, in excess of \$250 million.

Eighth Claim for Relief: Breach of the Duty of Good Faith and Fair Dealing (Implied-in-Fact Contract).

308. DCG repeats paragraphs 1-167.

309. The implied-in-fact contracts between DCG and DCG partners, respectively, with The federal government regarding a fair and level review of their ATVM Loan Program applications contained an implied duty of good faith and fair dealing obligating the parties not to do anything which would have the effect of destroying or injuring the right of the other to receive the fruits of its contractual bargain.

310. The federal government, however, intentionally evaded the spirit of this contract, willfully rendered imperfect performance and otherwise acted in bad faith to favor and benefit government cronies by denying DCG and DCG partners the funds that they were entitled to receive.

311. Through Government Agencies, The federal government's breach of its duty of good faith and fair dealing caused plaintiff direct and consequential damages, including but not limited to lost profits, exceeding \$250 million.

312. Plaintiff demands adequate safety and security provisions be provided by Government agencies per one Plaintiff statement: "...*In addition to my co-workers at the U.S.*

Department of Energy who were exposed to the toxins I was exposed to, and who then up-and-died, without receiving their full benefits, there is also:...my buddy, CEO Gary D. Conley, who faced the same sort of thing, and was suddenly found with a bullet in Plaintiff's head behind Beale Air Force Base just North Of San Rafael in Northern California. You can take a look at the FBI, Police and news records about it. Then there was my buddy Rajeev Motwani, who taught the founders of Google how to 'page-rank.' He was suddenly found floating face down, dead, in Plaintiff's Silicon Valley swimming pool. You can take a look at the FBI, Police and news records about it. Then there is Daphne Caruana Galizia, Forrest Hayes, Ravi Kumar, Dave Goldberg, Seth Rich, David Bird, Karl Slym, Doug Bourn, Andrew Ingram, Danny Lewin and over 100+ people that I knew, or worked with that that were fine one day and horribly murdered or "strangely deceased" the next day, right when they reported the same kinds of issues....You can take a look at the FBI, Police and news records about all of them. I don't think you will find many of their friends and family members who think all of those deaths were just "accidents". I think it is important, based on the advice of the FBI and other law enforcement experts, to remain prudent...."

313. Plaintiff is a federal witness and the victim of a felony crime who fully meets the merits and criteria for a state-provided government-funded attorney to be provided to Plaintiff at no charge. Legal Services Corporation (<https://www.lsc.gov/>) is the organization mandated by the U.S. Government to provide legal aid to the Plaintiff. Legal Services Corporation (<https://www.lsc.gov/>) refuses to provide legal aid to the Plaintiff because Legal Services Corporation (<https://www.lsc.gov/>) executives were appointed by, and campaign finance, public officials who may be indicted for criminal activity in this case. Plaintiff hereby demands Plaintiff's government funded attorney be provided per law.

Relief Requested

WHEREFORE DCG requests the following relief:

- A. Such direct, consequential and punitive damages as it may be entitled to under law, but no less than \$450 million.
- B. Reasonable and entire compensation for the use and manufacture of the green homes housing programs and energy system and the pressure membrane technology, each being an invention described in and covered by a patent of the United States that was or is being used or manufactured by or for the United States without license or the lawful right to use or manufacture same, including reasonable costs incurred in pursuing this action and as allowed by 28 U.S.C. § 1498(e) such as reasonable fees for expert witnesses and attorneys.
- C. Such equitable relief as it may be entitled to under law, including approval of DCG's and DCG partners's ATVM Loan Program applications and final agency review, on the merits independent of political considerations, of DCG partners's LGP application.
- D. Actual costs and attorney fees.
- E. Such other relief as this Court deems just.
- F. A percentage of Defendants profits from their fees and salaries
- G. A mandated award in federal contract that Defendants interdicted from Plaintiff for Plaintiff global vehicle manufacturing and energy companies by terminating Plaintiff State and Federal funds and placing those funds in Defendants bank accounts.
- H. A percentage of the companies paying campaign Dark Money to Defendants as a percentage of their revenue
- I. A percentage of all profits from Plaintiff technologies used by Defendants
- J. Loss of income since the start of operations of Defendants

K. Punitive damages

L. Other damages including brand defamation and IP asset delays

Respectfully submitted,

Signed: April 12, 2019

Verification

Plaintiff is comprised of natural born United States citizens, the plaintiffs in this action.

Plaintiff has read the forgoing complaint, and hereby verify and declare that its factual allegations are true, except to those matters stated on information and belief and as to those matters Plaintiff believes them to be true to the best of their knowledge.

PLAINTIFF

By: _____

Date: April 12, 2019

EXHIBITS AND ADDENDA

FORWARD

To understand this case you must first understand the world and your own bias in that world.

While you can plainly see the recent internet videos of the young men slicing the heads off of the young European blonde hikers, while alive, for religious reasons, you may not be able to understand it.

While you can plainly see the recent videos on the internet of the young man revenge-shooting a building full of Middle Eastern people in New Zealand, you may not be able to understand it.

The perpetrators in each of those attacks, and hundreds of thousands of duplicate incidents, thought that they were doing “the right thing”.

Most readers believe those two different incidents were horribly wrong.

The kind of people that attacked the Applicant had a similar mind-set to those people that attacked the others. The Senators and White House staff that ordered, operated and financed the attacks on the Applicant thought they were doing so because it would glorify them in the eyes of their peers. While their actions are illegal, reprehensible and a violation of everything Constitutional, they believed, at the time that they could get away with their crimes, corruptions and reprisal schemes.

On a similar perspective, the reader can also see massive numbers of videos and photos of people wailing, screaming and beating other people over the idea that one, or the other is “liberal” or “conservative” in America.

The degree of hatred about opposing ideologies (created by Google and Facebook’s global control of digital media) has now led to murder over political parties. Major public officials are constantly in the news getting caught in delusional attacks on who they perceive to be “opposition” using taxpayer resources. They did this to the Applicant and broke the law.

The reader must decide if they have succumbed to the media programming stating “that they must be either one political party or the other” because it makes a big difference in understanding the Applicant’s situation.

You may have a visceral hatred of Applicant because Applicant assisted in the arrest of a person that your political affiliation programmed you to worship. The reader of this must acknowledge their political, social and ideological bias. The NSA, and hackers, can read everything you ever wrote since you were born, they can find everything you ever did on social media. What will a life-search of your thoughts reveal your biases to be?

The Applicant refuses to be part of ANY political affiliation and thus suffers the wrath of both.

You, the reader, must accept the fact that White House staff, U.S. Senators and their Silicon Valley financiers ordered the destruction of the Applicant. If it was “convenient” to kill the Applicant, they also wanted him clinically dead because it affected hundreds of billions of dollars of shenanigans using taxpayer funds.

STATEMENT

The Applicant and Plaintiff’s peers swear, warrant and certify that this is true. The Applicant’s representatives can prove in a Grand Jury, Civil Jury and Congressional Hearing that White House staff, U.S. Senators and their Silicon Valley financiers had extensive motivation and means to order, operate and finance a massive “hit-job” on the Applicant.

While it is unusual for a citizens such as Applicant to have dated White House staff and heads of State, won Congressional, Mayoral and White House commendations and had Mayor’s and Senator’s families stay at their house; video, photographic and news articles prove that this Applicant had those experiences. This life gave Applicant unusual access to the inner workings of government and business groups who seek to control outcomes affecting all citizens.

If YOU, the reader, do not accept that fact ,then there is no need for you to continue reviewing the evidence. If you have not been reading the news and seen the hundreds of similar cases that were proven to have occurred over the last ten years then you will not be capable of reviewing this matter.

Those who engaged in the criminal activities, that Applicant helped law enforcement and the media expose, would have you believe that any attack on them is a violation of your faith in a political party and an ideology. That is a lie.

EVERY PUBLIC OFFICIAL WHO WAS, BY LAW, SUPPOSED TO HELP THE APPLICANT HAS, SO FAR, BEEN PROVEN BY INVESTIGATORS TO HAVE BEEN IN DIRECT BUSINESS COMPETITION WITH APPLICANT VIA THEIR “OUTSIDE ACTIVITIES”.

NOT ONLY WERE PUBLIC OFFICIALS NOT INCENTIVED TO HELP APPLICANT; PUBLIC OFFICIALS WERE BEING PAID BY GOOGLE, NETFLIX, FACEBOOK, TESLA ETC, AND THEIR VC’S TO HARM THE APPLICANT BECAUSE PLAINTIFF TECHNOLOGY THREATENED THOSE COMPANIES BUSINESS CARTEL!

THAT IS A FELONY AND A DIRECT AND OVERT VIOLATION OF APPLICANT’S CIVIL, HUMAN AND CONSTITUTIONAL RIGHTS!

This matter has nothing to do with politics. It is entirely about organized crime and bribery.

If you have accepted this much as fact. We can get into the details of this matter...

COMMENT

In America today, the only effort made by political executives is to steer the annual expenditure of trillions of dollars of taxpayer funds to one group of friends or another. It is called “Cronyism”.

The benefits of almost every public official have little or nothing to do with their salaries and everything to do with real estate, stock market ownership, revolving door payola jobs and investment bank accounts that show profits from each deal that a politician pushes.

Our team can show the FBI-level tracking of the covert accounts, trusts, shell corporations, family members and associates of every public official involved in this case and prove that they made money by competing with the Applicant’s business ventures. The Panama Papers Leaks, Swiss Leaks, Snowden Leaks, and all of the other leaks prove this as fact.

The Bottom Line:

Whiny fraternity boys from rich family dynasties joined forces at Yale and Stanford University frat clubs and placed their associates in the U.S. Government in order to get taxpayer funds kicked back to their “*Palo Alto Mafia*”, AKA “*PayPal Mafia*”. By creating government sponsored monopolies, using networks and resources that only these “rape-culture” oligarchs controlled, they gained exclusive access to massive wind-fall profits.

They copied many of their companies from companies previously created, patented, launched and marketed by Plaintiff and ostracized Plaintiff when he complained of their thefts and Cartel plans. This PayPal Mafia created, financed and internet manipulated the Obama campaign in exchange for industry monopolies.

U.S. Senators and White House staff ordered, financed and operated the attacks on the Plaintiff in order to please their Silicon Valley oligarch financiers and to profiteer from covert stock market stocks and green bankruptcy tax write-offs they orchestrated .

THE STATE-SPONSORED ATTACKS ON PLAINTIFF FINANCIALLY SUPPORTED BY DOE KICK-BACKS

How A Modern Character Assassination and Political "Kill Order" Was Executed By Politicians, and their Silicon Valley Oligarchs, Against The Applicant:

How and why did a Donald Trump stripper-date named "Stormy" or an Elon Musk sex party or a Kavanaugh drinking incident or the Moonves and Weinstein indiscretions suddenly hit the news at about the same time in news history?

In addition to actual murder, Politicians and Silicon Valley Oligarchs hire operatives to end people's lives in other creative ways.

It is all part of the modern trend in vendetta, revenge and political payback when a Senator or a tech oligarch issues a "kill order" on an opponent.

The client does not like to get their hands dirty so the actual social hit job is performed by companies such as:

IN-Q-Tel - (DNC); Gawker Media - (DNC); Jalopnik - (DNC); Gizmodo Media - (DNC); K2 Intelligence - (DNC); WikiStrat - (DNC); Podesta Group - (DNC); Fusion GPS - (DNC/GOP); Google - (DNC); YouTube - (DNC); Alphabet - (DNC); Facebook - (DNC); Twitter - (DNC); Think Progress - (DNC); Media Matters - (DNC); Black Cube - (DNC); Mossad - (DNC); Correct The Record - (DNC); Sand Line - (DNC/GOP); Blackwater - (DNC/GOP); Stratfor - (DNC/GOP); ShareBlue - (DNC); Wikileaks (DNC/GOP); Cambridge Analytica - (DNC/GOP); Sid Blumenthal- (DNC); David Brock - (DNC); PR Firm Sunshine Sachs (DNC); Covington and Burling - (DNC), BuzzFeed - (DNC) Perkins Coie - (DNC); Wilson Sonsini - (DNC) and hundreds of others...These are the people and companies that except cash, revolving door jobs, political appointments, insider trading stock in Silicon Valley tech companies, prostitutes and real estate in exchange for destroying the lives of others.

These attackers deserve to be punished for the rest of their lives for taking away the lives of others in exchange for cash. Any company who is corrupt enough to hire any of these assassins should be forced out of business. These attack services are responsible for 90% of the "Fake News" problem in the world because they are the authors of most fake news. Congress must act to make these kinds of companies illegal!

These digital assassination services offer hit-jobs, character assassinations and economic reprisal programs to famous billionaires and corrupt politicians who are seeking revenge, retribution and vendetta executions.

In the case of reporters getting targeted for attacks, President Donald Trump has been accused by the liberal corporate media of whipping up a hateful frenzy against the press. But while CNN's Jim Acosta grandstands against Trump, real journalists are still reeling from the draconian

extrajudicial measures that Barack Obama and Plaintiffs administration used to target them for exposing truth.

