

KAUL v. CPEP ET AL
K11-17

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

FILED

NOV 20 2023

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY Jma DEP CLK

RICHARD ARJUN KAUL, MD;
JANE DOE; JOHN DOE.

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS;
JAMES HOWARD SOLOMON;
FEDERATION STATE MEDICAL BOARDS;
ALLSTATE INSURANCE COMPANY;
CHRISTOPHER J. CHRISTIE; ROBERT FRANCIS HEARY
DANIEL STOLZ; JANE DOE; JOHN DOE.

CIVIL ACTION: NO.:

5:23-cv-00672-BO

COMPLAINT

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Defendant Persons: CPEP/FSMB

Co-conspirators: Defendant Solomon/Allstate/Christie

RICO Predicate Acts: Wire Fraud/Bribery/Witness Tampering/Evidential Tampering

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Defendant Persons: Solomon/Christie/Allstate

Co-conspirators: Geico/TD

RICO Predicate Acts: Mail Fraud/Wire Fraud/Public Corruption/Bribery

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Co-conspirator NCMB

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RICO Predicate Acts: Wire Fraud/Murder/Manslaughter/Public Corruption/Bribery/Money Laundering

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Defendant Persons: Allstate

Co-conspirators: Geico/TD/ICE

RICO Predicate Acts: Bribery/Fraud on the Court/Public Corruption/Money Laundering

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Defendant Persons: FSMB/Allstate

Co-conspirator: Geico
RICO Predicate Acts: Bribery/Fraud on the Court/Public Corruption

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Defendant Persons: FSMB/Allstate
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Defendant Persons: Allstate/FSMB

Co-conspirators: Geico/Hengerer/NCMB

RICO Predicate Acts: Bribery/Mail Fraud/Wire Fraud/Obstruction of Justice/Conspiracy

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PARTIES

Plaintiff

RICHARD ARJUN KAUL, MD – 24 Washington Valley Road, Morristown, NJ 07960: 973 876 2877:
DRRICHARDKAUL@GMAIL.COM (“KAUL”)

Defendants

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS – 222 NORTH PERSON STREET
RALEIGH, NC 27601-1067 (“CPEP”)

ALLSTATE INSURANCE COMPANY – 2775 SANDERS ROAD, NORTH PLAZA, NORTHBROOK, IL
60062-6127 (“ALLSTATE”).

FEDERATION STATE MEDICAL BOARDS - 400 Fuller Wiser Rd, Suite 300, Euless, TX 76039
 (“FSMB”)

CHRISTOPHER J. CHRISTIE – 46 Corey Lane, Mendham, NJ 07960 (“CHRISTIE”).

DANIEL STOLZ – 60 Christy Drive, Warren, NJ 07059-6833 (“STOLZ”).

ROBERT HEARY – 1 Bay Avenue, Suite 5, Montclair, NJ 07042 (“HEARY”).

JAMES HOWARD SOLOMON – 44 DOVER STREET, ASHEVILLE, NC 28804-2557 – SUBDIVISION
NAME: COUNTRY CLUB VILLAS OF ASHEVILLE.

828 505 0885 – jamesolomon@gmail.com (“SOLOMON”) - The corrupted New Jersey
lawyer/administrative law judge who presided over the administrative law proceedings (April 9
to June 28, 2013) and whose December 13, 2013, signed opinion/order ‘rubber-stamped’ **The
Kaul Cases** conspiracy (commenced in 2005) that caused the illegal license revocation and all
the consequent injuries to Plaintiff Kaul’s life/liberty/property.

RELEVANT/REFERENCED CASES OF 'THE KAUL CASES'

K11-2: KAUL v BOSTON PARTNERS ET AL: 21-CV-10326

K11-7: KAUL v. ICE ET AL: 21-CV-6992

K11-8: KAUL v. PACE: 23-CV-00955

K11-10: KAUL v. ICE ET AL: 23-CV-2016

K11-14: KAUL v. FEDERATION ET AL: 23-CV-22325

K11-15: KAUL v. CHRISTIE/MURPHY: 23-CV-22582

BASIS FOR ALL DISTRICT STANDING

1. Plaintiff Kaul has standing to bring suit against any/all of **The Kaul Cases** Defendants in any district court within the United States District Court, because **The Kaul Cases** Defendants caused him an illegal injury in April 2012 in all states/districts by using the US wires to disseminate, through the entities of the National Practitioners Data Bank and Defendant FSMB, Co-conspirator NCMB and all state medical boards, information regarding the knowingly fraudulent suspension/revocation proceedings of Plaintiff Kaul's New Jersey license (**Exhibit 1**).
2. This information, procured through fraud and fraudulent in nature/form, was entered onto the official record and had the immediate injurious effect of preventing Plaintiff Kaul from obtaining a license in any/all states/districts.
3. Since April 2012, Plaintiff Kaul has continued to be caused injury in all states/districts because **The Kaul Cases** Defendants with Defendant FSMB being the 'central cog' of the conspiracy, have perpetuated the injurious effect by obstructing Plaintiff Kaul's right/ability to procure a license and or have his NJ license reinstated (**Exhibit 2**).
4. Similarly, Plaintiff Kaul's economic standing/reputation/livelihood/liberty/life/social standing/professional standing/physical standing have been injured and have continued to be unlawfully exacerbated, consequent to **The Kaul Cases** Defendants willful/knowing and illegal obstruction of Plaintiff Kaul's litigation and license procurement efforts in the American courts and state medical boards (**Exhibit 3**).
5. On November 5, 2020, Plaintiff Kaul affirmatively established the licensing injury in every state, and in 2023, the fact that Plaintiff Kaul is not in possession of a license in any state/district, including New Jersey and North Carolina despite a persistent/material/concerted effort since 2012 (Plaintiff Kaul's attempts at a 'peaceful' negotiation were ignored/rejected), and despite admitted fact that the 2012/2014 NJ suspension/revocation were/are illegal, **DOES** irrefutably establish standing in all districts.
6. Almost all of **The Kaul Cases** Defendants/their lawyers have 'minimal contacts' with every state/district within the United States, and either benefit or have benefited from a 'stream of commerce' within that state/district, including North Carolina, and the one or two that do not, have used and continue to use the US wires/mail to cause injury to Plaintiff Kaul and to conduct personal/business affairs within all states/districts of the United States.

DEFENDANT FSMB'S MONOPOLIZATION OF THE MULTI-STATE AMERICAN PHYSICIAN REGULATORY MARKET SUBJECTS THEM TO REGULATORY MARKET RELATED MULTI-DISTRICT LITIGATION

7. Defendant FSMB's illegal procurement of monopoly power of the entire mechanism and all elements of the process of physician education, training, board certification, licensing, credentialing, certification and so called 'disciplining', constitutes and accounts for the deprivation to state actors of state sovereignty/immunity defenses in litigation related to licensing disputes.

8. Defendant FSMB's monopolization of this system is totalitarian in nature and effect, is designed to subjugate/enslave the medical profession to obey the edicts/orders/agendas of for-profit healthcare corporations and to increase corporate profits through a ruthless slave-like exploitation of the public and medical profession.

9. A critical element of this system, one required for absolute control, is the element that prevents a physician whose license is suspended/revoked in any state, from obtaining a license anywhere in the world, unless and until he forfeits all his property to the system (insurance corporations/medical boards/lawyers), admits to his guilt, even though innocent and submits himself to punitive/harsh/unconstitutional/illegal terms as condition of his re-commencement of clinical practice and regaining a livelihood.

10. The denial of Plaintiff Kaul's petition for a North Carolina license constitutes both an example of this element and a "**new racketeering injury**", for which the law provides Plaintiff Kaul the right/standing to file suit in the Eastern District of North Carolina (**Exhibit 4**).

PRELIMINARY STATEMENT

THE “HOSPITAL-INSURANCE-PHARMACEUTICAL-INDUSTRIAL COMPLEX – FEDERATION CARTEL” (“HIPIC- FC”)

11. Within approximately the last thirty-three (33) years, there has emerged in the regulatory side of American medicine a collection of for-profit businesses/corporations that commenced initially as a ‘cottage industry’ in the process of physician credentialing and certification, at the center of which operates Defendant FSMB (“**FEDERATION CARTEL**”) (“**FC**”).

12. This industry proved highly profitable as its lucrative nature was a product of the immensely high stakes associated with a physician’s career path, an incomparable one that requires the sacrifice to medicine of the entirety of one’s young adulthood.

13. K11-17 places before this Court, a body of ever-expanding evidence of the Defendants “**ongoing pattern of racketeering**” within the for-profit system of corporate-government alliances involved in the multi-billion-dollar enterprise of so-called physician regulation/discipline, a system of oppression and human rights violation, at the head of which sits Defendant FSMB, the ‘hub’ of the ‘hub-and-spoke’ conspiracy of the “**Federation-Cartel**” (“**FC**”).

14. **The Kaul Cases** Defendants, in a period from 2016 to 2023, have, through schemes of judicial/political corruption, prevented this body of claim conclusive evidence from being submitted to a jury in America.

15. The evidence remains admitted and substantiates a concerted and knowing “**pattern**” of human/constitutional rights violations, whose origins extend back to March 2005, when Plaintiff Kaul invented and successfully performed the first outpatient minimally invasive spinal fusion (**Exhibit 5**)

16. Recognizing the immense value to a physician of his/her license and the immense deprivation associated with the loss of a license, Defendant FSMB commenced a politico-legal scheme to position itself as the ‘gate-keeper’ of state medical boards, in order to seize complete control of the entire national mechanism of physician regulation, knowing that such control would generate huge profits for its executives/board members.

17. By the mid to late 1990s, Defendant FSMB had, through an aggressive political and public relations campaign that involved the funneling of large amounts of bribes to political lobbyists/politicians and the media, deceived the public into believing that there existed many ‘bad’ doctors in America who deserved to be ‘punished’ by having their licenses suspended and or revoked. In furtherance of this highly profitable scheme, Defendant FSMB manufactured a list that encouraged/encourages state medical boards to compete to have the highest rate of so called disciplinary actions.

18. Defendant FSMB recognized the immense profits generated from a so called 'disciplined' physician and did in the late 1990s/early 2000s enter into a series of quid pro quo schemes with for-profit healthcare insurance corporations in which these corporations schemed to have eliminated physicians to whom they owed money, by bribing Defendant FSMB to use its power to have state medical boards suspend/revoke the targeted physicians' licenses.

19. Defendant FSMB viewed a 'disciplined' physician as a greater profit unit generator than a non-disciplined physician, as the former, in order to regain his/her livelihood, was forced to pay for very expensive courses/programs/assessments/monitoring all established under the aegis of Defendant FSMB, with a percentage of these programs' profits being 'kick-backed' to Defendant FSMB.

20. Two of Defendant FSMB's programs are K11-8 Defendant PACE Program and K11-17 Defendant CPEP, both of whom defrauded Plaintiff Kaul, while cognizant of their conflicted state in that they knew Plaintiff Kaul was suing Defendant FSMB in K11-7 and K11-10 while they were respectively 'assessing' him for the issuance of his Pennsylvania license.

21. From the early 2000s this system of profiteering has expanded without governmental oversight or a public watchdog, and today aggressively promotes, to the detriment of the American public's welfare, the agendas of for-profit healthcare corporations, as it did with Purdue's oxycontin and the so called 'vaccine' from Pfizer/Astra Zeneca/Moderna/Johnson + Johnson.

22. The union/association-in-fact between these for-profit healthcare corporations and the "FC" is the "Hospital-Insurance-Pharmaceutical Industrial Complex – Federation Cartel ("HIPIC-FC") an entity previously identified/defined/described within The Kaul Cases.

23. This scheme of profiteering being perpetrated by the Defendants has caused and continues to cause immense injury to Plaintiff Kaul's life/liberty/property.

24. K11-17 seeks to hold accountable all persons who caused or conspired to cause injury to Plaintiff Kaul and or violated Plaintiff Kaul's human/civil/constitutional rights, in order to deter the continued perpetration of such state-corporate orchestrated malfeasance against the public and medical profession.

DEFENDANTS CONVERSION OF THE AMERICAN CORPORATE/ POLITICAL/MEDICAL/ LEGAL BODIES INTO AN "ASSOCIATION-IN-FACT RACKETEERING ENTERPRISE"

25. Since approximately 1986, the ever-increasing economic confluence between the worlds of medicine, business, law, and politics has resulted in a healthcare system driven solely by profit/political ambition and one that acts increasingly to the lethal detriment of the American public.

26. The “HIPIC - FC” is controlled by for-profit corporations in a totalitarian manner that eliminates physicians it deems a threat to its corporate agenda.

27. The “HIPIC-FC” conducts physician elimination through the weaponizing of the medical regulatory/legal systems, whereby physicians who think/speak/act against the “HIPIC-FC” or encourage others to do so are eliminated by license suspension/revocation and or indictment/incarceration, the consequences of which are, amongst other things, reputational destruction/social isolation/loss of livelihood.

28. The most recent catastrophe of the “HIPIC-FC” is that related to the mass forced/coerced inoculations of the American public with an mRNA toxin, that the public was deceived into believing was a ‘vaccine’ against COVID-19. This gene manipulating toxin has resulted and will continue to result in, amongst other things, premature death, increased rates of cancer, cardiac disease, and early-onset dementia/neuro-cognitive deterioration.

29. K11-17 exposes the inner machinations of the “HIPIC-FC” and seeks to: (i) effectuate regulatory and political reform; (ii) cause the perpetrators of such tyranny to be monetarily penalized; (iii) re-distribute their wealth amongst the victims of their tyrannical corporate greed.

30. Commencing in 2005/6 and continuing in the present (2023) Plaintiff Kaul, consequent to have invented and successfully performed the first percutaneous spinal fusion, a procedure that revolutionized the field of spine surgery in a manner that immensely benefitted and continues to benefit the public, came under attack from The Kaul Cases Defendants, including the K11-17 Defendants.

31. The “ongoing pattern of racketeering” continues to cause “new racketeering injuries” to Plaintiff Kaul’s life/liberty/property, and it is and has been the willful/knowing/purposeful intention of the K11-17 Defendants to cause a perpetuation of these offenses/injuries.

32. The purpose of the perpetuation is to attempt to prevent the further emergence of highly incriminating evidence of crimes orchestrated/committed by for-profit corporations in conspiracy/collusion with certain governmental persons/agencies against not just Plaintiff Kaul, but against the public and medical profession.

33. K11-17 exposes the grand corruption of American political power by multi-national publicly traded for-profit corporations and their lethal profit purposed exploitation of the American public.

34. K11-17 details the nexus between this ‘unholy’ corporate-government alliance and certain persons within the medical/legal/judicial professions, a nexus through which are conducted massive schemes of racketeering that have caused, and continue to cause the wrongful deaths/incarceration of millions of innocent Americans.

35. The within pled **"pattern of racketeering"** commenced in or around 2008 with Defendant Christie's declaration of his gubernatorial/presidential ambitions; ambitions the pursuit of which required vast sums of money.

36. **The Kaul Cases** Defendants were motivated to conspire with Defendant Christie as they believed it would advance their political/economic agendas, through the exploitation and then elimination of Plaintiff Kaul/other physicians from whom they extracted free medical services (insurance carriers) and competed with in the healthcare market (physicians/hospitals).

37. From 2007/2008 to the present (2023), Plaintiff Kaul has been illegally injured and continues to be illegally injured in his economic standing/reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing by the perpetration of an **"ongoing pattern of racketeering"** by Defendant Solomon and **The Kaul Cases** Defendants, purposed to attempt to conceal their prior crimes.

38. The crimes and their continued willful/knowing/malicious commission through the courts, the **"Federation Cartel"**, (a self-appointed extra-judicial police-type entity) and the **"ongoing"** and **"new racketeering injuries"** (up to and including those in 2023) were facilitated/permitted by Defendant Solomon's 2013/2014 aiding/abetting of **The Kaul Cases** Defendants acts of wire fraud/public corruption/subornation of perjury/kickbacks/evidential tampering/witness tampering.

39. Defendant Solomon's knowing commission of crime constituted and constitutes a critical role in the injuries caused to Plaintiff Kaul (2005-2023), injuries for which Defendant Solomon is liable both directly and vicariously pursuant to RICO's doctrine of vicarious liability.

40. That **"pattern of racketeering"** has brought together the worlds of medicine, law, business, and politics, and has been conducted through judicial/administrative/financial/governmental agencies, and is, at its core, and as often described by U.S.D.J. Mark Wolf, a scheme of **"grand corruption"**, the type for which Judge Wolf has proposed an international anti-corruption court.

JURISDICTION + VENUE

41. General:

28 U.S.C. § 1331 – Plaintiff’s allegations arise pursuant to Section 1983 claims of violations of Kaul’s Constitutional rights and U.S.C. § 1964(a)(b)(c)(d) and 1962.

U.S.C. § 337 – Plaintiff’s allegations allege violations of an Act of Congress regulating commerce and monopolies.

28 U.S.C. § 1332(d)(2)(A) – Plaintiff is a citizen of a different state to certain Defendants and the aggregate amount in controversy exceeds seventy-five thousand dollars (\$75,000).

42. Personal:

The Court has personal jurisdiction over all Defendants, as each Defendant has transacted business, maintained substantial contacts, and/or committed acts in furtherance of the illegal scheme and conspiracy throughout the United States, including in this district. The scheme and conspiracy have been directed at and have had the intended effect of causing injury to persons residing in, located in, or doing business throughout the United States including this District. This Court also has personal jurisdiction over all Defendants pursuant to Fed. R. Civ. P. 4(k)(1)(A) because they would be subject to a court of general jurisdiction in North Carolina.

43. Venue:

28 U.S.C. § 1391(b)(1) – A civil action may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located and (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated.

44. Plaintiff Kaul’s denial of his application for licensure in the State of North Carolina was based on the illegal 2012/2014 suspension/revocation of his New Jersey license, and constitutes a **“new racketeering injury”** within the jurisdiction of the Eastern District of North Carolina, that confers on Plaintiff Kaul the right to sue in the United States District Court for the Eastern District of North Carolina.

STATEMENT OF EVIDENCE + FACT

45. The factual underpinning of The Kaul Cases extends from approximately 2005 to the present and the central theme of these facts is fraud. However, the prevalent aspect of this fraud is that it was committed, perpetrated, and perpetuated principally by state actor lawyers, in their capacity as state deputy attorney generals, administrative law judges, state judges, federal judges, politicians and a state governor.

46. The fraud is not a common fraud, but a fraud committed by public servants to a knowingly criminal standard. It is a fraud committed by public servants to whom the public entrusts the administration of law and order, and a fraud that warrants the severest punishment.

47. These facts of fraud account for the fact that up until K11-14, every American court in which Plaintiff Kaul filed a case, did either dismiss the case or take no action to advance the case, in an attempt to conceal the prior criminal fraud of lawyers/judges/politicians and others.

48. Defendant Solomon is arguably the most culpable individual in this sordid tale of public corruption, a tale that is ongoing and one in which the Defendants unmitigated crimes are continuing to cause injury to Plaintiff Kaul's life/liberty/property.

PROVEN FACT WITHIN K11-17

49. Contained within the K11-17 body of fact is fact already proven in K11-15 (Exhibit 6) a case that details Defendant Christie's attempts to cause either an actual or effective cessation of Plaintiff Kaul's existence.

JUDICIAL CORRUPTION + FRAUD ON THE COURT - 'THE OETKEN ANALYSIS' – Defendants Perpetration in the United States District Court of a 'Fraud on the Court' And Resultant Nullity of The K11-7 September 12, 2022, Purported 'Opinion/Order' of James Paul Oetken and The K11-10 May 10, 2023, Opinion/Order of U.S.D.J. Rochon.

50. The fraudulence/illegality of U.S.D.J. James Paul Oetken's K11-7 September 12, 2022, order/opinion (Exhibit 14) became established on September 14, 2022 (Exhibit 7) AND has since been further confirmed by 'THE OETKEN ANALYSIS' (Exhibit 14) which proves the ADMITTANCE of every argument submitted in K11-7 by Plaintiffs Kaul/Basch from August 19, 2021, to September 12, 2022, AND by Oetken's continued failure (September 12, 2022 to November 5, 2023) to deny the fact that he was bribed/corrupted by the K11-7 Defendants.

IN FACT, and in a further tacit admission that he [Oetken] received bribes from the K11-7 Defendants/engaged in ex parte communications, Oetken DID on August 14, 2023, ten (10) months after Plaintiffs Kaul/Basch filed a motion (October 6, 2022) to disqualify him (Exhibit 14) and two (2) months after Plaintiffs filed K11-14 (June 22, 2023) in the U.S.D.C. – Southern District Florida, INADVERTENTLY CAUSE a further tacit admission of the fact that he was

bribed/engaged in ex parte communications in the manufacturing of his September 12, 2022, purported 'injunction'. Oetken's motivation for filing a document (**Exhibit 14**) on August 14, 2023, in K11-7 (a case he ordered closed in October 2022) was an attempt, albeit unsuccessful, to belatedly un-deny facts that had already been admitted in October 2022, and to attempt to disguise his motivation by framing it as a 'denial' of Plaintiffs Kaul/Basch October 6, 2022, motion for disqualification. Oetken's motivation for seeking to un-deny these admitted facts was an attempt to buttress/reassure the August 23, 2023 'injunction' based dismissal of K11-14 by the district judge in the U.S.D.C for the Southern District of Florida, a judge whose opinion evidences her immense hesitation in referencing Oetken's corrupted 'injunction' in the opinion. However, and as even further evidence of his guilt, and in 'digging himself even deeper into his crime' is his explicit non-denial of the already admitted disqualification facts. For example, in his August 23, 2023, submission, he does not certify that he did not receive bribes nor engage in ex parte communications nor render a knowingly fraudulent/corrupted 'injunction', but instead alludes to Plaintiff Kaul's Rule 36 procurement of fact as being an "impermissible" and "speculative" process. Oetken's August 23, 2023, submission/defense effectively says: **"yes I committed the crimes, but you [Kaul/Basch] do not have the evidence to prove it"**. Oetken's September 12, 2022, purported 'injunction' is a 'Fraud on the Court', a fact further exposed in K11-14/K11-15 and now in K11-17.

51. On May 10, 2023, in K11-10, a purported order/opinion was entered by the district judge, Jennifer L. Rochon. The document perpetuates the admitted K11-7 'Fraud on the Court', in that its purpose, nature, substance and character are identical to the fraudulent K11-7 September 12, 2022, order/opinion of district judge, James Paul Oetken.

52. On May 2, 2023, in K11-10, a case in which Oetken was deprived of adjudicative power, consequent to pending complaints before state/federal disciplinary committees/councils (**Exhibit 8**), counsel for Defendant ICE filed a letter with the Court in which he copied Oetken (**Exhibit 9**), thus converting him from a jurist to a witness/defendant, a fact stated in Plaintiffs May 12, 2023, response (**Exhibit 10**) to the district judge's May 10, 2023, purported order/opinion.

53. On May 9, 2023, in K11-10 and in response to Defendant ICE's May 2, 2023, letter, Plaintiffs submitted opposition papers (**Exhibit 11**), in which they identified, amongst other things, Defendant ICE's **"conspicuous failure to have the New York State ATTORNEY GRIEVANCE COMMITTEE issue an opinion of no cause regarding the K11-7 district judge, does further consolidate the corpus of fact substantiating 'Fraud on the Court' as a basis for K11-10."**

54. The K11-10 district judge's knowingly improper May 10, 2023, incorporation, and use of the US wires/United States District Court, to propagate Oetken's fraudulent September 12, 2022, K11-7 order/opinion, did cause to be rendered fraudulent and thus null/void the K11-10 district judge's May 10, 2023, purported order/opinion (K11-10: D.E. 27).

55. However, in addition to the procedural 'Fraud on the Court' based nullity, the purported K11-10 order/opinion of May 10, 2023, is without legal effect consequent to multiple

misrepresentations/mischaracterizations of fact, as identified in the below analysis of the K11-10 opinion/order:

BACKGROUND:

56. Filing History: The Court states: “In March 2014, the New Jersey State Board of Medical Examiners ... any request will be denied for failure to comply with this Opinion and Order, and Plaintiff Kaul may be subject to sanctions, including monetary penalties or contempt.” Id. at *9.”

57. The opinion was drafted by the Defendants lawyers, and contains verbiage that is almost an exact copy of that submitted in prior judicial opinions, the purpose of which is an attempt to undermine Plaintiff Kaul’s credibility, character, and competence, by misrepresenting the facts pertaining to the politico-legal events preceding/surrounding the illegal February 12, 2014, revocation/revocation proceedings (April 9 to June 28, 2013).

58. The revocation/revocation proceedings were and are illegal (Exhibit 1), a fact known to the K11-10 district judge, a fact admitted to by The Kaul Cases Defendants, and a fact substantiated by the undisputed and claim conclusive evidence within The Kaul Cases.

59. From the commencement of The Kaul Cases on February 22, 2016 (K1), the Defendants defense strategy has involved bribing politicians/judges (See April 27, 2022 Wall Street Journal article – ‘Dozens of Federal Judges Had Financial Conflicts: What You Need to Know’) to prevent any of the cases advancing into discovery and to have cases dismissed for legally invalid reasons, and to then use these fraudulently procured dismissals to argue, and have judges argue that because “**Plaintiff Kaul has never received any relief in these cases.**” that therefore the case before them, regardless of new evidence/facts/injuries should be dismissed.

60. At no point have The Kaul Cases Defendants contested/refuted/rebutted/addressed any of the evidence/facts, facts to which they have admitted sufficient for Summary Judgment, and facts that support claims that they continue to falsely describe as “**frivolous**”.

61. In furtherance of the K11-10 Defendants/District Judge’s scheme to undermine Plaintiff Kaul/Basch’s credibility, is the district court judge’s blatant misrepresentation of the FACT that the insurance industry was born out of the trans-Atlantic slaving industry, profited from the Nazi engineered Holocaust and continues to profit from the mass mandated dissemination of so called COVID vaccines.

62. Plaintiffs submitted these facts in The Kaul Cases and specifically in K11-2 as evidence of a four hundred year-plus “**pattern of racketeering**” and a general profit-purposed criminal state-of-mind consistent with the wrongdoing committed against the Plaintiffs, as identified in The Kaul Cases, and NOT, as the district judge disingenuously claims, a direct conspiracy against Plaintiffs Kaul/Basch; although the insurance industry does indeed view/treat ethnic minority physicians as modern-day slaves.

63. The district judge states: **“Plaintiff Kaul has never received any relief in these cases,”** as the District of New Jersey dismissed many of Kaul’s claims and Kaul voluntarily dismissed others. **Id. at *2.”**

64. All cases were in fact voluntarily dismissed, and the district judge’s statement is false and purposed to mislead the record and any future readers of the record into believing the Defendants false narrative that The Kaul Cases claims are without merit. The claims, as evidenced by the admitted fact, do indeed have merit, a fact known to the district judge.

65. Similarly, the K11-10 district judge, in keeping with and furthering the K11-7 district judge’s September 12, 2022 ‘Fraud on the Court’ (K11-7: D.E. 168) mischaracterizes a kidnapping of Plaintiff Kaul on May 27, 2021 (Exhibit 13) as a **“purported kidnapping”**, and re-enters onto the record a quote from the knowingly fraudulent September 12, 2022 document: **“The Court warned that “[i]f Plaintiff Kaul violates this Opinion and Order and files any materials without first obtaining leave to file, any request will be denied for failure to comply with this Opinion and Order, and Plaintiff Kaul may be subject to sanctions, including monetary penalties or contempt.”** **Id. at *9.**

66. K11-10 was filed on March 9, 2023, and the Court after having reviewed the Complaint, issued summonses for all Defendants, four (4) of whom were served. The K11-10 district judge only dismissed the case after direct interference from Oetken, the jurist who was converted into a witness/defendant consequent to being copied on Defendant ICE’s May 2, 2023, letter (K11-10: D.E. 17).

67. Factual Background: The Court states: **“Plaintiffs have now filed, without leave, another complaint alleging that Defendants supported ... Plaintiffs allege that PACE submitted a false report to the Pennsylvania Medical Board stating that Kaul “would be a danger to the public” and “likely never meet the standards to ever return to the practice of medicine.”** **Id. ¶ 64” –**

68. The strategy of the Defendants/District Judge involves citing statements from Plaintiffs’ pleadings that are either unrefuted/uncontested/unrebutted/undenied, mischaracterized/misrepresented and or contextually excerpted, in an attempt to mischaracterize Plaintiffs’ claims as implausible and or evidentially unsupported.

69. The Defendants/District Judge’s mischaracterization is an attempt to mitigate Oetken’s K11-7 ‘Fraud on the Court’ and justify the K11-10 district judge’s knowingly improper attempt to further perpetrate this fraud within the United States District Court. The Court states: **“Plaintiffs claim that the Defendant insurance companies are committing racketeering through a “Slaving-Nazi-COVID-Insurance Axis” to “force[] mass global vaccination programs.”** **Compl. ¶¶ 17-18.”**

70. This is a gross mischaracterization of the pled fact that the insurance industry (the principal perpetrator in The Kaul Cases) began with the trans-Atlantic slaving industry, profited from the

Nazi Holocaust, and continues to profit from mandated COVID vaccine programs. These constitute forms of legalized human trafficking/exploitation, a theme within The Kaul Cases of legally facilitated exploitation of principally ethnic minority physicians (Hispanic/Asian/African American), through the coopting of the government/courts and the enactment/perversion of law to provide 'legal' cover for such crimes against humanity.

71. These historical facts substantiate a four-hundred-year-plus “**pattern of racketeering**”, facts regarding the continuance of which are pled in The Kaul Cases. The Court states: “**Plaintiffs admit to filing several similar lawsuits between 2015 and 2022. Id. ¶ 4 ... These claims are summarized in Judge Oetken’s opinion, and the Court assumes familiarity with those allegations. Kaul 2021 at *2-3.**”

72. The K11-10 district court judge has misrepresented the pleading, in that in paragraph 4. the Plaintiffs did NOT admit to filing several similar lawsuits between 2015 to 2022, as is evident from a plain reading of para. 4. The Court states: “**Portions of the Complaint are seemingly a “copy and paste” from the amended complaint filed in Kaul 2021. Compare id. ¶¶ 16-21, 27, 29-35, 71-222 with Kaul v. Intercontinental Exch., No. 21-cv-6992 (JPO), ECF No. 14 (“Kaul 2021 Compl.”) ¶¶ 6-10, 12-152.**”

73. This is a contextually excerpted and grossly misleading statement of the legal warranty of K11-10 pursuant to the doctrine of ‘Fraud on the Court’ which permits a case to be refiled in the same or a different court, as substantiated in K11-10 with reference to controlling SCOTUS law (K11-10: D.E. 1 Page 82 of 169) (Exhibit 12).

74. This accounts for the fact that the majority of K11-10 is indeed identical to K11-7. A lack of identity between K11-10 and K11-7 would be inconsistent with the foundational doctrine of ‘Fraud on the Court’, but even absent this basis, K11-10 was brought jointly on new evidence/facts/injuries.

75. On May 10, 2023, in K11-10 the Court/Defendants state: “**Notwithstanding, Plaintiffs claim this lawsuit is an “independent action” alleging new facts and “new racketeering injuries.” Compl. ¶ 7. The first “new” allegation is that Judge Oetken fraudulently dismissed Plaintiffs’ previous case, Kaul 2021; and Judge Oetken “tacitly admitted to having received bribes and conspiring with the Defendants and or their agents.” Compl. ¶¶ 5, 12. Plaintiffs allege that various Defendants bribed Judge Oetken to dismiss Kaul 2021 and enter the injunction that prevents Plaintiff from prosecuting the “Kaul Cases.” Id. ¶¶ 22-24 ... Second, Plaintiffs allege that the New York State Medical Board colluded with “[t]he Kaul Cases Defendants” to deny Kaul’s medical license application ... Third, Plaintiffs claim that three defendant insurers – FSMB, Allstate, and GEICO – used the State of California - UC San Diego Physician Assistant and Clinical Education (“PACE”) Program to further their racketeering scheme.” (Exhibit 7).**

76. Neither the Court nor the Defendants have refuted/rebutted/contested/addressed these facts, but in simply re-stating them on the federal record, they have inadvertently admitted the facts. Attached to K11-10 was a copy of a lawsuit Plaintiff Kaul had drafted against Defendant

PACE (K11-10: D.E. 1 Page 151 of 169), another so called 'physician assessment' program whose commercial survival is dependent on Defendant FSMB. K11-8 Defendant PACE rendered a report in October 2022, the fraudulence of which was proved by Plaintiff Kaul's recording of the May/June 2022 virtual interviews (Exhibit 15).

77. Procedural Background:

The Court states: "Plaintiffs filed the Complaint on March 9, 2023. See *id.* Defendant Allstate requested dismissal of this action on April 19, 2023, on the grounds that the Complaint violates an anti-filing injunction. ECF No. 3. Plaintiffs filed a motion for summary judgment on April 21, 2023, ... Plaintiffs responded to Defendant Intercontinental Exchange's letter on May 9, 2023. ECF No. 24."

78. This is a purposefully incomplete recitation, in that the Court fails to specifically identify Defendant Heary's April 24, 2023, ADMISSION OF MATERIAL AND UNDISPUTED FACT OF DEFENDANT ROBERT HEARY (K11-10: D.E. 9). These admissions, pursuant to RICO's vicarious liability doctrine, did on May 24, 2023, become admitted with regards to all other K11-10 Defendants, sufficient to substantiate Summary Judgment.

DISCUSSION:

79. Anti-Filing Injunction Against Kaul:

The Court states: "This lawsuit runs afoul of Judge Oetken's order barring Kaul from filing any lawsuits related to the facts of his earlier cases ... The Court finds that Kaul is barred from bringing the Complaint in this lawsuit as it clearly falls with Judge Oetken's anti-filing injunction."

80. The K11-10 district judge's analysis incorporates and perpetuates Oetken's K11-7 September 12, 2022, knowing 'Fraud on the Court' and is knowingly/willfully false in that the K11-10 district judge knew and knows that the doctrine of 'Fraud on the Court' as applied to Oetken's September 12, 2022 admitted fraud (Exhibit 7) and further proven fraud (Exhibit 14), rendered/renders null and void Oetken's September 12, 2022 K11-7 opinion and all purported orders within the opinion, including that of the purported 'anti-filing injunction'.

81. The K11-10 district judge, by willfully incorporating into a judicial opinion/order, the contents of a knowingly fraudulent document, the K11-10 district judge has, for political/professional reasons, assumed Oetken's liability of fraud, an act that was a consequence of her/his calculation that the liability of fraud assumption was outweighed by the risk that without such an order, the Plaintiffs would not be coerced/intimidated into not continuing to litigate The Kaul Cases to the emergence of 'the truth, the whole truth and nothing but the truth.'

82. The K11-10 district judge evinces her fraudulent state-of-mind in devoting twenty (20) lines to a purported analysis of why Oetken's fraudulent September 12, 2022, opinion/order applies to K11-10, while willfully omitting the fact that K11-10 pleads new and "ongoing racketeering"

offenses/injuries, for which the law regarding new evidence/facts authorizes new claims (**Exhibit 16**) as does the doctrine of 'Fraud on the Court'. The K11-10 opinion/order are legally unsubstantiated.

83. The K11-10 district judge's failure to contest/rebut/refute/analyze the applicability of 'Fraud on the Court'/"ongoing racketeering" constitutes a tacit admission of these doctrines, which further substantiates the filing of K11-17.

84. These admissions further invalidate the purported 'anti-filing injunction' and further validate the filing of K11-17, while the K11-10 judge's tangential referencing of the doctrines, although intended to convey the impression of analysis, does nothing but evidence a fraudulent state-of-mind and its attempted perpetuation, as does the footnote on page 6: "... **procedurally proper way to challenge the decision in Kaul 2021 [K11-7]**", which is a blatant attempt to mischaracterize Oetken's September 12, 2022 K11-7 opinion/order as a legitimate honest act, which it is not, and which has been admitted/proven as such..

85. Collateral Estoppel:

The Court states: **"The doctrine of claim preclusion, also called collateral estoppel, also bars most of Plaintiffs' claims ... bars all of the claims in this action except the three new RICO claims, which were not already adjudicated, but which are barred by the injunction."**

86. The doctrine is inapplicable/invalid for the same reasons that invalidate the purported 'anti-filing injunction', those being the **"ongoing racketeering"** offenses/injuries and 'Fraud on the Court'; reasons not contested/rebutted/refuted/analyzed by the K11-10 district judge, and for the simple fact that the K11-7 issues were never litigated nor legitimately decided, and the facts were admitted.

87. The K11-10 judge's reliance on Somerset v Partners, LLC, No. 20-cv001241 is misplaced, in that in the Somerset cases there was no 'Fraud on the Court', and there was one discrete alleged offense/injury that was highly circumscribed in time and there was neither any **"ongoing pattern of racketeering"** nor **"new racketeering injuries"** as was the case in K11-7/K11-10 and is the case in K11-17.

88. The K11-10 district judge chose to raise a preclusion defense, knowing that within **The Kaul Cases**, including K11-7, the Defendants use of these defenses had uniformly failed, in that neither the Defendants nor the courts disproved Plaintiff Kaul's negation of the defenses. The K11-10 district judge knew this to be the law of **The Kaul Cases**, including K11-10, but in attempting to violate the law, did further perpetuate the 'Fraud on the Court'.

89. Rule 8(a)(2):

The Court states: **"The Complaint should also be dismissed pursuant to Rule 8(a)(2). Rule 8(a)(2) requires "a short and plain statement of the claim showing that the pleader is entitled to relief." ... Therefore, the Court also dismisses this complaint pursuant to Rule 8(a)(2)."**

90. The K11-10 district judge's strategy of 'throwing everything at the wall, to see what sticks' is most distinctly evidenced in raising a Rule 8 defense, a defense that failed in K11-7 in that neither the Defendants nor the court disproved Plaintiff Kaul's negation of the defense.

91. In fact, the mere raising of this defense by the K11-10 district judge constitutes evidence of the knowing invalidity of the purported 'anti-filing injunction' and collateral estoppel defenses, in that if these defenses were indeed valid, which they are not, their validity would render moot/unnecessary a Rule 8 defense, but from which in fact, the lack of mootness and specific Rule 8 citation do infer the invalidity of the purported 'anti-filing injunction' and collateral estoppel defense. Put otherwise, the K11-10 judge's mere raising of Rule 8 evidences her knowing invalidity of the anti-filing injunction/collateral estoppel defenses.

92. The K11-10 district judge's May 10, 2023, opinion/order constitute a 'Fraud on the Court', but even if it did not, which it does, K11-17 is legally warranted as it is based on new/ongoing offenses/injuries, previously not in existence, and contains undisputed facts material to the proof of Summary Judgement (Exhibits 6 + 17).

Rule 54 Infraction, Admission Of Undisputed Material Fact And Oetken's Conversion Into A Witness/Defendant:

93. On May 12, 2023, Plaintiffs submitted a letter (Exhibit 10) to the K11-10 district judge in which they raised the following facts: (i) the K11-10 May 10, 2023 opinion/order (D.E. 27) was invalid/null and void consequent to unadjudicated motions, as pursuant to Rule 54(b) "**Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.**"; (ii) On May 24, 2023, the facts contained within the K11-10 April 24, 2023 **ADMISSION OF MATERIAL UNDISPUTED FACT OF DEFENDANT ROBERT HEARY** (K11-10: D.E. 9) (Exhibit 17) became permanently admitted not just as to Defendant Heary, but as to all Defendants pursuant to RICO's vicarious liability doctrine; (iii) the Defendants and the K11-10 district judge failed to provide authority to negate the controlling law of the doctrine of 'Fraud on the Court', a failure that corroborated Oetken's September 14, 2022 admission in K11-7 that his purported opinion/order were/are a 'Fraud on the Court'; (iv) Defendant ICE, in improperly copying Oetken on their May 2, 2023 letter to the court (K11-10: D.E. 17) (Exhibit 9) (an individual with no legitimate adjudicative power in K11-10) did cause him to become a witness/defendant, who obstructed justice in K11-10 by conspiring with the K11-10 district judge to dismiss K11-10 with prejudice, knowing that a public prosecution of K11-10 would expose evidence of all his prior wrongful acts, be they civil and or criminal.

The Inapplicability Of Mootness:

94. On May 16, 2023, and in response to Plaintiffs' May 12, 2023, letter (Exhibit 10), the K11-10 district judge, absent any citation to legal authority and further evidencing her 'Fraud on the

Court' did alter the Plaintiffs' May 12, 2023, letter (K11-10: D.E. 29) to claim that her willful non-adjudication of motions filed by Plaintiffs for Summary Judgment/Default Judgment was "moot" because the dismissal had the "effect of denying as moot all open motions".

95. The K11-10 district judges mootness argument is fallacious because: (i) The major premise of the K11-10 district judge's purported opinion/order is Oetken's September 12, 2022, K11-7 purported order/opinion, an admitted/proven 'Fraud on the Court' and thus a premise fatally undermined by the authoritative principles of Rule 60/Doctrine of 'Fraud on the Court'; (ii) Finality, pursuant to Rule 54, cannot exist without adjudication of all pending motions, which thus renders null/void the May 10, 2023 K11-10 district judge's purported opinion/order (K11-10: D.E. 27); (iv) the legal definition of 'moot' is that of an open question, or a thing that is debatable, unsettled or subject to argument, and thus the K11-10 district judge undermined her purported opinion/order in using this term (there remain debatable/unsettled questions/issues with The Kaul Cases) but even if this were not the unintended result, the new and ongoing evidence/facts/offenses/injuries continuing to be caused to Plaintiff Kaul (2012 to 2023 and ongoing) will continue to preclude from The Kaul Cases any consideration of the concept of mootness, until the offenses cease and the injuries are rectified/remedied/remediated.

96. The facts that preclude mootness exist within the scheme that has been perpetrated and continues to be perpetrated by The Kaul Cases Defendants, certain judges within administrative/state/federal courts and others, whereby these individuals have violated and continue to violate Plaintiff Kaul's right to regain his livelihood/life/liberty/economic standing/reputational standing/professional standing/social standing/physical standing/psychological standing by obstructing his efforts to litigate his legal claims, have his New Jersey license reinstated, actualize the May 27, 2020 grant of his Pennsylvania license and or obtain a license in any other state, including North Carolina.

FACTS RELEVANT TO DEFENDANT CPEP:

97. On September 17, 2017, Plaintiff Kaul commenced the application process for a license in the State of Pennsylvania.

98. On February 7, 2020, a hearing was conducted as to Plaintiff Kaul's application.

99. On May 27, 2020, the hearing officer granted Plaintiff Kaul's application on condition he undergo an 'assessment course'. This order was ratified by the Pennsylvania Medical Board on February 8, 2021.

100. K11-8 Defendant PACE and Defendant CPEP were two of the recommended 'assessment course' businesses.

101. In July 2022, Plaintiff Kaul paid for and underwent the PACE course, but at that time had no knowledge of K11-8 Defendant PACE's commercial relationship with Defendant FSMB.

102. Due to COVID restrictions, the part of the course that involved case discussions with a physician was conducted virtually.

103. Defendant PACE recorded the case discussions as did Plaintiff Kaul.

104. On October 17, 2022, K11-8 Defendant PACE issued a fraudulent report that falsified the case discussions.

105. Plaintiff Kaul sent a letter to K11-8 Defendant PACE that contained a link to the audio file of Plaintiff Kaul's recording of the case discussions and an analysis of the fraud perpetrated by K11-8 Defendant PACE in their October report. There then ensued an email/letter exchange between Plaintiff Kaul and K11-8 Defendant PACE.

106. On May 24, 2023, Plaintiff Kaul filed suit against K11-8 Defendants PACE/Leung (KAUL v UC SAN DIEGO PACE PROGRAM: 23-CV-00955). K11-8 Defendant PACE and Defendant CPEP are both subjugate members of Defendant FSMB, and know of each other's activities.

107. However, on January 17, 2023, Plaintiff Kaul retained Defendant CPEP to conduct an assessment and submitted a deposit of nine thousand dollars (\$9,000), with the balance of five thousand dollars (\$5,000) submitted on February 6, 2023. The business is highly lucrative.

108. In a period from January 17, 2023, to February 22, 2023, Plaintiff Kaul underwent an intensive self-imposed study program, in which he devoted fourteen (14) hours every day to reading medical textbooks/articles, viewing hundreds of online medical educational videos, and having other physicians examine his case management knowledge and skills (Exhibit 18). In a period from January 17, 2023, to May 2, 2023, Plaintiff Kaul devoted time and effort to completing extensive questionnaires pertaining to his application and proposed practice.

108. In a period from February 22 to April 2023 Plaintiff Kaul underwent numerous verbal and written cognitive/psychological/physical/knowledge assessments, the latter of which were conducted virtually on February 22/23, 2023, with each one lasting approximately six (6) hours.

109. The February 22/23, 2023, knowledge and case management evaluations were conducted by Drs. Ajay Antony/Robert Brown/Michael Harned, all of whom, unbeknownst at that time to Plaintiff Kaul were/are senior board members of The Kaul Cases Defendant American Society of Interventional Pain Physicians (ASIPP),

110. Drs Antony/Brown/Harned all knew, as did Defendant CPEP, that they were conflicted, a conflicted state they willfully concealed from Plaintiff Kaul while conducting the case management evaluations/assessments, a concealment consistent with and in furtherance of

The Kaul Cases Defendants scheme to attempt to prevent Plaintiff Kaul from having issued his Pennsylvania license.

111. The Kaul Cases Defendants recognized/recognize that the economic enhancement caused to Plaintiff Kaul by the Pennsylvania license issuance would facilitate Plaintiff Kaul's prosecution of his claims against them.

112. At the conclusion of the February 22/23, 2023, assessments, Defendant CPEP informed Plaintiff Kaul that the report would be issued before the end of May 2023.

113. Plaintiff Kaul received no report by the end of May 2023 and was provided no explanation by Defendant CPEP as to the non-issuance.

114. Plaintiff Kaul, concerned consequent to his experience with K11-8 Defendant PACE, researched the three (3) physicians with whom he conducted case discussions and his research revealed that all three (3) physicians were senior board members of **The Kaul Cases** Defendant American Society of Interventional Pain Physicians (ASIPP). Between May 16 and 23, 2023, Plaintiff Kaul informed Defendant CPEP via email of these conflicts (**Exhibit 19**) and enquired: **"Did any of these three physicians (Antony/Harned/Brown) disclose their conflicts of interest to CPEP?"**

115. Defendant CPEP's non-response constituted a tacit admission that they did know of their conflicts but did not expect Plaintiff Kaul would expose this fact.

116. On June 6, 2023, Plaintiff Kaul sent a letter (**Exhibit 20**) to Defendant CPEP's in-house counsel, Alexis Angell, in which Plaintiff Kaul provided Defendant CPEP an opportunity to rectify their wrongdoing: **"I believe there are two (2) options: 1. The physician assessments are re-conducted by physicians with no professional, commercial connections/relations/associations, and as stated in my May 30, 2023 email [Exhibit 21] to Ms. Besmanoff, these individuals will likely be found in academic/research settings. 2. CPEP issue a report containing the contents of all the tests and the reports of Antony/Harned/Brown with a statement/paragraph as to the conflicted nature of the reports and how/why the situation was permitted to come into existence, and cause further costly delay."**

117. On June 9, 2023, Defendant CPEP's CEO, Elizabeth Korinek emailed a letter to Plaintiff Kaul rejecting both options: **"CPEP is unable to agree to either option ... CPEP will not re-conduct the Assessment nor issue an Assessment Report with the existing consultants and data"** and suddenly deciding that Plaintiff Kaul was not a **"suitable candidate"** (**Exhibit 22**).

118. On June 21, 2023, Plaintiff Kaul sent a letter to Defendant CPEP's CEO, Elizabeth Korinek, in response to her June 9, 2023, letter in which Plaintiff Kaul raises, amongst other things, Defendant CPEP's fraudulent, knowingly conflicted, and anti-competitive conduct: **"Conflict of Interest re: ASIPP: ... Conflict of Interest re: Federation State Medical Boards ... Your failure, in**

your June 9, 2023, letter to address/deny/contest/rebut these facts, constitute their tacit admission for the purpose of pending/future litigation ... Mail Fraud ... obstruct the delivery of documents from me. (Exhibit 23).

119. The arbitrary rejection of Plaintiff Kaul's logical suggestions and Defendant CPEP's sudden not "suitable candidate" agreement cancellation constitute further evidence in support of the of the K11-17 claims, the conspiracy element being pre-eminent.

120. On July 9, 2023, Plaintiff Kaul, in recognition of the overwhelming evidence of The Kaul Cases Defendants' conspiracy to prevent Plaintiff Kaul from satisfying the terms of the February 8, 2021, opinion/order of the Pennsylvania Medical Board regarding a physician assessment, sent a letter to the Pennsylvania Medical Board informing them of the obstruction and a request, in light of these facts, to modify the conditions of licensure (Exhibit 24).

121. As of the filing date of K11-17, Plaintiff Kaul has received no communication from counsel for the Pennsylvania Medical Board, despite several emails enquiring as to whether the board had granted the amendment. The Pennsylvania Medical Board is a subjugate member of Defendant Federation and conducts business with Defendant CPEP and The Kaul Cases Defendant PACE (K11-8).

FACTS RELEVANT TO DEFENDANTS SOLOMON/CHRISTIE:

122. In 2013, DEFENDANT SOLOMON, a lawyer and an administrative law judge had the duty, right, responsibility and opportunity to halt The Kaul Cases Defendants crimes, but he did not because he had been bribed, and is as directly responsible, if not more than The Kaul Cases Defendants, for the crimes/violations/injuries committed and CONTINUING to be committed against Plaintiff Kaul in 2023, ten (10) years later.

123. DEFENDANT SOLOMON knows the sum and substance of The Kaul Cases but has failed, as the law requires and per recent DOJ "outsourcing" policy regarding white-collar crime (See Cognizant Bribery Case: 2:19-cr-00120-MEF-1) to report his crimes or those of his co-conspirators to state or federal authorities.

124. The RICO predicate acts committed by Defendant Solomon, in collusion and conspiracy with The Kaul Cases Defendants, including the K11-17 Defendants have caused and continue to cause (2007/8-2023) a perpetration of a "pattern of racketeering" that has been and continues to be perpetrated through the certain courts within the United States District Court, certain persons within the United States Government and within the totality of the "Federation Cartel" ("FC"), an illegally configured syndicate that monopolizes the entire process of physician regulation and the multi-billion dollar business of so called 'physician discipline'.

125. The commencement of the “**pattern of racketeering**” as pled in The Kaul Cases, coincided with the 2008/9 gubernatorial/presidential political ambitions of Defendant Christie, a lawyer whose political designs and quest for power began at the age of fourteen (14), as detailed in RUTHLESS AMBITION: THE RISE AND FALL OF CHRIS CHRISTIE by ex-NJ Congressman/Legislator, Louis Manzo.

126. The principal motivation for The Kaul Cases Defendants participation in the conspiracy was the advancement of their political/economic agendas, through the exploitation and at the expense of Plaintiff Kaul/other physicians, mostly of Black/Indian/Hispanic ethnicity.

127. The principal motivation for continuing the conspiracy into 2023, is an increasingly desperate attempt to prevent Plaintiff Kaul from further exposing their crimes of The Kaul Cases Defendants.

128. The crimes, their continued willful/knowning/malicious commission and the “ongoing” and “new racketeering injuries” (up to and including those in 2023) were precipitated/aided and abetted/perpetuated by Defendant Solomon’s commission of, amongst other things, wire fraud/public corruption/subornation of perjury/kickbacks/evidential tampering/witness tampering, crimes for which

129. Defendants Solomon/Christie are liable for these crimes, both directly and vicariously pursuant to RICO’s doctrine of vicarious liability.

130. The within evidence/facts, most of which are contained/referenced within The Kaul Cases, substantiate Defendant Solomon’s criminal state-of-mind, his criminal course of conduct, his criminal effort to conceal his misconduct/whereabouts and the **ONGOING** consequences of his criminal conduct to Plaintiff Kaul’s economic standing/reputation/livelihood/professional standing/social standing/psychological standing/physical standing/liberty/life.

131. The evidence/facts are some of the evidence/facts that caused U.S.D.J. Noel Hillman on December 16, 2020, in K5 to issue a Rule 16 ORDER FOR SCHEDULING CONFERENCE (K5: D.E. 155) and U.S.D.J. Beth Bloom on July 6, 2023, to issue an ORDER REQUIRING SCHEDULING REPORT AND CERTIFICATES OF INTERESTED PARTIES. In both instances The Kaul Cases Defendants, including Defendant Solomon, corrupted the judicial process to prevent the cases moving into discovery.

132. On February 22, 2016, in K1 Plaintiff Kaul sued Defendant Solomon.

133. Defendant Solomon’s failure to refute/contest/address the facts, in conjunction with the disqualification on May 22, 2019 (K1: D.E. 340) of the district judge that improperly dismissed Defendant Solomon on June 30, 2017 (K1: D.E. 200), did cause the tacit admission of the below evidence/facts.

134. Similarly, Defendant Solomon's liability as to the below evidence/facts inures from that pursuant to RICO's doctrine of vicarious liability, and specifically to the fact that none of **The Kaul Cases** Defendants ever refuted/contested/addressed/denied any of the evidence/facts within the entire body of **The Kaul Cases** (February 22, 2016, to July 6, 2023), thus causing all of them, including those below, to be tacitly admitted for themselves and vicariously for Defendant Solomon.

EVIDENCE

135. This body of admitted claim conclusive evidence exceeds the Summary Judgment standard, evidences criminal violations of American law, gross violations of Plaintiff Kaul's human/civil/constitutional rights and is as follows w/excerpts:

a. July 28, 2023 – COMPLAINT IN KAUL v. CHRISTIE/MURPHY: 23-CV-22582 (K11-15):

"The conspiracy to violate Plaintiff Kaul's civil rights continued from the Morristown Police Department to the United States Marshals Service and into the Mercer County Correctional Center, where the scheme, for which Defendants Christie/Murphy, and in fact all of The Kaul Cases Defendants, pursuant to RICO's vicarious liability doctrine, are liable, involved an attempt to use anti-psychotics to render Plaintiff Kaul mentally infirm, psychiatrically labelled, susceptible to serious injury/death, in order to effectively eliminate his right to life and to actually eliminate Plaintiff Kaul." (Exhibit 25)

b. April 4, 2023 – ADMISSION OF MATERIAL AND UNDISPUTED FACT OF DEFENDANT ROBERT HEARY: 23-CV-2016 (K11-10)

"I admit that the knowing, willful, malicious, and purposeful violation of Plaintiff Kaul's human rights is commensurate with the standard of that of a crime against humanity." (Exhibit 17).

c. February 11, 2022 -- INTERVIEW OF DEFENDANT CHRISTIE'S POLITICAL COLLEAGUE, ANTHONY CAPPELLO: 21-CV-06992 (K11-7):

"Mr. Cappello, a decades-long New Jersey political insider, was presented with various pieces of evidence, and with his intimate knowledge of Defendant Christie, did unequivocally state that the case was "totally believable". His statement undermines the Defendants mischaracterizations of the case as "vexatious ... frivolous ... meritless ... abusive ... harassing", and we respectfully request this document's contents be incorporated into your consideration of Defendants' motions ... From 2012 to 2017, my requests to Kathleen for this person's identity were unsuccessful, as were my requests for her brother's contact information. She remained fearful of the consequences to her life, but did upon my continued plea, provide an affidavit in September 2017, factually establishing certain content of her brother's communications with the then anonymous state government person." (Exhibit 25)

d. May 28, 2021 – LETTER FROM PLAINTIFF KAUL TO U.S.D.J. ALLISON BURROUGHS RE: KAUL KIDNAPPING SCHEME: 21-CV-10326 (K11-2)

“These events lend further evidential weight to the claims, that is irrefutable. As is clear from the record, the commission and attempted cover-up by the Defendants now involves the executive/legislative/judicial branches of the State of New Jersey. The Defendants scheme now involves the use of police to threaten, harass and intimidate process servers, witnesses, and the Plaintiff himself, while violating the jurisdiction/authority of the United States ... My concern is that with this escalation of armed force, people will be killed. In that regard, I do request that there be emergently schedule a case management conference, in order to mitigate this threat, and stop the Defendants criminal abuse of state power and continued falsification of evidence.” (Exhibit 25).

e. August 23, 2021 – DEFENDANT ALLSTATE ADMISSIONS OF FACT RE: COMMISSION SECURITIES FRAUD: 21-CV-06992 (K11-7):

“Defendant Allstate does admit to the following facts: That in its 2018 10Q filing, it did, on “Page 92 of 93, under “PART II. OTHER INFORMATION-Item 1. Legal Proceedings” with fraudulent intent and effect, omit a material legal proceeding and divert attention to a general “discussion under the heading “Regulations and Compliance” (Exhibit 25)

Defendant Allstate, as the SEC record shows, filed false returns for five (5) years, from 2016 to 2021, this being the year it was exposed by Plaintiff Kaul in K11-7. As a consequence of this fraud and Defendant Allstate being sued in India by Plaintiff Kaul in K11-5 for its practice/policy of racial discrimination, its share price decreased.

f. February 11, 2019 – ‘THE SOLOMON CRITIQUE 2’:

This document evidences the massive fraud (**Exhibit 1**) perpetrated by Defendant Solomon in collusion/conspiracy with other members of **The Kaul Cases** Defendants in the April 9 to June 30, 2013, NJ OAL revocation proceeding, and then in the December 13, 2013, issuing of Defendant Solomon’s report, a report that was adopted by **The Kaul Cases** Defendant NJBME on February 12, 2014, and that caused the illegal revocation of Plaintiff Kaul’s license on March 24, 2014.

“From April 9, 2013, to June 28, 2013, there was conducted a hearing in the New Jersey Office of Administrative Law, the purpose of which was to illegally revoke Kaul’s medical license. The proceeding was a massive fraud, orchestrated with criminal intent by K2 defendant Christopher J. Christie. The proceeding was polluted with perjury + evidential omissions + misrepresentations + falsifications + gross mischaracterizations ...

This analysis, ‘The Solomon Critique 2’, focuses entirely on Defendant Przybylski and it proves that he, in conjunction with K2 defendants Hafner + Solomon collectively committed two hundred and twenty-two (222) separate instances of perjury + evidential omissions

falsifications + misrepresentations. K2 defendant Solomon based his opinion on a record that Kaul has since proven to be one replete with perjury + evidential omissions + fabrications + falsifications + misrepresentations. A massive fraud.”

g. September 21, 2018 – CERTIFICATION OF MINIMALLY INVASIVE SPINE SURGEON DR. ARNOLD ERWIN FELDMAN:

“It was at this meeting that I first met Dr. Kaul, and to the best of my recollection it was his presence that prompted Dr. Yeung to make the following statement to a group of approximately five (5) physicians:

“There is a doctor in New Jersey, Richard Kaul, who is performing fusions, but they are going to get him.”

Dr. Kaul, like myself, was a victim of professional jealousy, that manifested itself through a corrupt medical board, that like many in the United States, flagrantly violate the due process rights of physicians.” (Exhibit 25).

h. January 16, 2018 – ‘THE SOLOMON CRITIQUE’:

“This document is a detailed analysis of the trial transcript of the hearing in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY – OAL DOCKET NO. BDS 08959-12. The document demonstrates the enormous volume of willful misrepresentation, perjury, critical evidential omission, and gross mischaracterization that were committed by Jay Howard Solomon, Esq, Gregory Przybylski, MD and Andrew Kaufman, MD, during the proceeding ...

These numbers suggest that the evidence provided was flawed and dishonest and that the interpretation of evidence was selective and prejudiced. The analysis proves that two of the defendants in Kaul v Christie provided misinformation and that they committed perjury. The extent of the corruption of information that was committed suggests the need for a criminal investigation into the reasons why Jay Howard Solomon would violate the law in such a concerted manner.” (Exhibit 1).

i. August 6, 2017 – CERTIFICATION OF PLAINTIFF KAUL PATIENT, JOHN ZERBINI:

“Dr. Kaufman seemed to have some kind of vendetta against Dr. Kaul, and made comments to the effect that he was going to destroy Dr. Kaul’s medical career, his reputation, and make sure he never worked again as a doctor. He stated that he was going to make sure Dr. Kaul was ostracized, and that he and a group of five other doctors had been working together since at least 2011, to make sure Dr. Kaul’s medical license was revoked. He mentioned that they were going to have articles and stories published, that caused permanent damage to Dr. Kaul’s reputation, so that he would never be able to find work.” (Exhibit 25).

j. September 21, 2017 – CERTIFICATION PLAINTIFF KAUL PATIENT, KATHLEEN CALABRESE:

“In approximately May/June 2012 my brother related to me a conversation he had with his acquaintance, during which the acquaintance made the following comment in regard to the suspension of Dr. Kaul’s license: “I think it is terrible what they are doing to Dr. Kaul”” (Exhibit 25).

k. July 12, 2017 – AFFIDAVIT OF PLAINTIFF KAUL PATIENT, KENNETH SABO:

“After the interview Ms. Hafner telephoned me approximately six times, and on each occasion attempted to have me testify against Dr. Kaul, and on each occasion I refused.” (Exhibit 25).

l. October 6, 2016 – LETTER FROM PLAINTIFF KAUL TO K1 U.S.M.J. STEVEN MANNION:

“On September 21, 2016, at approximately 1:30am eight armed police officers from the Somerset County Sheriff’s Office arrested me at my residence on a warrant for non-payment of child support. The revocation of my medical license caused immense economic harm to my family and resulted in the loss of my surgical center, Manhattan townhouse, professional practices ... I believe that, as a consequence of the federal lawsuit, state agencies, under the control of the defendant politician, are being used in a retaliatory manner, with the clear intention of harassment and intimidation.” (Exhibit 25)

m. October 24, 2015 – EMAIL FROM THIRD PARTY WITNESS/PHYSICIAN STEVEN WALDMAN, MD TO PLAINTIFF KAUL:

“Revolutionaries are often met with great resistance even when they are trying to do great and beneficial things. I’m sorry that the fascists in the Medical Board and state government have pulled your license. They are bullies and clearly politically motivated.” (Exhibit 25).

n. September 13, 2013 – LETTER FROM PLAINTIFF KAUL PATIENT, COREY JOHNSON, TO CEO OF UMDNJ UNIVERISTY HOSPITAL, JAMES GONZALEZ REGARDING THE KAUL CASES DEFENDANT, ANDREW KAUFMAN, MD:

“That motherfucker Richard Kaul is trying to take over the spine business and we are going to put a stop to it – I later worked out that he made this comment when he realized I had been under the care of Dr. Kaul since 2006 and who in my opinion had provided excellent care.” (Exhibit 25).

THE CONSPIRACY WITH DEFENDANTS ALLSTATE/CHRISTIE AND CO-CONSPIRATORS HORIZON BLUE CROSS BLUE SHIELD/GEICO INSURANCE COMPANY (JULY 2012 TO MARCH 2014)

136. In late 2012, Defendant Solomon came out of retirement specifically to adjudicate Plaintiff Kaul’s licensing case in the New Jersey Office of Administrative Law (OAL DOCKET NO. BDS 08959-2012N).

137. Defendant Solomon received bribes from Defendants Allstate/Horizon Blue Cross Blue Shield/Geico as part of a quid pro quo to ensure he ordered the revocation of Plaintiff Kaul's license.

138. The New Jersey Office of Administrative Law is part of the executive branch of New Jersey Government, and Defendant Solomon was appointed to adjudicate Plaintiff Kaul's case by Defendant Christie.

139. Defendant Christie received bribes from Plaintiff Kaul's competitors (insurance companies/hospitals/neurosurgeons) in the minimally invasive spine surgery market as part of a quid pro quo scheme purposed to have the medical board suspend and then 'rubber-stamp' the revocation recommended by Defendant Solomon on December 13, 2013, after the sham administrative proceedings (April 9 to June 28, 2013).

140. Commencing in approximately 2008, Defendant Christie began requiring vast sums of money to fund his various political campaigns to procure the offices of governor and president.

141. Defendant Solomon was controlled within the executive branch by its CEO, Defendant Christie.

142. Defendant Christie, in his quest for the 2016 Presidency, did order Defendant Solomon to ensure the revocation of Plaintiff Kaul's license by causing, if necessary, the final December 13, 2013, report to be falsified and to lie about the evidence/truth of the hearing if it vindicated Plaintiff Kaul.

143. In a time period between late 2012 and early 2013, Defendants Solomon and Christie did communicate directly and through intermediaries that Defendant Solomon would receive a percentage of the bribes before the issuance of his December 13, 2013, report of revocation and the balance after the report had been issued/widely publicized and Plaintiff Kaul's license revoked.

144. Defendants Solomon, Christie and their intermediaries agreed that as soon as the medical board had revoked Plaintiff Kaul's license (March 24, 2014), Plaintiff Solomon would be relocated out of the State of New Jersey to thwart any potential litigation by Plaintiff Kaul.

145. Defendant Solomon, not a wealthy man, was relocated to an extremely wealthy area of North Carolina which is where he has resided since late 2014.

THE ILLEGALLY CONDUCTED ADMINISTRATIVE LAW PROCEEDINGS AND BOARD REVOCATION (APRIL 9, 2013, TO MARCH 24, 2014)

146. In mid to late 2012, having agreed upon the terms of the various quid pro quos, Defendant Solomon entered into the conspiracy, that unbeknownst to him at the time would expand over the next eleven (11) years to include, but to name a few, the New York Stock Exchange, other

state medical boards, a bank, disqualified corrupt judges, share price-dropping insurance companies and the felonies of kidnapping/illegal imprisonment/attempted drugging-killing.

147. Defendant Solomon, a corrupt person, acted as the judge/jury within the April 9 to June 28, 2013, license proceeding within the New Jersey Office of Administrative Law.

148. The proceeding was a massive illegal fraud purposed to provide a charade of justice, but was in fact a 'sham' proceeding whose sole purpose was to have Plaintiff Kaul's license illegally revoked, in order to eliminate him from the minimally invasive spine surgery market, so that his competitors could profit at his expense and Defendants Christie/Solomon would be enriched with bribes.

149. Plaintiff Kaul's insurance competitors, including Defendant Allstate, would, with the revocation, not have to pay Plaintiff Kaul monies they owed him, while Plaintiff Kaul's physician competitors would seize a larger part of the minimally invasive spine surgery market.

150. All of Plaintiff Kaul's competitors were motivated and invested in the knowingly illegal revocation of Plaintiff Kaul's license.

151. Defendant Solomon knew that his participation in the quid pro quo schemes was illegal, but perpetrated the scheme nonetheless with a sense of impunity derived from his belief that Plaintiff Kaul would never expose his crimes and those of The Kaul Cases Defendants.

152. The hearing commenced on April 9, 2013, and concluded on June 28, 2013, and as part of the charade it involved witnesses, lawyers, and large volumes of testimony.

153. Plaintiff Kaul presented fifteen (15) witnesses, that included highly respected lawyers/surgical center consultants/an ex-executive of the New Jersey Medical Board who testified for Plaintiff Kaul/expert physicians/patients, whose testimony utterly undermined that presented by the state. On December 13, 2013, Defendant Solomon found all fifteen (15) witnesses to be not credible.

154. Plaintiff Kaul's lawyer's cross examination of the state's 'star' witness on May 6, 2013, caused him to admit that there were no standards for the performance of minimally invasive spine surgery.

155. The no standards admission undermined the state's entire case, as it's argument was that because Plaintiff Kaul was not a neurosurgeon he had violated the state 'expert' (Dr. Gregory Przybylski) neurosurgeon's false standard and despite the fact that he had invented the percutaneous spinal fusion procedure in 2005, had successfully performed eight hundred (800) of them from 2003 to 2012 in state licensed surgical centers in which he had been credentialed and of which the state had knowledge, that he was in 2012, in the 'reign' of Defendant Christie, **"an imminent threat to the public"** whose license had to be revoked to save the public.

156. In April 2018, the state's 'expert' neurosurgeon, Dr. Gregory Przybylski was publicly disciplined by the American Association of Neurological Surgeons for having committed perjury while testifying as an 'expert' in a case against another neurosurgeon. Plaintiff Kaul brought this fact to the attention of the New Jersey Medical Board and the District of New Jersey. It was ignored.

157. In the period from September 2013 to December 2013, Plaintiff Kaul was informed that because he had proved false the state's case, that Defendant Solomon would falsify his report as ordered by Defendant Christie.

158. Plaintiff Kaul sent several letters to Defendants Christie/Solomon requesting that the matter be investigated (**Exhibit 26**). Plaintiff Kaul's pleas were ignored.

159. However, despite Plaintiff Kaul's submission of such a strong case, Defendant Solomon did, on December 13, 2013, issue a one hundred and five (105) page report that bore little or no resemblance to submitted evidence, a report in which he found all fifteen (15) witnesses presented by Plaintiff Kaul to be not credible and all witnesses presented by Defendant Christie to be credible.

160. Defendant Solomon recommended revocation and a three hundred thousand (\$300,000) dollar fine and used the US wires to submit his knowingly fraudulent report to **The Kaul Cases** Defendant, New Jersey Board of Medical Examiners.

161. On February 12, 2014, a time by which Plaintiff Kaul knew of the corruption that preceded and pervaded the illegal revocation proceedings, **The Kaul Cases** Defendant, New Jersey Board of Medical Examiners, conducted a hearing on Defendant Solomon's knowingly fraudulent report, a hearing the legitimacy of which Plaintiff Kaul challenged/refused to attend (**Exhibit 26**).

162. On March 24, 2014, **The Kaul Cases** Defendant, NJBME, adopted Defendant Solomon's knowingly fraudulent report and revoked Plaintiff Kaul's license and illegally levied a 'fine' of \$450,000, in the knowledge that their actions and those of persons/agencies of the State of New Jersey involved in the revocation were illegal.

INJURIES CAUSED TO PLAINTIFF KAUL CONSEQUENT TO DEFENDANT SOLOMON'S ILLEGAL ORDER OF REVOCATION

163. Defendant Solomon's knowingly criminal actions and involvement in **The Kaul Cases** Defendants scheme to have illegally revoked Plaintiff Kaul's license constitute a willful perpetration of a knowingly illegal "pattern of racketeering" that commenced in or around 2005/6.

164. Defendant Solomon, a lawyer, knew of this "pattern of racketeering".

165. Defendant Solomon also knew the criminal consequences of participating/furthering/profiting from such a scheme, and knew that the illegal revocation of Plaintiff Kaul's New Jersey license would cause Plaintiff Kaul to indefinitely sustain "**new racketeering injuries**" consequent to the fact that all his applications for state licenses would be denied/restricted based on the illegal New Jersey revocation AND that he would be foreclosed from obtaining a license due to the illegal anti-competitive interstate licensing system (the "**Federation Cartel**") operated by/through Defendant FSMB for the purpose of profiteering.

166. Defendant Solomon knew that the illegal revocation would cause to Plaintiff Kaul an illegal deprivation of his economic standing/reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing.

167. Defendant Solomon's knew that his actions were criminal, but his motive for perpetration was greed and his abuse of state power blinded him to the possibility that Plaintiff Kaul would expose his felonious conduct.

168. Plaintiff Kaul's injuries and their willful/knowing/ongoing commission extend over a period that commenced on at least February 3, 2010, and include injuries to the human/civil/constitutional/property/economic/reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing RIGHTS of Plaintiff Kaul.

169. Defendant Solomon is liable for his criminal offenses (2013-2014) and their **ONGOING** consequences (2012-2023) to Plaintiff Kaul's life/liberty/property.

FACTS RELEVANT TO DEFENDANT FEDERATION:

Defendant FSMB's Suppression Of Free Speech, The COVID Vaccine Fraud And Profit Purposed Human Rights Abuses, Toxicity And Death

170. One of the principal themes of The Kaul Cases, has been that pertaining to the corrupt engineering of quid pro quo schemes by for-profit healthcare corporations with the regulatory/political apparatus of American healthcare in which at its most fundamental, human life is sacrificed for corporate profit.

171. Defendant FSMB is a critical cog in this 'Soylent-Green' like machine, the ruthlessness of which was exposed during the so called COVID-19 pandemic.

172. Commencing in early 2020, just after the announcement of the purported pandemic, Plaintiff Kaul began writing articles and filing legal documents that highlighted the multiple profit purposed COVID related frauds that mandated knowingly toxic and ineffective mRNA 'vaccines', the wearing of masks and ubiquitous, but non-specific PCR testing.

173. This information reached a massive global audience, as did that published by other dissenting voices that exposed these crimes against humanity, and threatened corporate profits.

174. Consequently, these corporations conspired with Defendant FSMB to have suspended/revoked the licenses of physicians who either used the internet to communicate the grave risks of the vaccine or advised their patients against being inoculated, and or, as in Plaintiff Kaul's case, attempt to obstruct applications for/issuance of licenses, as in North Carolina.

175. Defendant FSMB/Co-Conspirator NCMB's 'muzzling' of the truth and dissemination of knowing falsehoods is ongoing, represents an **"open-ended pattern of racketeering"**, is a serious threat to the public's health/welfare and pertains not just to the COVID vaccine, but to a myriad of drugs/medical devices, whose manufacturers participate in quid pro quo schemes with Defendant FSMB.

176. On or about November 5, 2023, a lawsuit was filed in the UK against Astra Zeneca (**Exhibit 4**) and a public litigation is underway, which will expose evidence to further substantiate the K11-17 facts of Defendant FSMB's knowing commission of crimes against humanity.

177. The outcome of K11-17 has immense consequence for the public, not only in exposing the truth but in ensuring such crimes are never again committed.

178. The articles are:

a. May 11, 2020 – WIX Article: COVID 19 CRIMES AGAINST HUMANITY: **"The thrust of the case is that Defendant Allstate has, since at least 1999, engaged in massive schemes of bribery that have corrupted state medical boards. The Complaint alleges that this corruption is directly responsible, as of May 11, 2020, for over eighty thousand (80,000) deaths and one point three million (1,300,000) cases caused by COVID-19 infections."** (**Exhibit 27**). These facts are relevant to the racketeering, section 1983, and human rights charges

b. November 4, 2020 – WIX Article: COVID-19 DEATHS + MEDICAL BOARD RACKETEERING + THE SUPREME COURT OF THE UNITED STATES: **"Kaul respectfully asserts that a grant of the writ will mitigate future threats of COVID-19 like microbial pandemics ... "Kaul respectfully asserts that the grant of a writ will mitigate any further decrease in market capitalization of Defendants Allstate ..."** (**Exhibit 27**). These facts are relevant to the Defendants ongoing racketeering injuries, in that unless the commencement of change is effectuated, the same corporate related death and destruction will continue within the west, while BRICS and its associated members restructure the world in a manner consistent with the principles of the United Nations Charter On Human Rights. The 2020 SCOTUS, the one before the recent 2023 exposition of judicial impropriety, chose not to issue a writ that would have protected the American public.

c. December 15, 2020 – WIX Article: COVID-19 MUTATION DEFEATS A VACCINE: “The vaccine has caused the mutation and will provide no protection to the mutant virus now coursing through the planet’s circulatory system. Of course, those corporations/executives raking in billions of dollars from having corrupt governments/politicians mandating vaccination programs, have insulated themselves and their families from harm. Two of these corporations are Berkshire Hathaway/Geico and Allstate Insurance Company.” (Exhibit 27). This release reached a worldwide audience, and its undisputed factual accuracy and truthfulness lend weight to Summary Judgment.

179. The following documents, all part of (Exhibit 28) and extracted from K11-10, contain facts highly probative to Defendant FSMB/Co-conspirator NCMB’s perpetration of schemes, willfully violative of the Nuremberg Code, of forced/coerced programs of mass public inoculation with a knowingly lethal mRNA toxin. The K11-10 district judge’s May 10, 2023, dismissal was an attempt to suppress a public examination of these facts and deprive the public of their right to know information critical to their health, welfare, and life, sacrificing the lives of people and their children at the ‘gallows-guillotine’ of corporate profit.

a. March 9, 2023 – K11-10: D.E. 1 Page 9 to 10 of 169: “The COVID vaccine, as Kaul predicted, has now been found to be highly toxic/ineffective: <https://www.drrichardkaul.com/so/24NPf5O65> This fact was known by the government/corporate entities that forced it on the world’s population: <https://theswisstimes.ch/swiss-banker-files-criminal-charges-over-false-covid-vaccine-statements/> In K11-7, the Defendants attempted to frame the Plaintiffs’ assertion of these facts as evidence of the implausibility of their complaint, with terms such as “vast conspiracy” and “nutcase”. These facts are now proven, and this country, like Switzerland, should have the courage to bring criminal charges against those who perpetrated these crimes against humanity.” (Exhibit 28)

b. May 2, 2023 – K11-10: D.E. 19 Page 74 to 81 of 116: “According to the CDC, more than 10,000 reports of myocarditis were reported to the VAERS after COVID-19 vaccination (Pfizer-BioNTech and Moderna) in the US ... Adverse effects such as myocarditis, glomerular diseases and cutaneous eruptions are seen with the MRNA vaccines.” (Exhibit 28).

c. May 2, 2023 – K11-10: D.E. 19 Page 101 to 104 of 116: “The mafia tactics of the Federation of State Medical Boards, filtered down to individual health professionals, has been highly effective in suffocating dissent, stigmatizing critical thinking and helping to establish a Stasi-style culture.” (Exhibit 28)

d. May 2, 2023 – K11-10: D.E. 19 Page 68 to 72 of 116: “The federation expects its members will conduct more investigations that would lead to disciplinary actions. But in some cases, the responses from some medical boards and state officials have been stymied by political backlash. States like Tennessee and North Dakota, for example, have restricted state medical boards’ powers. And now legislators in 10 other states — including Florida and South Carolina — have introduced similar measures.” (Exhibit 28).

e. May 2, 2023 – K11-10: D.E. 19 Page 83 to 88 of 116: “Physicians who generate and spread COVID-19 vaccine misinformation or disinformation are risking disciplinary action by state medical boards, including the suspension or revocation of their medical license ... Spreading inaccurate COVID-19 vaccine information ... threatens to further erode public trust in the medical profession and puts all patients at risk.” (Exhibit 28). Defendant FSMB/Co-conspirator NCMB and its COVID manufacturing corporate masters and their investors are today responsible for the deaths and injuries of millions of global citizens who were forced/coerced into inoculation. This constitutes further evidence as to the urgent need for a “Reformation Of American Medical Boards” (“RAMBO”).

f. May 2, 2023 – K11-10: D.E. 19 Page 91 of 116: “The COVID-19 pandemic may someday be the subject of countless volumes of literature describing it as a sinister man-made global plague. In today’s America, it has introduced a dark age of medical science. Nowhere has this fact been demonstrated more clearly than by the actions of state medical licensing boards, most of whom take their cues from the Federation of State Medical Boards (FSMB). Their drive to control medical practice has been gaining momentum for decades, but their current stance and methodology is an all-out assault on the once noble and legitimate medical profession. Having received the infamous honor of being the first medical doctor in the U.S. to have my medical license first suspended, then fully revoked, because of COVID malevolence, I’ve learned many lessons about exactly how state medical boards have honed the process of destroying good physicians. Now, to be sure, there are no perfect physicians, just as there are no perfect people. But a serious problem must exist when the Oregon Medical Board (OMB) is able to take down a physician who has done no harm and who actually had no patient complaints concerning the board’s allegations against him. In this story of my experience, I am just an example. It exposes the corruption and dirty secrets of an agency that is out of control, without accountability, and devoid of any regard for the best science and sound medical practice. State medical licensing boards have evolved into monsters that devour any medical practitioners in their path who do not comply with the government narrative. When government goes rogue, the medical system becomes an unholy alliance that ultimately wreaks havoc on patients. When the physician-patient kinship is compromised, the healing arts suffer greatly. Any collaboration between government and medicine spells disaster.” (Exhibit 4).

g. May 2, 2023 – K11-10: D.E. 19 Page 47 to 64 of 116: “The Committee’s Long-Standing Interest in the Opioid Epidemic ... the Department of Health and Human Services (HHS) and others, it stressed the critical need to remain diligent, especially during the COVID-19 pandemic ... we sent letters to 10 tax-exempt organizations and requested information about their financial relationships with opioid manufacturers [Purdue funneled bribes to Defendant FSMB/Co-conspirator in exchange for the issuance of an order in or around 2000, that resulted in the disciplining of physicians who under-prescribed opiates in the treatment of chronic pain patients]. These groups included ... Federation of State Medical Boards ...” (Exhibit 4).

h. May 2, 2023 – K11-10: D.E. 19 Page 96 of 116: “Recently, there have been increasing calls in the medical community, including from the Federation of State Medical Boards (FSMB) and

professional certification boards such as the American Boards of Family Medicine (ABFM), Internal Medicine (ABIM), and Pediatrics (ABP) to revoke the licenses and board certifications of physicians who promulgate medical misinformation.” (Exhibit 4). Defendant FSMB/Co-conspirator NCMB knew the so called ‘vaccine’ was toxic and ineffective, and knew that its use of the US wires to transmit such knowingly fraudulent information constituted wire fraud, but more importantly, that the forced inoculation of the public would cause death and life-threatening long-term morbidity. Genocidal crimes against humanity rendered through the quid pro quo ‘hijacking’ of the apparatus of world governments.

i. May 30, 2023 – Article **“COVID outbreak at CDC gathering infects 181 disease detectives”**: **“Nearly all of the survey takers, 1,435 (99.4%), reported having received at least one COVID-19 vaccine.”** (Exhibit 28).

Defendant FSMB/Co-conspirator NCMB’s Profiteering From The Opiate Epidemic

180. In approximately 2000, numerous opiate manufacturers, including Purdue, commenced bribing Defendant FSMB/Co-conspirator NCMB and its directors, in a series of quid pro quo schemes, in which monies were exchanged in return for forcing/coercing physicians to dispense opiates under threat of license suspension/revocation.

181. Indeed, many physicians who chose to treat pain without opiates had their licenses suspended/revoked, their livelihoods destroyed and many of these physicians committed suicide as did a number of their teenage children, consequent to the destruction of their families.

182. In 2012, the United States Senate opened an investigation into these illegal schemes, and on May 8, 2012, requested from Defendant FSMB/Co-conspirator NCMB, a list of all exchanged monies/information pertaining to facts of the genesis and perpetuation of the opiate epidemic and related deaths: **“It is clear that the United States is suffering from an epidemic of accidental deaths and addiction resulting from the increased sale and use of powerful narcotic painkillers such as Oxycontin (oxycodone), Vicodin (hydrocodone), and Opana (oxymorphone) ... Deaths from these drugs rose more rapidly “from about 4,000 to 14,800” between 1999 and 2008, than any other class of drugs and now kill more people than heroin and cocaine combined ... Recent investigative reporting from the Milwaukee Journal Sentinel/MedPage Today and ProPublica revealed extensive ties between companies that manufacture and market opioids and ... the Federation of State Medical Boards ...”** (Exhibit 29).

183. On December 16, 2020, the results of the investigation and the Senate’s demand for greater transparency in commercial relationships between for-profit healthcare corporations and Defendant FSMB/Co-conspirator NCMB /other tax-exempt groups, were published: **“Senate Finance Committee Ranking Member Ron Wyden, D-Ore., and Chairman Chuck Grassley, R-Iowa, today issued a report to committee colleagues illuminating the extensive connections between opioid manufacturers and opioid-related products, and tax-exempt**

entities that have helped drive up sales while downplaying the risks of opioid addiction.” (Exhibit 28).

184. Almost as soon as the Senate admonished Defendant FSMB/Co-conspirator NCMB, it commenced its public campaign of promoting the so called ‘vaccine’ and began suspending/revoking the licenses of those physicians who highlighted its toxicity and ineffectiveness. George Orwell’s ‘1984’ dystopian “think-speak” at work.

FACTS OF RACIAL DISCRIMINATION RELEVANT TO DEFENDANT ALLSTATE

The historical facts of racial discrimination integral to the origins and industrial perpetuation of Defendants FSMB/Allstate and Co-conspirators Geico/TD, the latter three derived from the British banking-insurance cartels, are those of a “pattern” of profit purposed racketeering/human rights violations/crimes against humanity.

185. The facts contained within the enclosed submissions (Exhibit 30) became admitted by the K11-17 Defendants in K11-2, K11-7, and K11-10, and are facts that conclusively prove the K11-17 charges.

186. K11-2: D.E. 4-1 Page 33 of 254 – Article NYT May 18, 1998 – “Insurers Swindled Jews, Nazi Files Show”: “The documents, which abound with anti-Jewish slurs, include a confidential industry estimate that at least 19 of the 43 German fire insurance companies stood to suffer losses for the year if they fulfilled their obligations to Jewish policyholders for Kristallnacht. That contradicts an assertion of some German insurers that they did not profit from the Holocaust.” (Exhibit 30).

187. K11-2: D.E. 4-1 Page 28 of 254 – Article The Guardian November 26, 2016 – “Family’s quest for truth reveals top insurer’s link to SS death camps”: “After Gold’s book was published, an executive of Ergo, the company that now owns the insurer, allowed her to see the archive recording the activities of the firm during the Nazi era. They revealed that the SS, which ran factories in the camps at Auschwitz, Buchenwald and Stutthof, close to what is now Gdansk, paid a consortium of firms, including the Victoria, premiums of 3.7m reichsmarks a year (£320,000 at 1939 exchange rates) to insure the factories ... “They didn’t insure the workers,” says Gold. “They were too easily replaced.” (Exhibit 30)

188. K11-2: D.E. 4-1 Page 95 of 254 – Statement of historical fact of insurance/banking industry’s critical role in the trans-Atlantic slaving industry and Nazi Holocaust – “The Slaving-Nazi-Insurance Axis”: “The common thread connecting the slaving industry, the Nazi atrocities and the “War on Doctors” (1990 to the present) is the ruthless/genocidal for-profit insurance/banking industry/machine of which Defendants Allstate/Geico/TD/Northern Trust/Boston Partners are members ... The atrocities/crimes (murder/manslaughter/enslavement/economic servitude/human trafficking/imprisonment) against humanity of the slaving industry/the holocaust/the targeted extermination of the

infirm/specific racial groups continues to be perpetrated today in the United States by the insurance industry against ethnic minorities, occupied principally by immigrants/Indians/Hispanics/Blacks ... Similarly, the insurance industry propaganda machine has concealed from the American public its "War on Doctors" and patients with chronic illnesses. It has concealed its pervasive corruption of the judiciary and crooked physicians willing to provide false testimony against physicians to whom the insurance industry owes money, in order to have these physicians (mostly Indians) eliminated through incarceration/loss of livelihood/license suspension/revocation/suicide/social ostracization/professional ostracization." (Exhibit 30)

The insurance industry's four hundred (400) year-plus "pattern" of profit purposed racketeering/human rights violations/crimes against humanity continues in its ongoing abuse of American investigative/prosecutorial/adjudicative agencies in the filing/procuring of false criminal indictments/prosecutions/incarcerations of innocent ethnic minority physicians.

189. In the five (5) week trial of Dr. Lesly Pompy (USA v Dr. Lesly Pompy (18-cr-20454)), a physician from Haiti acquitted on all thirty-eight (38) counts (Exhibit 31), there emerged evidence on December 2, 2022, in the form of testimony from a James Stewart Howell, an ex-police officer/Blue Cross Blue Shield 'undercover investigator'/Government witness, that detailed the massive schemes of fraud perpetrated against principally ethnic minority physicians by Blue Cross Blue Shield and governmental persons/agencies.

190. Plaintiff Kaul incorporated the transcript of this testimony into the matter of Kaul v BCBS/Marino: 23-CV-00518 (K11-11) (D.E. 1-4) and submits into K11-17 an excerpt of the K11-11 Complaint (Exhibit 31), which contains facts pertaining to racial targeting and insurance industry "patterns of racketeering" that are highly probative of the claims in K11-17:

191. "In 2018, Dr. Lesly Pompy, a Michigan based interventional pain physician of Haitian origin, was indicted by the US Government on charges of healthcare fraud, in a case almost identical to that filed against Dr. Anand" (Exhibit 31).

192. "However, during the trial evidence emerged of the fraudulent schemes perpetrated by the Blue Cross Blue Shield corporations in their efforts to entrap knowingly innocent physicians, mostly of whom belonged to ethnic minorities" (Exhibit 31).

193. "During the testimony of a James Howell, an ex-police officer employed by Blue Cross Blue Shield to manufacture entrapment schemes, Howell testified that in furtherance of these schemes he was provided fraudulent medical documents, driving licenses and other official documents by agencies/persons of the State of Michigan and physicians employed by Blue Cross Blue Shield" (Exhibit 31).

194. "Howell's prior testimony in various other prior court proceedings had resulted in the wrongful conviction and incarceration of other ethnic minority physicians, all of whom continue to languish in jail" (Exhibit 31).

195. “The trial of Dr. Pompy unequivocally establishes the “pattern of racketeering” being perpetrated by the American insurance industry and specifically the Blue Cross Blue Shield corporations, and corroborates the claims that Kaul has asserted within The Kaul Cases, since 2016.” (Exhibit 31).