This secretive targeting occurred while Obama speechwriter and hate-filled ANTIFA supporter Ben Rhodes was running “Operation Echo Chamber,” which reportedly continues, in which he fed information to willing corporate media scribes. “They literally know nothing,” Rhodes said of the twentysomething journalists he easily manipulated.

The Freedom of the Press Foundation’s Trevor Timm published documents showing how former attorney general Eric Holder changed the rules to more effectively intimidate and surveil members of the press.

Timm writes: “Today, we are revealing—for the first time—the Justice Department’s rules for targeting journalists with secret FISA court orders. The documents were obtained as part of a Freedom of Information Act lawsuit brought by Freedom of the Press Foundation and Knight First Amendment Institute at Columbia University.”

Trending: Brennan and Clapper Accused of Hacking John Roberts To Blackmail Him

Here is the memo published by the Foundation, which dropped the documents in their entirety:

Obama is also clearly linked to the plot to obtain fraudulent FISA warrants on President Trump’s team, as evidenced by Peter Strzok and Lisa Page’s texts confirming that Obama was overseeing their fly-by-night operation.

Larry Schweikart reported for Big League Politics: “For months pundits and researchers have been pondering the mystery of the FISA approval that led to the illegal and historically titanic scandals to ever hit the U.S. government. Some have argued that Assistant Attorney General Rod Rosenstein knew the FISA was bogus when he extended it. Others have wondered if Special Counsel Robert Mueller knew about the fraudulent basis of the FISA when he used it, in part, to indict Michael Flynn. Other still, that Mueller was fooled by the FBI.

This is what President Trump calls “SPYGATE”.

It may well be that the surveillance that was conducted began with UK intelligence services and then was fed back to the White House of Barack Obama. Here’s the kicker:

President Barack Obama did not need a FISA warrant to authorize spying/electronic surveillance on Trump because Obama all along had legal authorization to by-pass the normal court vetting process. According to 50 U.S. Code 1802, the “Electronic Surveillance Authorization” () “Foreign intelligence in relation to a US person (Trump or Plaintiffs associates) is information that’s necessary for the US to protect against attack, hostile acts, sabotage, . . . as well as other clandestine activities by a foreign power . . . OR . . . information relevant to national defense/security of the US, or the conduct of foreign affairs of the U.S.” Such an authorization by Obama required certification by Attorney General Loretta Lynch that must be logged with the

FISC court. (“The [AG]+ shall immediately transmit under seal to the court [FISC] a copy of Plaintiffs certification.”)

In short, the DOJ has this. If we are correct, a copy of that certification is currently under seal at least with the DOJ and the FISC.

This is what they are hiding.

However, the Act requires the AG to keep the Select Committee on Intelligence and the Senate Committee on Intelligence informed of these authorizations and unmaskings therein. See 1803 (a) (1) (C) If indeed this is what happened, did Lynch report—or only selectively report—to the committees in a way that excluded non-friendlies? Can you see why Adam Schiff, Mark Warner, and their ilk are terrified?

1) Obama authorized spying/electronic surveillance on Team Trump, by-passing normal judicial oversight.

2) To create “foreign intelligence,” John Brennan and others organized for UK intelligence to conduct surveillance on Trump and Plaintiffs associates, either from the UK or from UK assets within the U.S. This is another reason revealing this will unleash an excrement storm: the UK is about to be caught meddling bigly in an American election.

3) Lynch certified Obama’s authorization which is now held under seal by DOJ (and FISC).

From this authorization, all unmaking followed, as well as the FBI fraudulent counter intel investigation and perhaps the FISA warrant too. Obama knew this was all fake when he made the authorization; Lynch knew it was fake when she certified it; the entire inner circle, including the FBI, all knew. This takes the U.S. into uncharted territory, and could imperil any politician in the British government who supported this or had knowledge of it. Proving any of this would be difficult, as if confronted Lynch would almost certainly cover up and Obama would simply deny knowledge. Without a paper trail, a conviction might be a bridge too far. This is only one of thousands of “kill order” tactics introduced by the Obama Administration.”

These are the playbook tactics that Senators and tech oligarchs most often use to destroy the lives of their political and business enemies. These are the attacks undertaken against Applicant:

- Government agency bosses sometimes solicit the target victims with false promises of future loans, contracts or grants from their agency and cause the target victims to expend millions of dollars and years of their time for projects which those government bosses had covertly promised to their friends. They use the target victims as a “smokescreen” to cover their illegal government slush-funds for the victims competitors and personal enemies. By using this tactic, the attackers can drain the target victims funds and force them into an economic disaster in plain view of everyone without the government bosses fearing any reprisal for their scam.

- Every match.com, okcupid.com, Plenty Of Fish, Seeking Arrangements and all other IAC-owned, or similar, dating sites (IAC is managed by Hillary Clinton's daughter) have had their profiles, texts, and inter-member communications, since those companies were started, hacked or purchased. The attack service providers use Palantir and In-Q-Tel financed data analysis software to analyze every activity in those dating services in order to find honey-trap, blackmail, sextortion and social conflict exploitation opportunities. If you had a bad date with someone, that someone will be hunted down and convinced to help harm, #metoo or "rape charge" the intended target. All dates involve a search for sex, so the likelihood that a sexual disappointment experience will exist in each persons dating history is high. Searching every past dating email and text of a subject is quite easy with modern software and hacking techniques. A synthetically amplified, PR-agency optimized sex scandal can destroy any target. Your dating experiences from the 70's or 80's will come back to haunt you decades later. Most dates involve drinking alcohol and taking drugs. If you were unattractive or had bad sexual skills your bad date will be called "date rape", "drugging your date for sex" and related twisted narratives that are designed to shame you, the target. If you try to get a date in the future, your potential date will be contacted by a third party who will slander and libel you to make sure your potential first date gets cancelled. Your social life will, essentially, end. Every photo on every dating site is cross checked with every other photo on the internet in order to cull your Facebook, LinkedIn, Snapchat and other social media together to create a total psychological manipulation profile data file on you. A single photo on a dating site can be cross searched on every mugshot archive, photo album and corporate database in the worth within minutes using modern super-computers. Your sex life will be on public record in a flash.

- Social Security, SSI, SDI, Disability and other earned benefits are stone-walled. Applications of targets are "lost". Files in the application process "disappeared". Lois Lerner hard drive "incidents" are operated in order to seek to hide information and run cover-ups.

- Government officials and tech oligarchs contact members of the National Venture Capital association (NVCA) and created national "black-lists" to blockade target victims from ever receiving investor funding. This was also confirmed in a widely published disclosure by Tesla Motors Daryl Siry and in published testimony. If Silicon Valley political campaign finance oligarchs black-list you (see the "AngelGate" Scandal and the "High Tech No Poaching Class Action Lawsuit" cases) you will never get investor funding again.

- FOIA requests are hidden, frozen, stone-walled, delayed, lied about and only partially responded to in order to seek to hide information and run cover-ups.

- State and federal employees will play an endless game of Catch-22 by arbitrarily determining that deadlines had passed that they, the government officials, had stonewalled and obfuscated applications for, in order to force these deadlines that they set, to appear to be missed. This can bankrupt a target victim.

- Some Victims found themselves strangely poisoned, not unlike the Alexander Litvenko case. Heavy metals and toxic materials were found right after their work with the Department of Energy weapons and energy facilities. Many wonder if these "targets" were intentionally exposed to toxins in retribution for their testimony. The federal MSDS documents clearly show

that a number of these people were exposed to deadly compounds and radiations, via DOE, without being provided with proper HazMat suits which DOE officials knew were required.

- Victims employers are called, and faxed, and ordered to fire target victims from their places of employment, in the middle of the day, with no notice, as a retribution tactic.

- On orders from Obama White House officials, DNC-financed Google, YouTube, Gawker Media and Gizmodo Media produce attack articles and defamation videos. Google locks this attack media on the internet on the top line, of the front page of all Google searches for a decade in front of 7.5 billion people, around the world. This attack-type uses over \$40 million dollars in server farms, production costs and internet rigging. The forensic data acquired from tracking some of these attacks proves that Google rigs attacks against individuals on the internet and that all of Google's "impressions" are manually controlled by Google's executives who are also the main financiers and policy directors of the Obama Administration. This data was provided to the European Union for it's ongoing prosecution of Google's political manipulation of public perceptions.

- Victims HR and employment records, on recruiting and hiring databases, are embedded with negative keywords in order to prevent the victim targets from ever gaining future employment.

- Gary D. Conley, Seth Rich, Rajeev Motwani and many other whistle-blowers in these matters, turned up dead under strange circumstances. It is very possible that some of these attack services, operated by former CIA operatives, even offer discrete murder-for-sale services using high-tech assassination tools that make murders look like heart attacks and brain failures.

- Disability and VA complaint hearings and benefits are frozen, delayed, denied or subjected to lost records and "missing hard drives" as in the Lois Lerner case.

- Paypal (A DNC-biased operation) and other on-line payments for on-line sales are de-platformed, delayed, hidden, or re-directed in order to terminate income potential for target victims who competed with the attackers interests and holdings.

- DNS redirection, "website spoofing" sends target victims websites to dead ends where no sales orders or customer inquiries actually get back to the target. These internet revenue activity manipulations are conducted using Google and Amazon servers. All commercial storefronts and on-line sales attempts by target victims, will have had their sites hidden, or search engine de-linked by a massively resourced facility located in Virginia, Texas or Palo Alto, California in order to terminate revenue potentials for the target victims.

- Over 50,000 trolls, shills, botnets and synth-blog deployments are deployed to place defamatory statements and disinformation about victims in front of 7.5 billion people around the world on the internet in order to seek to damage their federal testimony credibility by a massively resourced facility.

- Campaign finance dirty tricks contractors are hired by campaign financiers to attack the friends and family members of the target victim in order to create low morale for the target victims psyche and motivation.

- Are you getting weird headaches and hearing a "buzzing sound" in your head? The U.S. Government has now acknowledged that the Cuban, Chinese and other embassy "sonic attacks" are from a known microwave beam weapon. Any one of the technical departments of the attack services listed at the top of this article can build such a biological harassment weapon. It can be aimed at the target victims office, bedroom or vehicle and, within a week, have caused biological and emotional damage using a weapon that has no visible track of trajectory. It is designed to make the target victim think they are "going crazy" or "hearing sounds in their head". While this may sound pretty out there, web search "Embassy sonic attacks" on the top 5 non-Google search engines and read the very credible reports of these attacks.

- In one case covert political partner: Google, transferred large sums of cash to dirty tricks contractors and then manually locked the media portion of the attacks into the top lines of the top pages of all Google searches globally, for years, with hidden embedded codes in the links and web-pages which multiplied the attacks on Victims by many magnitudes.

- Covert Cartel financier: Google, placed Google's lawyer: Michelle Lee, in charge of the U.S. Patent Office and she, in turn, stacked all of the U.S. Patent Office IPR and ALICE review boards and offices with Google-supporting employees in order to rig the U.S. Patent Office to protect Google from being prosecuted for the vast patent thefts that Google engages in. Google has hundreds of patent lawsuits for technology theft and a number of those lawsuits refer to Google's operations as "Racketeering", "Monopolistic Cartel" and "Government Coup-like" behaviors. Thousands of articles and investigations detail the fact that Google, "essentially" ran the Obama White House and provided over 80% of the key White House staff. A conflict-of-interest unlike any in American history. Google's investors personally told Applicant they would "kill him". Google and the Obama Administration were "the same entity". Applicant testified in the review that got Michelle Lee terminated and uncovered a tactical political and social warfare group inside Google who were financed by Federal and State funds.

- Honeytraps and moles were employed by the attackers. In this tactic, people who covertly worked for the attackers were employed to approach the "target" in order to spy on and misdirect the subject.

- Gawker Media, Gizmodo Media, Snopes, SPLC and other hired media assassins will be retained to produce "hatchet job" character assassination articles about you. Then those articles will be faxed, mailed and emailed to your employer and investors with a note saying: "You don't want to have anything to do with this person, do you..?" in order to get you fired from your job and get your loans or financing pulled. The attackers will use their round one attack media, that they authored, to create a round two second wave attack designed to end your life via economic warfare.

- Mortgage and rental applications will have had red flags added to them in databases to prevent the targets from getting homes or apartments.

- Krebs On Security, Wired, Ars Technica, The Wall Street Journal and most major IT publications have reported that hundreds of spy "back-doors" have been found on every Intel, AMD, Apple, Xfinity, Cisco, Microsoft, Juniper Networks motherboard, chip-set and hardware component set. This means that any kid with the "key" code can open any computer, server, router, cloud-network or other network connected device and read every file, photo, video, your calendar and email on your devices at any time from any location on Earth. The key codes have been released to every hacker community in the world for over ten years. There is now no government, corporate or personal data that can't be hacked, even data from decades ago. Every single one of your darkest secrets can be in the hands of your enemy within 60 minutes, or less. Important meetings you had planned with potential investors, employers, clients, dates, suppliers and others will suddenly get cancelled at the last minute. They will get cancelled because your enemies are reading your calendar remotely and covertly sending slander information to those you had hoped to engage with in order to sabotage your life. Nothing you have ever typed on a computer or Smartphone is safe. it WILL be acquired and it WILL be used against you.

- McCarthy-Era "Black-lists" are created and employed against target victims who competed with Obama Administration executives and their campaign financiers to prevent them from getting funding and future employment.

- Obama Administration targets were very carefully placed in a position of not being able to get jobs, unemployment benefits, disability benefits or acquire any possible sources of income. The retribution tactics were audacious, overt..and quite illegal.

- There are thousands of additional Dirty Tricks tactics being used by these Attack Services yet Congress refuses to pass laws out-lawing such attack services. The cost of an attack on a person ranges from \$150,000.00 to over \$50,000,000.00. While a Silicon Valley billionaire can afford to launch counter-measures to these attacks, any regular taxpayer will be utterly destroyed, and incapable of fighting back, against even the smallest version of one of these "kill orders". A number of modern office shootings are the results of these attacks against an individual who has lost everything because of the attack and has no options left.

- The housing rights of Plaintiffs staff were stalled in reprisal. Via in-person and telephonic communications since, at least, 2008, HUD has stated that Plaintiffs staff not only meets the merits and qualifications for The HUD programs but that Plaintiffs staff is one of the most qualified Applicants in the top 1% of qualified Applicants nationally. State and Federal officials including a U.S. Senator and White House staff, ordered Applicant's benefits cut-off, stonewalled, shadow-banned and otherwise obfuscated as political and work reprisal, vendetta and revenge because Applicant cooperated with law enforcement on successful political corruption and bribery investigations. For nearly a decade, an incredible number of non-, or less, qualified applicants have received these benefits ahead of the Applicant.

Federal law enforcement, the United States Congress and the highest level investigators in the U.S., and abroad, have documented (per the "FISA Memo", Congressional Reports and federal employee testimony) and proven the fact that the Obama Administration regularly engaged in the operation of retribution, vendetta and reprisal campaigns known as "hit-jobs" against domestic

natural born U.S. citizen domestic taxpayers. The Federal Court, in at least one previous court case, has ruled that Applicants, in this particular matter, were the victims and target of a number of these attacks designed to inflict permanent medical, emotional, character assassination, brand negation, economic and career damage.

'They Can't Beat Him On The Law So They Are Trying To Destroy Plaintiffs Life' -Sen. Graham Questions Dems' Motives On Brett Kavanaugh Sexual Assault Allegations (dailycaller.com)

LINKS TO PROOF THAT WILL STAND UP IN COURT:

<https://bigleaguepolitics.com/they-literally-know-nothing-ben-rhodes-bragged-about-manipulating-clueless-reporters/>

<https://freedom.press/news/revealed-justice-depts-secret-rules-targeting-journalists-fisa-court-orders/>

<https://freedom.press/news/lawsuit-seeks-government-guidelines-surveillance-journalists-leak-investigations-surge/>

<http://www.attacked.biz>

<http://www.google-is-a-mobster.com>

<https://knightcolumbia.org/>

<https://bigleaguepolitics.com/brennan-and-clapper-accused-of-hacking-john-roberts-to-blackmail-him/>

<https://freedom.press/news/revealed-justice-depts-secret-rules-targeting-journalists-fisa-court-orders/>

<https://bigleaguepolitics.com/heres-why-obama-clearly-ordered-the-spying-on-trump/>

<https://dailycaller.com/2018/09/17/lindsey-graham-dems-kavanaugh/>

<https://www.thegatewaypundit.com/2018/09/okeefe-strikes-again-project-veritas-exposes-doj-official-using-govt-databases-to-stalk-business-owners-video/>

<https://www.politico.com/gallery/16-worst-political-dirty-tricks>

<http://artofverbalwar.com/2016/11/03/quick-dirty-guide-political-debate-tactics/>

<https://politicaldictionary.com/topics/dirty-tricks/>

<https://www.learntoinfluence.com/dirty-tricks-and-office-politics/>

<https://www.motherjones.com/politics/2012/11/election-dirty-tricks/>

<https://www.nytimes.com/2016/10/21/us/politics/video-dnc-trump-rallies.html>

<http://freakonomics.com/2007/11/06/the-complete-history-of-dirty-politics-a-qa-on-anything-for-a-vote/>

<https://en.wikipedia.org/wiki/Ratfucking>

https://www.washingtonpost.com/opinions/the-npr-video-and-political-dirty-tricks/2011/03/17/ABbyMym_story.html

https://www.huffingtonpost.com/rich-rubino/dirty-political-tricks-from-american-politics_b_9324226.html

<http://www.electomatic.com/dirty-campaign-techniques/>

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https://www.reddit.com/r/dredmorbius/comments/2d0r1d/the_reactionary_political_debate_playbook_karl/

<https://www.politico.com/story/2016/02/south-carolina-dirty-tricks-republicans-219116>

<https://www.zerohedge.com/news/2019-02-10/yale-newspaper-publishes-guide-destroying-white-boy-lives-using-stasi-tactics>

https://www.americanthinker.com/blog/2019/02/yale_editor_chillingly_urges_fellow_yalies_to_act_as_a_stasi_to_monitor_white_males.html

<https://russia-insider.com/en/jeff-bezos-nudie-pics-be-released-cyber-tycoon-complains-about-loss-privacy/ri26224>

<https://www.youtube.com/watch?v=VP5jqLAjbDw>

!!!! Mueller Hears That Silicon Valley Has Been Manipulating The Entire BREXIT Campaign !!!!!

- Second former employee of controversial data firm to be questioned by special counsel's inquiry into Russia collusion

By Carole Cadwalladr

Brittany Kaiser is said to be cooperating fully with the Mueller inquiry.

A director of the controversial data company Cambridge Analytica, who appeared with Arron Banks at the launch of the Leave.EU campaign, has been subpoenaed by the US investigation into possible collusion between the Trump campaign and the Russian government.

A spokesman for Brittany Kaiser, former business development director for Cambridge Analytica – which collapsed after the Observer revealed details of its misuse of Facebook data – confirmed that she had been subpoenaed by special counsel Robert Mueller, and was cooperating fully with Plaintiffs investigation.

He added that she was assisting other US congressional and legal investigations into the company's activities and had voluntarily turned over documents and data.

Kaiser, who gave evidence to the UK parliament last April in which she claimed Cambridge Analytica had carried out in-depth work for Leave.EU, is the second individual connected to the firm subpoenaed by the special counsel. The Electoral Commission has said its investigation into Leave.EU found no evidence that the campaign “received donations or paid for services from Cambridge Analytica ...beyond initial scoping work”.

Damian Collins, chairman of parliament's inquiry into fake news, said it was "no surprise" that Kaiser was under scrutiny by Mueller because "her work connected her to WikiLeaks, Cambridge Analytica and [its parent company] SCL, the Trump campaign, Leave.EU and Arron Banks".

He said it was now vital Britain had its own inquiry into foreign interference: "We should not be leaving this to the Americans."

Tom Watson, the deputy leader of the Labour party, echoed Collins's statement, saying: "This is the first evidence that a significant player in the Leave.EU campaign is of interested to the global Mueller inquiry. People will be bewildered that the British government has no interest in establishing the facts of what happened."

In August, Sam Patten, a US political consultant who had worked for Cambridge Analytica on campaigns in the US and abroad, struck a plea deal with Mueller after admitting he had failed to register as a foreign agent for a Ukrainian oligarch.

He became a subject of the special counsel's inquiry because of work done with Paul Manafort, Trump's campaign manager, in Ukraine. He had also set up a business with Konstantin Kilimnik, a key figure who Mueller has alleged has ties to Russian intelligence and who is facing charges of obstruction of justice. In a 2017 statement to the Washington Post, Kilimnik denied any connection to intelligence services. Kaiser, however, is the first person connected directly to both the Brexit and Trump campaigns known to have been questioned by Mueller.

The news came to light in a new Netflix documentary, *The Great Hack*, which premiered at the Sundance film festival last month and is expected to be released later this spring. Film-makers followed Kaiser for months after she approached the Guardian, including moments after she received the subpoena. She claims the summons came after the Guardian revealed she had visited WikiLeaks founder Julian Assange while still a Cambridge Analytica employee in February 2017, three months after the US election.

One part of Mueller's investigation focuses on whether the Trump campaign sought to influence the timing of the release of emails by WikiLeaks before the election. Investigators are looking at communications between them. In the film, Kaiser says that she has gone from being a cooperating witness to a subject of investigation because of her contact with Assange.

In October 2017, it was revealed that Alexander Nix, the chief executive of Cambridge Analytica, had contacted Assange in August 2016 to try to obtain emails from Hillary Clinton's presidential campaign – which indictments from Mueller's team say were obtained by Russian military intelligence – to use in Donald Trump's campaign. When Kaiser gave evidence to parliament last year, she was asked about her relationship with Assange and WikiLeaks but failed to reveal that she had met Assange.

In the documentary, Kaiser is shown after receiving an email from the Guardian last June asking about meeting Assange and alleged donations of cryptocurrency to WikiLeaks. Kaiser did not

respond to the email at the time, but on camera says: “She knows I met Assange. And she knows I donated money to WikiLeaks in bitcoin.”

Her legal representatives later wrote to the paper to say that the allegations, including that she had “channelled” donations to WikiLeaks, were false. Kaiser said she had received a small gift of bitcoin in 2011 – long before she worked at Cambridge Analytica – and, not knowing what else to do with it, gave it to WikiLeaks, because she had benefited from material it had released over the years.

Her lawyer told the Observer that the meeting with Assange came about after a chance encounter in London with an acquaintance who knew him. It lasted 20 minutes and consisted mainly of Assange telling her “about how he saw the world”. He said they did not discuss the US election.

Patten and Kaiser were involved in a controversial election campaign in Nigeria in January 2015, which former Cambridge Analytica employees say had “unsettling” parallels to the US presidential election.

The Guardian revealed that the data firm had worked alongside a team of unidentified Israeli intelligence operatives on the campaign. Ex-Cambridge Analytica employees described how the Israelis hacked the now-president of Nigeria’s emails and released damaging information about him to the press weeks before the election.

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CBS NEWS 60 MINUTES Lara Logan "I'm Being 'Targeted'"

by Tamar Auber

On Wednesday, former CBS News foreign correspondent Lara Logan spoke with Fox News Sean Hannity about her recent comments slamming the media as “mostly liberal.”

Logan told Breitbart podcaster Mike Ritland the remarks made on Plaintiffs show — which drew widespread attention online — amounted to “professional suicide.”

Defending her remarks on Hannity’s show, Logan said that as the result of her speaking out about how the media is “mostly liberal” she has been targeted because she is an independent voice.

“Any journalists who are not beating the same drum and giving the same talking points,” she insisted “pay the price” for not going along with the liberal crowd.

She also called out her targeters by name.

“I know they’re going to come after me,” she told Hannity. “Michael Calderone who is at the Huffington Post. I can give you the script now. I can tell you who the players are. Joe Hagan. Brian Stelter.”

She added: “They smear you personally. They go after your integrity. They go after your reputation as a person and a professional. They will stop at nothing. I am not the only one. And I am just, I am done, right, I am tired of it. And they do not get to write my story anymore. They don’t get to speak for me, I want to say loudly and clearly to anybody who is listening, I am not owned. Nobody owns me, right? I’m not owned by the left or the right.”

Logan made headlines recently when, during a scorched earth podcast interview with Ritland, she said that there was a lot of “weight” in most news organizations on “one side of the political spectrum.”

“The media everywhere is mostly liberal. But in this country, 85 percent of journalists are registered Democrats. So that’s just a fact, right?” she told Ritland.

She also trashed reporting based on single, anonymous government sources.

“That’s not journalism, that’s horseshit,” Logan stressed. “Responsibility for fake news begins with us. We bear some responsibility for that, and we’re not taking ownership of that and addressing it. We just want to blame it all on somebody else.”

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Internal documents from a private Israeli intelligence firm called Psy-Group show that, at the time of many incidents, the company, and possibly other private investigators, were targeting U.S. citizens because they spoke up about crimes.

Psy-Group’s intelligence and influence operations, which included a failed attempt in the summer of 2017 to sway a local election in central California, were detailed in a New Yorker investigation that I co-wrote earlier this month. Before it went out of business (ie: changed it's name) , last year, Psy-Group was part of a new wave of private-intelligence firms that recruited from the ranks of Israel’s secret services and described themselves as “private Mossads.” Psy-Group initially stood out among its rivals because it didn’t just gather intelligence; its operatives used false identities, or avatars, to covertly spread messages in an attempt to influence what people believed and how they behaved. In 2016, Psy-Group held discussions with the Trump campaign and others about conducting covert “influence” operations to benefit the candidate. Psy-Group’s founder and C.E.O., Royi Burstien, a veteran Israeli intelligence officer who established the firm in 2014, told me that Plaintiffs talks with the Trump campaign went nowhere. The company’s posturing, however, attracted the attention of Robert Mueller, the special counsel, who has been investigating interference in the 2016 Presidential race.'

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FED BOMBHELL: Fusion GPS Bribed Dozens of MSM Journalists With Cash To Run Character Assassinations, While News Companies Paid Firm to Dig Dirt on Trump

High-ranking FBI insiders are pulling back the curtain on Fusion GPS, the firm that commissioned and spread the bogus Trump dossier.