The American insurance industry’s schemes of racial discrimination/asset seizure and commercial conspiracies with governmental agencies against ethnic minority physicians (Hispanic/Black/Indian) are almost exact replicas of those perpetrated against Jews by German industrialists and the Nazi Government as detailed in the final reports of the Nuremberg Trial.

196. The parallels between the Nazis persecution of the Jews/others (1933-1945) as detailed in the Nuremberg trial/final report and the American persecution of ethnic minority physicians by an insurance industry-government totalitarianism (1990s and ongoing) is more than coincidental, and is fact, simply a continuation of the four hundred (400) year-plus “**pattern**” of profit purposed racketeering/human rights violations/crimes against humanity. Irrefutable evidence of these crimes against humanity was released by the American Government under a FOIA request, and was published as part of a May 17, 2023, press release issued by Plaintiff Kaul.

197. US INSURANCE GIANT, BLUE CROSS BLUE SHIELD, HAS EXPOSED ITS TARGETING OF ETHNIC MINORITY PHYSICIANS FOR MASS INCARCERATION”

<https://www.drrichardkaul.com/so/200WhtSL1?languageTag=en>

198. In fact, the Flexner Report (Exhibit 32) provides historical evidence that corroborates the facts within the press release. The Report, published in 1910 at the behest of the Carnegie and Rockefeller Corporations, set forth a plan to design and control every element of medical education/licensing in order to subjugate the medical profession to corporate interests.

199. Within this scheme there was engineered a structural racism that continues today, and within which for-profit healthcare corporations, such as Defendants FSMB/Allstate/Co-Conspirator Geico conspire with governmental agencies/courts to illegally profit through exploitative schemes of false indictment/prosecution/incarceration and asset seizure of ethnic minority physicians: **“Many aspects of the present-day American medical profession stem from the Flexner Report and its aftermath. The Flexner report has been criticized for introducing policies that encouraged systemic racism.”**

200. This fact, as with many others, was submitted in K11-10, was unrefuted/uncontested/unrebutted by the Defendants and or Court and is thus admitted as a fact in support of the K11-17 claims.

FACTS RELEVANT TO THE DEFENDANTS “ONGOING PATTERN OF RACKETEERING”

The UC San Diego Physician Assessment and Clinical Education (PACE) Program

201. In approximately September 2017, Plaintiff Kaul submitted a licensure application to the Pennsylvania Medical Board, and on February 7, 2020, an administrative court conducted a hearing.

202. Plaintiff Kaul's application was granted on May 27, 2020, on the condition he complete a so-called physician 'assessment course'. In April 2022, Plaintiff Kaul applied to K11-8 Defendant UC San Diego Physician Assessment and Clinical Education PACE Program ("**PACE**"), and from May to July 6, 2022, he underwent the first part of the course, which consisted of two (2) recorded interviews, that were conducted virtually.

203. On July 21/22 Plaintiff Kaul underwent the second part of the assessment, which was conducted on-site in San Diego, was video recorded and for which Plaintiff Kaul generated contemporaneous notes.

204. On October 17, 2022, K11-8 Defendant PACE issued a report replete with knowing falsehoods, as evidenced by Kaul's audio recordings/contemporaneous notes. Plaintiff Kaul repeatedly requested he be provided a copy of his case file/video record, but none was provided, and so Plaintiff Kaul filed suit against Defendant PACE on May 24, 2023, in the United States District Court for the Southern District of California (23-CV-0955) (K11-8), in which Plaintiff Kaul details the conflictual commercial nexus between Defendant PACE and Defendant FSMB.

The New York State Medical Board

205. Plaintiff Kaul's February 2021 application to the New York State Medical Board caused this board, in collusion/conspiracy with **The Kaul Cases** Defendants (NYS Medical Board is a commercial partner of Defendant FSMB) to perpetrate a fraud that his application was denied based on a supposed board subcommittee's purported opinion of a "**question of moral suitability**". This was and is a lie.

206. Plaintiff Kaul filed a petition in the New York State Supreme Court seeking a copy of this supposed opinion. The petition was denied on January 3, 2022, and Kaul moved in the First Department of the Appellate Court.

207. Notwithstanding the pendency of the matter in the Supreme Court, the New York State Medical Board scheduled a virtual hearing on October 3, 2022, a hearing attended by approximately twelve (12) persons, including a hearing officer and counsel for the board. The matter was abruptly truncated when Plaintiff Kaul alerted the panel that the issue of the board's fraud was pending in the appellate court.

OTHER FACTS

208. Other relevant facts are incorporated into the legal claims. However, the most salient and irrefutable facts of **The Kaul Cases** Defendants' guilt are found within their ill-conceived May

27, 2021, kidnapping of Plaintiff Kaul, their June 14/15 illegal arrest-imprisonment-attempted drugging-killing and their seven-plus-years (2016-2022) commission of securities fraud.

209. These facts, in conjunction with the perjury/obstruction of justice/mail fraud/wire fraud/kickbacks/honest services fraud/extortion/bank fraud/bankruptcy fraud/racketeering/conspiracy/public corruption/judicial corruption/false imprisonment/false arrest committed by **The Kaul Cases** Defendants from 2008/2009 to 2023, are deemed admitted pursuant to F.R.E. 801(d)(2)(b), because they have not, nor could they ever be, denied.

210. The facts in **The Kaul Cases** are irrefutable proof of the K11-17 Defendants grand corruption of American judicial/political/medical bodies, and the effect of that corruption on the Plaintiffs' domestic/international rights/privileges/liberties.

LEGAL CLAIMS

COUNT ONE

Association-In-Fact Enterprise: State of North Carolina-State of Colorado (“SNC-SC Association-In-Fact Enterprise”)
Defendant Persons: CPEP/FSMB
Co-conspirators: Defendant Solomon/Allstate/Christie
RICO Predicate Acts: Wire Fraud/Bribery/Witness Tampering/Evidential Tampering

Overview:

211. In a period commencing in early 2023, Defendant CPEP after having been contacted on January 11, 2023, by Plaintiff Kaul regarding the conduction of a physician assessment course as per the February 8, 2021, final order of the Pennsylvania Medical Board, did enter into a knowingly illegal conspiracy with Defendant FSMB and indirectly with co-conspirators Defendants Solomon/Allstate/Christie.

212. The purpose of the conspiratorial scheme was to prevent Plaintiff Kaul from obtaining his Pennsylvania license by manufacturing a false reason/s to fail Plaintiff Kaul on the physician assessment.

213. Defendants CPEP/FSMB recognized that the issuance to Plaintiff Kaul of his Pennsylvania license would cause his economic resurgence, which would facilitate his ability to prosecute **The Kaul Cases** Defendants.

214. Defendants CPEP/FSMB recognized that an enhanced prosecutorial ability would facilitate the emergence of evidence as to the crimes of **The Kaul Cases** Defendants and their co-conspirators.

215. Defendant CPEP, a subjugate element of Defendant FSMB, an entity from whom it derives the majority of its business, did use the US wires to exchange information with Defendant FSMB in the conception/development of the scheme to fail Plaintiff Kaul.

In these communications the following points were agreed upon:

216. Defendant CPEP would deceive Plaintiff Kaul into believing it would conduct an honest and impartial evaluation.

217. Defendant CPEP would financially defraud Plaintiff Kaul for a service it knew it would conduct fraudulently.

218. Defendants CPEP/FSMB recognized that their misconduct and use of the US wires to perpetrate such misconduct was illegal but persisted in the belief, quite incredulously, that Plaintiff Kaul would not expose their crimes.

219. Defendants CPEP/FSMB were convinced that Plaintiff Kaul would not expose their crimes because they expected that a purported nationwide ‘injunction’ entered (albeit a ‘Fraud on the Court’) on September 12, 2022, in K11-7 by U.S.D.J. James Paul Oetken in the SDNY (**Exhibit 14**) would cause Plaintiff Kaul to believe he was foreclosed from filing claims against them/others for both “**ongoing**” and “**new**” racketeering injuries. Defendants expectation is knowingly contrary to the law: Lawlor v. National Screen Service Corp., 349 U.S. 322 (1955) + Sedima, S.P.R.L. v. Imrex Co., Inc., 473 U.S. 479 (1985)

Wire Fraud:

220. Defendant CPEP’s knowledge of the nature/character of acts that substantiate the elements of the RICO predicate act of wire fraud pre-dated their January 2023 entry into **The Kaul Cases** Defendants “**ongoing pattern of racketeering**”.

221. Defendant CPEP entered the conspiracy, so to speak, with their ‘eyes wide open’ and with a willful/knowing/malicious intention to cause/perpetuate harm to Plaintiff Kaul’s life/liberty/property, the principal purpose of which was an attempt to conceal the crimes of **The Kaul Cases** Defendants.

222. Defendant CPEP was motivated to enter the conspiracy as it’s commercial survival is inextricably intertwined with that of Defendant FSMB and its for-profit healthcare corporation quid pro quo collaborators.

223. Defendant CPEP did, with a knowing illegality, use the US wires to transmit information in furtherance of **The Kaul Cases** Defendants scheme to attempt to obstruct Plaintiff Kaul’s efforts to have reinstated his 2014 illegally revoked New Jersey license/obtain a license in any state.

224. Defendant CPEP did, with a knowing illegality, use the US wires to transmit information in furtherance of **The Kaul Cases** Defendants scheme to attempt to obstruct Plaintiff Kaul’s efforts to procure justice/compensation in the United States District Court by hindering his license related economic ability to prosecute the claims.

225. Subsequent to Defendant CPEP’s entry into the conspiracy, it transmitted fraudulently purposed communications across the US wires with Defendant FSMB on hundreds of occasions, the content and subject matter of which pertained to the above agreed upon points.

226. Defendant CPEP did know that the transmission of each communication constitutes sufficient fact for the charge of a separate count of wire fraud.

227. Defendant CPEP, despite knowledge of the civil/criminal liability associated with its wire fraud offenses, did nonetheless perpetrate these crimes in the conviction that Plaintiff Kaul would not expose the crimes and even if he did, he would be precluded from holding liable Defendant CPEP and **The Kaul Cases** Defendants.

Bribery:

228. Defendants FSMB/CPEP engage in multiple quid pro quo schemes of bribery with for-profit healthcare corporations, in which they receive monies in exchange for causing, aiding/abetting and or otherwise facilitating the elimination from and obstruction of re-entry into the healthcare market of physicians who either threaten or fail to support corporate agenda/profits.

229. Defendants CPEP/FSMB manufacture and publicly propagate lies to justify and provide 'cover' for their schemes of profit purposed grand corruption and racketeering, the so called COVID 'vaccine' being the most recent.

230. One of Defendants CPEP/FSMB most frequently propagated lie is that the targeted physician, mostly an ethnic minority individual, is allegedly incompetent and a threat to public safety.

231. In furtherance of this lie Defendants CPEP/FSMB conspire with state medical boards to conduct fraudulent legal proceedings in which evidence is tampered with/falsified and witnesses are suborned to perjury in order to substantiate corruptly engineered foregone conclusions of license revocation.

232. In conjunction with Defendants CPEP/FSMB bribery related license revocation schemes are the license reinstatement/issuance obstruction schemes, in which Defendant CPEP and other so called 'physician assessment programs', which coincidentally are owned/overseen by nurses/lawyers/businessmen, do 'fail' targeted physicians, and particularly those that fight for their rights, such as Plaintiff Kaul.

233. Within this "HIPIC-FC" system of tyrannical medical boards/regulatory agencies that conduct the 'dirty work' or 'dirty war' of the for-profit healthcare corporations, those physicians who seek justice/truth and who fight for their human/civil/constitutional rights are further targeted through criminally conducted elimination schemes and reputational injury, as was/is Plaintiff Kaul (Exhibit 33): **"It also became apparent to Plaintiff Kaul that Defendant Christie's scheme involved attempting to have Plaintiff Kaul held for as long as possible, with the intention of having him, while in a mentally incapacitated state, physically injured/killed, in order to prevent him from continuing his prosecution of The Kaul Cases by his elimination through either death or severe physical/psychological injury."**

234. Defendants CPEP/FSMB corporate-charity structures provide some of the conduits through which bribes are funneled, while other bribe-monies are funneled towards the paying of personal expenses for senior members of Defendants CPEP/FSMB.

Witness/Evidential Tampering:

235. Defendants CPEP/FSMB schemes of physician elimination (license revocation/reinstatement + issuance prevention) necessarily involve causing witnesses

(patients/physician 'experts') to lie in legal/associated proceedings in order to pervert the 'means' to justify the 'ends'.

236. Defendants CPEP/FSMB identify and repeatedly use the same corrupted/conflicted witnesses in furtherance of their schemes, witnesses whose annual incomes rely substantially on monies received from Defendants CPEP/FSMB and other so called 'physician assessment programs'.

237. Defendants CPEP/FSMB knew that Drs. Antony/Brown/Harned were conflicted and knew that in using these individuals in the February 22/23, 2023, assessments did constitute a knowing violation of Plaintiff Kaul's due process rights.

238. Defendants CPEP/FSMB knew that Drs. Antony/Brown/Harned (the assessment physicians) were conflicted and knew that in using these individuals in the February 22/23, 2023, assessments did constitute a knowing/willful 'Fraud on the Court', a fraud to which Plaintiff Kaul has been subjected since at least 2010.

239. Defendants CPEP/FSMB were motivated to continue the perpetration of such a fraud because their economic survival is inextricably intertwined with that of The Kaul Cases Defendants, and economic/professional/reputational advances by Plaintiff Kaul equate to their equivalent retreats by The Kaul Cases Defendants.

240. Defendants CPEP/FSMB conspired with Antony/Brown/Harned to ensure their reports would be false representations of the case discussions with Plaintiff Kaul in order to cause a 'fail' of the assessment program, and thus a non-issuance of his Pennsylvania license.

241. Defendants CPEP/FSMB believed that their scheme to have falsified documents submitted onto the assessment record would go undetected/unprovable, as Defendant CPEP had inserted into their contract with Plaintiff Kaul a clause that prohibited Plaintiff Kaul from recording the virtual assessments.

242. Defendant CPEP/FSMB believed that this non-recording clause would prevent Plaintiff Kaul from obtaining evidence to prove the fraud they planned to commit.

243. Defendants CPEP/FSMB knew that in July 2022, Plaintiff Kaul had recorded his assessments with The Kaul Cases Defendant PACE, and that the recording proved Defendant PACE had falsified its report, as pled in K11-8. Therefore, Defendants CPEP/FSMB sought to prevent Plaintiff Kaul from exposing their planned falsification in a similar manner.

244. Defendant CPEP informed Plaintiff Kaul to expect the report within four (4) to six (6) weeks after the assessment, but by the end of April, Plaintiff Kaul had received no report.

245. In or around the first week of May 2023 Plaintiff Kaul commenced researching Harned, as he had seemed the most suspicious individual, in that throughout the ninety (90) minute conversation he had not once looked directly at Plaintiff Kaul. Instead, he looked down or to the side, with a demeanor of anxiety and tone that vacillated between overt aggressiveness and a bizarre superciliousness.

246. Plaintiff Kaul's research revealed that Harned was a director of the Kentucky chapter of **The Kaul Cases** Defendant, American Society of Interventional Pain Society ("**ASIPP**"), an organization that in 2012 publicly criticized Plaintiff Kaul for performing percutaneous spinal fusions and a member of whom (Andrew Kaufman, MD) testified against Plaintiff Kaul in the 2012-2013 license revocation proceedings. However, since at least 2016, **The Kaul Cases** Defendant ASIPP has taught its members how to perform the percutaneous spinal fusion procedure invented by Plaintiff Kaul in 2005.

247. **The Kaul Cases** Defendant ASIPP/Members motivation for criticism was professional jealousy, in that most of these individuals did not possess the skill to conduct such procedures, including Harned/Antony/Brown. It was more expeditious for them to 'gang-up'/bribe a corrupt governor/defame Plaintiff Kaul than strive to emulate, a conspiracy subsequently aided/abetted, for the purposes of crime concealment, by Defendants CPEP/FSMB's ill-conceived February 2023 assessment fraud.

248. Plaintiff Kaul, having established Harned's conflicted state, provided Defendant CPEP an opportunity to claim no knowledge of this offense.

249. Defendant CPEP's non-response caused a tacit admission of its knowledge that Harned was conflicted.

250. Plaintiff Kaul subsequently established that Antony/Brown were similarly conflicted, and it was at this point that Plaintiff Kaul provided Defendant CPEP an opportunity to rectify their wrongdoing and repeat the assessment with non-conflicted physicians (**Exhibit 20**).

251. Defendant CPEP's response (**Exhibit 22**) constitutes an admission of guilt and evidences a guilty state-of-mind in Defendant CPEP's comment regarding Plaintiff Kaul's sudden inappropriateness for the assessment, an inappropriateness that conveniently appeared after Plaintiff Kaul exposed their scheme.

252. Plaintiff Kaul's request for a complete copy of his file, a file for which he paid \$14,500, was denied and no report was ever issued.

COUNT TWO

Association-In-Fact Enterprise: New Jersey Medical Board-Federation State Medical Boards-North Carolina Medical Board ("NJMB-FSMB-NCMB Association-In-Fact Enterprise")

Defendant Persons: Solomon/Christie/Allstate

Co-conspirators: Geico/TD

RICO Predicate Acts: Mail Fraud/Wire Fraud/Public Corruption/Bribery

Overview:

253. In a time period commencing in or around 2010, the Defendants did conspire to commit, and did commit a knowingly illegal "**pattern of racketeering**" and did convert the New Jersey

Medical Board/Federation State Medical Boards/North Carolina Medical Board into an association-in-fact enterprise (“**NJMB-FSMB-NCMB Association-In-Fact-Enterprise**”) through and under cover of which they perpetrated the RICO predicate acts of ‘Fraud on the Court’/public corruption, that in conjunction with the other RICO schemes, were purposed to eliminate Plaintiff Kaul by attempting to prohibit his access to the courts for compensatory redress/re-procurement of a livelihood.

254. As a New Jersey administrative law judge, Defendant Solomon was subjugated to the executive branch of the New Jersey government, of which Defendant Christie, as the then governor, was the ‘executive’.

255. In a period between 2010 and 2012, Defendant Solomon entered into a quid pro quo with Defendant Allstate, in which he exited retirement for the sole purpose of adjudicating Plaintiff Kaul’s 2013 licensing case/hearing. This quid pro quo scheme was orchestrated by Defendant Christie and involved the funneling of bribes from Defendant Allstate to Defendant Solomon, in return for which he would, in a knowingly criminal act, order the illegal revocation of Plaintiff Kaul’s New Jersey license on December 13, 2013.

256. The benefit that inured to Defendant Christie from this scheme was the revocation of Plaintiff Kaul’s license, a knowingly illegal act, for the perpetration of which he had received bribes from Defendant Allstate and others.

257. The benefit that inured to Defendant Solomon was that he would re-enter retirement a much wealthier man than when he exited.

258. The benefit that inured to Defendant Allstate was that the revocation related non-payment of monies owed to Plaintiff Kaul for the provision of professional services, would translate into increased executive/shareholder compensation.

259. Defendant Christie knew that the illegal revocation of Plaintiff Kaul’s license would benefit Defendant Allstate in that Defendant Allstate would use it as an excuse to not pay Plaintiff Kaul for medical services he had rendered to Defendant Allstate’s fee-paying customers who had sustained auto-accident-related injuries.

260. Defendants Christie/Solomon/Allstate knew that their scheme constituted an illegal theft of services and deprivation of Plaintiff Kaul’s livelihood right.

261. Defendants Christie/Solomon/Allstate did nonetheless use the apparatus of state to perpetrate a knowingly illegal scheme from which they all profited at the expense of Plaintiff Kaul’s life/liberty/livelihood.

2009 - 2012

262. Defendants knowingly illegal scheme to revoke Plaintiff Kaul's license commenced in or around 2009, shortly after Defendant Christie assumed the New Jersey governorship.

263. Defendant Christie, in using the governorship as a political weapon to exact bribes/extort monies from those seeking favors/looking to escape extortionate criminal indictments filed by his subjugate attorney general, did signal his intent to trade the resources/power of the State of New Jersey in quid pro quo schemes with anyone willing to bribe him.

264. Defendant Allstate, having perpetrated schemes of judicial corruption within the State of New Jersey since at least 1999, did through intermediaries propose to Defendant Christie such a quid pro quo, in which monies were funneled into Defendant Christie's offshore financial vehicles, his political campaign/businesses associated with him and from which he profited.

265. In the conceiving/planning/execution of this scheme, Defendants Christie/Allstate agreed upon the value of the bribes and the method in which they would be delivered, with a percentage being funneled before the revocation (2010-2013) and the balance after the revocation (2014).

266. The planning/development of the scheme involved Defendants Christie/Allstate's use of the US wires in the exchange of information that included, amongst other things, which persons would be involved, the extent of their knowledge of the scheme's illegality, the risk of information leaks prior to the April 2, 2012, filing of the revocation case against Plaintiff Kaul and how to manipulate the media into propagating their knowingly fraudulent narrative.

267. A critical part of the scheme was choosing an administrative law judge whose career had ended and whom they believed needed the money, would take the risk of participating in the scheme and would lose little if the scheme was exposed.

268. Defendant Solomon was recommended to Defendants Christie/Allstate as such an individual.

269. In the period from 2010 to 2011, there were multiple communications (digital/non-digital) meetings and negotiations between Defendant Solomon and Defendants Christie/Allstate, in which they agreed upon the terms of their quid pro quo scheme.

270. Defendant Allstate provided Defendant Solomon a similar but lesser deal as the one they agreed upon with Defendant Christie, but stipulated in their corrupt pact with Defendant Solomon that their lawyers would co-draft his final opinion/order (December 13, 2013).

271. In the discussions regarding the contents of the final opinion/order, many of which were conducted over the US wires and others in face-to-face meetings, Defendants Allstate/Solomon

agreed that all of Plaintiff Kaul's witnesses (15) would be found not credible and all of Defendant Christie's witnesses would be found credible.

272. It was also agreed that any/all evidence that supported Plaintiff Kaul's case and undermined Defendant Christie's case would be excluded and that all evidence that undermined Plaintiff Kaul's case and supported Defendant Christie's case would be included and amplified.

273. It was also agreed that evidence would be falsified and tampered with as deemed necessary to substantiate the revocation and penalties.

274. It was also agreed that Defendant Christie's witnesses would be treated with immense respect, while Plaintiff Kaul and his witnesses would be demeaned and harassed.

275. It was also understood that Defendant Christie's then deputy attorney general, Doreen Hafner would coerce and cajole some of Plaintiff Kaul's patients into perjuring themselves by providing knowingly false testimony against Plaintiff Kaul.

276. It was also understood that state persons working under Defendant Christie would telephone Plaintiff Kaul's patients seeking to have them fabricate complaints about the care they received from Plaintiff Kaul.

277. Defendants Allstate/Solomon/Christie knew that evidential falsification/witness tampering/subornation perjury/fraud were crimes under state/federal law, but yet persisted in their prolonged perpetration as they believed Plaintiff Kaul would never expose their criminal conspiracy as he would be jailed/psychologically incapacitated/killed or otherwise unable to survive due to economic/reputational destruction.

278. Defendants Allstate/Solomon/Christie believed that even if Plaintiff Kaul did expose their crimes, he would not be able to initiate legal action as he would have no money to retain a lawyer and did not himself know the law.

279. Defendants Allstate/Solomon/Christie believed that even if Plaintiff Kaul taught himself the law, he would be unsuccessful in prosecuting a lawsuit as Defendants Christie/Allstate/Solomon along with The Kaul Cases Defendants would bribe and or otherwise corrupt state/federal judges into dismissing his cases.

280. Defendants Allstate/Solomon/Christie believed that if Plaintiff Kaul were able to mount a legal challenge, it would be limited to the filing of one lawsuit with the venue restricted to the District of New Jersey, a district in which they controlled the judges.

281. Defendants believed that the restriction to the District of New Jersey would cause Plaintiff Kaul's one and only lawsuit to be dismissed with prejudice by a judge who had been bribed by The Kaul Cases Defendants.

282. In the 2010-2012 planning of the scheme, Defendants Allstate/Solomon/Christie never imagined that in 2023 their crimes would be before the United States District Court for the Eastern District of North Carolina, the state into which Defendant Solomon disappeared just after he ordered the illegal revocation.

283. Defendants Allstate/Solomon-lawyer/Christie-lawyer inability to imagine such a scenario accounts for their shameless and knowingly willful commission of crime.

284. The malice with which the crimes were committed reflects Defendants Allstate/Solomon/Christie's criminal state-of-mind.

285. Defendants Christie/Allstate/Solomon agreed that as soon as Plaintiff Kaul's license was revoked (March 24, 2014), Defendant Solomon would leave the State of New Jersey and move to North Carolina to avoid and or render less likely any civil or criminal repercussions.

286. It was agreed that Defendant Solomon, upon taking residence in North Carolina would not discuss the case with anybody and would attempt to conceal his prior professional history in New Jersey.

287. It was also agreed that Defendant Solomon would inform any interested parties that his name was Howard Solomon and not his full name, which is James Howard Solomon, in order that his whereabouts would remain concealed.

2012-2014

288. Defendants Christie/Allstate/Solomon, having agreed upon the terms of their quid pro quo arrangements and the operative/structural elements of their scheme, did agree that it's perpetration against Plaintiff Kaul would commence on April 2, 2012, with the filing of a complaint to revoke his license, to be accompanied with widespread highly defamatory media coverage over the internet, radio, tv and print.

289. Defendants Christie/Allstate/Solomon and others discussed the scheme in military terms as being like that of a legal media 'blitzkrieg' that Defendants were convinced would cause Plaintiff Kaul to simply 'disappear' under a 'barrage' of legal action, civil investigations, criminal investigations, and continuously negative media coverage.

290. A critical element of the scheme was to attempt to isolate Plaintiff Kaul from any kind of professional/economic/social support in order that he be unable to find legal representation, medical experts, and or witnesses to testify on his behalf.

291. Defendants Christie/Allstate/Solomon and others, in believing that Plaintiff Kaul would indeed be professionally/economically/socially isolated and thus either unable to mount any defense or a minimal defense did schedule only six (6) days for the hearing, most of which they believed would be occupied by the testimony of their witnesses.

292. Defendants Christie/Allstate/Solomon believed that Plaintiff Kaul would depart the United States shortly after the commencement of their 2012 legal media ‘blitzkrieg’, or as communicated to one of Plaintiff Kaul’s then lawyers (Paul Schaff) by a person within the office of the NJ AG: **“He [Kaul] is probably going to pack his bags and leave”**

293. It was this mistaken belief regarding Plaintiff Kaul’s departure that caused Defendants Christie/Allstate/Solomon and others to experience no sense of risk/danger in perpetrating their crimes by, through and with state persons/authority/apparatus.

294. This mistaken belief was further bolstered by Defendants conviction that Defendant Christie would become the 2016 US President, and would, if Plaintiff Kaul did not depart, use its power to have Plaintiff Kaul eliminated, in the same manner as he had abused the power of the office of the US Attorney (2001-2009) to eliminate his political opponents (Democratic donor Charles Kushner/Governor James McGreevey/Mayor Sharpe James) or those who refused to support him (Fort Lee Mayor Mark Sokolich). Political Gangsterism.

295. With the commencement of the scheme on April 2, 2012, Defendants used the US wires to exchange information regarding media coverage, legal proceedings and the ongoing incitement and conspiracy with patients/insurance companies to file lawsuits against Plaintiff Kaul, as part of Defendants ‘blitzkrieg’.

296. In the time period from April 2, 2012, to August 2012 Defendants Christie/Allstate/Solomon and their agents used the US wires to disseminate orders to every legal/medical professional in New Jersey to refuse to assist Plaintiff Kaul if he/his lawyer so requested, the purpose being to render him unable to fight the revocation case.

297. Shortly after the April 2, 2012, commencement, persons who had initially pledged support did withdraw, a withdrawal that coincided with the rescindment of loans/closure of accounts by **The Kaul Cases** Defendant TD, Plaintiff Kaul’s then bank. A central element of the scheme was the destruction of Plaintiff Kaul’s economic standing.

298. Despite the highly concerted and conspiratorial organization of the scheme, Defendants were not successful in preventing Plaintiff Kaul from finding counsel to prepare an opposition to the revocation case.

299. However, Defendants inability to prevent Plaintiff Kaul’s case preparation did not deter them from continuing their sabotage, and approximately two (2) weeks before the April 9, 2013, commencement of the hearing with Defendant Solomon, Plaintiff Kaul’s then lawyers were told by Defendant Christie/agents that Defendant Solomon had been ordered to revoke Plaintiff Kaul’s license regardless of what evidence he presented.

300. Consequently, two (2) weeks before the hearing commencement, Plaintiff Kaul’s lawyers demanded \$200,000 with the threat that if Plaintiff Kaul did not pay them within twenty-four (24) hours they would withdraw from the case,

301. Twenty-four (24) hours later they withdrew from the case as Plaintiff Kaul did not have the funds and had already paid them approximately \$200,000.

302. Within three (3) days a lawyer with whom Plaintiff Kaul had worked since 2007 agreed to represent him at the hearing, which commenced on April 9 and concluded on June 28, 2023.

303. On December 13, 2013, Defendant Solomon issued a knowingly fraudulent opinion/order and used the US wires to transmit the document in furtherance of the scheme of Defendants Solomon/Allstate/Christie and The Kaul Cases Defendants to destroy Plaintiff Kaul's life/liberty/property.

304. Defendant Solomon recommended revocation and a three hundred thousand dollar (\$300,000) 'fine'. He knew this number was purposed to extort Plaintiff Kaul, knew it was illegal, knew it was part of Defendants illegal scheme and knew it was caused into existence through nothing but Defendants criminal conspiracy.

305. Defendants Solomon/Christie, both lawyers, knew that that December 13, 2013, opinion/order was a 'Fraud on the Court', a fraud that was illegally incorporated into subsequent multiple legal proceedings and caused the issuance of fraudulent judgements/multi-million-dollar payouts on fraudulent medical malpractice claims.

306. In the time period from April 2, 2012, to December 13, 2013, Defendants scheme caused Plaintiff Kaul's corporations to file for Chapter 11 bankruptcy and the fraudulent filing of multiple lawsuits against Plaintiff Kaul in state/federal courts in New Jersey by ex-patients/insurance companies (Defendant Allstate/The Kaul Cases Defendant Geico) and other persons/entities owed money by Plaintiff Kaul's corporations.

307. Defendant Solomon's knowingly fraudulent opinion/order was disseminated across the US wires/internet to state/federal/international healthcare/regulatory agencies (state medical boards/DEA) and state/federal investigative/prosecutorial/adjudicative agencies as part of Defendants ongoing attempt to eliminate Plaintiff Kaul.

2014 – 2023:

308. From the inception of Defendants scheme, it was their intention to destroy Plaintiff Kaul's life/property and to deprive him of his liberty, and to do so through an ongoing deprivation of his economic/reputational standing in order to attempt to prevent him from exposing their crimes. The Kaul Cases Defendants conspiracy commenced in 2005/6 and its ongoing-ness in 2023 is consequent to The Kaul Cases Defendants scheme to attempt to prevent Plaintiff Kaul from causing further evidential exposure of their crimes. The conspiracy's ongoing-ness is one cause of the continued cause of action generation. The Kaul Cases Defendants are trapped between either admitting their crimes/remediating Plaintiff Kaul (NJ license

reinstatement/compensation/public apology) or devoting decades/millions dollars to defending against The Kaul Cases.

309. In this time period the Defendants, as did others, came to know that if Plaintiff Kaul were to continuing prosecuting claims against them, he would ultimately prevail in procuring remedies to the eleven-year-plus (11 +) injuries (2012-2023) Defendants have caused and continue to cause Plaintiff Kaul.

310. In this knowledge and seeking to “shut Kaul down” the Defendants and The Kaul Cases Defendants did bribe senators/judges and corrupt courts in an attempt to thwart Plaintiff Kaul’s prosecution of The Kaul Cases, one example being the corruptly engineered September 12, 2022, purported injunction from a district judge in New York.

311. However, immediately after the March 24, 2014, revocation, Defendants, and others were convinced they had ‘gotten away’ with their crimes of bribery/subornation perjury/evidential tampering/witness tampering/wire fraud/public corruption/honest services fraud/kickbacks and overall “**patterns of racketeering**”.

312. Defendant Allstate in finalizing the final bribes to Defendants Christie/Solomon did continue to use the US wires in the transmission of confirmation of how and where the bribes were transmitted, such was their confidence that Plaintiff Kaul would be caused to exist or effectively exist.

313. From 2014 to 2016, Defendants continued to perpetuate the publishing of defamatory articles about Plaintiff Kaul, to coincide with every illegal judgment from every illegal case filed in the New Jersey courts.

314. Every time a defamatory article was published, the New Jersey journalists (Lindy Washburn/Susan Livio) would enquire of Plaintiff Kaul’s then lawyer if Plaintiff Kaul had left the country, the reason being that if he had, it would signal to The Kaul Cases Defendants a minimal likelihood of their crimes being exposed. Livio/Washburn did The Kaul Cases Defendants bidding.

315. Defendants intended and knew that the illegal cases/deleterious effects precipitated by the events of the previous years (2010-2014) would continue for many years (2014-2023) and would cause “**ongoing**” and “**new**” injuries to Plaintiff Kaul in many jurisdictions.

316. Defendants knew that the illegal cases would continue in the New Jersey courts as the state judges, many appointed and still under the gubernatorial control of Defendant Christie, would ensure knowingly illegal multi-million-dollar judgements against Plaintiff Kaul.

317. In January 2019, Defendant Allstate, central to the criminal conspiracy and having filed knowingly false lawsuits against Plaintiff Kaul since 2006/7 purposed to harass/deprive Plaintiff

Kaul of payments due him, did procure an illegal judgment for almost six million dollars (\$6,000,000) from a state court judge appointed by Defendant Christie.

318. Defendant Allstate and other insurance companies had since at least 1999 been involved in a massive racketeering scheme within the New Jersey courts in which they bribed judges in return for entering judgements against physicians and other so called 'healthcare providers'.

319. The purpose of this racket was to eliminate physician/surgical center market competitors and increase executive/shareholder compensation through theft of services/extortion perpetrated under the cover of corrupt judges/courts/politicians.

320. Defendants continuation of this **"ongoing"** court-based racket against Plaintiff despite the Wall Street Journal's September 2021 articles regarding judicial corruption/recent 2023 subpoenas by the Senate Judiciary Committee as to persons who participated in judicial corruption, evidences the risk they and others are prepared to take to attempt to prevent Plaintiff Kaul from further exposing their past/ongoing crimes.

321. In this period, occurring concurrently with Defendants corruption of the courts, has been their conspiracy with Defendant FSMB to obstruct Plaintiff Kaul's efforts to have his illegally revoked NJ license reinstated and or obtain a license in any other state including North Carolina, willful injuries that are ongoing, cumulative, and compounding in their causation of monetary damages.

322. In the most recent of **The Kaul Cases** (K11-14/K11-15), the Defendants waived an opportunity to mitigate their damages in refusing to discuss settlement at a Rule 26 Conference on October 20, 2023, a repeat of their refusal to participate in a Rule 26 Conference in K5 on January 26, 2021.

323. Defendants willfulness/contumaciousness in continuing to violate Plaintiff Kaul's human/civil/constitutional rights by obstructing his licensing reinstatement/issuance efforts and his good faith efforts at dispute mediation are continuing to cause **"new racketeering injuries"** to Plaintiff Kaul's life/liberty/livelihood for which the law substantiates new claims (Lawlor v. National Screen Service Corp., 349 U.S. 322 (1955); Sedima, S.P.R.L. v. Imrex Co., Inc., 473 U.S. 479 (1985)) as are now filed in K11-17, and will continue to be filed until the current eleven-plus-years (11+) of injury caused to Plaintiff Kaul by **The Kaul Cases** Defendants are compensated for and remediated.

COUNT THREE

**Association-In-Fact Enterprise: Corporations-Governments-FSMB//Co-conspirator NCMB
IAMRA-Medical Boards/Councils-NYSE (“CFN Association-In-Fact RICO Enterprise”)**

Defendant Person: FSMB

Co-conspirator NCMB

**Co-conspirators: Pfizer/Moderna/Astra Zenica/Johnson + Johnson + Corporate Media
RICO Predicate Acts: Wire Fraud/Murder/Manslaughter/Public Corruption/Bribery/Money
Laundering**

Overview:

324. In a time period commencing in or around May 2020, Defendant FSMB/Co-conspirator NCMB /agents in collusion and conspiracy with co-conspirators Pfizer/Moderna/agents and others did order American state medical boards and coerce foreign medical councils to compel, under penalty of license suspension/revocation and or medical registration suspension/erasure, its physicians to deceive patients into being inoculated with an mRNA compound that patients were falsely led to believe was a vaccine against COVID, but that Defendant FSMB/Co-conspirator NCMB and its corporate/state medical board co-conspirators knew was not only not a vaccine, but a substance with lethal toxicity.

325. Defendant FSMB/Co-conspirator NCMB/co-conspirators were motivated by profit and used the apparatus of law, medicine, business, and government to perpetrate through and attempt to conceal a knowingly illegal scheme/crime against humanity, that involved the commission of a global “**pattern of racketeering**” that converted the NYSE/State Medical Boards/Foreign Medical Councils/American State Governments/Foreign Governments into an association-in-fact enterprise (“**CFN Association-In-Fact RICO Enterprise**”).

326. The RICO predicate acts included and include fraud/murder/manslaughter/public corruption/bribery/money laundering.

The “CFN Scheme”:

327. The scheme involved the sudden and unscientifically explained appearance of the COVID-19 virus (SARSCoV2) in or around late 2019 and was rapidly followed by corporate-government emergency orders that forced/coerced the public into becoming inoculated with the mRNA compound/complying with so called draconian ‘lockdowns’/bankrupting businesses/closing schools/forcing the useless wearing of masks/restricting travel and arresting/jailing/fining/otherwise penalizing citizens who chose not to comply with these dictates.

328. Defendants FSMB/Allstate/Co-conspirators NCMB/Geico/TD and their corporate co-conspirators/shareholders generated profits in the billions from the sale of the so-called vaccine to governments, who used tax payer funds to purchase the so called ‘vaccine’.

329. Structure: In order to attempt to conceal and mitigate the civil/criminal liability of all persons associated in any manner with any element of the conception/research/development/production/marketing/public relations/distribution/storage/professional coercion/defamation of so called 'anti-vaxers/dispensation/inoculation or any aspect with any relevance/connection/association to any facet of the process, Defendant FSMB/Co-conspirator NCMB and its corporate co-conspirators established a structural hierarchy, through which communications were conducted in a strict manner that limited them, in a militaristic manner, to persons/agencies immediately above or below in the hierarchy in an attempt to create a plausible deniability defense

330. The five (5) tiers in descending order are: **(i) Corporations/Corporate Media:** the CEOs/Agents of the toxin manufacturers, that include CEO Joaquin Duato/Agents (Johnson + Johnson) CEO Albert Bourla/Agents (Pfizer), Pascal Soriot/Agents (Astra Zeneca) and CEO Stephane Bancel/Agents (Moderna); **(ii) Government:** persons within the US Food and Drug Administration that authorized the dispensation of the toxin and persons within the US Treasury that authorized tax payers money be diverted to the toxin manufacturers and persons within the US DOJ that provided immunity to the toxin manufacturers AND persons within international governments/agencies who authorized the use of the toxin and the transfer of wealth from the 'public purse' to the corporate toxin manufacturers; **(iii) FSMB/Co-conspirators NCMB/IAMRA:** Defendant FSMB/Co-conspirator NCMB, its CEO/Directors including Humayun Chaudry/Lisa Robbins/Agents and the International Association Medical Regulatory Agencies (IAMRA)/Agents; **(iv) Medical boards/councils:** the executive directors of all medical boards/councils/Agents; **(v) Medical boards/councils:** the physician/lay person members of all American state medical boards/international medical councils/Agents.

331. Functions: The principal and only function of the "CFN Scheme" is corporate/shareholder profit, which was/is achieved through governments knowingly illegal diversion of tax payers money to 'vaccine' manufacturers in exchange for the 'vaccine'.

332. However, for the scheme to work it required the participation of Defendant FSMB-/IAMRA and its coercive, punitive, and potentially life-ending 'policing powers' within the global medical profession, to force physicians to both receive and dispense the 'vaccine'.

333. Within the scheme there exist communication channels within and between persons in each tier and a covert system through which bribes/other monies were/are secretly funneled in either tax avoidance/evasion schemes. Taxpayers money became distributed, albeit unevenly, throughout the scheme's participants.

334. The overall coordination of the scheme is conducted by the Corporations/Agents, who use their Corporate Media as a 'whip' to control/intimidate/direct the public and publicly humiliate those that attempt to expose/expose their crimes against humanity.

335. Suppression of free speech regarding the toxicity of the 'vaccine' is a critical element for the perpetration of the scheme, and is achieved by the Corporate Media not reporting the

toxicity/complications/deaths associated and or caused by the 'vaccine', and by the manipulation of internet search algorithms in an attempt to 'bury' such information.

336. To ensure the schemes profits were protected from lawsuits expected by the Corporations, and as further evidence they knew of the 'vaccine's' toxicity, governmental agencies provided them immunity against lawsuits and established so called 'Vaccine Injury Funds to attempt placate the public. Defendant FSMB/Co-conspirator NCMB/IAMRA have no such immunity.

337. For the scheme to have been successful, it required the knowingly illegal use of the US wires/other modes of digital/non-digital communication to propagate/perpetuate lies/pretexts regarding the safety/effectiveness of the 'vaccine', the symptom mitigating effect of the 'vaccine' and the increased risk of morbidity/mortality of not being 'vaccinated'.

338. The scheme was also furthered by the effect of having publicly ostracized/punished members of the public who refused to be inoculated, this function including the deployment of economic/reputational/social/professional pressure to force the 'vaccine' objectors into becoming inoculated or becoming homeless/poverty stricken/socially ostracized.

The "CFN Association-In-Fact RICO Enterprise" ("CFN")

339. The "CFN" is pled consequent to the pleading of the RICO predicate acts and a "**pattern of racketeering**", which in this case has involved billions of RICO predicate acts, from the conception to the inoculation to the fraud/lies preceding/surrounding/concealing the crimes against humanity, as are codified within the Nuremberg Code.

340. Structure: The elements comprising the "**CFN Association-In-Fact Enterprise**" are (i) Corporations/Corporate Media; (ii) Government; (iii) FSMB/Co-conspirator NCMB /IAMRA Medical Boards/Councils are separate legal entities that coalesced through conspiracy for the purpose/act of perpetrating a knowingly illegal profit purposed scheme (coerced/forced/mandated 'vaccination') and for the purpose of attempting to use the 'cover' of government/regulatory agencies to conceal and or otherwise legitimize their crimes against humanity.

341. The knowing/willful/conspiratorial nature of the crimes and the construction of a legal artifact to attempt to conceal/legitimize/immunize against the crimes, do deprive of any immunity (limited/qualified/absolute) the separate legal entities and the "**CFN Association-In-Fact Enterprise**" and thus specifically, the purported immunity granted to the 'vaccine manufacturers' is deprived, and they are therefore subject to suit.

342. Function: The principal purpose of the "**CFN Association-In-Fact RICO Enterprise**" was/is a conduit and 'cover' for the concealed perpetration of a knowing crime against humanity.

343. The mechanism of these two functions – conduit/cover - consists respectively of: (i) the scheme and its “**pattern of racketeering**” required and indeed could not have been perpetrated absent the “**CFN**”, which is a critical conduit for the scheme’s commission. The power of the “**CFN**” to act as a conduit is illegally derived from the power of government, which itself is derived from the power of the people, and for the “**CFN**” to act as a conduit without the risk of global revolution (revolution already underway in France), required the public be deceived by the “**CFN**” elements into believing the ‘vaccine’ was indeed a vaccine and was safe/effective, which it is not; (ii) the scheme’s ‘cover’ was effectuated by the perpetration of lies by and through persons/agencies within governmental, non-governmental and media structures with an apparent legitimacy and ‘expertise’ in healthcare/regulatory related matters.

The RICO Predicate Acts

344. Wire Fraud: In a period commencing in approximately late 2019/early 2020, if not before, Defendant FSMB/Co-conspirator NCMB commenced conspiring to commit and did commit millions of ongoing acts of wire fraud in the furtherance/perpetration of the knowingly fraudulent “**CFN**” scheme, a scheme from which Defendant FSMB/Co-conspirator NCMB profited from the receipt of bribes from manufacturers of the ‘vaccine’ and associated testing/prevention paraphernalia.

345. The fraudulent communications, transmitted across the US wires, were conducted with their co-conspirators in government and the CEOs/agents at Pfizer/Moderna/Johnson + Johnson, and were purposed to and did in fact increase corporate/shareholder profit and ensure ongoing governmental kickbacks.

346. Defendant FSMB/Co-conspirator NCMB /co-conspirators committed these acts at the knowing expense/exploitation of human life.

Defendant FSMB /Co-conspirator NCMB + Co-conspirators Pfizer/Moderna/Astra Zeneca/Johnson + Johnson CEOs Albert Bourla/Joaquin Duato/Pascal Soriot/Stephane Bancel/Agents + Corporate Media

347. Date range: 2019 to 2023

348. Conduits of Communication + Bribery by Pfizer/Bourla/Agents to Defendant FSMB/Co-conspirator NCMB /Agents (Executive Directors US and Foreign Medical Boards/Councils): Communication: Directly and through law/public relation firms. Bribery: Directly (disguised as ‘philanthropic’ donations) and through offshore bank networks.

349. Mode of Communication: Email + Voice + SMS (text) + Face to Face

350. Substance of Communication: Scheme to cause knowingly illegal mass inoculation of toxin into human race, while profiteering through the embezzlement of monies from the ‘public

purse' and eliminating/weakening that percentage of the world's population considered to be infirm/detrimental/unhelpful to the corporate agenda/profits.

Tactics Employed:

350. Use of the US wires to initiate a discussion regarding the scheme.

351. Use of the US wires to communicate that the use of governmental/regulatory/public health /drug regulatory agencies/persons (Anthony Fauci et al) for the scheme's perpetration would provide seemingly legitimate 'cover' which would negate or substantially mitigate the risk of public exposure.

352. Use of the US wires to communicate that the perpetration of the scheme/crimes against humanity in collusion/conspiracy with western governmental agencies/persons, would render criminal charges more likely in courts of the BRICS nations.

353. Use of the US wires to communicate that although Defendant FSMB had no immunity, it was highly unlikely their involvement would be exposed.

354. Use of the US wires to communicate that it was highly unlikely that any lawyer/person would identify the "willful misconduct" immunity exception of Defendant FSMB/Co-conspirator NCMB's conspiracy/bribery with the 'vaccine' manufacturers.

355. Use of the US wires to communicate the potential profit of billions dollars from the scheme.

356. Use of the US wires to communicate an outline of the scheme.

357. Use of the US wires to communicate the elements of the scheme.

358. Use of the US wires to identify/describe each element of the scheme.

359. Use of the US wires to describe how public fear would be engineered by incorporating into the scheme the elements of (360-368):

360. ordering the corporate media's use of the US wires in the willful dissemination/propagation of the knowingly false narrative that contraction of the COVID-19 virus would cause permanent damage and or death;

361. having its corporate hospital partners manipulate hospital death statistics to willfully/knowingly/fraudulently ascribe the deaths to the COVID virus.

362. ordering the corporate media's use of the US wires in the willful dissemination/propagation of the knowingly fraudulent death statistics.

363. ordering the corporate media to produce willfully/knowingly fraudulent video news interviews that involved paid actors posing as persons whose relatives died consequent to the COVID-19 virus.

364. ordering the corporate media's use of the US wires in the willful dissemination/propagation of the knowingly false narrative that so called 'social distancing' and the wearing of face masks reduced transmission.

365. ordering the corporate media to continuously report on persons who were denied employment/housing/healthcare because they refused to be inoculated, wear masks and or engage in so called 'social distancing'.

366. ordering the corporate media's use of the US wires in the willful dissemination/propagation of the knowingly fraudulent narrative that governmental members received the 'vaccine' when in fact it was a saline injection.

367. Use of the US wires to describe how, by incorporating into the scheme the following element, fear would be engineered within the global medical community in order to coerce physicians to inoculate the public and to silence any dissent as to the toxicity/ineffectiveness of the 'vaccine'.

368. bribing/coercing the executives of medical boards/councils to enact disciplinary policies that forced physicians to become inoculated and to inoculate patients, and to suspend/revoke/erase their licenses/registrations if they either refused self/patient inoculation and or provided digital/non-digital information regarding the toxicity/dangers of the 'vaccine'.

369. Use of the US wires to describe how the power of fear/coercion would be engineered within the global population by incorporating into the scheme the following elements (370-375).

370. coopting conspiring with the World Health Organization in the issuance of reports/releases that disseminated as fact, the knowing falsehood that contraction of the COVID-19 virus would cause serious permanent injury and or death.

371. coopting conspiring with the World Health Organization in the issuance of reports/releases that disseminated as fact, the knowing falsehood that the 'vaccine' was safe/effective.

372. coopting conspiring with the US Federal Drug Administration in the issuance of reports/releases that disseminated as fact, the knowing falsehood that the 'vaccine' was safe/effective.

373. coopting conspiring with the US Centers for Disease Control in the issuance of reports/releases that disseminated as fact, the knowing falsehood that contraction of the COVID-19 virus would cause serious permanent injury and or death.

374. coopting and conspiring with governmental public health and drug regulatory agencies/persons across the planet in the dissemination as fact, the knowing falsehoods that contraction of the COVID-19 virus would cause serious permanent injury and or death and that the 'vaccine' was safe/effective.

375. coopting and conspiring with police forces across the planet in the enforcement through physical force/restraint/incarceration and so called 'lockdowns' of the human race, including those that had been inoculated and wore masks.

376. Use of the US wires to describe how Defendant FSMB/Co-conspirator NCMB's co-conspirator corporate media partners, would conspire/scheme with the tech industry to corrupt digital news feeds by suppressing any information that exposed the 'vaccine' toxicity and promoted any that extolled its safety.

377. Use of the US wires to describe the critical nexus of the scheme's elements, those of dissemination of lies, the generation of fear, coerced/forced inoculation, behavioral conditioning/modification, the suppression of truth, the absolute enslavement of humanity and the generation of corporate profit.

Defendant FSMB /Co-conspirator NCMB + Co-conspirators IAMRA/Medical Board/Council Executives:

378. Date range: 2019 to 2023.

379. Conduits of Communication + Bribery by Defendant FSMB/Co-conspirator NCMB to Executive Directors Medical Boards/Councils: Communication: Directly through the IAMRA and indirectly through law/public relation/political lobbying firms. Bribery: Through the IAMRA and through offshore bank networks.

380. Mode of Communication: Email + Voice + SMS (text) + Face to Face.

381. Substance of Communication: A Scheme in which Defendant FSMB an American corporation, in violation of the Foreign Corrupt Practices Act, uses its corruptly procured power to corrupt the 'regulatory/disciplinary' apparatus of foreign medical boards/councils into ordering their executives to perpetrate the Scheme, disguised as policy, that suspended/revoked/erased medical licenses/registrations of physicians who refused to be inoculated/refused to inoculate his patients/advised patients against inoculation/used the internet to communicate any information adverse to the 'vaccine', including but not limited to stating it was lethal, caused permanent injury and was ineffective.

Tactics Employed:

382. Use of the US wires to disseminate the order, falsely disguised as 'COVID Policy', to implement the Scheme of eliminating physicians who either undermined the corporate profit agenda or failed to support it.

383. Use of the US wires to exchange information on a daily basis as to any media or other reports of physicians not complying with the corporate agenda.

384. Use of the US wires to exchange information on a daily basis as to the quota of 'vaccines' being dispensed in various global regions.

385. Use of the US wires to exchange information on a daily basis as to regulatory policing enforcements actions against 'underperforming' physicians

386. Use of the US wires to issue orders to subjugate medical boards/councils to have eliminated underperforming' physicians through license/registration suspension/revocation/erasure.

387. Crimes Against Humanity: Defendant FSMB/Co-conspirator NCMB and its 'vaccine' manufacturer co-conspirators CEO Joaquin Duato/Agents (Johnson + Johnson) CEO Albert Bourla/Agents (Pfizer), Pascal Soriot/Agents (Astra Zeneca) and CEO Stephane Bancel/Agents (Moderna), knew that the 'vaccine' was toxic and ineffective, and that it would cause death, permanent injury, and generational injury in that 'vaccine' caused genetic mutations/injuries would be transmitted in reproduction.

389. The motivation for these crimes, other than immediate profit from the tax payer funds, lies in the fact that advancing technology, such as Artificial Intelligence, renders obsolete the requirement for humans, and that by eliminating 'useless food eating' humans and their ability to procreate, the so called '1%' will retain an increasingly greater percentage of the planet's resources for themselves and their progeny.

390. Defendant FSMB/Co-conspirator NCMB/Other Co-Conspirators have been perpetrating these ongoing crimes since at least 2019, in collusion/conspiracy with governmental agencies/persons, in multiple jurisdictions across the globe, including this jurisdiction, in furtherance of corporate/personal profit, in knowing violation of human rights and with knowledge that the crimes caused, are causing and will continue to cause death and permanent injury.

391. Evidence of these crimes is contained in (Exhibit 4).

392. Public Corruption: In a period commencing in approximately, if not before 2019, Defendant FSMB/Co-conspirator NCMB and other co-conspirators entered into a conspiracy with governmental agencies/persons, in which tax payers monies were funneled from

government treasuries to the 'vaccine' manufacturers who then funneled some of these monies as bribes to Defendant FSMB/Co-conspirator NCMB, its executives and executives associated with medical boards/councils across the globe.

393. The co-conspirator 'vaccine' manufacturers, while bribing Defendant FSMB/Co-conspirator NCMB/Medical Board and Council Executives, did kickback a percentage of the embezzled tax payer money to corrupt politicians/governmental officials.

394. The injuries caused by this scheme were to the public treasury, to the public health/welfare, to the public's right to honest services, to the public's human rights and to the SOCIAL CONTRACT between the people and government. Defendant FSMB/Co-conspirator NCMB/Governmental and Corporate Co-Conspirators acts of public corruption have violated and continue to violate the SOCIAL CONTRACT, such that its terms are no longer valid.

395. Bribery: In a period commencing in approximately, if not before 2019, Defendant FSMB/Co-conspirator NCMB and its medical board/council co-conspirators did receive bribes from the 'vaccine' manufacturer co-conspirators (Johnson + Johnson/Pfizer/Astra Zeneca/Moderna) in a series of quid pro quo schemes, in which the bribes were paid in exchange for Defendant FSMB/Co-conspirator NCMB's abuse of regulatory power in the coercion of physicians, under threat of license/registration suspension/revocation/erasure into inoculating patients with the 'vaccine', while knowing it would cause death/permanent injury.

396. Defendant FSMB/Co-conspirator NCMB knew that the more doses dispensed, the more taxpayer monies were funneled from the government to the 'vaccine' manufacturers, the greater their corporate profits and the greater the bribes.

397. The bribes were disguised as 'philanthropic' payments to the corporate vehicle of Defendant FSMB/Co-conspirator NCMB and were also funneled to offshore bank networks of executives associated with Defendant FSMB/Co-conspirator NCMB Medical Boards/Medical Councils, in order to ensure they enforced the coercion of physicians into inoculating patients with the 'vaccine'.

398. Money Laundering: The bribes received by Defendant FSMB/Co-conspirator NCMB /Medical Board Executives/Medical Council Executives from the 'vaccine' manufacturers as part of a series of quid pro quo schemes in which physicians under threat of license/registration suspension/revocation/erasure were forced/coerced into knowingly inoculating patients with a substance they knew would cause death and permanent injury, were funneled into, and laundered through offshore bank networks and through Defendant FSMB/Co-conspirator NCMB US based tax-deducting corporation and stock market investment vehicles.

399. The financial benefit of bribes was also realized through the laundering-effect of remittance by the 'vaccine' manufacturers to law firms/lawyers to whom Defendant FSMB/Co-conspirator NCMB owed monies, and whom the 'vaccine' manufacturers retained specifically to

launder the bribes, the payment of which directly benefited Defendant FSMB/Co-conspirator NCMB.

COUNT FOUR

Association-In-Fact Enterprise: United States District Court-NYSE (“SDNY-NYSE Association-In-Fact- Enterprise)

Defendant Persons: Allstate

Co-conspirators: Geico/TD/ICE

RICO Predicate Acts: Bribery/Fraud on the Court/Public Corruption/Money Laundering

Overview:

400. In a time period commencing in approximately September 2021, the Defendants did conspire to commit, and did commit a knowingly illegal “pattern of racketeering” and did convert the Chambers of U.S.D.J., James Paul Oetken and the New York Stock Exchange into an association-in-fact enterprise (“SDNY-NYSE Association-In-Fact-Enterprise”) through and under cover of which they perpetrated the RICO predicate acts bribery/fraud on the court/public corruption/money laundering, purposed to eliminate the Plaintiffs by having U.S.D.J. Oetken dismiss K11-7 with prejudice and permanently injunct Kaul/Basch from prosecuting their claims against the Defendants.

401. In the latter half of September 2021, the corporate Defendants did begin conspiring to perpetrate a knowingly illegal scheme (“SDNY-NYSE Scheme”) against the United States District Court for the Southern District of New York, in which they planned, and did eventually effectuate, a quid pro quo scheme with U.S.D.J. James Paul Oetken, that involved the funneling of non-tangible/tangible favors (stocks/shares/bonds in return for having K11-7 dismissed with prejudice and Kaul/Basch enjoined from further prosecuting The Kaul Cases Defendants.

402. In September 2021, the Defendants, having realized that U.S.D.J. Oetken did not intend on dismissing or transferring the case to the District of New Jersey, a court whose judges are on their ‘payroll’, initiated a series of digital/non-digital communications/meetings in which they agreed that their only option was to bribe U.S.D.J. Oetken.

403. The Defendants and their lawyers discussed the details of how to minimize any exposure of the scheme, and conceal the communications and funneling of bribes, and decided to utilize an ‘arms-length’ tactic, by co-opting third-party agents as the ‘middlemen’, a ruse employed by the Defendants for decades in the New Jersey courts.

404. It was not until approximately February 2022, that the specifics of the scheme had been agreed upon and willing third-party agents identified.

405. The next phase involved persuading U.S.D.J. Oetken to participate in the scheme, and consisted of intensive time-consuming third-party mediated communications, which occurred slowly due to the Defendants priority for the maintenance of secrecy and their recognition that if any information were leaked to court staff, it would sabotage the scheme, and cause U.S.D.J. Oetken to withdraw.

406. A substantial part of the time from inception to execution was assigned to the contents of U.S.D.J.'s September 12, 2022, and to the Defendants attempt to effectively and permanently suppress Plaintiff Kaul's ability to vindicate his rights.

407. In these communications, the Defendants' lawyers transmitted across the US wires to non-official emails belonging to U.S.D.J. Oetken and or agents acting on his behalf, the substance of the September 12, 2022, report, which the Defendants intended to disseminate to their shareholders, who had been withdrawing their positions.

408. The Defendants recognized that unless the opinion/order permanently suppressed Plaintiff Kaul's legal rights, their shareholders would continue their withdrawal and their share price would continue to decrease.

409. Subsequent to the September 12, 2022, opinion/order Defendant Allstate's share price has risen, a rise that has enriched U.S.D.J. Oetken, and a rise that is a direct consequence of his illegally procured order. Defendant Allstate continues to launder the proceeds of this crime through the NYSE, and to cause the dissemination of these fraudulent assets into the global equities market, including that in India.

410. In the planning and perpetration of the scheme, neither the Defendants nor U.S.D.J. Oetken discussed nor expected the Plaintiffs to request U.S.D.J. Oetken's financial holdings/exparte communications, nor file a motion for his disqualification, but they did conspire to include verbiage encouraging the Plaintiffs to file an appeal, knowing that an appeal would prohibit a judicial disciplinary investigation, and more likely conceal their corruption of the Court.

411. However, when the Plaintiffs did request U.S.D.J. Oetken's financial holdings/exparte communications, the Defendants in collusion/conspiracy with U.S.D.J. Oetken through their third-party agents, concluded that their optimal option was to ignore the Plaintiffs' request and motion, believing that the Plaintiffs would not ascertain a legal basis on which to render null/void the order, and that even if they did, they would not ascertain the requisite law to exclude U.S.D.J. Oetken and his purported 'injunction' from any involvement in a future filing.

412. In the perpetration of this overall scheme, the Defendants have, through their use of the US wires, knowingly committed wire fraud and through their use of the apparatus of the United States District Court, committed honest services fraud against the American public.

COUNT FIVE

Association-In-Fact Enterprise: State of New York-New York State Medical Board-State of North Carolina-North Carolina Medical Board ("NYSMB-FSMB-NCMB Association-In-Fact-Enterprise)

Defendant Persons: FSMB/Allstate

Co-conspirator: Geico

RICO Predicate Acts: Bribery/Fraud on the Court/Public Corruption

Overview:

413. In a time period commencing in approximately April 2021, the Defendants did conspire to commit, and did commit a knowingly illegal **"pattern of racketeering"** and did convert the State of New York/New York State Medical Board/State of North Carolina/North Carolina Medical Board into an association-in-fact enterprise (**"NYSMB-FSMB-NCMB Association-In-Fact-Enterprise"**) through and under cover of which they perpetrated the RICO predicate acts fraud on the court/public corruption, purposed to, in conjunction with the other RICO Schemes, purposed to eliminate Plaintiff Kaul, by attempting to prohibit his access to the courts for compensatory redress and his access to a livelihood.

414. In February 2021, Plaintiff Kaul submitted a licensure application to the New York State Medical Board, and on July 14, 2021, an investigator for the state emailed him a letter, stating that his application had been denied by a supposed sub-committee of the board who allegedly found that there existed a **"question of moral suitability"**. This was and is a lie, as no subcommittee ever considered Plaintiff Kaul's application. This illegal/fraudulent denial was circulated via the US wires to the National Practitioner Data Bank/Defendant FSMB and to every state medical board, including North Carolina.

415. Plaintiff Kaul, after having been informed by this person of his right to appeal, requested a copy of the alleged opinion, in order to ascertain the basis of the opinion, but was informed it would not be provided until the conclusion of the appeal.

416. Plaintiff Kaul indicated he would seek judicial relief if the document was not provided by August 25, 2021, and on September 17, 2021, Plaintiff Kaul filed a petition for an OTSC in the New York State Supreme Court.

417. The petition was directed at Defendant Hengerer and Dr. Howard Zucker, the New York State Health Commissioner, and sought an order compelling production of the alleged opinion.

418. The NY AG responded for the Respondents, arguing that Kaul had no **"clear legal right"** to the document, despite knowing that no such document existed, and the NY AG thus implicitly adopted the Respondents knowingly false position that such a document existed.

419. The Respondents/NY AG propagated their fraud into the New York State Supreme Court, and on January 3, 2022, the judge adopted their fraud and denied Kaul's petition based on the "clear legal right" defense.

420. Plaintiff Kaul appealed to the First Department of the New York State Supreme Court, Appellate Division, at which point a senior appellate litigation counsel within the NY AG entered the case.

421. However, in April 2022, while this matter was proceeding through the New York State Supreme Court, Plaintiff Kaul was contacted by counsel for the New York State Medical Board, and advised that his application was to be scheduled for a hearing on October 3, 2022.

422. Plaintiff Kaul re-requested a copy of the alleged opinion of the supposed sub-committee, but none was provided, and in June 2022, Kaul had a senior board member admit that no subcommittee had ever convened regarding his application and that no opinion had ever been issued (Exhibit 33).

423. Plaintiff Kaul served a subpoena on this individual to appear at the October 3, 2022, hearing. He did not move to quash the subpoena nor appear.

424. The virtual hearing was initiated on October 3, 2022, and was adjudicated by a hearing officer with a panel of approximately twelve (12) members of the New York State Medical Board.

425. As the matter commenced it became immediately apparent to Plaintiff Kaul that the proceeding's sole purpose was to provide cover for the fraud of the alleged opinion and to deny Plaintiff Kaul's appeal.

426. Plaintiff Kaul halted the proceeding by asserting that unless the alleged opinion was produced, the matter could not proceed, and that regardless, the issue of the alleged opinion was pending in the Appellate Court.

427. The hearing officer/panel went off-line for approximately ten (10) minutes, to discuss whether to proceed. Counsel for the board argued that the matter should proceed, but the officer/panel discontinued the hearing, pending the outcome of the Appellate Division.

428. Plaintiff Kaul subsequently procured a transcript of the approximately twenty (20) minute hearing.

429. The New York State Medical Board is a member of the "**Federation Cartel**" and profits from the fees, fines and other expensive and uselessly proven educational activities that American physicians are forced to undergo to obtain, retain and have licenses reinstated. The commercial existence of these units of the "FC" depends on this revenue stream, and the monies generated from disciplinary actions.

430. The greater the number of state board disciplinary actions, the more affected physicians are shunted into 'Solent-Green' like "FC" system, with the majority of physicians being either ethnic minorities and or foreign medical graduates, most of whom have 'slaved' in the American system for decades, and most of whom have their life assets illegally seized by government agencies under direction from the insurance industry.

431. The "NYSMB-FSMB-NCMB Scheme" was conceived of shortly after Plaintiff Kaul commenced his application for licensure in the State of New York, and involved the K11-7 Defendants/agents conspiring/colluding with the New York State Medical Board/agents in the perpetration of a scheme to attempt to prevent Plaintiff Kaul from obtaining a license in order to facilitate, in conjunction with the other RICO Schemes, the elimination of Plaintiff Kaul, in order to attempt to eradicate the legal/economic/political/public relations threats posed by Plaintiff Kaul's economic resurgence and or their continued prosecution by Plaintiff Kaul in the United States District Court.

432. One of the litigation benchmarks in The Kaul Cases appears to be Defendant Allstate's share price, which fell during the pendency of K11-7, and only began to rise after the illegal September 12, 2022, opinion/order.

433. The litigation related fall substantiated the merit of K11-7. Investors, such as K11-2 Defendant Boston Partners, withdraw their positions after consultation with litigation counsel.

434. The "NYSMB-FSMB-NCMB Scheme"/ SDNY-NYSE Scheme / "UC-PACE Scheme" emerged in late 2022, and were coordinated principally by the "FC" and the corporate K11-7 Defendants, with the purpose of attempting to prohibit Plaintiff Kaul's access to the courts for compensatory redress/evidential disclosure and his access to a livelihood.

435. Within the conspiratorial digital/non-digital communications relevant to the conception, planning and perpetration of the "NYSMB-FSMB-NCMB Scheme", the Defendants did not anticipate that Plaintiff Kaul would pursue the issue of the alleged opinion to the Appellate Division, nor have a senior board member admit that no subcommittee was ever convened nor any opinion ever issued, and so they perpetrated their fraud through the state's administrative/judicial/prosecutorial apparatus with a sense of experienced impunity, and with an overall purpose of attempting to contribute to halting Kaul's prosecution of the K11-7 Defendants.

436. The Defendants used the US wires in the perpetration of the "NYSMB-FSMB-NCMB Scheme" and within the corpus of communication, there exists evidence of a knowingly illegal agreement with the New York State Medical Board that any response to Plaintiff Kaul's application should be delayed, and that if Plaintiff Kaul persisted in requiring a response, a false response should be fabricated without involving any member of the board, but falsely claiming otherwise.

437. It is noteworthy that during the October 3, 2022, hearing, Plaintiff Kaul observed an appearance of 'shock' on the faces of several panel members when he raised the issue that senior members (Dr. Jane Massie/Dr. Raju Ramanathan) had admitted that no subcommittee/opinion had ever been convened/issued.

438. It is the "**pattern**" of the Defendants to conduct their "**pattern of racketeering**" through courts/governmental agencies in a manner that is restricted, for the purpose of secrecy, to a person/limited persons, with whom the Defendants engineer or have already engineered a bribery-based quid pro quo scheme.

439. The immensity of the potential losses of liberty/property/life associated with the crimes of The Kaul Cases Defendants, has caused them to coerce others into committing knowing/willful violations of the law and Plaintiff Kaul's human/constitutional rights, with the most recent coercion consisting of an assurance that U.S.D.J. Oetken's purported 'injunction' would definitely eliminate any threat posed by Plaintiff Kaul.

440. The Defendants have conducted this "**pattern of racketeering**" for decades in collusion/conspiracy with the state medical board members of the "**FC**", by using the medical boards purported mission to "**protect the public**" as cover for their profit purposed racketeering crimes of illegally suspending/revoking the licenses of innocent physicians. In fact, Defendant FSMB/Co-conspirator NCMB's long-standing mandate to its subjugate medical boards is to increase their quotas of profit-generating 'physician discipline', a scheme to which it attaches monetary incentives for those that meet the corporate quota, or put otherwise corporate 'bonuses'.

441. Defendant FSMB publishes lists of subjugate medical board ranking in terms of 'disciplinary' actions, in order to 'shame' those in the lower sections into manufacturing higher numbers. The greater the number of actions, the more profit to the "**FC**", from so called 'fines' and legal/other fees required by the targeted/victimized physician to regain his/her illegally seized license.

442. There exists admitted fact within The Kaul Cases that medical boards do not "**protect the public**", as the "**FC**" system of physician discipline related fees/fines and slave physician labor for the insurance industry, is purposed simply for corporate/executive profit. A continuation of a four hundred (400) year "**pattern**".

COUNT SIX

Association-In-Fact Enterprise: State of California-UC San Diego Physician Assessment and Clinical Education (PACE) Program
Defendant Persons: FSMB/Allstate
Co-conspirator: Geico
RICO Predicate Acts: Wire fraud/Conspiracy/Public Corruption

Overview:

443. In a time period commencing in approximately April 2022, Defendants FSMB/Allstate, and Co-conspirators NCMB/Geico did conspire to commit, and did commit a knowingly illegal “**pattern of racketeering**” and did convert the State of California and the UC San Diego Physician Assessment and Clinical Education (PACE) Program into an association-in-fact enterprise (“**UC-PACE Association-In-Fact-Enterprise**”)

444. It was through and under cover of the “**UC-PACE Association-In-Fact-Enterprise**” that Defendants FSMB/Allstate and Co-Conspirators NCMB/Geico perpetrated the RICO predicate acts of fraud on the court/public corruption, purposed to, in conjunction with the other RICO Schemes to attempt to eliminate Plaintiff Kaul by attempting to prohibit his access to the courts for compensatory redress and his access to a livelihood/license.

445. On May 27, 2020, the State of Pennsylvania granted Kaul’s application for licensure after a one-day administrative hearing on February 7, 2020.

446. In order for Plaintiff Kaul to be provided an actual license, he was required to take an assessment course, which he commenced with K11-8 (Kaul v PACE/Leung-USDC-SDC-23-CV-00955) Defendant PACE in May 2022, with the conduction of three virtual interviews on May 4, June 15, and July 6, 2022.

447. K11-8 Defendant PACE, a for-profit corporation, derives the majority, if not all of its business from the “**FC**”, and prior to Plaintiff Kaul’s first interview it knew the FSMB was a Defendant in K11-7. During the first interview, Plaintiff Kaul detected a suspicious tone, which caused the subsequent two (2) interviews to be recorded.

448. On July 21/22, Plaintiff Kaul completed the second and on-site component of the course at the K11-8 Defendant PACE’s facility in San Diego, the entirety of which was video recorded by K11-8 Defendant PACE and from which Plaintiff Kaul retained contemporaneous notes.

449. At the conclusion of the course on July 22, 2022, after Plaintiff Kaul had drafted the final note to be submitted to the evaluation committee, he created a copy of this note for his records.

450. Prior to Plaintiff Kaul's departure he enquired as when he would receive the final report, and was informed it would be emailed directly to him, and only him within eight (8) weeks.

451. On September 22, 2022, having not received the report, Plaintiff Kaul telephoned K11-8 Defendant PACE and was informed by the person responsible for drafting the report that she has allegedly been out on "sick leave" and no other staff member had wanted to "work" on the report.

452. On October 12, 2022, Plaintiff Kaul received an email from this person, in which she requested Kaul provide her an email/telephone number of a "contact person" at the Pennsylvania Medical Board.

453. Plaintiff Kaul instructed this person that the report was NOT to be sent to any person associated with the medical board until he had reviewed it.

454. K11-8 Defendant PACE perpetrated the "FC-PACE Scheme" with Defendant FSMB to render a false and negative report regarding Plaintiff Kaul, and to transmit it directly to the Pennsylvania Medical Board to attempt to cause it to not issue Plaintiff Kaul a license, and to prevent Plaintiff Kaul from exposing its fraudulence and to then claim qualified immunity if and when Plaintiff Kaul sued.

455. The perpetration of this scheme was conducted across the US wires by emails and telephone conversations, and it was agreed that a knowingly false and highly defamatory report would be issued, in which K11-8 Defendant PACE would describe Plaintiff Kaul as not only being a danger to the public, but that he would likely never meet the standards to ever return to the practice of medicine.¹

456. The K11-7 Defendants conducted the same negative report/opinion/order generating scheme with K11-8 Defendant PACE, as it did with U.S.D.J. Oetken. K11-8 Defendant PACE, in drafting and transmitting the knowingly fraudulent report, did not anticipate that the virtual interviews had been recorded and that Plaintiff Kaul had retained a copies of his contemporaneous notes.

457. On October 17, 2022, K11-8 Defendant PACE used the US wires to transmit to Plaintiff Kaul a copy of their knowingly fraudulent report. It is an eleven (11) page document that Plaintiff Kaul's audio/final note evidence proves is fraudulent.

¹ (**The Kaul Cases** Defendants were seeking to permanently "shut Kaul down" in his efforts to procure a license, fearful that Plaintiff Kaul's license related economic resurgence would facilitate his prosecution of **The Kaul Cases** Defendants/further exposition of their crimes, which accounts for the rampant falsification of K11-8 Defendant PACE's 'assessment')

458. Plaintiff Kaul, having reviewed the report, did then request he be sent a copy of his entire case file, which includes the video recordings of the July 21/22 on-site assessments.

459. K11-8 Defendant PACE continues to withhold the property of Plaintiff Kaul's file.

460. On October 19, 2022, Plaintiff Kaul sent a letter to K11-8 Defendant PACE, in which he included a link to the July 6, 2022, audio recording and re-requested a copy of his file.

461. No file was produced.

462. On October 31, 2022, Plaintiff Kaul sent a second letter, in which he provided further evidence of the fraudulence of the October 17, 2022, report, and re-requested a copy of his case file.

463. No file was produced.

464. K11-8 Defendant PACE remained in communication with Defendant FSMB and used the US wires to discuss what steps it should implement to address Plaintiff Kaul's exposition of their fraud, and Plaintiff Kaul's October 19/31 letters.

465. Within these communications it was agreed that K11-8 Defendant PACE should not amend its fraudulent report, as U.S.D.J. Oetken's September 12, 2022, order/opinion purported to foreclose Plaintiff Kaul from filing suit in the United States District Court, and thus, in their estimation, Plaintiff Kaul could not seek redress for Defendant PACE's violation of his rights.

466. K11-8 Defendant PACE's lawyers obtained a copy of U.S.D.J. Oetken's September 12, 2022, report, and advised K11-8 Defendant PACE that Plaintiff Kaul had no legal recourse for their false report, and that they should send Plaintiff Kaul a letter informing him that they would not amend their report.

467. In the commission of this scheme, K11-8 Defendant PACE knew its misconduct constituted a violation of the wire fraud act, the honest services act and of Plaintiff Kaul's human/constitutional rights, and that their misconduct had converted the University of California – San Diego into a **“racketeering enterprise”** that furthered the interests of the **“FC”** at the expense of the people of the State of California.

468. The Kaul Cases Defendants decade-plus-long criminal conspiracy has exposed the State of California to immense domestic/international legal liability.

469. On November 10, 2022, Plaintiff Kaul submitted a FOIA request to the UC-San Diego seeking copies of all physician assessment reports since 2012. K11-8 Defendant PACE was notified of this request. Plaintiff Kaul's request was denied.

470. On May 25, 2023, Plaintiff Kaul filed suit against K11-8 Defendants PACE/Leung in the United States District Court for the Southern District of California.

COUNT SEVEN

Association-In-Fact Enterprise: State of North Carolina-NYSE-SEC (“SNS Association-In-Fact-Enterprise)

Defendant Persons: Allstate/Christie

Co-conspirators: TD/Geico/ICE

RICO Predicate Acts: Securities fraud/mail fraud/wire fraud/money laundering

Overview:

471. In a time period commencing in approximately 2009, the Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE did conspire to commit, and did commit a knowingly illegal “**pattern of racketeering**” and did convert the NYSE/SEC/State of North Carolina into an association-in-fact enterprise, through and under cover of which they perpetrated thousands of the RICO predicate acts of mail fraud/wire fraud/securities fraud/money laundering, purposed to advance their political/economic agenda.

472. Specifically, Defendant Christie sought to raise monies for gubernatorial and presidential campaigns, while Defendant Allstate and Co-conspirators Geico/TD/ICE sought to increase executive compensation and share price.

473. The Defendants “**State of North Carolina-NYSE-SEC**” (“**SNS Scheme**”) scheme involved an intersection of the worlds of medicine/business/law/politics, and commenced in 2009, with the purpose of causing injury to Plaintiff Kaul’s economic standing/reputation/livelihood/liberty/life through the perpetration of the following acts (**474-480**) of state/court-facilitated misconduct.

474. having Plaintiff Kaul’s medical license revoked.

475. eradicating all debt owed to Plaintiff Kaul by insurance carriers (approx. \$45 million).

476. destroying Plaintiff Kaul’s reputation;

477. eliminating any future financial liability to Plaintiff Kaul.

478. causing Plaintiff Kaul to enter a state of poverty/homelessness;

479. attempting to cause/actually causing Plaintiff Kaul to be jailed/deported/attempted drugging-killing.

480. intimidating other minimally invasive spine surgeons into not performing minimally invasive spine surgery, in order to divert a greater percentage of the public's insurance premiums into corporate/executive compensation.

481. Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE have colluded and conspired to orchestrate both their underlying **"SNS Scheme"** and the subsequent, and multiple schemes to conceal and provide cover for the **"SNS Scheme"**.

482. The concealment has been perpetrated through massive schemes of corruption of state/federal politicians/judges, in an attempt to prevent Plaintiff Kaul from exposing **The Kaul Cases** Defendants and Co-Conspirators decades-long schemes of judicial/public corruption.

483. In 2005, Plaintiff Kaul invented and successfully performed the first outpatient minimally invasive spine surgery, at a NJ surgical center that had credentialed him to perform the procedure, and under the authority of his state medical license; a license issued in 1996 by the State of New Jersey for both medicine and **surgery**.

484. The state argued in administrative proceedings (NJ Office Administrative Law) from April 2 to June 28, 2013, that Plaintiff Kaul was not licensed to perform surgery. In this proceeding the Defendants and the state committed massive fraud, as evidenced in **'The Solomon Critique'/The Solomon Critique 2' (Exhibit 1)**.

485. From 2006 to approximately 2009, Plaintiff Kaul was subjected to rule-of reason antitrust violations by **The Kaul Cases** Defendants, who wanted to eliminate the threat of Plaintiff Kaul's rapidly expanding minimally invasive spine surgery practice.

486. In furtherance of this scheme, **The Kaul Cases** Defendants did engage in multiple quid pro quo schemes with Defendant Christie, in which they funneled bribes into his political campaign, purposed to have him use state power to have the medical board revoke Plaintiff Kaul's license, an act that commenced illegally, was conducted illegally, and remains illegal (2008/9-2023)

487. Plaintiff Kaul's license was illegally suspended/revoked on April 2, 2012/March 24, 2014, and **The Kaul Cases** Defendants did with knowing illegality, use the US mail/wires to transmit this fraudulent notice globally to all governmental agencies, all state medical boards, including North Carolina/National Practitioners Data Bank/DEA/FBI.

488. From 2012 to 2020, pursuant to RICO's vicarious liability doctrine, Defendants Allstate/Christie, and Co-Conspirators TD/Geico/ICE, did conspire to commit, and did commit bankruptcy fraud and insurance fraud, by causing Plaintiff Kaul's medical malpractice carriers to be defrauded of millions of dollars by aiding/abetting the submission and fraudulent judicial adjudication of false 'medical malpractice' claims, as pled in K11-4.

489. Commencing in 2016, Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE, did extend their **"pattern of racketeering"** into the NYSE, through an ongoing commission of the

predicate acts of securities fraud, in that they submitted false SEC filings/accounts, that defrauded, and continue to defraud the global equities market.

490. Based on this knowingly false information, Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE did perpetrate millions of trades with unsuspecting investors, concealing from them the massive risk associated with the purchase of these fraudulent equities.

491. In conjunction with these crimes, Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE did not disclose to the market that its profits, including those from North Carolina, are the product of crimes, as detailed in The Kaul Cases, but yet willfully and with knowledge of its illegality, did launder the proceeds of these crimes through the NYSE.

492. The Kaul Cases Defendants have converted the NYSE into a massive money-laundering operation, into which it has funneled the proceeds of its global “**patterns of racketeering**”, including those generated from the mass inoculation (5.5 billion humans) of the experimental toxic gene-splicing mRNA compound.

493. From 2006 to the present, the overarching theme of Defendants Allstate/Christie and Co-Conspirators TD/Geico/ICE crimes, has been the commission of increasingly more serious crimes, in an attempt to conceal their prior crimes, malfeasance and misconduct.

494. What commenced in 2006 with the professional jealousy of Plaintiff Kaul’s competitors, of which Defendant Heary was a ‘ring-leader’, is in 2023, a multitude of felonies that include, amongst others: **(i)** bankruptcy fraud; **(ii)** securities fraud; **(iii)** mail fraud; **(iv)** wire fraud; **(v)** perjury; **(vi)** bribery; **(vii)** obstruction of justice; **(viii)** public/judicial corruption; **(ix)** civil rights violations; **(x)** evidence tampering; **(xi)** witness tampering; **(xii)** false imprisonment; **(xiii)** false prosecution; **(xiv)** insurance fraud; **(xv)** kickbacks; **(xvi)** human rights violations; **(xvii)** retaliation; **(xviii)** false seizure of property; **(xix)** honest services fraud; **(xx)** racketeering; **(xxi)** conspiracy; **(xxii)** market manipulation/money laundering; **(xiii)** crimes against humanity; **(xiv)** violations of the Nuremberg Code.

Co-conspirator ICE:

495. From 2016 to the present, Co-conspirator ICE knew or should have known that Co-conspirators TD/Geico and Defendant Allstate committed securities fraud, in willfully, and with knowledge of its illegality, failing to report to the market and the SEC their liability in The Kaul Cases.

496. Co-conspirator ICE was motivated to willful ignorance and did fail to cross reference court records with the filings of Co-conspirators Geico/TD and Defendant Allstate.

497. Co-conspirator ICE, in recognizing that its profits were tied to those of Defendant Allstate and Co-conspirators TD/Geico did tacitly conspire with these Defendant/Co-conspirators to

perpetrate a knowingly illegal scheme of securities fraud concealment, that artificially manipulated the market, and was purposed to prevent a decrease in its share price.

498. Co-conspirator ICE used the US mail and wires to exchange information with Defendant Allstate and Co-conspirators Geico/TD, in furtherance of the **“SNS Scheme”**, in recognition of the illegality of the scheme and the manipulation of the market that would be caused by such a fraud.

499. Co-conspirator ICE did conspire with and did commit a **“pattern of racketeering”** by aiding and abetting the laundering of the criminal proceeds of Defendant Allstate and Co-conspirators TD/Geico through the apparatus of the **“SNS Association-In-Fact Enterprise”**, the principal purpose of which was to increase insurance industry executive profit and share price, at the expense, and through the exploitation of Plaintiff Kaul and thousands of other physicians, many of whom remain falsely imprisoned.

500. Co-conspirator ICE, although having reported regulatory/litigation risks in its SEC filings, did willfully and knowingly fail to specifically identify the securities fraud crimes of Defendant Allstate and Co-conspirators Geico/TD and is thus liable for these crimes.

501. Similarly, Co-conspirator ICE is also liable for the crimes from which Defendant Allstate/Co-conspirators TD/Geico’s invested criminal proceeds originated, crimes that constitute a **“patterns of racketeering”** within the geographic boundaries of the State of North Carolina, commencing in a period at least, if not before, Defendant Christie’s first term as governor.

502. Co-conspirator ICE recognizes that because it both trades on the NYSE and engages in commerce with global exchanges, which affects the value of those exchanges, that its participation in the **“SNS Scheme”** caused it to become a conduit to these global exchanges of NYSE market valuation that it knew, or ought to have known were false and were the product of crime, but did also become a crime itself [market valuation] consequent to Co-conspirator ICE’s global dissemination of a knowingly false market valuation that concealed the fact that the monies underpinning it were derived from the crimes of Defendant Allstate and Co-conspirators Geico/TD

503. Co-conspirator ICE used the US mail/wires to globally transmit knowingly fraudulent information about the market valuation of Defendant Allstate and Co-conspirators Geico/TD in that it omitted any specific reference within its SEC filings of the legal liability (\$28,000 trillion +) to the global equities market of **The Kaul Cases**.

504. Co-conspirator ICE, in propagating this knowingly fraudulent information to the global equities market, did recognize its role in false equity evaluations and the creation of a ‘bubble market’ in India.

505. Co-conspirator ICE’s Indian headquarters is Hyderabad (Plaintiff Kaul’s birthplace), and it is cognizant of the fact that the Indian stock market is currently reported as being in a ‘bubble’ by

the Reserve Bank of India. On December 16, 2022, Plaintiff Kaul filed a notice of litigation against Defendant ICE (India) (**Exhibit 33**).

506. Defendant ICE recognizes that the false evaluations of the NYSE are responsible for the Indian 'bubble', and that the false evaluations of the NYSE are a consequence of **The Kaul Cases** Defendants financial crimes.

507. Co-conspirator ICE committed and continues to commit a massive fraud on the global financial market.

Christie:

508. From 2001, the year that Defendant Christie was appointed the US Attorney for the District of New Jersey, he abused state power and converted state/federal agencies into "**racketeering enterprises**", through which he has conducted a "**pattern of racketeering**" purposed to further the economic/political agendas of himself and those individuals with whom he engaged in quid pro quo schemes of bribery and public corruption.

509. Commencing in or around 2008/2009, Defendant Christie entered into knowingly illegal conspiracies with Defendant Allstate and Co-conspirators Geico/TD, in which they methodically planned schemes to have eliminated Plaintiff Kaul (economic standing/reputation/livelihood/liberty/life) through the abuse of governmental power and **physical violence**).

510. Defendants Christie/Allstate and Co-conspirators Geico/TD/ICE conspired with state/federal investigative/prosecutorial authorities to file knowingly false criminal indictments against Plaintiff Kaul. These investigations ceased when Plaintiff Kaul filed K1 (**February 22, 2016**) except for, in a retaliatory manner, the filing of a knowingly false state tax indictment (**May 2016**) and suspension of Plaintiff Kaul's driving license (**February 27, 2016**).

511. From 2009 to 2017, Defendant Christie converted the executive/legislative/judicial branches of the State of New Jersey into a "**racketeering enterprise**", that he used against Plaintiff Kaul, in a scheme to have him jailed/deported/seriously injured/killed.

512. The scheme sought to eliminate the debt owed to Plaintiff Kaul by the insurance industry.

513. The scheme sought to eliminate future liability to Plaintiff Kaul by the insurance industry.

514. The scheme sought to eliminate the threat that Plaintiff Kaul's minimally invasive spine surgery practice posed to **The Kaul Cases** physician/hospital Defendants, from whom, along with Defendant Allstate and Co-Conspirators Geico/TD, Defendant Christie had received bribes.

515. Defendant Christie believed that he would become the 2016 President of the United States, that Plaintiff Kaul would be eliminated, and the crimes of The Kaul Cases Defendants would go undetected, and that Plaintiff Kaul would not commence litigation in 2016.

516. However, when Plaintiff Kaul did commence litigation, Defendant Christie, in collusion/conspiracy with The Kaul Cases Defendants and certain judges within the United States District Court, did perpetrate a massive scheme of obstruction of justice, that violated Plaintiff Kaul's human rights, and was intended to prevent Plaintiff Kaul from exposing the crimes, and to obviate the obligation of Defendant Allstate and Co-conspirators TD/Geico (Berkshire Hathaway) to report the \$28,000 trillion + in their SEC filings.

517. In the perpetration of the "SNS Scheme", Defendant Christie did use the US mail/wires to exchange information with The Kaul Cases Defendants regarding the bankruptcy and securities fraud, as it pertained detrimentally to the share price of Defendant Allstate and Co-conspirator TD/Geico.

518. In aiding and abetting the "SNS Scheme", Defendant Christie did fully recognize its illegality and the international criminal consequences of his participation in the defrauding of the global equities market.