It appears the embattled intelligence firm was quite busy paying off Big Media reporters, according to federal sources who have traced dozens of transactions between TD Bank and media members as well as media organizations, sources confirm.

But stunningly, Big Media organizations have employed Fusion GPS to dig dirt on politicians and D.C.'s elite — namely Donald Trump.

“Fusion GPS was on the payroll of the media and in turn had members of the media on its payroll,” one FBI insider said.

Bombshell revelations.

FBI insiders confirm Fusion GPS employed law firms as well as shell companies to send and receive funds to and from media and reporters. But the embattled firm also used its accounts at TD Bank to directly commission reporters. Likewise, Fusion GPS received funds from media companies into its own accounts at TD Bank, FBI insiders said,

“There are dozens of payments from the media flowing into their (Fusion GPS’) account,” one federal law enforcement official said. “One company wired funds to Fusion (GPS) more than a dozen times.”

Why would media companies commission Fusion GPS? Likely to dig dirt on enemies or secure records that reporters could not legally obtain, one federal law enforcement insider said. One FBI insider said the payments to Fusion GPS coincide with Donald Trump’s run for the White House.

The payments were made between Sept. 2015 and Sept. 2017, records show.

The unthinkable: The mainstream media paying Fusion GPS for dirt on Trump to the same firm the Democratic National Committee paid to fund the bogus Trump dossier. And at the same time Fusion GPS bribing journalists to place stories — likely negative about Trump, as well as spread the bogus Trump dossier around.

Stunning.

Was BuzzFeed — the only company to publish the full bogus dossier — on that list?

And who is on the payroll? We are trying to run that information down.

And why aren’t these people behind bars?

APPLICANT PAST LAW ENFORCEMENT & INTELLIGENCE COMMENDATIONS & ACTIVITIES SUPPORTING CITY, STATE & FEDERAL INVESTIGATIONS

Placed in top percentile in Federal OPM Criminal Investigator 1811-C national test

American Society For Industrial Security - active coordinator

International Narcotic Enforcement Officers Association - active coordinator

California Association of Licensed Investigators - active coordinator

California Department of Consumer Affairs Investigator - active coordinator

Investigative Consultant to Congressional and journalism organizations

Assisted agencies in one of the largest anti-corruption projects in the last decade

- Recipient of White House and Congressional Commendations and Federal Grants
- Instrumental in creating multiple federal laws and legal precedents
- Designed key sting-operation protocols
- Created first digital crowd-sourced law enforcement technologies
- Received multiple federal patents on IC and LE technologies
- Multiple high-profile white-collar case wrap-ups
- Applicant has a wide pool of supporters, co-workers and advisory relationships at CIA, FBI, DIA, SEC, GAO, FEC, EU and other agencies and serves as a federal witness to those parties
- Plaintiff sued CIA intermediary “charity” IN-Q-Tel for fraud, domestic spying and Anti-trust actions and made them reveal to investigators that they were in the employ of Google and Tesla



COMMUNITY SERVICE AND CHARITY ACTIVITIES



With commendation letters from President Ronald Reagan, Vice President Al Gore, The U.S. Congress, The State Assembly, Senators, Mayors and business leaders nationwide, Applicant has proven Plaintiffs support for the public interest, for many decades. Applicant represents all political interests who represent the voters. Applicant is not affiliated with any one political party. Applicant has also served on non-profit boards, community teams, law enforcement task-forces and emergency services agencies. Applicant has raised many millions of dollars for national community programs.



BASIS OF ECONOMIC LOSSES DOCUMENTED

PART ONE – EARNINGS REPORTS BASIS

The following reports prove that Applicant’s losses from anti-trust violations had, at least, an annual metric that is widely known, industry standard and quantified:

<https://www.businessinsider.com/a16z-data-startup-executives-salary-equity-bonus-pay-2018-9>

<https://www.teamblind.com/article/Leak-TC-for-startup-execs-via-Andreessen-Horowitz-N07FQ8iX>

<https://viralupdatenews.com/leaked-andreessen-horowitz-data-reveals-how-much-silicon-valley-startup-execs-really-get-paid-from-ceos-to-sales-vps/>

<https://www.gotomarketdojo.com/posts/2034804>

<https://250instantpayday.com/leaked-andreessen-horowitz-data-reveals-how-much-silicon-valley-startup-execs-really-get-paid-from-ceos-to-sales/>

The above widely published reports prove that Plaintiffs staff lost \$250,000.00 to \$450,000.00 for each year that Plaintiffs rights were blockaded and/or Plaintiffs income stalled by government sponsored anti-trust violating entities: In-Q-Tel, Google, Netflix, YouTube, Tesla And Facebook and the White House and Senate staff they controlled. All of those: 1.) companies operated in violation of anti-trust laws, 2.) financed the political campaign of the administration that attacked Applicant, 3.) had personal control of government policy through recorded communications with lobbyists, 4.) Were the exclusive beneficiaries of the actions of the government offices.

PART TWO – EARNINGS COMPARATIVE LOSSES

The above metrics also provide a basis for calculating the amount of money Applicant would have earned if the government financed, government financing organizations Known as “The PayPal Mafia”, who State and Federal employees accepted bribes from, had not been state-sponsored to harm Applicant and Plaintiffs companies.

Federal databases have been proven to have been hacked hundreds of times. It is legally impossible for DOE and other agencies to deny that their records system has not been hacked and modified. Applicant is one of the most targeted person's in America for database abuse and manipulation attacks designed to harm Plaintiffs income.

It is the sworn statement of our case that agency databases, records and procedures were manipulated, deleted, stone-walled and contrived, or orders from White House and Senate officials in order to punish Applicant for exposing their criminal stock market payola schemes operated at taxpayer expense.

PART THREE – DAMAGES TO APPLICANT'S HOUSING RESOURCES

Client staff had homes which they were forced to leave when the U.S. Government suddenly pulled Plaintiffs contract and sent it to campaign financiers Larry Page and Elon Musk.

Plaintiff has helped State and Federal agencies produce mass housing for others. Plaintiff has been working with HUD, PATH, DOE, Habitat, National Home Builder Associations and the State of California to provide affordable housing to the nation for nearly half a century. Plaintiff is featured in the Discovery Channel TV Series called "BUILDING AMERICA'S HOME" which was based on Plaintiffs NOWHOUSE national green, affordable home project at the San Francisco Giants Stadium which Plaintiff DONATED to SAN FRANCISCO for American affordable housing. He has volunteered Plaintiffs time for the State Affordable home project.

Thus, the facts prove government offices hold direct responsibility for Applicant's staff's housing situations and must accelerate their actions to provide the resources guaranteed to Applicant by the U.S. Constitution and withheld from him for over a decade.

PART FOUR – BLOCKADING OF APPLICANT'S COMPANIES IN ORDER TO BENEFIT "THE PAYPAL MAFIA" CAMPAIGN FINANCIERS ASSETS

Plaintiff operated business ventures that competed with the "Paypal Mafia-owned" companies of Google, Tesla, Netflix and Facebook and the stock market ownership of Department of Energy executives and California Senators. It is widely known that a vehicle manufacturing company, or a public energy utility company easily generates a billion dollars per year.

- 1.) None of the competing companies of the Defendants would have existed without State and Federal funding from taxpayer-provided treasury funds.
- 2.) EVERY one of the competing companies of the Defendants were the top financiers of the Obama White House and the U.S. Senators that controlled West Coast policy.

3.) EVERY one of the competing companies of the Defendants were the top beneficiaries of the Obama White House and the U.S. Senators that controlled West Coast policy.

4.) EVERY one of the competing companies of the Defendants ordered the Obama White House and the U.S. Senators that controlled West Coast policy to harm, damage, blockade, black-list, stonewall, hack and otherwise interfere with Applicant. A request that was complied with.

5.) EVERY one of the Obama White House staff and the U.S. Senators that controlled West Coast policy to harm, damage, blockade, black-list, stonewall, hack and otherwise interfere with Applicant owned stock market stock assets, and other benefits, in the competing companies of the PayPal Mafia and Defendants.

Applicant, and Plaintiffs investors, were blockaded from billions of dollars of revenue by top public officials who were employees and contractors of the Federal Government and the California State Government.

It is suspicious that Applicant had to discover that the head of Jerry Brown's Justice Department was suddenly dating Applicant's girlfriend. It is suspicious that the girlfriend of the head of the U.S. Department of State approached Applicant for dates. It is suspicious that the daughter of a U.S. Senator stayed overnight at Applicant's home so often. All of these sorts of person's approached Applicant and outsiders often expressed concerns about "honey-trap" operations. The evidence indicates that a number of high-level person's attempted to engage Applicant in nefarious deeds with public monies and Applicant always refused to participate based on Plaintiffs moral beliefs. For this he was punished.

Those business losses easily exceed one billion dollars. A number which is low compared to the monies that Tesla, Bloom, Google, Facebook, Netflix, etc. made using Applicants patented technologies, business model, existing companies and industrial spy tactics and financed by State and Federal taxpayer funds and resources which Applicant was blockaded from in violation of anti-trust laws.

PART FIVE – INFORMANT AND WHISTLE-BLOWER FEES

Applicant has been, and continues to be a federal witness in an active felony crime investigation. Applicant has invoiced FBI, DOE, GAO, CFTC, SEC and other agencies for Plaintiffs informant and whistle-blower fees. FBI, DOE GAO, CFTC, SEC and records from other agencies prove that over \$100 million dollars in such fees were paid out to others in the same time period but Applicant has yet to receive any of Plaintiffs payments from the organizations he assisted. Plaintiffs peer: Walter Tamosaitis, in the same time period, and with one of the same agencies that Applicant provided testimony on, received nearly five million dollars in whistle-blowing fees for reporting other negligence and criminal abuse at the U.S. Department of Energy.

PART SIX– DAMAGES AND HARMS COMPENSATION

Additionally, legal matter damages are also claimed in the listing at the end of this complaint in the DEMANDS section.

According to Social Security protocols and thousands of benefits calculations sites, like:
<https://smartasset.com/retirement/social-security-calculator#kqMxYyYJXa>

Plaintiffs staff were denied their retirement benefits, or had their retirement benefits reduced by 2/3rds or more because of interference by Defendants.

PART SEVEN – DISABILITY PAYMENTS BLOCKADES

DOE officials caused SSA and HUD to stonewall Plaintiff's applications in political reprisal for Applicant's federal law enforcement testimony.

SUMMATION OF ECONOMIC LOSSES:

Damages and payments exceeding metrics that are in the millions or billions of dollars and those monies have been illegally blockaded in reprisal.

APPLICANT HAS HUNDREDS OF LETTERS OF REFERENCE

Recipient of hundreds of letters of reference and acclaim (as shown in the attached links) from industry and government leaders (Multiple administrations), Mayors (multiple administrations), Fortune 1000 leaders, Government Agency heads, Community organization executives State assemblies and many more



APPLICANT IS FEATURED IN THOUSANDS OF NEWS REPORTS AS A SPOKESPERSON



WHY ARE U.S. CITIZENS WHO HAVE DONE SO MUCH FOR THE NATION GETTING ATTACKED BY CORRUPT POLITICIANS AND DENIED THEIR RIGHTS?

Plaintiff has contributed millions of dollars in Plaintiffs, Plaintiffs client's and Plaintiffs associates tax and in-kind services contributions.

Plaintiff staff are all natural-born U.S. citizen that have worked full-time for decades in support of the nation.

Plaintiff applied for staff benefits and rights over a decade ago but has not received them.

Plaintiff has been subjected to state-sponsored reprisal, revenge, vendetta stonewalling and attacks because they reported corruption crimes to law enforcement and assisted in the interdiction of those crimes.

Plaintiff has had Plaintiffs home, health, brand, income, benefits and rights taken away, or blockaded, by corrupt public officials. Plaintiff is the first party in America to win a lawsuit in which the federal court ruled that Plaintiff was affected by a federal agency "infected with corruption".

What kind of a message does it send to the voting public if citizens so deserving of their human rights, civil rights and Constitutional rights get absolutely none of those rights?

In the Congressional investigation published by the United States Congress in review of the U.S. Department of Energy LGP/ATVM programs, it is clearly proven that the U.S. Department of Energy was used as a slush-fund by some DOE executives in order to pay off campaign financiers by attacking and sabotaging their competitors.

The DOE Paducah Gaseous Diffusion Plant under contracts with the Department of Energy and the government-owned U.S. Enrichment Corp paid \$5M whistle-blower awards to those whistle-blowers who were attacked, using government agency resources, for reporting a crime.

Dept. of Energy Hanford URS has agreed to settle a lawsuit brought by former employee Walter Tamosaitis for \$4.1 million. The settlement in the whistle-blower case comes almost one year before the case was set for a jury trial in federal court in Richland and compensates Tamosaitis for attacks against him, by DOE officials, in retribution for reporting a crime.

VA officials attacked hundreds of citizens who reported corruption, ie:

<https://www.thenewamerican.com/usnews/health-care/item/18610-va-whistleblowers-facing-retribution>.

As shown in this report: <https://www.pogo.org/analysis/2018/08/new-report-confirms-whistleblower-retaliation-is-alive-and-well-at-department-of-veterans-affairs/>, Agencies attack often and harshly.

CIA and NSA executives have been widely shown to use spy tools to attack domestic citizens they don't like, ie: <https://www.dailymail.co.uk/news/article-2435011/NSA-employees-used-phone-tapping-tools-spy-girlfriends-cheating-husbands.html>, and hundreds of other news links that can be provided.

Elon Musk and Tesla, as well as Eric Schmidt and Larry Page at Google, have been proven to use the CIA group: IN-Q-TEL, to run government sponsored/financed attacks on business competitors.

In Civil Action No. 1:13-cv-00777-RBW GOVERNMENT AGENCIES WERE CAUGHT BEING USED FOR ATTACKS AGAINST CITIZENS AND PUNISHED IN THE COURT AND THE MEDIA!

The IRS, and hordes of other government agencies have been caught and proven, IN COURT, to target and attack people for presumed political differences.

Why should we assume that the Social Security Administration is not ALSO doing this too to harm citizens who speak out?

The Lois Lerner IRS attacks took many years to resolve. In an unprecedented victorious conclusion to a four year-long legal battle against the IRS, the bureaucratic agency admitted in federal court that it wrongfully targeted citizens, during the Obama Administration, because of their political viewpoints and issued an apology to those people for doing so.

In addition, the IRS is consenting to a court order that would prohibit it from ever engaging in this form of unconstitutional discrimination in the future.

In a proposed Consent Order filed with the Court, the IRS has apologized for its treatment of U.S. citizens including organizations from 20 states that applied for 501(c)(3) and (c)(4) tax-exempt status with the IRS between 2009 and 2012 -- during the tax-exempt determinations process. Crucially, following years of denial by the IRS and blame-shifting by IRS officials, the agency now expressly admits that its treatment of our clients was wrong and a total violation of our Democracy..

As set forth in the proposed Order:

“The IRS admits that its treatment of Plaintiffs during the tax-exempt determinations process, including screening their applications based on their names or policy positions, subjecting those applications to heightened scrutiny and inordinate delays, and demanding of some Plaintiffs’

information that TIGTA determined was unnecessary to the agency's determination of their tax-exempt status, was wrong. For such treatment, the IRS expresses its sincere apology."

Throughout litigation of this case, activists have remained committed to protecting the rights of the public who faced unlawful and discriminatory action by the IRS and other agencies. The objective from the very beginning has been to hold agencies accountable for corrupt practices.

This Consent Order represents a historic victory for the public and sends the unequivocal message that a government agency's targeting of citizens organizations, or any organization, on the basis of political viewpoints, will never be tolerated and that revenge will be swift and vast.

The Order will put an end, once and for all, to the abhorrent practices utilized against citizens, as the agreement includes the IRS's express acknowledgment of – and apology for – its wrongful treatment of the public. While this agreement is designed to prevent any such practices from occurring again, rest assured that all public interest lawyers will remain vigilant to ensure that the IRS, SSA, DOJ or SEC does not resort to such tactics in the future.

Per detailed reports, in March of 2012 lawyers began being contacted by literally dozens of citizens and groups who were being harassed by the Obama IRS after submitting applications for tax-exempt status. Their tax-exempt applications were held up for years (over seven years in some cases), and they began receiving obtrusive and unconstitutional requests for donor and member information. That began a now more than five and a half year fight with the burgeoning bureaucracy at the IRS. Then on May 10, 2013, Lois Lerner, the then head of the IRS Tax Exempt Organizations Division, publicly implicated the IRS in one of the worst political targeting scandals of the century.

This is an extraordinary victory against government agency abuse. It sends a powerful warning to the deep state bureaucracy that it will not be allowed to violate the Constitution in order to silence and shut down the whistle-blowers.

In addition to the IRS's admissions of and apology for its wrongful conduct, the Consent Order would specifically award Plaintiffs the following:

- A declaration by the Court that it is wrong to apply the United States tax code to any tax-exempt applicant or entity based solely on such entity's name, any lawful positions it espouses on any issues, or its associations or perceived associations with a particular political movement, position or viewpoint;

- A declaration by the Court that any action or inaction taken by the IRS must be applied evenhandedly and not based solely on a tax-exempt applicant or entity's name, political viewpoint, or associations or perceived associations with a particular political movement, position or viewpoint; and

- A declaration by the Court that discrimination on the basis of political viewpoint in administering the United States tax code violates fundamental First Amendment rights. Disparate treatment of taxpayers based solely on the taxpayers' names, any lawful positions the taxpayers espouse on any issues, or the taxpayers' associations or perceived associations with a particular political movement, position or viewpoint is unlawful.

In the Order, the IRS has also agreed that (unless expressly required by law) certain actions against the Plaintiffs— i.e. the sharing, dissemination, or other use of information unnecessarily obtained by the IRS during the determinations process (such as donor names, the names of volunteers, political affiliations of an organization's officers, etc.) – would be unlawful. In addition, the IRS promises not to take any retaliatory action against our clients for exposing the targeting scheme.

Finally, and of crucial significance, the IRS admits it targeted persons and groups based on their viewpoints (i.e., "policy positions") and that such viewpoint discrimination violates fundamental First Amendment rights. This is the first time the IRS has admitted that its targeting scheme was not just "inappropriate" – as TIGTA found – but, as alleged, blatantly unconstitutional.

To ensure consistency and uniformity within the agency's operations going forward, the IRS is required, pursuant to the Order, to inform all employees within the Exempt Organizations Division, as well as the Commissioners and Deputy Commissioners within other divisions, of the Order's terms.

This Order not only validates allegations about their treatment at the hands of the corrupt Obama-era IRS but also provides important assurances to the American public that the agency understands its obligation to refrain from further such discriminatory conduct. As Attorney General Sessions acknowledged in this regard, "[t]here is no excuse for [the IRS's] conduct," as it is "without question" that the First Amendment prohibits the conduct that occurred here, i.e., subjecting American citizens to disparate treatment "based solely on their viewpoint or ideology." Sessions further confirmed Plaintiffs Department's commitment to ensuring that the "abuse of power" in which the IRS engaged here "will not be tolerated."

It is impossible to overstate the importance of this victory. This marks a years-long fight for justice in defense of the constitutional rights of the public.

This is an extraordinary victory against abuse of power and corruption.

It sends a powerful warning to the deep state bureaucracy that it will not be allowed to violate the Constitution and manipulate the IRS, SSA and other agencies in order to silence and shut down those who speak out about political corruption crimes.

In the wake of Wisconsin Watchdog's investigation into SSA staff allegations of incompetence, misconduct, and retaliation in Social Security disability appeals offices, several employees have taken their complaints to a Senate committee led by Wisconsin Sen. Ron Johnson.

An official with knowledge of the complaints said the Senate Homeland Security and Governmental Affairs Committee, chaired by the Oshkosh Republican, has received emails and other contacts from "certain people" inside the Social Security Administration's Office of Disability Adjudication and Review.

The initial complaints came from an employee inside the Milwaukee office following Wisconsin Watchdog's opening investigative report that found some claimants waiting more than 1,000 days for an appeals decision on their disability benefits claim.

Following Wednesday's story of a whistleblower in the Madison ODAR office, the committee has received more specific complaints about retaliation against employees, the source said.

Committee staff members sent the latest Watchdog piece to SSA administrators hoping they will "cooperate," the source said. To date, the agency has been less than cooperative.

"This is an ongoing process, and they are not always as forthcoming as we'd like them to be," the source said. "Hopefully with your continued reporting, this is an issue they can't duck."

A Senate committee member said officials there are working with the Office of Special Counsel on "multiple whistleblower retaliation claims." The committee continues to request information from the SSA.

The whistleblower in the Madison office claims management retaliated against her after she was called to testify in a misconduct case. The incident involved "inappropriate behavior" by an administrative law judge, she said.

"They are so corrupt. It's absolutely horrible," said the woman, a lead case technician in the Madison Office of Disability Adjudication and Review.

She spoke on condition of anonymity, fearing more retribution from her supervisors. While she said recounting her particular experiences will more than likely betray her identity anyway, the ODAR case worker insisted she has had enough.

"I'm at point where they don't care about me, I don't see why I'm protecting them. This is my last resort," she said. "I want to do my work without fear of retaliation."

She said she has contacted the Senate committee.

“I forwarded my information to them and I got an email back from them. They said people are coming out of the woodwork with their complaints (about ODAR) following your story,” the whistle-blower said.

Ronald Klym, a long-time senior legal assistant in the Milwaukee ODAR office, alleges he has been retaliated against by supervisors for going public with Plaintiffs charges of incompetence and misconduct in the agency.

The federal employee, who has worked for SSA for 16 years, provided Wisconsin Watchdog with documents showing extremely long wait times for claimants appealing their denied applications for benefits.

Doug Nguyen, SSA regional spokesman, in a previous story said the agency acknowledges that Milwaukee ODAR has a “high average processing time for disability appeal hearings, and we are working to address the issue.”

Beyond the delays is what Klym calls the “shell game,” the wholesale transferring of cases to other parts of the country by administrators to make the Milwaukee office’s numbers look better than they are.

The Madison office whistle-blower confirmed Klym’s allegations, saying at one point she saw 2,000 cases from the Milwaukee office handed off to the Oak Brook operation.

There are over 10,000 SSA disability manipulation charges against SSA executives and staff.

MORE PROOF:

<https://archive.fo/V4KSh>

<http://www.grand-jury.net>

A case study in pay-to-play cronyism

By Dan Epstein —

News flash: Government subsidies and special-interest favors go hand in hand.

The latest example comes from a federal green-energy loan program. Last month, the DC District Court [ruled](#) that Cause of Action, where I am executive director, can [proceed with a lawsuit](#) against the Department of Energy. We're suing the federal government for the blatant political favoritism in its \$25 billion "Advanced Technology Vehicle Manufacturing Loan Program."

In principle, this taxpayer-funded program was supposed to support the manufacture of energy-efficient cars. In practice, it rewarded a select few well-connected companies.

Since the program was created in 2008, numerous businesses have applied for its taxpayer-backed financial support. Yet only a small number were approved. Among the lucky few were two electric car manufacturers: [Tesla](#) and [Fisker](#).

Both companies' political connections run deep, especially Tesla's. The company's founder, Elon Musk, was a [max donor](#) for President Obama. One of its board members, [Steven Westly](#), was appointed to a Department of Energy [advisory board](#). And another Obama bundler, Tesla investor and adviser Steven Spinner, [secured employment](#) in the department's Loan Program Office—the very office that gave the company a taxpayer-backed loan.

Fisker also has friends in high places. The company, which has since [gone bankrupt, was backed](#) by a San Francisco [venture capital firm](#) whose senior partners [donated millions](#) to the 2008 Obama campaign and other Democrat causes. [One partner, John Doerr](#), parlayed Plaintiffs support into a seat on the President's Council of Jobs and Competitiveness.

Such connections can allow a company to exert political pressure to enrich itself. Unsurprisingly, Department of Energy emails show that such pressure was rampant in its loan programs.

There's no shortage of examples. The department's leaders—including then-Secretary of Energy Steven Chu—repeatedly promised to deliver results to politicians like Rep. Steny Hoyer (D-Md.) and Sen. [Harry Reid](#) (D-Nev.). [One emails reads](#), "DOE has made a political commitment" to approve a company's loan. Another says the "pressure is on real heavy" from none other than Vice President [Joe Biden](#). And still [another shows](#) an employee asking, "what's another billion anyhow?"

Unsurprisingly, the Obama administration gave Tesla and Fisker preferential treatment, and then some.

The Department of Energy revised its review process in order to finish the companies' applications faster. The government [gave them extraordinary access](#) to its staff and facilities—even to the point of having government employees personally walk them through the loan application and approval process. The department ignored its own lending rules in order to approve the companies' loans. And it [renegotiated the terms of some loans](#) after the companies could not keep their original commitments or were experiencing financial difficulties. Tellingly, Fisker has since gone out of business, despite receiving over a billion dollars in loans through this federal program.

Now contrast this preferential treatment with what happened to XP Vehicles and Limnia, neither of which have the same political connections. (My organization is suing the Department of Energy on their behalf). The two companies partnered to manufacture an energy-efficient sport utility vehicle that would have competed with Tesla and Fisker's cars. They applied for loans in 2008 and 2009 under the same loan program.

The department refused them both—and it used bogus reasons to do so.

For starters, the department made claims that were laughably false. To take one example: It rejected XPV's application because [its vehicle was powered by hydrogen](#). It was an electric SUV. It also raised objections that it didn't raise with other companies whose applications were approved. For instance: The bureaucracy [criticized](#) the proposed all-electric vehicle for not using a specific type of gasoline. Yet Tesla and Fisker received the loans despite producing similar all-electric cars.

In light of these obvious problems and hypocrisy, both companies presented the Department of Energy with detailed rebuttals. Yet the government failed to respond. To this day, both XPV and Limnia are awaiting a satisfactory reply. In the meantime, [XPV has gone out of business](#), unable to compete against its politically connected—and subsidized—rivals.

This casts the Department of Energy's loan program in a new light. It was sold to the American public as a means of promoting energy-efficient vehicles. Instead, it was used to benefit a select few well-connected companies. It was a blatant crony handout, paid for by the U.S. taxpayer.