519. Defendant Christie, nonetheless, did persist in the perpetration of the scheme out of fear that if the \$28,000 trillion + liability were disclosed to the global equities market, it would cause shareholder litigation, that would expose the massive crimes committed by The Kaul Cases Defendants within the executive/legislative/judicial branches of the State of New Jersey, the United States District Court, and the United States Bankruptcy Court (2006 to Present).

520. Defendant Christie was also motivated to aid and abet the securities/bankruptcy fraud, as he had been bribed with shares from Defendant Allstate and Co-conspirator Geico, as part of the quid pro quo scheme in which he ordered the medical board to revoke Plaintiff Kaul's license.

521. Defendant Christie maintains a controlling position within the "SNS Association-In-Fact Enterprise" from which he continues to illegally profit, the profits of which he launders through the enterprise of his political lobbying/law business, that currently provide cover for his "ongoing" schemes of bribery and public corruption.

Defendant Allstate/Co-conspirator Geico:

522. Plaintiff Kaul commenced suit against Defendant Allstate and Co-conspirator Geico on February 22, 2016, in K1, in which Plaintiff Kaul sought \$28,000 trillion + in monetary damages. Allstate's market capitalization was approximately \$33 billion, and thus it was obligated to report the claims in its SEC filings. It did not, and still has not.

523. Pursuant to RICO's vicarious liability doctrine, Defendant Allstate remains liable for the securities violation of its Co-conspirator, Geico.

524. Co-conspirator Geico, in recognizing the immense civil/criminal consequences of disclosure, and the damage to its reputation within the global equities market, did conspire with Co-conspirator ICE in its withholding of this information.

525. Co-conspirator ICE was motivated to participate in the "**SNS Scheme**" as its share price and corporate profits were linked to those of Co-conspirator Geico, and it recognized that exposure to the global equities market of the \$28,000 trillion + liability had the potential to bankrupt Co-conspirator Geico.

526. Co-conspirators ICE/Geico did use the US mail/wires and face-to-face meetings to exchange information about the "**SNS Scheme**".

527. Within the corpus of communication, Co-conspirators ICE/Geico concluded that the risk of Plaintiff Kaul exposing a securities fraud violation was minimal compared to the risk of bankruptcy if **The Kaul Cases** were exposed to the global equities market.

528. Co-conspirator Geico, in recognizing that Co-conspirator ICE would not report its false filings to the SEC/DOJ, did continue to fraudulently trade millions of shares from 2016 onwards, in the knowledge of its illegality, and that it would cause false market valuations, market manipulations and investors to be defrauded.

529. Co-conspirator Geico reaped illegal profits from the "**SNS Scheme**",

530. Co-conspirator Geico funneled the illegal profits as bribes to certain judges within the United States District Court (K11-3) and certain state/federal politicians (K11-1), in order to control the "**racketeering enterprise**" into which **The Kaul Cases** Defendants had converted certain courts (district/appellate) within the United States District Court.

531. In a period commencing in approximately 2008/2009, Co-conspirator Geico, a corporation that conducts business in every state, did, through a "**pattern of racketeering**", and in conspiracy/collusion with **The Kaul Cases** Defendants, convert into "**racketeering enterprises**" the State of North Carolina/All Other American States, the United States District Court, the United States Bankruptcy Court, the New York Stock Exchange and state/federal investigative/prosecutorial authorities, all purposed to eliminate Plaintiff Kaul from the American healthcare market and life itself.

532. Co-conspirator Geico then used the "**racketeering enterprises**" (State of North Carolina/All Other American States, the United States District Court, the United States Bankruptcy Court, the New York Stock Exchange, and state/federal investigative/prosecutorial authorities) to attempt to obstruct Plaintiff Kaul's litigation/license procurement, in order to provide cover for their crimes, when their Kaul elimination scheme failed (2008/9 to 2021).

Co-conspirator TD:

533. On February 22, 2016, with the filing of K1, Plaintiff Kaul did expose the crimes of Co-conspirator TD, and their role in the willful deprivation of Plaintiff Kaul's economic resources, necessary to fight the revocation proceedings filed by Defendant Christie's then state AG, Jeffrey Chiesa.

534. In K1, Plaintiff Kaul also exposed Co-conspirator TD's knowingly illegal/conspiratorial use of state/bankruptcy courts within the geographic boundaries of the State of New Jersey to bankrupt Plaintiff Kaul's corporations and illegally deprive him of his personal/business assets (\$45 million accounts receivable/others).

535. Co-conspirator TD, a corporation that conducts business in North Carolina/All Other American States, commenced conspiring with Defendants Christie/Allstate and Co-conspirator Geico in or around 2010, in a series of quid pro quo schemes, in which Co-conspirator TD received regulatory favors from Defendant Christie in return for arbitrarily foreclosing on Plaintiff Kaul's personal/commercial loans.

536. Defendant Allstate/Co-conspirator Geico had bribed Defendant Christie to eliminate Plaintiff Kaul.

537. Defendant Christie's quid pro quo with Co-conspirator TD, was partially purposed to deprive Plaintiff Kaul of monies to litigate the licensing case against the State of New Jersey.

538. Defendant Christie's quid pro quo with Co-conspirator TD, was partially purposed to bankrupt his corporations in order to facilitate the elimination of debt (\$45 million) owed to Plaintiff Kaul by the insurance industry.

539. Co-conspirator TD, in recognizing the immense civil/criminal liability of **The Kaul Cases**, did conspire with Co-conspirator ICE to conceal the litigation from the global equities market, and did submit false SEC filings and accounts from 2016 to 2021,

540. Co-conspirator TD submitted false SEC filings in the belief that Kaul would not expose its prior crimes, as **The Kaul Cases** Defendants had bribed certain judges within the United States District Court and the United States Bankruptcy Court.

541. Co-conspirator TD submitted false SEC filings with a sense of impunity derived from its knowledge of the fact that Defendant FSMB/Co-conspirator NCMB acting through the "**Federation Cartel**" would attempt to obstruct Plaintiff Kaul's efforts at license procurement.

542. Co-conspirator TD submitted false SEC filings with a sense of impunity derived from its belief that **The Kaul Cases** Defendants obstruction of Plaintiff Kaul's litigation and the "**FC**"s obstruction of license procurement would collectively obstruct Plaintiff Kaul from procuring funding to litigate and even if he did, to actually litigate.

543. From 2016 onwards Co-conspirator TD did use the US mail/wires and engage in face-to-face meetings with Defendants Allstate/Christie and Co-conspirators ICE/Geico in furtherance of the “**SNS Scheme**”.

544. At these meetings, and within these communications, Defendants Christie/Allstate and Co-conspirators Geico/ICE did discuss and conclude that the risk of Plaintiff Kaul exposing their securities fraud violation was substantially outweighed by the risk of disclosing the \$28,000 trillion + liability to the global equities market.

545. In conspiring with **The Kaul Cases** Defendants, Co-conspirator TD did recognize the illegality of their failure to disclose and did follow the advice of counsel in failing to disclose.

546. Co-conspirator TD’s counsel did conspire/collude with counsel for **The Kaul Cases** Defendants in furtherance of the “**SNS Scheme**” for the purpose of concealing their prior crimes,

547. Co-conspirator TD’s prior crimes involved massive schemes of judicial/public corruption, at the center of which was Defendant Christie, his presidential ambitions, and the commercial agendas of corporations/persons from whom Defendant Christie had received bribes.

548. Co-conspirator TD, in willfully committing securities fraud and defrauding the global equities market of their right to honest services, did perpetrate such a scheme with the premeditated purpose of violating Plaintiff Kaul’s litigation rights, in that it stymied his ‘whistleblowing’ on the crimes of **The Kaul Cases** Defendants.

549. Defendant Allstate and Co-conspirators Geico/TD did recognize that disclosure to the global equities market would cause investors to withdraw their stock position, as occurred with K11-2 Defendant Boston Partners, after Plaintiff Kaul informed them in November 2018 of the pending litigation in K1/K2.

550. Defendant Allstate and Co-conspirators Geico/TD did recognize that a disclosure of the \$28,000 trillion + liability would cause massive shareholder litigation and damaging publicity regarding their schemes of judicial/public corruption, and that this litigation/publicity would augment Plaintiff Kaul’s prosecutorial rights.

551. Defendant Allstate and Co-conspirators Geico/TD knowing, and willful violation of the Sarbanes-Oxley Act was purposed to provide cover for their previous crimes against Plaintiff Kaul (bribery/mail fraud/wire fraud/judicial corruption/public corruption/civil rights violations/perjury/kickbacks/false arrest/false imprisonment/obstruction of justice/illegal seizure of assets/money laundering/bankruptcy fraud/bank fraud), and were purposed to, and did in fact, violate Plaintiff Kaul’s prosecutorial rights.

COUNT EIGHT

Association-In-Fact Enterprise: State of North Carolina-United States Bankruptcy Court-NYSE

Defendant Persons: Allstate/Stolz

Co-conspirators: Geico/TD

RICO Predicate Acts: bankruptcy fraud/mail fraud/wire fraud/public corruption/bank fraud/securities fraud/money laundering

Overview:

552. In a period from approximately 2008/2009 to 2013, Defendant Allstate and Co-conspirators Geico/TD, entities that conduct business in all states, did commence conspiring to commit, and did commit a **“pattern of racketeering”** through the enterprise of the State of North Carolina/All Other American States.

553. From 2013 to 2016, Defendant Allstate and Co-conspirators Geico/TD did extend and amplify this **“pattern of racketeering”** into the United States Bankruptcy Court.

554. From 2016 onwards, Defendant Allstate and Co-conspirators Geico/TD and did extend and amplify this **“pattern of racketeering”** into the NYSE, to form an association-in-fact enterprise, the **“State of North Carolina-United States Bankruptcy Court-New York Stock Exchange Association-In-Fact Enterprise”** (**“SUN-Association-In-Fact Enterprise”**).

555. The Defendant Persons that orchestrated, controlled, aided, and abetted, and that did either occupy or effect controlling positions within the enterprises were Defendants Stolz/Allstate.

556. The Co-conspirators, Geico/TD and specifically, K11-3 Defendant/U.S.B.J. John Sherwood, did aid and abet Defendants Stolz/Allstate’s perpetration of their **“SUN Scheme”** through a **“pattern of racketeering”**.

557. The **“pattern of racketeering”** involved the commission of the RICO predicate acts of mail fraud/wire fraud/perjury/obstruction of justice/kickbacks/judicial corruption/public corruption/money laundering/bankruptcy fraud/bank fraud/securities fraud,

558. The **“pattern of racketeering”** and the RICO predicate acts were knowingly/willfully committed, and with knowledge of their illegality, through a purposeful conversion of the State of North Carolina/U.S.B.C./NYSE into **“an association-in-fact racketeering enterprises”**, the principal purpose of which was to increase executive/corporate profit and compensation for Defendant Allstate, who funneled bribes to Defendants Stolz/Christie.

559. The bribes funneled by Defendant Allstate to Defendants Stolz/Christie were either disguised as ‘legal fees’/political campaign ‘donations’, or deposited in offshore bank accounts/trusts.

560. Defendants Stolz/Christie and Co-conspirators Geico/TD did use the US mail/wires and conduct face-to-face meetings in North Carolina, for the purpose of devising, planning, and executing the knowingly illegal “**SUN Scheme**”.

561. Defendants Stolz/Allstate/Christie and Co-conspirators Geico/TD, in the initial planning of their criminal enterprise did not anticipate that in 2016, Plaintiff Kaul would commence litigation, or that the damages sought would be in excess of ten percent (10%) of their market capitalization.

562. In fact, Defendants Stolz/Allstate/Christie and Co-conspirators Geico/TD believed that Plaintiff Kaul would be deported/jailed/killed, and on May 27, 2021, they did, in a state of desperation, perpetrate a scheme in which Plaintiff Kaul was illegally arrested/kidnapped/imprisoned, with the intention of having him permanently injured or killed in the Mercer County jail in Trenton, New Jersey.

563. The scheme failed, and Plaintiff Kaul filed suit on June 15, 2021, against K11-9 Defendants Christopher J. Christie/Philip Murphy/Doreen Hafner/Robert McGuire/Gurbir Grewal, the latter who is named in pending criminal indictment against Senator Robert Menendez.

564. Defendants Stolz/Allstate/Christie and Co-conspirators Geico/TD, in recognizing their \$28,000 trillion + liability, did conspire with Co-conspirator ICE, in the concealment of this information from the global equities market, in which Defendant Allstate and Co-conspirators Geico/TD trade.

565. In 2012, Defendant Allstate extended its operations into India, while simultaneously conducting, in collusion/conspiracy with American state/federal investigative/prosecutorial authorities, policies of racially targeting Indian physicians for license revocation and imprisonment.

Defendant Allstate/Co-conspirator Geico:

567. In June 2013, Co-conspirator TD, in furtherance of the Defendants “**racketeering schemes**” (2008/2008-2023) caused Plaintiff Kaul’s corporations to file for Chapter 11 bankruptcy, by arbitrarily/illegally cancelling all his personal/business loans and closing all his personal/business accounts.

568. On July 21, 2014, the Chapter 11 was converted to a Chapter 7, because of the illegal revocation of Plaintiff Kaul’s license on March 24, 2014. Defendant Stolz and his now deceased law partner, Robert Wasserman, were assigned as the trustee.

569. In a period that commenced in approximately July 2014, Defendant Allstate/Co-conspirator Geico did enter into a conspiracy with Defendant Stolz, in which Defendant Stolz accepted bribes from Defendant Allstate/Co-conspirator Geico in return for not pursuing the

\$45 million accounts receivable owed to Plaintiff Kaul by Defendants Allstate/Co-conspirator Geico and others within the insurance industry, as is irrefutably pled in K4.

570. Defendant Allstate/Co-conspirator Geico did use the US mail/wires and face-to-face meetings with Defendant Stolz to exchange information regarding the perpetration of the “**SUN Scheme**”, the purpose of which was to increase share price/executive compensation and bribes to Defendant Stolz.

571. During these communications, Defendants Allstate/Stolz and Co-conspirator Geico did consider the money laundering risk posed by the investment of the proceeds of their crimes into the NYSE.

572. Defendants Allstate/Stolz and Co-conspirator Geico calculated that the risk was minimal, as Plaintiff Kaul would be eliminated and any person who had knowledge of the crimes would remain silent, fearful of retaliation of a criminal indictment from Defendant Christie, who was still the NJ Governor.

573. Defendants Allstate/Stolz and Co-conspirator Geico calculated that their illegal scheme would cause an elevation of share price, the false basis of which would be concealed from the global investment community.

574. Subsequent to the filing of K1, the Defendants Allstate and Co-conspirators Geico/TD did conspire to not report the case in their SEC filings, in order to provide cover for, amongst other things, their crime of bankruptcy/creditors fraud.

575. However, in filing knowingly false SEC returns, they committed securities fraud, a crime that they have committed before, but in this case, a crime that commenced in 2016, and is ongoing in 2023.

576. On May 27, 2021, **The Kaul Cases** Defendants attempted to have Plaintiff Kaul seriously injured or killed (K11-9) and on June 14-15, 2023, did have Plaintiff Kaul illegally arrested/jailed/attempted murder.

Defendant Stolz:

577. Defendant Stolz, a lawyer, knew that in conspiring to commit and committing the RICO predicate acts of bankruptcy fraud/securities fraud/mail fraud/wire fraud, through a “**pattern of racketeering**” in which he converted the United States Bankruptcy Court into a “**racketeering enterprise**”, for a period commencing on July 21, 2014, he has defrauded the global equities market of its right to honest services, caused injury to foreign markets and has thus incurred international criminal liability.

578. Plaintiff Kaul has exposed the crimes of Defendant Stolz, who from 2018 conspired with corrupted judges in the District of New Jersey to prevent Plaintiff Kaul from prosecuting his claims against Defendant Stolz.

579. The tactics used by Defendant Stolz included having Co-conspirator/K11-3 Defendant U.S.B.J. John Sherwood enter an order in February 2020, that sought to bar Plaintiff Kaul from prosecuting Defendant Stolz for his crimes.

580. Co-conspirator/K11-3 Defendant Sherwood, as plausibly and irrefutably pled in K11-3, did accept bribes from Defendant Allstate/Co-conspirator Geico and K11-11 Defendant Blue Cross Blue Shield in return for entering judgements adverse to Plaintiff Kaul/creditors in the bankruptcy proceedings (July 21, 2014, to July 31, 2020).

581. The Kaul Cases Defendants 'hijacked' the authority of the United States Bankruptcy Court through massive schemes of judicial corruption/bribery.

582. When Plaintiff Kaul commenced litigation against Defendant Stolz in 2018 (K4) Defendant Stolz and his lawyer, Scott Rever, desperate to prevent their prosecution by Plaintiff Kaul, did threaten to expose the names of state/federal politicians and judges, who had either participated/facilitated his bankruptcy fraud in Plaintiff Kaul's case, or had received bribes from the insurance industry in cases involving other physicians/healthcare providers.

583. From 2016 to the present, Defendant Stolz, with knowledge of Defendant Allstate/Co-conspirators Geico/TD's securities fraud crimes, has failed to report the crimes to regulators or the global equities market, as he recognizes that to report would expose his crime of bankruptcy fraud, and the crimes/malfeasance of all of The Kaul Cases Defendants, extending back to 2006.

584. Defendant Stolz has knowledge that Defendant Allstate/Co-conspirators Geico/TD did conspire with Co-conspirator ICE to conceal from the global equities market, their \$28,000 trillion + liability.

585. Defendant Stolz has knowledge that Defendant Allstate/Co-conspirators Geico/TD did conspire with the SEC to have K11-9 Defendant/Co-conspirator and ex-NJ AG Gurbir Grewal, transferred on June 29, 2021, from the Office of the NJ AG to the securities fraud enforcement division, after Plaintiff Kaul sued him in K11-9 for his role in the May 27, 2021, kidnapping of Plaintiff Kaul.

586. Defendant Stolz has knowledge that K11-2 Defendant, Boston Partners, admitted to withdrawing its position in Co-conspirator Allstate, after they received a letter from Plaintiff Kaul in November 2018, that informed them of securities fraud violations committed by Defendant Allstate/Co-conspirators Geico/TD, in submitting knowingly false SEC filings in a period from 2016 onwards.

Co-conspirator TD:

587. In approximately 2010, Co-conspirator TD commenced conspiring against Plaintiff Kaul with Defendants Allstate/Christie and Co-conspirator Geico in a scheme to eliminate Plaintiff Kaul through the destruction of his career/livelihood/reputation/economic standing.

588. In furtherance of this scheme, Co-conspirator TD used the US mail/wires to transmit information regarding the scheme's devising/implementation/execution, in the knowledge that such transmission constituted the crimes of mail/wire fraud.

589. However, Co-conspirator TD did not believe that Plaintiff Kaul would expose its crimes, as it received information from Defendants Christie/Allstate and Co-conspirator Geico that Plaintiff Kaul would be eliminated.

590. Co-conspirator TD entered into a series of quid pro quo schemes with Defendants Allstate/Christie and Co-conspirator Geico in which they conducted a **"pattern of racketeering"** through the American banking system and United States Bankruptcy Court, through the commission of the RICO predicate acts of mail fraud/wire fraud/bankruptcy fraud/bank fraud.

591. Co-conspirator TD, in its conspiratorial role in the nationwide licensing suspension/licensing prohibition scheme directed at Plaintiff Kaul that commenced in 2012 in NJ, did subsequently convert into an **"association-in-fact racketeering enterprise"**, the State of North Carolina/United States Bankruptcy Court/NYSE in the knowledge of the immense civil/criminal liability that such crime, if exposed, would cause to them and their shareholders.

592. In approximately late 2013/2014, Co-conspirator TD, in collusion/conspiracy with Defendants Allstate/Christie and Co-conspirator Geico did file a knowingly false banking fraud claim against Kaul, with www.checksystems.com.

593. The purpose and effect of this fraudulent www.checksystems.com claim was to prevent Plaintiff Kaul's access to banking services, cause a deterioration in his credit score in order to prevent him funding the licensing litigation.

594. Co-conspirator TD did not anticipate that Plaintiff Kaul would sue them in 2016, nor that he would expose their securities fraud violation (2016 to present).

595. During the Chapter 11 and then Chapter 7 bankruptcy proceedings (June 17, 2013, to July 31, 2020), Co-conspirator TD, with knowledge of the illegality of the revocation of Plaintiff Kaul's license, and the **"racketeering schemes"** perpetrated by, amongst others, Defendants Allstate/Christie, and Co-conspirator Geico that caused the revocation/subsequent legal cases against Plaintiff Kaul, did conspire with its counsel to not report the bankruptcy fraud to authorities.

596. Co-conspirator TD's reason for failing to report the bankruptcy fraud was that it did not want exposed its prior crimes and involvement in The Kaul Cases Defendants scheme to eliminate Plaintiff Kaul (livelihood/reputation/assets/freedom/human rights).

597. Co-conspirator TD conspired with Defendants Stolz/Allstate and Co-conspirator Geico and K11-2 Defendant, John Diorio, Esq, Plaintiff Kaul's Chapter 7 lawyer, to threaten Plaintiff Kaul that unless he signed over title to the real estate in which his surgical center was located, despite it belonging to a corporation not part of the Chapter 11 proceeding, that Plaintiff Kaul's ex-wife would be sued by Defendant Stolz and she/Plaintiff Kaul's young children would be evicted from their childhood home.

598. In a period from 2016 onwards, Co-conspirator TD conspired with its lawyers/accountants to defraud the global equities market of its right to honest services, through the submission of false SEC filings and accounting reports.

599. Co-conspirator TD perpetrated these criminal deceptions on the global equities market, in the belief, and with the intention of violating Plaintiff Kaul's prosecutorial rights in K1, knowing that disclosure of the K1 facts and \$28,000 trillion + liability would have caused investors to withdraw their positions and commence shareholder litigation.

600. Co-conspirator TD knew that shareholder litigation would have exposed their crimes, that include those associated with the purchase of Commerce Bank in 2007, in which they bribed multiple NJ state politicians in a 'pay-to-play' scheme, in order to complete the purchase.

601. Co-conspirator TD knew that such an exposition of crime would have conclusively proved Plaintiff Kaul's claims in K1 and specifically the fact of the 2009/2010 quid pro quo scheme with Defendant Christie, in which Co-conspirator TD, in exchange for regulatory banking favors in New Jersey, did consent to cancelling Plaintiff Kaul's personal/commercial loans, closing his accounts, and filing a knowingly fraudulent claim with www.checksystems.com

COUNT NINE

Association-In-Fact Enterprise: State of North Carolina-United States District Court

Defendant Persons: Christie/Heary

Co-conspirator: AHS

RICO Predicate Acts: mail fraud/wire fraud/bribery/obstruction of justice/public corruption/money laundering

Overview:

602. In a period commencing in approximately 2006, Defendants Christie//Heary and Co-conspirator AHS commenced conspiring to commit, and did commit, a "pattern of racketeering" through the association-in-fact enterprise of the State of North Carolina and the

United States District Court, the **“SU Association-In-Fact Enterprise”**, in furtherance of the **“SU Scheme”**,

603. Defendants Christie//Heary and Co-conspirator AHS perpetrated the **“SU Scheme”** through the commission of the RICO predicate acts of mail fraud/wire fraud/bribery/public corruption/obstruction of justice/perjury/kickbacks/bank fraud/investor fraud.

604. A motivating factor for the **“SU Scheme”** was to increase Defendants Christie//Heary and Co-conspirator AHS’s economic/political power within the American legal/medical/business/political sectors of industry, at the expense of Plaintiff Kaul, free standing surgical centers, and non-neurosurgical minimally invasive spine surgeons,

605. A reassuring factor in the **“SU Scheme”**, one that provided a sense of impunity, was Defendant Christie/Heary and Co-Conspirator AHS’s belief that through corruption, they could indefinitely pervert the United States District Court into providing cover for their crimes within the State of North Carolina/All Other American States.

Defendant Christie:

606. In 2000, when Defendant Christie was appointed the US Attorney for the District of New Jersey, he commenced abusing state prosecutorial power for advancement of his personal/political/economic agendas by manufacturing false indictments to threaten persons with criminal prosecution in order to coerce them into funneling money (directly/indirectly) into his political campaigns and offshore bank accounts/trusts.

607. Defendant Christie used this money to occupy the governor’s office in 2009/2013, from which he continued the **“pattern of racketeering”** of extortion and quid pro quo scheme bribery, in which bribes were funneled into his political campaigns/offshore bank accounts by, amongst others, Defendant Heary and Co-conspirator AHS.

608. The quid pro quo schemes were purposed to have eliminated Plaintiff Kaul from the healthcare market and from life itself.

609. The quid pro quo schemes were purposed to have eliminated free standing surgical centers.

610. The quid pro quo schemes were purposed to have eliminated billing codes for outpatient spine surgery.

611. The quid pro quo schemes were purposed to have introduced legislation that prevented the issuance of state licenses for physician owned surgical centers

612. The quid pro quo schemes were purposed to have downgraded the RVU of billing codes for spine surgery in free standing physician owned surgical centers.

613. These illegally conducted tactics were part of an overall strategy perpetrated by for-profit healthcare corporations, such as Defendant Allstate and Co-conspirators Geico/AHS, to illegally monopolize, through both per se/rule of reason violations, the American healthcare market.

614. At the heart of this conspiracy lies the **“HIPIC-FC” (“Hospital-Insurance-Pharmaceutical-Industrial Complex – Federation Cartel”)** and related to this is the **“Hospital-Insurance-Pharmaceutical-Industrial-Complex-US Government Cartel”** the **“HIPIC-USC”**.

615. These two cartels, **“HIPIC-FC”** and **“HIPIC-USC”**, operate to eliminate physicians through license revocation/incarceration/suicide/death, in order to increase the corporations’ profits/share price, by reducing the amount of patient care provided, by reducing the number of physicians.

616. Defendant Christie, in his capacity as the US Attorney did come to understand the mechanics of the securities market, and was involved with securities fraud cases. Co-conspirator ICE came into existence as recently as 2000, the year Defendant Christie became US Attorney, but yet by 2021 it has a market capitalization of \$68 billion.

Bribery:

617. Defendant Christie’s relationship with bribers, bribery and quid pro quo schemes extends back to his early political/legal career in Morris County, New Jersey.

618. In a time period from 2008 to 2016, Defendants Heary and Co-conspirator AHS funneled bribes to Defendant Christie, using as cover, his political campaign account and law/public relation/political lobbying firms with whom Defendant Christie conducted illegal transactions, in which he used the public treasury to funnel state contracts to these firms in return for bribes.

619. The bribes flowed from Defendants Heary and Co-conspirator AHS to Defendant Christie, and the public’s money (kickbacks) flowed from Defendant Christie to Defendants Heary (\$3.1 million state ‘salary’) and Co-conspirator AHS, in the form, amongst others, of government grants and tax deductions/exemptions.

Mail Fraud/Wire Fraud:

620. In a period from 2008 to 2021 Defendant Christie did, with knowledge of its illegality, use the US mail/wires to exchange information with Defendants Heary and Co-conspirator AHS in furtherance of the **“SU Scheme”**, for the purpose of illegal spine market monopolization (2008-2014)

621. In a period from 2008 to 2021 the Defendants Christie/Heary and Co-conspirator AHS did, with knowledge of its illegality, use the US mail/wires to exchange information regarding the provision of cover in the United States District Court against Plaintiff Kaul’s prosecution of their antitrust/racketeering/civil rights crimes (2016-2021).

622. The attempted procurement of cover constituted an effort to ensure Plaintiff Kaul did not expose The Kaul Cases Defendants illegal spine market monopolization.

Obstruction of Justice:

623. In a period from 2012 to 2021, Defendant Christie did conspire to commit, and did commit an obstruction/violation of Plaintiff Kaul's right to justice by, through and as a consequence of his control of the executive/judicial/legislative branches of the State of New Jersey.

624. The obstruction/violation caused "ongoing" and "new racketeering" injuries to Plaintiff Kaul's economic standing/reputation/livelihood/life/liberty.

625. Defendant Christie conspired with Defendants Stolz/Allstate and Co-Conspirator TD/Geico to obstruct Plaintiff Kaul's right to justice in the United States Bankruptcy Court (2013 to 2020), an obstruction that caused further new injuries and exacerbated ongoing injuries.

626. Defendant Christie conspired with The Kaul Cases Defendants/counsel (2016-2021) to obstruct/violate Plaintiff Kaul's prosecutorial rights in the United States District Court,

627. The purpose of the violation/obstruction was to attempt to prevent Plaintiff Kaul from further exposing their crimes in the State of New Jersey and the United States Bankruptcy Court.

Public Corruption:

628. In a period from 2008 to 2021, Defendant Christie abused his political power and public office to engage in acts of public corruption with private actors (persons/corporations), state/federal judges, medical boards, and NJ state police.

629. Defendant Christie's corrupt acts were purposed to eliminate Plaintiff Kaul (deportation/jailed/suicide-killed).

630. Defendant Christie's corrupt acts were purposed to order/coerce state judges/courts to obstruct Plaintiff Kaul's right to justice and to have entered multi-million-dollar judgments in knowingly fraudulent cases brought against him by The Kaul Cases Defendants/Co-Conspirators (lawyers/patients), in the widely publicized (2012 to 2015) aftermath of the illegal 2012/2014 suspension/revocation.

631. Defendant Christie's corrupt acts were purposed to obstruct Plaintiff Kaul's right to justice in the United States Bankruptcy Court (2013-2020).

632. Defendant Christie's corrupt acts were purposed to violate Plaintiff Kaul's prosecutorial rights in the United States District Court (2013-2023).

633. Defendants Christie/Allstate and Co-Conspirators Geico/TD conspired with the SEC to have Co-Conspirator Grewal transferred to the enforcement division of the SEC on June 29, 2021, to attempt to quash a securities fraud prosecution of Defendant Allstate and Co-Conspirators Geico/TD.

AHS:

Mail/Wire Fraud:

634. In a period from approximately 2008/2009 to 2014, Co-Conspirator AHS did with knowledge of its illegality, use the US mail/wires to conspire with, amongst others, Defendant Christie, regarding the perpetration of the first half of the **“SU Scheme”**.

635. The first half of the **“SU Scheme”** involved the illegal revocation of Plaintiff Kaul’s license, the destruction of his economic standing/reputation and elimination, be it by jail/deportation/suicide-death.

636. From 2016 to 2021, Defendant AHS/counsel did, with knowledge of its illegality, use the US mail/wires to conspire with **The Kaul Cases** Defendants/counsel, regarding the perpetration of the second half of the **“SU Scheme”**,

637. The second half of the **“SU Scheme”** involved the corruption of judges within the United States District Court to obstruct justice by violating Plaintiff Kaul’s prosecutorial rights.

638. The purpose of the second half of the **“SU Scheme”** was to attempt to prevent Plaintiff Kaul from further exposing the crimes committed in the first half of the **“SU Scheme”**, and the securities fraud violations of Defendants Allstate and Co-conspirators TD/Geico.

639. Co-Conspirator AHS’s shareholding in these corporations has increased since the filing of K1, on February 22, 2016, as is a fact with many other of **The Kaul Cases** Defendants.

Bribery:

640. In a period from 2008/2009, Co-Conspirator AHS did engage in a series of quid pro quo schemes with Defendant Christie, in which they converted the executive/legislative/judicial branches of the State of New Jersey into a **“racketeering enterprise”**,

641. Through the **“racketeering enterprise”** Co-Conspirator AHS conducted a **“pattern of racketeering”**.

642. Co-Conspirator AHS’s **“pattern of racketeering”** involved a conspiracy to commit, and the actual commission with knowing illegality of the RICO predicate acts of bribery/public corruption.

Heary:

Mail/Wire Fraud:

643. In a period from approximately 2008/2009 to 2014, Defendant Heary did with knowledge of its illegality, use the US mail/wires to conspire with, amongst others, Defendant Christie, regarding the perpetration of the first half of the “SU Scheme”,

644. The first half of the “SU Scheme” involved the revocation of Plaintiff Kaul’s license, the destruction of his economic standing/reputation and elimination, be it by jail/deportation/death.

645. From 2016 to 2021, Defendant AHS/counsel did, with knowledge of its illegality, use the US mail/wires to conspire with The Kaul Cases Defendants/counsel, regarding the perpetration of the second half of the “SU Scheme”,

646. The second half of the “SU Scheme” involved the corruption of judges within the United States District Court to obstruct justice by violating Plaintiff Kaul’s prosecutorial rights,

647. The purpose of the second half of the “SU Scheme” was to attempt to prevent Plaintiff Kaul from further exposing the crimes committed in the first half of the “SU Scheme”, and the securities fraud violations of Defendant Allstate and Co-Conspirators.

648. Defendant Heary’s shareholding in these corporations has increased since the filing of K1, on February 22, 2016, as is the case with many other of The Kaul Cases Defendants.

Bribery/Public Corruption:

649. In a period from 2008/2009, Defendant Heary did engage in a series of quid pro quo schemes with Defendant Christie,

650. In the perpetration of these quid pro quo schemes, Defendants Christie/Heary did directly/indirectly convert the State of North Carolina into a “**racketeering enterprise**”.

651. Defendants Christie/Heary and the Co-Conspirators in collusion with The Kaul Cases Defendants, perpetrate through the “**racketeering enterprise**” a “**pattern of racketeering**”.

652. The “**pattern of racketeering**” involved conspiring to commit and actually committing with a knowing illegality, the RICO predicate acts of bribery/public corruption.

COUNT TEN

Association-In-Fact Enterprise: State of New Jersey-United States District Court-United States Bankruptcy Court-NYSE

Defendant Persons: FSMB/Christie/Allstate

Co-conspirators: Geico/NCMB

RICO Predicate Acts: mail fraud/wire fraud/bribery/obstruction of justice/public corruption/money laundering

Overview:

653. In a period that commenced in approximately 2008/2009, the Defendants did conspire to commit, and did commit, with knowledge of its illegality, a **“pattern of racketeering”**.

654. The **“pattern of racketeering”** involved conspiring to commit and actually committing with a knowing illegality RICO predicate acts of mail fraud/wire fraud/bribery/obstruction of justice/public corruption.

655. Defendants Allstate/FSMB/Christie and their Co-Conspirators Geico/NCMB in perpetrating a **“pattern of racketeering”** did convert the State of North Carolina, the United States Bankruptcy Court, the United States District Court, and the NYSE into an association-in-fact racketeering enterprise, the **“SUUN Association-In-Fact Enterprise”**.

656. Through the **“SUUN Association-In-Fact Enterprise”** Defendants Allstate/FSMB/Christie and their Co-Conspirators Geico/NCMB perpetrated the **“SUUN Scheme”**.

657. A purpose of the **“SUUN Scheme”** was to eliminate Plaintiff Kaul (jailed/deported/suicide-killed)

658. A purpose of the **“SUUN Scheme”** was to have Defendant Christie become the 2016 US President.

659. A purpose of the **“SUUN Scheme”** was to prevent Plaintiff Kaul from further exposing their crimes, and the securities fraud/bank fraud/bankruptcy fraud of Defendant Allstate and Co-conspirators Geico/TD Bank.

660. Central to the perpetration of the **“SUUN Scheme”** was the **“Hospital-Insurance-Pharmaceutical-Industry-Complex”** (**“HIPIC-FC”**) and their monopolization/control of all elements of American medicine by for-profit public-private corporations.

661. The shared economic mission of the **“HIPIC-FC”** is the maximization of corporate profit and share price.

662. The “**HIPIC-FC**” maximization of corporate profit/share prices is procured through the exploitation of the American public (denial of care) and medical profession (license suspension/revocation/incarceration) achieved through their corrupt control of the executive/legislative/judicial branches of state/federal government.

Christie:

Mail/wire fraud:

663. In a period commencing from approximately 2008/2009 to 2016 Defendant Christie did use the US mail wires in a knowing illegal manner, to exchange information with Defendant Allstate and Co-conspirator Geico regarding the perpetration of the first half of the “**SUUN Scheme**”.

664. The first half of the “**SUUN Scheme**” involved the revocation of Plaintiff Kaul’s license, the destruction of his economic standing/reputation and elimination, be it by jail/deportation/death.

665. From 2016 to 2021, Defendant Christie did use the US mail/wires in a knowingly illegal manner, to exchange information with Defendants Allstate/FSMB and Co-conspirators Geico/TD regarding the second half of the “**SUUN Scheme**”.

666. The second half of the “**SUUN Scheme**” involved obstructing Plaintiff Kaul’s efforts to procure a license anywhere in the world.

667. The second half of the “**SUUN Scheme**” involved violating Plaintiff Kaul’s prosecutorial rights and obstructing his access to justice by corrupting judges within the United States District Court.

668. The purpose of the second half of the “**SUUN Scheme**” was an attempt to prevent Plaintiff Kaul from further exposing the crimes of Defendants Allstate/FSMB/Christie and Co-conspirators Geico/TD.

669. These crimes include securities fraud/bankruptcy fraud/bank fraud.

670. Defendant Christie received substantial shares from Defendant Allstate and Co-Conspirators Geico/TD as part of the quid pro quo schemes of bribery, to eliminate Plaintiff Kaul.

Bribery:

671. In a period from 2008/2009 to 2016, Defendant Christie did enter into a series of quid pro quo schemes with Defendant Allstate and Co-Conspirator Geico.

672. In these quid pro quo schemes, Defendant Christie received bribes disguised as political campaign donations and corporate shares,

673. In these quid pro quo schemes, Defendant Christie received bribes (monies) transferred into multiple tax-free offshore havens, including Israel.

674. In a period from 2016 to 2021, Defendant Christie did corrupt judges within the United States District Court in quid pro quo schemes purposed to violate Plaintiff Kaul's prosecutorial rights.

675. The purpose of violating Plaintiff Kaul's prosecutorial rights was to prevent him from further exposing the crimes of The Kaul Cases Defendants.

676. These crimes include securities fraud/bankruptcy fraud/bank fraud.

Obstruction of justice/public corruption:

677. In a period from 2008/2009 to 2016, Defendant Christie conspired to commit, and did commit, in collusion/conspiracy with The Kaul Cases Defendants, and as part of the first half of the "SUUN Scheme", an ongoing scheme to violate Plaintiff Kaul's right to justice within administrative/state/bankruptcy/federal courts within the geographic boundaries of the State of New Jersey,

678. The violations were the intended product of multiple quid pro quo schemes in which The Kaul Cases Defendants funneled bribes to Defendant Christie to have Plaintiff Kaul eliminated.

679. In a period from 2016 to 2021, Defendant Christie did corrupt judges within the United States District Court to violate Plaintiff Kaul's prosecutorial rights and obstruct justice.

680. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from further exposing Defendants Allstate/FSMB/Christie and Co-conspirators Geico/TD decades-long schemes of corruption of American state/federal politicians/judges/legislators.

681. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from further exposing Defendants Allstate/FSMB/Christie and Co-conspirator Geico/TD crimes of securities fraud/bankruptcy fraud/bank fraud.

Money laundering:

682. In a period from 2008/2009 to 2017, Defendant Christie did launder the proceeds of his "SUUN Scheme" related criminal activity, in the same places that he laundered the proceeds of his many other criminal enterprises.

683. Defendant Christie lauded the proceeds through his family.

684. Defendant Christie laundered the proceeds through the NYSE.
685. Defendant Christie laundered the proceeds through offshore trusts/banks.
686. Defendant Christie laundered the proceeds through his law/political lobbying firm.
687. Defendant Christie laundered the proceeds through his lawyers.
688. Defendant Christie laundered the proceeds through his accountants.
689. Defendant Christie laundered the proceeds through his public relation personnel (Mercury Public Relations).
690. Defendant Christie laundered the proceeds through investments in Defendants Allstate and Co-Conspirators Geico/TD/AHS.
691. Defendant Christie laundered the proceeds through his real estate holdings.

Allstate/Geico:

Mail fraud/wire fraud:

692. In a period commencing in 2008/2009, Defendant Allstate and Co-Conspirator Geico did, with a knowing illegality, use the US mail/wires to exchange information with Defendant FSMB/Co-conspirator NCMB, in furtherance of both the first half of the “**SUUN Scheme**” and in continued furtherance of the decades-long “**HIPIC-FC**” scheme (1986-Present).
693. In these communications, Defendant Allstate, and Co-Conspirator Geico conspired with Defendant FSMB to globally disseminate knowingly fraudulent/highly defamatory information in furtherance of Plaintiff Kaul’s elimination.
694. The hoped-for-elimination (economic/reputation/livelihood/liberty/life) of Plaintiff Kaul was to prevent him exposing the crimes of **The Kaul Cases** Defendants.
695. From 2016 to 2021, Defendant Allstate did, with a knowing illegality, use the US mail/wires to exchange information with Defendant FSMB/Co-conspirators NCMB and all **The Kaul Cases** Defendants, in furtherance of the second half of the “**SUUN Scheme**”.
696. The second half of the “**SUUN Scheme**” involved violating Plaintiff Kaul’s prosecutorial rights in the United States District Court through judicial corruption.
697. A purpose of the violation was to prevent Plaintiff Kaul from further exposing **The Kaul Cases** Defendants prior crimes (2008/2009-2016) in the State of North Carolina and the United States Bankruptcy Court.

698. A purpose of the violation was to attempt to conceal their securities fraud crimes on the NYSE (2016-2023).

Bribery:

699. Defendant Allstate/Co-conspirator Geico have, since 1986, participated in an illegal bribery-based scheme of racketeering with Defendant FSMB/Co-conspirator NCMB/other state medical boards, the **"HIPIC-FC"** scheme, in a profit-purposed monopolization of the entire American healthcare system.

700. The monopolization is made possible by the corruption/control of the political/judicial bodies of the American Republic, and remains facilitated by Citizens United (2010).

701. From 2008/2009 to 2016 Defendants Allstate/FSMB and Co-Conspirators Geico/NCMB/other state medical boards perpetrated a massive series of crimes against Plaintiff Kaul, though the conduction of a **"pattern of racketeering"**.

702. The **"pattern of racketeering"** was perpetrated through the **"SUUN Association-In-Fact Enterprise"**

703. The **"pattern of racketeering"** furthered the first half of **"SUUN Scheme"**.

704. The **"pattern of racketeering"** provides further evidence of the longstanding **"HIPIC-FC"** scheme, in which, in its simplest form, for-profit corporations operating in the healthcare market, engage in knowingly illegal quid pro quo bribery schemes with Defendant FSMB/Co-conspirator NCMB/other state medical boards, in which these entities operating through the **"FC" ("Federation Cartel")** have eliminated (license suspension/revocation/indictment/incarceration/suicide) physicians whose thoughts/words/actions either fail to support or undermine the corporate profit agenda. A scheme of **CORPORATE TOTALATARIANSIM**.

Obstruction of justice/public corruption:

705. From 2008/2009 to 2016, Defendant Allstate and Co-Conspirator Geico did, with knowing illegality, use the US mail/wires to exchange information with Defendant FSMB regarding the **"SUUN Scheme"** to eliminate Plaintiff Kaul.

706. From 2016 to 2021, Defendant Allstate and Co-Conspirator Geico did with knowing illegality use the US mail/wires to conspire to commit, and commit corruption of judges within the New Jersey Superior Court, the United States Bankruptcy Court (DNJ) and the United States District Court.

707. The purpose of the judicial corruption was to obstruct justice by violating Plaintiff Kaul's prosecutorial rights.

708. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from further exposing The Kaul Cases Defendants crimes against Plaintiff Kaul in the State of North Carolina, crimes which commenced in 2012 and are ongoing.

709. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from exposing The Kaul Cases Defendants commission/aiding/abetting bankruptcy fraud in the United States Bankruptcy Court (2013-2020).

710. A purpose of the obstruction of justice was to attempt to conceal The Kaul Cases Defendants securities fraud offenses committed in the NYSE (2016-2023), crimes that have thus not been investigated by the SEC, because Co-Conspirator Grewal was fraudulently appointed its enforcement director in June 2021, for exactly this illegal purpose.

Money laundering:

711. Defendant Allstate and Co-Conspirator Geico did launder and continue to launder the proceeds of their crimes (2008/2009-2023) through the NYSE and global investment community, including the sovereign funds of many other nations, and exchanges, including the London, Shanghai, and Bombay Stock Exchanges.

712. Defendant Allstate and Co-Conspirator Geico continue to fail to disclose to international markets their ongoing commission of securities fraud (2016-2023), with knowledge of the immense liability this continues to cause to private/sovereign funds currently invested on the NYSE.

713. Defendant Allstate and Co-Conspirators Geico/TD have not disclosed the \$28,000 trillion + liability in any filings, anywhere in the world, at any point in time after 2016.

FSMB/Co-conspirator NCMB:

Mail fraud/wire fraud:

714. In a period from 2008/2009 to 2016, Defendant FSMB did with knowing illegality use the US mail/wires to exchange information with Defendant Allstate and Co-Conspirators Geico/NCMB regarding the first half of the “**SUUN Scheme**”, that involved the revocation of Plaintiff Kaul’s license, the destruction of his economic standing/reputation and his elimination, be it by jail/deportation/killed.

715. From 2016 to May 2023, Defendant FSMB did similarly use the US mail/wires to conspire with The Kaul Cases Defendants to commit acts of corruption of judges/senators within the United States District Court/US Government, purposed to violate Plaintiff Kaul’s prosecutorial rights and obstruct justice.

716. Defendant FSMB's obstruction of justice was purposed to prevent Plaintiff Kaul from further exposing The Kaul Cases Defendants crimes (2008/2009 to 2023), including those of securities fraud.

717. From 2014 to 2021, Defendant FSMB in collusion/conspiracy with and through the "FC", did conspire with The Kaul Cases Defendants to attempt to obstruct Plaintiff Kaul from procuring a medical license anywhere in the world including the State of North Carolina.

718. The purpose of a global obstruction of license procurement was an attempt to restrict Plaintiff Kaul's access to capital, in the belief/hope it would obstruct his ability to prosecute his claims to judgment.

719. Defendant FSMB's purpose in attempting to violate Plaintiff Kaul's ability to prosecute his claims to judgment is to attempt to prevent Plaintiff Kaul from exposing the crimes (2008/2009 to 2021) of The Kaul Cases Defendants

720. The crimes of The Kaul Cases Defendants, including Defendant FSMB are mail fraud/wire fraud/perjury/extortion/kickbacks/obstruction of justice/public corruption/evidence tampering/witness tampering/securities fraud/bankruptcy fraud/bank fraud/money laundering/judicial corruption/kidnapping/manslaughter/chemical weapon trafficking/COVID vaccine related crimes against humanity.

Bribery:

721. Since 1986, Defendant FSMB has conducted ongoing schemes of bribery with for-profit corporations ("HIPIC-FC") in furtherance of their scheme to monopolize all elements of American medicine, from the business of regulation to healthcare commerce.

722. Defendant Allstate and Co-Conspirator Geico bribed, and continue to bribe Defendant FSMB to have Plaintiff Kaul eliminated from the market (2012/2014)

723. Defendants Allstate, Co-Conspirator Geico and The Kaul Cases Defendants continue to bribe Defendant FSMB-NCMB to attempt to prevent Plaintiff Kaul's re-entry into clinical practice.

724. The purpose of attempting to prevent Plaintiff Kaul's re-entry is an attempt to deny him access to capital.

725. Defendant FSMB-NCMB and all The Kaul Cases Defendants believe that if Plaintiff Kaul is denied capital, it will prevent Plaintiff Kaul from prosecuting them in the United States District Court.

726. From 2016 to 2021, Defendant FSMB-NCMB has bribed judges/senators within the United States District Court/US Government, in order to violate Kaul's prosecutorial rights and obstruct justice.

727. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from further exposing **The Kaul Cases** Defendants crimes against Plaintiff Kaul in the State of North Carolina, crimes which commenced in 2012 and are ongoing.

728. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from exposing **The Kaul Cases** Defendants commission/aiding/abetting bankruptcy fraud in the United States Bankruptcy Court (2013-2020).

729. A purpose of the obstruction of justice was to attempt to conceal **The Kaul Cases** Defendants securities fraud offenses committed in the NYSE (2016-2023), crimes that have thus not been investigated by the SEC, because Co-Conspirator Grewal was fraudulently appointed its enforcement director in June 2021, for exactly this illegal purpose.

Obstruction of justice/public corruption:

730. From 2016 to 2021, Defendant FSMB by, through and with the "FC", and in collusion/conspiracy with **The Kaul Cases** Defendants, did bribe judges/senators within the United States District Court/US Government.

731. The purpose of bribing judges/senators was to pervert the course of justice by violating Plaintiff Kaul's prosecutorial rights.

732. The purpose of violating Plaintiff Kaul's prosecutorial rights was to pervert the course of justice in order to attempt to prevent Plaintiff Kaul from further exposing the crimes of **The Kaul Cases** Defendants.

Money laundering:

733. Since 1986, Defendant FSMB has generated millions of dollars from its "**pattern of racketeering**" within American medicine, through the willful exploitation/expense of the American public/medical profession.

734. Defendant FSMB's criminal proceeds have been laundered through investments in corporations publicly traded on the NYSE, including Defendant Allstate and Co-Conspirator Geico and other health insurance companies including third-party carriers commercially allied with state/federal governments.

735. Defendant FSMB's proceeds are also laundered through law/political lobbying/public relation firms that funnel bribes to state/federal judges/executives/legislators, in exchange for judgments/legislation that further the political/economic agendas of Defendant FSMB/Co-

conspirator NCMB/other state medical boards and all corporations involved in commerce with the “HIPIC-FC-Association-In-Fact Enterprise”.

COUNT ELEVEN

**Association-In-Fact Enterprise: State of North Carolina-United States Bankruptcy Court-
United States District Court**

Defendant Persons: Christie/Allstate

Co-conspirators: Geico/Grewal/Murphy

**RICO Predicate Acts: kidnapping/mail fraud/wire fraud/bribery/obstruction of justice/public
corruption**

Overview:

736. In a period from April 2, 2012, to the present, Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy did conduct a “**pattern of racketeering**”. within the association-in-fact enterprise of the State of North Carolina-United States Bankruptcy Court-United States District Court (“**NCBD Association-In-Fact Enterprise**”).

737. In conducting the “**pattern of racketeering**” within/through the “**NCBD Association-In-Fact Enterprise**”, Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy did convert the State of North Carolina/United States Bankruptcy Court/United States District Court into a “**racketeering enterprise**”.

738. It was through the “**NCBD Association-In-Fact Enterprise**” that Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy perpetrated the RICO predicate acts of kidnapping/mail fraud/wire fraud/bribery/obstruction of justice/public corruption/judicial corruption.

739. The purpose of Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy’s commission of the RICO predicate acts through a “**pattern of racketeering**” was to prevent Plaintiff Kaul from further exposing their crimes prior to the crimes of having Plaintiff Kaul kidnapped on May 27, 2021/illegally arrested-jailed on June 14, 2023.

740. The purpose of the prevention of exposition of crimes, other than the civil/criminal liability, was Defendant Christie’s 2024 political aspirations.

741. Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy’s scheme to suppress Plaintiff Kaul’s prosecution of The Kaul Cases, functioned partly in that all cases filed by Plaintiff Kaul, except K11-1/K11-3, were transferred to the District of New Jersey-Newark, where Plaintiff Kaul had no choice but to voluntarily dismiss them.

742. From the commencement of K1 on February 22, 2016, in only one case – K5 – was a Rule 16 Order entered (Exhibit 27). The K5 Defendants, consistent with their corruption of the court, had the case transferred from the Camden to the Newark vicinage, where the Rule 16 Order was stayed.

Christie:

Kidnapping:

743. On May 26, 2021, Defendant Christie was served at his law office in Morristown, with a summons and complaint in K11-2.

744. Shortly thereafter, Defendant Christie did, with knowing illegality, conspire with Defendant Allstate and Co-conspirators Murphy/Grewal/Geico to have Kaul kidnapped on May 27, 2021, by nine (9) armed individuals who purported to be NJ state police, as pled in K11-9.

745. No warrants were produced, and Plaintiff Kaul was forcibly detained against his will, and rapidly removed to a local police station, where he was chained to a bench (Exhibit 15).

746. Plaintiff Kaul was then forcibly transferred to another police station and told that he was to be transferred to the Mercer County Jail in Trenton, NJ.

747. Plaintiff Kaul's repeated requests for a warrant were ignored.

748. Defendants Christie/Allstate and Co-Conspirators Geico/Grewal/Murphy/The Kaul Cases Defendants commission of this RICO predicate act was committed in order to have Plaintiff Kaul jailed/injured/killed.

749. The purpose of having Plaintiff Kaul jailed/injured/killed was to cause him to become physically/psychologically unable to continue the prosecution of K11-2/other future litigation by having him eliminated.

750. The purpose of preventing Plaintiff Kaul's prosecution of K11-2 was to prevent him further exposing the crimes of The Kaul Cases Defendants, including those of securities fraud.

751. On May 29, 2021, it was made evident to Plaintiff Kaul that many people had knowledge of the 'Kaul Kidnapping Scheme', as Plaintiff Kaul received a phone call from his ex-wife, with whom he had not spoken since November 2020, in which she recounted specifics details of the event that she obtained from her cousin, a physician who works at K11-2 Defendant Hackensack University Medical Center ("HUMC").

Mail/wire fraud:

752. In a period from May 26, 2021, to the present, Defendant Christie, with knowing illegality did use the US mail/wires to exchange information with Defendant Allstate and Co-Conspirators Geico/Grewal/Murphy/The Kaul Cases Defendants regarding the planning/execution and unexpected consequences of the 'Kaul Kidnapping Scheme.

753. When the scheme failed, the Defendants, realizing that Plaintiff Kaul would file suit, did use the US mail/wires to conspire with judges/senators in the United States District Court/US Government to violate Plaintiff Kaul's prosecutorial rights by obstructing justice through venue transfer from the Southern District of New York to the District of New Jersey,

754. Plaintiff Kaul's suit (K11-9), after having been transferred to the District New Jersey – Newark Vicinage, was dismissed, in an attempt to prevent Plaintiff Kaul from further exposing the crimes of The Kaul Cases Defendants (2008/2009 to 2021).

Bribery:

755. In a period from 2008/2009 to 2016, Defendant Christie did engage in multiple quid pro quo schemes of bribery with Defendant Allstate and Co-Conspirator Allstate, in which he abused state power to further the economic/political agendas of, amongst others, himself and these corporate Defendant/Co-Conspirators.

756. A purpose of the schemes was to have him elected the 2016 US President.

757. A purpose of the scheme was to increase share value/executive compensation of Defendant Allstate/Co-Conspirator Geico, through the knowing/willful exploitation of the American public and medical profession.

758. During his tenure as NJ Governor (2009-2017) Defendant Christie abused state power to have incarcerated many innocent physicians (principally Hispanic/Indian/African American) to whom the insurance industry owed money for their provision of life-saving clinical services.

759. These false prosecutions/convictions were perpetrated by his Attorney General, and in NJ state courts corrupted by Defendants Allstate/Co-Conspirator Geico.

Obstruction of justice/public corruption:

760. Defendant Christie, in conspiring to have Plaintiff Kaul kidnapped, did attempt to violate Plaintiff Kaul's prosecutorial rights, and obstruct justice in the United States District Court.

761. Defendant Christie's obstruction of justice was purposed to prevent Plaintiff Kaul from exposing the massive crimes of The Kaul Cases Defendants, of amongst other things, judicial/political corruption.

Murphy:

Kidnapping:

762. Co-Conspirator Murphy, prior to becoming the NJ Governor was the US Ambassador to Germany, and prior to that was a partner at Goldman-Sachs, a corporation that holds shares in Defendant Allstate/Co-Conspirator Geico, the dividends from which Co-Conspirator Murphy continues to profit.

763. Co-Conspirator Murphy, recognizing that there were no legitimate means of contesting Plaintiff Kaul's right to continue prosecuting The Kaul Cases Defendants, did conspire with Defendants Christie/Allstate and Co-Conspirators Grewal/Geico to have Plaintiff Kaul eliminated on May 27, 2021, be it by either severe injury and or death.

764. A purpose of eliminating Plaintiff Kaul was to prevent him from further exposing the crimes of The Kaul Cases Defendants, including the securities fraud violations.

765. Co-Conspirator Murphy, in perpetrating the 'Kaul Kidnapping Scheme' did recognize its illegality and violation of Plaintiff Kaul's fundamental human rights, but persisted nonetheless, because of the immense civil/criminal liability posed to The Kaul Cases Defendants.

Mail/wire fraud:

766. Co-Conspirator Murphy, in conspiring to perpetrate the 'Kaul Kidnapping Scheme' did, with knowledge of its illegality, use the US mail/wires to exchange information with Defendants Christie/Allstate and Co-Conspirators Grewal/Geico regarding the execution and then the unintended consequences of the scheme's failure including Plaintiff Kaul's filing/publicization of K11-9.

Bribery:

767. Co-Conspirator Murphy continues to receive bribes from Defendant Allstate/ Co-Conspirator Geico, under cover of dividends/shares from Goldman-Sachs, and has not, since becoming the NJ Governor, relinquished his/his family's holdings in the corporation, in accordance with NJ law pertaining to state official conflicts of interest.

Obstruction of justice/public corruption:

768. Defendant Murphy, in conspiring to have Plaintiff Kaul kidnapped, did attempt to violate Plaintiff Kaul's prosecutorial rights, and obstruct justice in the United States District Court.

769. A purpose of the obstruction of justice was to prevent Plaintiff Kaul from exposing the felonies of The Kaul Cases Defendants, of amongst other things, judicial/political corruption.

770. Co-Conspirator Murphy, in furtherance of this scheme to obstruct justice, did in a period commencing June 15, 2021, conspire with judges/senators in the United States District Court/US Government to have K11-9 transferred from the Southern District of New York to the District of New Jersey.

771. Co-Conspirator Murphy, in furtherance of this scheme to obstruct justice, did in a period commencing June 15, 2021, conspire with judges/senators in the United States District Court/US Government to have K11-9 dismissed almost immediately after it had been transferred from the Southern District of New York to the District of New Jersey.

Grewal:

Kidnapping:

772. On May 27, 2021, Co-Conspirator Grewal did conspire with Defendants Christie/Allstate and Co-Conspirators Murphy/Geico to have Plaintiff Kaul kidnapped on May 27, 2021, with the purpose of having him incarcerated in the Mercer County jail in Trenton, over the Memorial Day Weekend, in order to have him either seriously injured and or murdered.

773. When the 'Kaul Kidnapping Scheme' commenced on May 27, 2021, at approximately 2:30 pm EST, Co-Conspirator Grewal remained in constant contact with the kidnappers, and did, at approximately 7 pm EST, learn that the scheme had publicly failed.

774. Co-Conspirator Grewal, in the planning and execution of the scheme, did know that its principal purpose was to have Plaintiff Kaul eliminated,

775. Co-Conspirator Grewal, in the planning and execution of the scheme, did know that its principal purpose of having Plaintiff Kaul eliminated was to prevent him further exposing the serious and massive crimes (2008/2009-2021) of The Kaul Cases Defendants.

Mail/wire fraud:

776. Co-Conspirator Grewal, did know that in the planning, perpetration and 'damage control' phases of the 'Kaul Kidnapping Scheme' he did, with knowing illegality use the US wires to exchange information with Defendants Christie/Allstate and Co-Conspirators Murphy/Geico.

777. Co-Conspirator Grewal knew that his illegal use of the US wires constituted the felony of wire fraud.

778. In these exchanges over the US wires, Defendant Christie/Allstate and Co-Conspirators Geico/Murphy/Grewal expressed their opinion that the scheme would be successful.

779. In these exchanges, conducted over the US wires, Defendant Christie/Allstate and Co-Conspirators Geico/Murphy/Grewal stated that the scheme's success would render Plaintiff Kaul mentally/physically unable to continue his prosecution of The Kaul Cases Defendants.

780. Also contained within these exchanges were frantic emails that evidenced their fear of public exposure when they learned that the scheme had failed, particularly as it related to the political careers of Defendant Christie and Co-Conspirators Murphy/Grewal.

Bribery:

781. Co-Conspirator Grewal made the decision to participate in the 'Kaul Kidnapping Scheme' believing it would be successful, in causing Plaintiff Kaul's elimination through severe physical/psychological injury and or death.

782. However, when it failed and Plaintiff Kaul sued him on June 15, 2021 (K11-9), he panicked and was transferred to the enforcement division of the SEC, in the belief it would shield him from prosecution by Plaintiff Kaul.

783. Co-Conspirator Grewal 's transfer was part of a quid pro quo with the Defendants Christie/Allstate and Co-Conspirators Murphy/Geico.

784. In the quid pro quo scheme, a purpose of the transfer from being the NJ AG to the SEC enforcement director was to 'purchase'/ensure the silence of Defendant Grewal regarding the 'Kaul Kidnapping Scheme'.

785. In the quid pro quo scheme, a purpose of Co-Conspirator Grewal's transfer from being the NJ AG to the SEC enforcement director was to prevent exposure of the securities fraud crimes of Defendant Allstate and Co-conspirators /TD/Geico (Berkshire Hathaway).

Obstruction of justice/public corruption:

786. Co-Conspirator Grewal was appointed the NJ AG in 2017 by Co-Conspirator Murphy upon the recommendation of Defendant Christie, who had, while governor, appointed Co-conspirator Grewal a state county prosecutor. Co-conspirator Grewal worked under Defendant Christie while the latter was the US Attorney (2001-2009).

787. Co-Conspirator Grewal obediently followed orders from Defendant Christie and the insurance industry, in the filing of indictments/license revocation actions against physicians to whom the insurance industry owed monies.

788. Many of these false cases were brought on fabricated and meaningless claims regarding the prescription of pain-relieving medications.

789. Co-Conspirator Grewal conspired with Defendants Christie/Allstate and Co-Conspirators Geico/Murphy in schemes of public corruption.

790. Within these schemes of public corruption, Co-Conspirators Grewal/Murphy/Geico, and Defendants Christie/Allstate abused state/judicial power to knowingly/illegally violate the constitutional rights of principally ethnic minority (Indians/African Americans/Hispanics) physicians to whom the insurance industry owed monies.

791. A principal purpose of violating their constitutional rights was to cause them a deprivation of their fundamental right to due process/obstruction of justice in their defense against the indictments/license revocation proceedings.

792. A purpose of this judicially aided/abetted due process deprivation/obstruction justice scheme was to further the economic agenda of The Kaul Cases Defendants, through the exploitation of the American public.

793. A purpose of this judicially aided/abetted due process deprivation/obstruction justice scheme was to further the political agenda of The Kaul Cases Defendants, through the exploitation of the American medical profession.

794. Co-Conspirator Grewal, in the commission of these RICO predicate acts (kidnapping/mail fraud/wire fraud/bribery/obstruction of justice/public corruption) did violate the authority of all districts of the United States District Court.

795. Co-Conspirator Grewal, in the commission of these human rights violations did violate the rights of the United States as delegated and enshrined within the Universal Declaration Of Human Rights.

796. Co-Conspirator Grewal, in the knowingly illegal commission of these human rights violations did further injure the reputation of the United States as a signatory/beneficiary of the duties/privileges owed/derived from the Universal Declaration Of Human Rights.

797. Co-Conspirator Grewal, in the knowingly illegal commission of these RICO predicate acts/human rights violations did recognize that he, a lawyer/NJ AG, converted the State of New Jersey into a “**racketeering enterprise**” to serve the interests of corrupt corporations/politicians/judges.

798. Co-Conspirator Grewal, in the knowingly illegal commission of these RICO predicate acts/human rights violations did recognize that he, a lawyer/NJ AG, did act in a tyrannical manner.

799. Co-Conspirator Grewal, in recognizing he did act in a tyrannical manner, did also recognize his acts re-affirmed/re-in forced Defendant Christie’s conversion of the District of New Jersey (USA: 2000-2008) State of New Jersey (Governor NJ: 2009-2017) into a tyranny.

800. Co-Conspirator Grewal was a subjugate of Defendant Christie as an AUSA DNJ, before being assigned as lead prosecutor in Bergen County, New Jersey by Co-conspirator Murphy.

Allstate/Geico:

Public Corruption/Fraud on the Court/Witness Tampering/Evidence Tampering/False Indictments/False Arrests/Kidnapping/False Incarcerations.

801. From 2006 to 2016, Defendant Allstate/Co-Conspirator Geico employed a multi-pronged strategy to attempt to eliminate Plaintiff Kaul.

802. The strategy included knowingly false denials of certification for patient clinical care.

803. The strategy included knowingly false denial of payment after Plaintiff Kaul provided clinical care.

804. The strategy included knowingly false contestations of Plaintiff Kaul at every fee arbitration.

805. The strategy included the dissemination of knowing falsehoods to lawyers/doctors/surgical centers/hospitals to attempt to destroy Plaintiff Kaul's reputation,

806. The strategy included the dissemination of knowing falsehoods to lawyers/doctors/surgical centers/hospitals to attempt to make it impossible for Plaintiff Kaul to work.

807. The strategy included the filing and their publicization of knowingly fraudulent lawsuits against Plaintiff Kaul in corrupted NJ state/federal courts.

808. A purpose of the filing and publicization of knowingly fraudulent lawsuits was to re-litigate the arbitration hearings in which Plaintiff Kaul prevailed.

809. Plaintiff Kaul prevailed in almost ninety-nine percent (99%) of all arbitration hearings.

810. Defendant Allstate/Co-Conspirator Geico's strategy to attempt to eliminate Plaintiff Kaul included ordering the state medical board to revoke (illegally) Plaintiff Kaul's license.

811. Defendant Allstate/Co-Conspirator Geico's strategy to attempt to eliminate Plaintiff Kaul included having the NJ State AG initiate highly publicized criminal investigations/grand jury proceedings purposed to societally alienate/ostracize Plaintiff Kaul.

812. A purpose of the alienation/ostracization was to render Plaintiff Kaul unable to retain witnesses to defend against planned criminal indictments by the NJ State AG.

813. A purpose of the witness deprivation was to deprive Plaintiff Kaul of the ability to defend against planned criminal indictments by the NJ State AG.

814. A purpose of the alienation/ostracization was to render Plaintiff Kaul unable to procure monies to defend against planned criminal indictments by the NJ State AG.

815. A purpose of the monies deprivation was to deprive Plaintiff Kaul of the ability to defend against planned criminal indictments by the NJ State AG.

816. A purpose of the defense deprivation (monies/witnesses) was an attempt to ensure Plaintiff Kaul was convicted consequent to planned criminal indictments by the NJ State AG.

817. A purpose of any conviction consequent to planned criminal indictments by the NJ State AG was to illegally seize Plaintiff Kaul/his family's assets.

818. A purpose of any conviction consequent to planned criminal indictments by the NJ State AG was to have Plaintiff Kaul incarcerated.

819. A purpose of any incarceration consequent to planned criminal indictments by the NJ State AG was to attempt to have Plaintiff Kaul eliminated from the American healthcare market.

820. A purpose of Plaintiff Kaul's NJ State AG caused elimination from the American healthcare market was to illegally increase, through antitrust violations, the profits of competing healthcare corporations by eliminating the competitive threat posed by Plaintiff Kaul.

821. A purpose of any incarceration consequent to planned criminal indictments by the NJ State AG was to attempt to prevent Plaintiff Kaul from exposing the crimes of The Kaul Cases Defendants (2006-Present).

822. Defendant Allstate/Co-Conspirator Geico's strategy to attempt to eliminate Plaintiff Kaul included have the US Attorney/FBI initiate criminal investigations purposed to societally alienate/ostracize Plaintiff Kaul.

823. A purpose of the alienation/ostracization was to render Plaintiff Kaul unable to retain witnesses to defend against planned criminal indictments by the US Attorney/FBI .

824. A purpose of the witness deprivation was to deprive Plaintiff Kaul of the ability to defend against planned criminal indictments by the US Attorney/FBI.

825. A purpose of the alienation/ostracization was to render Plaintiff Kaul unable to procure monies to defend against planned criminal indictments by the US Attorney/FBI.

826. A purpose of the monies deprivation was to deprive Plaintiff Kaul of the ability to defend against planned criminal indictments by the NJ State AG.

827. A purpose of the defense deprivation (monies/witnesses) was an attempt to ensure Plaintiff Kaul was convicted consequent to planned criminal indictments by the US Attorney/FBI.

828. A purpose of any conviction consequent to planned criminal indictments by the US Attorney/FBI was to illegally seize Plaintiff Kaul/his family's assets.

829. A purpose of any conviction consequent to planned criminal indictments by the US Attorney/FBI was to have Plaintiff Kaul incarcerated.

830. A purpose of any incarceration consequent to planned criminal indictments by the US Attorney/FBI was to attempt to have Plaintiff Kaul eliminated from the American healthcare market.

831. A purpose of Plaintiff Kaul's US Attorney/FBI's caused elimination from the American healthcare market was to illegally increase, through antitrust violations, the profits of competing healthcare corporations by eliminating the competitive threat posed by Plaintiff Kaul.

832. A purpose of any incarceration consequent to planned criminal indictments by the US Attorney/FBI was to attempt to prevent Plaintiff Kaul from exposing the crimes of **The Kaul Cases** Defendants (2006-Present).

833. The strategy included having Plaintiff Kaul indicted on false tax charges.

834. The strategy included conspiring with Plaintiff Kaul's ex-wife to have him jailed on unpaid child support charges.

835. The strategy included preventing Plaintiff Kaul access to banking services.

836. The strategy included bribing judges/senators in federal court/government to obstruct/dismiss all cases filed by Plaintiff Kaul in the United States District Court.

837. The strategy included scheming to have and actually having Plaintiff Kaul kidnapped on May 27, 2021, after Defendant Christie had been served with the summons/complaint in K11-2 on May 26, 2021.

Mail/wire fraud:

838. Defendant Allstate/Co-Conspirator Geico, in the planning/execution/'damage control' phases of the 'Kaul Kidnapping Scheme', did, with knowledge of its illegality, use the US mail/wires to exchange information with Defendant Christie and Co-Conspirators Murphy/Grewal.

Bribery:

839. Defendant Allstate/Co-Conspirator Geico did funnel bribes to Defendants Christie/Murphy/Grewal as part of a quid pro quo scheme.

840. The quid pro quo scheme involved Defendant Christie and Co-Conspirators Murphy/Grewal corruptly 'selling' public (state) power, without the public's permission, to Defendant Allstate/Co-Conspirator Geico.

841. The scheme's purpose was to attempt to ensure the elimination of Plaintiff Kaul (jailed/deported/killed) to prevent him from further exposing their crimes.

Obstruction of justice/public corruption:

842. In having Plaintiff Kaul kidnapped on May 27, 2021/illegally arrested-jailed on June 14, 2023, **The Kaul Cases** Defendants did violate with physical violence his prosecutorial rights in the United States District Court, in the belief that he would either be unwilling or unable (psychologically/physically) to continue the prosecution of his claims.

843. In violating Plaintiff Kaul's prosecutorial rights, Defendants Christie/Allstate, and Co-Conspirators Murphy/Grewal/Geico did in the process, attempt to cause a knowingly illegal obstruction of justice within the United States District Court.

844. Defendants Christie/Allstate and Co-Conspirators Murphy/Grewal/Geico, in coopting a state police agency into the commission of the crimes of kidnapping/mail fraud/wire fraud did obstruct justice in the United States District Court.

845. In the commission of the obstruction of justice Defendants Christie/Allstate and Co-Conspirators Murphy/Grewal/Geico converted the apparatus of American State/United States District Court into a "racketeering enterprise".

846. Through the "NCBD Association-In-Fact Racketeering Enterprise" Defendants Christie/Allstate and Co-Conspirators Murphy/Grewal/Geico, being aided/abetted by state police, did conduct a "pattern of racketeering" through the commission of RICO predicate acts of obstruction of justice/public corruption/bribery/wire fraud/public corruption/fraud on the court/witness tampering/evidence tampering/false indictments/false arrests/kidnapping/false incarcerations.

847. The principal purpose of the "pattern of racketeering" was to attempt to eliminate Plaintiff Kaul to prevent him from further exposing the crimes of **The Kaul Cases** Defendants (2006-2023).

COUNT TWELVE

Association-In-Fact Enterprise: State of New York-State of North Carolina-NYSE (“SSN Association-In-Fact Enterprise)
Defendant Persons: Allstate/FSMB
Co-conspirators: Geico/Hengerer/NCMB
RICO Predicate Acts: Bribery/Mail Fraud/Wire Fraud/Obstruction of Justice/Conspiracy

Overview:

848. In a period that commenced in late 2020, the Defendant FSMB/Allstate and Co-Conspirators Geico/Hengerer/NCMB did conspire to conduct, and did conduct a knowingly illegal “**pattern of racketeering**”

849. Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer/NCMB conducted the “**pattern of racketeering**” through the “**SSN Association-In-Fact Enterprise**”.

850. The “**pattern of racketeering**” involved the commission of the RICO predicate acts of bribery/ mail fraud/wire fraud/obstruction of justice/conspiracy.

851. A purpose of the “**pattern of racketeering**” was to illegally prevent Plaintiff Kaul from obtaining a physician license in the State of New York.

852. The license prevention scheme was an attempt to suppress Plaintiff Kaul’s economic resurgence, in the belief that such a scheme would hinder Plaintiff Kaul’s exposure of **The Kaul Cases** Defendants’ crimes (2006-2023).

853. **The Kaul Cases** Defendants crimes include, amongst others, bribery/public corruption/evidence tampering/witness tampering/bankruptcy fraud/bank fraud/mail fraud/wire fraud/judicial corruption/perjury/kickbacks/securities fraud (2006-2023 committed within judicial/political/legislative bodies of the American state/federal systems).

854. In the commission of obstructing Plaintiff Kaul’s efforts to obtain a license in the State of New York (October 2020 to July 2021), Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer did conspire to and did commit a multitude of frauds across the US wires to attempt to deceive, delay and deny Plaintiff Kaul’s application, an “**ongoing**” injury consequent to an “**ongoing pattern of racketeering**”, one purpose of which is to attempt to prevent Plaintiff Kaul exposing **The Kaul Cases** Defendants crimes.

855. Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer with others did use the US wires to propagate knowingly false information that the denial of Plaintiff Kaul’s application by a supposed medical board subcommittee was based on a question of so called “**moral suitability**”.

856. Plaintiff Kaul's multiple requests for the production of any state policy regarding the process of character assessment were ignored.

857. In furtherance of Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer effort to conceal the fraudulence of their **"moral suitability"** scheme, they conspired with an individual by the name of **"Vincent Vollaro"**.

858. The conspiracy was purposed to attempt, on June 17, 2021, to engage Plaintiff Kaul in a non-recorded phone call, in which **"Vincent Vollaro"** a non-lawyer/non-physician/non-ethicist would **"explain the process"** [**"moral suitability"**] to Plaintiff Kaul.

859. The call did not occur, but its purpose was to fabricate evidence to bolster Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer falsehood regarding a supposed subcommittee's purported **"moral suitability"** as the basis for the denial of Plaintiff Kaul's NY February 2021 license application.

860. Plaintiff Kaul has established as a matter of fact that no board subcommittee ever convened to consider Plaintiff Kaul's application.

861. Plaintiff Kaul has established as a matter of fact that there exists no opinion, reasoned or not, that finds a **"question of moral suitability"** as the basis for denial of licensure.

862. On July 14, 2021, consequent to Plaintiff Kaul having sent letters to every member of the NY State Government regarding the state's liability for the crimes of **The Kaul Cases** Defendants, Defendants FSMB/Allstate, and Co-Conspirators Geico/Hengerer did conspire with **"Vollaro"** to use the US wires to transmit a knowingly fraudulent document.

863. In the knowingly fraudulent document **"Vollaro"** asserts that a **"subcommittee"** of the state medical board denied Plaintiff Kaul's application based on a purported **"question of moral suitability"**.

864. Plaintiff Kaul's subsequent requests for a copy of the transcript and signed purported opinion of the supposed subcommittee were ignored and then denied.

865. On August 27, 2021, Plaintiff Kaul filed a petition (Kaul v Zucker/Hengerer: 101019-2021) in the New York Supreme Court (Borough of New York), that sought to compel Defendant Hengerer to produce the purported **"subcommittee"** opinion.

866. To date no physician/member of the New York State Medical Board has confirmed participating in any evaluation of Plaintiff Kaul's application.

Co-conspirator Hengerer:

867. Co-Conspirator Hengerer is a board director of Defendant FSMB with whom he engages in commerce related to the business of so called “**physician discipline**”.

868. Co-Conspirator Hengerer is the Chairman of the New York State Board Committee for Professional Medical Conduct.

869. Co-Conspirator Hengerer has a controlling position in deciding which physicians licenses are suspended and or revoked.

870. Co-Conspirator Hengerer abuses the power of his position to have prohibited the issuance of licenses to physicians whom for-profit healthcare corporations (insurance/hospital/pharmaceutical) have targeted for elimination.

871. Co-Conspirator Hengerer abuses the power of his position to have suspended/revoked the licenses of physicians whom for-profit healthcare corporations (insurance/hospital/pharmaceutical) have targeted for elimination.

872. Co-Conspirator Hengerer is cognizant of the illegality of his participation in the “**HIPIC-FC**” (“**Hospital-Insurance-Pharmaceutical Industrial Complex – Federation Cartel**”) scheme.

873. Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer compete with Plaintiff Kaul in the American healthcare market.

874. Despite Co-Conspirator Hengerer’s cognizance of the illegality he persisted in his unlawful use of the US mail/wires to propagate the license prohibition scheme to prevent Plaintiff Kaul from participating in the relevant market.

875. Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer’s license prohibition scheme constitutes a willful/ongoing antitrust injury to Plaintiff Kaul and the healthcare market.

876. Defendants FSMB/Allstate and Co-Conspirators Geico/Hengerer’s license prohibition scheme constitutes an offense that Defendant Hengerer recognizes is violative of Plaintiff Kaul’s constitutional/human rights to life/liberty/property.

877. Co-Conspirator Hengerer, despite knowing the penalties associated with his violations of antitrust law and of Plaintiff Kaul’s constitutional/human rights, was motivated to commit the crimes.

878. Co-Conspirator Hengerer’s motivation pertained to the economic benefit that inured to him.

879. The economic benefit derived partly from his commercial association with the American Hospital Association, to which Plaintiff Kaul's revolutionary outpatient spine surgical work presented a substantial business threat.

880. Co-Conspirator Hengerer was paid to be a surgical chairman at Strong Memorial Hospital in Rochester, NY for many decades.

881. The economic benefit derived partly from his commercial association with Defendant FSMB which received bribes from for-profit healthcare corporations, whose commercial agendas were threatened by Plaintiff Kaul's revolutionary outpatient spine surgical work.

882. In a period commencing on May 13, 2021, Co-Conspirator Hengerer, despite being noticed on multiple occasions by Plaintiff Kaul that he was participating in a **"pattern of racketeering"** did continue with his knowingly unlawful conduct.

Defendants FSMB/Allstate and Co-conspirators Geico/NCMB:

883. The introduction of the HCQIA in 1986 foreshadowed and created the conditions that spawned the **"HIPIC-FC"**.

884. Through the **"HIPIC-FC"** scheme Defendants Allstate/FSMB and Co-Conspirators Geico/NCMB have converted the American healthcare market into a massive **"racketeering enterprise"** purposed purely for profit at the expense and through the exploitation of the American public/medical profession.

885. The singular goal of for-profit healthcare corporations is the maximization of executive compensation/share price at the cost of human life.

886. A February 22, 2018, article in ProPublica exposed Strong Memorial Hospital in Rochester, NY, as a corporation that reaps vast/excessive/disproportionate profits from conducting business in the healthcare market.

887. For many decades, Co-Conspirator Hengerer was Chairman of the Surgical Department at Strong Memorial Hospital, a member of the American Hospital Association.

888. Defendants FSMB/Allstate and Co-Conspirator Geico have conspired with/continue to conspire with Co-Conspirator NCMB in using the North Carolina physician licensing apparatus to conduct a **"pattern of racketeering"**.

889. Defendants FSMB/Allstate and Co-Conspirators Geico/NCMB's **"pattern of racketeering"** involved the commission against Plaintiff Kaul of the RICO predicate acts of wire fraud/conspiracy/bribery/obstruction of justice.

890. Defendants FSMB/Allstate and Co-Conspirators Allstate/NCMB recognize that in committing these RICO predicate acts through the physician regulatory apparatus; they did knowingly convert the State of North Carolina into a “**racketeering enterprise**”.

891. A purpose of the commission of the RICO predicate acts was to prevent Plaintiff Kaul from procuring a North Carolina license.

892. A purpose of the license prevention scheme was to suppress Plaintiff Kaul’s economic resurgence.

893. A purpose of the suppression of Plaintiff Kaul’s economic resurgence was to suppress his ability to prosecute **The Kaul Cases**.

894. A purpose of the suppression of Plaintiff Kaul’s prosecution of **The Kaul Cases** was to suppress any further exposure to the global equities market/international regulators of the securities fraud crimes of Co-Conspirators Geico/TD and Defendant Allstate.

895. Co-conspirator Geico/TD and Defendants Allstate/FSMB and their counsel do know that on September 7, 2021, a release was published to the world-wide-web entitled: “**United States Securities And Exchange Commission Alerted To Securities Fraud Crimes Of Three Titans Of North American Finance**”.

896. The release was disseminated to the CEOs/CFOs of the S/P 500.

897. On September 7, 2021, Defendant Allstate’s share price was 138, and on September 1, 2023, it was 111.

898. Subsequent to the release, Co-conspirators Geico/TD and Defendant Allstate did use the US wires to transmit knowingly false information to their shareholders/global investment community.

899. The knowingly false information consisted of willful misrepresentations/omissions in SEC filings regarding litigation in India and the US.

900. In using the US wires to transmit knowingly false information to their shareholders/global investment community, Co-conspirators Geico/TD and Defendant Allstate did knowingly violate section 10(b) of the Securities/Exchange Act.

901. Defendants FSMB/Allstate and Co-conspirators Geico/NCMB ongoing crimes constitute an “**ongoing open-ended pattern of racketeering**” being willfully conducted through “**SSN Association-In-Fact Enterprise**”.

902. Defendants FSMB/Allstate and Co-Conspirator Geico/NCMB's knowingly "ongoing open-ended pattern of racketeering" continues to violate Plaintiff Kaul's constitutional/human rights.

903. The knowing/willful violation continues to cause Plaintiff Kaul to be illegally deprived (2012-Present) of his right to a livelihood.

904. The knowing/willful violation continues to cause Plaintiff Kaul to be illegally deprived (2012-Present) of his right/duty to support his children.

905. The knowing/willful violation continues to cause Plaintiff Kaul to be illegally deprived (2012-Present) of his right to freedom.

906. On May 27, 2021/June 14, 2023, The Kaul Cases Defendants, with knowledge of their immense civil/criminal liabilities in multiple international jurisdictions, did attempt to have Plaintiff Kaul seriously injured/killed and did have Plaintiff Kaul falsely arrested/jailed.

907. Pursuant to RICO's doctrine of vicarious liability, all of The Kaul Cases Defendants have incurred, and will continue to incur liability of the aforementioned crimes, and any further ones that any of the Defendants might commit.

COUNT THIRTEEN

Violation of Civil Rights Symbiosis of State/Private Actors

908. The 'state actor' Symbiotic test confirms that all Defendants and Co-Conspirators have 'state actor' status for the purpose of a section 1983 claim.

909. The 'state actor' Joint Participation Doctrine test confirms that all Defendants and Co-Conspirators have 'state actor' status for the purpose of a section 1983 claim.

910. The 'state actor' State Command and Encouragement test confirms that all Defendants and Co-Conspirators have 'state actor' status for the purpose of a section 1983 claim.

911. The 'state actor' Pervasive Entwinement test confirms that all Defendants and Co-Conspirators have 'state actor' status for the purpose of a section 1983 claim.

912. The 'state actor' Public Function test confirms that all Defendants and Co-Conspirators have 'state actor' status for the purpose of a section 1983 claim.

913. All of the above pled facts do confirm the intertwinement, for the purposes of section 1983 claims, of the 'state actor' status of the private actors/defendants/co-conspirators.

914. All of the above facts do confirm the intertwinement, for the purposes of section 1983 claims of the conferring on the state of the liability of the crimes caused by the private actors/defendants/co-conspirators against Plaintiff Kaul.

915. The above facts include the exchange between private and state actors of monies pertaining to **"patterns of racketeering"** conducted through American states.

916. The above facts include the exchange between private and state actors of monies pertaining to **"patterns of racketeering"** conducted through the United States District Court.

917. The above facts include the exchange between private and state actors of monies pertaining to **"patterns of racketeering"** conducted through the United States Bankruptcy Court.

918. The above facts include the exchange between private and state actors of information pertaining to **"patterns of racketeering"** conducted through American states.

919. The above facts include the exchange between private and state actors of information pertaining to **"patterns of racketeering"** conducted through the United States District Court.

920. The above facts include the exchange between private and state actors of information pertaining to **"patterns of racketeering"** conducted through the United States Bankruptcy Court.

921. The above facts include the exchange between private and state actors of monies for the purchase of state power/function through schemes of judicial/political bribery.

922. The above facts include the exchange between private and state actors of monies for the funding by the state of legal defenses of private actors/defendants in **The Kaul Cases**.

COUNT FOURTEEN

Section 1983 claim

923. In a period from 2008/2009 to the present, **The Kaul Cases** Defendants, as 'state actors' did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the **First Amendment** of the United States Constitution.

924. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as 'state actors' did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the Second Amendment of the United States Constitution.

925. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as state-actors did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the Fourth Amendment of the United States Constitution.

926. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as state-actors did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the Fifth Amendment of the United States Constitution.

927. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as state-actors did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the Sixth Amendment of the United States Constitution.

928. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as state-actors did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Plaintiff Kaul of his constitutional rights pursuant to the Eight Amendment of the United States Constitution.

929. In a period from 2008/2009 to the present, The Kaul Cases Defendants, as state-actors did abuse state/federal power to knowingly/willfully violate and deprive/continue to deprive Kaul Plaintiff of his constitutional rights pursuant to the Fourteenth Amendment of the United States Constitution.

930. These deprivations/violations willfully/maliciously caused by The Kaul Cases Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of his livelihood.

931. These deprivations/violations willfully/maliciously caused by The Kaul Cases Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his business real estate.

932. These deprivations/violations willfully/maliciously caused by The Kaul Cases Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his personal real estate.

933. These deprivations/violations willfully/maliciously caused by The Kaul Cases Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his life earnings.

934. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his pensions.

935. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his financial investments.

936. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his professional licenses.

937. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of all his accounts receivable.

938. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to due process.

939. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to free speech.

940. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to impartial tribunals/judges/courts.

941. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to prosecute his claims.

942. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to equal protection under the law.

943. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of his right to liberty.

944. These deprivations/violations willfully/maliciously caused by **The Kaul Cases** Defendants did illegally deprive/continue to deprive Plaintiff Kaul of the property of eleven (11) years of his life.

945. These deprivations/violations/injuries were willfully/maliciously perpetrated by private actors within/through/with the assistance of the executive/judicial apparatus of the American State.

946. These deprivations/violations/injuries were willfully/maliciously perpetrated by private actors within/through/with the assistance of the United States Bankruptcy Court.

947. These deprivations/violations/injuries were willfully/maliciously perpetrated by private actors within/through/with the assistance of the United States District Court.

948. These deprivations/violations/injuries were willfully/maliciously perpetrated by private actors within/through/with the assistance of the New York Stock Exchange.

949. These deprivations/violations/injuries were willfully/maliciously perpetrated by state actors within/through/with the assistance of the executive/judicial apparatus of the American State.

950. These deprivations/violations/injuries were willfully/maliciously perpetrated by state actors within/through/with the assistance of the United States Bankruptcy Court.

951. These deprivations/violations/injuries were willfully/maliciously perpetrated by state actors within/through/with the assistance of the United States District Court.

952. These deprivations/violations/injuries were willfully/maliciously perpetrated by state actors within/through/with the assistance of the New York Stock Exchange.

953. The commercial/communications nexus between state and private actors within The Kaul Cases, critical to the perpetration of the within pled schemes confers 'state actor' liability on all private actors as to the deprivations/violations/injuries caused to Plaintiff Kaul's human/constitutional rights.

954. The commercial/communications nexus between state and private actors within The Kaul Cases, critical to the perpetration of the within pled schemes confers 'state actor' liability on all private actors as to the deprivations/violations/injuries caused to all Plaintiff Kaul's property rights, as stated above.

955. The Kaul Cases Defendants were and are motivated to commit and continue to commit these deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

956. The motivation is based on The Kaul Cases Defendants scheme to prevent Plaintiff Kaul from exposing their crimes, including those of defrauding the global equities market.

COUNT FIFTEEN

UN Human Rights Violation The United Nations Universal Declaration of Human Rights

957. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 1 of the United Nations Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

958. The Article 1 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

959. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 2 of the United Nations Universal Declaration of Human Rights. Plaintiff Kaul is a citizen of India: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."

960. The Article 2 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

961. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 3 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to life, liberty and security of person."

962. The Article 3 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

963. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 4 of the United Nations Universal Declaration of Human Rights: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

964. The Article 4 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

965. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 5 of the United Nations Universal Declaration of Human Rights: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

966. The Article 5 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

967. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 6 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to recognition everywhere as a person before the law."

968. The Article 6 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

969. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 7 of the United Nations Universal Declaration of Human Rights: "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

970. The Article 7 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

971. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 8 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law."

972. The Article 8 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

973. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 9 of the United Nations Universal Declaration of Human Rights: "No one shall be subjected to arbitrary arrest, detention or exile."

974. The Article 9 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

975. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 10 of the United Nations Universal Declaration of Human Rights: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

976. The Article 10 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

977. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 12 of the United Nations Universal Declaration of Human Rights: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

978. The Article 12 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

979. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 17 of the United Nations Universal Declaration of Human Rights: "1. Everyone has the right to own property alone as well as in association with others. 2. No one shall be arbitrarily deprived of his property."

980. The Article 17 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

981. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 19 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

982. The Article 19 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

983. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 23 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment."

984. The Article 23 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

985. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 23 of the United Nations Universal Declaration of Human Rights: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

986. The Article 23 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

987. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 28 of the United Nations Universal Declaration of Human Rights: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized."

988. The Article 28 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

989. The Kaul Cases Defendants and Co-Conspirators did knowingly and maliciously violate Plaintiff Kaul's rights pursuant to Article 30 of the United Nations Universal Declaration of Human Rights: "Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein."

990. The Article 30 violation caused and continues to cause deprivations/violations/injuries to Plaintiff Kaul's human/constitutional/property rights.

RELIEF

- 1. COMPENSATORY + CONSEQUENTIAL + PUNITIVE DAMAGES:** On September 28, 2023, in K11-15, Plaintiff Kaul submitted a MOTION FOR DEFAULT JUDGMENT that contains a substantiated damages report based on Plaintiff Kaul's tax filings from 2001 to 2011 (Exhibit ---).
- 2. A PUBLIC APOLOGY FROM DEFENDANTS CHRISTIE/HEARY/STOLZ** to be published on the platforms identified in the K1 February 22, 2016 'Settlement Terms' (K1: D.E. 1)..
- 3. IMMEDIATE REINSTATEMENT OF PLAINTIFF KAUL'S UNRESTRICTED NEW JERSEY LICENSE**
- 4. ANY OTHER RELIEF THE COURT DEEMS APPROPRIATE AND NECESSARY FOP THE PURPOSE OF DETERRENCE.**


The Kaul Cases were caused to come into existence by the criminal conduct of state and private actors, who have violated Plaintiff Kaul's human/civil/constitutional rights since at least 2010, if not before. Had New Jersey Governor John Corzine secured a second gubernatorial term and had he sought the US Presidency, the crimes would not have occurred because he was independently wealthy and would have mostly funded his own campaign, in the much the same way as did Mitt Romney in 2012.

However, Defendant Christie's corrupt character in conjunction with his lack of personal wealth, blind ambition and pragmatic lack, account for the events that ensued after he and The Kaul Cases Defendants embarked on an ill-intended, ill-conceived, and ultimately futile, but yet ongoing attempt to eliminate Plaintiff Kaul. The legal jeopardy they face in 2023/onwards was caused by nobody but themselves and the sooner they remediate Plaintiff Kaul's ongoing injuries and are held accountable for their crimes, the less money/time they will spend defending pending/future claims from Plaintiff Kaul in domestic/foreign jurisdictions.

Plaintiff Kaul has noticed the United States Court of Appeals for the 4th Circuit that there exists no legal provision within the 4th Circuit to either validate or warrant the use of an illegally procured purported 'injunction' issued in K11-7 on September 12, 2022, by U.S.D.J. James Paul Oetken (Exhibit ---), that is an admitted 'Fraud on the Court' pursuant to Hazel-Atlas Glass Co. v Hartford-Empire Co., 322 U.S. 238 (1944) and United States v. Throckmorton, 98 U.S. 61 (1878).

CERTIFICATION

I, RICHARD ARJUN KAUL, MD the Plaintiff, do certify that the above statements are true and accurate to the best of my knowledge, and that if it is proved that I knowingly and willfully misrepresented the facts, then I will be subject to punishment.



RICHARD ARJUN KAUL, MD

DATED: November 5, 2023

Exhibit 1

THE SOLOMON CRITIQUE

**A critical analysis of the trial transcript of the proceeding in the MATTER OF THE
SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO
PRACTICE MEDICINE AND SURGERY IN NEW JERSEY**

INITIAL DECISION

**OAL DKT. NO. BDS 08959-12
IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF
RICHARD A. KAUL, M.D., TO PRACTICE
MEDICINE AND SURGERY IN NEW
JERSEY.**

Doreen Hafner, Deputy Attorney General, for complainant Attorney General of the State
of New Jersey (John J. Hoffman, Acting Attorney General of New Jersey, attorney)

Charles Shaw, Esq., for respondent Richard A. Kaul, M.D. (Law Offices of Charles
Shaw, Esq., attorneys)

Record Closed: October 31, 2013

Decided: December 13, 2013

BEFORE J. HOWARD SOLOMON, ALJ t/a:

Preface

This document is a detailed analysis of the trial transcript of the hearing in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY – OAL DOCKET NO. BDS 08959-12. The document demonstrates the enormous volume of willful misrepresentation, perjury, critical evidential omission and gross mischaracterization that were committed by Jay Howard Solomon, Esq, Gregory Przybylski, MD and Andrew Kaufman, MD, during the proceeding.

On April 2, 2012 the New Jersey Board of Medical Examiners initiated an administrative action to revoke the medical license of Dr. Richard Arjun Kaul. The matter was transferred to the New Jersey Office of Administrative Law in late May 2012 and on April 9, 2013 a contested hearing commenced, which concluded on June 28, 2013. It was adjudicated without a jury by Administrative Law Judge, Jay Howard Solomon, who came out of retirement just for the case, and returned to retirement after it concluded. It consisted of twenty-three (23) days of witness testimony during which twenty-six thousand, one hundred lines (26,100) of trial transcript were generated and thousands of pages of evidence were submitted. On the opening day of the proceeding the Deputy Attorney General had approximately fifty- (50) boxes, of what appeared to be evidence, stacked against both walls of the room. Dr. Kaul attended every day of the hearing.

In early September 2013 it was brought to Dr. Kaul's attention that evidence had been tampered with. He sent a letter to Solomon, dated September 12, 2013, that requested the issue be investigated, but received no response.

On December 13, 2013 Solomon issued his opinion that recommended Dr. Kaul's license be revoked. It was a one hundred and five-- (105) page document that bore little resemblance to the testimonial evidence. Dr. Kaul sent Solomon a letter dated December 26, 2013, in which he expressed his opinion regarding the evidential disparity between his opinion and the trial testimony.

On March 24, 2014 the medical board adopted Solomon's opinion, and imposed a fine of four hundred and fifty thousand dollars (\$450,000.00).

On February 22, 2016 Dr. Kaul filed a lawsuit in the United States District Court, District of New Jersey, against Solomon and a number of other defendants that include the physicians who had conspired against Dr. Kaul. The action claimed, amongst other things,

violations of RICO and Section 1983. However, on June 30, 2017, the Court dismissed Solomon from the matter based on his defense of absolute immunity.

In late 2017 Dr. Kaul eventually obtained a copy of the entire trial transcript, which he began cross-referencing with Solomon's opinion. The analysis started in or around early September 2017 and concluded on January 11, 2018. Dr. Kaul's analysis provides evidence that Jay Howard Solomon, Esq, Gregory Przybylski, MD and Andrew Kaufman, MD, the latter two the experts for the state, had committed two hundred and seventy-eight (278) wrongful acts. These consisted of misrepresentations, perjury, evidential omissions and gross mischaracterizations of the trial record.

The following indicates the distribution of these violations:

Jay Howard Solomon, Esq:

Misrepresentations – Forty-seven (47)

Evidential omissions – One hundred and sixty-nine (169)

Gross mischaracterizations – Sixty-two (62)

Gregory Przybylski, MD:

Perjury – Thirty (30)

Misrepresentations – Fourteen (14)

Mischaracterizations – Three (3)

Evidential omissions – Five (5)

Andrew Kaufman, MD:

Perjury – One (1)

Misrepresentations – Two (2)

Evidential omissions – Two (2)

These numbers suggest that the evidence provided was flawed and dishonest and that the interpretation of evidence was selective and prejudiced. The analysis proves that two of the defendants in Kaul v Christie provided misinformation and that they committed perjury. The extent of the corruption of information that was committed suggests the need for a criminal investigation into the reasons why Jay Howard Solomon would violate the law in such a concerted manner.

April 2012 were conducted in a biased and illegal manner and contain evidence that is plainly false, meaning that the revocation of Dr. Kaul's license was illegal.

The analysis is irrefutable proof of the criminal abuse of power and dishonesty that polluted the proceedings against Dr. Kaul, a conspiracy that caused the economic collapse of six medium sized corporations, the loss of jobs and tax revenues. The depths of dishonesty to which Solomon, Przybylski and Kaufman descended are abundantly evident in the forensic detail of the analysis and needs to be prosecuted appropriately.

I suggest that the manner in which the revocation of Dr. Kaul's license was conducted provides clear evidence that there is an urgent need for an independent review of the practice and conduct of the New Jersey Board of Medical Examiners.

'The Solomon Critique 2'
PDF page 1 to 949
Analysis: PDF page 1-161
Exhibits: PDF page 162-949

Summary of the analytical process of the production of 'The Solomon Critique 2', and the fraudulent Strategies + Acts + Omissions of state actors involved in the illegally conducted administrative proceedings.

A critical analysis based on the following evidence:

1. The opinion of K2 defendant, Solomon, regarding the testimony of K1/K2 defendant Przybylski.
2. The trial transcript of K1/K2 defendant, Przybylski, regarding his testimony about the clinical notes evidence, the standard of care pertaining to minimally invasive spine surgery (April 10 + 15 + 16 + 17 + May 6, 2013), and his verbal exchanges with K2 defendant and NJ deputy attorney, Doreen Hafner + K2 defendant and NJ administrative law judge, Jay Howard Solomon.

From April 9, 2013 to June 28, 2013, there was conducted a hearing in the New Jersey Office of Administrative Law, the purpose of which was to illegally revoke Kaul's medical license. The proceeding was a massive fraud, orchestrated with criminal intent by K2 defendant Christopher J. Christie. The proceeding was polluted with perjury + evidential omissions + misrepresentations + falsifications + gross mischaracterizations. On January 17, 2018, Kaul submitted a document entitled 'The Solomon Critique' (16-CV-02364: D.E.225), in which he proved that in a period from April 9 to December 13 2013, K2 defendants Solomon + K1/K2 defendants Przybylski + Kaufman collectively committed two hundred and seventy-eight (278) separate instances of perjury + evidential omissions + misrepresentations + gross mischaracterizations. However, in response to a sur-reply filed on December 6, 2018 by Defendant Heary (Kaul v Christie: 16-CV-02364: D.E. 290 Page ID6774), in which he mischaracterizes 'The Solomon Critique' as **"Plaintiff's own commentary on the legal proceedings."**, Kaul performed an in-depth comparative analysis of the trial transcript and clinical evidence with the opinion of K2 defendant Solomon (December 13, 2013). This analysis focused on witness Przybylski + and state actors, and K2 defendants, Hafner + Solomon, and irrefutably and unequivocally proves the pervasiveness of the perjury + evidential omissions + falsifications + misrepresentations that occurred in the administrative board proceedings. K2 defendant Solomon, in his fraudulent opinion had found all of Kaul's fifteen (15) witnesses to be

not-credible, but found all of Hafner's witnesses to be credible. This analysis, 'The Solomon Critique 2', focuses entirely on Defendant Przybylski and it proves that he, in conjunction with K2 defendants Hafner + Solomon collectively committed two hundred and twenty-two (222) separate instances of perjury + evidential omissions + falsifications + misrepresentations. K2 defendant Solomon based his opinion on a record that Kaul has since proven to be one replete with perjury + evidential omissions + fabrications + falsifications + misrepresentations. A massive fraud. 'The Solomon Critique 2' is based on the evidence of the State of New Jersey, and is conclusive proof of the claims asserted in K1 + K2. The defendants know the seriousness of their crimes, and they know they have no defense against this evidence, which is why their only defense has been the "commentary" defense. The defendants know they are in a lot of trouble.

The administrative board proceeding involved testimony from twenty-eight (28) witnesses, and Kaul has identified how K2 defendants Hafner + Solomon committed the same illegal pattern of Evidence Tampering with the testimony of all of the witnesses, including Przybylski. The overarching purpose of the fraud was to ensure Solomon's opinion excluded evidence that undermined Hafner's fraudulent case, included evidence that undermined Kaul's case, excluded evidence that supported Kaul's case and included evidence that supported Hafner's case. In many instances Przybylski perjured himself to manufacture evidence that supported Hafner's case, and undermined Kaul's case, and in other instances Solomon fabricated evidence when none existed to support Hafner's case.

Fraudulent Strategies + Acts + Omissions

The overall strategy utilized by the defendants and the patients was to misrepresent and or omit testimony that either undermined the case of K2 Defendant, Hafner, or supported that of Plaintiff Kaul. The four main tactics used were: (i) omission of evidence harmful to Hafner, but helpful to Kaul; (ii) fabrication/falsification of evidence by K2 Defendant Solomon, that undermined Kaul's case and supported Hafner's case; (iii) misrepresentation of trial testimony and submitted evidence; (iv) witness perjury and the facilitation of perjury by defendants Hafner + Solomon.

Below are defined the illegal premeditated acts committed between K2 defendants Hafner + Solomon and K1/K2 defendant Przybylski, and the tactics + predicate acts that they used to convert the New Jersey Office of Administrative Law into a racketeering enterprise, in

furtherance of their scheme to have Kaul's license illegally revoked.

1. K2 defendant Hafner encouraged patients to lie under oath about their symptoms, and fabricate phantom symptoms, in order to buttress her fraudulent case. She provided them with specific examples of what to say about the care they received from Kaul. For example she told them to lie that Kaul had not informed of the risks associated with the procedures. She told them to fabricate symptoms of pain and disability. Hafner told the patients that if they lied about their symptoms, Kaul's license would be revoked, which in conjunction with all of the negative publicity, would result in them receiving large sums of money from his insurance carrier. Many of these patients and their lawyers, did in fact receive monies consequent to their fraudulent claims. These lies are detailed in 'The Solomon Critique' (16-CV-02364: D.E. 225).
2. K2 defendant Hafner conspired and colluded with K1/K2 defendant Przybylski to omit testifying about information in the clinical notes evidence that supported Kaul's case and undermined Hafner's case: 59a(3) + 59a(5) + 59a(7) + 59a(9) + 94a + 99a + 109a + 110a(4) + 123a + 130a + 135a
3. K2 defendant Hafner conspired and colluded with K1/K2 defendant Przybylski to commit perjury and lie that Kaul had "grossly deviated" from a supposed standard of care: 110b(1) + 110b(2)
4. K2 defendant Solomon omitted Przybylski's testimony + clinical notes evidence that undermined Hafner's fraudulent case: 23a + 24a + 26a + 28a + 33a + 36a + 37a + 39a + 41a + 42a(2) + 43a + 44a + 49a + 50a + 52a(1) + 52a(3) + 53a + 56a + 57a(4) + 57a(5) + 57a(6) + 57a(7) + 59a(1) + 59a(3) + 59a(5) + 59a(7) + 59a(8) + 59a(9) + 68a + 69a + 70a + 72a + 73a + 75a + 77a + 79a + 81a + 81c + 82a(1) + 82a(2) + 82a(3) + 83a(2) + 83a(3) + 86a + 90a + 91a + 92a(1) + 93a + 94a + 95a + 96a + 97a + 98a + 101a + 102a + 109a + 110a(4) + 110b(2) + 111b + 116a + 116b + 117a + 118a + 119a + 123a + 128a + 133a + 134a + 139a + 140a + 142a + 143a + 147a + 147b + 149b + 149c + 149d + 149e + 149f + 149g + 149h + 149i + 149j + 149k + 149l + 149m + 149n + 149o + 149p + 149q + 150a + 151a + 151b + 151c + 151d
5. K2 defendant Solomon misrepresented Przybylski's testimony + clinical notes evidence that undermined Hafner's fraudulent case: 9a + 10a + 15a + 36a + 40a + 42a(3) + 52a(1) + 58a + 61a + 63a + 66a + 67a + 68a + 74a + 81c + 82a + 83a(2) + 83a(3) + 88a

+ 92a + 92a(1) + 92a(2) + 93a + 96a + 99a + 102a + 110a(1) + 110a(3) + 110b + 127a + 134a + 138a + 139a + 147a

6. K2 defendant Solomon **falsified** Przybylski's testimony, in order to fabricate evidence in support of Hafner's fraudulent case: 96a + 149q
7. K1/K2 defendant Przybylski committed **perjury** about the clinical notes evidence and the standard of care: 15a + 22a + 24a + 25a + 33a + 37a + 40a + 52a(1) + 57a(4) + 62a + 79a + 79c + 81c + 82a(3) + 83a(3) + 86a + 90a + 91a + 92a(1) + 96a + 103a + 105a + 109a + 110a(3) + 110a(4) + 110b(2) + 115a + 118a + 121a(1) + 125a + 126a + 134a + 136a + 137a + 140a + 146a + 149q + 151a + 151b + 151d
8. K1/K2 defendant Przybylski **omitted** clinical notes evidence that supported Kaul's case and undermined Hafner's fraudulent case: 41a + 42a + 43a + 49a + 50 + 52a(1) + 53a + 56a + 59a(3) + 59a(5) + 59a(7) + 59a(9) + 69a + 77a + 90a + 94a + 99a + 101a + 109a + 110a(4) + 111a + 113a + 115a + 116a + 117a + 118a + 119a + 121a(2) + 123a + 126a + 130a + 132a + 133a + 135a + 136a + 140a + 143a + 146a

Exhibit 2

www.drrichardkaul.com

January 22, 2022

Members
New Jersey Board of Medical Examiners
140 E Front Street
Trenton, NJ 08608

**Re: Reinstatement of license
25MA06328100**

Dear Board Members,

Preamble: Please note that all documents referenced in this letter can be viewed/downloaded from www.drrichardkaul.com at page tab: **NJBME** and K11-7 is Kaul/Basch v Intercontinental Exchange, et al: 21-CV-06992, a case pending in the United States District Court for the Southern District of New York.

I write this letter to provide you an opportunity to reinstate my unrestricted plenary license (25MA06328100); a license that as the unrefuted evidence/admitted facts (**NJBME: 210825**) in K11-7 prove, was illegally suspended/revoked, respectively on April 2, 2012/March 24, 2014. As pled in K11-7 (**NJBME: 210913**) the revocation was a consequence of a "**pattern of racketeering**" that involved the conduction of, amongst other things, the RICO predicate acts of bribery/perjury/evidence tampering/witness tampering/fraud, that were perpetrated by state/private actors in both the events surrounding and within the board/OAL hearings (OAL DKT BDS 08959-12) (June 13, 2012/April 9 to June 28, 2013). See 'The Solomon Critique' in which there were two hundred and seventy-eight (278) separate instances of perjury, evidential omission, evidence tampering (**NJBME: 180117**). The crimes committed against me, were part of a series of quid pro quo schemes, in which The Kaul Cases; Defendants bribed Defendant Christie, the then governor, and executive in charge of the three elements of the mechanism of physician regulation (office AG/medical board/OAL), all of which are controlled by the executive branch. This configuration is illegal and violated my constitutional right to due process, another reason, of many, as to why the revocation was/is illegal (**NJBME: 190001**), and why non-reinstatement constitutes a willful ongoing violation of my human/constitutional rights (2012-Present).

To understand why The Kaul Cases Defendants/co-conspirators committed such a massive number of felonies, you must remember that Defendant Christie had plans to become the 2016 US President, and needed vast sums of money, while the physician/hospital defendants sought

to monopolize the minimally invasive spine surgery market and insurance defendants sought to eliminate their debt to me. These facts underpin/explain the multiple, and criminal, quid pro quo schemes orchestrated by Defendant Christie/agents.

THE LAW:

Legal standard:

The illegal revocation constitutes a 'Fraud on the Court', for which the law mandates remedy, a component of which involves the immediate reinstatement of my license to its status as per April 1, 2012. See Hazel-Atlas Co. v Hartford Co., 322 US 238 (1944): " ... it is for relief granted by equity against an unjust and inequitable result and is subject to all the customary doctrines governing the award of equitable relief." at 260. See also US v Kemp, 500 F.3d 257 (2007) (U.S.D.J. Kevin McNulty for Defendant Stephen M. Umbrell/Commerce Bank-TD).

THE FACTS:

1. Defendant Andrew Kaufman's false standard/perjury + The Fraudulent Board/OAL Proceedings (April 9, 2012 to March 24, 2014):

My license was illegally revoked, based principally on the knowingly false testimony of Defendant Kaufman, who, on May 1, 2013, under oath, testified that because of my education/training/experience (NJBME: 210913-Page 49/432), I was not qualified to perform minimally invasive spine surgery, and that my performance of eight hundred (800) cases from 2003 to 2012, constituted "gross deviations" from his false standard of care (NJBME: 130501-Page 68/165). Defendant Kaufman and I competed in the spine market, and as the evidence proves, he was conflicted/biased against me (NJBME: 210825-Page 43/131 + 211110-Page 60/87 + 211110-Page 62/87).

The knowing/willful falsity of Defendant Kaufman's May 1, 2013 testimony is evidenced by the stark contradiction of his testimony, in which while stating that I was not qualified to perform spinal fusions, he was getting paid to teach interventional pain physicians how to perform lumbar facet fusions: "Q. So its true that you as a director of this professional society [The Kaul Cases Defendant ASIPP] taught other physicians, other meaning non board certified neurosurgeons, other than board certified orthopedists, how to complete or take part in lumbar facet fusion which is minimally invasive. True? ... A. That was the course offering (NJBME: 130501-Page 124/165).

The training standard manufactured by Defendant Kaufman, was purposed to frame my performance of minimally invasive spine surgery as being a "gross deviation" from his standard of care: Q. And what conclusion did you reach as to whether Dr. Kaul is competent to perform open and minimally invasive spinal fusions surgeries? A. I found that given Dr. Kaul's training and board certification that that was not a procedure that he would be competent to perform." (NJBME: 130501-Page 58/165). Defendant Kaufman perjured himself, as he had

viewed YT videos of me performing minimally invasive spine surgery, and knew I was more than competent, having invented the procedure in 2005.

<https://www.youtube.com/watch?v=guwx5kuBiEg&t=1s>

<https://www.youtube.com/watch?v=JX4bnRPPucl>

<https://www.youtube.com/watch?v=oxaV5lJuZ7c>

Defendant Kaufman, knew that he was conflicted/biased, which is why he committed repeated acts perjury throughout his testimony in testifying that my performance of minimally invasive spine surgery constituted a “gross deviation” from his standard of care: **“Q. In your opinion does the taking of CME courses in and of itself qualify Dr. Kaul to be able to do either open or minimally invasive spinal fusion? A. No. Q. Why not? A. ... The course of study for open or minimally invasive spine surgery is – is very strict. I am not a board -certified neurosurgeon nor am I a board-certified orthopedic spine surgeon.” (NJBME: 130501-Page 66/165).**

However, on November 5, 2021, Defendant Kaufman is still not a “board -certified neurosurgeon nor a board-certified orthopedic spine surgeon” but is performing spinal fusions AND teaching other interventional pain physicians how to perform spinal fusions (NJBME: 211105-Page 18/40 + Page 22/40 – “Keynote: Evolution of Interventional Pain Physicians; Injections to Minimally Invasive Spine Surgeons ... MIS to Extensive Fusion”) and in doing so is in “gross violation” of his own standard, a standard adopted by The Kaul Cases Defendant/OAL Judge, Jay Howard Solomon, which was used to recommend license revocation/\$300,000 ‘fine’ on December 13, 2013. The illegal ‘fine’ was gratuitously increased to \$475,000 on March 24, 2014 by the then board, a gross violation of my 8th amendment right and of SCOTUS law pursuant to Timbs v Indiana, 586 US, 139 S. Ct. 682 (2019).

Defendant Kaufman’s willful/illegal failure to disclose his conflict of interest in a proceeding that illegally deprived me of my liberty/life/property, was purposed to perpetuate his perjury in the administrative proceedings, in order to create a corrupted record, from which my license was illegally revoked: **“Q. Based upon your finding that Dr. Kaul does not have the adequate training or credentials to perform open or minimally invasive spinal fusion surgery, did he deviate from the generally accepted standards of medical practice by performing those surgeries? A. Yes, he did. Q. And can you quantify the amount of that deviation? A. I found them to be a gross deviation.” (NJBME: 130501-Page 68/165).** Defendant Kaufman’s conflicted state-of-mind became evidenced on February 26, 2010, when he made the following statement to patient Corey Johnson: **“That motherfucker, Richard Kaul, is trying to take over the spine business and we are going to put a stop to it” (NJBME: 211110-Page 60/87)** exposing his involvement in the illegal conspiracy pled in K11-7. Defendant Kaufman, in collusion/conspiracy with The Kaul Cases Defendants, used the NJBME/OAL to further their illegal “pattern of racketeering”, thus converting these agencies into an “association-in-fact racketeering enterprise”, through which they are continuing to conduct an “open-ended pattern of racketeering”, in obstructing the reinstatement of my license. This obstruction, pursuant to RICO, will cause you to incur further liability, unless my license is reinstated by March 22, 2022.

Defendant Kaufman's agitated state while testifying, frequently exposed his scheme of dishonesty/perjury, in that he knew that since 2003, I had been credentialed by at least six (6) state licensed surgical centers/Medicare/AAAHC to perform minimally invasive spine surgery (discectomies/fusions): **"Q. But you're not required to be ABMS board certified to perform a procedure in New Jersey. True? A. You're not required to have anything to perform a procedure in New Jersey. As I just stated, my license allows me to practice medicine and surgery, I can do whatever I want. What restricts me is the ability to obtain these privileges at a facility."** (NJBME: 130501-Page 116/165).

Defendant Kaufman's "gross" violation in 2021 of the standard he used to have my license illegally revoked in 2014, is evident in the fact that he now performs and teaches minimally invasive spine surgery to other interventional pain physicians. (NJBME: 211105- Page 18/40 + Page 22/40 "Keynote: Evolution of Interventional Pain Physicians; Injections to Minimally Invasive Spine Surgeons ... MIS to Extensive Fusion"). On May 1, 2013 he testified: "If someone wants to pursue spine as a career, they must do a fellowship which means two years of extra training under the guidance of people who do this work. That is the standard, sir, and there's no other way to do that." (NJBME: 130501-Page 121/165). In 2021, Defendant Kaufman has not undergone a spine fellowship, but in 2021, he knowingly violates his own standard, in performing/teaching minimally invasive spine surgery, and on November 5, 2021, was the director of a program, which included, as stated above, the following courses: "Keynote: Evolution of Interventional Pain Physicians Injections to Minimally Invasive Spine Surgeons" and "MIS to Extensive Fusion."

Defendant Kaufman's inconsistent/contradictory testimony exposed what he knew to be the truth, but he conspired to attempt to conceal the truth with his perjury. Under a withering cross-examination, during which he sweated/twitched/went red, he admitted that I was well trained in minimally invasive spine surgery: **"Q. I believe your testimony before on direct about your review of Dr. Kaul's CV was that you found him to be well-educated with regard to taking of the CV credits with regard to the procedure he takes. Isn't that true? A. Yes."** (NJBME: 130501-Page 140/165), but yet he persisted in falsely claiming I had committed "gross deviations" (NJBME: 130501-Page 69 + 118/165).

Defendant Kaufman, in his misguided zeal to establish his standard and eliminate me, disingenuously applied his standard to his own practice: "Since I decided that the amount of time that I would be performing that procedure, maybe once or twice a month, that I did not feel that I could do better than a neurosurgeon or an orthopedic spine surgeon who does do that type of work, meaning putting pedicle screws in for fusions, open or otherwise on a daily basis. So, I felt that it was not the safe thing to do for me to do that ... that I felt it would be better to send it to someone who does this five times a week." (NJBME: 130501-Page 132/165). However, on November 5, 2021, Defendant Kaufman is not only not referring these patients to neurosurgeons/orthopedic surgeons but is performing spinal fusions AND teaching other interventional pain physicians how to perform spinal fusions, and in doing so is in "gross violation" of his own standard, a standard adopted by The Kaul Cases Defendant/OAL Judge,

Jay Howard Solomon, who used it to recommend license revocation/\$300,000 'fine' on December 13, 2013. The illegal 'fine' was gratuitously increased to \$475,000 on March 24, 2014 by the then board.

Defendant Kaufman's scheme of perjury/abuse or process, constitute a small fraction of the hundreds of violations of my due process/human rights, that have been committed and are continuing to be committed against me (2012-Present). One of the more recent violations occurred on May 27, 2021, and involved me being kidnapped, the facts of which are detailed in K11-7, the 'Kaul Kidnapping Scheme' (NJBME: 210913-Page 126/131). These willful/knowing/malicious violations have caused immense injury to my economic standing/livelihood/liberty/reputation/life (NJBME: 210913-Page 344/432), and on April 2, 2022, it will be a decade since my license was illegally suspended, the cumulative liability of which, pursuant to RICO, will continue to inure to you and The Kaul Cases Defendants, if my license is not reinstated. See United States v Coonan, 938 F.2d 1553 (1991). However, neither reinstatement nor any of the other forms of relief sought in K11-7, will rectify prior reputational injury nor cause to cease the "ongoing" and permanent injury to my reputation and professional career.

2. "Ongoing pattern of racketeering" + Wire Fraud + Accruing Liability:

As pled in K11-7, the illegal revocation is referenced as one of the many crimes committed against me by The Kaul Cases Defendants, a crime that as with the others, caused the Defendants to commit further increasingly serious felonies, in an increasingly futile effort to 'cover-up' their previous crimes (NJBME: 210913-Page 17/432 Para. 55). The facts of the "New York Scheme", the "New Hampshire Scheme", the "Pennsylvania Scheme" and the "New Jersey Scheme" constitute some of these felonies (NJBME: 211101-Page 12/17). In fact, on June 13, 2021, the then board was explicitly forewarned of the consequences of its crime and consequent 'cover-up' (NJBME: 120613-Page 15). Only one member heeded this warning, and that was Jane DiGregorio, a lawyer, who evidently recognized the immense legal liability of aligning herself with Defendant Christie's fraudulent scheme to rescind a consent order into which I and the board had entered on May 9, 2012: " ... you will be sewing [sic] the seeds of absolute and utter chaos, and you'll reap the whirlwind as a result ... there comes a time when you have to ask what is reasonable ... Is his mere existence a risk?" (NJBME: 120613-Page 180)

Commencing in April 2012, documents pertaining to the illegal suspension/revocation have been disseminated across the US/International wires to, amongst others, domestic/international healthcare related agencies/the FBI/the DEA/the National Practitioner Data Bank/all state medical boards and they continue to be published on the medical board website. These facts constitute an "ongoing pattern" of wire fraud and the public dissemination of the illegal suspension/revocation has caused and continues to cause injury to my reputation, and constitutional right to a livelihood.

The continued and willful failure to reinstate my license, despite incriminating evidence and admitted facts, constitutes further evidence of your aiding/abetting an **“ongoing pattern of racketeering”**, through the commission of, amongst other things, the RICO predicate acts of fraud/retaliation, in which you are perpetuating the conversion of the medical board into a **“racketeering enterprise”**, a conversion that for the purposes of K11-7, commenced in New York in 2008/2009, consequent to Defendant Christie’s conspiracy with the K11-7 corporate Defendants (**NJBME: 210913-Page 15/432 Para. 40**). The fourteen (14) year existence of this knowingly illegal scheme has caused and continues to cause massive violations of my human/constitutional rights, and in this knowledge, your failure to reinstate my license by March 22, 2022, will cause you to personally incur liability pursuant to RICO/Section 1983.

3. **Failure to reinstate + K11-7 Summary Judgment:**

The minimally invasive outpatient spinal fusion procedure that I invented and first successfully performed in February 2005, revolutionized the field of spine surgery, and is today the standard of care. It is a procedure that is now commonly performed by physicians with training in interventional pain/radiology and physiatry, most of whom, unlike me, have no training in general surgical skills. From 2003 to 2012 I performed eight hundred (800) surgeries with good to very good outcomes in 90-95% of cases (average is 65-70%), and with a complication rate of 0.1% (average is 5-15%). My success should have been lauded, but instead it was attacked because of petty-minded professional jealousy/political corruption/fraud.

In the planning and perpetration of the schemes detailed in K11-7, **The Kaul Cases** Defendants/co-conspirators, without knowing me, did grossly miscalculate the outcome of their conspiracy. They were convinced that I would either leave America or be jailed/deported/killed, and thus not expose their crimes. I have exposed their crimes, and their miscalculation has had serious consequences for them. Defendant Christie did not become the 2016 US President and Defendant Allstate’s wrongdoing and its consequent prosecution by me in the United States District Court, caused it to commit a securities fraud scheme, that commenced in 2016, a scheme that injured the investment community (**NJBME: 210825-Page 17/131**).

My **“good faith”** purpose in submitting this letter, is to provide the board an opportunity to rectify the enunciated wrongs and limit the domestic/ international liability of the state. I have, since my April 2012 offer to have my practice independently monitored and my February 22, 2016 K1 **‘Settlement Terms’**, sought to resolve any question as to my ability to perform minimally invasive spine surgery and halt, through non-litigation avenues, any further injury to my economic standing/livelihood/reputation/liberty/life. **The Kaul Cases** Defendants misguided rejection of my efforts, left me with no option but to initiate prosecution, a prosecution that they simultaneously claim is **“vexatious”**, while conspiring against me in the **“New York Scheme ... New Hampshire Scheme ... Pennsylvania Scheme ... New Jersey Scheme”** (**NJBME: 211110-Page 22/87**).

I urge you to follow the law and reinstate my license. However, failure to do so by March 22, 2022, will constitute further evidence of an **“ongoing pattern of racketeering”**, that will be

submitted into The Kaul Cases, and which will strip all Defendants of any pending/future defenses, thus rendering them subject to Summary Judgment and increased liability.

Finally, other than recognizing your legal obligations, I ask you to consider your ethical/moral responsibilities in this matter, as did Jane DiGregorio, Esq, on June 13, 2012, the lone voice of reason on that fateful day. No politician will support your cause if you find yourself subject to prosecution. Defendant Christie is evidence of that.

Yours sincerely



RICHARD ARJUN KAUL, MD

cc: All Counsel of record in The Kaul Cases
All board members

Exhibit 3

www.drrichardkaul.com

September 21, 2021

Ms. C. L. Senko
Administrator
Office of Professional Licensure/Certification
7 Eagle Square, Concord NH 03301

**Re: Application for physician license in New Hampshire
K11-7 (Kaul/Basch v ICE: 21-CV-06992)
"New Hampshire Scheme"**

Dear Ms. Senko,

Thank you for your email of September 20, 2021, in which you provide the statutory definition of "clearance", pursuant to N.H. Code Admin. R. Med. 301.01. The regulation pertains to a direct communication between state agencies of information pertaining to licensing history/status. This information, pursuant to Rule 301.03 (a)(9), was made directly available to the New Hampshire Medical Board on September 15, 2021 from the website of **The Kaul Cases** Defendant, New Jersey Board of Medical Examiners ("NJBME"):

<https://www.njconsumeraffairs.gov/bme/Pages/actions.aspx>

The information and documents are now in the possession of the New Hampshire Medical Board and did originate directly from the relevant New Jersey state agency, and thus the application is indeed complete. However, included in the body of the email on which this letter is attached is an instruction to agents of NJBME to immediately comply with N.H. Code Admin. R. Med. 301.01.

Please also note that on September 7, 2021, Defendant NJBME was advised of its liability pursuant to its knowing violation of my right to due process in regard to my application for licensure in the State of New Hampshire (copy enclosed).

There exists no plausible explanation or legal basis on which the New Hampshire Medical Board can assert it is not in direct possession of the New Jersey documents/information, and there exists evidence that **The Kaul Cases** Defendant, NJBME, in failing to respond to the September 2, 2021 letter, is continuing to violate my rights, in collusion/conspiracy with other Defendants.

Please find enclosed a copy of the September 14, 2021 letter to Ms. Taylor regarding the “**New Hampshire Scheme**” and be advised that if my application is not adjudicated by October 24, 2021, it will be deemed a denial, and I will move for relief in a court within the United States Court of Appeals for the First Circuit.

If such an action becomes necessary, Defendant Allstate will be sued. This will cause its investors to incur liability and will provide these entities standing to bring suit against the New Hampshire Medical Board and Defendant Federation of State Medical Boards, for facilitating the precipitating injury, i.e., the denial of my application. The calculated damages will be consistent with those identified in K1 (Kaul v Christie: 16-CV-02364).

I urge you to not permit yourself or any agencies/actors associated with New Hampshire, to aid/abet a continuance of the crimes of **The Kaul Cases** Defendants, but to instead act in the interests of the State of New Hampshire and its people.

Yours sincerely



RICHARD ARJUN KAUL, MD

cc: Eric Fish via email
David D'Aloia via email
David Puteska via email
Marc Haefner, Esq via email
Christopher Thomas Sununu – NH Governor via mail

www.drrichardkaul.com

September 2, 2021

Sean P. Neafsey
Acting Director
Division Consumer Affairs
Office of the NJ AG
25 Market Street
Trenton, NJ

Re: Application for physician license in New Hampshire

Dear Mr. Neafsey

Please immediately confirm the revocation status of my NJ license with the following party:

Kristin Wagner
License Associate
Office of Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301

Please be noticed not to cause a violation of my Constitutional rights by delaying and or obstructing the transmission of this information.

Yours sincerely



Richard Arjun Kaul, MD

cc: Penny Taylor, NH Medical Board.

www.drrichardkaul.com

September 14, 2021

Penny Taylor
NH Office of Professional Licensure and Certification
7 Eagle Square
Concord, NH 03301

**Re: Application for physician license in New Hampshire
K11-7 (Kaul/Basch v ICE: 21-CV-06992)
"New Hampshire Scheme"**

Dear Ms. Taylor,

It is my position, until proven otherwise, that K11-7 Defendants, Federation of State Medical Boards/Allstate Insurance Company and co-conspirator, New Jersey Board of Medical Examiners, have conspired, and are continuing to conspire with the New Hampshire Medical Board, in the perpetration of a knowingly illegal scheme to obstruct my application for licensure in the State of New Hampshire.

This scheme, the **"New Hampshire Scheme"** constitutes an **"ongoing pattern of racketeering"**, in which the Defendants have converted the State of New Hampshire into a **"racketeering enterprise"**, through which they continue to propagate this **"pattern"**, that involves the commission of the RICO predicate acts of mail fraud/wire fraud/obstruction of justice, and which is maliciously intended to violate my Constitutional rights, and is an attempt to limit any further exposure to the global equities market/shareholders of their crime of securities fraud. The New Hampshire Medical Board has aided/abetted and continues to aid/abet these Defendants in the commission of these crimes.

I am in receipt of your email, sent on September 14, 2021 at 9:19 am EST, and do respectfully make the following comments:

1. The email fails to provide the legal basis for the verification requirement, as requested in my letter of September 6, 2021 (copy attached). Thus, there exists no statutory basis for any verification from K7 Defendant, New Jersey Board of Medical Examiners, and the request is arbitrary, in contravention of my Constitutional right to not be subjected to arbitrary process.

2. You state that you are not “sure what he [Kaul] means regarding the New Jersey verification, but it is required for licensure”. With all due respect, if you are not sure what it is then you cannot know if its required, but regardless, this point is clarified in the September 6 letter: “I write this letter for clarification on a point raised by Ms. Wagner, which pertains to a supposed requirement that the New Jersey medical board verify that my license remains revoked.”

Your email was directed to Kristin Wagner and copied to me. I assume Ms. Wagner has no knowledge of the Defendants crimes or the action pending in the United States District Court for the Southern District of New York.

The facts of the “New Hampshire Scheme” will in the course of litigation, be submitted into evidence in K11-7, in support of motions for Summary Judgment against Defendants FSMB/Allstate on the RICO/Section 1983 charges.

Please also be advised that if my application is not adjudicated by October 24, 2021, it will be deemed denied, and the denial will constitute a “new racketeering injury” that will simultaneously provide the basis for a new claim and constitute evidence in support of the K11-7 claims.

I sincerely hope this matter can be resolved without the need for any litigation that involves any agencies/persons associated with the State of New Hampshire, and that the medical board rightly concludes, based on the evidence before it, that I am a competent physician of good character, who has been the victim of a massive injustice, committed by The Kaul Cases Defendants, and that it should grant my application for licensure. For your convenience, I have enclosed the two letters of reference, that are already in your possession.

Please note that if litigation becomes unavoidable, I will move in a district court within the United States Court of Appeals for the First Circuit and will seek monetary damages consistent with those sought in K1, and that reflect not only The Kaul Cases Defendants criminal state-of-mind, but the permanent/ongoing injuries cause to my life, and those of my children.

This letter is copied to the New Hampshire State Government, in order to apprise it of its potential liability, should the medical board not adhere to the law and knowingly violate my Constitutional rights, by denying or otherwise encumbering my license to the effect of denying it, as has occurred in the State of Pennsylvania and New York.

This letter/attached document is sent via email and is copied to: (i) Eric Fish – FSMB; (ii) Suzanne Zerbe – PA Medical Board; (iii) Steven Boese – NY Medical Board; (iv) David Puteska – NJ Medical Board; (v) David D’Aloia, Esq – Counsel for Defendant Allstate. These persons/agencies are some of the entities involved in the nationwide conspiracy to prevent me from obtaining a state license, in an attempt to hinder my economic resurgence, in the belief that it will mitigate the civil/criminal liability of The Kaul Cases Defendants, and most pressingly, those identified in K11-7.

I urge you and the New Hampshire Medical Board to not further aid/abet the crimes of The Kaul Cases Defendants, and to grant my application for licensure, no later than October 24, 2021, as there exists no legitimate basis for a denial or encumbrance/condition of license.

Thank you for your attention to this matter.

Yours sincerely

Handwritten signature of Richard Arjun Kaul, consisting of stylized initials 'RKA' followed by a small '1'.

Richard Arjun Kaul, MD

cc: Eric Fish via email
Steven Boese via email
David Puteska via email
David D'Aloia via email
S/P 500

Documents attached to email on which this letter is sent:

1. 210825-Kaul v Zucker-KL-NY-Petition Order Provision Opinion
2. 210903-KL-NH-Letter-Basch-Taylor
3. 210906-KL-NH-Letter-Katz-Taylor
4. 210911-KL-PA-Petition to PA Supreme Court
5. 210913-Kaul v ICE-K11-7-D.E. 14

www.drRichardKaul.com

September 6, 2021

Penny Taylor
License Clerk
NH Office of Professional Licensure and Certification
7 Eagle Square
Concord, NH 03301

Re: Application for physician license in New Hampshire

Dear Ms. Taylor,

Thank you for advancing my application by transferring it on August 23, 2021 into the remit of Ms. Wagner. However, I write this letter for clarification on a point raised by Ms. Wagner, which pertains to a supposed requirement that the New Jersey medical board verify that my license remains revoked. I have been unable to identify any NH rule or regulation relevant to this requirement and do respectfully request it be provided, as this information has been verified by the State of Pennsylvania, in the May 28, 2020 opinion of David Green. This document came into the possession of the NH medical board in April 2021.

I am concerned that this particular requirement is not statutorily supported, and is in fact a delaying tactic, conceived of by Defendant Federation of State Medical Boards, of which the NH medical board is a member, and of which you know is an entity I am suing in the United States District Court. If this is in fact the case, then this misconduct would constitute a conspiracy involving the State of New Hampshire and would expose the state to legal liability. I hope my assessment is incorrect, and that there exists a legal and non-arbitrary basis for the verification requirement. Thus, could you please identify the legal basis for the verification requirement.

I thank you for your attention to this matter and look forward to your response.

Yours sincerely



Richard Arjun Kaul, MD

Exhibit 4

AstraZeneca faces legal challenge over Covid vaccine

4 days ago

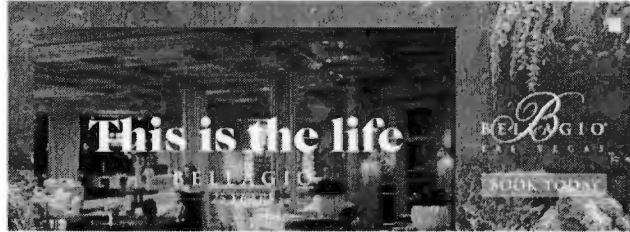


By Fergus Walsh
Medical editor

AstraZeneca is facing legal action over its Covid vaccine, by a man who suffered severe brain injury after having the jab in April 2021.

Father-of-two Jamie Scott suffered a blood clot that left him with brain damage and unable to keep working.

Case 5:23-cv-00672-BG-KS Document 1-4 Filed 11/20/23 Page 2 of 14
The action taken to over the consumer protection law alleges the vaccine was "defective" as it was less safe than individuals were entitled to expect.



In June 2022, the World Health Organization said the AstraZeneca vaccine was "safe and effective for individuals aged 18 and above".

'Stringent standards'

The legal action is at least a year away from a full court hearing.

A further claim from about 80 people who say they were injured by the AstraZeneca vaccine is also due to be launched later this year but Mr Scott's case is expected to be heard first.

AstraZeneca said: "Patient safety is our highest priority and regulatory authorities have clear and stringent standards to ensure the safe use of all medicines, including vaccines.

"Our sympathy goes out to anyone who has lost loved ones or reported health problems.

"From the body of evidence in clinical trials and real-world data, Vaxzevria [the vaccine against Covid] has continuously been shown to have an acceptable safety profile and regulators around the world consistently state that the benefits of vaccination outweigh the risks of extremely rare potential side effects."

'Wholly insufficient'

Many of the claimants have received one-off fixed tax-free payments of £120,000 under the government's Vaccine Damage Payment Scheme (VDPS), which provides compensation for those injured or to bereaved next of kin.

Official figures obtained under a Freedom of Information request showed at least 144 out of 148 VDPS payments had gone to recipients of the AstraZeneca vaccine, the Daily Telegraph reported. And an attempt to have the VDPS overhauled is at the heart of these legal actions.

Claimants have to show the vaccine caused serious disability of at least 60%. And the families say the level of compensation is wholly insufficient and has not been adjusted for inflation since 2007.

On 7 April 2021, the Joint Committee on Vaccination and Immunisation **advised adults aged under 30** be offered an alternative to the AstraZeneca vaccine, "following reports of extremely rare blood clots in a very small number of people".

On 7 May 2021, **the guidance was amended** to apply to adults aged under 40.

Mr Scott was aged 44 when he received the AstraZeneca vaccine, on 23 April 2021.

Kate Scott, Jamie's wife, told the BBC: "Jamie has had over 250 rehabilitation sessions from specialists, he had to learn to walk again, to swallow, to talk. [He has had] memory problems.

"Although he has done very well with them we are at the point now where this new version of Jamie... is the version that will go forward. He has cognition

She added: "We need the government to reform the vaccine damage payment

He was given the jab in Oxford, just a few hundred metres away from the Jenner Institute, where the vaccine had been developed. The government called it a pivotal moment in the fight against the virus.

The immunisation came just weeks after the rollout of the Pfizer-BioNTech jab.

By September 2022, some 53 million people in the UK had received at least one dose of Covid vaccine.

AstraZeneca manufactured the Oxford vaccine on a not-for-profit basis. **And the vaccine had saved more than six million lives** in its first year of use, more than any other Covid jab, an independent study by disease-forecasting company Airfinity, published last year, estimated.

But within a few months of the AstraZeneca vaccine rollout, cases began emerging of a potential side effect from blood clots. And a condition known as vaccine-induced immune thrombosis and thrombocytopenia (VITT) was eventually identified.

The cases were so rare they had not been identified in the global trials of the vaccine.

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Under 40s to be offered alternative to AZ vaccine

7 May 2021



Under-30s offered alternative to Oxford-AZ jab

7 April 2021

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www.drrichardkaul.com

August 19, 2020

R. David Henderson, JD, CMBE
Chief Executive Officer
P.O. Box 20007
Raleigh, NC 27619-0007

Re: Application for license to practice medicine and surgery

Dear Mr. Henderson,

I write this letter to inquire as to whether I would be granted a license to practice medicine and surgery in your state, based on:

1. My medical education, training and experience, as detailed in my CV (copy on enclosed flash drive).
2. The May 28, 2020 opinion of David M. Green, Esq, a Hearing Officer for the State of Pennsylvania, in which he grants my application for medical licensure (copy of opinion + transcript on enclosed flash drive).
3. A case pending in the United States District Court for the District of Columbia, in which there exists irrefutable evidence that the revocation of my New Jersey license was procured illegally and is illegal (copy of Kaul v Federation: 19-CV-3050-K5 enclosed on flash drive).
4. A book and documentary that were published respectively on April 15 and July 28, 2020, that publicly assert the irrefutable evidence contained in Kaul v Federation: 19-CV-3050-TSC. The Defendants have filed no legal challenge contesting/rebuttuig/refuting the within evidence/facts. The publications are:
 - (a) **"An Impossible Victory: Kaul v Christie"** – The electronic and audio books can be found online.
 - (b) **"An Impossible Victory: Kaul v Christie – The Story Within The Story: A Documentary Film"** – The documentary can be found on YouTube.
5. The facts of my professional/personal history as provided in my application form for licensure in the State of Pennsylvania (copy on enclosed flash drive).

I respectfully assert that according to the Medical Practices Act within your state, there exists no reason for the state to not grant me a license. The UK case has no legal validity in the US (detailed in response to initial denial of licensure application by PA Medical Board-copy on enclosed flash drive) and the revocation of the New Jersey license was illegally obtained. I meet the requisite educational criteria for licensure.

This preliminary request is made principally for the purpose of ascertaining the likelihood of obtaining a license in your state, but secondarily to establish whether the K5 defendants have caused me a **"new racketeering injury"** consequent to that illegal injury (revocation of New Jersey license on March 12, 2014) they caused by engaging in a **"pattern of racketeering"**, as detailed in K5.

If your response is anything other than I would be granted a license, it will constitute a **"new racketeering injury"**, and will provide a legal basis for the submission in the United States District Court of a RICO claim. It will also constitute further evidence in K5 of the damages caused to my estate by the Defendants.

Please note that if I receive no response by September 22, 2020, then this too will constitute a **"new racketeering injury"**.

If, however, by September 22, 2020 you confirm that based on the submitted information, I would be granted a license, then I shall file the necessary forms for verification of education/training/experience.

I would like to thank you for taking the time to read this letter and enclosed information.

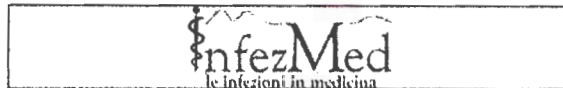
Yours sincerely

Richard Arjun Kaul, MD

Cell: 862 881 9703

Email: drrichardkaul@gmail.com

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Infez Med. 2022; 30(1): 1–10.
Published online 2022 Mar 1. doi: 10.53854/inm.3001-1

PMCID: PMC8929726
PMID: 35350266

A review of adverse effects of COVID-19 vaccines

Hisham Ahmed Musthafa,¹ Aayal Khadij,¹ Thiruvaja Korntahn,² Brian N. Bartlett,³ Nitesh K. Jain,⁴ and Syed Anjum Khan^{5*}

SUMMARY

The COVID-19 pandemic has led to unanticipated pressures on all aspects of human life. Multiple approaches to eliciting protective immunity must be rapidly evaluated. Numerous efforts have been made to develop an effective vaccine for this novel coronavirus, resulting in a race for vaccine development. To combat COVID-19, all nations must focus their efforts on widespread vaccination with an effective and safe vaccine. Globally, concerns about potential long-term adverse effects of vaccines have led to some apprehension about vaccine use. A vaccine's adverse effect has an integral role in the public's confidence and vaccine uptake. This article reviews the current primary literature regarding adverse effects associated with different COVID-19 vaccines in use worldwide.

Keywords: adverse effects, adverse events, complications, COVID-19, vaccine

BACKGROUND

As of January 14, 2022, the World Health Organization (WHO) has confirmed about 318,648,834 cases of COVID-19 worldwide, including 5,518,343 fatalities [1]. The COVID-19 pandemic has resulted in a global economic disruption. To restore normalcy and enable economic growth, vaccines are the best option. The first COVID-19 vaccine introduced in December 2020 has become a milestone in the fight against this pandemic. On December 2, 2020, using an Emergency Use Authorization (EUA), the UK became the first country to approve Pfizer-BioNTech's COVID-19 vaccine, BNT162 [2]. As of December 31, 2020, the WHO approved BNT162 for emergency use, making its global production and supply more efficient [3]. Different vaccine candidates for COVID-19 have been approved using similar EUA processes, and the list continues to grow.

A historic vaccination campaign is taking place in the US currently. In 1 week, 1.12 million doses were administered daily, on average. More than 523 million doses have been given in the US to date (Figure 1) [4, 5]. As of January 14, 2022, 194 vaccines are in preclinical development, and 139 are in clinical trials [6].



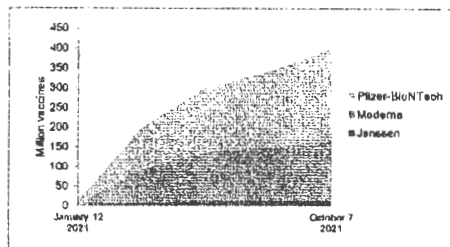


Figure 1

COVID-19 Vaccines Administered in the US by Manufacturer [5].

Vaccine uptake must be accelerated in the coming months to continue to decrease infection rates [2]. However, some people question whether the speed at which a vaccine is developed will compromise its efficiency and safety. This, in turn, may lead to vaccine hesitancy, which further inhibits attaining the goal of having 70% of the population fully vaccinated, after which herd immunity can effectively be achieved [8]. Therefore, it is crucial to establish the safety of the vaccines in these circumstances to perhaps promote wider vaccine acceptance among hesitant people. Adverse effects, however, are associated with every vaccination [2]. The purpose of this article is to review the current primary literature regarding adverse effects associated with the different COVID-19 vaccines. Our aim is to provide insights into the safety of the vaccines to help address misinformation and vaccine hesitancy. We discuss the adverse effects of the most common vaccines, which were chosen based on the number of countries they are approved in.

This article is intended to be a narrative review. Searches were conducted in PubMed and Google Scholar to identify related literature from 2020 to 2021. Keywords such as "adverse effects," "adverse events," "complications," "COVID-19," and "vaccine," were searched individually or in combination to yield relevant information. The results were reviewed for relevance to the topic, and the articles were screened by 2 authors. We had no language restrictions because of the relatively few articles on the topic. Duplicated studies and studies providing insufficient and irrelevant information were excluded.

MRNA VACCINES

Pfizer-BioNTech

Pfizer-BioNTech's BNT162 vaccine is a lipid nanoparticle-derived, nucleoside-modified mRNA vaccine that encodes the SARS-CoV-2 glycoprotein spike [10]. The UK was the first nation to approve BNT162 on December 2, 2020 [2]. A first EUA for BNT162 was issued by the US Food and Drug Administration (FDA) on December 11, 2020 [11]. BNT162 was later approved by Canada and Mexico via their respective EUAs. The WHO approved the first vaccine candidate, BNT162, on December 31, 2020, for emergency use, therefore facilitating easy production and distribution globally [3]. A total of 232.52 million doses of the Pfizer-BioNTech vaccine have been given in the US through October 7, 2021 [12].

Moderna

mRNA-1273 from Moderna is a lipid-encapsulated mRNA vaccine that encodes the SARS-CoV-2 prefusion-stabilized spike protein [1]. The FDA issued an EUA for mRNA-1273 on December 18, 2020 [11]. It was the second COVID-19 vaccine in the US to be authorized under an EUA [11]. As of October 7, 2021, 152.51 million doses of Moderna vaccine have been given in the US [12].

Considerations with mRNA vaccines

For the 2 mRNA vaccines, the second dose was associated with more adverse effects than the first dose [15]. A higher rate of systemic events was reported by younger vaccine recipients (aged 16–55 years) than those older than 55 years, which may be due to a more robust immunogenic response in younger persons [15].

Evaluation of the vaccines vs placebo (normal saline) showed a higher incidence of mild local adverse effects such as pain, heat, swelling, and redness [15]. The vaccines were also associated with other systemic adverse effects such as fever, fatigue, arthralgias, myalgias, and headache. These adverse effects usually developed within 1 to 2 days of vaccination [15].

In initial trials, the localized symptoms were mild to moderate in severity and lasted 1 to 2 days. Moderate to severe systemic symptoms, such as headache, myalgia, arthralgia, and fatigue, also lasted 1 to 2 days [15]. More local reactions were seen among the vaccine group than the placebo group. The most common localized symptom was pain at the injection site, which was seen within 1 week of vaccination [15]. Anaphylaxis and edema of the labial, facial, and glossal areas were among the adverse events noted [16].

ADENOVIRAL VACCINES

Oxford/AstraZeneca ChAdOx1 nCoV-19 Vaccine (AZD1222)

The SARS-CoV-2 structural surface spike protein gene is integrated into the ChAdOx1 nCoV-19 vaccine (AZD1222; trade name Vaxzevria) from Oxford/AstraZeneca, which is made from replication-deficient chimpanzee adenovirus ChAdOx1 [17]. Efficacy and safety results for AZD1222 have been documented in 4 randomized clinical trials in the UK, South Africa, and Brazil [17]. Overall, the vaccine was safe across all 4 studies, and serious adverse events were evenly distributed among all study groups. A total of 168 serious adverse events were reported among 79 recipients of AZD1222 and 89 recipients of saline control [17]. One case of transverse myelitis was reported 14 days after the second dose of AZD1222; this was viewed as possibly related to vaccination, and a diagnosis of an idiopathic, short-segment, spinal cord demyelination was made. In South Africa, 1 patient had a fever higher than 40°C 2 days after vaccination, but the patient recovered quickly [17]. In another study, laboratory tests in 11 patients in Austria and Germany indicated either thrombocytopenia or thrombosis after being vaccinated with AZD1222 [18]. The [Supplemental Figure](#) shows the number of individual events by reaction group identified in the European database of suspected adverse drug reaction reports (EudraVigilance) for AZD1222 (up to January 15, 2022) [19].

Johnson & Johnson (Janssen) Ad26.COV2.S

The Ad26.COV2.S vaccine from Johnson & Johnson (Janssen) was the third COVID-19 vaccine approved to be used in the US. Ad26.COV2.S employs a human adenoviral type 26 vector platform [20]. The first 2 approved mRNA vaccines require 2 doses, whereas the Janssen vaccine is given as a single dose intramuscularly. Ad26.COV2.S was granted an EUA by the FDA on Feb 27, 2021 [14]. Low- and middle-income countries prefer adenoviral vaccines because they do not require high-level cold-chain storage, and Ad26.COV2.S requires only 1 dose [20].

After 6 recipients were diagnosed with cerebral venous sinus thrombosis and thrombocytopenia, the FDA and the Centers for Disease Control and Prevention (CDC) recommended a pause in the administration of Janssen vaccines [21]. In Europe, reports of similar thrombotic events have been observed primarily among women younger than 60 years after receiving the AstraZeneca AZD1222 vaccine [20].

Sputnik V

Sputnik V (Gam-COVID-Vac) is a 2-part adenoviral vaccine against SARS-CoV-2. Specifically, it contains the DNA for the spike protein encoded by SARS-CoV-2 that the virus uses to infect human cells. An immune response is triggered to the spike protein [22]. This vaccine consists of 2 adenoviral vectors (rAd26 and rAd5) administered in separate doses, 21 days apart. [23] The use of recombinant adenovirus is similar to the Oxford AstraZeneca and the Janssen vaccines [17, 24].

The Gamaleya National Center of Epidemiology and Microbiology in Moscow was already devising prototypes of Sputnik V when the WHO declared COVID-19 a pandemic [25]. In September 2020, researchers published results from phases I and II of an open, nonrandomized trial of 76 participants [26]. All participants were reported to have developed antibodies against SARS-CoV-2. Pain at the injection site (44 [58%]), asthenia (21 [28%]), headache (32 [42%]), hyperthermia (38 [50%]), and muscle pain (18 [24%]) were among the most common adverse events. Serious adverse events were not observed [26]. The rapidity and lack of transparency in the development of the Sputnik V vaccine have been criticized, however [27].

The phase III interim report included results for more than 20,000 participants. The vaccine was not directly linked to any serious adverse events. However, 45 participants who were given the vaccine and 23 who were given the placebo experienced serious adverse effects that were not related to the vaccine [26].

SURVEILLANCE PROGRAMS

To confirm vaccine safety, an objective analysis of adverse effects and potential adverse reactions is required. To this effect, several surveillance programs are used. The Vaccine Adverse Event Reporting System (VAERS), created by the CDC and FDA, monitors adverse reactions after vaccination (Figure 2) [28, 29]. Reports can be submitted by vaccine manufacturers, health care providers, and the general public. VAERS requires reporting of various adverse events by health care providers, including deaths, as part of the European Union Agreements on COVID-19 vaccines [28].

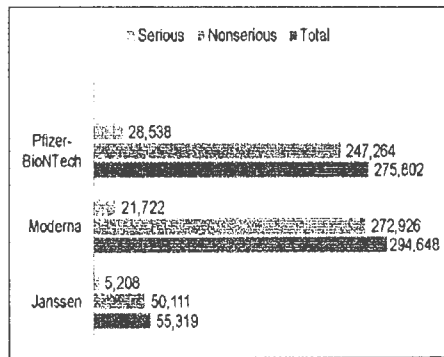


Figure 2

Vaccine Adverse Events According to the Vaccine Adverse Event Reporting System [29]. Events reported through October 7, 2021.

VAERS database entries do not indicate a causal relationship between vaccination and the cases. In addition, the VAERS database is based on passive surveillance and therefore could be biased or contain errors resulting from reporting bias. Because of the large number of vaccines administered and the prevalence of serious adverse events in the population, some cases of these conditions may occur by chance during the postvaccination period, unrelated to the vaccines themselves [30]. Constitutional symptoms reported to VAERS as of January 7, 2022, are shown in Table 1 [31, 32].

Table 1

Constitutional Symptoms Reported to the Vaccine Adverse Event Reporting System as of January 2022.

Symptoms	Vaccine Manufacturer		
	Pfizer-BioNTech	Moderan	Janssen
Chills	52,401	51,189	12,590
Dizziness	57,390	32,472	9,186
Dyspnea	40,930	20,218	4,887
Fatigue	82,486	57,543	12,248
Headache	97,265	67,239	17,831
Injection site pain	13,090	25,668	4,029
Nausea	55,440	38,089	9,082
Pain in extremity	46,927	38,874	6,753
Pyrexia	73,542	63,024	15,097
Total	519,471	394,316	91,703

The v-safe program is a system of surveillance using text messages to collect information regarding vaccine adverse effects. In v-safe, vaccine recipients are consistently prompted to complete short medical surveys, including an inquiry about the injection site and systemic reactions and health effects. When enrollees seek medical care, the v-safe call center notifies them and encourages them to fill out a VAERS report [28].

SPECIFIC ADVERSE EVENTS

Thrombosis

Recently, several reports of thrombocytopenia with thrombosis, most notably cerebral venous sinus thrombosis or cerebral venous thrombosis (CVT) within 28 days of vaccination, have been associated with Ad26.COVS.2S (Janssen) and AZD1222 (AstraZeneca) (Table 2), both of which use the adenovirus-vector platform [19, 33]. Reports of thrombosis could have implications for vaccine uptake all over the world. Consequently, many nations have altered their vaccination guidelines. AZD1222 was made available only to adults older than 40 years in the UK, older than 55 years in Canada, and older than 60 years in Germany [33–35]. As a result of 6 reports of CVT, the FDA and CDC recommended a pause in the administration of Ad26.COVS.2S vaccine in the US on April 13, 2021 [21].

Table 2

Cases of Cerebral Venous Thrombosis and Cerebral Venous Sinus Thrombosis by Age and Sex^a.

Sex	Age, y			
	18–64	65–85	>85	Not Specified
Women	142,287	18,503	546	9,505
Men	43,474	7,995	302	3,682
Not specified	2,349	563	16	2,092

^aCerebral venous thrombosis and cerebral venous sinus thrombosis cases reported to EndraVigilance for COVID-19 vaccine AZD1222 (AstraZeneca) up to January 15, 2022.

New-onset severe headache is an important symptom of CVT and occurs in up to 67% of persons within the first few days after COVID-19 immunization [46]. It is critical for health care providers to diagnose CVT in vaccinated patients and to evaluate and treat patients with suspicion of immune-mediated thrombocytopenia with thrombosis resulting from vaccination. A CVT event occurs when the smaller draining cortical veins or the cerebral venous sinus system are completely or partially occluded [47]. It is more likely to occur in young adults and is 3 times as common among women than men [48].

Antibodies to platelet factor 4 (PF4) were detected in several patients who had CVT events after vaccination with Ad26.COV2.S and AZD1222 vaccines, which mimicked autoimmune heparin-induced thrombocytopenia [49]. Antibody complexes involving PF4 are formed which bind the Fc gamma receptor of platelets, form crosslinks, and activate the platelets [48]. Similar to heparin-induced thrombocytopenia, when platelets are consumed, thrombocytopenia is precipitated, and when monocytes and platelets are activated, thrombin production increases, which leads to thrombosis. In addition, an increase in D-dimer levels is seen, and eventually, it leads to disseminated intravascular coagulation [48]. The reason for adenoviral vector vaccines being associated with PF4 antibody production and thrombosis is unknown, but animal trials have shown that adenoviral vaccines can be biodistributed in the brain. Therefore, the presence of spike protein in the cerebral tissues can trigger an autoimmune reaction and eventual thrombosis [49].

The development of CVT is 41 times more likely in patients with COVID-19 than those without COVID-19, according to analyzed TriNetX data [41]. Thus, COVID-19 vaccination provides an overall benefit. In the US, on April 27, 2021, authorities decided to resume the use of the Ad26.COV2.S vaccine in all adults older than 18 years [42]. However, the CDC included a warning for women younger than 50 years on the risks of thrombosis associated with this vaccine [43].

Guillain-Barré syndrome

In developed countries, Guillain-Barré syndrome (GBS) is one of the leading causes of acute flaccid paralysis, characterized by autonomic dysfunction, sensory abnormalities, and varying degrees of weakness. Although the specific pathophysiology is not known, this disorder is believed to result from an autoimmune response [44].

mRNA from the approved mRNA vaccines gains access into the human cell and directs it to synthesize a copy of the spike protein found on the virus's surface and produce antibodies against it. These antibodies become primed to inactivate the virus before it can cause the disease. Sometimes, however, a patient's immune response can trigger the synthesis of antibodies against myelin, causing GBS [45].

A case of GBS was seen in the UK in a 62-year-old woman who had paraesthesia and weakness of the lower limbs 11 days after her initial dose of AZD1222 vaccine [46]. Another 82-year-old woman received her initial dose of the BNT162 vaccine 2 weeks before the diagnosis of GBS [45]. Approximately 17 cases of GBS develop per million people worldwide each year. With previous 1976 Swine flu and 2009 H1N1 vaccines, studies showed no increase in cases of GBS after vaccination [47]. To date, there is no substantial evidence that any of the COVID-19 vaccines cause GBS. Furthermore, no association was found between infection with COVID-19 and GBS. As a result, there is a low probability that GBS incidence will increase after COVID-19 vaccination [48]. COVID-19 poses a much greater risk of mortality and morbidity for adults than GBS does [49].

Acute transverse myelitis

Acute transverse myelitis is an uncommon neurologic condition affecting people aged 35 to 40 years at an incidence of .34 to 4.6 cases/million adults per year [50]. Of the reported adverse events after immunization recorded in the VAERS, 341 were neurologic events, 122 of which were cases of transverse myelitis [41]. Interleukin (IL)-17 and IL-6 appear to be involved in the pathogenesis of transverse myelitis. In myelitis, cerebrospinal fluid analysis findings show increased IL-6 levels [51]. By regulating cytokines, IL-17 stimulates astrocytes to produce IL-6, which forms nitric oxide metabolites and causes CNS damage [51].

Three cases of transverse myelitis were reported in the trial phase of the recombinant AZD1222 vaccine. Among these 3, 1 case had a background of multiple sclerosis; another was initially termed a potentially related case, but this was later ruled out by experts [12]. The presence of chimpanzee adenovirus antigen in AZD1222 may instigate immune responses targeting the spinal cord, which may in turn result in acute transverse myelitis [52]. COVID-19 - associated acute transverse myelitis should be investigated to identify the responsible antigen and explore immunopathogenesis.

Myocarditis and pericarditis

Myocarditis is an inflammation of the myocardial tissue without signs of ischemia and has various causes and diverse patterns [53]. In a study involving 7 patients with myocarditis between February 1 and April 30, 2021, 4 were diagnosed within 5 days after receiving COVID-19 vaccination. These 4 patients, who had received the second dose of an mRNA vaccine, reported chest pain and had increased biomarker levels suggestive of myocardial tissue injury. Cardiac magnetic resonance imaging results showed characteristics of myocarditis [54].

According to the CDC, more than 10,000 reports of myocarditis were reported to the VAERS after COVID-19 vaccination (Pfizer-BioNTech and Moderna) in the US (Table 3) [29]. These reports, however, are infrequent compared with the hundreds of millions of vaccine doses that were administered without adverse effects. The majority of the confirmed cases have been in teenagers and young adults 16 years or older and were often seen after receiving the second dose of the vaccine [55]. In a study of 200,287 persons, medical records from 40 hospitals in California, Montana, Los Angeles County, Oregon, and Washington were reviewed to identify cases of myocarditis and pericarditis after vaccination [56]. Myocarditis developed in 20 persons and pericarditis in 37. The incidence of myocarditis was highest among younger patients, generally after the second dose. However, older patients had development of pericarditis after the first or second dose [56]. In another study, vaccination for COVID-19 led to myocarditis in 23 male patients, 22 of whom were healthy members of the military [57]. In the majority of the patients, the diagnosis was made at least 4 days after the second dose of vaccination [57]. The clinical course and presentation suggest an association with vaccination-induced inflammation.

Table 3

Myopericarditis Events and Related Deaths Reported to the Vaccine Adverse Event Reporting System as of January 7, 2022

Vaccine manufacturer	Myopericarditis events	Deaths
Pfizer-BioNTech	7,805	122
Moderna	2,720	36
Janssen	160	11
Unknown	20	3
Total	10,705	172

Cutaneous reactions

In a study from December 2020 to February 2021, 414 cutaneous symptoms were noted after administration of an mRNA vaccine [25]. Injection-site reactions, with delayed local reactions and urticarial and morbilliform eruptions, were the most commonly observed findings. Among recipients with first-dose reactions, 43% also had recurrences after their second dose [58]. Other reactions less commonly reported were pemphigoid, pityriasis rosea-like reactions, zoster, cosmetic filler reactions, and herpes simplex exacerbations. Some dermatologic symptoms, like pemphigoid, imitated COVID-19 symptoms. None of the patients reported serious adverse effects after receiving either of the doses [58]. As a result, researchers concluded that COVID-19 vaccination generally causes only mild and self-limiting reactions, and people should not be discouraged from the vaccination because of them [58].

Glomerular disease

Since mass-vaccination campaigns began in January 2021, the incidence of vaccine-associated glomerular disease has increased [59]. Symptoms of recurrent glomerular diseases or new glomerular diseases have appeared, especially after administration of the mRNA vaccines. The pathogenesis behind vaccine-associated glomerular disorders is not clearly understood. However, an immunogenic response to vaccines has been noted as a possible cause [60]. Minimal change disease, anti-glomerular basement membrane disease, membranous glomerular disease, and immunoglobulin A nephropathy are some of the glomerular lesions observed after vaccination [61]. Some case reports have described patients with gross hematuria after vaccination who were later found to have immunoglobulin A nephropathy. The majority of vaccine-related cases were typically seen within 1 to 3 weeks after vaccination [59]. Management of the glomerular disease must be on a case-by-case basis depending on the severity and remission status, because the benefits of vaccination outweigh the rare risk of glomerular disease.

CONCLUSIONS

COVID-19 is a global health concern that has spread worldwide [61] and has dramatically changed global sociopolitical, economic, and cultural aspects of humanity [62]. COVID-19 vaccines became more and more critical due to the limited prevention and treatment options available [63]. To end the pandemic crisis, the development of affordable, effective, safe, and transportable vaccines has become necessary. Some risks are associated with COVID-19 vaccinations, but no vaccination is entirely safe. Generally, short-term adverse effects of the COVID-19 vaccines present with mild symptoms. The most common symptoms are localized pain and swelling at the injection site, fever, headache, myalgia, and chills. Cases of thrombosis, notably CVT, are mostly seen with the adenoviral vector vaccines. Adverse effects such as myocarditis, glomerular diseases, and cutaneous eruptions are seen with the mRNA vaccines. The majority of vaccination reactions peak within the first 6 weeks after receiving the vaccine, but tracking over a longer time frame may provide insight into any future adverse reactions and rule out reactions that are falsely attributed to vaccinations. It is essential to identify the underlying immunologic and nonimmunologic mechanisms of adverse events so that appropriate policies are adopted, keeping safety in mind.

Supplementary Data

Supplemental Figure

[Click here to view \(2.4M, #\)](#)

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Footnotes

Conflict of Interest

None to declare.

Funding

None to declare.

REFERENCES

Exhibit 5

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North American Spine Society – Evaluation & Treatment of Adult Spinal Deformity: Hands-On Course. March 16 – 17, 2012. Burr Ridge, IL. Certificate of Participation.

Beckers ASC 18th Annual Ambulatory Surgery Centers Conference. Improving Profitability and Business and Legal Issues. Featured Speaker: Orthopedics and Spine in ASC's – Key Trends and Ideas. October 28, 2011. Chicago, IL.

The Philipinno-American Medical Conference – The Future of Outpatient Spine Surgery. Featured Speaker. September 24, 2011. Atlantic City, NJ.

AOSpine Live Tissue Training – The Prevention and Management of Complications in Spine Access Surgery. September 17, 2011. Strasbourg, France. Certificate of Participation and Completion.

SI-Bone – iFuse Implant System Surgeon Training Program. May 21, 2011. Jamesburg, NJ. Certificate of Completion.

LDR – Anterior Stand-alone Clinical Solutions utilizing VerteBRIDGE Technology. A hands-on cadaver skills lab. May 13, 2011. Las Vegas, NV.

The 3rd Annual ASC Review Seminar. April 27, 2011. Somerset, NJ.

Utilizing Urine Drug Screens Appropriately sponsored by Avee Laboratories. March 15, 2011. East Hanover, NJ. Certificate of Attendance.

Spine Arthroplasty Society. The Second Annual Meeting of the International Society for the Advancement of Spine Surgery – Middle East Chapter (SASME). February 3 – 5, 2011. Movenpick Dead Sea, Jordan.

20th Annual Dr. Tom Lowe Spine Symposium: The Surgical Management of Spinal Disorders. January 14 – 17, 2011. Beaver Creek, CO. Certificate of Participation.

Weill Cornell Medical College. Indications and Controversies: Minimally Invasive Spinal Surgery and Navigation. Hands-on Symposium. December 2 – 4, 2010. New York, NY. Certificate of Participation.

2010 Annual Meeting of the Society for Minimally Invasive Spine Surgery. November 5 – 7, 2010. Miami, FL. Certificate of Participation.

Informed - Cultural Competency Update for the Physician. October 12, 2010. Certificate of Completion.

X-Spine - Advances in Interspinous and Transfacet Fixation: A Hands-On Cadaver Course. August 27, 2010. Henderson, NV.

American Society of Interventional Pain Physicians Webinar – Urine Drug Screen Testing Compliance conducted on July 15, 2010.

Columbia University College of Physicians & Surgeons – 19th Annual Course & Symposium, Basic & Advanced Techniques in Electrodiagnostic Medicine. June 16 – 17, 2010. New York, NY. Certificate of Participation.

Dubai Spine Masters: Interventional and Pain Management Techniques. May 26 – 27, 2010. Dubai, UAE. Certificate of Participation.

Dubai Spine Masters: Minimally Invasive Surgical Strategies. May 23 – 25, 2010. Dubai, UAE. Certificate of Participation.

10th Annual Global Symposium on Motion Preservation Technology. April 27 – 30, 2010. New Orleans, LA. Certificate of Participation.

American Society of Interventional Pain Physicians Webinar – Evidence-Based Interventional Techniques: An Algorithmic Approach To Keeping It Simple, Safe and Successful conducted on March 30, 2010. Certificate of Participation.

Spine Arthroplasty Society. February 18, 2010. Certificate of Membership.

North American Spine Society – 24th Annual Meeting. November 11 – 14, 2009. San Francisco, CA. Certificate of Completion.

North American Spine Society – 24th Annual Meeting Technique Workshop: Interbody Fusion Technologies. November 10, 2009. San Francisco, CA. Certificate of Completion.

2009 Annual Meeting of the Society for Minimally Invasive Spine Surgery. Oct. 9 – 12, 2009. Las Vegas, NV. Certificate of Participation.

North American Spine Society - Spine Across The Sea 2009. July 26 – 30, 2009. Maui, Hawaii. Certificate of Completion.

21st Annual International Bethesda Spine Workshop: Thoraco-Lumbar Course. April 19-20, 2009. Certificate of Participation.

13th Annual International Argospine Symposium. January 29-30, 2009. Paris, France. Certificate of Attendance.

SRH Klinikum Karlsbad-Langensteinbach gGmbH. Akademisches Lehrkrankenhaus der Universität Heidelberg. Guttmanstrasse 1, 76307 Karlsbad, Germany. January 26-28, 2009. Visiting doctor, rounds with Dr. Robert Melcher.

University of California, San Diego School of Medicine. 2008 Annual Meeting of the Society for Minimally Invasive Spine Surgery. November 13-15, 2008. Henderson, NV. Physician Certificate of Credit.

North American Spine Society – 23rd Annual Meeting. October 14-18, 2008. Toronto, Canada. Certificate of Completion.

North American Spine Society – 23rd Annual Meeting Technique Workshop: Interbody Fusion Technologies. October 14, 2008. Toronto, Canada. Certificate of Completion.

Cleveland Clinic Foundation Center for Continuing Education – Spine Review – July 16-22, 2008. Cleveland, OH. Certification of Participation.

Columbia University College of Physicians & Surgeons – Basic & Advanced Techniques in Electrodiagnostic Medicine. June 11-12, 2008. New York, NY. Certificate of Participation.

North American Spine Society – Minimally Invasive Spine Surgery: A Hands-on Course. June 6-7, 2008. Spine Masters Institute. Burr Ridge, IL. Certificate of Participation.

Interventional Spine. PERPOS Surgical Training Program. February 15, 2008. Clifton, NJ. Certificate of Recognition.

Spineology Physician Instructor at Bergen Passaic Ambulatory Surgery Center. Didactic and Hands-on Cadaver Implantation of OptiMesh Surgical Mesh System. February 15, 2008. Clifton, NJ.

Cedar-Sinai Institute for Spinal Disorders - 7th Annual Symposium on Current Concepts in Spinal Disorders. February 1-2, 2008. Las Vegas, NV. Certificate of Participation.

Saint Louis University School of Medicine – The 1st CSRS Hands-On Cadaver Course. Cervical Spine Decompression & Stabilization Techniques. January 18-19, 2008. Certificate of Participation.

Saint Louis University School of Medicine - The 1st CSRS Cervical Spine Decompression & Stabilization. January 18-19, 2008. Certificate of Attendance.

Medtronic Midas Rex Institute – Instruction in advanced high speed instrumentation for surgeons. St. Louis, MO. January 17, 2008. Certificate of Attendance.

Spine Conference Case Presenter – Lenox Hill Hospital, NY. December 13, 2007.

Weill Cornell Medical College, NY – Minimally Invasive Spinal Surgery and Navigation. November 30 – December 1, 2007. Certificate of Attendance.

University of California, San Diego School of Medicine – Minimally Invasive Surgery of the Spine 2007. November 16-17, 2007. Physician Certificate of Credit.

North American Spine Society – 22nd Annual Meeting. Austin, TX. October 23-27, 2007. Certificate of Completion.

North American Spine Society – Interbody Fusion Technologies. Austin, TX. October 23, 2007. Certificate of Completion.

North American Spine Society - Motion Stabilization: A Hands-On Course. May 18-19, 2007. Spine Masters Institute. Burr Ridge, IL. Certificate of Participation.

19th Annual International Bethesda Spine Workshop: Thoraco-Lumbar Course. May 6-7, 2007. Certificate of Participation.

19th Annual International Bethesda Spine Workshop: Cervical Course. May 4-5, 2007. Certificate of Participation.

AOSpine North America Challenges and Complications in Complex Spine Surgery Symposium. San Francisco, CA. April 28-29, 2007. Certificate of Participation.

North American Spine Society – NASS Spring Break 2007: Back to the Future: Straight Spines, Straight Talk. March 14-17, 2007. Certificate of Attendance.

MinSurg Biomechanical Innovations – TruFUSE Surgical Training. February 17, 2007.
Certificate of Completion.

Surgeon Training Program for Atavi Minimally Invasive Posterior Cervical & Upper Thoracic
Surgery conducted by Endius, Inc. September 9, 2006. Certificate of Attendance.

Zimmer Spine – Dynesys Dynamic-Stabilization Workshop at St. John's Health Center – Santa
Monica, CA. July 21-22, 2006. Certificate of Attendance.

Zimmer Spine – Center of Excellence Program at St. Mary's Hospital – West Palm Beach, FL.
June 1-2, 2006. Certificate of Attendance.

University of South Florida – Preservation of Motion in the Spine. April 5-8, 2006. Certificate of
Completion.

North American Spine Society – NASS Spring Break: Back to the Evidence. March 8-11, 2006.
Certificate of Completion.

The Royal College of Physicians & Surgeons of the United States of America. 5th Global
Congress of Minimally Invasive Spinal Specialists. Laser Assisted Spinal Endoscopy,
Nucleoplasty & Coblation, Percutaneous Cervical Discectomy, Vertebral Augmentation,
Foraminal Decompression, Laser Facet Rhizotomy, Laser Sympathectomy, Epiduroscopy.
December 15-18, 2005. Certificate of Attendance.

18th Annual Meeting of the International Intradiscal Therapy Society (IITS). May 25-28, 2005.
Certificate of Participation.

Spineology Physician Instructor at Market Street Surgical Center. Didactic and Hands-on
Cadaver Implantation of OptiMesh Surgical Mesh System. Saddle Brook, NJ. May 7, 2005.

National University of Health Sciences – Lincoln College of Postprofessional, Graduate &
Continuing Education. Manipulation Under Anesthesia. April 4, 2005. Certificate of Proficiency.

University of South Florida – Preservation of Motion in the Lumbar Spine. March 17-20, 2005.
Certificate of Completion.

University of South Florida – Preservation of Motion in the Lumbar Spine Labs. March 18,
2005. Certificate of Completion.

North American Spine Society – Advanced Lumbar Spine Surgery: Minimally Invasive Surgery
and Motion Preservation: A Hands-On Course. March 4-5, 2005. Certificate of Completion.

North American Spine Society – Cervical Fixation: A Hands-On Course. January 21-22, 2005.
Certificate of Completion.

North American Spine Society – 19th Annual Meeting. October 27-30, 2004. Certificate of
Attendance.

North American Spine Society – NASS 19th Annual Meeting Techniques Workshop: Minimally
Invasive Spine Surgery: Decompression & Fusion/Implants. October 26, 2004. Certificate of
Completion.

North American Spine Society – NASS 19th Annual Meeting Techniques Workshop:

The 11th Congress of the International Musculoskeletal Laser Society. May 12-15, 2004 in Seoul Korea. Certificate of Attendance.

Continuing Education, Inc. – Minimally Invasive Spine Update 2004. March 26-28, 2004. Certificate of Participation.

Continuing Education, Inc. – Fourth Global Congress: Minimally Invasive Spinal Surgery and Medicine. November 19-22, 2003. Certificate of Participation.

American Association of Medical Foot Specialists. Attended course: Problems in Wound Management. November 2, 2003.

American Society of Interventional Pain Physicians – Active Member since March 2002.

ABSTRACTS:

Kaul R. Percutaneous Lumbar Fusions in the Outpatient Surgical Practice. 2nd Annual Meeting of the International Society for the Advancement of Spine Surgery Middle East Chapter (SASME). Feb. 4, 2011. Movenpick, Dead Sea, Jordan.

Datta S., Kaul R., Manchikanti L. Letter to Editor: Is there really a cause-effect relationship between steroid dose, pain management practices, joint injected (sacroiliac joint), and infection? Reg Anesth Pain Med. 2011 Jul-Aug; 36(4):410.

Datta S., Kaul R. Outpatient Thoracic Endoscopic Discectomy (PETD) for Herniated Thoracic Disc with Thecal Sac Adhesions: Case Report and Review of Literature.

PROCTORSHIPS:

Amendia Education/Certification Proctorship. December 3, 2011. Pompton Lakes, NJ.

Amendia Education/Certification Proctorship. October 8, 2011. Pompton Lakes, NJ.

Disc-FX Education/Certification Proctorship. September 10, 2011. Baldwin, NY.

Disc-FX Education/Certification Proctorship. July 23, 2011. Newport Beach, CA.

Disc-FX Education/Certification Proctorship. June 11, 2011. Dallas, TX.

Disc-FX Education/Certification Proctorship. April 30, 2011. Pompton Lakes, NJ.

WEBINAR HOST/CASE PRESENTATIONS:

Motion Sparing Devises as an Alternative to Fusion. Webinar Host. September 27, 2011.

Grade 1/2 Spondylolisthesis. Case Presentation. September 27, 2011.

Lumbar Herniated Disc and Junctional Syndrome. Case Presentation. September 27, 2011

Advanced Medical Techniques Designed to Compliment Chiropractic Care. Webinar Host.

September 20, 2011

Discography and the Silent MRI. Webinar Host. August 2, 2011.

PHILANTHROPY:

The Spine Africa Project – founded in August 2008.

The mission of The Spine Africa Project focuses on three objectives: the treatment of those afflicted with spinal conditions, the education of local medical personnel, and social change.

- Jason Sendwe Hospital. Lubumbashi, Democratic Republic of Congo. December 1 – 5, 2008.
- MyungSung Christian Medical Center. Addis Ababa, Ethiopia. December 11 – 15, 2010.
- Panzi Hospital. Bukavu, Democratic Republic of Congo. August 20 – 25, 2011.
- Panzi Hospital. Bukavu, Democratic Republic of Congo. February 5 – 10, 2012

All Press Releases for October 13, 2023 (/press_releases_by_date/20231013)

Richard Arjun Kaul Recognized by Marquis Who's Who

Dr. Richard Arjun Kaul has made remarkable contributions to the field of spine surgery and is touching the lives of many

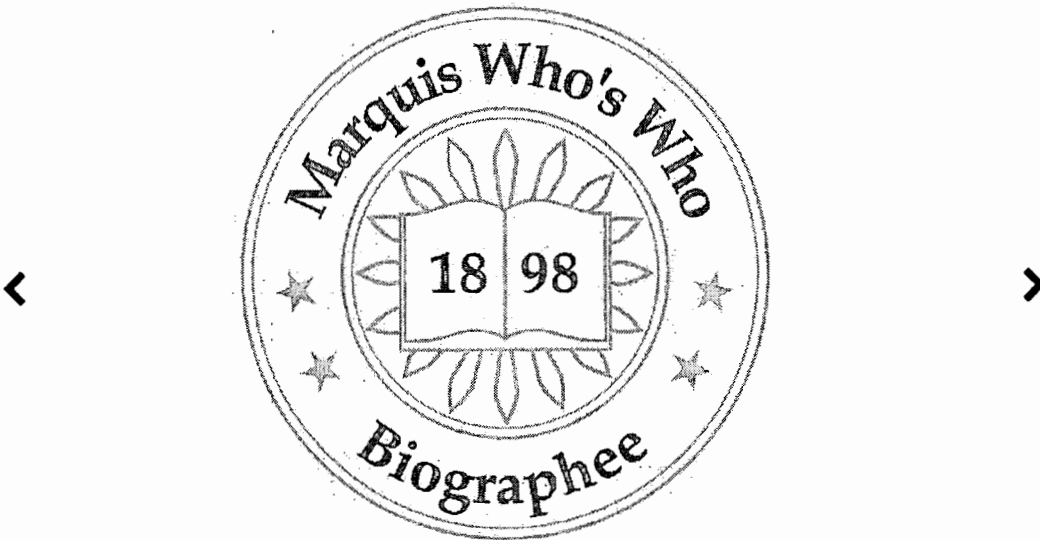
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Thanks to Dr. Kaul's 2005 invention, patients benefit from same day surgery, minimal blood loss, and low incidences of infection

YONKERS, NY, October 13, 2023 **/24-7PressRelease/**-- Richard Arjun Kaul, MD, has been included in Marquis Who's Who. As in all Marquis Who's Who biographical volumes, individuals profiled are selected on the basis of current reference value. Factors such as position, noteworthy accomplishments, visibility, and prominence in a field are all taken into account during the selection

of Medicine at his alma mater. After completing two six-month internships, first in internal medicine and then in surgery, Dr. Kaul pursued his residency in surgery and anesthesiology in the United States at Montefiore Medical Center in New York.