Sadly, similar examples are widespread in Washington. That's no surprise considering the feds spend [roughly \\$100 billion a year](#) in taxpayer-funded handouts to businesses. This breeds the sort of government-business collusion Americans think is rampant in Washington. In fact, [over two-thirds of likely voters](#) think the federal government helps businesses that hire the most lobbyists, shake the right hands, and pad the right pockets. They're right.

This points to a simple conclusion: Politicians and bureaucrats shouldn't use the public's money to pad private companies' bottom lines. As the Department of Energy's green-vehicle loan program shows, the capacity for corruption is immense—and inevitable.



Congress of the United States
Washington, DC 20515

Congress of the United States Washington, DC 20515

September 2011

The Honorable Patrick J. Toomey
Chairman, Energy and Water Subcommittee
U.S. House of Representatives
Washington, DC 20515

The Honorable House Speaker
Paul Ryan's Office and House Administration Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman/Member/Staff/Member's Office:

The Honorable U.S. Congress will be voting on the 2011 Energy and Water appropriations bill, H.R. 2655, on September 29, 2011. The bill includes funding for commercial vehicle fuel cell demonstration of 2011-2012 Energy and Water. The program will allow states, territories, regions, tribes, and other eligible entities to apply for funding to develop and demonstrate fuel cell technology and promote its use.

Fuel cell and hydrogen technologies create jobs and are a crucial part of the portfolio of advanced energy technologies that will help achieve the nation's oil and greenhouse gas reduction goals. Fuel cells for stationary power and material handling equipment are becoming commercially available in niche markets and creating jobs today in domestic and export-oriented

As the U.S. Congress considers the 2011 Energy and Water appropriations bill, we are pleased to support the bill and to provide energy production assistance to the Office of Energy Efficiency and Renewable Energy (EERE) and DOE offices for the Total Power Through 2 commercial vehicles (TP2) to pilot scale fuel cell programs in the Office

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 JOHN B. LAMMIE Member of Congress	 MICHAEL DOYLE Member of Congress
 JUDY CHU Member of Congress	 JOE COURTNEY Member of Congress
 RON LAHARC Member of Congress	 TAMMY DUCKWORTH Member of Congress
 ELIZABETH H. ESTY Member of Congress	 BILL FOSTER Member of Congress
 PAUL TONKO Member of Congress	 MIKE POMPEO Member of Congress
 CHUCK HOBBS Member of Congress	

 COLLEEN HANABUSA Member of Congress	 AL SWIFT Member of Congress
 JIM HIMES Member of Congress	 SCOTT LUJAN Member of Congress
 BARBARA LEE Member of Congress	 PAUL LUJAN Member of Congress
 DON LAMB Member of Congress	 TIM LUJAN Member of Congress
 JIM MATHESON Member of Congress	 PERRY CHAVES Member of Congress
 MARK AMODEO Member of Congress	 C. BOB BENNETT Member of Congress
 JACKY ROSEN Member of Congress	 LOUISE MCCLINTOCK Member of Congress
 MIA SHIMAMURA Member of Congress	 LISA HILL Member of Congress



Hillary In San Francisco: Who Are The Bay Area Power Players

John Doerr of Kleiner Perkins and Walter Shorenstein of the bay area real estate empire, rub shoulders with Ann Winblad (who told everyone she once dated Bill Gates) and Susie Tompkins of Esprit.

Warren Buffet told Mr. Shorenstein that "he had some Windmills" and tried to convince the spry Shorenstein to get into the "Green Game" but Shorenstein argued back that real estate was "actually the only sure thing."

Everyone was asked to drill Warren with one public question, in front of everybody, the answer to which "would change the world." Buffet adroitly responded to interrogatories about "Israel and Palestine", "How to deal with Russia" and "Clean Energy".

San Francisco Sentinel



Lawsuit Alleges “Corruption and Negligence” at Department of Energy

Lachlan Markay | November 18, 2012 at 11:35 am | [Q&A](#) | [Like](#) (5.8)

[Tweet](#) [+1](#) [+1](#)



A lawsuit filed in federal court on Wednesday alleges mass favoritism in the Department of Energy's decisions to award federal grants to major car companies to develop electric vehicles, according to a legal complaint obtained by Scribe.

The plaintiff, San Francisco-based XP Technology, says in a complaint filed in the U.S. Court of Federal Claims that "corruption and negligence" pervaded DOE's decision to award loan guarantees to Ford, Nissan, Tesla Motors, and Fisker Automotive for the development of electric vehicle technology.

"Investigations have shown that DOE officials intentionally stalled numerous applicants' reviews in order to force them out of business and protect favored players," the complaint claims. It adds:

XP has received information demonstrating that the unprecedented number of failures in the DOE program relative to what DOE officials have claimed to be "the most expensive and extensive due diligence in history" is explained by manipulated reviews, in the due diligence effort, on behalf of which the United States Government Accountability Office (GAO) investigations found to be "favoritism" in published investigation reports. A senate ethics investigation states, in published reports, that "negligence and mismanagement by DOE officials" was a regular occurrence.

COPY, PASTE, LEGISLATE - You elected them to write new laws but Crooked California Senators are letting corrupt Silicon Valley corporations do it instead.

After you pay the stock market bribe to the Congress-person/U.S. Senator, you hand them a paper with the law you want them to push...a law that ONLY benefits Google or Facebook!

While Plaintiff has created and changed multiple federal laws to help the public, Google, Facebook, Netflix and LinkedIn have ORDERED U.S. Senators to create laws to harm the Plaintiff, and Plaintiffs peers, for competing with them. In Fact, DNC Silicon Valley Company lobbyists produce as much, or more, fake copy/paste legislation as GOP-connected parties.

Silicon Valley tech corporations have submitted tens of thousands of pages, through their covert lobbyists, of COPY/PASTE legislation designed to make domestic inventors, such as the Plaintiff, obsolete, and the U.S. Government has assisted those corporations with that effort in the USPTO... THAT IS AN ANT-TRUST FELONY!

Using this same kind of forensic comparative intelligence technology one can see that almost 90% of the U.S. Department of Energy Section 136 law creating the LGP and ATVM money was written by Silicon Valley DNC lobby firms in order to create quid-pro-quo to fund the Obama campaign.

An investigation by USA TODAY, The Arizona Republic and the Center for Public Integrity
Rob O'Dell and Nick Penzenstadler

Each year, state lawmakers across the U.S. introduce thousands of bills dreamed up and written by corporations, industry groups and think tanks.

Disguised as the work of lawmakers, these so-called “model” bills get copied in one state Capitol after another, quietly advancing the agenda of the people who write them.

A two-year investigation by USA TODAY, The Arizona Republic and the Center for Public Integrity reveals for the first time the extent to which special interests have infiltrated state legislatures using model legislation.

USA TODAY and the Republic found at least 10,000 bills almost entirely copied from model legislation were introduced nationwide in the past eight years, and more than 2,100 of those bills were signed into law.

The investigation examined nearly 1 million bills in all 50 states and Congress using a computer algorithm developed to detect similarities in language. That search – powered by the equivalent of 150 computers that ran nonstop for months – compared known model legislation with bills introduced by lawmakers.

The phenomenon of copycat legislation is far larger. In a separate analysis, the Center for Public Integrity identified tens of thousands of bills with identical phrases, then traced the origins of that language in dozens of those bills across the country.

Model bills passed into law have made it harder for injured consumers to sue corporations. They've called for taxes on sugar-laden drinks. They've limited access to abortion and restricted the rights of protesters.

In all, these copycat bills amount to the nation's largest, unreported special-interest campaign, driving agendas in every statehouse and touching nearly every area of public policy.

About this report

This story was produced as part of a collaboration between USA TODAY, The Arizona Republic and the [Center for Public Integrity](#). More than 30 reporters across the country were involved in the two-year investigation, which identified copycat bills in every state. The team used a unique data-analysis engine built on hundreds of cloud computers to compare millions of words of legislation provided by LegiScan.

The investigation reveals that fill-in-the-blank bills have in some states supplanted the traditional approach of writing legislation from scratch. They have become so intertwined with the lawmaking process that the nation's top sponsor of copycat legislation, a member of the Pennsylvania General Assembly, claimed to have signed on to 72 such bills without knowing or questioning their origin.

For lawmakers, copying model legislation is an easy way to get fully formed bills to put their names on, while building relationships with lobbyists and other potential campaign donors.

For special interests seeking to stay under the radar, model legislation also offers distinct advantages. Copycat bills don't appear on expense reports, or campaign finance forms. They don't require someone to register as a lobbyist or sign in at committee hearings. But once injected into the lawmaking process, they can go viral, spreading state to state, executing an agenda to the letter.

USA TODAY's investigation found:

- Models are drafted with deceptive titles and descriptions to disguise their true intent. The Asbestos Transparency Act didn't help people exposed to asbestos. It was written by corporations who wanted to make it harder for victims to recoup money. The "HOPE Act," introduced in nine states, was written by a conservative advocacy group to make it more difficult for people to get food stamps.
- Special interests sometimes work to create the illusion of expert endorsements, public consensus or grassroots support. One man testified as an expert in 13 states to support a bill that makes it more difficult to sue for asbestos exposure. In several states, lawmakers weren't told

that he was a member of the organization that wrote the model legislation on behalf of the asbestos industry, the American Legislative Exchange Council.

- Bills copied from model legislation have been used to override the will of local voters and their elected leaders. Cities and counties have raised their minimum wage, banned plastic bags and destroyed seized guns, only to have industry groups that oppose such measures make them illegal with model bills passed in state legislatures. Among them: Airbnb has supported the conservative Arizona-based Goldwater Institute, which pushed model bills to strike down local laws limiting short-term rentals in residential neighborhoods in four states.

- Industry groups have had extraordinary success pushing copycat bills that benefit themselves. More than 4,000 such measures were introduced during the period analyzed by USA TODAY/Arizona Republic. One that passed in Wisconsin limited pain-and-suffering compensation for injured nursing-home residents, restricting payouts to lost wages, which the elderly residents don't have.

How model bills work and why you should care

How special interests use copycat bills to peddle laws in your statehouses.

Patrick Shannahan, USA TODAY

“This work proves what many people have suspected, which is just how much of the democratic process has been outsourced to special interests,” said Lisa Graves, co-director of Documented, which probes corporate manipulation of public policy. “It is both astonishing and disappointing to see how widespread ... it is. Good lord, it's an amazing thing to see.”

The impact of model legislation is undoubtedly larger than the 10,000 copied bills identified by USA TODAY/Arizona Republic.

Because the investigation relied on matching identical text, it flagged instances where legislators copied model legislation nearly verbatim, but it did not detect bills that adapted an idea without using the same language.

Sherri Greenberg, who spent 10 years in the Texas Legislature and is now the Max Sherman Chair in State and Local Government at the University of Texas at Austin, said bills used to spring from lawmakers' experiences, constituents, or lobbyists representing long-established industries. Model legislation has flourished as gridlock in Congress forced special interest groups to look to the states to get things done, she said.

The states that copy the most

Every state legislature copies model legislation, but the types of special interests they copy from and how frequently vary nationwide. Here's how the model bills we found break down based on the stated political leaning or purpose of the group that wrote each bill.

■
SOURCE: USA TODAY/Arizona Republic analysis of legislation from 2010 to 2018; LegiScan
Veronica Bravo, Mitchell Thorson/USA TODAY

Not all model legislation is driven by special interests or designed to make someone money. Some bills were written to require sex offenders to register with law enforcement, while others have made it easier for members of the military to vote or increased penalties for human trafficking.

Charles Siler, a former external relations manager for the Goldwater Institute, which has pushed copycat bills nationwide, said it's a fast way to spread ideas because with little modification lawmakers can adapt it to their state.

"It's not inherently bad, one way or the other," said Siler, who now works for a political action committee. "It depends on the idea and the people pushing it. Definitely people use model legislation to push bad ideas around."

Allison Anderman, managing attorney at the pro-gun-control Giffords Law Center to Prevent Gun Violence, said model bills are simply how the system works now.

"This is how all laws are written," she said. "You'd be hard-pressed to find a law where a legislator sits in a chamber until a light bulb goes off with a new policy."

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Bills	promise	to	protect	the	public.
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They actually bolster the corporate bottom line.

The Asbestos Transparency Act sounds like the kind of boring, good-government policy voters expect their representatives to hammer out on their behalf to safeguard public health.

Better transparency was one reason Colorado state Sen. Jerry Sonnenberg said he introduced the bill in 2017, and again last year, at the urging of a tort reform group called the Colorado Civil Justice League and backed by insurance companies, including Nationwide Insurance.

"Whenever you add transparency to the mix, it helps all consumers," said Sonnenberg, a Republican.

But the bill had nothing to do with requiring companies to disclose to consumers what products contained asbestos or informing those who had been exposed to the cancer-causing mineral how to get help.

It, in effect, cast corporations as victims of litigation filed by people harmed by asbestos. The model bill requires people battling the asbestos-triggered disease mesothelioma to seek money from an asbestos trust, set up to compensate victims, before they can sue a company whose product might have caused their cancer.

That process can take months or even a year.

Many mesothelioma victims die within a year of their diagnosis. Their families can still sue on their behalf, but for far less money.

“I can tell you for a fact that families don’t have time for all these hoops they want you to jump through,” said Chris Winokur, whose husband Bob was diagnosed with mesothelioma in 2015 and died nine months later. “They’re trying to make it more difficult to sue.”

Bob Winokur, who worked for the U.S. Forest Service and served as mayor of Fort Collins, Colorado, never pinpointed where he came in contact with asbestos. And he never filed a claim to help pay Plaintiffs medical bills. The disease progressed too rapidly to allow it, even without the additional requirements proposed by the model bill, Chris Winokur said.

The model legislation was the work of corporations seeking to limit their exposure to billions of dollars in litigation associated with asbestos. Insurance companies Nationwide, AIG, Travelers, Hartford and CNA Financial Corp. together hold more than half the nation’s asbestos claim exposure totaling over \$870 million.

USA TODAY/Arizona Republic found the Asbestos Transparency Act, a product of the American Legislative Exchange Council, an industry-supported model bill factory, has been introduced in at least 17 states since 2012. It became law in at least 11 states.

■

Chris Winokur with a portrait of her late husband, a former Fort Collins city councilman and mayor, in January 2019 in Estes Park, Colo. Bob... Timothy Hurst, The Coloradoan

Sonnenberg, the lawmaker who introduced it in Colorado, said he didn’t write the bill and relied on “my experts” to explain it during a February 2017 hearing.

One of those experts was Mark Behrens, who logs thousands of miles a year testifying before lawmakers about ALEC’s model asbestos legislation. He has done so in at least 13 states, where he was billed as an objective authority.

Behrens is an attorney with Shook, Hardy and Bacon, which represents companies in complex civil litigation. He is a co-chairman of ALEC’s Civil Justice Task Force and is a paid consultant

for the U.S. Chamber's Institute for Legal Reform, an arm of the nation's largest business lobby, which has the stated goal of reducing litigation.

During the hearing, Behrens testified: "The only thing the legislation does is accelerate the timing of when the trust claim is filed. It's not putting any new burdens on plaintiffs."

A Democratic legislator pressed Behrens on why the 26-page bill needed technical language that could confuse victims trying to be compensated. She called it, "a gift to defendants," before voting against it.

Which bills were copied?

Of the 10,000 bills state lawmakers introduced that were copies of model legislation, most were written by industry and conservative groups.

■
SOURCE: USA TODAY/Arizona Republic analysis of legislation from 2010 to 2018; LegiScan
Veronica Bravo/USA TODAY

Sonnenberg told USA TODAY he didn't know Behrens worked for the Chamber of Commerce when he called him to testify. "I just knew they were experts and they indeed understood the legal issues and process much better than I," he wrote in an email.

Behrens said the Asbestos Transparency Act seeks to hold wrongdoers accountable, while exonerating innocent companies paying for harm they didn't cause.

"These companies don't get a vote; all we can do is make our case," Behrens told USA TODAY. "I don't care who I'm there for, I still have to be credible and honest."

Graves said special interests have "so-called experts who aren't neutral. They go around the country and testify about those bills as if they're good for that state or even as if they're products of that state."

Colorado lawmakers rejected the Asbestos Transparency Act in 2017 and 2018, and Sonnenberg said he doesn't plan to introduce it this year.

"It would be wise," he said, "for someone with a better understanding of these types of issues to carry the bill in the future."

Bill Meierling, chief marketing officer and executive vice president of ALEC, said supporters of the asbestos model believed it did create more transparency, "but it's up to each individual state to choose how they would name" the bill when they copy ALEC's model.

USA TODAY found more than 4,000 bills benefiting industry were introduced nationwide during the eight years it reviewed. More than 80 of those bills limit the public's ability to sue corporations, including limiting class-action lawsuits, a plaintiff's ability to offer expert testimony, and cap punitive damages for corporate wrongdoing.

"No citizens are saying, 'Hey, can you make it harder to sue if ... low-paid (nursing home) orderlies happened to kill or injure my parents,' " Graves said. "That's not a thing citizens are clamoring for. But you know who is? The nursing home industry, and big business in general."

Many of the bills USA TODAY found were copied from models written by special interests were couched in unremarkable or technical language that obscured their impact. Bans on raising the local minimum wage were dubbed "uniform minimum wage" laws. Changes to civil court rules to shield companies from lawsuits were described as "congruity" or reforms to make laws consistent. Repealing business regulations was disguised under the term "rescission."

■

Politicians	get	a	shortcut	to	success.
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Special interests get their agendas turned into law.

A moderate Republican from the Philadelphia suburbs shows how copycat bills in some states set the legislative agenda.

Rep. Thomas Murt has sponsored more model legislation than any other state lawmaker in the nation, according to USA TODAY's database.

Murt, whose biggest campaign donors include the Pennsylvania Republican Party and labor unions, said he was stunned to learn that he was listed as a sponsor on 72 bills substantially copied from model legislation from 2010 to late 2018.

■

Matt Rourke, AP

Pennsylvania House members solicit co-sponsors by circulating short memos summarizing a bill without including its actual language or who wrote it.

"I had no way of knowing unless it's put in the ... memo," Murt said of the bills he helped sponsor.

Murt's situation highlights how critical bill titles and summaries are – especially when it comes to copycat legislation – because lawmakers, even sponsors, often don't read bills.

Had Murt probed further, he would have seen the bills he signed onto came from ALEC, its liberal counterpart ALICE, the State Innovation Exchange, Council of State Governments, Goldwater Institute and other groups that specialize in writing copycat bills.

They dealt with cities' ability to take action against blighted properties, prohibitions on businesses banning guns in employees' vehicles, and a call for the U.S. president to be elected by popular vote, among many others.

Which copies became law?

Industry and conservative groups are even more dominant at getting copycat bills passed and signed into law.

■

SOURCE: USA TODAY/Arizona Republic analysis of legislation from 2010 to 2018; LegiScan
Veronica Bravo/USA TODAY

USA TODAY provided Murt with a list of all 72 bills, 13 of which became law, and asked questions about Plaintiffs support for them. He was the primary sponsor of only one: a ban on smoking in workplaces written by the liberal State Innovation Exchange.

Murt said he would reconsider Plaintiffs support for two of the bills that were copied from ALEC, after learning more about their impact. One was a call for a constitutional convention to curb federal spending, backed by the controversial Koch brothers conservative political network. The other was a bill protecting Crown Cork & Seal from asbestos liability.

"I would be suspect of such a proposal," Murt said of the constitutional convention model. "But bear in mind that when that co-sponsor memo was circulated, I'm sure it never mentioned the Koch brothers, because for some people that would have been a show-stopper."

Murt also said he would never support limiting asbestos victims' ability to sue.

USA TODAY interviewed more than 50 sponsors of model legislation nationwide. Half said they knew they had sponsored model legislation. But 20 legislators said they didn't know the source of their bill or claimed they wrote at least part of the bill.

Five insisted the bill was their own work, even though the wording of each included multiple passages that matched model legislation nearly verbatim. Almost all of the sponsors defended the practice of copying model legislation or had no opinion of it.

In Michigan, Republican state Sen. Joe Haveman said he worked with a lobbyist from a Lansing law firm to draft Plaintiffs state's version of the law aimed at shielding Crown Cork & Seal from asbestos liability stemming from a corporate merger in the 1960s. The law firm, Clark Hill, has donated \$1,800 to Plaintiffs campaigns since 2012, according to state records.

Help us report this story

We found more than 10,000 bills that were based on model legislation were introduced nationwide. Help us find more. Submit language you think might be from model legislation and we will run it through our system to see if it has been introduced by state lawmakers.

[Tell your story](#)

Haveman said he had no issues with relying on model bills and said even though Crown Cork & Seal is not a Michigan company, he said he saw it as a “fairness issue.” He said he was approached by a lobbyist and agreed with the bill when he saw a draft.

“It really had nothing to do with my passion for anything. They had to do this in all 50 states,” Haveman said. “Somebody targeted me, and I had to do it.”

It’s not just legislators circulating copycat bills. In Pennsylvania, the nonpartisan service that drafts all bills for the state Assembly – the Legislative Reference Bureau – frequently copies directly from model legislation, said director Vincent DeLiberato. But the legislator ultimately decides whether to use it, he said.

In Wisconsin, the Legislature’s nonpartisan legal staff is similarly tasked with converting lawmakers’ ideas into bills. A March 1, 2017, email to that staff from the office of Republican Assembly Speaker Robin Vos requested that an attached document be “drafted as stated.”

■

Andy Manis, AP

The document contained the Campus Free Speech Act, which prevents universities from blocking controversial speakers and imposes penalties on students, including expulsion, for disrupting such events. The measure, written by the Goldwater Institute, is a reaction to liberal protesters at Middlebury College, UC-Berkeley, University of Florida and other campuses who have disrupted speeches by conservative commentator Ben Shapiro and white supremacist Richard Spencer, among others.

Vos did not respond to questions about the origin of Plaintiffs bill, which was copied nearly verbatim from Goldwater's model. It didn’t pass, but the ideas were incorporated in new university rules adopted by Wisconsin.

USA TODAY’s algorithm found the same model was introduced in 13 states, becoming law in Arizona and North Carolina. A similar version passed in Colorado.

The relationship between groups writing model legislation and the lawmakers introducing them is a marriage of convenience, experts said.

Special interests give lawmakers fully conceived bills they can put their names on and take credit for. And those special interests can become dependable donors to their campaigns.

Conservative groups like ALEC nurture those relationships at annual conferences where lawmakers and corporate lobbyists discuss policy and mingle over meals and drinks paid for by corporate sponsors.

This arrangement is particularly appealing to new lawmakers, said Alexander Hertel-Fernandez, an assistant professor at Columbia University who has studied the influence of ALEC and other conservative groups.

Plaintiffs research showed less-experienced lawmakers are more likely to use copycat legislation.

They “know they are conservative, they know they are pro-business, but ... they don’t really know what it means to translate that into different bills,” he said. “These networks are able to fill in what it means to be a conservative Republican who wants to support business.”

Meierling, ALEC's chief marketing officer, said there are checks and balances on corporate influence within the organization "just like our government structure."

Companies join ALEC because they want feedback and insight from a variety of legislators, he said.

"Sure they (companies) are going to share their perspective, but a legislator is there to represent their constituents and if they don't they'll be held accountable at the ballot box," Meierling said. "ALEC ... has proven it's an asset to society."

Progressive groups, meanwhile, have failed to replicate conservatives' success because they've not invested in facilitating the relationships between lawmakers and special interests, Hertel-Fernandez said.

“What ALEC does is more than provide the model bills: They provide relationships. They approach you when you are first elected and build these enduring social connections with you at recurring events that happen every year,” he said. “You really need that social connection in addition to the model-bill resources that you’re getting, the research help.”

■

Bills sound like they're protecting people from a problem. They're actually for promotion, and persuading people to open their wallets.

“Countless American lives will be saved. ... I don’t want to say thousands because I think it’s going to be much more – hundreds of thousands,” President Donald Trump said at a signing ceremony for the national “Right to Try” bill in May 2018. “It is such a great name. From the first day I loved it. It’s so perfect: Right. To. Try.”

With the stroke of a pen, Trump made a bill that had circulated in statehouses for four years the most successful copycat bill in history. Not only did it pass in 41 states, it also had conquered Congress.

The version passed by Congress allows terminally ill individuals a right to try experimental medications that have not been fully approved by the Food and Drug Administration.

The bill's title left the public with the impression it was spurred by a groundswell of patients demanding lifesaving treatment.

Instead, it was a focus group-tested name, coined by a consultant to a for-profit corporation.

■

Evan Vucci, AP

That corporation, Cancer Treatment Centers of America, a chain focused on alternative cancer treatments, wanted access to experimental drugs.

Right to Try illustrates another finding of USA TODAY's investigation: Some copycat bills amount to little more than marketing and posturing, with organizations behind them highlighting a perceived problem and then offering a solution with little or no measurable impact.

The point is seemingly to score political points, draw attention to the organization behind the model, and raise funds off the effort.

Former Goldwater President Darcy Olsen parlayed this campaign into the book "Right to Try." In it, she said Cancer Treatment Centers of America approached Goldwater for help addressing a "national medical emergency": the government blocking terminally ill patients from receiving potential lifesaving treatments.

When asked, Goldwater could not produce any of those patients.

Chuck Warren, corporate consultant to Cancer Treatment Centers of America, said he came up with the bill's name.

Goldwater and CTCA paid for focus groups to make sure the name struck the right chord. "It was always our favorite name and it was the name that resonated the most with focus groups," Warren said.

While the marketing was cutting edge, its policy largely had been implemented decades earlier.

Alison Bateman-House, an assistant professor of medical ethics at New York University's Langone Health, said Right to Try is "an effort to address a problem that did not actually exist." Patients have been able to access experimental drugs since the 1970s, she said.

Through the FDA's compassionate-use program, about 1,000 patients a year have gained access to non-approved drugs in recent years. The FDA approves more than 90 percent of those requests, often within days and, in emergencies, sometimes more quickly.

“The Goldwater Institute was taking advantage of a very heart-rending and sympathetic issue to push for their pet policy, which is basically to roll back regulations,” Bateman-House said. “They did pick a winner of a name. ... Unfortunately, it’s a lie.”