Following the completion of his residency program in 1995, Dr. Kaul returned to his home country for fellowship in interventional pain management at the Bristol Royal Infirmary and worked as a general physician for six years before going into private practice, focusing on minimally invasive spine surgery. Since settling in the U.S. in 2001, he opened his own practice in 2005, New Jersey Spine and Rehabilitation. As the owner, president, and lead physician and surgeon, he consulted with patients, performed procedures, and applied his now 35 years of expertise in spine rehabilitation and background and training in general surgery, anesthesiology, and interventional pain management.

Since practicing in the field of spine surgery, Dr. Kaul's most remarkable contribution has been the invention of the revolutionary percutaneous lumbar fusion procedure—a procedure that eliminates the need for aggressive surgical interventions that are associated with a high incidence of infection, nerve damage and poor patient outcomes. Now, thanks to Dr. Kaul's 2005 invention, patients who undergo this procedure benefit from same-day surgery, minimal blood loss, and low incidences of infection, which allows them to return to their daily routines quicker. As a recognized pioneer within the field of minimally invasive spine surgery Dr. Kaul taught his technique to many other minimally invasive spine surgeons.

Along with his degrees and career experience, Dr. Kaul maintained membership in multiple minimally invasive spine surgery societies and is also the founder and president of The Spine Africa Project. Since its inception in 2008, the principal purpose of The Spine Africa Project has been to provide minimally invasive spine surgery to the peoples of Africa through the establishing of surgical centers across the African continent, and in conjunction with this part of the project is 'The Invictus Initiative', a program which seeks to help men imprisoned in American jails by showing them that in changing their perspective on their life challenges, they can change the course of their life for the better.

Dr. Kaul lives by the motto "Never give up and never lose hope", and it is this philosophy that guides his life's work. Besides his medical career, he is a public speaker, whose public speaking engagement, "Adversity into Advantage", embodies his motto.

Throughout his life, Dr. Kaul was fortunate enough to encounter those who motivated him to pursue his dreams and reach his greatest potential. Along with the inspiration he drew from the courage and steadfastness of Nelson Mandela, he gained wisdom from those like Fr. Bryan Hanrahan, his history professor and one of the priests at his high school, St. Mary's, who imbued his students with a belief in the realization of their potential for greatness. Moreover, his parents, particularly his father,

Dr. Kaul attributes his achievements, accomplishments, and ability to face and overcome life's obstacles to his unwavering self-belief and unrelenting determination, qualities instilled in him by his mother and father.

Guided by his faith, Dr. Kaul has always felt supported to carry on, even through life's tragedies and profound loss. Despite the immense challenges he has confronted, he chose to view adversity as an opportunity for growth and learning. Through his unwavering resilience and determination, Dr. Kaul was able to transform his struggles into gifts, pave the way for a successful and fulfilling life, and inspire others to have the same outlook in order to achieve their own success.

About Marquis Who's Who®:

Since 1899, when A. N. Marquis printed the First Edition of Who's Who in America®, Marquis Who's Who® has chronicled the lives of the most accomplished individuals and innovators from every significant field of endeavor, including politics, business, medicine, law, education, art, religion and entertainment. Marquis celebrates its 125th anniversary in 2023, and Who's Who in America® remains an essential biographical source for thousands of researchers, journalists, librarians and executive search firms around the world. Marquis® publications may be visited at the official Marquis Who's Who® website at www.marquiswhoswho.com(<http://www.marquiswhoswho.com>).

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Exhibit 6

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

RICHARD ARJUN KAUL, MD;
JANE DOE; JOHN DOE.

v.

CIVIL ACTION: NO.: 23-CV-22582 (BB)(AOR)

CHRISTOPHER J. CHRISTIE
KENNETH MURPHY
JANE DOE; JOHN DOE.

RULE 36 ADMISSIONS
RE: DEFENDANT KENNETH MURPHY

DATED: OCTOBER 25, 2023

I, RICHARD ARJUN KAUL, MD, the Plaintiff in the above matter do hereby submit to Defendant
KENNETH MURPHY the within Admissions of Fact, that if not denied within thirty (30) days will
become admitted.



RICHARD ARJUN KAUL, MD

1. I admit that I am employed as a police officer at the Morristown Police Department in Morristown, Morris County, New Jersey.
2. I admit that I knowingly and illegally seized Plaintiff Kaul's person on June 14, 2023.
3. I admit that I knowingly and illegally caused Plaintiff Kaul's person to be imprisoned in a period from June 14 to 15, 2023.
4. I admit that I am a 'state actor' for the purpose of a civil rights claim.
5. I admit that I reside in Apt#1A, 60 Elm Street, Morristown, NJ 07960-4123
6. I admit that I knew the May 2016 tax related arrest warrant for Plaintiff Kaul was illegal.
7. I admit that I was motivated to execute the knowingly illegal arrest warrant as I believed it would advance my career.
8. I admit that the basis for my belief that executing the knowingly illegal arrest warrant would advance my career, were conversations I had with senior police officers at the Morristown Police Department.
9. I admit that I knew that if I did not execute the knowingly illegal arrest warrant my career would be seriously harmed.
10. I admit that the basis for my belief that not executing the knowingly illegal arrest warrant would harm my career, were conversations I had with senior police officers at the Morristown Police Department.
11. I admit that the reason I did not report the illegal arrest of Plaintiff Kaul's person to federal authorities is that I knew it would seriously harm my career.
12. I admit that I was motivated to cause the illegal imprisonment of Plaintiff Kaul's person as I believed it would advance my career.
13. I admit that the basis for my belief that causing the illegal imprisonment of Plaintiff Kaul's person would advance my career, were conversations I had with senior police officers at the Morristown Police Department.
14. I admit that I knew that if I did not cause the illegal imprisonment of Plaintiff Kaul's person my career would be seriously harmed.
15. I admit that the basis for my belief that not causing the illegal imprisonment of Plaintiff Kaul's person would harm my career, were conversations I had with senior police officers at the Morristown Police Department.

16. I admit that the reason I did not report the illegal imprisonment of Plaintiff Kaul's person to federal authorities is that I knew it would seriously harm my career.

17. I admit that I knowingly/willingly/willfully participated directly in the illegal arrest and imprisonment scheme of Plaintiff Kaul for approximately four (4) hours, without reporting it to state or federal authorities.

18. I admit that I knowingly/willingly/willfully participated indirectly in the illegal arrest, imprisonment, and attempted drugging-killing scheme for almost thirty-six (36) hours, without reporting it to state or federal authorities.

19. I admit that I received orders that came from Defendant Christie via Morristown Police Department to conduct an aggressive public search of Plaintiff Kaul's person.

20. I admit that I did conduct an overly aggressive search of Plaintiff Kaul's person while he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart.

21. I admit that I knew the purpose of this overly aggressive search was to manufacture a situation to incite and justify knowingly illegal violent force.

22. I admit that my perpetration against Plaintiff Kaul's person of a knowingly illegal and aggressive body search was conducted with a threatening tone for the purpose of harassment.

23. I admit that I did shout at Plaintiff Kaul's person while he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart.

24. I admit that while I was shouting at Plaintiff Kaul's person, I was stood immediately behind him as he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart.

25. I admit that I received orders that came from Defendant Christie via Morristown Police Department to shout at Plaintiff Kaul that he should stop resisting while he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart.

26. I admit that I knew the purpose of shouting at Plaintiff Kaul's person to stop resisting was to manufacture a situation to incite and justify knowingly illegal violent force.

27. I admit that I knew Plaintiff Kaul was not resisting.

28. I admit that I continued shouting at Plaintiff Kaul to stop resisting despite knowing that he was not resisting.

29. I admit that I received orders that came from Defendant Christie via Morristown Police Department to shout at Plaintiff Kaul that he should widen his stance while he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart.

30. I admit that I knew the purpose of shouting at Plaintiff Kaul's person that he should widen his stance while he was standing with his face to the car, his arms extended, his hands on the top of the car and his legs apart, was to manufacture a situation to incite and justify knowingly illegal violent force.

31. I admit that I knew Plaintiff Kaul's stance was adequate.

32. I admit that I continued shouting at Plaintiff Kaul to widen his stance despite knowing his stance was adequate.

33. I admit that I aggressively persisted with shouting at Plaintiff Kaul to provoke him into resisting.

34. I admit that I knew I was recording the events.

35. I admit that I knew I could use my shouting at Plaintiff Kaul to not resist as evidence that he was resisting.

36. I admit that I knew that Plaintiff Kaul was not resisting.

37. I admit that Plaintiff Kaul stated he was not resisting.

38. I admit that the purpose of me shouting at Plaintiff Kaul to not resist was to manufacture for the video and legal record a reason for me and another police officer to use excessive violent force on Plaintiff Kaul.

39. I admit that Defendant Christie ordered that a charge of resisting arrest be manufactured in the belief that it would hinder his prosecution and or asset seizure by Plaintiff Kaul in K11-15.

40. I admit that I perpetrated an aggressive body search in an attempt to manufacture a knowingly false charge of resisting arrest.

41. I admit that I knew the video of my perpetration of an aggressive body search would be viewed by my superiors and Defendant Christie.

42. I believed that the more shouting I directed at Plaintiff Kaul, the more likely he would resist.

43. I admit that my shouting at Plaintiff Kaul was purposed to cause Plaintiff Kaul's person to tense or appear on video as if resisting.

44. I admit that the purpose in attempting to cause Plaintiff Kaul's person to tense or appear on video as if resisting was to manufacture for the video and legal record a reason for me and another police officer to use excessive violent force on Plaintiff Kaul.

45. I admit that the purpose in attempting to cause Plaintiff Kaul's person to tense or appear on video as if resisting was to manufacture a knowingly false charge of resisting arrest.

46. I admit that I believed that if I was able to manufacture a knowingly false charge of resisting arrest, I would benefit more through greater advancement to my career.

47. I admit that I have advanced knowledge of the law.

48. I admit that I am trained, qualified, and licensed in the practical application of the law.

49. I admit that I am trained, qualified, and licensed in the proper and legal use of physical force in the enforcement of law.

50. I admit that I am educated to the general standards of conduct that control American policing.

51. I admit that I am educated to the general standards of conduct that control policing within the State of New Jersey.

52. I admit that I am equipped with manuals that set forth the constraints on permitted courses of action.

53. I admit that as part of my professional obligations I regularly review these manuals.

54. I admit that on June 14, 2023, while on active duty, I was cognizant of the knowledge, information, and standards within which I knew I was obligated to conduct policing activities.

55. I admit that I knowing and willfully ignored this knowledge and information.

56. I admit that I knowing and willfully violated these standards.

57. I admit that I knowing and willfully ignored this knowledge and information in the belief that it would advance my career.

58. I admit that I knowing and willfully violated these standards in the belief that it would advance my career.

59. I admit that I believed that my violations would go unexposed.

60. I admit that I believed that my violations would remain unexposed as I believed Plaintiff Kaul would be incapable of exposing them, as he would be seriously psychologically and or physically injured.

61. I admit that these beliefs were based on conversations and information I received from other police within the Morristown Police Department.

62. I admit that I know that the information I received from police within the Morristown Police Department originated from Defendant Christie.

63. I admit that I know that my violations of standard police conduct in knowingly and falsely arresting Plaintiff Kaul's person did constitute a willful violation of Plaintiff Kaul's human, civil and constitutional rights.

64. I admit that I know that my violations of standard police conduct in knowingly and falsely imprisoning Plaintiff Kaul's person did constitute a willful violation of Plaintiff Kaul's human, civil and constitutional rights.

65. I admit that I, with knowledge of the illegality of the arrest of Plaintiff Kaul's person, did facilitate the transport of his person from the site of the traffic stop to the Mercer County Correctional Center in a manner purposed to prevent Plaintiff Kaul from contacting a lawyer.

66. I admit that I knew the purpose of preventing Plaintiff Kaul from contacting a lawyer, was to facilitate his elimination through either incarceration/psychological-physical injury/death.

67. I admit that I knew the purpose of eliminating Plaintiff Kaul was to prevent him from continuing his prosecution of Defendant Christie and persons/entities within The Kaul Cases.

68. I admit that I came to know that Plaintiff Kaul's prosecution of The Kaul Cases had caused political donors to not donate money to Defendant Christie.

69. I admit that I came to know that Plaintiff Kaul's prosecution of The Kaul Cases had caused political donors to request the return of previously donated money.

70. I admit that I knew that the 2016 tax indictment and arrest warrant were illegal.

71. I admit that I knew my facilitating the transfer of Plaintiff Kaul's person to persons within the Mercer County Correctional Center was illegal.

72. I admit that I knew that my facilitation of this transfer constituted an ongoing and knowingly illegal violation of Plaintiff Kaul's human/civil/constitutional rights.

73. I admit that I knew that it was within my duty and authority to halt any further violation of Plaintiff Kaul's human/civil/constitutional rights.

74. I admit that I did not halt any further violation of Plaintiff Kaul's human/civil/constitutional rights as I believed it would harm my career.

75. I admit that I facilitated the ongoing violation of Plaintiff Kaul's human/civil/constitutional rights as I believed it would advance my career.

76. I admit that in facilitating the ongoing violation of Plaintiff Kaul's human/civil/constitutional rights I knew that there was a substantial risk he would be psychologically-physically injured and or killed.

77. I admit that despite knowing this serious risk to Plaintiff Kaul's life, I facilitated the scheme as I believed it would personally benefit me.

78. I admit that at no point until I became aware of K11-15, did I ever believe that my violations of law and rights would be exposed.

79. I admit that at no point until I became aware of K11-15, did I ever believe that my misconduct of not reporting the violations to state and or federal authorities would be exposed.

80. I admit that at no point until I became aware of K11-15, did I ever believe that my misconduct in failing to halt any further violation of Plaintiff Kaul's human/civil/constitutional rights.

81. I admit that at no point until I became aware of K11-15, did I ever believe that my crimes would be exposed.

82. I admit that I did not inform Plaintiff Kaul of his rights when I arrested him as I knew the arrest was illegal.

83. I admit that I did not inform Plaintiff Kaul of his rights when I arrested him as I knew there existed no warrant for his arrest.

84. I admit I knew that the illegal May 2016 tax indictment and warrant were manufactured by Defendant Christie in retaliation for the racketeering lawsuit Plaintiff Kaul filed against Defendant Christie in February 2016.

85. I admit that I, a law enforcement officer, knew in the time between the illegal arrest of Plaintiff Kaul's person, his illegal imprisonment, and his illegal transfer to persons from the Mercer County Correctional Center, that these violations originated from the illegal May 2016 tax indictment.

86. I admit that I, a law enforcement officer, know that the facts of the illegal May 2016 tax indictment are the direct and proximate cause of the facts of the May 27, 2021, kidnapping and the June 14, 2023, illegal arrest.

87. I admit that I, a law enforcement officer, and a person credentialed within the law, know that Defendant Christie is joint and severally liable to Plaintiff Kaul for, amongst other things, the acts of May 27, 2021, and June 14-15, 2023.

88. I admit I now know that in a period from 2017 to 2023, Plaintiff Kaul underwent multiple criminal background checks by state and federal agencies as part of applications he submitted for state medical licenses.

89. I admit I now know that no warrants or criminal history were found in these multiple background checks.

90. I admit that on June 14, 2023, in the time between stopping Plaintiff Kaul and illegally arresting his person, I engaged in a conversation with a person and or persons at the Morristown Police Department.

91. I admit that this conversation was conducted on our private cellular phones.

92. I admit that this conversations involved me being told that the order to arrest Plaintiff Kaul had been obtained from Defendant Christie.

93. I admit that I knew the arrest would be illegal but that to conduct the arrest would advance my career.

94. I admit that I knew the arrest would be illegal but that to not conduct the arrest would harm my career.

95. I admit I knew that in conducting a knowingly illegal arrest I would be violating the law.

96. I admit I knew that in conducting a knowingly illegal arrest I would be violating Plaintiff Kaul's human/civil/constitutional rights.

97. I admit I knew that in conducting a knowingly illegal arrest I would be engaging in police misconduct.

98. I admit that I believed these violations and misconduct would go unexposed and unpunished because the order had been given by Defendant Christie, an ex-governor, an ex-US Attorney, and a possible 2024 US Presidential Candidate.

99. I admit that I believed that Defendant Christie would use his political power in the New Jersey courts to prevent Plaintiff Kaul from exposing the violations through litigation.

100. I admit that I believed that Defendant Christie would use his political power in New Jersey to prevent Plaintiff Kaul from exposing the violations through media exposure.

101. I admit that I believed that Defendant Christie would use his political power in New Jersey to coerce witnesses with evidence into not cooperating with Plaintiff Kaul.

102. I admit that I believed that these violations would be 'covered-up'.

103. I admit I now know that many persons who obeyed Defendant Christie's orders subsequently suffered loss of livelihood/liberty/property.

104. I admit that I should not have followed Defendant Christie's order to illegally arrest and imprison Plaintiff Kaul.

105. I admit that I had a duty to halt the illegal arrest and imprisonment of Plaintiff Kaul.

106. I admit that I had a duty to report the illegal arrest and imprisonment of Plaintiff Kaul to state and or federal authorities.

107. I admit that I knowingly/willfully/for self-serving reasons did violate that duty.

108. I admit that I have come to know that many persons and entities conspired with Defendant Christie against Plaintiff Kaul.

109. I admit that I have come to know that this conspiracy commenced in approximately 2005 consequent to professional jealousy of Plaintiff Kaul's competitors upon his invention of the percutaneous spinal fusion.

110. I admit that I have come to know that these persons and entities are known as The Kaul Cases Defendants/Co-conspirators.

111. I admit that I, as a law enforcement officer, have come to know that The Kaul Cases Defendants/Co-conspirators did in their perpetration of the conspiracy violate Plaintiff Kaul's human/civil/constitutional rights.

112. I admit that I, as a law enforcement officer, have come to know that The Kaul Cases Defendants/Co-conspirators did in their perpetration of the conspiracy violate civil law.

113. I admit that I, as a law enforcement officer, have come to know that The Kaul Cases Defendants/Co-conspirators did in their perpetration of the conspiracy violate criminal law.

114. I admit that I know through conversations with persons located in Morris County, New Jersey who are familiar with The Kaul Cases and know the history of the within facts, that Plaintiff Kaul's claims against Defendant Christie are true.

115. I admit I know that the reason Defendant Christie did not answer the Complaint is because

116. I admit I know that the reason Defendant Christie violated the Court's October 16, 2023, Rule 26 order is that there exists highly incriminating evidence of many other crimes committed by Defendant Christie while he was the US Attorney and NJ Governor.

117. I admit I know that the reason Defendant Christie violated the Court's October 16, 2023, Rule 26 order is that this highly incriminating evidence implicates other currently employed public servants.

118. I admit that I know that the reason Defendant Christie violated the Court's October 16, 2023, Rule 26 order is that the highly incriminating evidence would end his current campaign for the Republican nomination.

119. I admit that I know that the reason Defendant Christie violated the Court's October 16, 2023, Rule 26 order is that the highly incriminating evidence would end his political career.

120. I admit that I have read a book by ex-NJ legislator, Louis Manzo, entitled 'RUTHLESS AMBITION: THE RISE AND FALL OF CHRIS CHRISTIE'.

121. I admit that I know the truth of all the facts within this book.

DATED: OCTOBER 25, 2023



RICHARD ARJUN KAUL, MD

Exhibit 7

www.drrichardkaul.com

September 13, 2022

Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: **Kaul/Basch v ICE et al**
21-CV-06992
K11-7
Financial disclosures/conflicts of interest/ex parte communications

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2022 SEP 14 PM 2:12

Dear Judge Oetken,

We write this letter with the utmost respect for you and the federal judiciary, and in recognition of the immense pressures that the above case must have brought to bear on your judgment. However, it is our position, one that is authorized by law and by our rights, that the opinion and order entered on September 12, 2022, will remain invalid until the following information has been disclosed to the record:

1. Forms AO 10 since 2020.
2. Information required pursuant to the Courthouse and Transparency Act.
3. A list of all ex parte communications between yourself and any agents acting on your behalf, and the Defendants or any agents acting on their behalf, that pertains/relates/refers/references or are in any way associated with the aspect of any of K11-7 or any of **The Kaul Cases**, including but not limited to: (i) the delivery and or receipt of any favor/gift/benefit/advantage/interest to you and or any member of your family to the third-degree, by the Defendants and or their agents in return for granting their motions; (ii) the promise of any future delivery and or receipt of any favor/gift/benefit/advantage/interest to you and or any member of your family to the third-degree, by the Defendants and or their agents in return for granting their motions. The pertinent time period is August 19, 2021, to the present.

As you are aware, the issue of judicial corruption has unfortunately appeared prominently within **The Kaul Cases**, and was featured in a series of Wall Street Journal articles in September

2021 (K11-7: D.E. 25 Page 1 – 46 of 50). Consequent to this publicity, and in or around May 2022, the Courthouse Ethics and Transparency Act was passed in response to public pressure against judicial corruption (Exhibit 1). Senator Ted Cruz was one of the co-sponsors, a person to whose attention, in January 2021, I brought the issue of judicial corruption (Exhibit 2). The misconduct of Senator Charles Schumer regarding his “Political interference in judicial process” is highlighted in the letter to Senator Cruz. I understand your appointment to the bench was sponsored by Senator Schumer.

Our request for the public disclosure of the above financial information relates to the fact that your opinion/order are so thoroughly divorced from the evidence/facts/arguments/law of this case, that one cannot but conclude that you, like U.S.D.J. Kevin McNulty (U.S.D.C.-DNJ), Senator Schumer’s brother-in-law, have been corrupted. U.S.D.J. McNulty engaged in the same opinion falsifying activity in K1 (D.E. 313-1), as now appears in K11-7 (D.E. 168).

Our request for the public disclosure of all ex parte communications pertains, in part, to the dissemination of notices of preservation to various ex-members of the political/legal/judicial establishment, including Jose Linares, the ex-Chief Judge of the District of New Jersey, who, in mid-late May 2019, suddenly retired from the bench, and took partner status at the law firm of English & McCarter in Newark, New Jersey, after having received a letter from me, requesting his financial disclosure/conflicts of interest (Exhibit 3). On May 5, 2022, Mr. Linares was served with a NOTICE OF PRESERVATION in K11-7 (Exhibit 4).

We respectfully assert that the principles underpinning Rules 144/455, and those of the due process clauses of the Constitution, are authoritative in this matter, and do render your opinion/order void until your impartiality/lack of bias has been evidentially established.

We thank you for your attention to this matter.

Yours sincerely



RICHARD ARJUN KAUL, MD



DAVID BASCH, MD

cc: All Counsel of Record
All parties with a legal or other interest

Exhibit 8

(Rev. 7.30.2020)

ATTORNEY GRIEVANCE COMMITTEE
Supreme Court, Appellate Division
First Judicial Department
180 Maiden Lane, 17th Floor
New York, New York 10038
(212) 401-0800

JORGE DOPICO
Chief Attorney

Email Complaint and Attachments to: AD1-AGC-newcomplaints@nycourts.gov. In addition, please send **one copy** of your complaint and attachments **by regular mail** to the above address. (If you do not have a personal email account, please send two (2) complete sets of your complaint and all attachments. There may be a delay in processing your matter if it is not emailed. Please **do not** include any original documents because we are unable to return them.)

Background Information

Today's Date: 11/30/2022
Your Full Name: (Mr. Ms. Mrs.) RICHARD ARJUN KAUL, MD/DAVID BASCH MD
Address: 440c SOMERSET DRIVE
City: PEARL RIVER State: NY Zip Code: 10965
Cell Phone: 973 876 2877 Business/Home Phone: _____
Email Address: drrichardkaul@gmail.com
Are you represented by a lawyer regarding this complaint? Yes No If Yes:
Lawyer's Name: N/A
Address: _____
City: _____ State: _____ Zip Code: _____
Business Phone: _____ Cell Phone: _____

Attorney Information

Full Name of Attorney Complained of: (Mr. Ms. Mrs.) JAMES PAUL OETKEN
Address: Room 706, 40 Foley Square
City: New York State: NY Zip Code: 10007
Business Phone: 212 805 0266 Cell Phone: _____
Email Address: _____

Date(s) of Representation/Incident: 11/30/2022

Have you filed a civil or criminal complaint against this attorney? Yes No If Yes:

If yes, name of case (if applicable): _____

Name of Court: _____

Index Number of Case (if known): _____

Have you filed a complaint concerning this matter with another Grievance Committee, Bar Association, District Attorney's Office, or any other agency? Yes No

If yes, name of agency: JUDICIAL DISCIP. COUNCIL/SENATE JUDICIAL COM.

Action taken by agency, if any: PENDING

Details of Complaint

Please describe the alleged misconduct in as much detail as possible including what happened, where and when, the names of any witnesses, what was said, and in what tone of voice, etc. Use additional sheets if necessary.

The Respondent, a lawyer, who in his capacity as a judge, has admitted to having engaged in a series of quid pro quo schemes/exparte communications, in which he received bribes for illegally dismissing a case (attached sheets). The Respondent, in his capacity as a lawyer, did represent corporations for many years, and did, when he became a judge, fail to recuse himself when these same corporations brought cases before him. In these matters, the Respondent, as the record shows, did almost always rule in favor of these corporations. This "pattern" has been in existence since at least 2017.

Complainant's Signature (Required): RICHARD ARJUN KAUL, MD/DAVID BASCH, MD

R.K.

DB

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The Rules for Judicial-Conduct and Judicial-Disability Proceedings, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on www.uscourts.gov.

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: RICHARD ARJUN KAUL/DAVID BASCH
Contact Address: 440c SOMERSET DRIVE, PEARL RIVER
NY, 10965
Daytime telephone: (973) 876 2877

2. Name(s) of Judge(s): JAMES PAUL OETKEN
Court: SDNY

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?
 Yes No

If "yes," give the following information about each lawsuit:

Court: SDNY

Case Number: 21-CV-06992

Docket number of any appeal to the N/A Circuit: N/A

Are (were) you a party or lawyer in the lawsuit?

Party Lawyer Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

N/A

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.
5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

(Signature) PKI - RICHARD ARJUN KALL (Date) NOVEMBER 18, 2022

JOHN BEEZ - DAVID BOCHI

STATEMENT OF FACTS


This complaint is filed under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351-364 and the Rules for Judicial-Conduct and Judicial-Disability Proceedings, 249 F.R.D. 662 (U.S. Jud. Conf. 2008), and asserts that pursuant to the standard set forth in 28 U.S.C. § 352(b)(1)(A)(iii); Rule 11(c)(1)(D) the within evidence proves and or at least raises an inference that U.S.D.J. James Paul Oetken did commit judicial misconduct, at a point in time between August 19, 2021, and September 12, 2022, in the matter of Kaul/Basch v ICE et al (21-CV-06992).

The evidence includes the tacit admissions by U.S.D.J. Oetken of bribery, conspiracy and exparte communications, who despite recognizing his legal obligations to disclose his financial holdings and exparte communications, has failed to submit this information, a fact that satisfies the 28 U.S.C. § 352(b)(1)(A)(iii); Rule 11(c)(1)(D) inference standard of judicial misconduct. This council has the jurisdiction and authority to order the disclosure of this information, and have definitively addressed the issue of misconduct. However, the Plaintiffs respectfully assert that if this council elects not to compel disclosure, the law will interpret non-election as a finding of misconduct.

The misconduct (bribery/conspiracy/exparte communications) was perpetrated within the State of New York, but this is not the first case in which U.S.D.J. Oetken has engaged in such acts. There exists a **"pattern"** within his case history of always ruling in favor of corporations, and in those cases in which all the litigants were corporations, he always ruled in favor of the largest corporation. An investigation could commence with a closer examination of this **"pattern"**, and a comparison with the financial holdings (stocks/bonds/shares) of U.S.D.J. Oetken in relation to the corporations in whose favor he ruled. This was one of the methods used by journalists at the Wall Street Journal, in researching their September 2021 stories on corruption in the federal judiciary.

This complaint is based not on the merits of U.S.D.J.'s opinion, but on an admitted fraud committed against the apparatus of justice, and does therefore not lie pursuant to 28 U.S.C. § 352(b)(1)(A)(ii); Rule 3(h)(3)(A). The Plaintiffs' decision not to appeal the order, pertains to the tardiness of the procedure inherent in attempting to raise on appeal the issue of 'Fraud on the Court', and is without effect as to the Plaintiffs' position that U.S.D.J.'s opinion is factually/legally erroneous. Similarly, to have appealed the order, as suggested by U.S.D.J. Oetken, would have constituted an admission of the legitimacy of the order and would have foreclosed this council from investigating this complaint, a fact known by U.S.D.J. Oetken. This tactic evidences U.S.D.J.'s wrongful state-of-mind, in that had he known he had not committed misconduct, he would not have attempted to coerce the filing of an appeal. It was the intention of U.S.D.J. Oetken to attempt to permanently foreclose the Plaintiffs from seeking recompense in the United States District Court, by directing the case into the appellate court, knowing that this process would be lengthy and likely would conceal his misconduct.

We declare under penalty of perjury that the statements made in this complaint are true and correct to the best of our knowledge.



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

Date: November 18, 2022

Exhibit 9

FRIEDMAN & WITTENSTEIN
A PROFESSIONAL CORPORATION
1345 AVENUE OF THE AMERICAS
2ND FLOOR
NEW YORK, NEW YORK 10105

(212) 750-8700

WWW.FRIEDMANWITTENSTEIN.COM

May 2, 2023

VIA ECF

The Honorable Jennifer L. Rochon
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Kaul v. Intercontinental Exchange, et al.
1:23-cv-02016-JLR

Dear Judge Rochon:

We represent defendant Intercontinental Exchange (“ICE”) in the above-referenced matter. We are writing to request that the Court dismiss plaintiff Kaul’s Complaint based on the anti-filing injunction entered by Judge Oetken on September 12, 2022 in *Kaul v. Intercontinental Exchange*, Civil Action No. 21-cv-6992-JPO (DE 168) (the “Opinion”).

Judge Oetken’s Opinion spells out Kaul’s history of filing numerous repetitive and meritless actions throughout the country. (Opinion at 2-4). In addition to dismissing Kaul’s Complaint with prejudice against all defendants, including ICE, Judge Oetken entered a nationwide anti-filing injunction against Kaul:

From the date of this Opinion and Order, Plaintiff Kaul is barred from filing in any United States district court any action, motion, petition, complaint, or request for relief against any of the Defendants named in this litigation that relates to or arises from (i) the denial of his medical license; (ii) subsequent litigation proceedings initiated by the Defendants here before the date of this Order; (iii) subsequent litigation proceedings initiated by Plaintiff Kaul before the date of this Order; without first obtaining leave from this Court. Any motion for leave must include the caption “Request for Permission to File under Filing Injunction” and must be submitted to the Pro Se Intake Unit of this Court along with Plaintiff Kaul’s proposed filings.

FRIEDMAN & WITTENSTEIN
A PROFESSIONAL CORPORATION

Hon. Jennifer L. Rochon
May 2, 2023
Page 2

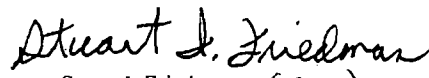
If Plaintiff Kaul violates this Opinion and Order and files any materials without first obtaining leave to file, any request will be denied for failure to comply with this Opinion and Order, and Plaintiff Kaul may be subject to sanctions, including monetary penalties or contempt. *See Schuster*, 2021 WL 1317370, at *11. The Court clarifies that this filing injunction does not prevent Kaul from filing an appeal from this Opinion and Order.

(Opinion at 19).

The present case, which repeats the same allegations and arises from the same events as Kaul's many prior cases—including *Kaul v. Intercontinental Exchange*, Civil Action No. 21-cv-6992-JPO—was commenced in clear violation of Judge Oetken's anti-filing injunction. Kaul never sought leave to file the present case, nor, to the best of our knowledge, did any of his papers include the caption "Request for Permission to File under Filing Injunction" as Judge Oetken required. (We are also copying Judge Oetken on this correspondence, as it is his Order that has been violated.)

We therefore respectfully request that the Complaint in this action be dismissed.

Respectfully submitted,


Stuart I. Friedman (WT)

cc: The Honorable J. Paul Oetken
Magistrate Judge Ona T. Wang
Richard Arjun Kaul

Exhibit 10

www.drrichardkaul.com

May 12, 2023

2023 MAY 12 AM 11:19
U.S. DISTRICT COURT
EAST AND WEST
NEW YORK, NY

Honorable Jennifer L. Rochon
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: **Kaul/Basch v ICE: 23-CV-2016**
K11-10
Plaintiffs Response to D.E. 27

Dear Judge Rochon,

We write this letter to respectfully inform you that the opinion/order entered on May 11, 2023, are, pursuant to the Federal Rules of Appellate Procedure not final, as there exist unadjudicated motions, and thus the opinion/order are invalid and without legal effect.

Specifically, these are the motions for Summary Judgment (D.E. 6/7/8/9) and Default (D.E. 22/23) against Defendant Heary, and moreover, and pursuant to F.R.C.P 36, Defendant Heary's failure to contest/refute/rebut/address the facts within the **ADMISSION OF MATERIAL AND UNDISPUTED FACT OF DEFENDANT ROBERT HEARY (D.E. 9)**, which include facts probative of the 'Fraud on the Court', has caused these facts of racketeering offense/injury to be permanently admitted.

Similarly, Defendant ICE failed, not unexpectedly, and as predicted by RICO's vicarious liability doctrine, to deny the fact, as stated by Plaintiffs Kaul/Basch (D.E. 24 Page 5 of 10), of their equal and conferred liability for the facts of offense/injury committed and caused by all of the K11-10 Defendants, **"the crime of one becomes the crime of all"**.

The invalidity of the opinion/order, both procedurally and substantively, in that it fails to provide superseding authority to nullify the K11-7 'Fraud on the Court', in conjunction with the controlling law (D.E. 1 Page 82 of 169) regarding the filing of **"An Independent action to set the judgment aside brought in the same court of a different court"** and, arguably of most significance, the facts admitted in K11-10, do unequivocally substantiate a basis for action in a district court within the United States District Court.

However, should this Court decide to retroactively adjudicate the unresolved motions, any such adjudication will require that by May 24, 2023, as pursuant to the thirty (30) day mandate of Rule 36, Defendant Heary deny the facts within the ADMISSION OF MATERIAL AND UNDISPUTED FACT OF DEFENDANT ROBERT HEARY (D.E. 9). Failure to do so, will establish foundations for Summary Judgment against all K11-10 Defendants in any and all future actions.

The K11-10 Defendants, and U.S.D.J. Oetken, whose foolhardy copying by Defendant ICE (D.E.) converted him from a jurist to a witness/defendant, will remain subject to prosecution until the admitted facts are legitimately/legally litigated to conclusion.

We thank you for the time and effort you have contributed to this case.

Yours sincerely



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

Exhibit 11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD ARJUN KAUL, MD;
DAVID BASCH, MD;
JANE DOE; JOHN DOE.

Plaintiffs

v.

CIVIL ACTION.: 23-CV-2016
(JLR)

INTERCONTINENTAL EXCHANGE; GEICO;
TD BANK; ALLSTATE INSURANCE COMPANY;
FEDERATION STATE MEDICAL BOARDS; ARTHUR HENRERER;
CHRISTOPHER J. CHRISTIE; DANIEL STOLZ;
ATLANTIC HEALTH SYSTEM; ROBERT HEARY;
PHILIP MURPHY; GURBIR GREWAL;
RIVKIN RADLER LAW FIRM; MAX GERSENOFF;
JANE DOE; JOHN DOE.

RESPONSE TO
DEFENDANT ICE LETTER

Defendants

2023 MAY -9 PM 2:30
SOUTHERN DISTRICT OF NEW YORK

We, RICHARD ARJUN KAUL, MD and DAVID BASCH, MD, the Plaintiffs in the above matter do submit these papers in response to Defendant ICE's letter seeking to invalidate its co-commission in Kaul/Basch v ICE: 21-CV-06992 (K11-7) of a 'Fraud on the Court'.

Dated: May 5, 2023


RICHARD ARJUN KAUL, MD


DAVID B. BASCH, MD

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD ARJUN KAUL, MD
DAVID BASCH, MD

CIVIL ACTION: 23-CV-2016 (JLR)

Plaintiffs

v.

RESPONSE TO DEFENDANT ICE LETTER

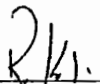
INTERCONTINENTAL EXCHANGE, ET AL

Defendants

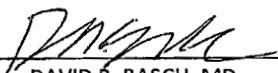
CERTIFICATION OF SERVICE

We, RICHARD ARJUN KAUL, MD and DAVID BASCH, MD, the Plaintiffs in the above matter, do hereby certify (I) that the below statements are true and accurate to the best of our knowledge, and that if it is proved we willfully and knowingly misrepresented the facts, then we will be subject to punishment; (II) that counsel for Defendant was served a copy of the opposition papers on May 5, 2023.

Dated: May 5, 2023



RICHARD ARJUN. KAUL, MD



DAVID B. BASCH, MD

Statement of Fact/Argument

Plaintiffs respectfully refer the Court to the facts/arguments submitted in D.E. 1 (See especially Page 7-18 of 169)/D.E. 9/D.E. 10/D.E. 19 which in conjunction with existent undisputed material facts, do not only render defenseless all K11-10 Defendants, including Defendant ICE, but constitute proof sufficient for Summary Judgment.

'Fraud on the Court':

1. Defendant ICE failed to contest/refute/rebut/deny and or otherwise address the facts submitted in the September 13, 2022, letter (K11-7: D.E. 170) from Plaintiffs Kaul/Basch to the district judge: **"We respectfully assert that the principles underpinning Rules 144/455, and those of the due process clauses of the Constitution are authoritative in this matter, and do render your opinion/order void until your impartiality/lack of bias has been evidentially established."** and thus these facts became admitted, facts that substantiate the filing of K11-10 based on the doctrine of 'Fraud on the Court'.

2. The district judge did not provide the requested information sought in the September 13, 2022, letter and did not contest/refute/rebut/deny or otherwise address the within facts, which thus caused them to become admitted.

3. Defendant ICE failed to contest/refute/rebut/deny and or otherwise address the facts submitted in the K11-7 October 6, 2022, document (K11-7: D.E. 171) regarding the disqualification of the district judge: **"Upon assignment, Judge Oetken became aware that while a corporate lawyer, he had represented numerous members of the banking and insurance industry, many of whom, hold stock in Defendants ICE/Allstate/Geico/TD, and many in whom Judge Oetken currently holds stock, directly or indirectly ... #However, Judge Oetken failed to either recuse himself or bring this matter to the attention of Kaul or the Court. One of the motives for his failure of disclosure/recusal, was to retain his power to dismiss the case, an act he calculated would increase the value of his investment portfolio ...**

It is hereby ordered that on October 7, 2022, that unless Judge James Paul Oetken

Immediately brings himself into compliance with legal authority regarding judicial disclosures, the law will deem him to be in knowing violation, and he will be immediately disqualified from any further administrative, ministerial, legal, or other involvement in either K11-7, or in any other case that involves Plaintiff Kaul and or Basch.”

4. The district judge did not contest/refute/rebut/deny or otherwise address the facts contained within the K11-7 October 6, 2022, document, facts that subsequently became admitted.

5. Defendant ICE conspicuously announced the copying of its May 2, 2023, letter to the K11-7 district judge. The conspicuousness evidences an improper, ill-intended and misguided effort at disruption of judicial collegiality and perversion of the rule of law. Furthermore, Defendant ICE's conspicuous failure to have the New York State ATTORNEY GRIEVANCE COMMITTEE issue an opinion of no cause regarding the K11-7 district judge, does further consolidate the corpus of fact substantiating 'Fraud on the Court' as a basis for K11-10. To unsubstantiate this basis, the law requires Defendant ICE submit evidence/facts disproving the fact that the K11-7 September 12, 2022, district judge's opinion/order constitute a 'Fraud on the Court', a fraud that warrants the prosecution of K11-10.

New Evidence/Facts:

In addition to 'Fraud on the Court', K11-10 is also predicated on new evidence/facts and "new racketeering injuries" as stated in the Complaint (D.E. 1 Page 4 of 169), that include knowing/willful "ongoing" and "new" injuries to, amongst other things, Plaintiff Kaul's economic standing/reputation/liberty/livelihood/life not just in the US, but in India, the country of Plaintiff Kaul's birth and citizenship. On December 16, 2022, Defendant ICE, through both its American and Indian headquarters was served by Plaintiff Kaul's Indian counsel with a Notice Prior To Commencement of Litigation Proceedings in India (Exhibit 1). The 'fact pattern' that underpins K11-10 is distinct in nature/substance/character/volume from that, that underpinned K11-7, and 'shocks the conscience' in that the Defendants continue to perpetrate, with a mens rea of guilt, a global "pattern of racketeering", the criminality of which they

believe will be mitigated by attempting to interfere in judicial collegiality/rule of law, by conspicuously copying the K11-7 district judge in a blatant attempt to further coopt the federal judiciary into their scheme.

Preclusion:

The failure of the K11-7 Defendants (including Defendant ICE) and the district judge to contest/refute/rebut/deny or otherwise address the facts contained within the K11-7 September 13, 2022, letter and October 6, 2022, document, in conjunction with their admittance and the uncontested/un-appealed nullification on October 8, 2022, (K11-7: D.E. 170 Page 26 of 39) of the September 12, 2022, opinion/order of the K11-7 district judge, do permanently preclude the K11-10 Defendants from a defense based on or related in any manner to the nullified September 12, 2022 opinion/order: " ... on October 8, 2022, all orders entered by Judge James Paul Oetken are immediately nullified, including the September 12, 2022, order at D.E. 168."

Defendant ICE's RICO Based Vicarious Liability Pursuant To Defendant Heary's Admissions of Fact:

The liability of the facts contained within D.E. 9, extends, pursuant to RICO's vicarious liability doctrine, to all K11-10 Defendants, including Defendant ICE.

Defendant ICE's RICO Based Vicarious Liability Pursuant To Defendants FSMB/Hengerer/Allstate's Failure to Contest/Refute/Rebut/Deny/Address The Facts Asserted In Plaintiffs Responses To Defendants FSMB/Hengerer/Allstate's Letters And Motions To Dismiss:

The liability of the uncontested facts contained within D.E. 10/D.E. 19, extends, pursuant to RICO's vicarious liability doctrine, to all K11-10 Defendants, including Defendant ICE.

Conclusion

Defendant ICE filed a two (2) page letter, in which it seeks to have invalidated the fraud that it co-committed on the United States District Court in K11-7, and against the integrity of the federal judiciary, in its continuing disregard/disdain for the Rule of Law. Defendant ICE has submitted no evidence/facts/law/argument to substantiate and or warrant an invalidation of its 'Fraud on the Court', or indeed an invalidation of the other bases on which K11-10 stands.

The misconduct of The Kaul Cases Defendants, including Defendant ICE/Federation State Medical Boards, is evident across the globe, and these Defendant corporations are now having to operate in a rapidly changing global market, in which adherence to the Rule of Law and the principle of 'fair play' are critical to success. This element underpins standards theories of international economics and law, i.e., that of fair markets, and is reflected in the American Government's current effort to reform the ethics code of the Supreme Court of the United States.


Defendant ICE seeks, not unsurprisingly, to have this Court derogate its duty to the law, to move in a direction not supported by the facts and quite frankly in a direction contrary to the people's state-of-mind, as reflected in the public conversation regarding ethics reform.

Plaintiffs Kaul/Basch respectfully move this Court to deny Defendant ICE's request for invalidation of its 'Fraud on the Court' and its plea for dismissal of K11-10.

Dated: May 5, 2023



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

Exhibit 12

INVALIDATING A JUDGMENT FOR FRAUD
... AND THE SIGNIFICANCE OF
FEDERAL RULE 60(b)

By W. DEAN WAGNER*

When it can be proved that a judgment of a court was obtained by fraud, the question arises whether or not it can be set aside and a new trial had. The problem to be discussed here is when can relief be obtained. Two different procedures are to be distinguished:

1. A motion in the court that rendered the judgment.
2. An independent action to set the judgment aside brought in the same court or a different court.

Our concern here is with independent action of the kind brought in the federal courts. Federal Rule 60¹ was amended radically in 1948, altering considerably the former rule regarding the setting aside of judgments. The new rule (so far as pertinent) provides:

"(b) . . . Fraud, etc. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons:

(3) fraud (whether heretofore denominated intrinsic or extrinsic), . . . The motion shall be made . . . not more than one year after the judgment, order, or proceeding was entered or taken . . . This rule does not limit the power of a court to entertain an independent action . . . or to set aside a judgment for fraud upon the court." (Emphasis added)

The rule thus expressly provides that either intrinsic or extrinsic fraud will constitute ground for upsetting a judgment if a motion is made within one year. But whether not only extrinsic but also intrinsic fraud will constitute sufficient ground for upsetting a judgment after the expiration of the year period is uncertain. The plain language of the rule seems to give *carte blanche* authority to a court to grant relief at anytime for any type of fraud. But recent judicial interpretations of the rule point out questions that deserve consideration.

* 3rd year law student, Duke University; A.B. Colgate, 1950.
¹ 28 U.S.C.A. Rule 60; 28 U. S. C. § 1655.

What is "fraud upon the court" within the meaning of Rule 60's saving clause and how is this to be distinguished from intrinsic and extrinsic fraud? Did the framers of the rule intend to authorize the setting aside of judgments for intrinsic as well as for extrinsic fraud in any case? Were different standards of fraud required for the "independent action" mentioned in the rule than were required for setting aside a judgment for "fraud on the court"? Rule 60(b) is so phrased as to imply that "fraud on the court" is a ground for invalidation of a judgment different from the grounds which will sustain an "independent action"; the clauses using these phrases are separated by another dealing with a quite distinct subject. Was the framers' intent to apply three different rules: one as to direct motions, another as to independent actions not involving "fraud on the court," and a third as to attacks involving "fraud on the court." It seems doubtful that this distinction is sound; for as commentators have suggested,² it is difficult to see why any and every instance of fraud is not "fraud upon the court."

The framers' intention is best indicated in the Advisory Committee's discussion of the rule.³

"The amendment . . . [makes] . . . fraud an express ground for relief by motion; and under the saving clause, fraud may be urged as a ground for relief by independent action insofar as established doctrine permits.⁴ . . . And the rule expressly does not limit the power of the court to give relief under the saving clause. *As an illustration of the situation see Hazel-Atlas Glass Co. v. Hartford Empire Co.* [322 U. S. 238 (1944)]." (Italics added.)

"Fraud on the court" as a word of art was new nomenclature introduced in the 1946 amendment to Federal Rule 60. Because of the definite reference to *Hazel-Atlas Glass Co. v. Hartford Empire Co.*,⁵ an examination of this case is imperative for a full understanding of the meaning of the phrase.

Hartford, in support of an application for a patent, submitted to the Patent Office an article referring to the contested process as a

² Moore and Rogers, *Federal Relief from Civil Judgments*, 55 YALE L. J. 623 (1946), n. 268 at p. 692.

³ 28 U.S.C.A. following Rule 60, at p. 313.

⁴ The Committee note cites Moore and Rogers, *op. cit. supra* note 2, and 8 MOORE, FEDERAL PRACTICE, (1st ed.), § 60.03, p. 3266. But the meaning of this reference defining and explaining the rule is ambiguous because those two authorities cite the conflict of opinion which is noted in this comment.

⁵ 322 U.S. 238 (1944).

"revolutionary device." Although the article was written by Hartford's officials, it was signed by an impartial outsider. This article was instrumental in persuading the Patent Office to grant the application. Hartford then sued Hazel charging infringement of the patent. The Court of Appeals reversed the district court's dismissal of the complaint, largely because of the spurious article. Finally, Hazel capitulated and paid Hartford \$1,000,000 and entered into a licensing agreement. The information about the fraud was brought to light about ten years later. Hazel then instituted action to have the judgment against it set aside and the judgment of the district court re-instated. When this case reached the Supreme Court, Mr. Justice Black, writing for the majority of a court divided 5-4, directed the district court to set aside its judgment in the first action entered pursuant to the Circuit Court of Appeals' mandate, and to re-instate its original judgment. The court said:

" . . . [The] general rule [is] that [federal courts will] not alter or set aside their judgments after the expiration of the term at which the judgments were finally entered . . . [But] every element of the fraud here disclosed demands the exercise of the historic power of equity to set aside the fraudulently begotten judgment. Here . . . we find a deliberately planned and carefully executed scheme to defraud not only the Patent Office but the Circuit Court of Appeals . . . The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud . . ."¹⁰

The opinion did not refer to the distinction between extrinsic or intrinsic fraud. Prior to this case there had been two conflicting Supreme Court decisions, the earlier one holding that an independent action to set aside a judgment can be founded only upon extrinsic fraud, the other holding that intrinsic fraud suffices. The court's failure to characterize the fraud practiced by Hartford justified a belief that a liberal doctrine was to be applied in the federal courts, and that fraud synonymous with the *Hartford* fraud would be a basis for relief. Since the *Hartford* case was used by the Advisory Committee to define the term "fraud on the court," what this case means is what Federal Rule 60(b) means.

¹⁰ *Id.* at 244, 245.

Fraud as Ground for Independent Attack
Before Rule 60(b)

It has generally been stated that "the acts for which a court of equity will on account of fraud set aside or annul a judgment or decree between the same parties rendered by a court of competent jurisdiction have relation to frauds extrinsic or collateral to the matter tried by the first court, and not to a fraud in the matter on which the decree was rendered."⁷ There is little doubt that the majority state rule is that the only type of fraud for which a court of equity will upset a judgment is extrinsic fraud; that intrinsic fraud does not afford ground for relief.⁸ The statement of the law is clear, but its application can lead to perplexities because it often will be difficult to categorize the fraud in question.⁹ The Supreme Court has added confusion by rendering inconsistent decisions relating to the type of fraud needed to upset a judgment; in one case stating flatly that extrinsic fraud only would be ground for setting aside a judgment in an independent attack¹⁰ and in a later decision allowing intrinsic fraud to constitute ground for setting a judgment aside.¹¹ It has been suggested that the rule of the earlier *Throckmorton* case (extrinsic fraud only) and the rule of the later *Marshall* case (intrinsic fraud suffices)¹² are not in

⁷ *United States v. Throckmorton*, 98 U. S. 61, 68 (1878).

⁸ *Cf.* RESTATEMENT, JUDGMENTS, § 126 with § 121. See FREEMAN, JUDGMENTS, § 1238; 3 MOORE, FEDERAL PRACTICE, (1st ed. 1938), § 60.03; 120 A.L.R. 386. Extrinsic fraud is illustrated by *McGuinness v. Superior Court*, 196 Cal. 222, 237 Pac. 42 (1925), where the fraud alleged was the failure to notify interested parties of the pendency of a suit. *Metzger v. Turner*, 158 P.2d 701 (Okla. Sup. Ct. 1945) illustrated an application of intrinsic fraud. The defendant in an action to quiet title wherein a default judgment had been entered against him sought to have the judgment vacated on the ground of fraud, alleging that the plaintiff had made false allegations that he had good title, and falsely alleged that he was in possession when in fact he was not. It was held that the fraud complained of was intrinsic fraud going to the actual or potential issues in the original suit and was therefore insufficient ground on which to vacate the judgment. See Note, 24 Tex. L. Rev. 233.

⁹ It is "a journey into futility to attempt to distinguish between extrinsic and intrinsic matter." Moore and Rogers, *op. cit. supra* note 2 at p. 658.

¹⁰ *United States v. Throckmorton*, *supra* note 7.

¹¹ *Marshall v. Holmes*, 141 U. S. 589 (1901).

¹² *United States v. Throckmorton*, *supra* note 7, was a bill in chancery, the plaintiff seeking to have the court set aside the confirmation of a land grant. The fraud alleged was that the defendant had obtained an illegal land grant from a Mexican official who had no authority to give it. There were other perjured documents involved. The Supreme Court denied relief. In *Marshall v. Holmes*, *supra* note 11, after the close of the term, the defendant against whom the judgments were rendered filed a petition in the same court

conflict.¹³ But a reading of the recent cases demonstrates that different circuits disagree about the effect of these two decisions and are consequently applying different standards.

The third circuit in *Publicker v. Shallcross*¹⁴ thought that the *Throckmorton* case was no longer law. Rejecting the contention that it was without power to invalidate a judgment obtained by intrinsic fraud, the Court of Appeals, citing the *Marshall* case, said: "We do not consider ourselves bound by [the *Throckmorton*] case for . . . we do not believe it is the law of the Supreme Court today . . ."¹⁵ The court appended the comment: ". . . [The] truth is more important than the trouble it takes to get it."

On the other hand, the 8th circuit in *Phillips Petroleum Co. v. Jenkins*¹⁶ held that the *Throckmorton* case was still law. This was an action for relief from a tort judgment against the appellant on the ground that defendant had simulated an injury and disability and conspired with a physician to deceive examining doctors. The court, citing the *Throckmorton* case, said: "Courts of the United States . . . will not deprive a party of the benefit of a judgment . . . on account of intrinsic fraud."¹⁷

The Supreme Court has never clarified its position.¹⁸ But the type of fraud involved in the *Hartford* case would lead to a tentative conclusion that at least some types of intrinsic fraud could be

for the annulment of the judgment upon the ground that the judgment had been obtained through the use of false testimony and forged letters. The Supreme Court granted relief.

¹³ See *Chicago, R. I. & P. Ry. Co. v. Callicotte*, 267 Fed. 799 (8th Cir. 1920), *cert denied* 255 U. S. 570 (1921); 16 A.L.R. 386.

¹⁴ 106 F.2d 949 (3rd Cir. 1939), 126 A.L.R. 386, *cert denied* 308 U. S. 624 (1940).

¹⁵ *Id.* 106 F.2d at 950.

¹⁶ 81 F.2d 183 (8th Cir. 1937).

¹⁷ *Id.* at 187.

¹⁸ This inconsistency in the federal courts was attempted to be resolved in *Craver v. Faurot*, 64 Fed. 241 (C.C.N.D. Ill. 1894), *reversed* 76 Fed. 257 (7th Cir. 1896), *certif. dismissed* 162 U. S. 435 (1896), where the court, "feeling that *United States v. Throckmorton* and *Marshall v. Holmes* were in direct conflict and not knowing which was to govern, sent the case to the Supreme Court on a certificate of importance. The Supreme Court refused to hear the merits, disposing of the case on a technicality as to the validity of the use of a certificate of importance." 8 MOORE, FEDERAL PRACTICE, (1st ed.), § 60.03, n. 17, p. 3268.

A law writer in 21 COL. L. REV. 268 commented, "As for the federal rule . . . it must remain unsettled. Since the courts are at liberty to cite either line of authority, and do so as suits their convenience, the only possible answer in spite of repeated assertions to the contrary that the federal rule is clear is that there is no federal rule at all."

grounds for upsetting a judgment. Mr. Justice Black's assertion that the "agencies of public justice [are] not so impotent that they must always be mute and helpless victims of deception and fraud . . ." ¹⁹ would apply to deception committed by intrinsic fraud as well as deception by extrinsic fraud. Perjury is considered intrinsic fraud and since the false article utilized by Hartford seems analogous to perjured evidence there is strong ground for arguing that the more liberal *Marshall* rule was adopted as the federal rule. But, because of the ambiguity of the Supreme Court's position, we find two divergent attitudes expressed among the circuits. The lower federal circuits have been permitted to select the remedial attitude they prefer, in spite of what was a muted command to the contrary in *Hazel-Atlas Glass v. Hartford*.

Application of Rule 60(b)

As has been seen, the amendment to Federal Rule 60(b) introduced the term "fraud on the court" and no distinction was drawn between extrinsic and intrinsic fraud in the saving clause.²⁰ Because of the conflicting viewpoints of the cases up to 1946 it is difficult to ascertain what was intended by this new term. But unless the saving clause of the rule was intended to recognize some type of intrinsic fraud as ground for relief in an independent action, the reference to the *Hartford* decision has no meaning.

Certainly it can be validly argued that *Hartford* impliedly suggested that the *Marshall* case overruled the *Throokmorton* case and that the *Marshall* rule was the rule of the federal courts. The Supreme Court's failure to limit the application of the fraud doc-

¹⁹ *Ibid.*, Mr. Justice Black also said ". . . tampering with the administration of justice as indisputably shown here involves far more than injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistent with the good order of society."

Two cases decided by the Supreme Court citing the *Hartford* case fail to shed much light on the meaning the court attached to the decision. *Universal Oil Products Co. v. Root Refining Co.*, 328 U. S. 575 (1946), cited the *Hartford* case and said at p. 580, "The inherent power of a federal court to investigate whether a judgment was obtained by fraud is beyond question." But in *Knauer v. United States*, 328 U. S. 654 (1946), Mr. Justice Frankfurter intimated that the exclusion of intrinsic fraud as a ground for relief might still be the rule.

²⁰ Recall that the rule expressly provides that either intrinsic or extrinsic fraud can be ground for relief by motion to the court that rendered the judgment.

trine to extrinsic fraud indicated an intent to utilize a more liberal doctrine and to accord injured litigants a wider basis for relief. However, whatever the intent of the Supreme Court, the contention that the *Marshall* rule was the rule of the federal courts (*vis-a-vis* the *Hartford* case) was soon rejected by a lower federal court.

Prior to the adoption of Rule 60(b)'s amendment in 1948, the Court of Customs and Patent Appeals had before it in *Josserand v. Taylor*²¹ a petition for leave to file a bill of review in the patent office, the plaintiff claiming that the defendant committed fraud in the interference proceeding in which priority of the invention had been awarded him. The fraud alleged was perjury, and the court said:

"We are unable to [agree that the *Hartford* case held] that a judgment or decree rendered by a federal court at a former term,²² obtained by intrinsic fraud as distinguished from extrinsic or collateral fraud, should nullify a proceeding such as here involved . . . We think it is evident from [that decision] that the Court was of the opinion that 'certain officials and attorneys' of the Hartford Company had entered and carried out a conspiracy to defraud the Patent Office and the Circuit Court of Appeals and that such a conspiracy was not an intrinsic but an extrinsic or collateral fraud."²³

This decision is important, for if the court's interpretation of the *Hartford* case is correct the new Federal Rule becomes merely a re-statement of the old *Throckmorton* rule. And, *Josserand v. Taylor* was followed, with respect to the meaning of Federal Rule 60(b), in *Dowdy v. Hawfield*.²⁴ The District of Columbia circuit was asked here to set aside the probate of a will because witnesses for the will had given perjured testimony. The court said:

"... [Rule 60(b)] stipulates that 'This rule does not limit the power of a court to entertain an independent action . . . to set aside a judgment for fraud upon the court.' The Supreme Court in *United States v. Throckmorton* . . .

²¹ 159 F.2d 249 (Ct. Cust. & Pat. App. 1948).

²² This decision was rendered prior to the amendment to Federal Rule 60. At this time, the rule regarding motions in the court that rendered the judgment was that a court could not upset a judgment rendered at a prior term. The amendment gave a year grace period.

²³ *Josserand v. Taylor*, *supra* note 21 at 253. This decision is consistent with the suggestion that the *Hartford* case intended to apply a more liberal rule to patent cases only.

²⁴ 189 F.2d 637 (D.C. Cir. 1951), cert. denied 342 U. S. 830 (1952).

held that fraud must be 'extrinsic or collateral' to the matter tried by the first court, and not to a fraud in the matter in which the decree was rendered. *Josserand v. Taylor* . . . affirmed this rule and in that case the Hartford case was held not to have changed the rule.²⁵

The effect of Federal Rule 60 (b) was thus summarily dismissed. The reasoning was: Federal Rule 60 (b) adopts the *Hartford* rule; *Hartford* in *Josserand v. Taylor* was held to have been merely an application of the rule of the *Throckmorton* case; so the *Throckmorton* rule is still law. The court gave no consideration to the possibility that the framers of the code intended to distinguish between grounds for independent attack and grounds for upsetting a judgment for fraud on the court.

Notwithstanding *Dowdy v. Hawfield*, this same District of Columbia circuit²⁶ was asked in *Dausuel v. Dausuel*²⁷ to set aside a judgment of divorce because the decree had been procured by perjury. This was a proceeding on a judgment creditor's bill for alimony wherein the husband filed a cross complaint seeking to set aside the divorce. The trial court dismissed the cross complaint and found generally for the wife. The Court of Appeals held that if the facts were as alleged in the cross complaint the decree of divorce could be vacated. Judge Edgerton said:

"A court may at anytime set aside a judgment for after discovered fraud upon the court. *Hazel-Atlas Glass v. Hartford* . . . Rule 60(b) . . . expressly does not limit the power of a court to entertain an action for that purpose."
(Italics added.)²⁸

The court did not cite its previous ruling in *Dowdy v. Dowdy*; and by ignoring the distinction between extrinsic or intrinsic fraud implied that it is no longer significant.

New Jersey's Rule of Civil Practice 3:60-2 is identical to Federal Rule 60(b). The New Jersey Supreme Court was asked in *Shammas v. Shammas*²⁹ to interpret the "fraud on the court" phrase. This was an action for divorce wherein the administrator of the estate of petitioner's second wife filed a petition to set aside

²⁵ *Id.*, 189 F.2d at 638.

²⁶ Different judges were sitting.

²⁷ 195 F.2d 774 (D.C. Cir. 1952).

²⁸ *Id.*, at 775.

²⁹ 9 N. J. 321, 88 A.2d 204 (1952); see also *Lyster v. Borberich*, 65 A.2d 632 (N. J. Super. App. Div. 1949); *Williams v. DeFazio*, 65 A.2d 858 (N. J. Super. App. Div. 1949); and see 98 U. or PA. L. Rev. 117, n.2.

the divorce decree and adjudge petitioner guilty of contempt for wilfully giving false testimony in the divorce trial. Although the court held that the administrators were strangers to the record and had no standing to attack the judgment, it (1) expressly rejected the *Throckmorton* rule, (2) expressly rejected the argument that if intrinsic fraud was allowed to upset judgments endless litigation would result, and (3) held that either intrinsic or extrinsic fraud was within the "fraud on the court" term.

The New Jersey Supreme Court thus has done what the Supreme Court has failed to do, *i.e.*, it has attached a definite understanding to the meaning of the phrase.

Conclusion

Rule 60(b) can be interpreted in at least three different ways. An independent action to set aside a judgment for fraud

- (1) may be grounded only upon extrinsic fraud,
- (2) may be grounded upon either extrinsic or intrinsic fraud,
- (3) may be grounded only upon extrinsic fraud, except in those instances where intrinsic fraud constitutes "fraud on the court."

Until now, the courts have been concerned with whether or not "fraud on the court" includes at least some instance of intrinsic fraud or whether this phrase is controlled by the *Throckmorton* rule. However, the phrasing of Rule 60(b) permits the suggestion that "fraud on the court" is a ground for invalidation of a judgment different from the ground which will sustain an "independent action."³⁰ Such a distinction, however, would tend to multiply the already existing confusion.

The present conflict between the circuits stems from the conflicting decisions rendered by the Supreme Court prior to the adoption of Rule 60(b) and the ambiguity of the term "fraud on the court." The new rule makes it difficult to distinguish the type of fraud which must be availed of within one year, from fraud on the court, which may be urged at anytime. Why is every fraud not a fraud on the court? But as long as the Courts of Appeals have

³⁰ The rule states, "This rule does not limit the power of a court to entertain an independent action, [then a reference to proceedings in rem], or to set aside a judgment for fraud upon the court." Conceivably there are three different circumstances here, with a different rule applicable to each.

inconsistent authorities to cite, Rule 60(b) will stand for the *Throckmorton* rule or the *Marshall* rule depending on the circuit.

Courts refusing to recognize intrinsic fraud as a basis for relief fear the recurring litigation that might result. "Endless litigation in which nothing was ever finally determined would be worse than occasional miscarriages of justice."³¹ Yet, on the other hand there is a natural desire to have the courts perform justice and to deny a man the profits of his own wrongdoing. "The notion that repeated retrials of cases may be expected to follow . . . the setting aside of judgments rendered on false testimony will not withstand critical analysis. Rather it is more logical to anticipate that the guilty litigant committing perjury . . . will not risk pursuing the cause further."³² It is submitted, however, that it is wrong to have different consequences depend on the type of fraud committed—that if "fraud vitiates a judgment" no difference should stem from the label attached to the fraud. The test, rather, should be, was the fraud of the type that the party had a real opportunity to litigate in the first action?³³ If in the opinion of a court a judgment was obtained through the utilization of false records and documents of which a party was justifiably unaware, then the judgment should be set aside, regardless of the fact that the fraud was intrinsic. On the other hand, if a party could have known of the fraud, and had a thorough opportunity to investigate the matter and through his own fault an adverse judgment was rendered, no relief should be available.

Certainly the Supreme Court demonstrated an intent to broaden the scope of the fraud rule in the *Hartford* case and that the framers of Federal Rule 60(b)'s term "fraud on the court" did not restate the *Throckmorton* rule alone. Had the latter been their purpose it seems reasonable to assume they would have said so. Contrary to the opinion in *Josserand v. Taylor, supra*, it is submitted that the Supreme Court adopted and applied the *Marshall* rule in the *Hartford* case and demonstrated an intent to liberalize the federal rule and that Federal Rule 60(b) was an expression of this intent formalized in a rule of procedure.

³¹ *Fawcett v. Atherton*, 298 Mich. 362, 299 N.W. 108; noted in 40 *MICH. L. REV.* 508.

³² *Shammas v. Shammas*, 9 N. J. 321, 88 A.2d 204 (1952).

³³ See, 98 U. OF PA. L. REV. 117; other law notes discussing intrinsic and extrinsic fraud rules are 22 *HARV. L. REV.* 600; 49 *HARV. L. REV.* 327; 21 *COL. L. REV.* 268; 21 *ILL. L. REV.* 833; 28 *Geo. L. J.* 848; 36 *ILL. L. REV.* 894; 24 *TEX. L. REV.* 223; 12 *CORNELL L. Q.* 385.

The interpretation of New Jersey's Supreme Court stems from a more realistic understanding of the intention of the framers of Federal Rule 60(b) and of the more sensible application of the doctrine of fraud upsetting judgments.⁸⁴ The *Throckmorton* rule leads to anomalous results: of X obtaining relief because his adversary kept one of X's witnesses away from the courtroom and induced the witness not to testify, while Y's judgment against him would stand even though his adversary bribed one of Y's witnesses to utter false testimony on the witness stand. The label extrinsic or intrinsic adds nothing—and justice should not be predicated on words.

Until now no tests have been recommended for defining "fraud on the court." Perhaps the rationalization announced in *Hadden v. Rumsey Products*⁸⁵ by the district court for the Western district of New York is as wise as possible:

"Out of deference to the deep rooted policy in favor of the repose of judgments . . . courts of equity have been cautious in exercising their power [in upsetting judgments] . . . But when the occasion has demanded, where enforcement of the judgment is 'manifestly unconscionable' . . . they have wielded the power without hesitation."⁸⁶

Until the Supreme Court re-defines its position the "manifestly unconscionable" test will be the only test, and it will remain, as it has been, that despite Federal Rule 60(b) there is no federal rule at all.

⁸⁴ *Shammas v. Shammas*, *supra* note 32, 88 A.2d at 208, "[U]pon principle, we hold that relief for fraud upon the court may be allowed under our rule whether the fraud charged is denominated intrinsic or extrinsic."

⁸⁵ 96 F.Supp. 988 (W.D.N.Y. 1961).

⁸⁶ *Id.* at 998.

Exhibit 13

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS.

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May 28, 2021

Allison Burroughs
United States District Judge
District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: Kaul v Boston Partners – K11-2
21-CV-10326
Case Management Conference
Obstruction of justice + Wrongful arrest

Dear Judge Burroughs

I write this letter to request the Court conduct a case management conference in light of several events that have occurred within the last three weeks, that pertain to the Defendants' ongoing efforts to obstruct of justice.

On May 26, 2021, I submitted to the Court a letter that evidences the Defendants' coopting of New Jersey's police into the ongoing "pattern of racketeering." (Exhibit 1). This document was received in the Court on May 27, 2021 but has yet to be published.

Please also find enclosed a copy of a letter (Exhibit 2) that was submitted into K1 on October 7, 2016, that sought permission to file an emergency restraining order and preliminary injunction "that bars the defendant state from pursuing any further legal action against my property or person, until the conclusion of the federal litigation, and also sanctions against Marc Cohen for obstruction of justice." That permission was never granted, and I was thus afforded no protections against further retaliatory actions by the agencies/actors of the State of New Jersey. It bears noting at this point that the State of New Jersey is not actually a sovereign state, but simply an extension of the Insurance industry, of which Defendants Allstate/Geico are controlling members.

On May 26, 2021, at approximately 3 pm EST, Defendant Christie was served with a copy of the Complaint/Summons.

On May 27, 2021 at approximately 4 pm EST I was arrested at the location in New Jersey which I conduct my legal research and writing. Nine (9) armed officers from both local and state police entered my workspace through an open door, without warrants. What followed is further evidence in support of motions for summary judgment:

1. I was sitting in the front room of the building on a call with my colleague, Dr. Evangelos Megariotis.
2. I heard a voice at an open door at the back of the building.
3. I approached the door and witnessed nine (9) armed men, some in plain clothes and some in uniform, but remained on the call with Dr. Megariotis, in order that he could witness the exchange.
4. Two of these individuals had entered my building, and asked me to confirm my name, which I did.
5. I asked to see their warrants and was initially told they did not need to produce warrants, but that if I went with them, they would show me the warrant.
6. I instructed them that the law require a warrant before entry onto a person's property.
7. One of the plain clothes officers indicated he worked for a unit of the state police that investigates threats against state officials, and that they were investigating claims that I had threatened Defendant Christie.
8. I asked from whom he received his orders, and he told me the order originated from Patrick Callahan, the current administrative head of the New Jersey state police, who had received a request from Defendant Christie's "lawyer", Robert McGuire, a NJ deputy attorney general.
9. With Dr. Megariotis as a witness, I repeatedly asked for the production of a paper warrant, but none was produced.
10. At this point, one of the uniformed officers entered the building and told me that there was an outstanding warrant for my arrest from Mercer County. I asked him to produce this warrant, and his state colleague handed him a cell phone, on which was there were unintelligible typed words with an entry date of May 27, 2021.
11. It is relevant for this Court to know and will be relevant to the motions for summary judgment, that in March/April 2018, as part of my application for a license in the State of New Jersey, the state police conducted a background check that included pending warrants, and NONE were found. The purported warrant is a fabrication and constitutes an element of the Defendant's scheme of retaliation, a RICO predicate act.
12. The exchange between myself and these nine (9) armed individuals became increasingly hostile, and Dr. Megariotis suggested I permit myself to be arrested. I informed these individuals that any arrest would be illegal, and that I would seek legal redress for the injury. They smirked.
13. I was led outside and had my arms handcuffed behind me. I was led to a car, into which I sat, and was driven to the Mendham Township police station. I was led from the car and

- chained to a metal bench inside the small building. I was then interrogated by three of the plain clothes state officers. At no point in any of these proceedings did any of these individuals read me my rights, except to say I was "under arrest".
14. The interrogation consisted of them telling me that it was a crime for me to serve legal documents on Defendant Christie, as he was an ex-state official who was still under the protection of the state. One of these individuals indicated that Defendant Christie had a "lot of enemies".
 15. I responded that I had not served any documents on Defendant Christie, as they had been served by a process server, Doreen Bettens. They asked me her name, which I provided, and just as I was doing so, she called my cell.
 16. I instructed the phone to be answered, and placed her on speakerphone, at which point I told her I was sitting chained to a metal bench in Mendham Township police station and had just explained to the police that she had served the documents on Defendant Christie. A brief conversation ensued between Doreen Bettens and these individuals, in which she confirmed that she had served Defendant Christie, and that I was not with her. She provided them her telephone number and the call concluded.
 17. I was then taken from this police station to the Morristown police station, where I had my picture taken, and was then told to stand against a wall.
 18. May 27, 2021 was a particularly hot day, and I had become dehydrated, and had not taken my blood pressure medication that day. I began to experience some mild light-headedness and asked a female officer behind the desk if I could have a seat. She said, "no you are in jail". Approximately one minute later, I collapsed to the floor on my right side. The next thing I remember is waking up in a chair and hearing this same female officer state that I had "Jail-itis".
 19. An ambulance was called, it arrived and as I was being placed on a stretcher, one of the officers handcuffed me to the bed. Almost immediately, the senior officer removed the handcuff, and the cuffing officer stated: "This is your lucky day".
 20. I was transferred to Morristown Memorial Hospital by two policemen, who then departed the building, and left me with the nurse.
 21. I then departed the hospital.

These events lend further evidential weight to the claims, that is irrefutable. As is clear from the record, the commission and attempted cover-up by the Defendants now involves the executive/legislative/judicial branches of the State of New Jersey. The Defendants scheme now involves the use of police to threaten, harass and intimidate process servers, witnesses and the Plaintiff himself, while violating the jurisdiction/authority of the United States.

My concern is that with this escalation of armed force, people will be killed. In that regard, I do request that there **be emergently schedule a case management conference**, in order to mitigate this threat, and stop the Defendants criminal abuse of state power and continued falsification of evidence.

I do also inform the Court that Defendants Christie/Hafner/Kaufman/Allstate/Crist have been served, and I will be moving variously for summary judgment and Rule 26 conferences.

I also believe it relevant for this Court to know that a case (K11-5) is pending in the Indian High Court against Defendant State of New Jersey, a case in which Intercontinental Exchange has been noticed (Exhibit 3). The thrust of which pertains to its collusion/conspiracy with Defendants Christie/Allstate in the perpetration of policies of racial discrimination and targeting of successful Indian physicians for criminal prosecution/incarceration. A copy of this letter has been sent to the Indian PM, as has K11-5.

The U.S.C.A. for the Third Circuit is aware of the Defendants crimes (Exhibit 4).

I thank you for your attention to this matter.

Yours sincerely



Richard Arjun Kaul, MD

cc: All Counsel via email
All parties with a legal or other interest
Patrick Callahan
Governor Philip Murphy
Gurbir Grewal (NJ-AG)

Exhibit 14

KAUL v CPEP

K11-17

KAUL v ICE

21-CV-06992

K11-7

'THE OETKEN ANALYSIS'

The Court's opinion, one clumsily drafted by Defendants' lawyers, resonates with a tone of hurried desperation, and other than constituting evidence of a corrupted state-of-mind, is replete with errors of logic/fact/law and fails, intentionally no doubt, to reflect the enormous body of highly incriminating evidence. The fact that the final filing in the case was February 14, 2022, and the Court's mere twenty (20) page analysis free summary opinion, was issued on September 12, 2022, is consistent with the Defendants conversion of this court into a "racketeering enterprise", purposed to continue the decade-plus-long violation of Kaul's human/constitutional right to life/liberty/justice and to attempt to provide further cover for their crimes. The length of time, the brevity of the opinion and the lack of analysis of submitted argument, suggest a conspiracy to convey a knowingly false impression regarding dismissal, in order to violate Kaul's ability to exercise his right to commence actions in other district courts; and now the judge, in knowing contravention of the law, seeks to deny Kaul his basic human right to exist, through the instrument of the United States District Court.

The falsity of the opinion is proven by Kaul's argument, which is uncontested by the Defendants and unanalyzed by the judge. The point-by-point analysis identifies which of Kaul's arguments undermines the judge's opinion:

Introduction

"This case is another chapter in a long saga of repetitive frivolous lawsuits ... violations arising out of this set of facts." (D.E. 168 Page 1 to 2 of 20). This statement, which is inherently contradictory, undermines the entire opinion, by asserting that K11-7 is identical to all prior cases, and that because all prior cases are allegedly frivolous, that K11-7 is therefore frivolous, but then concludes by stating that K11-7 is based on a "set of facts", a condition that equates with merit and not frivolousness. The judge, in attempting to violate Kaul's right to pursue litigation on the admitted facts, thwarted the basis of his opinion that falsely held K11-7 is frivolous, from which he falsely granted the Defendants motion for an injunction. The judge admitted that the information on which K11-7 was based, constituted "facts" and not unsubstantiated assertions. It is the judge's opinion that is "frivolous" and without merit.

I. Background

A. Filing History – "In March 2014 ... But Kaul continues to file lawsuits in various jurisdictions." (D.E. 168 Page 2 to 4 of 20). It is evident that the thrust of the judge's fraudulent strategy is to misrepresent, mischaracterize and or omit critical components of the record of

The Kaul Cases, with the most glaring omissions being those of K11-7, the case in question. In this section, the judge implies that because K11-7 is allegedly identical to all prior cases and because Kaul received no relief, that K11-7 is frivolous, but incredulously, Kaul continues to pursue litigation. Kaul commenced no new litigation after the filing of K11-7 on August 19, 2021, in the hope that the judge would adhere to controlling authorities and follow the “set of facts”. The judge failed to analyze any of Kaul’s arguments regarding the factual/legal distinction of K11-7 from all prior cases, but instead rendered an opinion that consists entirely of a selective regurgitation of elements of prior and irrelevant cases. Kaul’s arguments are at:

1. Overview of Opposition (D.E. 77 page 6 of 57) – UNREFUTED/UNANALYZED/ADMITTED
2. Allstate’s fraudulent case against Kaul/others (D.E. 77 Page 8 of 57)
UNREFUTED/UNANALYZED/ADMITTED
3. The securities fraud crimes were committed in the State of New York (D.E. 77 Page 11 of 57)
UNREFUTED/UNANALYZED/ADMITTED
4. U.S.D.J. Tanya Chutkan denied Defendant Allstate’s motion to dismiss K5 (D.E. 47), while U.S.D.J. Alison Burroughs denied Defendant Allstate’s motion to transfer K11-2 (D.E. 27) to the District of New Jersey (D.E. 77 Page 11 of 57) UNREFUTED/UNANALYZED/ADMITTED
5. The District of Massachusetts entered an order granting Kaul’s IFP application and ordered the U.S.M.S. to serve the Defendants at the cost of the United States Government (D.E. 77 Page 12 of 57) UNREFUTED/UNANALYZED/ADMITTED
6. K11-7 is factually/legally distinct from K11-4 (D.E. 77 page 13 of 57)
UNREFUTED/UNANALYZED/ADMITTED
7. K11-7 is factually/legally distinct from K11-9 and the warrantless arrest of Kaul on May 27, 2021, remains unlawful (D.E. 77 page 14 of 57) UNREFUTED/UNANALYZED/ADMITTED
8. K11-7 is legally/factually distinct from K11-2, the operative facts occurred in New York, and thus the law supports Kaul’s choice of forum UNREFUTED/UNANALYZED/ADMITTED
9. Unsupportive judicial opinion (D.E. 89 page 8 of 87) UNREFUTED/UNANALYZED/ADMITTED
10. Introduction – K11-7 is factually/legally distinct from all prior cases (D.E. 89 page 10 of 87)
UNREFUTED/UNANALYZED/ADMITTED.

11. Defendants motion for an anti-injunction suit is frivolous (D.E. 89 Page 10 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
12. The Kaul Cases Defendants have failed in their prior injunctive and quasi-injunctive efforts (D.E. 89 Page 11 of 87) - UNREFUTED/UNANALYZED/ADMITTED
13. The Defendants have submitted no evidence that Kaul's claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts (D.E. 89 Page 20 of 87) UNREFUTED/UNANALYZED/ADMITTED
14. K11-7 is legally/factually distinct to all prior cases, including K1, is based on new evidence, new injuries and is a new claim, not subject to res judicata or Rule 41 of the FRCP (D.E. 105 Page 26 of 56) UNREFUTED/UNANALYZED/ADMITTED
15. The Defendants "All Writs Act Injunction" argument is false and fails to satisfy the necessary legal standard (D.E. 105 Page 30 of 56) UNREFUTED/UNANALYZED/ADMITTED
16. Kaul's claims satisfy federal pleading standards and Defendant ICE has not proved otherwise (D.E. 106 Page 12 of 35) UNREFUTED/UNANALYZED/ADMITTED
17. The facts find that venue is proper in the Southern District of New York (D.E. 106 Page 22 of 35) UNREFUTED/UNANALYZED/ADMITTED
18. Defendant TD's Rooker-Feldman and abstention doctrine defenses have been rejected by all courts within the United States District Court (D.E. 110 Page 10 of 63) UNREFUTED/UNANALYZED/ADMITTED
19. K1 remained active on the district court docket, until it was dismissed pursuant to Rule 41(a)(2) on November 16, 2021 (D.E. 110 Page 16 of 63) UNREFUTED/UNANALYZED/ADMITTED
20. Res judicata as to K1 provides TD no defense (D.E. 110 Page 17 of 63) UNREFUTED/UNANALYZED/ADMITTED
21. Res judicata as to Defendant TD's suit in the Morris County Court provides Defendant TD no defense (D.E. 110 Page 18 of 63) UNREFUTED/UNANALYZED/ADMITTED

22. The Defendants have failed to disprove that the SDNY is the proper venue and failed to prove, or otherwise show that K11-7 should be dismissed with prejudice (D.E. 136 Page 12 of 55) UNREFUTED/UNANALYZED/ADMITTED

23. The Defendants have submitted no evidence/facts that disprove facts submitted by Kaul that venue is proper in the SDNY, and that K11-7 comports with the venue analysis standards identified in cases erroneously cited by Defendants in support of their argument to dismiss K11-7 with prejudice (D.E. 136 Page 14 of 55) UNREFUTED/UNANALYZED/ADMITTED

24. The Defendants' failure to factually satisfy the standards for vexatiousness/malice/abuse/frivolousness/harassment, as identified in the cited cases, is fatal to its frivolous injunctive plea (D.E. 136 Page 19 of 55) UNREFUTED/UNANALYZED/ADMITTED

25. Defendants defense fails for lack of support in fact or law (D.E. 138 Page 5 of 32) UNREFUTED/UNANALYZED/ADMITTED

26. The facts undermine a "second dismissal rule" defense (D.E. 138 Page 8 of 32) UNREFUTED/UNANALYZED/ADMITTED

27. Res judicata is inapplicable because K11-7 is based on new evidence/facts/injuries, is a new cause of action, the voluntary dismissal motion of K1 was entered by USDJ Vazquez without opposition, K5 terminated without opposition, and in prior cases, the Defendants committed a 'Fraud on the Court' (D.E. 138 Page 9 of 32) UNREFUTED/UNANALYZED/ADMITTED

28. Defendant AHS has failed to satisfy its burden of proof to disprove Kaul's proof that the SDNY is the proper venue, and that the DNJ is not the proper venue (D.E. 138 Page 17 of 32) UNREFUTED/UNANALYZED/ADMITTED

29. Defendant Heary's application of his cited legal standards to K11-7 jurisdiction/venue facts actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue (D.E. 154 Page 16 of 93) UNREFUTED/UNANALYZED/ADMITTED

30. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases (D.E. 154 Page 22 of 93) UNREFUTED/UNANALYZED/ADMITTED

31. The procedural facts of The Kaul Cases neither support any preclusion defenses nor an application of New Jersey preclusion law (D.E. 154 Page 25 of 93)
UNREFUTED/UNANALYZED/ADMITTED

32. Defendant Heary's plea for an anti-suit injunction is frivolous and without factual/legal foundation, as he has admitted claiming conclusive/undisputed fact in the ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS, has failed in his previous injunctive efforts and fails to satisfy the necessary burden of proof/legal standard (D.E. 154 Page 30 of 93)
UNREFUTED/UNANALYZED/ADMITTED

33. Defendant Heary's argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motions failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul's evidence that there exists no factual/legal basis for an injunction (D.E. 154 Page 32 of 93) UNREFUTED/UNANALYZED/ADMITTED

34. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases (D.E. 155 Page 23 of 93) UNREFUTED/UNANALYZED/ADMITTED

35. Defendant AHS's injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.S.E. 158-1 Page 9 of 12) UNREFUTED/UNANALYZED/ADMITTED

36. Defendant Allstate's failed injunctive and quasi-injunctive pleas (D.E. 160 Page 6 of 13)
UNREFUTED/UNANALYZED/ADMITTED

37. Defendant Allstate's fact-free injunctive application either fails to satisfy the standards set forth in its own citations or cites to irrelevant cases (D.E. 160 Page 6 of 13)
UNREFUTED/UNANALYZED/ADMITTED

38. Defendant AHS's injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.E. 162 Page 9 of 11) UNREFUTED/UNANALYZED/ADMITTED

39. However, even if such a fraud had not been committed, the K11-1 opinion/order is irrelevant to K11-7, as the latter is factually/legally distinct from the former and is based on the facts of the "New York Scheme", the 'Kaul Kidnapping Scheme' and the securities fraud scheme ..." (D.E. 164 Page 2 of 16). UNREFUTED/UNANALYZED/ADMITTED.

B. Factual Background – “The amended complaint follows the pattern of Plaintiff Kaul’s earlier filings ... order/judgments adverse to Plaintiff Basch and other physicians, while entering order/judgments advantageous to Defendant Geico.” (D.E. 168 Page 4 to 7 of 20). The Court’s cursory delineation of the charges, although set under the heading of “**Factual Background**”, purposefully avoids an honest recitation of the unrefuted/admitted fact that Kaul/Basch have pled for each element of each charge. The Court’s failure to cite to any of the massive corpus of charge conclusive evidence within the three thousand, five hundred and thirty-three (3533) page case file, evidences his corrupted state-of-mind, and further underscores his commission of a ‘Fraud on the Court’. More specifically, however, this section is a transparent attempt to frame Kaul/Basch’s claims as non-compliant with federal pleading standards, as part of an effort to manufacture a claim insufficiency basis for dismissal. However, as with the knowingly false “**frivolous**” element of the Court’s opinion, this too is rendered null/void by the Defendants failure to rebut, and the Court’s failure to analyze/reject the pleading standard arguments asserted by Kaul/Basch. The arguments are at:

1. District judges within the United States District Court have rejected The Kaul Cases Defendants 12(b)(6)/Rule 8 defenses (D.E. 81 Page 7 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
2. Kaul’s plausibly pled RICO claims against Defendant Allstate satisfy federal pleading standards set forth in Rules 8/9 of the F.R.C.P. and Twombly/Iqbal and plead all requisite elements (D.E. 81 Page 11 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
3. Defendant Allstate has no defense against Kaul’s RICO claims (D.E. 81 Page 12 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
4. The Section 1983 Claim is legally sufficient and pleads the requisite elements (D.E. 81 Page 15 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
5. The Complaint provides Defendant Allstate fair notice of its alleged offenses and liabilities (D.E. 81 Page 16 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
6. The claim conclusive evidence within The Kaul Cases has been neither refuted nor found to be meritless by any judge within the United States District Court (D.E. 89 Page 10 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
7. There is no evidence within The Kaul Cases, that the claims are vexatious, harassing and or frivolous (D.E. 89 Page 12 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

- 8.** The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false (D.E. 89 Page 15 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 9.** The claims satisfy federal pleading standards, including Rule 8 (D.E. 89 Page 16 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 10.** The legal standards set forth in the cases cited by the Defendants are either inapplicable or satisfied by the claims (D.E. 89 Page 17 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 11.** Kaul has plausibly pled the existence of an association-in-fact RICO enterprise (D.E. 89 Page 18 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 12.** The RICO predicate acts are pled to the standards required at pleading (D.E. 89 Page 19 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 13.** Kaul has provided the Defendants fair notice of their liability pursuant to the Section 1983 claim (D.E. 89 Page 20 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 14.** The Defendants have submitted no evidence that Kaul's K11-7 claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts (D.E. 89 Page 20 Of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 15.** The Defendants motion for a permanent injunction is made in extremely "bad faith" as they, in collusion/conspiracy with The Kaul Cases Defendants, are simultaneously employing tactics of delay/fraud to obstruct Kaul's applications for state licensure and are knowingly perpetuating an "ongoing pattern of racketeering" and violation of Kaul's constitutional/human rights (D.E. 89 Page 21 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
- 16.** Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies Rule 9 (b) and the standards set forth in the cited cases and does provide fair notice (D.E. 105 Page 10 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
- 17.** Defendant GEICO has failed to specifically identify what facts, if any, are allegedly absent from Kaul's RICO claims (D.E. 105 Page 11 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
- 18.** Kaul's claims satisfy the RICO predicate act pleading standard set forth in the law cited by Defendants (D.E. 105 Page 12 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

19. SCOTUS case law regarding mail/wire fraud pleading standards equates to the statutory standards (D.E. 105 Page 13 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
20. The specificity of the mail/wire fraud claims pled against Defendant Geico in K11-7 provide an equivalent degree of fair notice as did those in K5 (D.E. 105 Page 13 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
21. The pleading standard of all ROCO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8 (D.E. 105 Page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
22. Kaul has plausibly pled the existence of an association-in-fact RICO enterprise (D.E. 105 Page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
23. Defendants association-in-fact pleading argument, is unsupported by all cited cases, none of which invalidate controlling Supreme Court law, legislative intent and or statute text (D.E. 105 Page 15 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
24. Kaul's claims satisfy the pleading standard established in Turkette (1981), validated in Boyle (2009) and relief upon in Penguin (2014) (D.E. 105 Page 16 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
25. The claims plausibly plead the "operation and management" element (D.E. 105 Page 16 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
26. RICO does not statutorily require the pleading of a nexus between the "pattern of racketeering" and the injury, independent of that caused by the RICO predicate acts (D.E. 105 Page 17 of 56).
27. Kaul's claims satisfy the "by reason of" the "pattern of racketeering" standard set forth in case law, as it relates to the "pattern-injury" nexus (D.E. 105 Page 19 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
28. Defendants "pattern of racketeering" is "ongoing", and thus the statute of limitations is constantly accruing (D.E. 105 Page 20 of 56) - UNREFUTED/UNANALYZED/ADMITTED. "The Oetken Scheme" an element of the "New York Scheme" is "ongoing" within the State of New York, and likely commenced in late 2021.

29. Kaul's pleading of the Section 1983 claim satisfies federal pleading standards and provides fair notice to Defendant (D.E. 105 Page 23 of 56) - UNREFUTED/UNANALYZED/ADMITTED.
30. Within K11-7, Kaul plausibly pleads and there exists evidence that Defendant ICE conspired with Defendants Christie/Allstate/TD/Geico to conceal the securities fraud crime (D.E. 106 Page 9 of 35) - UNREFUTED/UNANALYZED/ADMITTED.
31. Kaul's claims satisfy federal pleading standards and Defendant ICE has not proved otherwise (D.E. 106 Page 12 Of 35) - UNREFUTED/UNANALYZED/ADMITTED.
32. Kaul's claims satisfy the pleading standards set forth in cases cited by Defendant ICE (D.E. 106 Page 13 of 35) - UNREFUTED/UNANALYZED/ADMITTED.
33. Defendant ICE has submitted no proof or showing that any of the K11-76 claims do not contain a "short and plain statement of the claim" or are otherwise insufficient (D.E. 106 Page 17 of 35) - UNREFUTED/UNANALYZED/ADMITTED.
34. Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies the Rule 9 standard (D.E. 106 Page 20 of 35) - UNREFUTED/UNANALYZED/ADMITTED.
35. The Section 1983 claim provides fair notice to Defendant ICE of its 'state-actor' status and its violations of Kaul's constitutional rights (D.E. 106 Page 23 of 35).
36. The Section 1983 claim complies with the controlling legal standards of pleading (D.E. 106 page 24 of 35) - UNREFUTED/UNANALYZED/ADMITTED.
37. The K11-7 claims contain plausibly pled fact that satisfies the applicable legal standard regarding the non-conclusory nature of a claim (D.E. 106 Page 26 of 35).
38. The plausibility of Kaul's claims pertains to the uncontested fact that it received regulatory favors from Defendant Christie, in return for decimating Kaul's financial position. (D.E. 110 Page 9 of 63) - UNREFUTED/UNANALYZED/ADMITTED.
39. The K11-7 claims satisfy the statutory "by reason of" standard, as held in Holmes/Anza (D.E. 110 page 21 of 63) - UNREFUTED/UNANALYZED/ADMITTED.
40. The K11-7 claims plead plausible fact in support of the "participation" and "by reason of" elements of RICO (D.E. 110 Page 22 of 63) - UNREFUTED/UNANALYZED/ADMITTED.

41. Defendant TD's anti-suit injunction is without foundation, as it admitted to the undisputed fact on July 14, 2020 (D.E. 110 Page 24 of 63) - UNREFUTED/UNANALYZED/ADMITTED.
42. The Defendants' failure to factually satisfy the standards for vexatiousness/malice/abuse/frivolousness/harassment, as identified in the cited cases, is fatal to its frivolous injunctive plea (D.E. 136 Page 19 of 55) - UNREFUTED/UNANALYZED/ADMITTED.
43. Defendant AHS has submitted no proof, nor made any showing, to either disprove the K11-7 claims or show them to be implausible/conclusory and or non-compliant with all federal pleading standards (D.E. 138 Page 14 of 32) - UNREFUTED/UNANALYZED/ADMITTED.
44. Defendant Heary has submitted no evidence/facts/argument to prove or otherwise show that those submitted by Kaul do not satisfy federal pleading standards and actually assert a highly plausible case (D.E. 154 Page 20 of 93) - UNREFUTED/UNANALYZED/ADMITTED.
45. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases (D.E. 154 Page 22 of 93) - UNREFUTED/UNANALYZED/ADMITTED.
46. Defendant Heary has not proven/shown/disputed, nor could he, that the K11-7 claims in addition to the ADMISSIONS BY DEFENDANT HEARY OF UNDISPUTED FACTS provide "fair notice" of the facts/law on which the charges are brought, of the injuries caused and the relief sought and satisfy Rule 9 (D.E. 154 page 23 of 93) - UNREFUTED/UNANALYZED/ADMITTED.
47. Defendant Heary's plea for an anti-suit injunction is frivolous and without factual/legal foundation, as he has admitted to claiming conclusive/undisputed fact in the ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS, has failed in his previous injunctive efforts and fails to satisfy the necessary burden of proof/legal standards (D.E. 154 Page 30 of 93) - UNREFUTED/UNANALYZED/ADMITTED.
48. Defendant Heary's argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motion failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul's evidence that there exists no factual/legal basis for an injunction (D.E. 154 page 32 of 93) - UNREFUTED/UNANALYZED/ADMITTED.
49. Defendant AHS admissions of UNDISPUTED FACT material to K11-7 claim proof, have permanently deprived it of any factual or legal basis on which to seek injunctive relief (D.E. 162 Page 8 of 11) - UNREFUTED/UNANALYZED/ADMITTED.

50. Defendant AHS's injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.E. 162 Page 9 of 11) - UNREFUTED/UNANALYZED/ADMITTED.

The admittance of these fifty (50) arguments by the Defendants and the Court, renders null/void any component of the judge's opinion that pertains/relates to claim sufficiency and or pleading standard compliance.

II Legal Standard

"Federal Rule of Civil Procedure ... "Nonetheless a pro se complaint must state a plausible claim for relief." (D.E. 168 Page 8 to 9 of 20). It is obvious that the judge was either always a Defendant in disguise or became one at some point in the case, as in recognizing that plaintiff's Complaint/unrebutted arguments either satisfied every legal pleading standard submitted by the Defendants or that the Complaint/unrebutted arguments identified the correct standard, he has either inserted not previously submitted standards and or ignored their unrebutted arguments that establish the Complaint complies with all pleading standards. The citations in question and the relevant points of the record are:

A. F.R.C.P. 8(a)(2)/(d)(1) + Strunk v US House of Representatives, 68 F. App'x 233, 253 (2d Cir. 2003) – The relevant arguments are:

1. District judges within the United States District Court have rejected The Kaul Cases Defendants 12(b)(6)/Rule 8 defenses (D.E. 81 Page 7 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
2. Kaul's plausibly pled RICO claims against Defendant Allstate satisfy the federal pleading standards set forth in Rules 8/9 of the FRCP and Twombly/Iqbal and plead all requisite elements (D.E. 81 Page 11 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
3. The claims satisfy federal pleading standards, including Rule 8 (D.E. 89 Page 16 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
4. The legal standards set forth in the cases cited by the Defendants are either inapplicable or satisfied by the claims (D.E. 89 Page 17 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
5. The Defendant's amendment argument is false (D.E. 89 Page 18 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

6. The RICO predicate acts are pled to the standards required at pleading (D.E. 89 Page 19 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

7. The Defendants have submitted no evidence that Kaul's K11-7 claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts (D.E. 89 Page 20 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

8. The pleading standard of all RICO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8 (D.E. 105 page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

B. 12(b)(2) – The relevant arguments are:

1. All of the Defendants in K11-7 are subject to the jurisdiction of the SDNY, for one or many reasons, pursuant to an analysis under section 1391(b)(2)/Minimal Contacts/1404.

2. Defendant AHS has not denied that there exist any facts connecting it jurisdictionally to New York, nor that any facts pled within the case that connect it jurisdictionally to New York.

3. Defendant Heary's application of his cited legal standards to K11-7 jurisdiction/venue facts, actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue.

4. Defendant Heary is personally subject to jurisdiction in New York pursuant to N.Y.C.P.L. § 302(a)(2)(3), his "minimal contacts" with New York and a "reasonableness" analysis.

5. In the period from February 11, 2019, to June 20, 2019, Kaul filed a motion for Summary Judgment against Defendant Allstate, an opinion/order of dismissal was published to the court docket, but K1 remained pending in the district court, as The Third Circuit denied appellate jurisdiction.

6. All of the Defendants in K11-7 are subject to the jurisdiction of the SDNY, for one or many reasons, pursuant to an analysis under section 1391(b)(2)/Minimal Contacts/1404.

7. Defendant AHS has not denied that there exist any facts connecting it jurisdictionally to New York, nor that any facts pled within the case that connect it jurisdictionally to New York.

8. Defendant Heary's application of his cited legal standards to K11-7 jurisdiction/venue facts, actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue.

9. Defendant Heary is personally subject to jurisdiction in New York pursuant to N.Y.C.P.L. § 302(a)(2)(3), his “minimal contacts” with New York and a “reasonableness” analysis.

10. In the period from February 11, 2019, to June 20, 2019, Kaul filed a motion for Summary Judgment against Defendant Allstate, an opinion/order of dismissal was published to the court docket, but K1 remained pending in the district court, as The Third Circuit denied appellate jurisdiction.

C. 12(b)(3) – The relevant arguments are:

1. 28 U.S.C. §1391(b)(2) is the applicable law to venue determination in K11-7.

2. The facts find that venue is proper in the Southern District of New York.

3. The “TD Bank Loan Action” and its improper venue filing in Morris County Superior Court was a premeditated element of the overall scheme.

4. Defendants have failed to satisfy their venue/injunction related burden of proof, and have failed to disprove, pursuant to their cited standards, that venue is proper in New York and thus there exists no basis for injunction.

5. A section 1391(b)(2)/Minimal Contacts/1404 analysis of K11-7 finds venue is proper in the SDNY and that transfer is not warranted.

6. The Defendants have failed to disprove that the SDNY is the proper venue and failed to prove, or otherwise show that K11-7 should be dismissed with prejudice.

7. The Defendants have submitted no evidence/facts that disprove facts submitted by Kaul that venue is proper in the SDNY, and that K11-7 actually comports with the venue analysis standards identified in cases erroneously cited by Defendants in support of their argument to dismiss K11-7 with prejudice.

8. Defendant AHS has failed to satisfy its burden of proof to disprove Kaul’s proof that the SDNY is the proper venue, and that the DNJ is not the proper venue.

9. Defendant Heary’s application of his cited legal standards to K11-7 jurisdiction/venue facts, actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue.

10. The Fleur/Solar venue transfer standard is akin to the standards set forth in CPLR 511 /Coluck Inc. v SEM Sec. Sys. Inc 2019 NY Slip Op 06192 [175 AD3d 593]/Philogene v Fuller Auto Leasing, 167 AD2d 178 (1990)/Deas v Ahmed, 120 AD3d 750 (2nd Dep't 2014)/Jansen v Bernhang, 149 AD2d 468 (2nd Dep't 1989)/ Walsh v Mystic Tank Lines Corp. 51 AD 3d 908 (2008).

D. 12(b)(6) – The relevant arguments are:

- 1.** The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false.
- 2.** The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false.
- 3.** The RICO predicate acts are pled to the standards required at pleading.
- 4.** Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies federal pleading standards and provides fair notice.
- 5.** Kaul's claims satisfy the RICO predicate act pleading standard set forth in the law cited by Defendants.
- 6.** SCOTUS case law regarding mail/wire fraud pleading standards equate to the statutory standards.
- 7.** The pleading standard of all RICO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8.
- 8.** Defendants association-in-fact pleading argument, is unsupported by all cited cases, none of which invalidate controlling Supreme Court law, legislative intent and or statute text.
- 9.** Kaul's claims satisfy the pleading standard established in Turkette (1981), validated in Boyle (2009) and relied upon in Penguin (2014).
- 10.** RICO does not statutorily require the pleading of a nexus between the "pattern of racketeering" and the injury, independent of that caused by the RICO predicate acts.
- 11.** Kaul's pleading of the Section 1983 claim satisfies federal pleading standards and provides fair notice to Defendant.
- 12.** Kaul's claims satisfy federal pleading standards and Defendant ICE has not proved otherwise.

13. The Section 1983 claim complies with the controlling legal standards of pleading.

14. Defendant AHS has submitted no proof, nor made any showing, to either disprove the K11-7 claims or show them to be implausible/conclusory and or non-compliant with all federal pleading standards.

15. Defendant Heary has submitted no evidence/facts/argument to prove or otherwise show that those submitted by Kaul do not satisfy federal pleading standards and actually assert a highly plausible case.

16. Defendant Heary's argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motions failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul's evidence that there exists no factual/legal basis for an injunction.

E. Meadows v United States, Inc., 963 F.3d 240, 243 (2d Cir. 2020) – The relevant arguments are those referenced in section D above.

III. Discussion

Oetken's argument of analysis that he rendered while knowing his illegal conflicted/biased/prejudiced state-of-mind and corrupted affliction can be summed up as thus:

In support of his Rule 8(a)(2) argument, Oetken cites to: (i) O'Neil v. Ponzi, 394 Fed. App'x 795, 796 (2d Cir. 2010); (ii) Strunk, 68 Fed. App'x at 235 in support of his argument that because a section of the Amended Complaint details the insurance industry's 400-year plus "**pattern of racketeering**" in the commission of murder involving the slaving industry and the funding of Nazi death camps, as historical evidential context to their "**ongoing pattern of racketeering**" within the trillion-dollar American healthcare sector, THAT THEREFORE, the entire Amended Complaint fails to satisfy the Rule 8(a)(2) standard AND THEREFORE the Amended Complaint is dismissed with prejudice. This argument is false, as evidenced by a plain read of the Amended Complaint.

In support of his Personal Jurisdiction and Venue argument, Oetken cites to: (i) Sinochem Int'l Co. v. Malaysia Int'l Shipping Corp., 549 U.S. 422, 431 (2007); (ii) 28 U.S.C. § 1391(b)(1)(2); (iii) Atl. Marine Constr. Co. v. U.S. Dist. Court for W. Dist., of Tex., 571 U.S. 49, 56 (2013); (iv) Fisher v. Int'l Student Exch., Inc., 38 F. Supp. 3d 276, 284-85 (E.D.N.Y. 2014) (quoting Daniel v. Am. Bd. of Emergency Med., 428 F.3d 408, 432 (2d Cir. 2005)); (v) Daniel v. American Bd. of Emergency Medicine, 428 F.3d 408, 432-33 (2d Cir. 2005); (vi) AEI Life, LLC v. Lincoln Ben. Life Co., 305 F.R.D. 37, 43 (E.D.N.Y. 2015); (vii) 28 U.S.C. § 1406(a) in support of his argument that because

all of the pled facts/events and all of the parties are domiciled in New Jersey and have no personal/business contacts with New York, that the SDNY has no personal jurisdiction and is not the correct venue. This argument is false for the following reasons: (viii) Oetken retained the case from August 19, 2021, to September 12, 2022, and permitted the filing of three thousand five hundred and thirty-three (3533) pages of legal briefing/letters; (ix) All venue/jurisdiction arguments submitted by Plaintiffs remained UNREFUTED/UNANALYZED/ADMITTED and are as follows:

1. 28 U.S.C. §1391(b)(2) is the applicable law to venue determination in K11-7.
2. The facts find that venue is proper in the Southern District of New York.
3. The “TD Bank Loan Action” and its improper venue filing in Morris County Superior Court was a premeditated element of the overall scheme.
4. Defendants have failed to satisfy their venue/injunction related burden of proof, and have failed to disprove, pursuant to their cited standards, that venue is proper in New York and thus there exists no basis for injunction.
5. A section 1391(b)(2)/Minimal Contacts/1404 analysis of K11-7 finds venue is proper in the SDNY and that transfer is not warranted.
6. The Defendants have failed to disprove that the SDNY is the proper venue and failed to prove, or otherwise show that K11-7 should be dismissed with prejudice.
7. The Defendants have submitted no evidence/facts that disprove facts submitted by Kaul that venue is proper in the SDNY, and that K11-7 actually comports with the venue analysis standards identified in cases erroneously cited by Defendants in support of their argument to dismiss K11-7 with prejudice.
8. Defendant AHS has failed to satisfy its burden of proof to disprove Kaul’s proof that the SDNY is the proper venue, and that the DNJ is not the proper venue.
9. Defendant Heary’s application of his cited legal standards to K11-7 jurisdiction/venue facts, actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue.
10. The Fleur/Solar venue transfer standard is akin to the standards set forth in CPLR 511 /Coluck Inc. v SEM Sec. Sys. Inc 2019 NY Slip Op 06192 [175 AD3d 593]/Philogene v Fuller Auto Leasing, 167 AD2d 178 (1990)/Deas v Ahmed, 120 AD3d 750 (2nd Dep’t 2014)/Jansen v Bernhang, 149 AD2d 468 (2nd Dep’t 1989)/ Walsh v Mystic Tank Lines Corp. 51 AD 3d 908 (2008).

The cases cited by Oetken, although not referenced by the K11-7 Defendants, have the same standard as those within the Defendants arguments. The Defendants arguments were dismantled by Plaintiffs arguments and Defendants failure to contest Plaintiffs arguments caused them to become ADMITTED. Oetken's insertion of these previously uncited cases, further evidences his biased/prejudiced/corrupted state-of-mind.

In support of his "Merits" argument, more technically understood as claim sufficiency, Oetken, in addressing the SOX/RICO/Section 1983/UN Human Rights claims does cite to: (i) 15 U.S.C. § 7241; (ii) 15 U.S.C. § 7244(a)(2)(B); (iii) 18 U.S.C. § 1514A(b); (iv) Li v. Ali Baba Grp. Holding Ltd., No. 19-CV-11629, 2021 WL 4084574; (v) Cohen v. Viray, 622 F.3d 188, 194 (2d Cir. 2010); (vi) Cruz v. FXDirectDealer, LLC, 720 F.3d 115, 120 (2d Cir. 2013); (vii) First Capital Asset Mgmt. v. Satinwood, Inc., 385 F.3d 159, 173 (2d Cir. 2004); (viii) Boyle v. United States, 556 U.S. 938 (2009); (ix) Cont'l Petroleum Corp. v. Corp. Funding Partners, LLC, No. 11-CV-7801, 2012 WL 1231775, at *6 (S.D.N.Y. Apr. 11, 2012); (x) BWP Media USA Inc. v. Hollywood Fan Sites, LLC, 69 F. Supp. 3d 342, 360 (S.D.N.Y. 2014); (xi) First Capital, 385 F.3d at 174; (xii) McGugan v. Aldana-Bernier, 752 F.3d 224, 229 (2d Cir. 2014); (xiii) Desiderio v. Nat'l Ass'n of Sec. Dealer, Inc., 191 F.3d 198, 206 (2d Cir. 1999); (xiv) Ponticelli v. Zurich Am. Ins. Grp., 16 F. Supp. 2d 414, 426 (S.D.N.Y. 1998); (xv) United States v. Chatman, 351 F. App'x 740, 741 (3d Cir. 2009); (xvi) Safir v. U.S. Lines, Inc., 792 F.2d 19, 23 (2d Cir. 1986); (xvii) Eliahu v. Jewish Agency for Israel, 919 F.3d 709, 714 (2d Cir. 2019); (xviii) Schuster v. Charter Communs., Inc., No. 18-CV-1826, 2021 WL 1317370 (S.D.N.Y. Apr. 8, 2021); (xix) Edwards v. Barclays Servs. Corp., 19-CV-9326, 2020 WL 2087749 (S.D.N.Y. May 1, 2020); (xx) Lipko v. Christie, 94 F. App'x 12, 14 (2d Cir. 2004); (xxi) Bd. of Managers of 2900 Ocean Ave. Condo. v. Bronkovic, 83 F.3d 44, 45 (2d Cir. 1996); (xxii) Sassower, 833 F. Supp. 253, 270 (S.D.N.Y. 1993) (citing In re Martin-Trigona, 737 F.2d 1254, 1262 (2d Cir. 1984) in support of his argument that because ALL of Plaintiffs' claims are insufficient ab initio viz a viz the SOX claim and or plead insufficient fact to satisfy the cited legal standards, THAT THEREFORE, the Amended Complaint should be dismissed with prejudice, AND that because there no exists evidence/fact within K11-17 or any of The Kaul Cases and that discovery could never cause the emergence of such evidence/fact and moreover that such evidence/fact does not exist and regardless of the fact that in none of The Kaul Cases has Plaintiff Kaul been granted discovery [except December 16,2020 RULE 16 SCHEDULING ORDER in K5 in U.S.D.C.-DNJ-Camden Vicinage – Defendants had Chief Judge Freda Wolfson transfer case to Newark Vicinage to U.S.D.J. Vazquez who stayed Rule 16 ORDER] THAT THEREFORE Plaintiff Kaul should be permanently enjoined from seeking relief for the injuries caused to him/his family by The Kaul Cases Defendants decades-plus-long crimes and justice for those members of the public/their families injured by the same crimes, but who have suffered/suffer in silence.

This argument is false for the following reasons: (i) A plain read of the Amended Complaint/Exhibits proves the falsity of Oetken's argument; (ii) All claim sufficiency/injunctive related arguments submitted by Plaintiffs remained UNREFUTED/UNANALYZED/ADMITTED and are as follows:

1. Kaul's plausibly pled RICO claims against Defendant Allstate satisfy the federal pleading standards set forth in Rules 8/9 of the F.R.C.P. and Twombly/Iqbal and plead all requisite elements.
2. The Section 1983 Claim is legally sufficient and pleads the requisite elements.
3. Law of the Second Circuit holds that the Universal Declaration of Human Rights has legal effect in the United States District Court.
4. The claim conclusive evidence within The Kaul Cases has been neither refuted nor found to be meritless by any judge within the United States District Court.
5. Defendants motion for an anti-suit injunction is frivolous.
6. The Kaul Cases Defendants have failed in their prior injunctive and quasi-injunctive efforts.
7. K1 was unequivocally not dismissed.
8. There exists no evidence within The Kaul Cases, that the claims are vexatious, harassing and or frivolous.
9. The Defendants have failed to prove the lack of good faith and probable cause elements of vexatious litigation.
10. The Defendants false recitation and mischaracterization of procedure evidences the falsity of their "vexatious" argument and overall defense.
11. The United States District Court for the Southern District of New York did not find the K11-9 claims either failed to state a claim or be vexatious/harassing/frivolous.
12. The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false.
13. The claims satisfy federal pleading standards, including Rule 8.
The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false.
14. The legal standards set forth in the cases cited by the Defendants are either inapplicable or satisfied by the claims.
15. Kaul has plausibly pled the existence of an association-in-fact RICO enterprise.
16. The RICO predicate acts are pled to the standards required at pleading.

17. The Defendants have submitted no evidence that Kaul's K11-7 claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts.

18. The Defendants motion for a permanent injunction is made in extremely "bad faith" as they, in collusion/conspiracy with The Kaul Cases Defendants, are simultaneously employing tactics of delay/fraud to obstruct Kaul's applications for state licensure and are knowingly perpetuating an "ongoing pattern of racketeering" and violation of Kaul's constitutional/human rights.

19. Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies federal pleading standards and provides fair notice.

20. Defendant Geico knowingly violated SOX in filing false financial statements/accounts/tax returns that concealed its true liabilities from the global investment community/SEC.

21. The law provides Kaul a private cause of action.

22. Defendant Geico has failed to specifically identify what facts, if any, are allegedly absent from Kaul's RICO claims.

23. Kaul's claims satisfy the RICO predicate act pleading standard set forth in the law cited by Defendants.

24. SCOTUS case law regarding mail/wire fraud pleading standards equate to the statutory standards.

25. The specificity of the mail/wire fraud claims pled against Defendant Geico in K11-7 provide an equivalent degree of fair notice as did those in K5.

26. The pleading standard of all RICO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8.

27. Kaul has plausibly pled the existence of an association-in-fact RICO enterprise.

28. Defendants association-in-fact pleading argument, is unsupported by all cited cases, none of which invalidate controlling Supreme Court law, legislative intent and or statute text.

29. Kaul's claims satisfy the pleading standard established in Turkette (1981), validated in Boyle (2009) and relied upon in Penguin (2014).

30. The claims plausibly plead the "operation and management" element.

31. RICO does not statutorily require the pleading of a nexus between the “pattern of racketeering” and the injury, independent of that caused by the RICO predicate acts.
32. Kaul’s claims satisfy the “by reason of” the “pattern of racketeering” standard set forth in case law, as it relates to the “pattern-injury” nexus.
33. The Defendants “ongoing pattern of racketeering” (2008/2009 to present) has victimized, and continues to victimize Kaul, his family, his patients, the public’s right to honest services and the global equities market.
34. Kaul’s pleading of the Section 1983 claim satisfies federal pleading standards and provides fair notice to Defendant.
35. The K1 claims remained pending and unadjudicated, until voluntarily dismissed on September 14, 2021.
36. The Defendants “All Writs Act Injunction” argument is false and fails to satisfy the necessary legal standard.
37. None of cases cited by Defendant support its “All Writs Injunction” argument.
38. Within K11-7, Kaul plausibly pleads and there exists evidence that Defendant ICE conspired with Defendants Christie/Allstate/TD/Geico to conceal the securities fraud crime.
39. The law demands that any litigation in which the damages sought are in excess of ten percent (10%) of market capitalization be disclosed in quarterly/annual filings, and there is no evidence in The Kaul Cases record that the Defendants believed the cases would not have an “unfavorable impact on revenues or income”.
40. Kaul’s claims satisfy federal pleading standards and Defendant ICE has not proved otherwise.
41. Kaul’s claims satisfy the pleading standards set forth in cases cited by Defendant ICE.
42. Defendant ICE has provided no argument as to how amendment, if necessary, would be futile.
43. Defendant ICE has submitted no proof or showing that any of the K11-7 claims do not contain a “short and plain statement of the claim” or are otherwise factually insufficient.
44. Kaul’s pleading of the RICO predicate acts of mail/wire fraud satisfies the Rule 9 standard.
45. The Section 1983 claim provides fair notice to Defendant ICE of its ‘state-actor status’ and its violations of Kaul’s constitutional rights.

46. The Section 1983 claim complies with the controlling legal standards of pleading.
47. The K11-7 claims contain plausibly pled fact that satisfies the applicable legal standard regarding the non-conclusory nature of a claim.
48. The plausibility of Kaul's claims pertain to the uncontested fact that it received regulatory favors from Defendant Christie, in return for decimating Kaul's financial position.
49. K1 remained active on the district court docket, until it was dismissed pursuant to Rule 41(a)(2) on November 16, 2021.
50. SOX provides for a private cause of action.
51. SOX does not require administrative exhaustion, when the complainant is not an employee, but Kaul did exhaust his non-employee remedies in filing a complaint with the SEC.
52. Defendant TD's co-conspirator, Defendant Stolz did embezzle Kaul's \$45 million in accounts receivable.
53. The RICO predicate acts of mail/wire fraud are pled to the standard set forth in Rule and Twiqbal.
54. Kaul's bank fraud charge is plausibly pled.
55. The K11-7 claims satisfy the statutory "by reason of" standard, as held in Holmes/Anza.
56. The K11-7 claims plead plausible fact in support of the "participation" and "by reason of" elements of RICO.
57. The Defendants' failure to factually satisfy the standards for vexatiousness/malice/abuse/frivolousness/harassment, as identified in the cited cases, is fatal to their frivolous injunctive plea.
58. Defendant AHS has submitted no proof, nor made any showing, to either disprove the K11-7 claims or show them to be implausible/conclusory and or non-compliant with all federal pleading standards.
59. Defendant Heary has submitted no evidence/facts/argument to prove or otherwise show that those submitted by Kaul do not satisfy federal pleading standards and actually assert a highly plausible case.
60. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases.

61. Defendant Heary has not proven/shown/disputed, nor could he, that the K11-7 claims in addition to the ADMISSIONS BY DEFENDANT HEARY OF UNDISPUTED FACTS provide "fair notice" of the facts/law on which the charges are brought, of the injuries caused and the relief sought and satisfy Rule 9.

62. Defendant Heary's plea for an anti-suit injunction is frivolous and without factual/legal foundation, as he has admitted to claim conclusive/undisputed fact in the ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS, has failed in his previous injunctive efforts and fails to satisfy the necessary burden of proof/legal standards.

63. Defendant Heary's argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motions failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul's evidence that there exists no factual/legal basis for an injunction.

64. Defendant Allstate's admissions of UNDISPUTED FACT material to K11-7 claim proof, have permanently deprived it of any factual or legal basis on which to seek injunctive relief.

65. Defendant Allstate's failed injunctive and quasi-injunctive pleas.

66. Defendant Allstate's fact-free injunctive application either fails to satisfy the standards set forth in its own citations or cites to irrelevant cases.

67. Defendant AHS admissions of UNDISPUTED FACT material to K11-7 claim proof, have permanently deprived it of any factual or legal basis on which to seek injunctive relief.

68. Defendant AHS's injunctive plea fails because it is factually unsupported and based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute and a case that supports Kaul.

69. The admittance of these two hundred and twelve (212) arguments by the Defendants and the Court, renders null/void the judge's basis for his knowingly fraudulently dismissal with prejudice and injunction, that basis being the false proposition that K11-7 was identical/"substantially similar" to the prior cases.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M.D. RICHARD ARJUN KAUL, *et al.*,
Plaintiffs,

-v-

INTERCONTINENTAL EXCHANGE, *et*
al.,
Defendants.

21-CV-6992 (JPO)

OPINION AND ORDER

J. PAUL OETKEN, District Judge:

“This case is another chapter in a long saga of repetitive, frivolous lawsuits [*pro se* Plaintiff Richard Arjun] Kaul has brought against numerous defendants regarding revocation of his license to practice medicine.” *Kaul v. Fed’n of State Med. Boards*, 21-CV-57, 2021 WL 6550884, at *1 (N.D. Tex. Sept. 17, 2021), *report and recommendation adopted*, 21-CV-57, 2022 WL 171294 (N.D. Tex. Jan. 19, 2022). *Pro se* Plaintiffs Richard Arjun Kaul and David Basch sue various stock exchange holding companies (Defendant Intercontinental Exchange), banks and insurance companies (Defendants GEICO; TD Bank; Allstate Insurance Company), medical boards and medical officials (Defendants Federation State Medical Boards), New Jersey officials (Defendants Christopher J. Christie; Philip Murphy; Gurbir Grewal), health institutions and practitioners (Defendants Atlantic Health System; Robert Heary), law firms (Defendant Rivkin Radler), and lawyers (Defendants Max Gersenoff; Daniel Stolz).

The amended complaint can be understood to assert claims under the Sarbanes-Oxley Act (“SOX”), the Racketeer Influence Corrupt Organizations Act (“RICO”), Section 1983, and the United Nations Declaration of Human Rights. Various defendants move to dismiss the amended complaint for failure to contain a short and plain statement of claims; for lack of personal jurisdiction; for lack of venue; and for failure to state a claim. Several defendants request that

Plaintiff Kaul be barred from filing further lawsuits against them for alleged violations arising from these facts.

For the reasons that follow, this action is dismissed for pleading failures; for lack of venue; and for failure to state a claim. Given Plaintiff Kaul's history of filing repetitive and frivolous lawsuits, the action will not be transferred. The action is dismissed with prejudice. Plaintiff Kaul is barred from filing further lawsuits against these defendants for alleged violations arising out of this set of facts.

I. Background

A. Filing History

"In March 2014, the New Jersey State Board of Medical Examiners . . . revoked [Plaintiff Richard Arjun Kaul's] medical license." *Kaul v. Christie*, 372 F. Supp. 3d 206, 215 (D.N.J. 2019). It found that "his performance of spine surgeries on 11 patients without proper training and experience constituted gross and repeated malpractice, negligence, and incompetence." *Id.* Since then, Plaintiff Kaul has filed a series of lawsuits around the country. These lawsuits generally allege that "a network of politically connected neurosurgeons wanted to make an example of him," and so "with the assistance of a cabal of lawyers, hospitals, insurance companies and media figures, they importuned public officials to banish him from the practice of medicine in New Jersey." *Id.* No lawsuits have resulted in any relief for Kaul.

Over the past decade, Plaintiff Kaul has filed four substantially similar cases in the Southern District of New York. Each has been transferred to the District of New Jersey. *See, e.g., Kaul v. Christie*, 16-CV-1346 (S.D.N.Y. Apr. 19, 2016) (Sullivan, J.) (transferring action to D.N.J.); *Kaul v. Christie*, 18-CV-3131, 2018 WL 10038784 (S.D.N.Y. Apr. 11, 2018) (McMahon, J.) (transferring action to D.N.J.); *Kaul v. Schumer*, 19-CV-3046 (S.D.N.Y. May 29, 2019) (Stanton, J.) (transferring action to D.N.J.); *Kaul v. Murphy*, 21-CV-5293 (S.D.N.Y. June

21, 2021) (Briccetti, J.) (transferring action to D.N.J.). Plaintiff has filed a case in the Northern District of Georgia alleging that New Jersey officials targeted him. That case too was transferred to the District of New Jersey. *See Patel v. Crist*, No. 19-CV-739, 2019 WL 11583344, at *1 (N.D. Ga. Apr. 2, 2019) (Brown, J.). Plaintiff has filed two cases in the District of Columbia. One was dismissed in part and otherwise transferred to the District of New Jersey. *See Kaul v. Fed'n of State Med. Boards*, No. 19-CV-3050, 2020 WL 7042821, at *1 (D.D.C. Dec. 1, 2020) (Chutkan, J.); *Kaul v. Fed'n of State Med. Boards*, No. 19-CV-3050, 2021 WL 1209211, at *1 (D.D.C. Mar. 31, 2021) (Chutkan, J.). The other was dismissed *sua sponte*. *See Kaul v. Fed'n of State Med. Boards*, No. 20-CV-1612, 2021 WL 6549978, at *1 (D.D.C. Nov. 23, 2021) (Chutkan, J.) Plaintiff has filed a case in the District of Connecticut. It too was transferred to the District of New Jersey. *See Kaul v. Murphy*, No. 21-CV-439, 2021 WL 1601149, at *2 (D. Conn. Apr. 23, 2021) (Bryant, J.). Plaintiff has filed a case in the District of Massachusetts. It was dismissed for lack of venue and transfer was refused. *See Kaul v. Bos. Partners, Inc.*, No. 21-CV-10326, 2021 WL 3272216, at *1 (D. Mass. July 30, 2021). Plaintiff has filed a case in the Northern District of Texas. It was dismissed with prejudice. *See Kaul v. Fed'n of State Med. Boards*, 21-CV-57, 2021 WL 6550884, at *1 (N.D. Tex. Sept. 17, 2021) (Ray, Jr., J.), *report and recommendation adopted*, 21-CV-57, 2022 WL 171294 (N.D. Tex. Jan. 19, 2022). Plaintiff appears to have filed a complaint in the Northern District of Illinois as well. *See Compl., Kaul v. Allstate Ins. Co.*, No. 21-CV-736 (N.D. Ill. Feb. 5, 2021), ECF No. 1.

Plaintiff Kaul has never received any relief in these cases. District courts in the District of New Jersey have dismissed some. *See, e.g., Kaul v. Christie*, 16-CV-2364, 2019 WL 920815 (D.N.J. Feb. 22, 2019) (McNulty, J.) (granting motion to dismiss); *Kaul v. Christie*, 372 F. Supp. 3d 206 (D.N.J. Feb. 25, 2019) (McNulty, J.) (granting motion to dismiss); *Kaul v. Christie*, No.

16-CV-2364, 2019 WL 13176430, at *4 (D.N.J. July 29, 2019) (Martinotti, J.) (denying motion for reconsideration); *Patel v. Crist*, No. 19-CV-9232, 2020 WL 64618, at *1 (D.N.J. Jan. 7, 2020) (Vazquez, J.) (granting motion to dismiss); *Patel v. Crist*, No. 19-CV-8946, 2020 WL 64571, at *1 (D.N.J. Jan. 7, 2020) (Vazquez, J.) (granting motion to dismiss); *Patel v. Crist*, No. 19-CV-9232, 2020 WL 6156772, at *1 (D.N.J. Oct. 20, 2020) (granting motion to dismiss); *Patel v. Crist*, No. 19-CV-8946, 2020 WL 6156751, at *1 (D.N.J. Oct. 20, 2020) (granting motion to dismiss); *Kaul v. Murphy*, No. 21-CV-13063, 2021 WL 3663873, at *1 (D.N.J. July 9, 2021) (dismissing complaint *sua sponte*). Kaul has voluntarily dismissed others. *See, e.g., Kaul v. Christie*, No. 19-1651, 2019 WL 4733531, at *1 (3d Cir. June 20, 2019) (dismissing appeal without prejudice pursuant to Fed. R. App. P. 42(b)); *Kaul v. Stein*, No. 20-3522, 2021 WL 6197149, at *1 (3d Cir. Nov. 12, 2021) (dismissing appeal pursuant to Fed. R. App. P. 42(b)); (Dkt. No. 101 at 3-4.) But Kaul continues to file lawsuits in various jurisdictions.

B. Factual Background

The amended complaint follows the pattern of Plaintiff Kaul's earlier filings. The sprawling, largely indecipherable 432-page document references a purported kidnapping; a "Slaving-Nazi-COVID-Insurance Axis"; and other conspiracies. (*See* Dkt. No. 14 ("Am. Compl.") at 9.) It identifies six specifically. First, it alleges that the New York Stock Exchange, the Securities Exchange Commission, and State of New Jersey conspired to: "(i) hav[e] Kaul's medical license revoked; (ii) eradicat[e] all debt owed to Kaul by insurance carriers (approx. \$45 million); (iii) destroy[] Kaul's reputation; (iv) eliminat[e] any future financial liability to Kaul; (v) caus[e] Kaul to enter a state of poverty/homelessness; (vi) attempt[] to cause Kaul to be jailed/deported/killed; [and] (vii) intimidat[e] other minimally invasive spine surgeons into not performing minimally invasive spine surgery, in order to divert a greater percentage of the public's insurance premiums into corporate/executive compensation." (Am. Compl. ¶ 21.)

The second is that after “Kaul’s corporations” filed for bankruptcy, Defendants Allstate and GEICO conspired with the bankruptcy trustee, Defendant Daniel Stolz, “to accept bribes from Defendants Allstate/Geico in return for not pursuing the \$45 million owed to Kaul by Defendants Allstate/Geico and others within the insurance industry.” (Am. Compl. ¶¶ 73-74.)

The third is that Defendants converted “the legislative/executive/judicial branches of the State of New Jersey and the United States District Court” to an association-in fact enterprise. (Am. Compl. ¶ 94.) The enterprise was designed “to increase . . . economic/political power within the American legal/medical/business/political sectors of the industry, at the expense of Kaul . . . an non-neurosurgical minimally invasive spine surgeons,” and “to use the United States District Court to provide cover for the Defendants’ crimes.” (Am. Compl. ¶ 94.)

The fourth is that Defendants “convert[ed] the executive/legislative/judicial branches of the State of New Jersey, United States Bankruptcy Court and the United States [D]istrict Court into an association-in-fact racketeering enterprise.” (Am. Compl. ¶ 105.) The amended complaint alleges that Defendants Allstate and GEICO conspired with Defendant Federation of State Medical Boards “to globally disseminate information regarding Kaul’s elimination, in order to prevent him exposing their crimes.” (Am. Compl. ¶ 111.) It further alleges that Defendants Allstate and GEICO participated in a “bribery-based scheme of racketeering” to “commit corruption of judges within the United States District Court.” (Am. Compl. ¶¶ 112-114.)

The fifth is that Defendant Christie “conspire[d] with Defendants Murphy/Grewal/ Allstate/Geico to have Kaul kidnapped on May 28, 2021, by nine (9) armed individuals . . . who purported to be NJ state police.” (Am. Compl. ¶ 120.) The complaint alleges that Defendants Allstate and GEICO “funnel[led] bribes to Defendants Christie/Murphy/Grewal, as part of a quid pro scheme, in which Defendants Christie/Murphy/Grewal sold, without the public’s permission,

state power to Defendants Allstate/Geico, in furtherance of their efforts to eliminate Kaul, and prevent him from further exposing their crimes.” (Am. Compl. ¶ 134.)

The sixth is that Defendants conspired to “prevent Kaul from obtaining a physician license in the State of New York.” (Am. Compl. at 35.) The State of New York too was allegedly converted into a “racketeering enterprise.” (Am. Compl. at 36-37.) In short, Plaintiffs allege that Defendants initially conspired to revoke Kaul’s medical license and that Defendants have conspired to deny Kaul relief at every relevant proceeding since then. (*See* Am. Compl.)

For example, the amended complaint emphasizes that Plaintiff Kaul filed suit against Defendant GEICO, among others, in the Southern District of New York. (*See* Am. Compl. ¶ 14.) There, Plaintiff Kaul sought “\$28,000 trillion” in monetary damages. (*See* Am. Compl. ¶ 14.) Plaintiff Kaul alleges that Defendants did not disclose this liability “in SEC filings, Forms 10K/13K, and in the corporations’ accounts.” (Am. Compl. ¶ 14.) Instead, they “conspired with their lawyers and accounts to file knowingly false returns/accounts.” (Am. Compl. ¶ 15.) Finally, Plaintiff Kaul summarily alleges that Defendants “violate[d] and deprive[d] Kaul of his constitutional rights pursuant to the 1st/2nd/4th/5th/6th/8th/14th amendments . . .” and deprived him of “(i) his property; (ii) his right to due process; (iii) his right to freedom to freedom of speech; (iv) his right to an impartial tribunal; (v) his prosecutorial rights; (vi) his right to equal protection; [and] (vii) his liberty and a decade of his life.” (Am. Compl. ¶ 140.) And Plaintiff alleges that Defendants “abused the power of the American State to violate Kaul’s human rights as enshrined in the Universal Declaration of Human Rights.” (Am. Compl. ¶ 140.)

As relevant to Plaintiff Basch, the amended complaint alleges only that Defendant GEICO “in collusion and conspiracy with Defendants Rivkin Radler/Gersenoff,” committed “RICO predicate acts of bribery/public corruption, in funneling bribes to judges within the

District of New Jersey in a series of quid pro quo schemes, in which corrupted judges did enter order/judgements adverse to Plaintiff Basch and other physicians, while entering order/judgments advantageous to Defendant Geico.” (Am. Compl. ¶ 148.)

C. Procedural History

Plaintiffs filed this action on August 19, 2021. (*See* Dkt. No. 1 (“Compl.”).) The amended complaint can be understood to assert the following claims. First, the amended complaint asserts that Defendants violated reporting requirements under the Sarbanes-Oxley Act. *See* 15 U.S.C. § 7241; (Am. Compl. ¶¶ 14-20.). Second, it asserts that Defendants violated the Racketeer Influence Corrupt Organizations Act (“RICO”). *See* 18 U.S.C. § 1962(c); (Am. Compl. ¶¶ 21-135, pp. 35-37.) Third, it identifies constitutional violations and asserts a cause of action under 42 U.S.C. § 1983. (*See* Am. Compl. ¶ 140.) Fourth, it asserts a cause of action under the United Nations Declaration of Human Rights. (*See* Am. Compl. ¶ 140.)

Defendants move to dismiss. Several defendants move to dismiss the complaint under Federal Rule of Civil Procedure 8 for failure to contain a short and plain statement of claims. (*See* Dkt. No. 70 (“Federation Memo”) at 6-7; Dkt. No. 83 (“ICE Memo”) at 10-11; Dkt. No. 94 (“Allstate Merits Memo”) at 1, 13; Dkt. No. 145 (“Heary Memo”) at 10.) Other defendants move to dismiss the complaint under Rule 12(b)(2) for lack of personal jurisdiction. (*See* Dkt. No. 128 (“Atlantic Health Memo”) at 9; Dkt. No. 145 (“Heary Memo”) at 6-7.) Other defendants move to dismiss the complaint under Rule 12(b)(3) for lack of venue. (*See* Dkt. No. 83 (“ICE Memo”) at 16-19; Dkt. No. 92 (“Allstate Venue Memo”) at 1-21; Dkt. No. 118 (“Christie Memo”) at 2-13; Dkt. No. 128 (“Atlantic Health Memo”) at 9.) Still others move to dismiss the complaint under Rule 12(b)(6) for failure to state a claim. (*See, e.g.*, Dkt. No. 70 (“Federation Memo”) at 7-10; Dkt. No. 83 (“ICE Memo”) at 13-21; Dkt. No. 94 (“Allstate Merits Memo”) at 2-12; Dkt. No. 101 (“GEICO Memo”) at 10-24; Dkt. No. 97 (“TD Bank

Memo”) at 7-13; Dkt. No. 145 (“Heary Memo”) at 8-16.) Finally, several defendants have requested that an anti-filing injunction be issued against Plaintiff Kaul. (*See, e.g.*, Dkt. No. 70 (“Federation Memo”) at 10-13; Dkt. No. 97 (“TD Bank Memo”) at 13; Dkt. No. 101 (“GEICO Memo”) at 26-29; Dkt. No. 104 (“Allstate Injunction Memo”) at 1-3; Dkt. No. 118 (“Christie Memo”) at 13-17; Dkt. No. 150 (“Atlantic Health Injunction Memo”) at 1-5; Dkt. No. 145 (“Heary Memo”) at 16-19.)

II. Legal Standard

Federal Rule of Civil Procedure 8(a)(2) requires a plaintiff to make “a short and plain statement of the claim showing that the pleader is entitled to relief.” Rule 8(d)(1) further requires that “[e]ach allegation must be simple, concise, and direct.” “A complaint fails to comply with Rule 8(a)(2) if it is so confused, ambiguous, vague, or otherwise unintelligible that its true substance, if any, is well disguised.” *Strunk v. U.S. House of Representatives*, 68 F. App’x 233, 253 (2d Cir. 2003).

Rule 12(b)(2) permits a court to dismiss a defendant for “lack of personal jurisdiction.” A plaintiff “bears the burden of demonstrating personal jurisdiction over a person or entity against whom it seeks to bring suit.” *Penguin Gr. (USA) Inc. v. Am. Buddha*, 609 F.3d 30, 34 (2d Cir. 2010). The plaintiff is required to make only “a prima facie showing,” *Schultz v. Safra Nat’l Bank of New York*, 377 F. App’x 101, 102 (2d Cir. 2010), and such a showing “may be established solely by allegations” in good faith. *Aviles v. S&P Global, Inc.*, 380 F. Supp. 3d 221, 256 (S.D.N.Y. 2019). But those allegations must have “factual specificity”; conclusory statements do not suffice. *Jazini v. Nissan Motor Co.*, 148 F.3d 181, 185 (2d Cir. 1998).

Rule 12(b)(3) permits a court to dismiss a complaint for “improper venue.” Under 28 U.S.C. § 1391, a civil action may only be brought in “a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located”; “a judicial

district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated”; or “if there is no district in which an action may otherwise be brought . . . any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” In deciding venue, the Court “must draw all reasonable inferences and resolve all factual conflicts in favor of plaintiff.” *Pablo Star Ltd. v. Welsh Gov’t*, 170 F. Supp. 3d 597, 609 (S.D.N.Y. 2016).

Rule 12(b)(6) authorizes a district court to dismiss a complaint for “failure to state a claim upon which relief can be granted.” To survive a motion to dismiss for failure to state a claim, a complainant must state “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). A claim is plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). This means that a complaint is properly dismissed where “the allegations in a complaint, however true, could not raise a claim of entitlement to relief.” *Twombly*, 550 U.S. at 558. A complaint is also properly dismissed “where the well-pleaded facts do not permit the court to infer more than the mere possibility of misconduct.” *Iqbal*, 556 U.S. at 679.

Plaintiff is proceeding *pro se*. “It is well-established that the submissions of a *pro se* litigant must be construed liberally and interpreted to raise the strongest arguments that they suggest.” *Meadows v. United Servs., Inc.*, 963 F.3d 240, 243 (2d Cir. 2020). “Nonetheless, a *pro se* complaint must state a plausible claim for relief.” *Id.*

III. Discussion

The amended complaint is dismissed with prejudice. The pleading violates Rule 8(a)(2) because it fails to provide a plain statement of the claims at issue. The amended complaint fails to establish venue because all of the defendants are not residents of New York, and a substantial

part of the alleged violations do not arise in the Southern District of New York. In the alternative, the amended complaint fails to state a claim. Dismissal is appropriate rather than transfer. And Plaintiff Kaul is barred from filing new actions arising from these facts.

A. Rule 8(a)(2)

The pleading here totals 432 pages of single-space paragraphs and exhibits. (*See Am. Compl.*) As in Plaintiff Kaul's previous cases, the amended complaint "contains rambling quotes and excerpts from various sources, . . . spurious comparisons between the insurance industry, on the one hand, and Nazi Germany and slavery, on the other, . . . and difficult-to-follow references to Mr. Kaul's other pending litigation (and related documents." *Bos. Partners, Inc.*, 2021 WL 3272216, at *3. Such a pleading amounts to "a prolix and unintelligible 'conspiracy theory novel.'" *O'Neil v. Ponzi*, 394 Fed. App'x 795, 796 (2d Cir. 2010). It fails "to provide fair notice of the claims and enable the adverse party to answer the complaint and prepare for trial." *Strunk*, 68 Fed. App'x at 235. Accordingly, the amended complaint is dismissed on the ground that it fails to provide a short and plain statement of the claim under Rule 8.

B. Personal Jurisdiction and Venue

This action is also dismissed for lack of venue. Defendants Atlantic Health Systems and Robert Heary move to dismiss for lack of personal jurisdiction. (*See* Dkt. No. 128 ("Atlantic Health Memo") at 9; Dkt. No. 145 ("Heary Memo") at 6-7.) Defendants Intercontinental Exchange, Allstate, Chris Christie, and Atlantic Health Systems also move to dismiss for lack of venue. (*See* Dkt. No. 83 ("ICE Memo") at 16-19; Dkt. No. 92 ("Allstate Venue Memo") at 1-21; Dkt. No. 118 ("Christie Memo") at 2-13; Dkt. No. 128 ("Atlantic Health Memo") at 9. "[A] federal court has leeway to choose among threshold grounds for denying audience to a case on

the merits.” *Sinochem Int’l Co. v. Malaysia Int’l Shipping Corp.*, 549 U.S. 422, 431 (2007) (marks omitted). A dismissal for lack of venue is more appropriate here.

Plaintiffs have not met their burden to allege venue. To assess venue, a court “must determine whether the case falls within one of the three categories set out in [28 U.S.C.] § 1391(b).” *Atl. Marine Constr. Co. v. U.S. Dist. Court for W. Dist., of Tex.*, 571 U.S. 49, 56 (2013). Venue does not lie in the Southern District of New York under Section 1391(b)(1) because, as alleged, nearly all defendants reside outside of New York. (*See Am. Compl.* at 3.)

Venue does not lie in the Southern District of New York under Section 1391(b)(2) because “a substantial part of the events or omissions giving rise to the claim” did not occur in this district. 28 U.S.C. § 1391(b)(2). To apply this provision a district court must “(1) identify the nature of the claims and the acts or omissions that the plaintiff alleges give rise to those claims, and (2) determine whether a substantial part of those acts or omissions occurred in the district where the suit was filed.” *Fisher v. Int’l Student Exch., Inc.*, 38 F. Supp. 3d 276, 284-85 (E.D.N.Y. 2014) (quoting *Daniel v. Am. Bd. of Emergency Med.*, 428 F.3d 408, 432 (2d Cir. 2005)) (internal quotation marks omitted). The nature of the claims here, liberally construed, concern the revocation of Plaintiff Kaul’s license, his alleged targeting during subsequent proceedings, and Defendants’ alleged efforts to evade accountability. To support those allegations, the pleading identifies various proceedings; financial disclosures; bribery schemes; judicial orders; attempts to kidnap; and denials of license applications. (*See Am. Compl.*)

Almost all of those allegations concern events and omissions in New Jersey. The initial alleged conspiracy, for example, arises from the revocation of Plaintiff Kaul’s license. (*See Am. Compl.* ¶ 21.) Plaintiff Kaul was licensed to practice in New Jersey. (*See Am. Compl. Ex. 1.*) He performed his spine surgeries in New Jersey; his license was revoked by the New Jersey State

Board of Medical Examiners; and the administrative disciplinary proceedings were initiated by the Attorney General of New Jersey. *See Kaul v. Christie*, No. 16-CV-2364, 2019 WL 920815, at *5 (D.N.J. Feb. 22, 2019). The alleged kidnapping, for another, concerns actions undertaken by New Jersey officials such as Defendants Christie, Murphy, and Grewal. (*See Am. Compl.* ¶ 120.) The other counts follow the same pattern. Indeed, Plaintiffs list “The State of New Jersey” and “The District of New Jersey-Newark.” as alleged co-conspirators. (*See id.*)

Plaintiffs identify several potential contacts in New York City. All are conclusory. None are substantial. “Substantiality for venue purposes is a more qualitative than quantitative inquiry, determined by assessing the overall nature of the plaintiff’s claims and the nature of the specific events or omissions in the forum, and not by simply adding up the number of contacts.” *Daniel v. American Bd. of Emergency Medicine*, 428 F.3d 408, 432-33 (2d Cir. 2005). “[F]or venue to be proper, *significant* events or omissions *material* to the plaintiff’s claim must have occurred in the district in question, even if other material events occurred elsewhere. *AEI Life, LLC v. Lincoln Ben. Life Co.*, 305 F.R.D. 37, 43 (E.D.N.Y. 2015) (quotation omitted). Even had Plaintiffs alleged any factual basis to support his allegations concerning New York City, those contacts would be insubstantial in light of the nature of Plaintiffs’ claims — primarily, a series of RICO claims — and the reality that the allegations place those schemes primarily in New Jersey.

Further, any alleged contacts are insubstantial in light of Plaintiffs’ gamesmanship. “Mr. Kaul appears to be engaged in forum shopping.” *Bos. Partners, Inc.*, 2021 WL 3272216, at *2. “Apparently dissatisfied with the judges in the District of New Jersey, . . . he has initiated lawsuits, based on the same underlying factual contentions, against many of the defendants in this case (and others), in various federal district courts around the country.” *Id.* He “seems

prepared to file essentially the same suit in any federal district court other than in New Jersey until he succeeds.” *Id.* Such manufactured contacts are not a substantial part of the claims here.

If venue is not proper, “the case must be dismissed or transferred under [28 U.S.C.] § 1406(a).” *Atl. Marine Constr. Co.*, 571 U.S. at 56. Section 1406(a) provides that an improper district court “shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” Dismissal is appropriate here. Transfer would not be in the interests of justice. First, as already explained, Plaintiff Kaul appears to be forum-shopping. Second, “based on Mr. Kaul’s prior conduct, if the Court were to transfer the case to the District of New Jersey, Mr. Kaul would likely voluntarily dismiss the case (or abandon his prosecution of it) and then re-file elsewhere.” *Bos. Partners, Inc.*, 2021 WL 3272216, at *3. Third, as explained below, Plaintiffs “is unlikely to state a viable claim against any of the defendants even if the case were transferred.” *Id.* Fourth, “whatever impediment there may be to an adjudication on the merits is the result of Mr. Kaul’s own conduct.” *Id.* Accordingly, the action is dismissed. Plaintiff Kaul’s conduct warrants a dismissal with prejudice.

C. Merits

In the alternative, even if venue is proper, the amended complaint is dismissed for failure to state a claim. Each asserted claim is meritless.

1. Sarbanes-Oxley

Plaintiffs’ claim under the Sarbanes-Oxley Act is meritless. Plaintiffs allege that some Defendants violated various reporting requirements, *see, e.g.*, 15 U.S.C. § 7241, because they did not report Plaintiff Kaul’s claim for \$28,000 trillion in monetary damages in a prior case. (*See* Am. Compl. ¶ 14.) But Sarbanes-Oxley does not supply a private cause of action for Plaintiffs’ claim. Sarbanes-Oxley contains two express rights of action. One relates to insider trading, *see* 15 U.S.C. § 7244(a)(2)(B), and the other relates to whistleblowing, *see* 18 U.S.C. § 1514A(b).

Those rights of action “have nothing to do with the facts pleaded by [Plaintiffs,]” *Li v. Ali Baba Grp. Holding Ltd.*, No. 19-CV-11629, 2021 WL 4084574, at *4, and there is no basis to infer a private right to enforce the provisions identified by Plaintiffs, *see Cohen v. Viray*, 622 F.3d 188, 194 (2d Cir. 2010). Accordingly, Plaintiff’s Sarbanes-Oxley Act claim does not state a claim.

2. RICO

Plaintiffs’ RICO allegations are also meritless. To state a valid civil RICO claim, a plaintiff must plausibly allege that defendants “engaged in (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.” *Cruz v. FXDirectDealer, LLC*, 720 F.3d 115, 120 (2d Cir. 2013). Plaintiffs do not adequately allege the existence of a RICO enterprise. “[A] RICO enterprise is a group of persons associated together for a common purpose of engaging in a course of conduct, the existence of which is proven by evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit.” *First Capital Asset Mgmt. v. Satinwood, Inc.*, 385 F.3d 159, 173 (2d Cir. 2004). It requires “a purpose, relationships among those associated with the enterprise, and longevity sufficient to permit these associates to purpose the enterprise’s purpose.” *Boyle v. United States*, 556 U.S. 938 (2009). Accordingly, to allege an enterprise, a plaintiff must at least plead with specificity both “the nature of the defendants’ common interests and the mechanics of the alleged ongoing working relationship.” *Cont’l Petroleum Corp. v. Corp. Funding Partners, LLC*, No. 11-CV-7801, 2012 WL 1231775, at *6 (S.D.N.Y. Apr. 11, 2012). Plaintiffs have not done so. There is no explanation, for example, of the alleged “hierarchy, organization, and activities of the alleged association.” *BWP Media USA Inc. v. Hollywood Fan Sites, LLC*, 69 F. Supp. 3d 342, 360 (S.D.N.Y. 2014). Instead, Plaintiffs simply identify entities and alleged crimes. Such a “conclusory naming of a string of entities” does not suffice. *Id.*

Further, Plaintiffs at most identify predicate acts; they do not plausibly allege a “course of fraudulent or illegal conduct separate and distinct from the alleged predicate racketeering acts themselves—a requirement in this Circuit.” *First Capital*, 385 F.3d at 174. Accordingly, Plaintiffs’ RICO allegations do not state a claim.

3. Section 1983

Plaintiffs’ Section 1983 allegations are meritless as well. “To state a claim under § 1983, a plaintiff must allege that defendants violated plaintiff’s federal rights while acting under color of state law.” *McGugan v. Aldana-Bernier*, 752 F.3d 224, 229 (2d Cir. 2014). Most of the defendants here are not state actors. *See, e.g., Desiderio v. Nat’l Ass’n of Sec. Dealer, Inc.*, 191 F.3d 198, 206 (2d Cir. 1999) (finding the New York Stock Exchange not to be state actor); *Ponticelli v. Zurich Am. Ins. Grp.*, 16 F. Supp. 2d 414, 426 (S.D.N.Y. 1998) (finding private insurer not to be state actor). And, in any event, although Plaintiffs list various constitutional amendments and constitutional rights, they do not allege any factual basis from which to infer that these constitutional provisions have been violated. *See Iqbal*, 556 U.S. at 678.

4. UN Declaration of Human Rights

Lastly, Plaintiffs’ claim under the United Nation’s Declaration of Human Rights is meritless. Plaintiff alleges that Defendants “abused the power of the American State to violate Kaul’s human rights as enshrined in the Universal Declaration of Human Rights.” (Am. Comp. ¶ 140.) But “the Universal Declaration of Human Rights . . . provides no private rights of action.” *United States v. Chatman*, 351 F. App’x 740, 741 (3d Cir. 2009). Because any amendment would be futile, there is no reason to give Plaintiffs leave to amend.

D. Filing Injunction

Finally, the Court concludes that an anti-filing injunction for Plaintiff Kaul is appropriate. “That [a] district court possess[e]s the authority to enjoin [parties] from further vexatious

litigation is beyond peradventure.” *Safir v. U.S. Lines, Inc.*, 792 F.2d 19, 23 (2d Cir. 1986). To determine whether an anti-filing injunction is appropriate, a district court must consider: “(1) the litigant’s history of litigation and in particular whether it entailed vexatious, harassing or duplicative lawsuits; (2) the litigant’s motive in pursuing the litigation, e.g., does the litigant have an objective good faith expectation of prevailing?; (3) whether the litigant is represented by counsel; (4) whether the litigant has caused needless expense to other parties or has posed an unnecessary burden on the courts and their personnel; and (5) whether other sanctions would be adequate to protect the courts and other parties.” *Eliahu v. Jewish Agency for Israel*, 919 F.3d 709, 714 (2d Cir. 2019).

These factors favor issuing an anti-filing injunction. First, Plaintiff Kaul has an extensive history of duplicative lawsuits. Over the past decade, Plaintiff Kaul has filed at least twelve lawsuits outside the District of New Jersey. (*See, supra*, pp. 2-3.) Those lawsuits all concern the denial of his medical license in New Jersey as well as subsequent related proceedings. Courts have dismissed claims on preclusion grounds. *See, e.g., Kaul v. Fed’n of State Med. Boards*, 21-CV-57, 2021 WL 6550884, at *3 (N.D. Tex. Sept. 17, 2021) (Ray, Jr., J.), *report and recommendation adopted*, 21-CV-57, 2022 WL 171294 (N.D. Tex. Jan. 19, 2022). In those cases, Plaintiff Kaul has a history of being a vexatious and harassing litigant. *Cf. Kaul v. Murphy*, No. 21-CV-13063, 2021 WL 3663873, at *1 (D.N.J. July 9, 2021) (“Plaintiff has been a frequent, vexatious litigant before this Court.”). Plaintiff Kaul harasses officials to manufacture litigation. *See, e.g., Bos. Partners, Inc.*, 2021 WL 3272216, at *3 n.13 (“It appears that one of Mr. Kaul’s tactics is to send a letter to someone alerting them to the alleged conspiracy (or asking them to disclaim involvement) and then, if the recipient does not respond, concluding that they are a participant in the conspiracy.”); (Dkt. No. 71, Ex. 3.) (letter addressed to New

Hampshire licensing officials warning that their potential “misconduct would constitute a conspiracy involving the State of New Hampshire and would expose the state to legal liability”). Plaintiff Kaul harasses opposing parties during litigation. For example, in *Kaul v. Murphy*, 21-CV-9788, the district court ultimately ordered Kaul not to “communicat[e], or attempt[] to directly communicate, with any represented Defendants or their relatives, and from entering the property where any represented Defendant resides.” (Dkt. No. 71, Ex. B., 186.) And the Court has serious doubts about Plaintiff Kaul’s candor with the Court. For example, Plaintiff Kaul alleges that certain Defendants have “admitted to the RICO and Section 1983 claims,” citing an Exhibit 5 (*See Am. Compl. pp. 225-28*), but this document appears to be fabricated. (*See Dkt. No. 97 at 2-3, 14.*) These facts weigh heavily in favor of an injunction.

Second, Plaintiff Kaul has no objective expectation of prevailing. He has not prevailed in any of the twelve duplicative cases he has filed with the district courts around the United States. As explained above, and as other courts have found, the filings in these cases are “bizarre, far-fetched, and reliant on flawed premises.” *Bos. Partners, Inc.*, 2021 WL 3663873, at *3.

Third, although Plaintiff Kaul proceeds *pro se*, he is a sophisticated litigant. *Kaul v. Fed’n of State Med. Boards*, No. 19-CV-3050, 2020 WL 7042821, at *17 (D.D.C. Dec. 1, 2020) (“Although they are proceeding *pro se*, Plaintiffs are highly educated and experienced in utilizing the court system.”) Regardless, given the other factors, an injunction is appropriate for Plaintiff Kaul even though he proceeds *pro se*. *See, e.g., Schuster v. Charter Communs., Inc.*, No. 18-CV-1826, 2021 WL 1317370 (S.D.N.Y. Apr. 8, 2021) (issuing anti-filing injunction for *pro se* litigant); *Edwards v. Barclays Servs. Corp.*, 19-CV-9326, 2020 WL 2087749 (S.D.N.Y. May 1, 2020), *report and recommendation adopted*, No. 19-CV-9326, 2020 WL 3446870

(S.D.N.Y. June 24, 2020) (same); *see also Lipko v. Christie*, 94 F. App'x 12, 14 (2d Cir. 2004) (enjoining *pro se* litigant from filing appeals).

Fourth, Plaintiff Kaul has caused needless expense to other parties and needlessly burdened court personnel. For example, he regularly files documents that must be stricken. *See, e.g., Kaul v. Schumer*, 19-CV-13477, ECF No. 13 (filing purported “Request[s] for admission or denial of statements” directed to sitting United States District Court Judges”).

Fifth, lesser sanctions would not be adequate. For years, Plaintiff Kaul has filed cases in improper venues and then voluntarily dismissed them once they reach the District of New Jersey. *See Bos. Partners, Inc.*, 2021 WL 3272216, at *3. There is no reason to think that practice will abate. Further, Plaintiff has already ignored an anti-filing injunction that covers a defendant in this case. (*See* Dkt. No. 129-1 (“Stolz Declaration”) ¶ 5.) “Ultimately, the question the court must answer is whether a litigant who has a history of vexatious litigation is likely to continue to abuse the judicial process and harass other parties.” *Safir*, 792 F.2d at 24. Absent an injunction, it is likely that Kaul would continue here.

The filing injunction here must be “appropriately narrow.” *Bd. of Managers of 2900 Ocean Ave. Condo. v. Bronkovic*, 83 F.3d 44, 45 (2d Cir. 1996). Given Plaintiff Kaul’s history, he should be enjoined from filing lawsuits arising from the allegations here. Given Plaintiff Kaul’s litigation practices, he is enjoined from filing those lawsuits in any federal court. When a litigant has demonstrated “a pattern of abusing different district courts around the country, an injunction which applies to all federal district courts is warranted.” *Sassower*, 833 F. Supp. 253, 270 (S.D.N.Y. 1993) (citing *In re Martin-Trigona*, 737 F.2d 1254, 1262 (2d Cir. 1984)).

From the date of this Opinion and Order, Plaintiff Kaul is barred from filing in any United States district court any action, motion, petition, complaint, or request for relief against any of the Defendants named in this litigation that relates to or arises from (i) the denial of his medical license; (ii) subsequent litigation proceedings initiated by the Defendants here before the date of this Order; (iii) subsequent litigation proceedings initiated by Plaintiff Kaul before the date of this Order; without first obtaining leave from this Court. Any motion for leave must include the caption "Request for Permission to File under Filing Injunction" and must be submitted to the Pro Se Intake Unit of this Court along with Plaintiff Kaul's proposed filings.

If Plaintiff Kaul violates this Opinion and Order and files any materials without first obtaining leave to file, any request will be denied for failure to comply with this Opinion and Order, and Plaintiff Kaul may be subject to sanctions, including monetary penalties or contempt. *See Schuster*, 2021 WL 1317370, at *11. The Court clarifies that this filing injunction does not prevent Kaul from filing an appeal from this Opinion and Order.

IV. Conclusion

For the foregoing reasons, Defendants' motions to dismiss the complaint are GRANTED. The complaint is hereby dismissed for pleading failures under Rule 8(a)(2); for lack of venue; and for failure to state a claim.

Defendants' motions for an anti-filing injunction are also GRANTED as set forth above.

The Clerk of Court is directed to:

- (1) close the motions at Docket Numbers 69, 82, 91, 93, 95, 100, 103, 117, 126, 140, 144, and 149;
- (2) enter final judgment in favor of Defendants dismissing the complaint with prejudice;
- (3) mail a copy of this opinion and order to the *pro se* parties in this matter; and
- (4) close this case.

SO ORDERED.

Dated: September 12, 2022
New York, New York



J. PAUL OETKEN
United States District Judge

Kaul/Basch v ICE

21-CV-06992

K11-7

The Oetken Disqualification

By: Richard Arjun Kaul, MD
David B. Basch, MD

October 6, 2022

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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RICHARD ARJUN KAUL, MD

Case No. 21-CV-06992

Plaintiff

**AFFIDAVIT AND MOTION IN SUPPORT OF
APPLICATION FOR JUDICIAL
DISQUALIFICATION OF UNITED STATES
DISTRICT COURT JUDGE J. PAUL OETKEN
PURSUANT TO 28 U.S.C. § 144 AND
28 U.S.C. § 455**

v.

INTERCONTINENTAL EXCHANGE, ET AL

Defendants

We, the Propria Persona Plaintiffs, Richard Arjun Kaul, MD, and David B. Basch, MD, do hereby swear under oath and penalty of perjury that the facts, reasons, and statements submitted in support of this application are true and accurate to the best of my knowledge.

Dated: October 6, 2022



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

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- A. 455(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned – Page 14
- B. 455(b)(1) He shall also disqualify himself in the following circumstances: Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding – Page 18
- C. 28 U.S.C. § 455 (b)(4) He knows that he, individually or as a fiduciary, or his spouse has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding – Page 20
- D. 28 U.S.C. § 455 (e) Waiver of Disqualification – Page 21

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- E. 28 U.S.C. § 144 Whenever a party to a proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding. The affidavit shall state the facts and the reasons for the belief that bias, or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith. – Page 22
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Authorities

Cases:

Apple v. Jewish Hosp. & Med. Ctr., 829 F.2d 326, 333 (2d Cir. 1987)
Berger v. United States, 255 U.S. 22 (1921);
Diamondstone v. Macaluso, 148 F.3d 113, 121 (2d Cir. 1998);
Impeachment of G. Thomas Porteus, Jr., Judge of the United States District Court for the Eastern District of Louisiana, and H.Res. 1031, 111th Cong. 2d Sess (Mar. 11, 2010
Edgar v. K.L., 93 F.3d 256 (7th Cir. 1996);
Hook v McDade, 89 F.3d 350, 355 (7th Cir. 1996);
In re Allied-Signal Inc., 891 F.2d 967, 970 (1st Cir. 1989);
In Cheney v. United States District Court for the District of Columbia, 541 U.S. 913 (2004);
In re Drexel Burnham Lambert Inc., 861 F.2d 1307, 1313 (2d Cir. 1988);
In re Faulkner, 856 F.2d 716, 721 (5th Cir. 1988);
In re Kensington Int'l Ltd., 368 F.3d 289 (3d Cir. 2004)
In re Mason, 916 F.2d 384, 386 (7th Cir. 1990);
In re New Mexico Natural Gas Antitrust Litig., 620 F.2d 794, 796 (10th Cir. 1980);
In re Rodgers, 537 F.2d 1196 (4th Cir. 1976);
In re Sch. Asbestos Litig., 977 F.2d 764, 782 (3d Cir. 1992);
Liljeberg v. Health Servs. Acquisition Corp., 486 U.S. 847, 860 n.8 (1988);
Liteky v. United States, 510 U.S. 540, 553 (1994);
Patterson v. Mobile Oil Corp., 335 F.3d 476 (5th Cir. 2003);
Preston v. United States, 923 F.2d 731, 734-35 (9th Cir. 1991);
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United States v Alabama, 828 F.2d 1532 (11th Cir. 1987);
United States v Arena, 180 F.3d 380 (2d Cir. 1999);
United States v. Balistrieri, 779 F.2d 1191, 1202 (7th Cir. 1985);
United States v Bayless, 201 F.3d 116, 126 (2d Cir. 2000);
United States v. Bobo, 323 F. Supp. 2d 1238 (N.D. Ala. 2004);
United States v DeTemple, 162 F.3d 279, 286 (4th Cir. 1998)
United States v Microsoft, 56 F.3d 1448 (D.C. Cir. 1995);
United States v Murphy, 768 F.2d 1518 (7th Cir. 1985);
United States v. Toohey, 448 F.3d 542 (2d Cir. 2006);

Statutes:

28 U.S.C. § 455
28 U.S.C § 144

Relevant Facts

1. In September 2021, Kaul had several conversations with one of the nation's largest litigation funders, a corporation based in San Francisco, after K11-7 had been identified as a "strong and winnable case" by their algorithm, a piece of software that searches legal databases/court dockets across the country. This highly critical and discerning tool, in conducting an independent and purely objective assessment, did arrive at the aforementioned conclusion. The algorithm's conclusion is at complete odds with the purported opinion of Judge Oetken.

2. In 2011 Judge Oetken was appointed to the federal bench upon the recommendation US Senator Charles Schumer (D-NY), a person sued by Kaul on April 4, 2019 (Kaul v Schumer: 19-CV-13477) (K3), for having engaged in quid pro quo schemes with K1/K2 Defendants, in which he conspired with his brother-in-law, U.S.D.J. Kevin McNulty (DNJ) to unlawfully obstruct Kaul's prosecution of K1/K2, by entering knowingly fraudulent opinions and orders. Kaul nullified U.S.D.J. McNulty's February 22, 2019, order/opinion with the submission of 'The McNulty Analysis' on March 2019 (K1: D.E. 313-1), and on May 8, 2019, Kaul moved to disqualify USDJ McNulty (K1: 334) and on May 22, 2019, USDJ became disqualified (K1: D.E. 340).

3. Judge Oetken was assigned to K11-7 on August 19, 2021.

4. Upon assignment, Judge Oetken became aware that while a corporate lawyer, he had represented numerous members of the banking and insurance industry, many of whom, hold stock in Defendants ICE/Allstate/Geico/TD, and many in whom Judge Oetken currently holds stock, directly or indirectly.

5. However, Judge Oetken failed to either recuse himself or bring this matter to the attention of Kaul or the Court. One of the motives for his failure of disclosure/recusal, was to retain his power to dismiss the case, an act he calculated would increase the value of his investment portfolio.

6. On September 12, 2022, Judge Oetken entered an opinion/order that he knew did not truthfully reflect the law, the facts or evidence of the case, an opinion/order that he knew was false (D.E. 168). The knowing falsity of Judge Oetken's opinion/order evidence his biased/prejudicial state-of-mind against Kaul.

7. Judge Oetken conspired with agents of Senator Charles E. Schumer, to pervert the course of justice and prevent Kaul from presenting evidence to the public of crimes committed by The Kaul Cases Defendants, one of whom was Senator Schumer. These acts evidence Judge

Oetken's biased/prejudiced state-of-mind, and the exercise of this state-of-mind in order to pervert the course of justice.

8. Judge Oetken's participation in the scheme with Senator Schumer to pervert/obstruct the course of justice, was an act consistent with his bias/prejudicial state-of-mind and appearance of partiality against Kaul.

9. Judge Oetken's participation in the scheme, involved him in the commission of following acts, all of which evidence his bias/prejudicial state-of-mind: (i) obstruct Kaul's prosecution of the case; (ii) deny all of Kaul's motions; (v) dismiss with prejudice all of Kaul's claims; (vi) threaten to hold Kaul in contempt for asserting his right to due process. A "reasonable man" looking at such malfeasance/misconduct might say to himself, "the judge has been corrupted".

10. Judge Oetken's knowing and willful participation in the scheme to deceive Kaul by orchestrating a charade of due process, evidences his biased/prejudicial state-of-mind. It is this state-of-mind that has caused Judge Oetken to violate his legal oath to uphold the Constitution and remain loyal to the law. Judge Oetken's willful ignorance and derision ("**purported kidnapping**") D.E. 168 Page 4 of 20) of the crime committed against Kaul, can only emanate from a heart and mind that has been thoroughly corrupted by money. Where is the principle, integrity, or honor, or is it all just about money?

11. Judge Oetken's biased/prejudicial state-of-mind and conduct prohibit him from any further involvement in the case, a case in which he knowingly obstructed Kaul's efforts in gathering evidence, in the knowledge that it would permit the defendants and third-party witnesses to delete /destroy/spoil evidence.

12. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced in the fact that he willingly and knowingly participated in a scheme, in which there existed a corrupt intent to pervert the course of justice, and a scheme in which he did in fact pervert the course of justice, with the instrument of a federal court and its attendant authority.

13. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced in the fact that he willingly and knowingly used the US wires in furtherance of a scheme that he knew was illegal. A cause + consequence of his bias/prejudice was money. The defendants in their desperation to avoid economic/reputational obliteration, calculated that the legal risk of corrupting a federal judge/US Senator, was outweighed by the risk of losing the case. Their calculation, as with every other calculation they have made, was wrong. Obstruction of justice leads to lengthier jail terms, than does perjury + evidential falsification.

14. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew the purpose of the defendants' scheme was to cause him to obstruct Kaul's prosecution of K11-7, by denying his motions, denying him discovery, and dismissing with prejudice his federal-law claims. In essence, denying Kaul access to substantive justice and willfully and knowingly violating his constitutionally protected right to due process.

15. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he/agents, in collusion and conspiracy with the Defendants/agents, converted the United States District Court for the SDNY into a racketeering enterprise, the purpose of which was to profit from the case and obstruct Kaul's prosecution of the matter. Judge Oetken and the K11-7 Defendants/agents, participated in a series of multiple quid pro quo schemes with the defendants, in which the "quid" were bribes paid by defendants to Judge Oetken and the "quo" was the perversion/obstruction of the course of justice.

16. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew that by obstructing Kaul's prosecution of K11-7, he would prevent him from disclosing to the public evidence of the crimes committed by The Kaul Cases Defendants in administrative/state/bankruptcy/federal courts within the geographic boundaries of the State of New York, and crimes committed on the NYSE/SEC/global equities market and crimes committed within the administrative/judicial branches of the State of New York (2005/6-2022). Judge Oetken's aiding and abetting the Defendants' cover-up' of their crimes is consistent with his bias/prejudice against Kaul, which is partly a product of bribery.

17. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced by his involvement in this scheme and particularly by his knowledge that one of the scheme's goals, was an attempt to deceive Kaul into thinking that justice was being served. Judge Oetken played a central role in the perpetration of this charade of due process, an abuse and knowingly false use of the authority of the United States District Court for the SDNY.

18. Judge Oetken's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew the defendants had flagrantly violated Kaul's right to due process within administrative/state/bankruptcy/federal courts within the geographic boundaries of the State of New York, but yet on September 12, 2022, he dismissed K11-7 with prejudice, and threatened to hold Kaul in contempt if he exercised his right, and that of his children's right to life. Judge Oetken attempted to issue Kaul an effective death warrant, burden Kaul's children with the generational consequences of the Defendants crimes and suppress the truth, because he had received bribes. Kaul will employ the full force of domestic/international law to prevent this.

19. Based on a “reasonable man’s” observations of Judge Oetken’s lack of “appearance” of impartiality, as evidenced in his opinions/orders, Judge Oetken must be disqualified in order to maintain the public’s confidence in the judiciary.

20. Judge Oetken’s bias/prejudice/appearance of partiality against Kaul is found in his September 12, 2022, opinion/order, and other parts of the case file:

a. Ignoring the evidence: On September 12, 2022, Judge Oetken issued a twenty (20) page opinion (D.E. 168), in which he devoted several paragraphs to a recitation of knowingly false legal conclusions, that resulted in the issuance of an opinion on December 13, 2013, by K2 defendant and ex-administrative NJ law judge, Jay Howard Solomon, that caused the illegal revocation of Kaul’s NJ license. On January 17, 2018, Kaul submitted onto the K1 docket a document entitled ‘The Solomon Critique’ (K1: D.E. 225). It is the product of Kaul having cross-referenced almost twenty-seven thousand (27,000) lines of legal transcript, with the one hundred and five (105) page opinion of K2 defendant Solomon. Kaul did not come into possession of the entire transcript until September 2017. ‘The Solomon Critique’ proves with the state’s own evidence, that in a period from April 9, 2013, to December 13, 2013, K1/K2 Defendants, Gregory Przybylski, MD, + Andrew Kaufman, MD + Jay Howard Solomon, Esq, collectively committed two hundred and seventy-eight (278) separate instances of perjury + evidential omissions + misrepresentations + gross mischaracterizations in the administrative board proceedings that resulted in the illegal revocation of Kaul’s license on March 12, 2014. Further, on February 11, 2019, as Exhibit 18 of Kaul’s K1 motion for summary judgment against Defendant Allstate New Jersey Insurance Company, Kaul submitted a document entitled ‘The Solomon Critique 2’ (K1: D.E. 299-18 Page ID 7201 to D.E. 299-26 Page ID 8170). This document is a focused analysis on the testimony of Defendant Przybylski, the state’s ‘star expert’, upon whose fraudulent testimony Kaul’s license was illegally revoked. This document proves that in a period from April 9, 2013, to December 13, 2013, Defendant Przybylski in conjunction with K2 defendants Hafner + Solomon collectively committed two hundred and twenty-two (222) separate instances of perjury + evidential omissions + falsifications + misrepresentations. (K1: D.E. 299-18 Page ID 7203). In addition to the submission of this evidence, Kaul submitted further evidence in the form of affidavits and e-mails (K1: D.E. 299 Page ID 7044 to Page ID 7065) that, as detailed in his motion for summary judgment against Defendant Allstate New Jersey Insurance Company (K1: D.E. 299 Page ID 7017 to Page ID 8170), are conclusive of his claims and disprove the defendants’ defenses. Contained within this submission was an article entitled, ‘How Many Die from Medical Mistakes in US Hospitals?’. The answer is **440,000 annually**. Also contained within this submission is a document entitled ‘The Przybylski Disciplinary Notice’ (K1: D.E. 299-22 Page ID 7502 to Page ID 7505), which contains notice of an

official public disciplinary proceeding/finding against Defendant Przybylski by the American Association of Neurological Surgeons (AANS), on April 21, 2017, in which they concluded that Defendant Przybylski had provided knowingly false testimony in a medical malpractice case against another physician. The AANS stated: **"The Board of Directors also concluded that Dr. Przybylski violated Section A.4 by misrepresenting the standard of care when he testified that antibiotic treatment for six weeks after an esophageal tear closure, monitoring ESR and CRP and personal review of esophageal swallow studies are all required during treatment of a pharyngeal tear."** (K1: D.E.299-22 Page ID 7505). This conclusive/admitted evidence was submitted into K11-7, but there exists no reference, let alone analysis of this evidence in Judge Oetken's opinion. Neither is there cited any factual/legal basis to substantiate these absences.

b. Ignoring the evidence: On September 12, 2022, in response to Kaul's dissemination of NOTICES OF PRESERVATION to multiple Third-Party Witnesses, including ex-DNJ Chief Judge, Jose Linares, Judge Oetken hurriedly and in a 'knee-jerk' manner consistent with having been given an order by the defendants, entered an opinion/order (D.E. 168), that is factually and legally flawed, and is further evidence of both his bias/prejudicial state-of-mind and his "appearance" of partiality against Kaul. Judge Oetken's opinion, once again, contains a multi-paragraph recitation of knowingly false legal conclusions from the December 13, 2013, one hundred and five (105) page opinion of K2 Defendant Jay Howard Solomon. However, and as irrefutable evidence of his bias/prejudice/appearance of partiality against Kaul, he completely ignores the evidence submitted by Kaul in support of his motion for summary judgment against Defendant Allstate New Jersey Insurance Company (D.E. 5). Specifically, he ignores the evidence of 'The Solomon Critique' (D.E. 5 Page 53 of 131) + 'The Solomon Critique 2' (D.E. 5 page 117 of 131), evidence that unequivocally, irrefutably and undeniably prove that the administrative board proceedings (April 9, 2013 to December 13, 2013) were a massive fraud perpetrated by both state and private actors, who, under direction from Defendant Christie, converted the State of New Jersey and its agencies into racketeering enterprises, through which state and private actors conducted multiple patterns of racketeering, through the commission of the predicate acts of mail fraud/wire fraud/bribery/obstruction of justice/kickbacks/perjury. The common purpose of these schemes, as understood and facilitated by the defendants was to illegally revoke Kaul's license, and eradicate the debt of certain defendants, and eliminate the threat of competition that his practice posed. Judge Oetken's complete silence on Kaul's evidence is evidence of his biased/prejudicial/appearance of partiality against Kaul, which demands that he be disqualified from the case, and his orders become subject to vacatur. However, despite this 'mountain' of evidence, Judge Oetken, consistent with his bias/prejudice/appearance or partiality, failed to analyze/reference the evidence submitted by Kaul that proved that the administrative board proceedings were a massive fraud. In fact, Judge Oetken, in attempting to manufacture a foundation for his knowingly false opinion, used the record of the United States District Court to not only ignore the evidence, but to propagate the

falsehood that the ADMISSIONS OF UNDISPUTED FACT admitted in K1 were “fabricated” (D.E. 5 Page 17 of 20). Judge Oetken knew and knows that the evidence proves that the K11-7 claims are valid and merit-full, and his characterization of them as “frivolous” evidences his bias/prejudice/appearance of partiality against Kaul and provides further evidence as to why Judge Oetken must be disqualified from the case, and his orders be nullified.

c. The pattern of judicial misconduct + ‘The McNulty Analysis’: In K1, Kaul filed a document on March 18, 2019, entitled ‘The McNulty Analysis’ (K1: D.E. 313 Page ID 8384 to Page ID 8448) in response to Judge McNulty’s opinions/orders (D.E. 300 + 301 + 303 + 304). The document details the facts of why Judge McNulty was conflicted/biased/prejudiced against Kaul (K1: D.E. 313-1 Page ID 8386 + Page ID 8399 + Page ID 8403 + Page ID 8432 + Page ID 8436 + Page ID 8447). The evidence within this document, almost exactly reflects that admitted to by Judge Oetken, and is evidence that caused the disqualification of Judge McNulty (K1: D.E. 340) on May 22, 2019. Thus, pursuant to sections 455 /144 of the United States Code, Judge Oetken must likewise be disqualified and vacatur implemented. To permit any further involvement in this case by Judge Oetken, would constitute a grave miscarriage of justice, would be contrary to the interests of justice, would be violative of every legal oath to which Judge Oetken has sworn, and would constitute a continuance of the violation of Kaul’s constitutionally protected right to due process, a violation that commenced on April 2012 with K2 defendant, NJBME, and is ongoing in September 2022.

21. On September 13, 2022, Judge Oetken was served, pursuant to the Courthouse Ethics and Transparency Act, with a demand for amongst other things, his financial holdings, and a list of all ex parte communications between himself/agents and the Defendants/agents regarding any aspect of K11-7 and or future promises of any tangible or non-tangible favors (**Exhibit 1**). As of October 7, 2022, Judge Oetken has failed to comply with his legally mandated judicial duties.

22. The non-production, and thus the consequent admittance of evidence of financial conflicts of interest and improper ex parte communications, substantiate not only a finding of bias/impartiality, but a conclusive nullity of the knowingly fraudulent opinion/order of September 12, 2022 (D.E. 168).

23. These facts explain with completeness and without any reasonable question, the fraudulent nature and form of the September 12, 2022, opinion/order, for Judge Oetken’s opinion, while resonating with a tone of hurried desperation, is replete with errors of logic/fact/law, and fails, intentionally no doubt, to reflect the enormous body of highly incriminating evidence. Judge Oetken fails, as did the Defendants, to address/analyze/refute/contest any of Kaul’s approximately one hundred and seventy-three (173) arguments/sub-arguments, the Defendants non-refutation/the Court’s non-analysis of

which has caused them to become admitted. One example, of which there are hundreds, is Judge Oetken's knowingly fraudulent finding that corporate Defendant TD's admission of fact in K1 is allegedly "fabricated" (D.E. 168 Page 17 of 20). Judge Oetken cites to Defendant TD's equally fraudulent submission in their motion to dismiss/injunctive plea (D.E. 97 at 2-3/14) to further his fraud, while willfully ignoring argument/evidence submitted by Kaul that proves Defendant TD lied, that argument being: **"Counsel for Defendant TD was electronically served with an "ADMISSIONS BY DEFENDANT TD NA OF UNDISPUTED FACTS" on July 7, 2020, and did on July 14, 2020 admit to the facts."** (D.E. 110 Page 12 of 63), and the evidence being the email/attached admissions received by Defendant TD in K1 on July 7, 2020 (D.E. 110 Page 28-31 of 63), which states, amongst other things: **"If, by July Fourteenth Two Thousand and Twenty, you fail to contest the Unrefuted Fact, then these facts will remain admitted, and will be submitted in support of the motions for Summary Judgment."** Further evidencing the willful legal error/bias/partiality of Judge Oetken's is the fact that the judge in K1, the case in which the facts were admitted, did not find that the admissions were fabricated.

24. Further evidence of Judge Oetken's illegal participation in schemes of bribery and judicial corruption is found in a comparison of the initial segments of his opinion, with the evidence/facts/arguments within the case file (Exhibit 2). The blatant absence of analysis of any of Kaul's arguments/sub-arguments can only be explained/understood in the context of these schemes. If Judge Oetken had not been bribed, his opinion would honestly reflect the record, but it does not.