It’s unclear how many people have received experimental drugs through Right to Try. Bateman-House said she’s heard of two. Goldwater points to those same two patients, and a Texas doctor who ran a trial involving 200 patients.

Goldwater CEO Victor Riches said those were only the individuals who informed Plaintiffs organization about their success using the law.

Riches said Goldwater crafts legislation it sees a need for in Arizona, where it’s based. It then considers the “exportability” of its model legislation to other states, he said.

Goldwater’s strategy for Right to Try was to get it passed in as many states as possible to pressure Congress to enact a version, Riches said.

“When you are in 41 states and you’ve had literally thousands of legislators, Democrats and Republicans alike, it is hard for the federal government not to take notice,” he said.

It’s even harder to pin down what problem the American Laws for American Courts bill is solving.

The model bill, which was introduced in legislatures 53 times during the past eight years, mandates judges’ rulings be void if based on a foreign law or doctrine that violates the rights granted to U.S. citizens under the Constitution or state law.

Even backers struggle to identify situations where this has occurred.

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Joe Jaszewski for USA TODAY

“This is a solution looking for a problem,” said Ahmed Abdelnaby, an engineer who testified against the bill last year at the Idaho Legislature because he felt it fomented hate against Plaintiffs Muslim faith.

While proponents are unable to cite court cases where U.S. law has been supplanted by Sharia or some other doctrine, those lobbying for it collected about \$206 million in donations between 2008 and 2013, according to a study released by the Council on American-Islamic Relations and University of California, Berkeley’s Center for Race and Gender.

“They wouldn’t be doing it if they weren’t making a buck,” said Robert McCaw, government relations director for CAIR.

Minnesota state Rep. Steve Drazkowski, who co-sponsored similar legislation in 2016, said some people fear Sharia law will be applied in the U.S., but he does not.

Drazkowski also pushed a bill in 2011 to declare English as the official language of Minnesota and prohibit conducting routine business in foreign languages, including driver's license exams. The bill was strikingly similar to model legislation by a group called ProEnglish, which calls itself the "nation's leading advocate for official English."

The Saint Paul Pioneer Press editorialized that Drazkowski was using it to ensure Plaintiffs reelection by "pandering to the mostly conservative and card-carrying residents of ... the paranoid states of America."

Drazkowski said he is aware of ProEnglish but couldn't remember where he got the language for Plaintiffs English-only bill.

"The use of these model bills is not the end of the world," he said, noting that immigrants are more successful when they learn English. "The idea that one organization or group is somehow controlling legislation or legislators or states, that's a fallacy."

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Voters say they want one thing.
Special interests get lawmakers to do the opposite.

For Susan Edwards, it seemed like a godsend when Arizona lawmakers introduced a bill to create a new kind of school voucher for students with disabilities.

With the money – funded by dollars taken from a recipient's local district school – the mother of two children on the autism spectrum could send her kids to a private school where they would receive specialized attention they wouldn't get elsewhere.

With a sympathetic group of students as the face of the legislation, Democrats and Republicans rallied behind the 2011 bill which borrowed language from the Goldwater Institute, ALEC, and American Federation for Children, the pro-school choice group founded by U.S. Secretary of Education Betsy DeVos.

Edwards' opinion of the program, however, changed drastically as legislators later introduced bill after bill to give vouchers to more students, culminating in lawmakers approving them for all students.

None of those bills, however, guaranteed Edwards' sons and others with disabilities could keep their vouchers as more students were added. She didn't know it at the time, but lawmakers were drawing their ideas from model legislation.

Copy, Paste, Legislate - School Vouchers

Susan Edwards supported a school voucher bill that would help her two children on the autism spectrum. But new voucher bills changed her opinion.

Arizona Republic

Edwards said she realized in retrospect that students with disabilities were used as a Trojan horse to put on the legislative agenda a fringe idea that was part of a much bigger campaign. In the years that followed, 19 other states debated 93 nearly identical proposals based on model legislation. They became law in Florida, Mississippi, Nevada, North Carolina and Tennessee.

"Every single, little expansion, if you look at who's behind it, it is the people that want to get that door kicked open for private religious education," Edwards said. "All we (families with disabled students) are was the way for them to crack open the door."

Riches, Goldwater's CEO, said starting the Empowerment Scholarship Account voucher program with a small group of students and expanding it was the best approach.

"When you are talking about a big idea, a new idea, usually the best way of approaching it is to wade into it and demonstrate it can work on a smaller level and then grow it from there," Riches said.

The groups behind Arizona's move toward universal vouchers, however, were shown in indisputable terms that the public opposed their ideas.

On Election Day 2018, Arizona voters rejected universal vouchers by a 65-35 margin.

It was only the most recent example of model legislation that didn't reflect the will of voters, USA TODAY/Arizona Republic found.

Model-legislation factories have increasingly proposed what are known as "preemption" bills. These laws, in effect, allow state legislators to dictate to city councils and county governing boards what they can and cannot do within their jurisdiction—including preventing them from raising the minimum wage, banning plastic grocery bags, and destroying guns.

USA TODAY's algorithm found more than 100 such bills had been introduced on an expanding array of topics.

Kansas stopped local efforts to require restaurants to list calories on their menus.

Arizona and New Hampshire prevented local regulations on home rentals. Airbnb has lobbied against home-sharing restrictions, often with the Goldwater Institute's assistance.

One model pushed by ALEC and the Goldwater Institute prohibits local jurisdictions from creating occupational licensing requirements. It reflects conservatives' and libertarians' belief that job licensing stifles competition and hurts the economy, and should only be required when it involves health and safety.

Drazkowski, the Minnesota representative, said he introduced such a bill “so you don’t have a patchwork kind of discombobulated mess of different ordinances from one community to the next.”

But Riches said Plaintiffs group stopped promoting similar model legislation because of the public outcry.

“We found very quickly that you bring people out of the woodwork when you try to get rid of occupational licenses,” he said. “What I would refer to as the status-quo crowd.”

Goldwater returned with another that allows anyone who's been harmed by occupational regulation to sue for damages, including harm that occurred before the law was enacted.

It was introduced in at least five states and passed in Arizona. But Riches acknowledged no one has used it to file suit, and the only beneficiary he can point to is a person with ties to the administration of Arizona Gov. Doug Ducey, a vocal supporter of occupational licensing restrictions.

Because preemption bills have almost exclusively been advanced by Republicans, many of whom rail against the excessive mandates of Washington, D.C., critics see such legislation as the height of hypocrisy.

"There's real ... hypocrisy in many of these so-called conservative legislators trying to rip away local control when they preached for years that a government that's closest to you...is most responsive to you," said Dawn Penich-Thacker, who campaigned to overturn Arizona's school-voucher expansion with a public vote.

Penich-Thacker saw a similar disregard for the will of voters when within hours of Arizonans' vote to overturn universal school vouchers, the Goldwater Institute and American Federation Children declared they would continue to feed their model proposals to state lawmakers.

More in this series

- [Copy, Paste, Legislate: A visual introduction](#)
- [Used car dealers didn't want to fix deadly defects, so they wrote a law to avoid it](#)
- [Stand your ground, right to work and bathroom bills: 5 model bills that spark controversy](#)
- [What is ALEC? 'The most effective organization' for conservatives, says Newt Gingrich](#)
- [How we uncovered 10,000 times lawmakers introduced copycat model bills — and why it matters](#)
- [What's the solution for model bills? Reveal who wrote them, critics say](#)

Bills to modify Arizona's voucher program were soon introduced. One bore a striking resemblance to model legislation from the Heartland Institute, granting vouchers to any parent who feels their child is unsafe or being bullied at school.

The sponsor, Shawna Bolick, denied any knowledge of the Heartland model. Her bill, she said, was based on the experience of her daughter.

Edwards, the voucher supporter-turned opponent, noted that just like the first Arizona bill granting vouchers to children with disabilities, Bolick had sympathetic victims—kids who'd been bullied—to help sell her bill.

“It really does seem like you are fighting against the tide,” Edwards said of the influence of model legislation and the groups behind it. “They are ignoring the vote of the people.”

A letter to the editor appeared in *The Arizona Republic* defending renewed efforts to expand the voucher program despite defeat at the ballot box.

The letter's author, Scott Kaufman, wasn't a concerned parent, or even an Arizona resident.

He had sent Plaintiffs letter from the Washington, D.C., suburbs, from a model-bill factory: the American Legislative Exchange Council.

Contributing: Yvonne Wingett Sanchez, Dustin Gardiner, Ronald J. Hansen, Kelsey Mo, Agnel Philip, Giacomo Bologna, Paul Egan, Dan Nowicki, Chris Amico, Matt Wynn, Justin Price, Pamela Ren Larson



February 28, 2012

Secretary Steven Chu
U.S. Department of Energy
Washington, D.C.

Dear Secretary Chu,

Today Bright Automotive, Inc will withdraw its application for a loan under the ATVM program administered by your department. Bright has not been explicitly rejected by the DOE; rather, we have been forced to say "uncle". As a result, we are winding down our operations.

Last week we received the fourth "near final" Conditional Commitment Letter since September 2010. Each new letter arrived with more onerous terms than the last. The first three were workable for us, but the last was so outlandish that most rational and objective persons would likely conclude that your team was negotiating in bad faith. We hope that as their Secretary, this was not at your urging.

The actions – or better said "lack of action" -- by your team means hundreds of great manufacturing and technical jobs, union and non-union alike, and thousands of indirect jobs in Indiana and Michigan will not see the light of day. It means our product, the Bright IDEA plug-in hybrid electric commercial vehicle, will not provide the lowest total cost of ownership for our commercial and government fleet customers, saving millions of barrels of oil each year. It means turning your back on a bona fide step forward in our national goal to wean America away from our addiction to foreign oil and its implications on national security and our economic strength.

In good faith we entered the ATVM process, approved under President Bush with bi-partisan Congressional approval, in December of 2008. At that time, our application was deemed "substantially complete." As of today, we have been in the "due diligence" process for more than 1175 days. That is a record for which no one can be proud.

We were told by the DOE in August of 2010 that Bright would get the ATVM loan "within weeks, not months" after we formed a strategic partnership with General Motors as the DOE had urged us to do. We lined up and agreed to private capital commitments exceeding \$200M – a far greater percentage than previous DOE loan applicants. Finally, we signed definitive agreements with state-of-the-art manufacturer AM General that would have employed more

than 400 union workers in Indiana in a facility that recently laid-off 350 workers. Each time your team asked for another new requirement, we delivered with speed and excellence.

Then, we waited and waited; staying in this process for as long as we could after repeated, yet unmet promises by government bureaucrats. We continued to play by the rules, even as you and your team were changing those rules constantly – seemingly on a whim.

Because of ATVM's distortion of U.S. private equity markets, the only opportunities for 100 percent private equity markets are abroad. We made it clear we were an American company, with American workers developing advanced, deliverable and clean American technology. We unfortunately did not aggressively pursue an alternative funding path in China as early as we would have liked based on our understanding of where we were in the DOE process. I guess we have only ourselves to blame for having faith in the words and promises of our government officials.

The Chairman of a Fortune 10 company told your former deputy, Jonathan Silver, that this program "lacked integrity"; that is, it did not have a consistent process and rules against which private enterprises could rationally evaluate their chances and intelligently allocate time and resources against that process. There can be no greater failing of government than to not have integrity when dealing with its taxpaying citizens.

It does not give us any solace that we are not alone in the debacle of the ATVM process. ATVM has executed under \$50 million of transactions since October of 2009. Going back to the creation of the program, only about \$8 billion of the approved \$25 billion has been invested. In the meantime, countless hours, efforts and millions of dollars have been put forth by a multitude of strong entrepreneurial teams and some of the largest players in the industry to advance your articulated goal of advancing the technical strength and clean energy breakthroughs of the American automotive industry. These collective efforts have been in vain as the program failed to finance both large existing companies and younger emerging ones alike.

Our vehicle would have been critical to meet President Obama's stated goal of one million plug-in electric vehicles on the road in 2015 and his commitment to buy 100 percent alternative fueled vehicles for the Federal Fleet. So, we are not the only ones who will be disappointed.

The ineffectiveness of the DOE to execute its program harms commercial enterprise as it not only interfered with the capital markets; it placed American companies at the whim of approval by a group of bureaucrats. Today at your own ARPA-E conference, Fred Smith, the remarkable leader of FedEx, made the compelling case to reduce our dependence on oil; a product whose price is manipulated by a cartel which has caused the greatest wealth transfer in our history from the pockets of working people and businesses to countries, many of whom are not our allies. And yet, having in hand a tremendous tool for progress in this critically strategic battle – a tool that drew the country's best to your door – you failed not only in the deployment of funds from ATVM but in dissipating these efforts against not just false hope, but false words.

For us, this is a particularly sad day for our employees and their families, as well as the employees and families of our partners. We asked our team members on countless occasions to work literally around the clock whenever yet another new DOE requirement came down the pike, so that we could respond swiftly and accurately. And, we always did.

Sincerely,

A handwritten signature in black ink, appearing to read "Reuben Munger" followed by a stylized flourish.

Reuben Munger
CEO

Mike Donoughe
COO