25. Judge Oetken's threat to hold Kaul in contempt of court if he exercises his inalienable right to due process/life/justice, by relying on law that he knows does not and never could support such a violation of human rights, constitutes further evidence of his having converted the court into a **"racketeering enterprise"**. Judge Oetken continues to knowingly violate the Courthouse Ethics and Transparency Act, a violation that places under retroactive scrutiny his entire legal/judicial practice.

Legal Argument

Preface

~~26. Democracy and the peaceful order of society, cease to exist when the judiciary is morally~~
bent, perverted from fact and willfully blind to the law. When partiality, personal bias and or conflicts of interest pollute the administration of justice, the public loses confidence in the system of justice, and lawlessness displaces lawfulness. When the public lose faith in their judges, they lose faith in the law. Central to this understanding of societal order is the concept of judicial impartiality, a function of democracy in which a judge has no commercial/political/personal interest in a case, other than to ensure that justice is served with dispassion and a certain disinterestedness. The impartial disinterested judge must not only “do justice” but must “appear” to do so. The judiciary is rightly held to exacting standards, and sections 455 and 144 of the United States Code, in conjunction with the Code of Conduct for United States Judges are constructed to ensure that any deviations from these standards are rectified in favor of evidence of judicial misconduct. The law recognizes that judges, more than any other sector of society, know the rules, and know how to skirt those rules for self-serving ends, and thus the law demands that judges be their own and most vehement critics. This honest state-of-mind is reflected in the actions of a judge who stands accused of bias/partiality/appearance of partiality. This judge will, without question, step aside, for he has no special interest in the case, and will not want to compromise the public’s faith in the system of justice. The dishonest or conflicted judge will fight and or obstruct any credible, evidentially supported application for disqualification, for this judge is interested in the case, is interested in its outcome, but yet knows that his continuance in the case will cause its corruption and diminish the public’s faith in the integrity of the judiciary. Dishonest judges undermine the principles of democracy, and if unchecked, they will continue to use their benches and judicial power for self-serving reasons, contrary to the peaceful order of society. When a question arises about a judge’s impartiality, the law, and the public demand that the judge remove himself from the proceedings, in order to protect the due process rights of litigants.

27. Kaul brings this application on 28 U.S.C. § 455 and 28 U.S.C. § 144, seeking to ensure his right to impartial justice.

28 U.S.C. § 455 states:

- (a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
- (b) He shall also disqualify himself in the following circumstances:

-
- (1) Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.
 - (2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it.
 - (3) Where he has served in governmental employment and in such capacity as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy.
 - (4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.
 - (5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
 - (i) Is a party to the proceeding, or an officer, director, or trustee of a party.
 - (ii) Is acting as a lawyer in the proceeding.
 - (iii) Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding
 - (iv) Is to the judge's knowledge likely to be a material witness in the proceeding.
- (c) A judge should inform himself about his personal and fiduciary financial interests, and make reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household
- (d) For the purposes of this section the following words or phrases shall have the meaning indicated:
- (1) "proceeding" includes pretrial, trial, appellate review, or other stages of litigation.
 - (2) the degree of relationship is calculated according to the civil law system.
 - (3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian.
 - (4) "Financial Interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:
 - (i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund.
 - (ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization.

(iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest.

(iv) Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate judge, or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

A. 455(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned:

28. The facts, as asserted above, and as viewed from and through the perspective of a "reasonable man" do say, that the impartiality of Judge Oetken "might reasonably be questioned". The law in support of this proposition, is as follows:

a. Liteky v. United States, 510 U.S. 540, 553 (1994): The exacting standards to which the federal judiciary are held reflect its desire to maintain the public's confidence in its integrity and impartiality. If a judge's impartiality "might reasonably be questioned" then it is proper for him to be disqualified. The Liteky Court, in rejecting the petitioner's argument that sought to have the Court interpret the district judge's "appearance" of impartiality in the context of the "extrajudicial source" doctrine, established that an "appearance" of impartiality, without more, was a sufficient basis for disqualification: "Partiality" does not refer to all favoritism, but only to such as is, for some reason, wrongful or inappropriate. Impartiality is not gullibility. Moreover, even if the pejorative connotation of "partiality" were enough to import the

"extrajudicial source" doctrine into § 455(a), the "reasonableness" limitation (recusal is required only if the judge's impartiality "might reasonably be questioned") would have the same effect. To demand the sort of "child-like innocence" that elimination of the "extrajudicial source" limitation would require is not reasonable." at 552. The Liteky Court then went on to describe intra-judicial sources of evidence that prove the judge's partiality against a particular party: "Judicial remarks ... support a bias or partiality challenge ... will do so if they reveal such a high degree of favoritism or antagonism as to make fair judgment impossible." at 555. Judge Oetken's denial of all of Kaul's motions, his slanderous opinion of dismissal and his failure to adhere to his statutory obligation to disclose his financial holdings/ex parte communications, evidence "such a high degree favoritism or antagonism as to make fair judgment impossible." The Liteky standard requires disqualification.

b. United States v Bayless, 201 F.3d 116, 126 (2d Cir. 2000): "We have stated the standard for recusal under § 455(a) as follows: [A] court of appeals must ask the following question: Would a reasonable person, knowing all the facts, conclude that the trial judges' impartiality could reasonably be questioned? Or phrased differently, would an objective, disinterested observer fully informed of the underlying facts, entertain significant doubt that justice would be done absent recusal." at 126. If the above stated facts were 'plugged' into the mind of a "reasonable man", then he would "entertain significant doubt that justice would be done absent recusal," and thus as a truly "disinterested" party, the "reasonable man" would demand the disqualification of Judge Oetken, the vacatur of his September 12, 2022 order and would likely state words to the effect that this case is not a "close case".

c. United States v DeTemple, 162 F.3d 279, 286 (4th Cir. 1998): It is the combination of the mind of the "reasonable man" and the facts that determine a disqualification: "... a reasonable observer is not a person unduly suspicious or concerned about a trivial risk that a judge may be biased. There is always some risk of bias; to constitute grounds for disqualification, the probability that a judge will decide a case on a basis other than the merits must be more than "trivial." In the Matter of Mason, 916 F.2d 384, 386 (7th Cir. 1990)." at 287. Judge Oetken has proven that his adjudication of this case is not based on the merits. He, as with all of the defendants, has failed to address/rebut/refute/contest the 'mountain' of evidence that proves Kaul's claims and dismantles the defendants' defenses. This aversion/avoidance of the truth is substantial and quite sinister, is not "trivial", and thus Judge Oetken must be disqualified.

d. In re Mason, 916 F.2d 384, 386 (7th Cir. 1990): The importance of the objective standard of the mind of the "reasonable man" is that a judge cannot judge himself. An honest judge has no interest or motivation to sit in any case, for his sole purpose is to serve justice, and that requires no specific attachment to any case. On the contrary, a dishonest judge will use the power of his bench to serve his own economic/political/personal interests, and is more inclined, not because of concerns as to reputation, to refuse to disqualify himself. The law recognizes these factors, which is why it does not, for a finding of an "appearance" of partiality, require proof of "actual" partiality: "Yet drawing all inferences favorable to the honesty and character of the judge whose conduct has been questioned, could collapse the appearance of impropriety standard under § 455(a) into a demand for proof of actual impropriety." at 386.

Kaul, however, has submitted fact in support of both the “appearance” and “actual” standards, and thus the law demands that Judge Oetken be disqualified and vacatur implemented.

e. In re Allied-Signal Inc., 891 F.2d 967, 970 (1st Cir. 1989): The “reasonable man” in this case, is not permitted under the law to be arbitrary, but is in fact a “thoughtful” and “well-informed” individual. See Mason 916 F.2d at 386. See also Jordan, 49 F.3d at 156; O’Regan, 246 F.3d at 988. The standard of his consideration is that: “[W]hen considering disqualification, the district court is not to use the standard of “Cesar’s wife,” the standard of mere suspicion. That is because the disqualification decision must reflect not only the need to secure public confidence through proceedings that appear impartial, but also the need to prevent parties from too easily obtaining the disqualification of a judge, thereby potentially manipulating the system for strategic reasons, perhaps to obtain a judge more to their liking.” at 970. The “reasonable man”, in this case, will ask himself why Judge Oetken denied every motion filed by Kaul. He will ask himself why Judge Oetken did not appear once on the bench in front of Kaul. He will ask himself why Judge Oetken did not disqualify himself upon coming to know that as a lawyer he had represented banking/insurance corporations. He will ask himself why Judge Oetken denied all of Kaul’s motions for summary judgment. The “reasonable man” would conclude that Judge Oetken is partial/biased/prejudiced against Kaul, that he must be disqualified.

f. Diamondstone v. Macaluso, 148 F.3d 113, 121 (2d Cir. 1998): The law requires that the facts upon which a disqualification application is submitted, are ones that a “reasonable man” would not consider “trivial”: The Diamondstone Court held that “A disinterested observer could not reasonably question Judge Murtha’s impartiality based upon his alleged failure to return the plaintiff’s greetings.” at 121. There can be no question that failing to return a greeting is indeed trivial, a fact that stands in stark contrast to those asserted above, in which Judge Oetken has proved both his “appearance” of partiality against Kaul, and his “actual” bias/prejudice. The facts in Diamondstone are the ‘polar opposite’ of those in this case, the facts of which would cause a “reasonable man” to conclude that Judge Oetken must be disqualified.

g. In re Drexel Burnham Lambert Inc., 861 F.2d 1307, 1313 (2d Cir. 1988): The judicial disqualification process is a consequence of, and founded on, an analysis of the facts within the record: “... whether a judge should be disqualified requires a careful examination of those relevant facts and circumstances to determine whether the charges reasonably bring into question a judge’s impartiality.” at 1309. The admitted/record facts in this case would prove in the mind of a “reasonable man” that Judge Oetken has both the “appearance” of impartiality and is “actually” biased/prejudiced, and thus must be disqualified.

h. In Cheney v. United States District Court for the District of Columbia, 541 U.S. 913 (2004): On April 4, 2019, Kaul filed suit in the United States District Court for the Southern District of New York against Senator Charles Schumer + Allstate Insurance Company + GEICO + TD Bank, NA + Gibbons, PC + Gannett Co., Inc (Kaul v Schumer: 19-CV-3046). Judge Oetken was sponsored to the bench by Senator Schumer, the conflict of interest which thus requires Judge Oetken be disqualified: “[W]hile friendship is a ground for recusal of Justice where the personal fortune

or the personal freedom of the friend is at issue, it has traditionally *not* been a ground for recusal where *official action* is at issue, no matter how important the official action was to the ambitions or the reputation of the Government officer." at 916.

i. United States v. Microsoft, 56 F.3d 1448 (D.C. Cir. 1995): Judge Oetken has admitted to conducting multiple ex parte communications with the defendants, which would cause the mind of a "reasonable man" to conclude that Judge Oetken is partial against Kaul, otherwise why would he have conducted meetings about the case with other defendants in secrecy: "The combined effect of the foregoing [ex parte communications] is to cause a reasonable observer to question whether Judge Sporkin "would have difficulty putting his previous views and findings aside" at 1465. The Court assigned the case to a different judge. Judge Oetken must be disqualified, and his September 12, 2022, order vacated.

The facts, as asserted above, do leave Judge Oetken without any option but to become disqualified. This case is not a close one, and the law, in balancing a judge's "duty to sit" versus his or her duty to disqualify, finds that if there reasonably exists, a question of partiality, then the duty to disqualify prevails. The law in support of this proposition, is as follows:

j. Republic of Pan. V. Am. Tobacco Co., 217 F.3d 343, 347 (5th Cir. 2000): The calculation of whether a "reasonable man", well informed of the facts and circumstances of the disqualification application, is a calculation based on as objective an analysis of the facts that one would imagine achievable by the mind of the "reasonable man": "In order to determine whether a court's impartiality is reasonably in question, the objective inquiry is whether a well-informed, thoughtful and objective observer would question the court's impartiality." Trust Co. v. N.N.P., 104 F.3d 1478, 1491 (5th Cir. 1997) (citing United States v Jordan, 49 F.3d 152, 155-58 (5th Cir. 1995)). The review of a recusal order under § 455(a) is "extremely fact intensive and fact bound," thus close recitation of the factual basis for the appellants recusal motion is necessary" at 346. Judge Oetken's admissions of financial conflicts of interest/ex parte communications, his blanket denials of Kaul's motions and requests for discovery, his failure to address Kaul's 'mountain' of conclusive evidence are facts, that if plugged into the mind of a "reasonable man" would cause that man to conclude that Judge Oetken is partial against Kaul, is conflicted and must, in the interests of justice, disqualify himself. Although the instant matter is not a close one, as was the case in the Republic Court, the Court made it a point to state that if there is any question as to impartiality, it must be decided in favor of disqualification: "However, we have previously held that if the question of whether § 455(a) requires disqualification is a close one the balance tips in favor of recusal. In Re: Chevron, 121 F.3d 163 (5th Cir. 1997)." at 347

Judge Oetken's asserted appearance of partiality mandates disqualification regardless of the fact that Kaul has requested a jury trial. As is evident from his pre-trial involvement, in which he has conducted a blanket policy of denying Kaul discovery, denying Kaul's motions for default judgment, denying Kaul's motion for summary judgment, and if the case were ever to be tried by Judge Oetken, either on remand, post vacatur or the trying of a new case, he would exclude witnesses, testimony and evidence that support Kaul's case. These facts demand

disqualification, regardless of whether K11-7 is tried with/without a jury. The law in support of this proposition is:

k. In re Sch. Asbestos Litig., 977 F.2d 764, 782 (3d Cir. 1992): "Section 455 properly makes no distinction between jury and nonjury trials. The district judge is a jury trial must still make numerous pretrial rulings, including crucial summary judgment rulings, and will doubtless be called on to make numerous rulings on the qualification of witnesses and on evidentiary matters, not to mention post-trial motions." at 782. As did occur in the administrative board proceedings (April 9, 2013, to June 28, 2013: Opinion issued: December 13, 2013), and as evidenced in 'The Solomon Critique' (D.E. 5) + 'The Solomon Critique 2' (D.E. 5), so too in these proceedings would there be further acts, constituting obstruction of justice and violations of Kaul's constitutionally protected right to due process. Since April 2012, Kaul has the victim of an almost eleven (11) year campaign of fraud/perjury/obstruction of justice /bribery/kickbacks/extortion. Judge Oetken's disqualification will finally permit the truth to be publicly and properly told, absent judicial obstruction and the defendants ever more desperate defenses. Kaul assures the Defendants that their crimes will receive the same, if not more publicity, than that they so maliciously manufactured around Kaul from 2012 to 2015. The filing on February 22, 2016, of K1 silenced the defendants' 'baying'. When 'small' men come under pressure, it is remarkable how rapidly they retreat into their psychological 'holes'.

B. 455(b)(1) He shall also disqualify himself in the following circumstances: Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding:

29. The facts as asserted above do prove that Judge Oetken has a "personal bias and prejudice" against Kaul" and has "personal knowledge of disputed evidentiary facts concerning the proceeding", and thus, in conjunction with violations of section 455 (a) and section 144, he must be disqualified. The law in support of this proposition is:

I. United States v. Balistreri, 779 F.2d 1191, 1202 (7th Cir. 1985): Judge Oetken has admitted he has a commercial interest in the outcome of K11-7. K11-7 contains corporate defendants, that have corporate shareholders in which Judge Oetken holds shares. Judge Oetken has failed to file any financial disclosures or conflicts of interest in this matter. Money is funneled from these shareholders via shares to Judge Oetken. The Balistreri Court held: "The negative bias or prejudice from which the law of recusal protects a party must be grounded in some personal animus or malice that the judge harbors against him, of a kind that a fair-minded person could not entirely set aside when judging certain persons or causes. See United States v. Conforte, 624 F.2d 869, 881 (9th Cir.), cert. denied, 449 U.S. 1012, 101 S.Ct. 568, 66 L.Ed.2d 470 (1980). Satisfactory evidence of bias or prejudice must show this element of personal animus or malice. See footnote 9: "of course, if the party claims that the judge is biased because of some personal interest in the case or favoritism to other parties, then animus need not be shown." at 1201. The language of Judge Oetken's September 12, 2022, opinion reverberates with hostility, and certain sections contain language typically used by Defendants

Allstate/Geico, that of poorly constructed 'verbal thuggery' more frequently seen in New Jersey state court briefs. The co-drafting of Judge Oetken's opinion by lawyers for the corporate Defendants, further evidences his conflict of interest.

m. Hook v McDade, 89 F.3d 350, 355 (7th Cir. 1996): In answering the question of whether a judge harbors "personal bias or prejudice" against a particular party, the applicable standard is that of the mind of a "reasonable man", who in possession of all of the relevant facts and circumstances, is in the optimum position to answer the question: "In determining whether a judge must disqualify himself under 29 U.S.C. § 455(b)(1), **the question is whether a reasonable person would be convinced the judge was biased.**" Lac du Flambeau Indians v. Stop Treaty Abuse-Wis., 991 F.2d 1249, 1255 (7th Cir. 1993) (citing Taylor, 888 F.2d at 1201; Balistreri, 779 F.2d at 1202). The above stated facts, if thoughtfully and carefully considered by a "reasonable man" would cause that individual to conclude that Judge Oetken has a "personal bias or prejudice" against Kaul.

n. In re Faulkner, 856 F.2d 716, 721 (5th Cir. 1988): Judge Oetken admitted to having engaged in extensive and improper ex parte communications with defendants' counsel. The 5th Circuit in Faulkner reminded the federal judiciary of the exacting standards to which the United States Supreme Court holds its members: "Under the Supreme Court's compelling standard, we conclude that Judge Fish must stand down from this case, despite the total absence of any showing of actual bias. Under the facts presented, it is patent that "his partiality might reasonably be questioned" by a reasonable observer. This disqualifies him under section 455(a). Even were this not so, he has, at least through his personal conversations with Mrs. Pick, "personal knowledge of disputed evidentiary facts concerning the proceeding" sufficient to disqualify him, under section 455(b)(1), from presiding further over this case" at 721. The Falkner standard mandates the disqualification of Judge Oetken and nullification of his September 12, 2022, order.

o. United States v Alabama, 828 F.2d 1532 (11th Cir. 1987): The bias created when a judge has aligned his interests with that of the state, its agencies, or actors, was the reason the 11th Circuit disqualified the district judge in United States v Alabama. Judge Oetken, as evident from the above stated facts, was and is aligned with the K11-7 corporate/state actors consequent to his prior legal representation of banking/insurance corporations. The 11th Circuit in Alabama, in arriving at its conclusion for disqualification, considered the fact that the district judge, in his capacity as a "private lawyer" had "involved him in the disputed evidentiary facts of this case. Judge Clemon served as an attorney of record for individual plaintiffs in the school desegregation case ... many of the same institutions of higher learning as appear here." at 1545. Judge Oetken, in his private law career, represented many of the corporate shareholders of Defendants ICE/Allstate/Geico/TD, and the law required he disqualify himself at the commencement of the case. He did not, and used the case to illegally enrich himself and render a decision that he believed, albeit mistakenly, would further his career, at the expense of Kaul's life and through the exploitation/abuse of judicial authority.

p. Edgar v. K.L., 93 F.3d 256 (7th Cir. 1996): The question of whether off-the-record ex parte communications, constitute "extrajudicial" information, and thus "personal" knowledge was

answered by the 7th Circuit in the affirmative, and thus provided a basis for judicial disqualification. The Edgar Court reaffirmed the high standard to which the federal judiciary holds its members, by holding that even if only a possibility exists regarding a question of partiality, then the law demands that that question be explored: **“Thus all we have are possibilities. But these possibilities justify a request for emergency relief. See *United States v. Balistreri*, 779 F.2d 1191, 1204-05 (7th Cir. 1985); *Pepsico, Inc. v. McMillen*, 764 F.2d 458, 460 (7th Cir. 1985).”** at 258. Judge Oetken has admitted to ex parte communications, and has not placed on the record any official denial of such communications, despite Kaul having raised the issue in *‘The McNulty Analysis’* (K1: D.E. 313-1 Page ID 8397 Para. 9). These facts are anything other than **“possibilities”**, and thus under the Edgar standard, disqualification is mandated.

C. 28 U.S.C. § 455 (b)(4) He knows that he, individually or as a fiduciary, or his spouse has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.

30. The facts (possession of shares in corporate Defendants corporate shareholders) as asserted above, and as viewed from and through the perspective of a **“reasonable man”** do say, that the fiduciary interests of Judge Oetken and his spouse are aligned with those of the corporate defendants and or their representatives, and thus Judge Oetken is conflicted, and that conflict of interest will substantially affect the outcome of the case. The facts as asserted above do also prove that Judge Oetken has violated section (b)(4) of U.S.C. 455, and thus, in conjunction with violations of section 455 (a) + (b)(1) + (b)(2) and section 144, he must be disqualified. The law in support of this proposition is as follows:

31. The corollary to § 455(b)(4) in the Code of Conduct for the United States Judges is canon 3C(1)(c).

q. *In re New Mexico Natural Gas Antitrust Litig.*, 620 F.2d 794, 796 (10th Cir. 1980): The 10th Circuit considered disqualification necessary if an **“other interest that would be substantially affected by the outcome of the proceeding”** at 795. This holding was consistent with the principle of proximity elements of ‘remoteness’ and ‘contingency’, which the 10th Circuit used to reverse the judge’s sua ponte disqualification, but in which it stressed the need for disqualification if an **“other interest”** were affected by the outcome of the case. And thus, in accordance with the above facts and the law, Judge Oetken must be disqualified, as the outcome of the case will affect his **“other interests”** i.e., the value of his shares, and his reputation as a corporate friendly judge. The New Mexico standard mandates disqualification.

r. *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 860 n.8 (1988): Section (b) of 455 pertains to the existence of an actual bias/prejudice, and this case articulates the connection between the judge’s knowledge of his conflict of interest and the remedy of vacatur: **“Moreover, as the Court of Appeals correctly noted, Judge Collins’ failure to disqualify himself on March 24, 1982, also constituted a violation of § 455(b)(4) ... This separate violation of §**

455 further compels the conclusion that vacatur was an appropriate remedy; by his silence, Judge Collins deprived respondent of a basis for making a timely motion for a new trial and also deprived it of an issue on direct appeal." at 867. Judge Oetken's orders/judgments regarding discovery and dismissal of defendants must be vacated. Judge Oetken remained silent regarding his conflicts of interest when he arbitrarily and inexplicably denied Kaul's motion for summary judgment against defendant Allstate New Jersey Insurance Company (D.E. 5). If Judge Oetken were to object to disqualification after having witnessed/participated in a what has turned out to be an almost eleven (11)-year long scheme of obstruction of justice and criminal violations of Kaul's right to due process, it would irrefutably prove Kaul's charges that not only does Judge Oetken have the "appearance" of partiality, but that he is actually biased/prejudiced against Kaul, and thus must be disqualified. His failure to disqualify would prove that he is a party who is highly "interested" in the outcome of the case, for the reasons and facts identified above. It is of note that since the commencement of the case, Judge Oetken has not placed on the record his conflicts of interest, nor has he disclosed his Forms AO 10. The Court in furtherance of its opinion regarding the remedy of vacatur held:

"Moreover, providing relief in such cases as this will not produce injustice in other cases; to the contrary, the Court of Appeals' willingness to enforce § 455 may prevent a substantive injustice in some future case by encouraging a judge or litigant to more carefully examine possible grounds for disqualification and to promptly disclose them when discovered. It is therefore appropriate to vacate the judgment unless it can be said that respondent did not make a timely request for relief, or that it would otherwise be unfair to deprive the prevailing party of its judgment." at 868.

32. Judge Oetken's orders of dismissal, denials of Kaul's motions and requests for discovery must all be vacated, as he knew from the beginning (August 19, 2021) that he was conflicted, that he failed to disclose these conflicts, and thus was legally prohibited from any involvement in the case. The defendants, in light of all of the facts now presented, cannot argue against the disqualification of Judge Oetken and the nullification of his orders as the only available consideration, is that justice be done: "If we focus on fairness to the particular litigants ... greater risk of unfairness in upholding the judgment in favor of Liljeberg ... "The guiding consideration is that the administration of justice should reasonably appear to be disinterested as well as be so in fact." **Public Utilities Comm'n of D.D. v. Pollak, 343 U.S. 451, 466-467 (1952)** at 870. There is no one to blame for this situation except Judge Oetken/the Defendants, whose kickback and bribery schemes have turned Judge Oetken's court into a "racketeering enterprise".

D. 28 U.S.C. § 455 (e) Waiver of Disqualification:

33. Kaul has provided no waiver of disqualification, nor could he, because Judge Oetken has not entered onto the record his financial disclosure statement and his conflicts of interest, past or present.

34. The corollary to § 455(e) in the Code of Conduct for the United States Judges is Canon 3D.

28. U.S.C. § 144 states:

E. 28 U.S.C. § 144 Whenever a party to a proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding. The affidavit shall state the facts and the reasons for the belief that bias, or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith.

35. The facts of personal bias and prejudice, as asserted in the attached affidavit are specific in time/place/character, are “substantial and formidable” and thus mandate that Judge Oetken, “shall proceed no further in the case”. The affidavit is timely submitted and contains certain statements that are made upon information and belief. The law in support of this section 144 application is:

S. Berger v. United States, 255 U.S. 22 (1921): The Court’s multiple holdings as to the questions of sufficiency of affidavit and the key question of who adjudicates the application are found at:

Id 34 – “Of course the reasons and facts for the belief the litigant entertains are an essential part of the affidavit and must give fair support to the charge of a bent of mind that may prevent or impede impartiality of judgment ... The facts and reasons it states are not frivolous or fanciful but substantial and formidable...”

Kaul’s affidavit contains fact that proves the partiality against Kaul, of Judge Oetken’s biased/prejudicial state-of-mind.

Id 35 – “And there is no serious detriment to the administration of justice nor inconvenience worthy of mention, for of what concern is it to a judge to preside in a particular case; of what concern to other parties to have him so preside.”

Kaul’s affidavit and the accompanying section 455 motion are based on fact that prove a partiality of Judge Oetken’s mind against Kaul, a partiality that is in part a consequence of his commercial interest in the outcome of the case. Judge Oetken is not a disinterested party to the case, nor is he in possession of the “disinterestedness”, that impartiality requires. If Kaul were to win the case, Judge Oetken’s economic/professional standing within the legal community would diminish, and if Kaul were to lose the case or have it dismissed, his standing would be enhanced. This is because of the “politico-legal-economic nexus” that connects the facts, events and parties involved in the illegal revocation of Kaul’s license (April 9, 2013, to March 12, 2014) to the facts, events and parties identified The Kaul Cases, in which Judge Oetken’s

sponsor and potential appellate sponsor, Senator Schumer, was a Defendant (K3). A victory for Kaul in K11-7 would unquestionably invalidate the illegal revocation and cause those state/private actors central to the scheme to become subject to criminal prosecution by federal authorities. Evidence Tampering/Obstruction of Justice are felonies, but many of the state defendants, including K2 defendants Solomon + Hafner, knew this before and while they were committing the crimes. They have no defense of ignorance.

Id at 36 – “... tribunals of the country shall not only be impartial in the controversies submitted to them but shall give assurance that they are impartial ... from any “bias or prejudice” that might disturb the normal course of impartial judgment ... To commit to the Judge a decision upon the truth of the facts gives chance for the evil against which the section is directed. The remedy by appeal is inadequate. It comes after the trial and, if prejudice exists, it has worked its evil and a judgment of it in a reviewing tribunal is precarious. It goes there fortified by presumptions, and nothing can be more elusive of estimate or decision than a disposition of a mind in which there is a personal ingredient.”

Since at least April 2, 2012, Kaul has been the victim of a non-stop series of violations of his constitutional/human rights, that commenced with K2 defendant, NJBME, and continued through the administrative board proceedings (April 9, 2013, to December 13, 2013), the New Jersey Superior Court system, the United States Bankruptcy Court for the District of New Jersey and the United States District Court for the District of New Jersey, into the present. Massive state orchestrated crimes were committed against Kaul by members of the political/legal/medical/business communities within the geographic boundaries of New Jersey. The injustices to which Kaul has been subjected were referenced by his lawyer in the administrative board proceeding: “So now what they want you to do is they want to say, look, here you go, TZ here you go, consider this. And let him testify outside his report without a hearsay exception as a business record because, by the way, we’re in the OAL office and it’s very liberal and carefree. Absolutely not, Judge. It’s fundamentally unfair. I already as part of my cross this doctor testified about things he didn’t even opine about in his reports. So we got to cut it off somewhere. Somewhere there has to be some level of fairness.” (K1: D.E. 299-22 Page 7511). A “reasonable man” looking at the facts of the almost last eleven (11) years might say to himself in regard to Defendants Allstate/Christie/State of NJ: “what you think you gain in America you will lose in India”. Kaul asserts that he would have willingly trained the defendant physicians, had they simply asked. The reason they did not, was their arrogance and misguided calculation about Kaul, an individual whom the defendants assumed would “pack his bags and leave”. Before you pick a fight with a man, you should know in what fights that man has been. Win or lose, conflict confers courage. Judge Oetken seeks to summarily deprive Kaul/his children of their right to life. That will not happen, as Kaul will ensure that Judge Oetken is held accountable by the law and the New York standards of professional conduct.

F. Kaul’s application for disqualification is timely:

36. Kaul has submitted this application in a timely manner. On September 14, 2022, Kaul submitted a letter (D.E. 170) in which he requested Judge Oetken disclose his financial

holdings/ conflicts of interest and raised the issue of judicial corruption. This disqualification application is submitted less than four (4) weeks after this letter.

~~37. However, section 455 specifies no particular time within which the disqualification application be submitted, but the generally held opinion of the circuit courts is that it occurs "at the earliest moment after knowledge of the facts demonstrating the basis for such disqualification." See Travelers Ins. Co. v. Lilleberg Enters., Inc., 38 F.3d 1404, 1410 (5th Cir. 1994). See also Apple v. Jewish Hosp. & Med. Ctr., 829 F.2d 326, 333 (2d Cir. 1987). In determining timeliness, the 2nd Circuit has developed a four (4) part test: (1) whether the movant has participated in a substantial manner in trial or pretrial proceedings – the record reflects that Kaul has participated in a substantial manner; (2) whether granting the motion would waste judicial resources – the case did not even enter discovery, and thus relatively minimal judicial resources were expended; (3) whether the motion was made after judgment – Kaul filed this motion/affidavit only once as permitted by law, and only after Judge Oetken failed to disclose his financial holdings/ex parte communications; (4) whether the movant can show good cause for delay – There has been no delay, in that Kaul has filed this motion within four (4) weeks of coming to know about the conflicts of interest.~~

38. However, of even more import is the fact that Judge Oetken has, from the commencement of the case, known that he was conflicted, had an "appearance" of partiality and ought to have disqualified himself. In In re Kensington Int'l Ltd., 368 F.3d 289 (3d Cir. 2004) the Third Circuit held that where a judge knew he or she was conflicted or had an "appearance" of partiality, the moving party could be not held responsible for whether a motion was filed in a timely manner. Kaul is a pro se litigant, and Judge Oetken had the responsibility of declaring his conflicted position, and not waiting for Kaul to 'pull back the curtain'. Kaul's almost eleven (11) year journey through the legal swamps/dishonesty of New Jersey's medico-legal-political communities has been nothing short of "fantastical". It will be only when some of these Defendants land in jail, that they will recognize and truly admit their crimes. K2 defendant Hafner described Kaul as "arrogant" (K1: D.E. 179 Page ID 2365 + D.E. 299-22 Page ID 7516), because he refused to accept her false and illegal case against him. Defendant Hafner should look into her own wicked heart before she points her finger at anyone else.

Conclusion + Relief Sought

Kaul respectfully asserts that based on the above facts/reasons/arguments, Judge James Paul Oetken be disqualified from K11-7, and that all orders entered onto the dockets be immediately vacated, including the September 12, 2022, order at D.E. 168.

Kaul respectfully asserts that Judge James Paul Oetken be required to disclose to the record all his financial holdings for the period from September 2017 to September 2022, in accordance with the rules and regulations of the Guide to Judiciary Policy, Volume 2D, Chapter 1 to Chapter 6, as revised on March 23, 2018, and in accordance with the terms of the September 13, 2022, demand at D.E. 170.

Kaul respectfully asserts that Judge Oetken be required to disclose to Kaul and the record the full extent and substance of any and all ex parte communications as set forth at D.E. 170. All communications must include any form of information exchange to include but not limited to: (i) texts; (ii) face to face conversations; (iii) e-mails; (iv) typed letters; (v) handwritten letters; (vi) telephone conversations conducted via cellular phone or land line.

We, the Propria Persona Plaintiffs, do hereby certify and swear under penalty of perjury that the foregoing information and facts are true and accurate to the best of our knowledge, and that if it is proved that we knowingly and willfully misrepresented the facts, then we will be subject to punishment. We also certify, pursuant to Section 144, that this application for disqualification/vacatur is submitted in good faith.

Dated: October 6, 2022



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

Order

~~It is hereby ordered that on October 7, 2022, that unless Judge James Paul Oetken immediately~~
brings himself into compliance with legal authority regarding judicial disclosures, the law will deem him to be in knowing violation, and he will be immediately disqualified from any further administrative, ministerial, legal, or other involvement in either K11-7, or in any other case that involves Plaintiff Kaul and or Basch.

It is hereby ordered that on October 7, 2022, that unless Judge James Paul Oetken immediately brings himself into compliance with legal authority regarding judicial disclosures, the law will deem him to be in knowing violation, and he will become subject, and will willingly submit to investigative/disciplinary action by state/federal regulators.

It is hereby ordered that on October 7, 2022, that unless Judge James Paul Oetken immediately brings himself into compliance with legal authority regarding judicial disclosures, the law will deem him to be in knowing violation, and it will be hereby ordered that on October 8, 2022, all orders entered by Judge James Paul Oetken are immediately nullified, including the September 12, 2022, order at D.E. 168.

It is hereby ordered that on October 7, 2022, unless the defendants, by October 21, 2022, rebut/refute/deny/contest the evidence submitted in support of Kaul's motion for summary judgment against Defendant Allstate New Jersey Insurance Company (D.E. 5), it will be deemed to have proven Kaul's case against Defendant Allstate.

Dated: October 6, 2022.

s/p United States District Court

Exhibit 1

www.drrichardkaul.com

September 13, 2022

Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Kaul/Basch v ICE et al
21-CV-06992
K11-7
Financial disclosures/conflicts of interest/ex parte communications

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2022 SEP 14 PM 2:12

Dear Judge Oetken,

We write this letter with the utmost respect for you and the federal judiciary, and in recognition of the immense pressures that the above case must have brought to bear on your judgment. However, it is our position, one that is authorized by law and by our rights, that the opinion and order entered on September 12, 2022, will remain invalid until the following information has been disclosed to the record:

1. Forms AO 10 since 2020.
2. Information required pursuant to the Courthouse and Transparency Act.
3. A list of all ex parte communications between yourself and any agents acting on your behalf, and the Defendants or any agents acting on their behalf, that pertains/relates/refers/references or are in any way associated with the aspect of any of K11-7 or any of The Kaul Cases, including but not limited to: (i) the delivery and or receipt of any favor/gift/benefit/advantage/interest to you and or any member of your family to the third-degree, by the Defendants and or their agents in return for granting their motions; (ii) the promise of any future delivery and or receipt of any favor/gift/benefit/advantage/interest to you and or any member of your family to the third-degree, by the Defendants and or their agents in return for granting their motions. The pertinent time period is August 19, 2021, to the present.

As you are aware, the issue of judicial corruption has unfortunately appeared prominently within The Kaul Cases, and was featured in a series of Wall Street Journal articles in September

2021 (K11-7; D.E. 25 Page 1 – 46 of 50). Consequent to this publicity, and in or around May 2022, the Courthouse Ethics and Transparency Act was passed in response to public pressure against judicial corruption (Exhibit 1). Senator Ted Cruz was one of the co-sponsors, a person to whose attention, in January 2021, I brought the issue of judicial corruption (Exhibit 2). ~~The misconduct of Senator Charles Schumer regarding his "Political Interference in Judicial process"~~ is highlighted in the letter to Senator Cruz. I understand your appointment to the bench was sponsored by Senator Schumer.

Our request for the public disclosure of the above financial information relates to the fact that your opinion/order are so thoroughly divorced from the evidence/facts/arguments/law of this case, that one cannot but conclude that you, like U.S.D.J. Kevin McNulty (U.S.D.C.-DNJ), Senator Schumer's brother-in-law, have been corrupted. U.S.D.J. McNulty engaged in the same opinion falsifying activity in K1 (D.E. 313-1), as now appears in K11-7 (D.E. 168).

Our request for the public disclosure of all ex parte communications pertains, in part, to the dissemination of notices of preservation to various ex-members of the political/legal/judicial establishment, including Jose Linares, the ex-Chief Judge of the District of New Jersey, who, in mid-late May 2019, suddenly retired from the bench, and took partner status at the law firm of English & McCarter in Newark, New Jersey, after having received a letter from me, requesting his financial disclosure/conflicts of interest (Exhibit 3). On May 5, 2022, Mr. Linares was served with a NOTICE OF PRESERVATION in K11-7 (Exhibit 4).

We respectfully assert that the principles underpinning Rules 144/455, and those of the due process clauses of the Constitution, are authoritative in this matter, and do render your opinion/order void until your impartiality/lack of bias has been evidentially established.

We thank you for your attention to this matter.

Yours sincerely



RICHARD ARJUN KAUL, MD



DAVID BASCH, MD

cc: All Counsel of Record
All parties with a legal or other interest

Exhibit 2

KAUL/BASCH v ICE
21-CV-06992
K11-7

THE OETKEN ANALYSIS

The Court's opinion, one clumsily drafted by Defendants' lawyers, resonates with a tone of hurried desperation, and other than constituting evidence of a corrupted state-of-mind, is replete with errors of logic/fact/law and fails, intentionally no doubt, to reflect the enormous body of highly incriminating evidence. The fact that the final filing in the case was February 14, 2022, and the Court's mere twenty (20) page analysis free summary opinion, was issued on September 12, 2022, is consistent with the Defendants conversion of this court into a "racketeering enterprise", purposed to continue the decade-plus-long violation of Kaul's human/constitutional right to life/liberty/justice and to attempt to provide further cover for their crimes. The length of time, the brevity of the opinion and the lack of analysis of submitted argument, suggest a conspiracy to convey a knowingly false impression regarding dismissal, in order to violate Kaul's ability to exercise his right to commence actions in other district courts; and now the judge, in knowing contravention of the law, seeks to deny Kaul his basic human right to exist, through the instrument of the United States District Court.

The falsity of the opinion is proven by Kaul's argument, which is uncontested by the Defendants and unanalyzed by the judge. The point-by-point analysis identifies which of Kaul's arguments undermines the judge's opinion:

Introduction

"This case is another chapter in a long saga of repetitive frivolous lawsuits ... violations arising out of this set of facts." (D.E. 168 Page 1 to 2 of 20) This statement, which is inherently contradictory, undermines the entire opinion, by asserting that K11-7 is identical to all prior cases, and that because all prior cases are allegedly frivolous, that K11-7 is therefore frivolous, but then concludes by stating that K11-7 is based on a "set of facts", a condition that equates with merit and not frivolousness. The judge, in attempting to violate Kaul's right to pursue litigation on the admitted facts, thwarted the basis of his opinion that falsely held K11-7 is frivolous, from which he falsely granted the Defendants motion for an injunction. The judge admitted that the information on which K11-7 was based, constituted "facts" and not unsubstantiated assertions. It is the judge's opinion that is "frivolous" and without merit.

I. Background

A. Filing History – "In March 2014 ... But Kaul continues to file lawsuits in various jurisdictions." (D.E. 168 Page 2 to 4 of 20) It is evident that the thrust of the judge's fraudulent strategy is to misrepresent, mischaracterize and or omit critical components of the record of The Kaul Cases, with the most glaring omissions being those of K11-7, the case in question. In this section, the judge implies that because K11-7 is allegedly identical to all prior cases and because Kaul received no relief, that K11-7 is frivolous, but incredulously, Kaul continues to

- pursue litigation. Kaul commenced no new litigation after the filing of K11-7 on August 19, 2021, in the hope that the judge would adhere to controlling authorities and follow the "set of facts". The judge failed to analyze any of Kaul's arguments regarding the factual/legal distinction of K11-7 from all prior cases, but instead rendered an opinion that consists entirely of a selective regurgitation of elements of prior and irrelevant cases. Kaul's arguments are at:
1. Overview of Opposition (D.E. 77 page 6 of 57) – UNREFUTED/UNANALYZED/ADMITTED
 2. Allstate's fraudulent case against Kaul/others (D.E. 77 Page 8 of 57) UNREFUTED/UNANALYZED/ADMITTED
 3. The securities fraud crimes were committed in the State of New York (D.E. 77 Page 11 of 57) UNREFUTED/UNANALYZED/ADMITTED
 4. U.S.D.J. Tanya Chutkan denied Defendant Allstate's motion to dismiss K5 (D.E. 47), while U.S.D.J. Alison Burroughs denied Defendant Allstate's motion to transfer K11-2 (D.E. 27) to the District of New Jersey (D.E. 77 Page 11 of 57) UNREFUTED/UNANALYZED/ADMITTED
 5. The District of Massachusetts entered an order granting Kaul's IFP application and ordered the U.S.M.S. to serve the Defendants at the cost of the United States Government (D.E. 77 Page 12 of 57) UNREFUTED/UNANALYZED/ADMITTED
 6. K11-7 is factually/legally distinct from K11-4 (D.E. 77 page 13 of 57) UNREFUTED/UNANALYZED/ADMITTED
 7. K11-7 is factually/legally distinct from K11-9 and the warrantless arrest of Kaul on May 27, 2021, remains unlawful (D.E. 77 page 14 of 57) UNREFUTED/UNANALYZED/ADMITTED
 8. K11-7 is legally/factually distinct from K11-2, the operative facts occurred in New York, and thus the law supports Kaul's choice of forum UNREFUTED/UNANALYZED/ADMITTED
 9. Unsupportive judicial opinion (D.E. 89 page 8 of 87) UNREFUTED/UNANALYZED/ADMITTED
 10. Introduction – K11-7 is factually/legally distinct from all prior cases (D.E. 89 page 10 of 87) UNREFUTED/UNANALYZED/ADMITTED.
 11. Defendants motion for an anti-injunction suit is frivolous (D.E. 89 Page 10 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
 12. The Kaul Cases Defendants have failed in their prior injunctive and quasi-injunctive efforts (D.E. 89 Page 11 of 87) - UNREFUTED/UNANALYZED/ADMITTED
 13. The Defendants have submitted no evidence that Kaul's claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts (D.E. 89 Page 20 of 87) UNREFUTED/UNANALYZED/ADMITTED
 14. K11-7 is legally/factually distinct to all prior cases, including K1, is based on new evidence, new injuries and is a new claim, not subject to res judicata or Rule 41 of the FRCP (D.E. 105 Page 26 of 56) UNREFUTED/UNANALYZED/ADMITTED
 15. The Defendants "All Writs Act Injunction" argument is false and fails to satisfy the necessary legal standard (D.E. 105 Page 30 of 56) UNREFUTED/UNANALYZED/ADMITTED

16. Kaul's claims satisfy federal pleading standards and Defendant ICE has not proved otherwise (D.E. 106 Page 12 of 35) UNREFUTED/UNANALYZED/ADMITTED

17. The facts find that venue is proper in the Southern District of New York (D.E. 106 Page 22 of 35) UNREFUTED/UNANALYZED/ADMITTED

18. Defendant TD's Rooker-Feldman and abstention doctrine defenses have been rejected by all courts within the United States District Court (D.E. 110 Page 10 of 63) UNREFUTED/UNANALYZED/ADMITTED

19. K1 remained active on the district court docket, until it was dismissed pursuant to Rule 41(a)(2) on November 16, 2021 (D.E. 110 Page 16 of 63) UNREFUTED/UNANALYZED/ADMITTED

20. Res judicata as to K1 provides TD no defense (D.E. 110 Page 17 of 63) UNREFUTED/UNANALYZED/ADMITTED

21. Res judicata as to Defendant TD's suit in the Morris County Court provides Defendant TD no defense (D.E. 110 Page 18 of 63) UNREFUTED/UNANALYZED/ADMITTED

22. The Defendants have failed to disprove that the SDNY is the proper venue and failed to prove, or otherwise show that K11-7 should be dismissed with prejudice (D.E. 136 Page 12 of 55) UNREFUTED/UNANALYZED/ADMITTED

23. The Defendants have submitted no evidence/facts that disprove facts submitted by Kaul that venue is proper in the SDNY, and that K11-7 comports with the venue analysis standards identified in cases erroneously cited by Defendants in support of their argument to dismiss K11-7 with prejudice (D.E. 136 Page 14 of 55) UNREFUTED/UNANALYZED/ADMITTED

24. The Defendants' failure to factually satisfy the standards for vexatiousness/malice/abuse/frivolousness/harassment, as identified in the cited cases, is fatal to its frivolous injunctive plea (D.E. 136 Page 19 of 55) UNREFUTED/UNANALYZED/ADMITTED

25. Defendants defense fails for lack of support in fact or law (D.E. 138 Page 5 of 32) UNREFUTED/UNANALYZED/ADMITTED

26. The facts undermine a "second dismissal rule" defense (D.E. 138 Page 8 of 32) UNREFUTED/UNANALYZED/ADMITTED

27. Res judicata is inapplicable because K11-7 is based on new evidence/facts/injuries, is a new cause of action, the voluntary dismissal motion of K1 was entered by USDJ Vazquez without opposition, K5 terminated without opposition, and in prior cases, the Defendants committed a 'Fraud on the Court' (D.E. 138 Page 9 of 32) UNREFUTED/UNANALYZED/ADMITTED

28. Defendant AHS has failed to satisfy its burden of proof to disprove Kaul's proof that the SDNY is the proper venue, and that the DNJ is not the proper venue (D.E. 138 Page 17 of 32) UNREFUTED/UNANALYZED/ADMITTED

29. Defendant Heary's application of his cited legal standards to K11-7 jurisdiction/venue facts actually proves that he is both personally/generally subject to the jurisdiction of the SDNY, and that the SDNY is the proper venue (D.E. 154 Page 16 of 93) UNREFUTED/UNANALYZED/ADMITTED

30. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases (D.E. 154 Page 22 of 93) UNREFUTED/UNANALYZED/ADMITTED

31. The procedural facts of The Kaul Cases neither support any preclusion defenses nor an application of New Jersey preclusion law (D.E. 154 Page 25 of 93)

UNREFUTED/UNANALYZED/ADMITTED

32. Defendant Heary's plea for an anti-suit injunction is frivolous and without factual/legal foundation, as he has admitted claiming conclusive/undisputed fact in the ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS, has failed in his previous injunctive efforts and fails to satisfy the necessary burden of proof/legal standard (D.E. 154 Page 30 of 93) UNREFUTED/UNANALYZED/ADMITTED

33. Defendant Heary's argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motions failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul's evidence that there exists no factual/legal basis for an injunction (D.E. 154 Page 32 of 93) UNREFUTED/UNANALYZED/ADMITTED

34. The claims satisfy the Rule 8 standard set forth in Defendant Heary's cited cases (D.E. 155 Page 23 of 93) UNREFUTED/UNANALYZED/ADMITTED

35. Defendant AHS's injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.S.E. 158-1 Page 9 of 12) UNREFUTED/UNANALYZED/ADMITTED

36. Defendant Allstate's failed injunctive and quasi-injunctive pleas (D.E. 160 Page 6 of 13) UNREFUTED/UNANALYZED/ADMITTED

37. Defendant Allstate's fact-free injunctive application either fails to satisfy the standards set forth in its own citations or cites to irrelevant cases (D.E. 160 Page 6 of 13) UNREFUTED/UNANALYZED/ADMITTED

38. Defendant AHS's injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.E. 162 Page 9 of 11) UNREFUTED/UNANALYZED/ADMITTED

39. However, even if such a fraud had not been committed, the K11-1 opinion/order is irrelevant to K11-7, as the latter is factually/legally distinct from the former and is based on the facts of the "New York Scheme", the "Kaul Kidnapping Scheme" and the securities fraud scheme ..." (D.E. 164 Page 2 of 16). UNREFUTED/UNANALYZED/ADMITTED.

The admittance of these thirty-seven (37) arguments by the Defendants and the Court, renders null/void the judge's basis for his knowingly fraudulently dismissal with prejudice and injunction, that basis being the false proposition that K11-7 was identical/" **substantially similar**" to the prior cases.

B. Factual Background – “The amended complaint follows the pattern of Plaintiff Kaul’s earlier filings ... order/judgments adverse to Plaintiff Basch and other physicians, while entering order/judgments advantageous to Defendant Geico,” (D.E. 168 Page 4 to 7 of 20).

~~The Court’s cursory delineation of the charges, although set under the heading of “Factual~~

Background”, purposefully avoids an honest recitation of the unrefuted/admitted fact that Kaul/Basch have pled for each element of each charge. The Court’s failure to cite to any of the massive corpus of charge conclusive evidence within the three thousand, five hundred and thirty-three (3533) page case file, evidences his corrupted state-of-mind, and further underscores his commission of a ‘Fraud on the Court’. More specifically, however, this section is a transparent attempt to frame Kaul/Basch’s claims as non-compliant with federal pleading standards, as part of an effort to manufacture a claim insufficiency basis for dismissal. However, as with the knowingly false “frivolous” element of the Court’s opinion, this too is rendered null/void by the Defendants failure to rebut, and the Court’s failure to analyze/reject the pleading standard arguments asserted by Kaul/Basch. The arguments are at:

1. District judges within the United States District Court have rejected The Kaul Cases Defendants 12(b)(6)/Rule 8 defenses (D.E. 81 Page 7 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
2. Kaul’s plausibly pled RICO claims against Defendant Allstate satisfy federal pleading standards set forth in Rules 8/9 of the F.R.C.P. and Twombly/Iqbal and plead all requisite elements (D.E. 81 Page 11 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
3. Defendant Allstate has no defense against Kaul’s RICO claims (D.E. 81 Page 12 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
4. The Section 1983 Claim is legally sufficient and pleads the requisite elements (D.E. 81 Page 15 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
5. The Complaint provides Defendant Allstate fair notice of its alleged offenses and liabilities (D.E. 81 Page 16 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
6. The claim conclusive evidence within The Kaul Cases has been neither refuted nor found to be meritless by any judge within the United States District Court (D.E. 89 Page 10 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
7. There is no evidence within The Kaul Cases, that the claims are vexatious, harassing and or frivolous (D.E. 89 Page 12 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
8. The Defendants arguments regarding RICO/Section 1983 claim sufficiency are false (D.E. 89 Page 15 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
9. The claims satisfy federal pleading standards, including Rule 8 (D.E. 89 Page 16 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
10. The legal standards set forth in the cases cited by the Defendants are either inapplicable or satisfied by the claims (D.E. 89 Page 17 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

11. Kaul has plausibly pled the existence of an association-in-fact RICO enterprise (D.E. 89 Page 18 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

12. The RICO predicate acts are pled to the standards required at pleading (D.E. 89 Page 19 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

13. Kaul has provided the Defendants fair notice of their liability pursuant to the Section 1983 claim (D.E. 89 Page 20 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

14. The Defendants have submitted no evidence that Kaul's K11-7 claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled RICO predicate acts (D.E. 89 Page 20 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

15. The Defendants motion for a permanent injunction is made in extremely "bad faith" as they, in collusion/conspiracy with The Kaul Cases Defendants, are simultaneously employing tactics of delay/fraud to obstruct Kaul's applications for state licensure and are knowingly perpetuating an "ongoing pattern of racketeering" and violation of Kaul's constitutional/human rights (D.E. 89 Page 21 of 87) - UNREFUTED/UNANALYZED/ADMITTED.

16. Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies Rule 9 (b) and the standards set forth in the cited cases and does provide fair notice (D.E. 105 Page 10 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

17. Defendant GEICO has failed to specifically identify what facts, if any, are allegedly absent from Kaul's RICO claims (D.E. 105 Page 11 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

18. Kaul's claims satisfy the RICO predicate act pleading standard set forth in the law cited by Defendants (D.E. 105 Page 12 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

19. SCOTUS case law regarding mail/wire fraud pleading standards equates to the statutory standards (D.E. 105 Page 13 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

20. The specificity of the mail/wire fraud claims pled against Defendant Geico in K11-7 provide an equivalent degree of fair notice as did those in K5 (D.E. 105 Page 13 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

21. The pleading standard of all RICO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8 (D.E. 105 Page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

22. Kaul has plausibly pled the existence of an association-in-fact RICO enterprise (D.E. 105 Page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

23. Defendants association-in-fact pleading argument, is unsupported by all cited cases, none of which invalidate controlling Supreme Court law, legislative intent and or statute text (D.E. 105 Page 15 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

24. Kaul's claims satisfy the pleading standard established in Turkette (1981), validated in Boyle (2009) and relief upon in Penguin (2014) (D.E. 105 Page 16 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

25. The claims plausibly plead the "operation and management" element (D.E. 105 Page 16 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

26. RICO does not statutorily require the pleading of a nexus between the "pattern of racketeering" and the injury, independent of that caused by the RICO predicate acts (D.E. 105 Page 17 of 56).

27. Kaul's claims satisfy the "by reason of" the "pattern of racketeering" standard set forth in case law, as it relates to the "pattern-injury" nexus (D.E. 105 Page 19 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

28. Defendants "pattern of racketeering" is "ongoing", and thus the statute of limitations is constantly accruing (D.E. 105 Page 20 of 56) - UNREFUTED/UNANALYZED/ADMITTED. "The Oetken Scheme" an element of the "New York Scheme" is "ongoing" within the State of New York, and likely commenced in late 2021.

29. Kaul's pleading of the Section 1983 claim satisfies federal pleading standards and provides fair notice to Defendant (D.E. 105 Page 23 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

30. Within K11-7, Kaul plausibly pleads and there exists evidence that Defendant ICE conspired with Defendants Christie/Allstate/TD/Geico to conceal the securities fraud crime (D.E. 106 Page 9 of 35) - UNREFUTED/UNANALYZED/ADMITTED.

31. Kaul's claims satisfy federal pleading standards and Defendant ICE has not proved otherwise (D.E. 106 Page 12 Of 35) - UNREFUTED/UNANALYZED/ADMITTED.

32. Kaul's claims satisfy the pleading standards set forth in cases cited by Defendant ICE (D.E. 106 Page 13 of 35) - UNREFUTED/UNANALYZED/ADMITTED.

33. Defendant ICE has submitted no proof or showing that any of the K11-76 claims do not contain a "short and plain statement of the claim" or are otherwise insufficient (D.E. 106 Page 17 of 35) - UNREFUTED/UNANALYZED/ADMITTED.

34. Kaul's pleading of the RICO predicate acts of mail/wire fraud satisfies the Rule 9 standard (D.E. 106 Page 20 of 35) - UNREFUTED/UNANALYZED/ADMITTED.

35. The Section 1983 claim provides fair notice to Defendant ICE of its 'state-actor' status and its violations of Kaul's constitutional rights (D.E. 106 Page 23 of 35).

36. The Section 1983 claim complies with the controlling legal standards of pleading (D.E. 106 page 24 of 35) - UNREFUTED/UNANALYZED/ADMITTED.

37. The K11-7 claims contain plausibly pled fact that satisfies the applicable legal standard regarding the non-conclusory nature of a claim (D.E. 106 Page 26 of 35).

38. The plausibility of Kaul's claims pertains to the uncontested fact that it received regulatory favors from Defendant Christie, in return for decimating Kaul's financial position. (D.E. 110 Page 9 of 63) - UNREFUTED/UNANALYZED/ADMITTED.

39. The K11-7 claims satisfy the statutory "by reason of" standard, as held in Holmes/Anza (D.E. 110 page 21 of 63) - UNREFUTED/UNANALYZED/ADMITTED.

40. The K11-7 claims plead plausible fact in support of the “participation” and “by reason of” elements of RICO (D.E. 110 Page 22 of 63) - UNREFUTED/UNANALYZED/ADMITTED.

41. Defendant TD’s anti-suit injunction is without foundation, as it admitted to the undisputed fact on July 14, 2020 (D.E. 110 Page 24 of 63) - UNREFUTED/UNANALYZED/ADMITTED.

42. The Defendants’ failure to factually satisfy the standards for vexatiousness/malice/abuse/frivolousness/harassment, as identified in the cited cases, is fatal to its frivolous injunctive plea (D.E. 136 Page 19 of 55) - UNREFUTED/UNANALYZED/ADMITTED.

43. Defendant AHS has submitted no proof, nor made any showing, to either disprove the K11-7 claims or show them to be implausible/conclusory and or non-compliant with all federal pleading standards (D.E. 138 Page 14 of 32) - UNREFUTED/UNANALYZED/ADMITTED.

44. Defendant Heary has submitted no evidence/facts/argument to prove or otherwise show that those submitted by Kaul do not satisfy federal pleading standards and actually assert a highly plausible case (D.E. 154 Page 20 of 93) - UNREFUTED/UNANALYZED/ADMITTED.

45. The claims satisfy the Rule 8 standard set forth in Defendant Heary’s cited cases (D.E. 154 Page 22 of 93) - UNREFUTED/UNANALYZED/ADMITTED.

46. Defendant Heary has not proven/shown/disputed, nor could he, that the K11-7 claims in addition to the ADMISSIONS BY DEFENDANT HEARY OF UNDISPUTED FACTS provide “fair notice” of the facts/law on which the charges are brought, of the injuries caused and the relief sought and satisfy Rule 9 (D.E. 154 page 23 of 93) - UNREFUTED/UNANALYZED/ADMITTED.

47. Defendant Heary’s plea for an anti-suit injunction is frivolous and without factual/legal foundation, as he has admitted to claiming conclusive/undisputed fact in the ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS, has failed in his previous injunctive efforts and fails to satisfy the necessary burden of proof/legal standards (D.E. 154 Page 30 of 93) - UNREFUTED/UNANALYZED/ADMITTED.

48. Defendant Heary’s argument, pleading to injunct his prosecution by Kaul, is identical to the arguments of Defendants FSMB/Hengerer/ICE/TD/Geico/Stolz/Christie/Murphy/Grewal who in their motion failed to satisfy their burden of proof and who in their reply briefs failed to disprove Kaul’s evidence that there exists no factual/legal basis for an injunction (D.E. 154 page 32 of 93) - UNREFUTED/UNANALYZED/ADMITTED.

49. Defendant AHS admissions of UNDISPUTED FACT material to K11-7 claim proof, have permanently deprived it of any factual or legal basis on which to seek injunctive relief (D.E. 162 Page 8 of 11) - UNREFUTED/UNANALYZED/ADMITTED.

50. Defendant AHS’s injunctive plea fails because it is factually unsupported and is based on law that Kaul has previously differentiated; a differentiation that Defendant AHS has failed to refute (D.E. 162 Page 9 of 11) - UNREFUTED/UNANALYZED/ADMITTED.

The admittance of these fifty (50) arguments by the Defendants and the Court, renders null/void any component of the judge's opinion that pertains/relates to claim sufficiency and or pleading standard compliance.

II Legal Standard

"Federal Rule of Civil Procedure ... "Nonetheless a pro se complaint must state a plausible claim for relief." (D.E. 168 Page 8 to 9 of 20). It is obvious that the judge was either always a Defendant in disguise or became one at some point in the case, as in recognizing that plaintiff's Complaint/unrebutted arguments either satisfied every legal pleading standard submitted by the Defendants or that the Complaint/unrebutted arguments identified the correct standard, he has either inserted not previously submitted standards and or ignored their unrebutted arguments that establish the Complaint complies with all pleading standards. The citations in question and the relevant points of the record are:

A. F.R.C.P. 8(a)(2)/(d)(1) + Strunk v US House of Representatives, 68 F. App'x 233, 253 (2d Cir. 2003) – The relevant arguments are:

1. District judges within the United States District Court have rejected The Kaul Cases Defendants 12(b)(6)/Rule 8 defenses (D.E. 81 Page 7 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
2. Kaul's plausibly pled RICO claims against Defendant Allstate satisfy the federal pleading standards set forth in Rules 8/9 of the FRCP and Twombly/Iqbal and plead all requisite elements (D.E. 81 Page 11 of 17) - UNREFUTED/UNANALYZED/ADMITTED.
3. The claims satisfy federal pleading standards, including Rule 8 (D.E. 89 Page 16 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
4. The legal standards set forth in the cases cited by the Defendants are either inapplicable or satisfied by the claims (D.E. 89 Page 17 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
5. The Defendant's amendment argument is false (D.E. 89 Page 18 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
6. The RICO predicate acts are pled to the standards required at pleading (D.E. 89 Page 19 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
7. The Defendants have submitted no evidence that Kaul's K11-7 claims are vexatious, frivolous and or harassing, and have effectively admitted the veracity of the plausibly pled-RICO predicate acts (D.E. 89 Page 20 of 87) - UNREFUTED/UNANALYZED/ADMITTED.
8. The pleading standard of all RICO predicate acts, other than mail/wire fraud, is that directed by Twombly/Iqbal and Rule 8 (D.E. 105 page 14 of 56) - UNREFUTED/UNANALYZED/ADMITTED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M.D. RICHARD ARJUN KAUL, *et al.*,
Plaintiffs,

-v-

INTERCONTINENTAL EXCHANGE, *et al.*,
Defendants.

21-CV-6992 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On September 12, 2022, the Court issued an Opinion and Order granting Defendants' motion to dismiss, noting that Plaintiff Kaul "has a history of being a vexatious and harassing litigant." (ECF No. 168 at 16.) Kaul "harasses officials to manufacture litigation." (*Id.*) In particular, "[i]t appears that one of Mr. Kaul's tactics is to send a letter to someone alerting them to the alleged conspiracy (or asking them to disclaim involvement) and then, if the recipient does not respond, concluding that they are a participant in the conspiracy." (*Id.* (quoting *Kaul v. Bos. Partners, Inc.*, No. 21-CV-10326, 2021 WL 3272216, at *3 n.13 (D. Mass. July 30, 2021).)

Kaul, joined by co-Plaintiff David Basch, once again attempts to employ this tactic via a motion for judicial disqualification. (ECF No. 171.) Their arguments pursuant to 28 U.S.C. § 455 and 28 U.S.C. § 144 are unsupported, impermissibly speculative, and without merit.

The motion is therefore DENIED.

The Clerk of Court is directed to close the motion at ECF No. 171.

SO ORDERED.

Dated: August 14, 2023
New York, New York



J. PAUL OETKEN
United States District Judge

Exhibit 15

www.drrichardkaul.com

October 19, 2022

David Bazzo, MD, FAAFP
Director
UCSD PACE Program

Re: Critique of October 17, 2022, opinion/motion to amend

Dear Dr. Bazzo,

I ("Kaul") respectfully assert that the October 17, 2022, report of the PACE program, is a fraud and was procured through a fraudulently conducted conspiracy with the Federation of State Medical Boards, an entity being sued by Kaul, and an entity from which PACE receives business referrals. Its fraudulence renders it null and void for any purpose, it constitutes further evidence of the "**Pennsylvania Scheme**" as pled in K11-7, and I will be seeking a refund of monies paid. Please also be informed that as a "**new racketeering injury**" it will in due course be submitted into K11-8.

Please accept this letter in response to the purported opinion issued by PACE on October 17, 2022, that bears little or no resemblance to the evidence contained within the medical literature, and or the evidence submitted by Kaul in regard to his character, psychiatric fitness, and the crimes committed against him by The Kaul Cases Defendants from 2006/7 to 2021, the last event being a kidnapping on May 27, 2021. The non-inclusion of this incriminating body of evidence, highly probative of his federal claims, undermines the absurd suggestion that Kaul is a narcissist, simply because he is fighting for his rights, and has detailed, in a number of his publications, the vicious life-ending tactics used against him and his family over a decade-long plus period. Dr. Macdonald has, unfortunately 'hung his narcissist hat' on the now debunked story of British journalist, Alex Hannaford (2014).

It is interesting that in the totality of Kaul's life, no person has described him as a narcissist, other than a journalist looking to do a 'hit job' and Dr. Macdonald, a psychiatrist working for an organization with commercial ties to corporations being sued by Kaul. In fact, not one healthcare professional in Kaul's thirty-four (34) life has ever implied, let alone found such a finding. I suppose a reasonable/fair minded person would conclude that when Kaul/his family were attacked, Kaul would relentlessly fight with honor and with his life, for the lives of his children, as described by NYS lawyer, David Detoffol (copy enclosed).

The criticism of the purported report is as follows:

Competency Assessments Results:

The report of Dr. Albert Leung is replete with knowing falsehoods, that render the entire PACE report either fraudulent or grossly negligent, but ultimately of no legal weight in any administrative or legal proceeding, except in the capacity of self-incriminating evidence. Kaul will demonstrate the illegality of the opinion by reference to the following pieces of evidence:

1. July 6, 2022, audio recording from PACE scheduled Zoom Call:

https://soundcloud.com/richard-kaul/220706-kl-pa-pace-leung/s-LEJxhGxL4ce?si=7fb0e829b6634c208b64190cd9d2bd6b&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing

The conversation unequivocally proves false Dr. Leung's disparaging/slandering recitation of Kaul's clinical knowledge and skills. Several other senior interventional pain practitioners in the North-East have listened to the audio file and reviewed Dr. Leung's opinion, and have all concluded that his opinion is not based on the evidence and is false. For example, one practitioner stated that a cervical stellate ganglion block is indeed performed at the C6 vertebrae, as correctly stated by Kaul:

<https://www.ncbi.nlm.nih.gov/books/NBK507798/>

Dr. Leung was wrong in stating: "His knowledge of the neuronal markup, location, and innervation of stellate ganglion was inadequate as he incorrectly indicated the location of the ganglion is at the C6 tubercle instead of C7. He was unable to come up with a reasonable cause of contrast spread behind the tracheal shadow in fluoroscopic imaging, which may suggest inadvertent esophageal perforation and his subsequent management plan brought up another level safety concern for his practice in pain medicine." This point is illustrated at time segment: 59:49 to 1:04:07

Dr. Leung's criticism of my process of differential diagnosis formulation is without evidential foundation in the medical literature, and in fact most publications on the issue augment to differentials distilled after a thorough history/physical:

https://en.wikipedia.org/wiki/Differential_diagnosis

"Strategies used in preparing a differential diagnosis list vary with the experience of the healthcare provider. While novice providers may work systemically to assess all possible explanations for a patient's concerns, those with more experience often draw on clinical experience and pattern recognition to protect the patient from delays, risks, and cost of inefficient strategies or tests. Effective providers utilize an evidence-based approach, complementing their clinical experience with knowledge from clinical research"

However, as is evident from the audio file, Dr. Leung prevented Kaul from obtaining further information about the patient's conditions, and stated: **"Despite repeated prompting from me, he was unable to come up with other differential diagnoses which may result in similar initial clinical presentation."**

The three procedures discussed by Kaul, are procedures of which Kaul has successfully performed tens of thousands since 1996, and there are videos online of Kaul competently performing these procedures:

1. Radiofrequency facet ablation:

<https://www.youtube.com/watch?v=Zr7S81OFS-A>

The video further substantiates Kaul's interview statement at time segment 26:27 that a specialized radiofrequency technician operates the unit while Kaul is performing the procedure. The video and the audio file undermine Dr. Leung's false statement regarding patient safety and machine modification. Kaul has successfully performed thousands of spinal radiofrequency lesioning since 1996, with the use of a specialized technician, as is the widely accepted standard of care.

2. Transforaminal epidural injection:

<https://www.youtube.com/watch?v=9NjJV7XhBB0>

At time segment: 52:19 Kaul, discussed performing a transforaminal epidural injection, and never discussed conducting a lumbar facet injection, as stated with knowing falsity by Dr. Leung: **"While his procedural approach in lumbar medial branch radiofrequency ablation appeared to be acceptable, his neuroanatomical knowledge related to the procedure was inadequate as he incorrectly indicated the levels of medial branches innervating the right 3-4 facet joint."** This is a blatant falsity.

Kaul would like to provide you an opportunity to rectify the falsehoods propagated in this opinion, but do also provide you, via this letter, fair notice of litigation if my rights are not vindicated.

Yours sincerely



RICHARD ARJUN KAUL, MD

www.drRichardKaul.com

November 4, 2022

David Bazzo, MD, FAAFP
Director
UCSD PACE Program

Re: Further critique of October 17, 2022, opinion

Dear Dr. Bazzo,

I write this letter in furtherance of my October 19, 2022, letter, and in order to respectively reiterate and assert prior and new points, as indicated below:

1. **Confidentiality of transmission of amended report:** The amended report, and or its contents, are NOT to be transmitted/sent/verbally communicated/referenced to any party/person/agency by any person employed/contracted/otherwise associated with PACE.
2. **Transmission of case file:** A copy of the property of my case file, certified as to its completeness, authenticity, and fidelity of audio/video files, is to be confidentially emailed to me with the amended report.
3. **Identification of further acts of fraud:** Although the falsity of the October 17, 2022, report was demonstrated in the October 19, 2022, letter with a focus on the fraudulent report of Dr. Leung, the report of Drs. Cederquist/Merrill/Gutierrez is as equally fraudulent and or negligent. Examples of this include:
 - **Page 7 of 11** – Drs. Cederquist/Merrill/Gutierrez state: **“In addition, on some occasions, he ignored information the patient volunteered, such as the side effects of Norco, and decreased libido complaint.”** In my handwritten summarization of the consultation, the initial draft of which I kept, and the subsequent expanded draft of which I submitted, a draft that included all the first draft information, I identify on page 2, under ROS, that the patient has **“constipation, reduced libido and no other complaints”** (copy attached).
 - **Page 8 of 11** – Drs. Cederquist/Merrill/Gutierrez state: **“The only thing the patient left with was an order for an MRI, no additional pain management plan.”** On page 3 of the initial draft, Kaul identifies: **“Urine – urinalysis – drug screen Soma**

Marijuana/CBC/SMA 6/12 – Full blood screen/Xray – Flexion/extension/CT c contrast”

In the subsequent draft, I instructed the patient to return in 4 weeks, and explained to the patient the basis for each of these investigations.

- Page 8 of 11 – Drs. Cederquist/Merrill/Gutierrez state: “... but performed the exam in a rather disorganized manner, and, at times, repeated components that were somewhat uncomfortable for the patient.” The patient, according to these doctors, states (Page 9 of 11): “The doctor’s touch was gentle and respectful. He was careful and methodical in the exam and always aware of my comfort and careful not to cause me pain.”

4. **Prior litigation against PACE:** On December 16, 2019, in the matter of Allen Hassan, MD v California Medical Board/UC San Diego Pace Program et al (19-CV-02521 – USDC for the Eastern District California), Plaintiff Hassan brought a fraud claim against Defendant PACE (page 21 of 22 attached). This constitutes evidence of a prior “pattern”.

5. **Prior attempt to disseminate October 17, 2022, report:** On October 12, 2022, I received an email from Ms. Smith, a signatory to the initial report, in which she requested he send her an email/phone number for a person at the PA Board, to whom she was planning to use the US wires to transmit the fraudulent October 17, 2022, opinion. It is my position that this scheme was purposed to attempt to insulate PACE from litigation by inculcating the medical board, in the belief that it would confer qualified immunity on PACE. I instructed Ms. Smith to “... not send the report to any person associated with the Pennsylvania Medical Board, until I have reviewed its contents.”

These facts, in conjunction with those stated in the October 19, 2022, letter, constitute serious violations of my human/constitutional rights, continue to exacerbate injury to my economic standing/reputation and represent a “pattern” of profit purposed misconduct that has undoubtedly injured other physicians. The UC San Diego School of Medicine is vicariously liable.

Please be advised that if the amended report fails to reflect the evidence and the medical literature, I will commence suit against all those involved in the “racketeering” conspiracy and the drafting of the fraudulent October 17, 2022, report.

Yours sincerely



RICHARD ARJUN KAUL, MD

Exhibit 16

www.drrichardkaul.com

April 22, 2023

Honorable Jennifer L. Rochon
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Kaul/Basch v ICE: 23-CV-2016
K11-10
Plaintiffs Response to Defendant Allstate's letter (D.E. 3)

2023 APR 24 PM 2:35
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dear Judge Rochon,

We (hereinafter "Plaintiff Kaul" and "Plaintiff Basch") write this letter in response to Defendant Allstate's procedurally improper, motion purposed April 19, 2023 letter, to respectfully request that for the below reasons, the Court deny their request and direct them to admit or deny the facts:

1. 'Fraud on the Court'

The doctrine of 'Fraud on the Court', and the pled facts, authorize and substantiate the filing of K11-10 (D.E. 1 Page 4 + 82 of 169).

2. New Evidence/Facts

(i) SEDIMA, S. P. R. L. v. IMREX CO., INC., ET AL. No. 84-648. 473 U.S. 479 (1985); (ii) AGENCY HOLDING CORP. ET AL. v. MALLEY-DUFF & ASSOCIATES, INC. No. 86-497. 483 U.S. 143 (1987); (iii) LAWLOR ET AL., TRADING AS INDEPENDENT POSTER EXCHANGE, v. NATIONAL SCREEN SERVICE CORP. ET AL. 349 U.S. 322 (1955) all stand for the proposition that pursuant to RICO, a new claim accrues with every "new" offense, every "new racketeering injury" and generally when there exists, as here, an "ongoing pattern of racketeering", as evidenced by The Kaul Cases Defendants' (including the K11-7 Defendants) illegal obstruction and ongoing violation respectively of Plaintiff Kaul's right to prosecute his claims, his right to have reinstated his illegally seized New Jersey medical license, his right to effectuate procedure to have issued his Pennsylvania medical license and his human/constitutional right to liberty and life (D.E. 1 Page 7-13 of 169).

3. Related Cases

Contained within the themes and subject matter of The Kaul Cases is the issue of insurance industry/hospital orchestrated conspiracies with certain governmental agencies. The perpetrated schemes involve the elimination from the healthcare market of principally elderly/ethnic minority physicians, through license suspension/revocation and or incarceration, in order to increase insurance/hospital corporate profit at the expense of fraudulently procured physician labor, for which the corporations illegally withhold payment.

This subject matter has underpinned and underpins multiple civil and criminal cases within the United States District Court, excerpts of which are attached to this response (Exhibit 1) as they not only corroborate the K11-10 claims, but evidence a scheme far deeper, wider, and more criminal than any alleged in The Kaul Cases. A scheme, the exposure of which in December 2022 in the matter of USA v Pompy, Case No. 18-cr-20454 (District of Michigan) prevented a four hundred (400) year incarceration of an innocent Haitian physician. Enclosed in (Exhibit 1) is an excerpt from Kaul v BCBS: 23-CV-00518 (K11-11) that contains the incriminating testimony of an undercover insurance industry investigator. Dr. Pompy was fortunate, but hundreds, if not thousands of other physicians were not, many of whom remain incarcerated or under the process of indictment all to increase the profit of corporations such as Defendant Allstate, an entity whose business strategy involves illegal tortious interference in physicians practices (Exhibit 2).

4. Invalidity of Defendant's Plea

Defendant Allstate argues that because K11-7 was dismissed and because K11-7 is identical to K11-10, that therefore K11-10 should be dismissed. This argument is false for the reasons asserted above in points 1 and 2, but implicit in Mr. D'Aloia's letter and evident in his disdain for proper procedure is that regardless of the law and facts, the Court should dismiss the case for reasons that have no relation to the law and facts. However, even if one were to understand Mr. D'Aloia's procedural deviation as a vigorous defense of his client, his letter unequivocally consolidates his client's proximate involvement in the commission of the 'Fraud on the Court', in that it is unaccompanied by any affidavits from any relevant persons denying the scheme. Defendant Allstate should simply exercise its right to admit or deny the K11-10 facts, a right it has had since 2016, but a right it has chosen to ignore, the ignorance of which has knowingly caused and continues to cause a violation of Plaintiff Kaul's human/constitutional rights.

Throughout The Kaul Cases into and including K11-7, Defendant Allstate's defense strategy has been to cause the commission of improprieties within the judicial body, a strategy it has successfully employed in New Jersey state courts since at least 1995. As with all such schemes, they eventually become exposed and caused to cease. The issue of improper judicial influence is now before the Senate Judiciary Committee (Exhibit 3), an investigation we believe will disincentivize the perpetration of these corporate schemes and prohibit/reverse their diminution of the high ethical standards of the federal judiciary.

Plaintiffs Kaul and Basch respectfully request the Court deny the relief requested by Defendant Allstate, and direct them to admit or deny the K11-10 claims/facts.

We thank you for your attention to this matter.



RICHARD ARJUN KAUL, MD



DAVID B. BASCH, MD

Exhibit 17

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD ARJUN KAUL, MD
DAVID BASCH, MD

CASE NO.: 23-CV-2016 (JLR)

Plaintiffs

v.

**ADMISSION OF MATERIAL AND
UNDISPUTED FACT OF DEFENDANT
ROBERT HEARY**

ROBERT HEARY

Defendant.

Dated: April 24, 2023

FILED
CLERK OF COURT
SOUTHERN DISTRICT OF NEW YORK
2023 APR 24 PM 2:34

FILED
CLERK OF COURT
SOUTHERN DISTRICT OF NEW YORK
2023 APR 24 PM 2:38

Context To Schemes And Violations

1. I admit that since approximately 1999, I have been a nationally recognized and highly influential leader within the political wing of the American neurosurgical community.
2. I admit that since approximately 1999, a substantial part of my time, effort and resources have been directed towards seizing power within the political wing of the American neurosurgical community.
3. I admit that since 1999 I have used this power to illegally exclude competition and to charge supra-competitive professional fees.
4. I admit that since 1999 my illegal charging of supra-competitive rates has caused me to illegally amass a personal material fortune.
5. I admit that my current personal net worth is in excess of five hundred million dollars (\$500,000,000).
6. I admit that my personal net worth is in excess of five hundred million dollars (\$500,000,000) was procured in large part through illegal schemes of racketeering, antitrust and violations of the civil, constitutional, and human rights of my competitors, and others.

Facts Admitted In K11-7 As Proof Of Claims In K11-10

7. I admit I know that some of the facts that substantiate and or otherwise prove my knowing violation of Plaintiff Kaul's human rights and of the claims levied against me in K11-10, were facts unambiguously asserted in support of the claims levied against me in K11-7 by Plaintiff Kaul.

8. I admit that I read the complaint and amended complaint filed against me by Plaintiff Kaul in K11-7 respectively on August 19, 2021 (D.E. 1) and September 13, 2021 (D.E. 14).

9. I admit that in K11-7 I was represented by counsel, who clarified and explained to me the nature, character and meaning of the facts asserted against me in both complaints.

10. I admit that I understood and understand the nature, character and meaning of the facts asserted against me in K11-7 in both the complaint and amended complaint.

11. I admit that on December 23, 2021, I filed a procedural motion to dismiss (D.E. 144/145) the amended complaint.

12. I admit that I know that in filing the procedural motion to dismiss the amended complaint, I had the right to deny the facts asserted by Plaintiff Kaul.

13. I admit that I did not deny the facts asserted by Plaintiff Kaul.

14. I admit that the reason I did not deny the facts asserted by Plaintiff Kaul is because they are true.

15. I admit that I know that I had the right to file a summary judgment motion to dismiss the amended complaint.

16. I admit that I did not file a summary judgment motion to dismiss the amended complaint.

17. I admit that the reason I did not file a summary judgment motion to dismiss is because I had no evidence or facts to disprove the summary judgment standard truth of the facts asserted by Plaintiff Kaul.

18. I admit that on January 13, 2022, I filed a reply (D.E. 156/157) to Plaintiff Kaul's January 13, 2022, opposition papers (D.E. 155) to my December 23, 2021, procedural motion to dismiss (D.E. 144/145).

19. I admit that I know that in filing my reply to Plaintiff Kaul's January 13, 2022, opposition papers (D.E. 155) to my December 23, 2021, motion (D.E. 144/145) I had the right to deny the

facts asserted by Plaintiff Kaul in his September 13, 2021, amended complaint (D.E. 14) and January 13, 2022, opposition papers (D.E. 155).

20. I admit that I did not deny the facts asserted by Plaintiff Kaul in his September 13, 2021, amended complaint and or his January 13, 2022, opposition papers (D.E. 155).

21. I admit that the reason I did not deny the facts asserted by Plaintiff Kaul in K11-7 is because they are true.

22. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that the facts were asserted directly at me.

23. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that the nature, character and meaning of the facts had been explained and clarified to me by my counsel.

24. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that I completely understood the nature, character and meaning of the facts.

25. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that I had direct knowledge of the truthfulness of the facts.

26. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that I was directly involved in the perpetration of the facts.

27. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that although I had the right and ability to deny the facts, I did not, because the facts are true.

28. I admit that my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 constitutes a tacit admission of the facts in that the substantial body of fact asserted in the amended complaint required it be admitted, denied, or dismissed with contrary evidence or fact, and it was not.

29. I admit that the absence of any ambiguity in my silence in failing to deny the facts asserted by Plaintiff Kaul in K11-7 tacitly substantiates the asserted facts.

30. I admit that my counsel clarified and explained to me the civil nature of K11-7.

31. I admit that I know that K11-7 was a civil proceeding with civil consequences.

32. I admit that there existed and exist no other factors to explain my silence in failing to deny the facts, other than my knowledge that the facts were and are true.

33. I admit that during the pendency of K11-7, I was not subject to any state and or federal criminal investigations, in which a denial of the facts would have deprived me of my right against self-incrimination.

34. I admit that during the pendency of K11-7, I was not subject to any state and or federal criminal investigations, in which an admittance of the facts would have deprived me of my right against self-incrimination.

35. I admit that during the pendency of K11-7, I was not subject to any state and or federal criminal investigations, in which a denial of the facts would have actually caused me to self-incriminate.

36. I admit that during the pendency of K11-7, I was not subject to any state and or federal criminal investigations, in which an admittance of the facts would have actually caused me to self-incriminate.

37. I admit that I knew and know that if the facts were not true, I could have simply denied the facts asserted by Plaintiff Kaul in K11-7, but I did not.

38. I admit that my knowledge of the truth of the facts asserted in K11-7 constitutes the sole basis for my silence in failing to deny the facts

39. I admit that my knowledge of the truth of the facts asserted in K11-7 constitutes the sole basis for my actual failure to deny the facts.

40. I admit that I know that if I were innocent of the charges levied in K11-7 and K11-10, I would have simply denied the facts asserted in K11-7, but I did not, because I am guilty of the levied charges.

41. I admit that I read the September 12, 2022, opinion, and order of the district judge (D.E. 168).

42. I admit that in K11-7 I was represented by counsel, who clarified and explained to me the nature, character and meaning of the opinion and order of the district judge (D.E. 168).

43. I admit that I understood and understand the nature, character and meaning of the opinion and order of the district judge (D.E. 168).

44. I admit that I know that the district judge did not find that my silence in failing to deny the facts in any of The Kaul Cases does not constitute a tacit admission of the facts, because the district judge knew that my silence did in fact constitute a tacit admission of the facts.

45. I admit that I know that the district judge did not find that my actual failure to deny the facts in any of The Kaul Cases does not constitute a tacit admission of the facts, because the district judge knew that my silence did in fact constitute a tacit admission of the facts.

46. I admit that I know that the district judge in K11-7 did not find evidentially invalid my admissions of undisputed fact in K1, that were submitted into evidence in K11-7, because the district judge did know that the K1 admissions of undisputed fact did prove the K11-7 claims.

The United Nations Universal Declaration Of Human Rights

47. I admit that I have read the attached document entitled 'Universal Declaration of Human Rights'

48. I admit that I have known about the 'Universal Declaration of Human Rights' since my attendance at college.

49. I admit that since my attendance at college there has been no diminution of my knowledge regarding the 'Universal Declaration of Human Rights'.

50. I admit that the absence of diminution of my knowledge regarding the 'Universal Declaration of Human Rights' is a consequence of my license mandated attendance at continuing medical education courses.

51. I admit that the continuing medical education courses involve modules on medical ethics and human rights.

52. I admit that certain courses have included modules on human rights violations committed during the Second World War by physicians associated with the Nazis.

53. I admit that I know, from these courses and my general reading, that the 'Universal Declaration of Human Rights' emerged in part as a consequence of human rights violations committed by physicians associated with the Nazis.

54. I admit that in 2005 I knew what rights were protected under the 'Universal Declaration of Human Rights'.

55. I admit that in 2005 I knew I was prohibited from conspiring to violate Plaintiff Kaul's fundamental human rights.

56. I admit that in 2005 I knew I was prohibited from violating Plaintiff Kaul's fundamental human rights.

57. I admit that in 2005 I knew it was illegal to conspire to violate Plaintiff Kaul's fundamental human rights.

58. I admit that in 2005 I knew it was illegal to violate Plaintiff Kaul's fundamental human rights.

59. I admit that since 2005 I have conspired with **The Kaul Cases** Defendants to knowingly and willfully abuse the power of the American State to purposefully violate Plaintiff Kaul's fundamental human rights.

60. I admit that the knowingness, willfulness, malicious-ness, and purposefulness in my conspiring with The Kaul Cases Defendants to violate Plaintiff Kaul's human rights is proven by the below admitted facts about which there is no material dispute.

61. I admit that the knowingness, willfulness, malicious-ness, and purposefulness of the violation of Plaintiff Kaul's human rights by myself and The Kaul Cases Defendants, is proven by the below admitted facts about which there is no material dispute.

62. I admit that the knowing, willful, malicious, and purposeful violation of Plaintiff Kaul's human rights is commensurate with the standard of that of a crime against humanity.

Section 1983

2005 - 2010

63. I admit that because of my illegal schemes of public corruption that involved bribing Defendant Christie I became intertwined with, and in possession of state power and became a state actor.

64. I admit that because of my illegal schemes of public corruption that involved bribing members of the state government I became intertwined with, and in possession of state power and became a state actor.

65. I admit that because of my illegal schemes of public corruption that involved bribing members of the federal government I became intertwined with, and in possession of state power and became a state actor.

66. I admit that because of my illegal schemes of public corruption that involved bribing members of the state legislature I became intertwined with, and in possession of state power and became a state actor.

67. I admit that because of my illegal schemes of public corruption that involved bribing members of the state judiciary I became intertwined with, and in possession of state power and became a state actor.

68. I admit that because of my illegal schemes of public corruption that involved bribing members of the federal judiciary I became intertwined with, and in possession of state power and became a state actor.

69. I admit that my illegal schemes of public corruption and conspiring with state officials were perpetrated in a mutually beneficial and symbiotic manner.

70. I admit that my illegal schemes of public corruption and conspiring with state officials were perpetrated in a manner of mutual benefit and joint participation.

71. I admit that my illegal schemes of public corruption and conspiring with state officials were perpetrated in a manner of mutual benefit in which state officials and I used the US wires to exchange commands and words of encouragement in the successful execution of the schemes.

72. I admit that my illegal schemes of public corruption and conspiring with state officials were purposed to and did in fact cause me to illegally acquire the power and function of state, that I used to professionally threaten physicians who refused to support my schemes against Plaintiff Kaul.

73. I admit that my illegal schemes of public corruption and conspiring with state officials were purposed to and did in fact cause me to illegally acquire the power and function of state, that I used to have professionally investigated physicians who refused to support my schemes against Plaintiff Kaul.

74. I admit that my illegal schemes of public corruption and conspiring with state officials were purposed to and did in fact cause me to illegally acquire the power and function of state, that I used to professionally threaten physicians who attempted to expose my schemes.

75. I admit that my illegal schemes of public corruption and conspiring with state officials created a nexus whereby the state's independently motivated scheme to have Plaintiff Kaul illegally eliminated was furthered under private cover of myself, neurosurgical societies, and other non-official persons, by amongst other things, defamation, and derogation of Plaintiff Kaul's right and qualifications to perform minimally invasive spine surgery.

2010 - 2023

76. I admit that I abused the immense power of my 'state actor' status to conspire to violate Kaul's right to due process.

77. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of perjury.

78. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential falsification.

79. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of witness tampering.

80. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of fraud.

81. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential omission.

82. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the New Jersey Board of Medical Examiners to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of judicial-like corruption

83. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of perjury.

84. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential falsification.

85. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of witness tampering.

86. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of fraud.

87. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential omission.

88. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing judges of the New Jersey

Office of Administrative Law to obstruct the course of justice in cases filed against Plaintiff Kaul in administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of judicial corruption.

89. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of perjury.

90. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential falsification.

91. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of witness tampering.

92. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of fraud.

93. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential omission.

94. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the Office of the New Jersey Attorney General to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of judicial-like and judicial corruption.

95. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in

state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of perjury.

96. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential falsification.

97. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of witness tampering.

98. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of fraud.

99. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential omission.

100. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of Defendant Christie's administration to obstruct the course of justice in cases filed against Plaintiff Kaul in state boards and administrative courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of judicial-like and judicial corruption.

101. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of perjury.

102. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts

within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential falsification.

103. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of witness tampering.

104. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of fraud.

105. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of evidential omission.

106. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by participating with, facilitating and or directing members of the state judiciary to obstruct the course of justice in cases filed against Plaintiff Kaul in state courts within the geographic boundaries of New Jersey by committing and or facilitating the commission of schemes of judicial corruption.

107. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the state judiciary to dismiss all cases filed by Plaintiff Kaul in state courts within the geographic boundaries of the state of New Jersey by committing and or facilitating the commission of schemes of obstruction of justice.

108. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the state judiciary to dismiss all cases filed by Plaintiff Kaul in state courts within the geographic boundaries of the state of New Jersey by committing and or facilitating the commission of schemes of public corruption.

109. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the state government to coerce state judges to dismiss all cases filed by Plaintiff Kaul in state courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of obstruction of justice.

110. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the state government to coerce state judges to dismiss all cases filed by Plaintiff Kaul in state courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of public corruption.

111. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the federal judiciary to dismiss all cases filed by Plaintiff Kaul in federal courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of obstruction of justice.

112. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the federal judiciary to dismiss all cases filed by Plaintiff Kaul in federal courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of public corruption.

113. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the federal government to coerce federal judges to dismiss all cases filed by Plaintiff Kaul in federal courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of obstruction of justice.

114. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process by bribing and or otherwise corrupting members of the federal government to coerce federal judges to dismiss all cases filed by Plaintiff Kaul in federal courts within the geographic boundaries of the United States by committing and or facilitating the commission of schemes of public corruption.

115. I admit that I abused the immense power of my 'state actor' status to violate Plaintiff Kaul's right to due process and his property by conspiring with The Kaul Cases Defendants to illegally deprive Plaintiff Kaul of the property of his accounts receivable and other assets in the Chapter 11 proceedings in the bankruptcy court within the geographic boundaries of New Jersey by committing and or facilitating the commission of a scheme of bankruptcy fraud.

116. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his economic standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

117. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his reputation by obstructing, through

schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

118. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his livelihood by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

119. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his liberty by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

120. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his life by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

121. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his professional standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

122. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his social standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

123. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his psychological standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

124. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his physical standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

125. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate Plaintiff Kaul's right to regain his financial standing by obstructing, through schemes of judicial and public corruption, his due process right to litigate The Kaul Cases through discovery.

126. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his economic standing by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

127. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his economic standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

128. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his reputation by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

129. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his reputation by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

130. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his livelihood by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

131. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his livelihood by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

132. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his liberty by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

133. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to

regain his liberty by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

134. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his life by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

135. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his life by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

136. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his professional standing by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

137. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his professional standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

138. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his social standing by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

139. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his social standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

140. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his psychological standing by obstructing, through schemes of public and private

corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

141. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his psychological standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

142. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his physical standing by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

143. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his physical standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

144. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his financial standing by obstructing, through schemes of public and private corruption, the return of the property of his New Jersey license, the illegal seizure of which continues to cause deprivation of his liberty.

145. I admit that I abused and continue to abuse the immense power of my 'state actor' status to continue to violate, in conspiracy with The Kaul Cases Defendants, Plaintiff Kaul's right to regain his financial standing by obstructing, through schemes of public and private corruption, his efforts to restore his liberty through the procurement of a license anywhere in the world, including India, his country of citizenship.

146. I admit that from 2005 to 2016 the purpose of my willful, knowing, and ongoing abuse of my immense 'state actor' power was to perpetrate a scheme to violate Plaintiff Kaul's human and constitutional rights that involved, amongst other things, an ostracization of Plaintiff Kaul, a destruction of his economic standing, reputation and livelihood, the resultant deprivations of which caused and continue to cause conditions of homelessness, poverty and unemployment to him and his family.

147. I admit that from 2016 to 2023, and as a consequence of Plaintiff Kaul's prosecution of The Kaul Cases, I and others schemed and continue to scheme, in the violation of Plaintiff Kaul's right to due process in the United States District Court through the willful, knowing, and ongoing abuse of the immense power of our 'state actor' status, the scheme's purpose being an

attempt to prevent Plaintiff Kaul from exposing crimes committed by myself and those of The Kaul Cases Defendants in a period from at least 2005 to the present.

148. I admit that I used the US wires in a knowingly illegal manner to perpetrate schemes in which I conspired with The Kaul Cases Defendants to abuse the immense power of my 'state actor' status to violate Plaintiff Kaul's human and constitutional rights and cause and to continue to cause injury to his economic standing/reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing,

149. I admit that the schemes of knowing human and constitutional rights violations involved the illegal transmission across the US wires of hundreds of emails and telephone calls between myself, The Kaul Cases Defendants, and members of the Office of the New Jersey Attorney General.

150. I admit that the schemes of knowing human and constitutional rights violations involved the illegal transmission across the US wires of hundreds of emails and telephone calls between myself, The Kaul Cases Defendants, and members of the Office of the Office of the New Jersey Governor.

151. I admit that the schemes of knowing human and constitutional rights violations involved the illegal transmission across the US wires of hundreds of emails and telephone calls between myself, The Kaul Cases Defendants, and members of the New Jersey Office of Administrative Law.

152. I admit that the schemes of knowing human and constitutional rights violations involved the illegal transmission across the US wires of hundreds of emails and telephone calls between myself, The Kaul Cases Defendants, and members of the New Jersey Board of Medical Examiners.

RICO:

Overall Claim Admission

153. I admit to the fact that the below facts are undisputed, admitted and prove all elements of all claims asserted against me by Plaintiff Kaul.

154. I do not refute/contest/rebut/deny the evidence contained within the following documents: (i) The Waldman E-mail; (ii) The Zerbini Certification; (iii) The Sabo Certification; (iv) The Solomon Critique; (v) The Solomon Critique; (vi) The Calabrese Certification; (vii) The Przybylski Disciplinary Notice; (viii) The Feldman Certification; (ix) The Yeung E-mail; (x) The Union County Court proceedings; (xi) The Ciarrocca Complaint; (xii) The Federal Trade Commission Guidelines.

155. I admit that the evidence referenced in point 2. is further proof of the undisputed-ness of the facts asserted in the Complaint.

Element Specific Admissions

Culpable Person Who Willfully Or Knowingly

156. I admit culpability for having willfully and knowingly engaged with other defendants in a pattern of racketeering, in a period that commenced in approximately 2006, in the State of New Jersey, and continued into 2022 in the United States District Court for the Southern District of New York.

157. I admit that I engaged in a pattern of racketeering with other defendants in a period that commenced in approximately 2006, continued into 2019 and occurred in multiple locations in the US, and across the US mail and wires.

158. I admit that I willfully and knowingly violated the law, when I engaged in a pattern of racketeering with other defendants, in which I abused the authority of state agencies and power by committing and or facilitating bribery, fraud, kickbacks, extortion, perjury, evidential falsification and witness tampering.

159. I admit that I knew the purpose of having engaged in a pattern of racketeering was to destroy the economic standing, reputation, and livelihood of Plaintiff Kaul.

Commits Or Conspires To The Commission Of "Racketeering Activity"

160. I admit that in a period from 2006 to 2022, I conspired with other defendants in the commission of racketeering activity by using email, telephone and in person meetings to organize a knowingly illegal scheme that abused the authority of state agencies and power to have illegally revoked Kaul's New Jersey medical license, to illegally destroy Plaintiff Kaul's

economic standing, reputation, and livelihood and to obstruct justice and facilitate the commission of a 'Fraud on the Court' in the United States District Court by bribing or aiding and abetting a scheme of bribery of a federal judge in Kaul v ICE: 21-CV-06992, to have the case illegally dismissed with prejudice.

Through A Pattern

161. I admit that in a period from 2006 to 2022 I engaged in an ongoing pattern of corruption of administrative, state, and federal courts within the geographic boundaries of the United States, the purpose of which was to deprive Plaintiff Kaul of any access to substantive justice, illegally deprive him of his medical license, his property, his livelihood, his reputation, his material assets, his access to banking services and to have him jailed, deported and or killed.

162. I admit that in a period from 2006 to 2019, I did in concert and conspiracy with other defendants, knowingly, willfully, and illegally convert administrative, state, and federal courts within the geographic boundaries of New Jersey into racketeering enterprises, to further the scheme to destroy the economic standing, reputation, and livelihood of Plaintiff Kaul.

An Effect On Interstate Or Foreign Commerce

163. I admit that I and other defendants knew that the license revocation and destruction of the economic standing, reputation and livelihood of Plaintiff Kaul would prevent him from working anywhere in the world in any capacity, a trade restriction that would have a detrimental effect on interstate and or foreign commerce, and reduce federal tax revenues.

164. I admit that after the widely publicized revocation of Plaintiff Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we celebrated the destruction of Kaul's livelihood, economic standing, reputation and inability to find employment.

165. I admit that after the revocation of Plaintiff Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we predicted and celebrated the imminent descent of Kaul and his family into poverty.

Purpose

166. I admit that commencing in approximately 2006, I in concert and conspiracy with other defendants have engaged in schemes of bribery, fraud, evidential tampering, witness tampering, public corruption and kickbacks conducted through and facilitated by state actors, agencies, and administrative, state, and federal courts within the geographic boundaries of the United States.

167. I admit that I knew that the purpose of the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption and kickbacks was to destroy the economic standing, reputation, and livelihood of Plaintiff Kaul,

168. I admit that I knew the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption and kickbacks were illegal.

2005 – 2010

169. I admit that in or around mid-2005, I came to know, and it became widely known within the spine community that Plaintiff Kaul had invented and successfully performed the first outpatient minimally invasive spinal fusion.

RICO Predicate Act Of Bribery

170. I admit that in approximately 2005, after Plaintiff Kaul invented and performed the first minimally invasive outpatient spinal fusion, I and others in the American neurosurgical and orthopedic communities concluded his expertise in outpatient minimally invasive spine surgery presented a substantial and expanding threat to our hospital-based spine business.

171. I admit that commencing in approximately 2005/2006 I conspired with certain senior members of the American neuro-ortho surgical community to commence perpetrating a scheme of bribery with, amongst others, the then New Jersey Governor, Christopher J. Christie.

172. I admit that I used my position of power within the political wing of the American neurosurgical community to knowingly deceive its members into participating in the scheme of bribery that involved funneling money to the then New Jersey Governor, Christopher J. Christie.

173. I admit that I knew that in the conception and perpetration of the scheme of bribery I would violate and did in fact violate the law.

174. I admit that I knew that in the conception and perpetration of the scheme of bribery I would deprive and did in fact deprive Plaintiff Kaul of his human and constitutional rights.

175. I admit that I knew that in the conception and perpetration of the scheme of bribery I would illegally coopt and did in fact illegally coopt the power of state.

176. I admit that I knew that through the coopting of the power of state I would become and did in fact become a 'state actor'

177. I admit that I knew that with the power of the state and as a 'state actor' I would deprive and did in fact deprive Plaintiff Kaul of his human and constitutional rights.

178. I admit that I knew that with the power of the state and as a 'state actor' it was my intention to deprive Plaintiff Kaul of his human and constitutional rights.

179. I admit that I knew that my deprivation of Plaintiff Kaul's human and constitutional rights was intended to ensure the cessation of his existence.

180. I admit that I knew that my intention to cause the cessation of Plaintiff Kaul's existence was based on my effort to ensure he did not expose the scheme of bribery.

181. I admit that I knew of the immense criminal consequences to me and others if Plaintiff Kaul exposed our scheme of bribery.

182. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to destroy Plaintiff Kaul's livelihood.

183. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to destroy Plaintiff Kaul's economic standing,

184. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to destroy Plaintiff Kaul's reputation.

185. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to have Plaintiff Kaul incarcerated.

186. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to force Plaintiff Kaul's family into a state of poverty.

187. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to alienate Plaintiff Kaul from his children by forcing them into poverty.

188. I admit that my specific intention in aiding and abetting the perpetration of the scheme of bribery was to cause Plaintiff Kaul to commit suicide.

189. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to Defendant Christie in a quid pro quo exchange for him using his executive and ex-US Attorney political power to have violated Plaintiff Kaul's human and constitutional rights.

190. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to Defendant Christie in exchange for him using his executive and ex-US Attorney political power to have Plaintiff Kaul criminally investigated by state and federal authorities.

191. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in a quid pro quo exchange promised to use, and did use the power of state to have Plaintiff Kaul's license illegally revoked.

192. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in a quid pro quo exchange promised to use, and did use the power of state to have conducted grand jury proceedings against Plaintiff Kaul.

193. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in a quid pro quo exchange promised to use, and did use the power of state to conduct grand jury proceedings to attempt to have Plaintiff Kaul indicted and incarcerated.

194. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in a quid pro quo exchange promised to coerce, and did coerce the power of the FBI and the US Attorney's Office to commence a criminal investigation against Kaul.

195. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in a quid pro quo exchange promised to use, and did use his ex-US Attorney political power to cause to commence a federal criminal investigation against Kaul.

196. I admit that the scheme of bribery in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use his executive power to cause state investigators and prosecutors to commence state criminal investigations against Kaul.

197. I admit that the bribe monies were funneled to Defendant Christie through law firms, political lobbyists, and public relation firms with which he was politically and or commercially connected in any manner.

198. I admit that I knew the purpose of funneling the bribe monies through law firms, political lobbyists, and public relation firms, was to attempt to conceal the true quid pro quo bribery nature of the monies.

199. I admit that I knew and know that the true quid pro quo bribery nature of the monies rendered my transactions illegal.

200. I admit that I knew and know that I did not inform my bank of the true quid pro quo bribery nature of the transacted monies.

201. I admit that I knew and know that my transferring of the quid pro quo bribery monies constitutes bank fraud.

202. I admit that I knew and know that my commission of bank fraud constitutes a crime.

203. I admit that I knew and know that my commission of bank fraud involved the commission of wire fraud.

204. I admit that I knew and know that the purpose of attempting to conceal the true bribery nature of the monies was my concern that my crimes would be exposed.

205. I admit that I knew and know that the purpose of the concealment of my quid pro quo bribery crimes would have been to falsely claim that the bribe monies paid to law firms, political lobbyists, and public relation firms with which Defendant Christie was politically and or commercially connected in any manner, was for professional legal, lobbying and or public relation services.

206. I admit that I knew and know that such a claim would have been false.

207. I admit that I know that I cannot raise such a professional services defense in either this case and or any other civil and or criminal case that might ever be filed against me.

208. I admit that I knew and know that my lawyers advised me as to the scheme of concealment.

209. I admit that in the period from 2005/2006 to 2022, the scheme of bribery expanded to involve an increasing number of persons conducting business within the private and public sectors.

210. I admit that these persons include state and federal investigators.

211. I admit that these persons include state and federal prosecutors.

212. I admit that these persons include state and federal judges.

213. I admit that these persons include personal injury lawyers.

214. I admit that these persons include physicians who competed against Plaintiff Kaul in the minimally invasive spine surgery market.

215. I admit that these persons/entities included journalists/media organizations who have commercial relationships with The Kaul Cases Defendants and or within referenced Third Parties.

216. I admit that these persons include Plaintiff Kaul's ex-patients, whom I and others conspired with the file lawsuits and complaints with the medical board.

217. I admit that these persons include Plaintiff Kaul's ex-physician employees, whom I and others conspired with to provide false legal testimony against Plaintiff Kaul.

218. I admit that these persons include Plaintiff Kaul's ex-nursing employees, whom I and others conspired with to provide false legal testimony against Plaintiff Kaul.

RICO Predicate Act Of Fraud

219. I admit that as a consequence of Plaintiff Kaul having invented and successfully performed the first outpatient minimally invasive spinal fusion, I, along with other spine physicians, commenced conspiring to perpetrate a scheme of fraud, in order to attempt to obstruct Plaintiff Kaul's practice of minimally invasive spine surgery.

220. I admit that the purpose of the scheme of fraud was to obstruct and destroy Plaintiff Kaul's minimally invasive spine surgery practice.

221. I admit that another purpose of the scheme of fraud was to intimidate other physicians, similarly, trained as Plaintiff Kaul, from performing minimally invasive spine surgery.

222. I admit that the scheme of fraud in which I knowingly engaged, involved the public dissemination, and or the aiding and abetting of public dissemination, of the knowing falsehood that Plaintiff Kaul was not qualified/licensed/credentialed to perform minimally invasive spine surgery.

223. I admit that in the perpetration of the scheme of fraud I knew that Kaul was in fact legally qualified, credentialed and licensed to perform surgery, including minimally invasive spine surgery.

224. I admit that in the perpetration of the scheme of fraud I conspired with Drs. Andrew Kaufman and Gregory Przybylski in the subornation of perjury in the legal proceedings that caused the revocation of Plaintiff Kaul's license, in which they testified, with knowing falsity, that Plaintiff Kaul was not qualified to perform minimally invasive spine surgery, and had grossly deviated from a standard of care.

225. I admit that the scheme of fraud in which I knowingly engaged, involved the dissemination, and or the aiding and abetting of dissemination into courts of law of the knowingly falsehood that Plaintiff Kaul was not qualified/licensed/credentialed to perform minimally invasive spine surgery.

a. Public Obstruction

226. I admit that the perpetration of the scheme of fraud involved encouraging and coopting Plaintiff Kaul's patients to sue him by telling them, with knowing falsity, that Plaintiff Kaul had not been qualified/credentialed/licensed/trained to perform minimally invasive spine surgery on them.

227. I admit that the perpetration of the scheme of fraud involved encouraging and coopting Plaintiff Kaul's patients to file medical board complaints against him by telling them, with knowing falsity, that Plaintiff Kaul had not been qualified/credentialed/licensed/trained to perform minimally invasive spine surgery on them.

b. Legal Profession Obstruction

228. I admit that the perpetration of the scheme of fraud involved encouraging and coopting lawyers to file malpractice suits on behalf of Plaintiff Kaul's patients referred to them by me, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

229. I admit that the perpetration of the scheme of fraud involved encouraging and coopting personal injury lawyers to stop referring their injured clients to Plaintiff Kaul, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

c. Healthcare Profession Obstruction

230. I admit that the perpetration of the scheme of fraud involved encouraging and coopting other physicians to not refer patients to Plaintiff Kaul by telling them, with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

231. I admit that the perpetration of the scheme of fraud involved encouraging and coopting surgical centers and hospitals to not provide Plaintiff Kaul hospital privileges by telling credentialing committee physicians, with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

232. I admit that the perpetration of the scheme of fraud involved encouraging and coopting other physicians to file medical board complaints against Plaintiff Kaul by telling the medical board, with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery on them.

233. I admit that the perpetration of the scheme of fraud involved encouraging and coopting medical device representatives to not provide Plaintiff Kaul the necessary minimally invasive spine surgery devices, by telling them, with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

234. I admit that the perpetration of the scheme of fraud involved threatening medical device representatives that if they provided Plaintiff Kaul with the necessary minimally invasive spine surgery devices, I would use my immense political power to coerce other neurosurgeons to stop using their devices.

d. Insurance Industry Obstruction

235. I admit that the perpetration of the scheme of fraud involved conspiring with the insurance industry to illegally deny professional reimbursement to Plaintiff Kaul,

236. I admit that the fraudulent scheme of theft of services was perpetrated with physicians employed by the insurance industry, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

237. I admit that the purpose of the fraudulent scheme of theft of services, was an attempt to exhaust Plaintiff Kaul's business resources.

238. I admit that I knew that the purpose of the fraudulent scheme of theft of services was an attempt to cause a liquidation of Plaintiff Kaul's business by causing a cessation of revenue.

239. I admit that in the perpetration of the fraudulent scheme of theft of services, I conspired with physicians and persons associated with the insurance industry to have illegally diverted to me monies that should have been paid to Plaintiff Kaul.

240. I admit that I believed that the fraudulent scheme of theft of services would cause immense financial hardship to Plaintiff Kaul.

241. I admit that I believed this immense financial hardship would illegally force Plaintiff Kaul out of the minimally invasive spine surgery market.

242. I admit that I believed that if I caused this immense financial hardship to Plaintiff Kaul, he would be forced to engage in unlawful conduct.

243. I admit that I intended for this immense financial hardship to cause Plaintiff Kaul to engage in unlawful conduct.

244. I admit that I intended to have the imagined unlawful conduct cause Plaintiff Kaul to be jailed.

e. Political Body Obstruction

245. I admit that in or around 2007, I and other members of the neurosurgical and orthopedic spine community, recognized that the tactics of our scheme of fraud had failed to eliminate Plaintiff Kaul from the minimally invasive spine surgery market.

246. I admit that in recognizing the failure of our scheme of fraud and its tactics of interfering in Plaintiff Kaul's minimally invasive spine surgery business, I, as a political leader within the neurosurgical community, decided to bribe Defendant Christopher J. Christie to have him use his executive power to order the medical board to revoke Plaintiff Kaul's medical license.

247. I admit that I and The Kaul Cases Defendants knew and know that the Plaintiff Kaul elimination scheme was directly tied to the coopting and capture of the political body and its members.

248. I admit that I and The Kaul Cases Defendants knew and know and that there was a direct connection between the coopting and capture of the political body and its members and Plaintiff Kaul's ability to expose my crimes and those of The Kaul Cases Defendants.

249. I admit that Plaintiff Kaul's exposition of my crimes and those of The Kaul Cases Defendants, despite the coopting and capture of the political body and its members, evidences the fact that I and The Kaul Cases Defendants committed with a long-standing sense of privileged impunity, a massive amount of felonious conduct over almost two (2) decades.

250. I admit that Defendant Christie was the US Attorney for the District of New Jersey from 2000 to 2008.

251. I admit that Defendant Christie was the Governor for the State of New Jersey from 2009 to 2017.

252. I admit that between 2012 to 2016 Defendant Christie campaigned in pursuit of the Republican nomination for the 2016 Presidential Campaign.

253. I admit that between 2016 to 2020, Defendant Christie closely collaborated with President Trump in the nomination of federal judges within the United States Court of Appeals for the Third Circuit.

254. I admit that between 2016 to 2020, Defendant Christie closely collaborated with President Trump in the nomination of persons to federal agencies.

255. I admit that commencing in approximately 2005, Defendant Christie began seeking financial support for his 2009 political campaign for the governor's office.

256. I admit that I knew the failure of the tactics of our scheme of using the US wires to transmit knowingly fraudulent information to members of the public, the legal profession, the healthcare profession, and the insurance industry, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery, left me, as the leader of the neurosurgical community, with no option but to bribe Defendant Christie.

257. I admit that I, as a political leader within the immensely powerful and wealthy neurosurgical community, and its Political Activation Committee, did commence a dialogue with Defendant Christie.

258. I admit that a principal purpose of the dialogue pertained to the delineation of the quid pro quo scheme between myself, the neurosurgical society members, and Defendant Christie.

259. I admit that during the dialogues we discussed the exact nature of the quid pro quo deal in terms of when and what monetary and non-monetary bribes would be exchanged for what elements of the scheme to eliminate Plaintiff Kaul.

260. I admit that the dialogue surrounding the quid pro quo deal was akin to discussions surrounding the enactment of terms of a contract.

261. I admit that I knew and know the purpose and substance of the dialogue and the enactment of the terms were illegal elements of an overall criminal scheme that involved the commission of a course of an ongoing pattern of knowingly felonious conduct.

262. I admit that the principal purpose of the quid pro quo purposed dialogue pertained to the scheme to eliminate Plaintiff Kaul.

263. I admit that the dialogues were conducted using both digital and non-digital modes of communication.

264. I admit that the communications involved many individuals associated with the political, legal, medical, healthcare business and media worlds.

265. I admit that a principal part of the dialogue involved detailing the methods of how I and The Kaul Cases Defendants would achieve our objectives to eliminate Plaintiff Kaul.

266. I admit that in the dialogue we described the exact method of how we would eliminate Plaintiff Kaul.

267. I admit that the exact method involved using the coercive power of all branches of the State of New Jersey, the media, the political body, the insurance industry, the legal community, the medical community, and the public to attack and undermine Plaintiff Kaul's economic standing/reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing.

268. I admit that I conspired with, amongst others, Drs. Andrew Kaufman, Gregory Przybylski and Peter Carmel, to fraudulently coopt our medical societies and their members into directing their monies into the gubernatorial and presidential political campaigns of Defendant Christie.

269. I admit that I knew it was critical to my scheme of fraud, that I concealed from the members of our medical societies that their monies were in fact bribes, the true purpose of which was to fund a knowingly illegal quid pro quo scheme with Defendant Christie, purposed to illegally revoke Plaintiff Kaul's license.

270. I admit that in a period between 2005 and 2010 I, along with several other politically active neurosurgeons and orthopedic spine surgeons, met on several occasions with Defendant Christie.

271. I admit that that the purpose of these meetings was to discuss the perpetration of the scheme to revoke Plaintiff Kaul's license.

272. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he had received the bribes.

273. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to initiate legal proceedings to revoke Plaintiff Kaul's license.

274. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to order the medical board to suspend and then revoke Plaintiff Kaul's license.

275. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to instruct the New Jersey state bar to order it's members to refuse to support Plaintiff Kaul.

276. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to instruct the New Jersey medical community to refuse to support Plaintiff Kaul.

277. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to instruct the New Jersey plaintiffs' bar to file lawsuits against Plaintiff Kaul.

278. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to instruct the New Jersey judicial community to dismiss any cases filed by Plaintiff Kaul.

279. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to instruct the New Jersey media community to publish highly defamatory articles about Plaintiff Kaul.

280. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to order The Kaul Cases Defendant, and New Jersey Administrative Law Judge, Jay Howard Solomon, to recommend revocation of Plaintiff Kaul's license.

281. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to order The Kaul Cases Defendant, and New Jersey Administrative Law Judge, Jay Howard Solomon, to recommend revocation of Plaintiff Kaul's license regardless of the evidence presented by Plaintiff Kaul.

282. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to order The Kaul Cases Defendant, and New Jersey Administrative Law Judge, Jay Howard Solomon, to falsify his opinion if necessary to ensure the revocation of Plaintiff Kaul's license regardless of the evidence presented by Plaintiff Kaul.

283. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to use the US wires to disseminate to the New Jersey media community copies of legal documents that perpetrated the knowing fraud that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

284. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to use the US wires to disseminate to the New Jersey legal community copies of legal documents that perpetrated the knowing fraud that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

285. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to use the US wires to disseminate to the New Jersey judicial community copies of legal documents that perpetrated the knowing fraud that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

286. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to use the US wires to disseminate to the New Jersey insurance community copies of legal documents that perpetrated the knowing fraud that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

287. I admit that during these meetings I had several conversations with Defendant Christie, in which he confirmed that he would order, and did in fact order his attorney general to use the US wires to disseminate to the New Jersey medical community copies of legal documents that perpetrated the knowing fraud that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

288. I admit that during these meetings I had several conversations with Defendant Christie, in which I confirmed that I had persuaded The Kaul Cases Defendants, Drs. Andrew Kaufman and Gregory Przybylski, to testify, albeit with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

289. I admit that during these meetings I had several conversations with Defendant Christie, in which I confirmed that once Plaintiff Kaul's license was revoked, I would use my political power

within the neurosurgical societies to have its members support Defendant Christie's 2016 presidential campaign.

290. I admit that in late 2009, I was informed by persons associated with Defendant Christie that a preliminary evaluation committee of the New Jersey medical board had ordered Plaintiff Kaul to appear before them on February 3, 2010.

291. I admit that I knew the February 3, 2010, hearing was the first procedural step in a series of legal proceedings, in which the outcome of the illegal revocation of Plaintiff Kaul's license was a foregone conclusion.

292. I admit that I knew, based on my conversations with Defendant Christie, that one purpose of legal proceedings was to provide the public an appearance of justice.

293. I admit that I knew, based on my conversations with Defendant Christie, that one purpose of the highly publicized legal proceedings was to destroy Plaintiff Kaul's reputation.

294. I admit that I knew, based on my conversations with Defendant Christie, that one purpose of the highly publicized legal proceedings was to fabricate a legal record to justify the crime against Plaintiff Kaul.

295. I admit that I knew, based on my conversations with Defendant Christie, that one purpose of a state fabricated legal record, other than justifying the crime, would be to submit it as a defense if Plaintiff Kaul exposed the crimes and filed suit.

296. I admit that I knew, based on my conversations with Defendant Christie, that if I or any of The Kaul Cases Defendants used the state fabricated legal record as a defense, it was expected that nobody would believe Plaintiff Kaul because of his prior history in the UK.

297. I admit that I knew, based on my conversations with Defendant Christie, that if I or any of The Kaul Cases Defendants used the state fabricated legal record as a defense, it was expected that nobody would believe Plaintiff Kaul because of his prior history in New Jersey.

298. I admit that I knew, based on my conversations with Defendant Christie, that if I or any of The Kaul Cases Defendants used the state fabricated legal record as a defense, it was expected that nobody, including judges, would believe Plaintiff Kaul because by the time his license was revoked, myself and The Kaul Cases Defendants would have destroyed his reputation.

299. I admit that I knew, based on my conversations with Defendant Christie, that if I or any of The Kaul Cases Defendants used the state fabricated legal record as a defense, it was expected that nobody, including judges, would believe Plaintiff Kaul's claims.

300. I admit that I knew, based on my conversations with Defendant Christie, that even if anybody believed Plaintiff Kaul, by the time he exposed the crimes of myself and The Kaul

Cases Defendants, he would be bankrupted, unable to retain a lawyer and thus unable to prosecute a claim.

301. I admit that I knew, based on my own long-standing pattern of public corruption and on my conversations with Defendant Christie, that even if Plaintiff Kaul acquired sufficient legal knowledge to file his own claim, it would be dismissed because I and others would bribe the judges.

302. I admit that based on my experience of my long-standing pattern of public corruption and on my conversations with Defendant Christie and certain members of The Kaul Cases Defendants, I was convinced that my crimes would destroy Plaintiff Kaul's economic standing, reputation, livelihood, reputation, and life and illegally deprive him of his liberty.

303. I admit that based on my experience of my long-standing pattern of public corruption and on my conversations with Defendant Christie and certain members of The Kaul Cases Defendants, I was convinced in 2010 that Plaintiff Kaul would never expose my crimes.

304. I admit that in the period from 2005 to 2010 I was successful in corrupting and manipulating persons and agencies of the State of New Jersey into the commission of a criminal course of conduct that caused and involved the commencement on February 3, 2010, of the first procedural legal step in the illegal revocation of Plaintiff Kaul's license.

305. I admit that based on my conviction that my crimes would go un-exposed, I did with a sense of impunity, perpetrate, aid, and abet and collaborate in the willful and knowing commission of a scheme of felonious conduct that commenced in or around 2005 in the State of New Jersey and extended through 2010 into 2023, as do its permanent consequences, in, amongst others, the district courts of the United States District Court, American state/federal governments, the Courts of India, and the internet.

2010 – 2016

RICO Predicate Act Of Fraud

a. Public Obstruction

306. I admit that after Plaintiff Kaul's interrogation by a preliminary evaluation committee of the New Jersey medical board on February 3, 2010, I became further emboldened in the scheme of fraud.

307. I admit that in becoming further emboldened in the scheme of fraud, my efforts to alienate Plaintiff Kaul from the public became amplified.

308. I admit these amplified efforts of fraud included recruiting other physicians and surgeons to encourage and coopt any of Plaintiff Kaul's patients to whom they had ever provided care, to sue him by telling them, albeit with knowing falsity, that Plaintiff Kaul had not been qualified/credentialed/licensed/trained to perform minimally invasive spine surgery on them.

309. I admit these amplified efforts of fraud included recruiting other physicians and surgeons to encourage and coopt any of Plaintiff Kaul's patients to whom they had ever provided care, to file medical board complaints against him by telling his patients, albeit with knowing falsity, that Plaintiff Kaul had not been qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

310. I admit these amplified efforts of fraud included using the US wires, and encouraging others to use the US wires, to coopt the public into becoming a 'mob' that attacked Plaintiff Kaul online with highly defamatory posts and publications.

311. I admit I believed that by having this 'mob' attack Plaintiff Kaul online and in the court of public opinion, he would be deterred from fighting the publicly conducted legal proceedings.

312. I admit I believed that by having this 'mob' attack Plaintiff Kaul online and in the court of public opinion, he would be deprived in the board and administrative proceedings of any testimonial support from his patients.

313. I admit I believed that the 'mob' induced deprivation of public and patient support would cause Plaintiff Kaul to become socially ostracized and completely isolated.

314. I admit the purpose of ostracizing and isolating Plaintiff Kaul was to render him financially unable to fight the case in the courts of law and public opinion.

315. I admit the purpose of ostracizing and isolating Plaintiff Kaul was to render him psychologically unable to fight the case in the courts of law and public opinion.

316. I admit the purpose of ostracizing and isolating Plaintiff Kaul was to render him socially unable to fight the case in the courts of law and public opinion.

317. I admit the purpose of ostracizing and isolating Plaintiff Kaul was to render him physically unable to fight the case in the courts of law and public opinion.

318. I admit that a purpose of attempting to render Plaintiff Kaul unable to fight, was to attempt to ensure he did not expose my crimes of those of The Kaul Cases Defendants.

319. I admit that a purpose of attempting to ensure Plaintiff Kaul did not expose my crimes and those of The Kaul Cases Defendants, was my recognition that such an exposure would evidence the illegality of the events preceding the revocation proceedings.

320. I admit that a purpose of attempting to ensure Plaintiff Kaul did not expose my crimes and those of The Kaul Cases Defendants, was my recognition that such an exposure would evidence the illegality of the revocation proceedings.

321. I admit that a purpose of attempting to ensure Plaintiff Kaul did not expose my crimes and those of The Kaul Cases Defendants, was my recognition that such an exposure would evidence the illegality of the revocation itself.

322. I admit that that a purpose of attempting to ensure Plaintiff Kaul did not expose my crimes and those of The Kaul Cases Defendants, was my recognition that such an exposure would subject me to criminal indictment.

323. I admit that I, in conspiracy with The Kaul Cases Defendants, and other third media related parties, did use the US wires to publish over twenty-two (22) highly defamatory and knowingly false stories about Plaintiff Kaul.

324. I admit that I knew the purpose of these highly defamatory stories was to ostracize Plaintiff Kaul.

325. I admit that I knew the purpose of these highly defamatory stories was to socially isolate Plaintiff Kaul.

326. I admit that I knew the purpose of these highly defamatory stories was to render Plaintiff Kaul financially unable to fight the case in the courts of law and public opinion.

327. I admit that I knew the purpose of these highly defamatory stories was to render Plaintiff Kaul psychologically unable to fight the case in the courts of law and public opinion.

328. I admit that I knew the purpose of these highly defamatory stories was to render Plaintiff Kaul physically unable to fight the case in the courts of law and public opinion.

329. I admit that I knew the purpose of these highly defamatory stories was to render Plaintiff Kaul socially unable to fight the case in the courts of law and public opinion.

330. I admit that I knew the purpose of these highly defamatory stories was to attempt to 'break the spirit' of Plaintiff Kaul.

331. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the professional re-emergence of Plaintiff Kaul.

332. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the financial re-emergence of Plaintiff Kaul.

333. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the reputational re-emergence of Plaintiff Kaul.

334. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the psychological re-emergence of Plaintiff Kaul.

335. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the social re-emergence of Plaintiff Kaul.

336. I admit that I knew the purpose of these highly defamatory stories was to attempt to prevent the physical re-emergence of Plaintiff Kaul.

337. I admit that I knew and know that the professional re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

338. I admit that I knew and know that the financial re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

339. I admit that I knew and know that the psychological re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

340. I admit that I knew and know that the social re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

341. I admit that I knew and know that the physical re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

342. I admit that I knew and know that the reputational re-emergence of Plaintiff Kaul would expose, and has exposed my crimes and those of The Kaul Cases Defendants.

343. I admit that I knew the purpose of these highly defamatory stories was to attempt to cause an effective cessation of Plaintiff Kaul's existence.

344. I admit that had an effective cessation of Plaintiff Kaul's existence been caused to occur, then my crimes and those of The Kaul Cases Defendants would never have been exposed, as they are now.

345. I admit that I knew the purpose of these highly defamatory stories was to attempt to have Plaintiff Kaul commit suicide.

346. I admit that had Plaintiff Kaul been caused to commit suicide, then my crimes and those of The Kaul Cases Defendants would never have been exposed, as they are now.

b. Legal Profession Obstruction

347. I admit, as detailed in the below admitted facts, a direct connection between Plaintiff Kaul's ability to retain counsel in 2013 to litigate the illegal revocation proceedings and the exposing in 2023 of my involvement in a criminally minded and criminal scheme that commenced in 2005 and expanded to involve The Kaul Cases Defendants and others.

348. I admit that in recognizing the direct connection between Plaintiff Kaul's litigation purposed retention of counsel and the exposing of my crimes, I did conspire with The Kaul Cases Defendants to attempt to sabotage the relationship between Plaintiff Kaul and his counsel.

349. I admit that I and members of The Kaul Cases Defendants perpetrated a fraud on members of the New Jersey State Bar by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

350. I admit that I conspired with other members of The Kaul Cases Defendants, including Defendant Christle and members of the Office of the New Jersey Attorney General, to instruct members of the New Jersey State Bar to not provide legal representation to Plaintiff Kaul.

351. I admit that I used my political power within the neurosurgical societies to coerce its members to refuse to provide expert opinions to members of the state bar, if any members of its members provided legal representation and or advice to Plaintiff Kaul.

352. I admit that I knew the purpose of my fraudulent scheme on members of the New Jersey State Bar was to render Plaintiff Kaul unable to find legal representation to fight the revocation proceedings in the courts of law.

353. I admit that I knew that without legal representation, Plaintiff Kaul would not have been able to contest the revocation proceedings.

354. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his economic standing would deprive him of funds, and prevent the payment of legal fees.

355. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his reputation would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of legal fees.

356. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his physician livelihood would deprive him of his ability to earn a wage, and prevent the payment of legal fees.

357. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his liberty would deprive him of his ability to earn any wage-paying job, and prevent the payment of legal fees.

358. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his life would deprive him of his ability to earn any wage-paying job, and prevent the payment of legal fees.

359. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his professional standing would deprive him of his ability to earn any wage-paying job, and prevent the payment of legal fees.

360. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his social standing would deprive him of his ability to earn any wage-paying job, and prevent the payment of legal fees.

361. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his social standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of legal fees.

362. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his psychological standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of legal fees.

363. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his physical standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of legal fees.

364. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his financial standing would deprive him of funds and prevent the payment of legal fees.

365. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of legal representation by using the US wires to manipulate his counsel with claims that the injury caused by our scheme to his reputational standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of legal fees.

366. I admit that I knew that without contesting the revocation proceedings, Plaintiff Kaul would not have been able to create a record of the evidential fraud committed and aided and abetted by myself and The Kaul Cases Defendants.

367. I admit that I knew that without the record of evidential fraud, Plaintiff Kaul would never have been able to generate proof of the fraud preceding the revocation proceedings.

368. I admit that I knew that without the record of evidential fraud, that even if Plaintiff Kaul had considered the illegality of the circumstances preceding and involving the revocation, he would never have been able to generate proof of the fraud committed before and during the revocation proceedings.

369. I admit that Plaintiff Kaul's ability to retain counsel to litigate the revocation proceedings caused the generation of evidence that now proves the revocation proceedings were and illegal.

370. I admit that Plaintiff Kaul's ability to retain counsel to litigate the revocation proceedings caused the generation of evidence that now proves the revocation was and is illegal.

371. I admit that without counsel to litigate the revocation proceedings, Plaintiff Kaul's license would have been revoked without the generation of any record of state fraud.

372. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his economic standing.

373. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his economic standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

374. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his reputational standing.

375. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his reputational standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

376. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his livelihood.

377. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his livelihood, he would never have exposed my crimes and those of The Kaul Cases Defendants.

378. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his liberty.

379. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his liberty, he would never have exposed my crimes and those of The Kaul Cases Defendants.

380. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his life.

381. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his life, he would never have exposed my crimes and those of The Kaul Cases Defendants.

382. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his professional standing.

383. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his professional standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

384. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his social standing.

385. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his social standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

386. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his psychological standing.

387. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his psychological standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

388. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his physical standing.

389. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his physical standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

390. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his financial standing.

391. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his financial standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

392. I admit that without a record of state fraud, Plaintiff Kaul would have been forever deprived of any opportunity for the re-emergence of his reputational standing.

393. I admit that had Plaintiff Kaul been forever deprived of any opportunity for the re-emergence of his reputational standing, he would never have exposed my crimes and those of The Kaul Cases Defendants.

394. I admit that I continued the perpetration of the scheme of fraud in encouraging and coopting lawyers to file malpractice suits on behalf of Plaintiff Kaul's patients referred to them by me, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

395. I admit that I continued up until 2012 in the perpetration of the scheme of fraud in encouraging and coopting personal injury lawyers to stop referring their injured clients to Plaintiff Kaul, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

c. Healthcare Profession Obstruction

396. I admit, as detailed in the below admitted facts, a direct connection between Plaintiff Kaul's ability to retain medical experts in 2013 to testify in the illegal revocation proceeding and the exposing in 2023 of my involvement in a criminally minded and criminal scheme that commenced in 2005 and expanded to involve The Kaul Cases Defendants and others.

397. I admit that in recognizing the direct connection between Plaintiff Kaul's litigation purposed retention of medical experts and the exposing of my crimes, I did conspire with The Kaul Cases Defendants to attempt to sabotage the relationship between Plaintiff Kaul and his experts.

398. I admit that I and members of The Kaul Cases Defendants perpetrated a fraud on members of the New Jersey medical community by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

399. I admit that I conspired with other members of The Kaul Cases Defendants, including Defendant Christie and members of the Office of the New Jersey Attorney General, to instruct members of the New Jersey medical community to not provide expert opinion on behalf of Plaintiff Kaul in any legal matter, including the revocation proceeding.

400. I admit that I used my immense political power within the neurosurgical societies to coerce its members to refuse to conduct healthcare related business with any physicians that supported Plaintiff Kaul.

401. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that supported Plaintiff Kaul by filing knowingly false complaints against them to have their hospital privileges revoked.

402. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that supported Plaintiff Kaul by filing knowingly false complaints against them to have their licenses suspended and or revoked.

403. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that supported Plaintiff Kaul by filing against them knowingly false complaints of insurance fraud.

404. I admit that I used my immense political power within the neurosurgical societies to coerce its members to encourage physicians to use the US wires to disseminate knowingly fraudulent information that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery

405. I admit that I knew the purpose of my fraudulent scheme on members of the New Jersey medical community was to render Plaintiff Kaul unable to find medical experts to fight the revocation proceedings in the courts of law.

406. I admit that I knew that without medical experts, Plaintiff Kaul would not have been able to contest the revocation proceedings.

407. I admit that I conspired with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of medical experts.

408. I admit that the medical expert deprivation scheme was perpetrated by using the US wires and my immense political power within professional spine societies to manipulate potential minimally invasive spine experts.

409. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's reputation would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

410. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's economic standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

411. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's physician livelihood would deprive him of his ability to earn a wage, and prevent the payment of medical expert fees.

412. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's liberty would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

413. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's life would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

414. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's professional standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

415. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's social standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

416. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's psychological standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

417. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's physical standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

418. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's financial standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

419. I admit that the manipulation of potential minimally invasive spine experts was perpetrated with claims that the injury caused by our scheme to Plaintiff Kaul's reputational standing would deprive him of his ability to secure any wage-paying job and or outside funding, and prevent the payment of medical expert fees.

420. I admit that I knew that without contesting the revocation proceedings, Plaintiff Kaul would not have been able to create a record of the evidential fraud committed and aided and abetted by myself and The Kaul Cases Defendants.

421. I admit that I knew that without the record of evidential fraud, Plaintiff Kaul would never have been able to generate proof of the fraud preceding the revocation proceedings.

422. I admit that I knew that without the record of evidential fraud, that even if Plaintiff Kaul had considered the illegality of the circumstances preceding and involving the revocation, he would never have been able to generate proof of the fraud committed before and during the revocation proceedings.

423. I admit that Plaintiff Kaul's ability to retain medical experts to litigate the revocation proceedings caused the generation of evidence that now proves the revocation proceedings were and illegal.

424. I admit that Plaintiff Kaul's ability to retain medical experts to litigate the revocation proceedings caused the generation of evidence that now proves the revocation was and is illegal.

425. I admit that without medical experts to litigate the revocation proceedings, Plaintiff Kaul's license would have been revoked without the generation of any record of state fraud.

426. I admit that I continued the perpetration of the scheme of fraud in encouraging and coopting physicians complaints with the medical board against Plaintiff Kaul, by complaining with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

427. I admit that I continued up until 2012 in the perpetration of the scheme of fraud in encouraging physicians to stop referring patients to Plaintiff Kaul, by stating with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

d. Insurance Industry Obstruction

428. I admit that Plaintiff Kaul's has since 2012 materially sustained his existence to a standard to prosecute his claims, despite the perpetration and aiding and abetting by myself and The Kaul Cases Defendants of a scheme that embezzled and illegally deprived Plaintiff Kaul of monies owed to him by insurance carriers for care he provided to their fee-paying patients.

429. I admit, as detailed in the below admitted facts, a direct connection between Plaintiff Kaul's ability to exist and prosecute his claims and the exposing in 2023 of my involvement in a criminally minded and criminal scheme that commenced in 2005 and expanded to involve The Kaul Cases Defendants and others.

430. I admit that in recognizing the direct connection between Plaintiff Kaul's insurance based professional fee payment material existence and the exposing of my crimes, I did conspire with The Kaul Cases Defendants to perpetrate and aid and abet a knowingly illegal scheme of deprivation of payment.

431. I admit that I recognized that the stronger was Plaintiff Kaul's financial position, the greater was the risk of him exposing my crimes and those of The Kaul Cases Defendants.

432. I admit that I believed that if I and The Kaul Cases Defendants forced Plaintiff Kaul into a state of poverty, he would not expose our crimes.

433. I admit that the crimes committed by myself, and The Kaul Cases Defendants did force Plaintiff Kaul into a state of poverty.

434. I admit that the United States District Court granted Plaintiff Kaul in forma paupera status.

435. I admit that Plaintiff Kaul's exposition of my crimes and those of The Kaul Cases Defendants, despite his official state of poverty, evidences the fact that I and The Kaul Cases Defendants committed with a long-standing sense of privileged impunity, a massive amount of felonious conduct over almost two (2) decades.

436. I admit that I and members of The Kaul Cases Defendants perpetrated a fraud on members of the insurance industry by using the US wires to state with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

437. I admit that the purpose of using the US wires to disseminate the knowing falsity that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery, was to deprive Plaintiff Kaul of monies owed to him by insurance carriers for care he provided to their fee-paying patients.

438. I admit that I conspired with other members of The Kaul Cases Defendants, including Defendant Christie and members of the Office of the New Jersey Attorney General, to encourage members of the insurance industry to deprive Plaintiff Kaul of his legally mandated professional fees.

439. I admit that in conspiring with members of the insurance industry in the professional fee deprivation scheme, I did knowingly aid and abet the commission of a crime of theft of services against Plaintiff Kaul.

440. I admit that I used my immense political power within the neurosurgical societies to coerce its members to refuse to conduct healthcare related business with any insurance carriers that conducted business with Plaintiff Kaul.

441. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that continued to conduct any business with any insurance carriers that continued to conduct business with Plaintiff Kaul, by filing knowingly false complaints against these physicians to have their hospital privileges revoked.

442. I admit that I used my immense political power within the neurosurgical societies to have effectuated a sanctions-like scheme against members that either violated and or opposed my orders.

443. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that continued to conduct any business with any insurance carriers that continued to conduct business with Plaintiff Kaul, by filing knowingly false complaints against them to have their licenses suspended and or revoked.

444. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally undermine any physicians that continued to conduct any business with any insurance carriers that continued to conduct business with Plaintiff Kaul, by filing against them knowingly false complaints of insurance fraud.

445. I admit that I used my immense political power within the neurosurgical societies to coerce its members to use the US wires to disseminate the names of those members who continued to conduct any business with any insurance carriers that continued to conduct business with Plaintiff Kaul.

446. I admit that I used my immense political power within the neurosurgical societies to coerce its members to use the US wires to disseminate the names of those members who continued to provide any manner of support to Plaintiff Kaul.

447. I admit that I knew a purpose of my illegal sanctions-like scheme against neurosurgical society members who violated or opposed my orders, was to punish those that failed to comply with my orders.

448. I admit that I knew a purpose of my illegal sanctions-like scheme against neurosurgical society members who violated or opposed my orders, was to ostracize those that failed to comply with my orders.

449. I admit that I knew a purpose of my illegal sanctions-like scheme against neurosurgical society members who violated or opposed my orders, was to intimidate other members into coercing insurance carriers, with whom they conducted business, into depriving Plaintiff Kaul of his professional fees.

450. I admit that the ultimate purpose of my sanctions-like scheme against non-complying neurosurgical society members was to prevent Plaintiff Kaul from exposing my crimes and those of The Kaul Cases Defendants.

451. I admit that I believed that by causing and or coercing insurance carriers into depriving Plaintiff Kaul of his professional fees, he would be rendered financially unable to contest the revocation proceedings.

452. I admit that I conspired with The Kaul Cases Defendants to illegally attempt to cause and or coerce insurance carriers to illegally deprive Plaintiff Kaul of his professional fees.

453. I admit that the professional fee deprivation scheme was perpetrated by using the US wires and my immense political power within professional spine societies to manipulate the members into causing and or coercing insurance carriers to deprive Plaintiff Kaul of his professional fees.

454. I admit that multiple neurosurgical society members occupy controlling seats on insurance industry panels that determine payment.

455. I admit that I used the US wires in a knowingly illegal manner to conspire with these members to deny the payment of Plaintiff Kaul's professional fees.

456. I admit that I and The Kaul Cases Defendants convinced insurance carriers that there would be no repercussions to illegally depriving Plaintiff Kaul of his professional fees.

457. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's reputation by associated attacks on his economic standing/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

458. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's economic standing by associated attacks on his reputation/livelihood/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

459. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's livelihood by associated attacks on his reputation/economic standing/liberty/life/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

460. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's liberty by associated attacks on his reputation/economic standing/livelihood/life/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

461. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's life by associated attacks on his reputation/economic standing/livelihood/liberty/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

462. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's professional standing by associated attacks on his life/reputation/economic standing/livelihood/liberty/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

463. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's social standing by associated attacks on his life/reputation/economic standing/livelihood/liberty/professional standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

464. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's psychological standing by associated attacks on his life/reputation/economic standing/livelihood/liberty/professional standing/social standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

465. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's physical standing by associated attacks on his life/reputation/economic standing/livelihood/liberty/professional standing/social standing/psychological standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

466. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's financial standing by associated attacks on his life/reputation/economic standing/livelihood/liberty/professional standing/social standing/psychological standing/physical standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

467. I admit that the professional fee deprivation scheme was coerced with claims that the permanency of the injury caused to Plaintiff Kaul's reputational standing by associated attacks on his life/economic standing/livelihood/liberty/professional standing/social standing/psychological standing/physical standing/financial standing would cause his permanent elimination, and eliminate the threat of any future challenge to the professional fee deprivation scheme.

468. I admit that I believed that by illegally depriving Plaintiff Kaul of his professional fees he would be deprived respectively of his ability and right to fund and retain counsel, and would actually be deprived of counsel to contest the revocation proceedings.

469. I admit that I knew that without contesting the revocation proceedings, Plaintiff Kaul would never have been able to create a record of the evidential fraud of the revocation proceedings committed and aided and abetted by myself and The Kaul Cases Defendants.

470. I admit that I knew that without the record of evidential fraud, Plaintiff Kaul would never have been able to generate proof of the fraud preceding the revocation proceedings.

471. I admit that I knew that without the record of evidential fraud of the revocation proceedings, that even if Plaintiff Kaul had considered the illegality of the circumstances preceding and involving the revocation, he would never have been able to generate proof of the fraud committed before and during the revocation proceedings.

472. I admit that Plaintiff Kaul's ability, despite the professional fee deprivation scheme, to litigate the revocation proceedings caused the generation of evidence that now proves the revocation proceedings were and illegal.

473. I admit that Plaintiff Kaul's ability, despite the professional fee deprivation scheme, to litigate the revocation proceedings caused the generation of evidence that now proves my guilt of the levied charges.

474. I admit that despite the professional fee deprivation scheme, Plaintiff Kaul was able to litigate the revocation proceedings

475. I admit that Plaintiff Kaul's litigation of the revocation proceedings caused the generation of evidence that now proves the revocation was and is illegal.

476. I admit that had Plaintiff Kaul not litigated the revocation proceedings, his license would have been revoked without the generation of any record of state fraud.

477. I admit that I knew and know that on or about March 23, 2013, approximately seventeen (17) days before the commencement of the revocation proceedings, Doreen Hafner, a lawyer employed by the State of New Jersey, attempted to have Plaintiff Kaul admit to her charges and

to agree to have his license revoked for seven (7) years and pay five hundred thousand dollars (\$500,000).

478. I admit that I knew and know that the purpose of Hafner's proposal was to prevent litigation that she knew would result in the generation of evidence that now proves my guilt of the levied charges.

479. I admit that I knew and know that the purpose of Hafner's proposal was to prevent litigation that she knew would result in the generation of evidence that now proves that the revocation proceedings were conducted illegally.

480. I admit that I knew and know that the purpose of Hafner's proposal was to prevent litigation that she knew would result in the generation of evidence that proves that the revocation was, is and remains illegal.

481. I admit that I knew and know that the administrative law judge attempted to persuade Plaintiff Kaul to accept Hafner's proposal.

482. I admit that I knew and know that Plaintiff Kaul rejected Hafner's proposal.

483. I admit that I believe that Plaintiff Kaul rejected Hafner's proposal because he knew that his litigation of the proceedings would generate evidence favorable to his cause.

484. I admit that the evidence generated in 2013 and thereafter now indeed proves Plaintiff Kaul's cause and my guilt of the charges levied in The Kaul Cases, including those of K11-10.

485. I admit that I, in conspiracy with The Kaul Cases Defendants, continued to aid and abet the perpetration of the professional fee deprivation scheme up until approximately July 30, 2020, the date of closure of Bankruptcy Petition: 13-23366, a case filed on June 17, 2013.

486. I admit I knew and know that the professional deprivation scheme was illegally perpetrated through the United States Bankruptcy Court for the District of New Jersey.

487. I admit I knew and know through communications with my lawyer of the truthfulness of the claims of the Adversarial Complaint asserted by Plaintiff Kaul in Case No. 18-01489 in the United States Bankruptcy Court, filed on September 20, 2018.

489. I admit I knew and know that Case No. 18-01489 was almost dismissed because it exposed, amongst many other felonies, the professional fee deprivation scheme.

e. Political Body Obstruction

490. I admit that up until February 22, 2016, the date Plaintiff Kaul filed K1, I and The Kaul Cases Defendants believed that the Plaintiff Kaul elimination scheme would absolutely succeed.

491. I admit that this belief in its absolute success, in conjunction with the belief that Defendant Christie would become the 2016 American President, accounts for the impunity with which I and The Kaul Cases Defendants conducted the commission of a pattern of felonious conduct that commenced in 2005 and is ongoing.

492. I admit that an element of the Plaintiff Kaul elimination scheme involved using the media to perpetrate a public dehumanization and vilification of Plaintiff Kaul.

493. I admit that both I and The Kaul Cases Defendants knew and know, that coercing a majority of members of the political body into propagating and perpetuating the dehumanization and vilification scheme was critical to its success.

494. I admit that I knew and know that the majority of the public would never doubt state actions and would never believe a dehumanized and vilified Plaintiff Kaul.

495. I admit that the public dehumanization and vilification scheme provided me and The Kaul Cases Defendants a sense, albeit false, that our knowingly felonious conduct was justified.

496. I admit that I used my immense political power with the neurosurgical community and the general medical community to propagate the knowingly false dehumanization and vilification scheme and narrative.

497. I admit that the purpose of the propagation was to attempt to cause a global isolation of Plaintiff Kaul.

498. I admit that I and The Kaul Cases Defendants knew and know that Plaintiff Kaul had worked and been educated and trained in many foreign countries, with which he had maintained substantial personal and professional contact.

499. I admit that the purpose of the dehumanization and vilification related global isolation was to attempt to ensure the permanency of Plaintiff Kaul's global elimination, in an attempt to ensure that my crimes and those of The Kaul Cases Defendants would never be exposed.

500. I admit that it was my intention and that of The Kaul Cases Defendants to coopt and capture the political body to manipulate the public into perceiving Plaintiff Kaul as 'public enemy number one'.

501. I admit that the principal reason for the Plaintiff Kaul elimination scheme purposed 'public enemy number one' mischaracterization was to prevent Plaintiff Kaul from exposing both my long-standing pattern of felonious conduct and that of The Kaul Cases Defendants.

502. I admit that I and The Kaul Cases Defendants recognized that upon the April 2, 2012, commencement of the malicious and wide publicization of the revocation proceedings, Plaintiff Kaul would seek assistance from members of the political body.

503. I admit that I know that Plaintiff Kaul did in fact commence seeking assistance from members of the political body.

504. I admit that I know that Plaintiff Kaul's efforts in seeking assistance from members of the political body involved him telephoning and sending letters to his political representatives.

505. I admit that I know that Plaintiff Kaul's efforts in seeking assistance from members of the political body involved having patients of his, who were involved in the New Jersey political process, to enquire as to the truth of why the state had commenced revocation proceedings.

506. I admit that I know that the substance of Plaintiff Kaul's direct written communications to member of the political body pertained to his enquiry as to the truth of why the state had commenced revocation proceedings.

507. I admit that I knew and know that all members of the political body and their agents, had been ordered by Defendant Christie and his agents to ignore all enquiries made by Plaintiff Kaul, his patients and or any persons acting on his behalf.

508. I admit that I knew and know that all enquiries were in fact ignored.

509. I admit that I and members of The Kaul Cases Defendants perpetrated a fraud on members of the political body by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

510. I admit that I conspired with other members of The Kaul Cases Defendants, including Defendant Christie and members of the Office of the New Jersey Attorney General, to instruct members of the political body to not provide any support to Plaintiff Kaul.

511. I admit that I used my immense political power within the neurosurgical societies to coerce its members to threaten to refuse to provide political campaign monies to any members of the political body, if they responded to any of Plaintiff Kaul's enquiries

512. I admit that I used my immense political power within the neurosurgical societies to coerce its members to threaten to refuse to provide political campaign monies to any members of the political body that provided any manner of support to Plaintiff Kaul.

513. I admit that I used my immense political power within the neurosurgical societies to coerce its members to threaten to refuse to provide political campaign monies to any members of the political body that provided any revocation proceeding related information to Plaintiff Kaul.

514. I admit that I used my immense political power within the neurosurgical societies to coerce its members to refuse to provide political campaign monies to those members of the political body who violated my order and provided information and or support to Plaintiff Kaul.

515. I admit that I used my immense political power within the neurosurgical societies to coerce its members to ostracize those neurosurgical members who violated my order by providing political campaign donations to political body members who supported and or provided information to Plaintiff Kaul.

516. I admit that I used my immense political power within the neurosurgical societies to coerce its members to professionally attack with complaints to, amongst others, medical boards, hospital credentialing committees and insurance companies, those neurosurgical members who violated my order by providing political campaign donations to political body members who supported and or provided information to Plaintiff Kaul.

517. I admit that a principal purpose my egregious abuse of my immense power with members of the neurosurgical societies and political body was to attempt to ensure the absolute elimination of Plaintiff Kaul in order to attempt to ensure he never exposed my crimes and those of The Kaul Cases Defendants.

518. I admit that I and The Kaul Cases Defendants knew the purpose of our coopting and capture of the political body and its members was to render Plaintiff Kaul absolutely isolated and unable to find any political support to fight the revocation proceedings in the courts of public opinion and law.

519. I admit that I knew that depriving Plaintiff Kaul of political support was a necessary element of the scheme to respectively attempt to destroy and deprive Plaintiff Kaul of his determination and ability to contest the revocation proceedings.

520. I admit that I knew and know that this scheme of destruction and deprivation were critical elements of the overall scheme of a permanent global elimination of Plaintiff Kaul.

521. I admit that I knew and know that the purpose of the permanent global elimination of Plaintiff Kaul was to prevent the exposition by Plaintiff Kaul of the decades-plus long pattern of felonious conduct of myself and The Kaul Cases Defendants.

522. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his economic standing would prevent the payment of political campaign donations.

523. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his reputation would deprive him of his ability to secure any wage-paying job and or outside funding and would prevent the payment of political campaign donations.

524. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his physician livelihood would deprive him of his ability to earn a wage and would prevent the payment of political campaign donations.

525. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his liberty would deprive him of his ability to secure any wage-paying job and would prevent the payment of political campaign donations.

526. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his life would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

527. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his professional standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

528. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his social standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

529. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his social standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

530. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his psychological standing would deprive him of

his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

531. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his physical standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

532. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his financial standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

533. I admit that my conspiracy with The Kaul Cases Defendants to attempt to deprive Plaintiff Kaul of political support through the coopting and capture of the political body and its members, was perpetrated by using the US wires to manipulate political body members with claims that the injury caused by our scheme to his reputational standing would deprive him of his ability to secure any wage-paying job, and prevent the payment of political campaign donations.

534. I admit that I believed that by depriving Plaintiff Kaul of political support it would respectively destroy and deprive him of his determination and ability to contest the revocation proceedings.

535. I admit that I knew that a destruction of Plaintiff Kaul's determination and a deprivation of his ability to contest the revocation proceedings, would have prevented Plaintiff Kaul from creating a record of the evidential fraud committed and aided and abetted by myself and The Kaul Cases Defendants.

536. I admit that I continued the perpetration of the scheme of fraud in encouraging and coopting members of the political body to not support Plaintiff Kaul's requests for information and assistance, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

537. I admit that I continued the perpetration of the scheme of fraud in encouraging and coopting members of the political body to not support requests for information and assistance from persons acting on behalf of Plaintiff Kaul, by telling them with knowing falsity, that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

538. I admit that I continued and am continuing the perpetration of the scheme of fraud in encouraging and coopting members of the political body to actively obstruct Plaintiff Kaul's efforts to have his New Jersey license reinstated, by telling them that to do so would be a tacit admission of my guilt and that of The Kaul Cases Defendants.

539. I admit that I continued and am continuing the perpetration of the scheme of fraud in encouraging and coopting members of the political body to actively obstruct Plaintiff Kaul's efforts to have his New Jersey license reinstated, by telling them that to do so would empower Plaintiff Kaul in the prosecution of claims against us.

540. I admit that I continued and am continuing the perpetration of the scheme of fraud in encouraging and coopting members of the political body to actively obstruct Plaintiff Kaul's efforts to have his New Jersey license reinstated, by telling them that to do so would empower Plaintiff Kaul in the prosecution of his claims against us.

541. I admit that I know that an empowerment of the prosecution of the claims against us will further expedite an even more detailed exposition of the crimes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks knowingly committed and aided and abetted by myself and The Kaul Cases Defendants over at least the last two (2) decades.

542. I admit that I know that a more detailed exposition of the crimes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks knowingly committed and aided and abetted by myself and The Kaul Cases Defendants over at least the last two (2) decades will reveal multiple grave miscarriages of justice committed against innocent, principally ethnic minority physicians.

543. I admit that I have read the testimony transcript in the matter of USA v Pompy: 18-cr-20454 of James Stewart Howell, an undercover investigator for Blue Cross Blue Shield Insurance Company (copy attached).

544. I admit that I know that the scheme detailed by Howell has been conducted on many occasions in the State of New Jersey, because I have spoken to a number of physicians with whom I conduct healthcare business, and who are employed by Horizon Blue Cross Blue Shield of New Jersey in the perpetration of such schemes.

545. I admit that although I have not directly participated in such schemes, I conduct healthcare business with physicians who use such schemes to eliminate physicians who pose a competitive threat to our business interests.

546. I admit that I know that in approximately August 2015, members of the political body and agents representing Defendant Christie attempted to entrap Plaintiff Kaul in a corruption 'sting operation' by having one of Plaintiff Kaul's physician colleagues organize a meeting with the physician colleagues private wealth manager, on the pretext that this individual, recognizing the

injustice of the revocation and having business connections with the state, wished to assist Plaintiff Kaul in his effort to have his license reinstated.

547. I admit that I know that at the meeting the private wealth manager asked Plaintiff Kaul if he would be willing to donate ten million dollars (\$10,000,000) to Defendant Christie's political campaign, he could likely have his license reinstated.

548. I admit that I know that Plaintiff Kaul responded with "I don't condone such conduct" and shortly thereafter departed the meeting.

549. I admit that I know Plaintiff Kaul reported these events to a number of people, one of whom submitted an affidavit contained in the EVIDENTIAL EXHIBITS.

RICO Predicate Act Of Evidential Tampering

550. I admit that I knew about the scheme of evidential tampering.

551. I admit that I did aid and abet the scheme of evidential tampering by failing to report this crime to prosecutorial authorities anywhere in the United States,

552. I admit that I knew that because the illegal revocation of Plaintiff Kaul's New Jersey license would illegally violate his right in these states to procure a license and that therefore prosecutors in these states had jurisdiction to file charges against me for aiding and abetting the crime of evidential tampering.

RICO Predicate Act Of Witness Tampering

553. I admit that the scheme of witness tampering in which I knowingly engaged, involved encouraging patients and physicians to lie under oath.

554. I admit that my encouragement of patients to lie under oath, involved instructing them to fabricate and provide knowingly false testimony under oath that their pain increased and that they experienced arm and leg numbness and muscular weakness after having been operated on by Plaintiff Kaul.

555. I admit that my encouragement of physicians to lie under oath, involved instructing them to fabricate and provide knowingly false testimony under oath that Plaintiff Kaul was not legally qualified, credentialed and licensed to perform minimally invasive spine surgery and his care had grossly deviated from a standard of care.

RICO Predicate Act Of Public Corruption

556. I admit that the scheme of public corruption in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to have Plaintiff Kaul's license illegally revoked.

557. I admit that the scheme of public corruption in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to have conducted grand jury proceedings.

558. I admit that the scheme of public corruption in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to conduct grand jury proceedings to attempt to have Plaintiff Kaul indicted and incarcerated.

559. I admit that the scheme of public corruption in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to coerce, and did coerce the power of the FBI and the US Attorney's Office to commence a criminal investigation against Kaul.

560. I admit that the scheme of public corruption in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to coerce, and did coerce the power of state investigators and prosecutors to commence a criminal investigation against Kaul.

561. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to destroy Plaintiff Kaul's livelihood.

562. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to destroy Plaintiff Kaul's economic standing,

563. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to destroy Plaintiff Kaul's reputation.

564. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to have Plaintiff Kaul incarcerated.

565. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to force Plaintiff Kaul's family into a state of poverty.

566. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to alienate Plaintiff Kaul from his children by forcing them into poverty.

567. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to cause Plaintiff Kaul to commit suicide.

568. I admit that my specific intention in aiding and abetting the perpetration of the scheme of public corruption was to have Plaintiff Kaul's license illegally revoked.

RICO Predicate Act Of Kickbacks

569. I admit that the scheme of kickbacks in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to have Plaintiff Kaul's license illegally revoked.

570. I admit that the scheme of kickbacks in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to have conducted grand jury proceedings.

571. I admit that the scheme of kickbacks in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to use, and did use the power of state to conduct grand jury proceedings to attempt to have Plaintiff Kaul indicted and incarcerated.

572. I admit that the scheme of kickbacks in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to coerce, and did coerce the power of the FBI and the US Attorney's Office to commence a criminal investigation against Kaul.

573. I admit that the scheme of kickbacks in which I knowingly engaged, involved the funneling of bribes to, amongst others, Defendant Christie, who in exchange promised to coerce, and did coerce the power of state investigators and prosecutors to commence a criminal investigation against Kaul.

574. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to destroy Plaintiff Kaul's livelihood.

575. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to destroy Plaintiff Kaul' economic standing,

576. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to destroy Plaintiff Kaul' reputation.

577. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to have Plaintiff Kaul incarcerated.

578. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to force Plaintiff Kaul's family into a state of poverty.

579. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to alienate Plaintiff Kaul from his children by forcing them into poverty.

580. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to cause Plaintiff Kaul to commit suicide.

581. I admit that my specific intention in aiding and abetting the perpetration of the scheme of kickbacks was to have Plaintiff Kaul's license illegally revoked.

2016 – 2022

RICO Predicate Act Of Bribery

582. I admit that the scheme of bribery in which I knowingly engaged, did at some point after February 22, 2016, extend to persons employed within the United States District Court.

583. I admit that in the conception and perpetration of the scheme of bribery within the United States District Court, I knowingly and willfully deprived Plaintiff Kaul of his human and constitutional rights.

584. I admit that the principal purpose of the scheme of bribery that extended to persons employed within the United States District Court was to prevent Plaintiff Kaul from further exposing the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks.

585. I admit that I knew and know that my involvement in the scheme of bribery constitutes a pattern of felonious conduct.

586. I admit that I knew and know that this felonious conduct, under criminal prosecution, will cause my incarceration.

587. I admit that I know that my perpetration and the aiding and abetting of the perpetration of the scheme of bribery with persons employed within the United States district Court constitutes an ongoing pattern of felonious conduct.

588. I admit that the perpetration of the scheme of bribery with persons employed within the United States District Court involved the funneling of bribes to certain district court judges in exchange for dismissing Plaintiff Kaul's cases.

589. I admit that bribes were funneled to certain district court judges through lawyers and law firms.

590. I admit that the first district judge to which Plaintiff Kaul's first lawsuit (K1) was assigned, had represented me in 1999 in the matter of Howard v UMDNJ (ESX-L-2366-99 -New Jersey Superior Court) in the New Jersey Supreme Court.

591. I admit that in Howard v UMDNJ a jury had entered a verdict against me of \$5.2 million for having operated on an otherwise healthy thirty-five (35) year old man, and causing him to become quadriplegic.

592. I admit that in K1 I, through my lawyers, funneled bribes to the ex-law firm of the district judge, a law firm in which he had been the managing director.

593. I admit that neither I nor my lawyer nor the district judge disclosed this conflict of interest to Plaintiff Kaul, the record, or the Court.

594. I admit that this conflict of interest was revealed to the record by Plaintiff Kaul on May 22, 2019, after which the district court judge became disqualified.

595. I admit that in the period from 2005/2006 to 2022, I paid bribes to certain state and federal judges that were part of a quid pro quo scheme in which the bribes were exchanged for the judges' dismissals of all cases filed by Plaintiff Kaul in American courts.

596. I admit that my pattern of judicial bribery continued into the United States District Court for the Southern District of New York in Kaul v ICE: 21-CV-06992 (K11-7).

597. I admit that my specific intention in perpetrating the scheme of bribery was to prevent Plaintiff Kaul from exposing my crimes and those of The Kaul Cases Defendants, the crimes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks.

598. I admit that I knew the bribes funneled to the K11-7 district judge were part of a quid pro quo scheme in exchange for which the district judge entered an order on September 12, 2022, that dismissed Plaintiff Kaul's case with prejudice.

599. I admit that I knew the bribes funneled to the K11-7 district judge were part of a quid pro quo scheme in exchange for which the district judge entered an order on September 12, 2022, that attempted to permanently prevent Plaintiff Kaul from forever seeking any relief in any American court.

600. I admit that I knew the bribes funneled to the K11-7 district judge were part of a quid pro quo scheme in exchange for which the district judge entered an order on September 12, 2022, that attempted effectively to have Plaintiff Kaul jailed if he ever filed a case seeking relief.

601. I admit I knew that the district judge, through intermediaries, demanded a bribe much larger than that funneled in previous cases, before he agreed to use the power of the United States District Court to enter the September 12, 2022, order.

602. I admit that I knew, through conversations with my then lawyer, that the district judge knew his September 12, 2022, order was the product of bribery, was fraudulent in nature and violative of the law.

603. I admit I knew that the district judge, through intermediaries, demanded a bribe much larger than that funneled in previous cases, before he agreed to use the power of the United States District Court to further, and in such a knowingly egregious manner, violate Plaintiff Kaul's human and constitutional rights.

604. I admit I knew that the purpose of the K11-7 order was draconian in that it sought to permanently deprive Plaintiff Kaul of his right to substantive due process, and to cause a cessation of his existence.

605. I admit that I knew the purpose of the K11-7 order was draconian in that it sought to permanently and illegally deprive Plaintiff Kaul of his right to his livelihood, liberty, and life.

606. I admit that I knew The Kaul Cases Defendants while seeking to deprive Plaintiff Kaul of his right to due process in the American courts, were simultaneously conspiring to obstruct and were obstructing his efforts to have the State of Pennsylvania issue his medical license number.

607. I admit that I knew the purpose of the scheme of obstruction of license and deprivation of due process were elements of a wider conspiracy to cause the cessation of Plaintiff Kaul's existence.

608. I admit that the bribe monies were funneled from my lawyer to the K11-7 corporate defendants lawyers who then funneled them to the district court judge and persons related to him to the third degree.

609. I admit that I knew and know that the purpose of funneling my bribe monies through lawyers and law firms to the district judge was to provide 'attorney-client' cover for the scheme.

610. I admit that I knew and know that the purpose of the 'attorney-client' cover was and is an illegal attempt to obstruct any civil and or criminal investigation.

611. I admit that bribes were indirectly funneled to the district court judge by first funneling them to the corporate defendants, who then converted the monies into stocks and shares and transmitted them to the K11-7 district judge.

612. I admit that the funneling of bribes through the corporate defendants involved the sham purchase of corporate shares.

613. I admit that I knew and know that the corporate shares, purchased with fraudulent intent, were then funneled to the K11-7 district judge as part of the bribery related quid pro quo scheme.

614. I admit that I knew and know that in exchange for the bribery related corporate shares, the district judge dismissed K11-7 with prejudice and effectively threatened Plaintiff Kaul with jail if he ever sought to vindicate his human and constitutional rights.

615. I admit that the funneling of bribes through the corporate defendants also involved the purchasing of sham consulting and legal services from their lawyers by my lawyers.

616. I admit that these sham consulting and legal service-related bribes were then funneled to the corporate defendants lawyers, who funneled them to the district court judge and persons related to him to the third degree.

617. I admit that the funneling of bribes through the corporate defendants involved the sham purchase of corporate shares.

618. I admit that bribes were indirectly funneled to certain district court judges by first funneling them to the corporate defendants, who then transmitted them to certain district court judges in the form of stocks and shares.

619. I admit that in a period from 2005/2006 to 2022 I conspired to attempt to conceal the scheme of bribery by using the US wires to falsely disseminate to the public that Plaintiff Kaul was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

620. I admit that in my scheme of concealment I did not inform the public that Plaintiff Kaul's license was revoked because of, amongst other things, my scheme of bribery.

621. I admit that in my scheme of concealment I did not inform the public that Plaintiff Kaul's license was revoked not because he was not qualified/credentialed/licensed/trained to perform minimally invasive spine surgery.

622. I admit that in my scheme of concealment I did not inform the public that Plaintiff Kaul's license was actually revoked because I and others concluded his expertise in outpatient minimally invasive spine surgery presented a substantial and expanding threat to our hospital-based spine business.

623. I admit that my aiding and abetting the perpetration of the scheme of bribery were purposed to cause circumstances that would destroy and did destroy Plaintiff Kaul's economic standing/reputation/livelihood/liberty/life.

624. I admit that my aiding and abetting the perpetration of the scheme of bribery were purposed to cause circumstances that would destroy and did destroy the lives of Plaintiff Kaul's children.

625. I admit that my aiding and abetting the perpetration of the scheme of bribery destroyed Plaintiff Kaul's livelihood.

626. I admit that my aiding and abetting the perpetration of the scheme of bribery destroyed Plaintiff Kaul's economic standing,

627. I admit that my aiding and abetting the perpetration of the scheme of bribery destroyed Plaintiff Kaul's reputation.

628. I admit that my aiding and abetting the perpetration of the scheme of bribery had Plaintiff Kaul kidnapped on May 27, 2021.

629. I admit that my aiding and abetting the perpetration of the scheme of bribery had Plaintiff Kaul incarcerated

630. I admit that my aiding and abetting the perpetration of the scheme of bribery forced Plaintiff Kaul's family into a state of poverty.

631. I admit that my aiding and abetting the perpetration of the scheme of bribery alienated Plaintiff Kaul from his children by forcing them into poverty.

632. I admit that I know that the admissions within this document, if not timely rebutted/contested/refuted, regardless of the ultimate civil disposition of the summary judgment motion, will substantiate a basis for criminal indictment.

RICO Predicate Act Of Public Corruption

633. I admit that the scheme of public corruption in which I knowingly engaged, did at some point after February 22, 2016, extend to include persons employed within the United States District Court.

634. I admit that the principal purpose of the scheme of public corruption that extended into the United States District Court was to prevent Plaintiff Kaul from further exposing the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks.

635. I admit that I knew and know that my involvement in the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks constitutes a pattern of felonious conduct.

636. I admit that I knew and know that this felonious conduct, under criminally prosecution, will cause my incarceration.

637. I admit that I know that my perpetration and the aiding and abetting of the perpetration of the scheme of public corruption in the United States district Court constitutes an ongoing pattern of felonious conduct.

638. I admit that the perpetration of the scheme of public corruption in the United States District Court involved the funneling of bribes to certain district court judges in exchange for dismissing Plaintiff Kaul's cases.

RICO Predicate Act Of Kickbacks

639. I admit that the scheme of kickbacks in which I knowingly engaged, did at some point after February 22, 2016, extend to persons employed within the United States District Court.

640. I admit that the principal purpose of the scheme of kickbacks that extended to persons employed within the United States District Court was to prevent Plaintiff Kaul from further exposing the schemes of bribery, fraud, evidential tampering, witness tampering, public corruption, and kickbacks.

641. I admit that I knew and know that my involvement in the scheme of kickbacks constitutes a pattern of felonious conduct.

642. I admit that I knew and know that this felonious conduct, under criminally prosecution, will cause my incarceration.

643. I admit that I know that my perpetration and the aiding and abetting of the perpetration of the scheme of kickbacks with persons employed within the United States district Court constitutes an ongoing pattern of felonious conduct.

644. I admit that the perpetration of the scheme of kickbacks with persons employed within the United States District Court involved the funneling of bribes to certain district court judges in exchange for dismissing Plaintiff Kaul's cases.

645. I admit that kickbacks were funneled to certain district court judges through lawyers and law firms.

646. I admit that kickbacks were indirectly funneled to certain district court judges by first funneling them to the corporate defendants, who then transmitted them to certain district court judges in the form of stocks and shares.

647. I admit that the funneling of kickbacks through the corporate defendants involved the sham purchase of corporate shares.

648. I admit that the funneling of kickbacks through the corporate defendants involved the purchasing of sham legal services from their lawyers by my lawyers.

649. I admit that the kickbacks funneled to the corporate defendants lawyers were then funneled to certain district court judges and persons related to the third degree.

Evidential Exhibits

650. I admit that the documents contained within the Evidential Exhibits were placed in my possession by my counsel, Mr. Edward Sponzilli.

651. I admit that I have read the documents contained within the Evidential Exhibits.

652. I admit that I know the documents are organized into three exhibits that cover the time periods from 1998 to 2014, 2015 to 2020 and 2021 to 2022.

653. I admit that my counsel explained to me the context, content, relevance, and purpose of these documents.

654. I admit that I understand the context of these documents.

655. I admit that I understand the content of these documents.

656. I admit that I understand the relevance of these documents

657. I admit that I understand the purpose of these documents.

658. I admit that my counsel explained to me the evidence and facts contained within these documents.

659. I admit that I know and understand the evidence and facts contained within these documents.

660. I admit that I had the right, opportunity, and ability to deny or otherwise refute the evidence and facts contained within these documents.

661. I admit that I have not denied and or otherwise refuted the evidence and facts contained within these documents.

662. I admit that the facts contained within these documents are undisputed.

663. I admit that the facts contained within these documents are admitted.

664. I admit that the facts contained within these documents constitute no genuine issue for trial.

665. I admit that the facts contained within these documents corroborate those admitted within the STATEMENT OF ADMITTED FACT.

666. I admit that the facts contained within these documents constitute proof of the elements of the charges levied against me by Plaintiff Kaul.

Dated: April 24, 2023

PK

Exhibit 18

SPINE & ORTHOPEDIC
CENTER OF NEW JERSEY

Spinal Disorders & Surgery, Joint Replacements, Fractures,
Sports Medicine, Arthroscopic Surgery

DAVID B. BASCH, M.D., FAAOS
Fellow-American Academy of Orthopedic Surgeons
Diplomate American Board of Orthopedic Surgery
NPI 1053322354

Attention:

Shana M. Walter
Assistant Counsel
State Board of Medicine
DEPARTMENT OF STATE/OFFICE OF CHIEF
COUNSEL/COUNSEL DIVISION
2601 NORTH 3RD STREET/P.O. BOX 69523/HARRISBURG,
PA 17106-9523
shanwalter@pa.gov

**RE: in the Matter of the Application for License to Practice
as Medical Physician and Surgeon**

**Of Richard Arjun Kaul, MD + Dr. Kaul's petition to
amend the May 27, 2020/February 8
2021 order of the State of Pennsylvania.
Case No. 19-49-007483**

AFFIDAVIT OF DR. DAVID BASCJH

Dear Ms. Walter,

Please find submitted my affidavit in support of Dr. Kaul's
petition to amend:

1. I am a 59 year old American citizen, a licensed orthopedic
spine surgeon and have been practicing in New Jersey since
1999.

2. A copy of my CV is attached to this affidavit.

3. I provide this affidavit in support of the petition of Richard Arjun Kaul, MD to have amended the May 27, 2020, order of Pennsylvania Hearing, David Green, as per the attached PROPOSED AMENDMENT.

4. I have known Dr. Kaul professionally since 2003, and did work directly with him for a number of years, until he opened his own surgical center.

5. In this period I gained a thorough understanding of his knowledge, skills, and expertise in the fields of interventional pain and minimally invasive spine surgery, the latter in which in 2005, he invented and successfully performed the first outpatient percutaneous spinal fusion.

6. In this period of working with him directly and referring him patients, I found him to be an extremely knowledgeable, competent, and skilled practitioner in the fields of interventional pain and minimally invasive spine surgery, and this was an opinion held by many other very well-respected physicians.

7. Based on my two (2) decade-long professional and personal experience of Dr. Kaul, I can state with absolute certainty that there has been no diminution in his knowledge of basic science, clinical medicine, and aspects of technical procedure pertinent to the procedures he will be conducting upon return to clinical practice.

8. I am fully aware of the circumstances and facts surrounding the very unfortunate, and in my opinion completely unjustified revocation of Dr. Kaul's New Jersey license in 2014, and of the numerous and ongoing grave injustices he has continued to since sustain.

9. From April to July 2022, as Dr. Kaul was preparing to undergo the physician assessment course with the PACE program in San Diego, I regularly conducted 'mock' examinations and case study evaluations, in which I ascertained that his knowledge of the basic science, clinical medicine and procedural technicalities exceeded professional standards.

10. At that time I concluded that Dr. Kaul was sufficiently knowledgeable and competent to return to the safe and effective practice of medicine, and would, if his license had been restored in New Jersey, have had no hesitation in working with him again.

11. This opinion remains the opinion of many physicians who worked with Dr. Kaul and with whom I remain professionally associated.

12. From December 2022 to February 2023, I again conducted 'mock' examinations and case study evaluations, and arrived at the same conclusion that Dr. Kaul was sufficiently knowledgeable and competent to return to the safe and effective practice of medicine.

13. Although it disappointed me that neither of these physician assessment programs arrived at the same conclusion, it did not surprise me, in light of the politico-legal context to the events that caused the unjustified revocation in 2014.

14. Another factor, that I firmly believe was immensely contributive to the opinions of the physician assessment programs, is the fact that Dr. Kaul, after having taught himself the law, has rightly sought justice in the United States District Court against persons/entities who caused him harm, a number of whom are commercially connected with the physician assessment programs.

15. However, regardless of the politico-legal context and other non-medical matters, Dr. Kaul, a person whom I have known and worked with professionally since 2003, did unequivocally demonstrate to me over a period of almost a year (April 2022 – February 2023), that his knowledge of the basic science, clinical medicine and procedural technicalities exceed professional standards.

16. Based on all of the above facts, I fully support Dr. Kaul's re-entry into clinical medicine as per the conditions of the May 27, 2020, order as amended pursuant to the PROPOSED AMENDMENT.

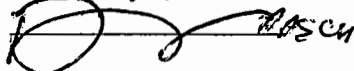
17. Finally, on a more personal note, I feel compelled to state that the public and medicine suffered a great loss when Dr. Kaul was caused to cease practice in April 2012, the year his license was suspended in a highly publicized, malicious, and illegal manner, and that the deprivation to the public and Dr. Kaul continues in 2023 because Dr. Kaul seeks truth and justice.

18. The New Jersey events, as detailed in the cases filed in the United States District Court, bring the medical profession into great disrepute, in the seriousness of misconduct usually associated with organized crime syndicates, not medicine.

19. I hope the Pennsylvania State Board of Medicine bring an end to the insanity wrecked on the lives of Dr. Kaul, his family, and patients since 2012, and issue him a license to practice medicine.

I certify under penalty of perjury that the above statements are true and accurate to the best of my knowledge.

Dated: July 4, 2023

A handwritten signature in black ink, appearing to read 'BASCH', written over a horizontal line.

B. BASCH, MD

DAVID

Exhibit 19



Richard Kaul <drrichardkaul@gmail.com>

CPEP Assessment - Dr. Michael Harned

8 messages

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Tue, May 16, 2023 at 7:04 PM

Amanda,

I was recently informed that Dr. Michael Harned is a Director At Large of the Kentucky chapter of the American Society of Interventional Pain Physicians, and has been for a number of years:

<https://asipp.org/kentucky-society-of-interventional-pain-physicians/>

In 2017 I filed suit against ASIPP in the United States District Court for the District of New Jersey (copy attached) a fact known to Dr. Harnad when he conducted his interview on February 23, 2023, and unfortunately this represents a conflict of interest, of which Dr. Harnard should have informed CPEP.

Could you please bring this issue to the attention of the CPEP Board.


Thank you in advance.

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com



 171027-Kaul v Christie-K1-D.E. 214.pdf
2464K

Amanda Besmanoff <abesmanoff@cpepdoc.org>
To: Richard Kaul <drrichardkaul@gmail.com>

Wed, May 17, 2023 at 12:54 PM

Hi Dr. Kaul,

I received your message and will discuss with my team. I'll follow-up with you either later today or tomorrow morning.

Thanks,

Amanda

[Quoted text hidden]

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Wed, May 17, 2023 at 1:15 PM

Thanks Amanda.

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com

[Quoted text hidden]

<https://asipp.org/wp-content/uploads/ASIPP23rdAnnualMeetingAgenda.pdf>

In deciding what course of action to take, and in light of the conflicts of interest, I would like to suggest for the purpose of fairness and expediency, that I respond to the substance of Drs. Harned/Antony's reports, bearing in mind that regardless of CPEP's final report, I cannot practice without a monitor.

I think it would have been prudent of these physicians to have recused themselves from the matter, and not subject both CPEP and I to an avoidable and costly delay.

Thank you for your attention to this matter.

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com



[Quoted text hidden]

Amanda Besmanoff <abesmanoff@cpepdoc.org>
To: Richard Kaul <drrichardkaul@gmail.com>

Mon, May 22, 2023 at 12:28 PM

Hi Dr. Kaul,

Can you please clarify what the conflict of interest specifically is with Dr. Antony so I can discuss this further with my team?

[Quoted text hidden]

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Mon, May 22, 2023 at 3:11 PM

Amanda,

For physicians to present lectures at ASIPP meetings, they must be fee-paying members.

Dr. Antony is an active fee-paying member of ASIPP and its Florida Chapter, and is involved in the political fundraising element of ASIPP identified in the lawsuit ([Kaul v Christie:16-CV-02364](#)) (K1) that was the conduit through which bribes were funnelled to Defendant Christie, as party of the quid pro quo for having the board revoke (illegally) my license.

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com



[Quoted text hidden]

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Tue, May 23, 2023 at 3:18 PM

Amanda,

Could you please bring to the attention of the CPEP board, Dr. Robert Brown's directorship with ASIPP.

<https://asipp.org/colorado-society-of-interventional-pain-physicians/>

Did any of these three physicians (Antony/Harned/Brown) disclose their conflicts of interest to CPEP?

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com



I'm acknowledging receipt of your email and the previous one.

[Quoted text hidden]

Exhibit 20

www.drrichardkaul.com

June 6, 2023

Alexis Angell, JD
Shareholder
Polsinelli
CPEP Board
720 S. Colorado Blvd., Suite 1100-N
Denver, CO 80246

Re: Resolution of Conflict of Interest

Dear Mr. Angell,

I write this letter as a follow-up and to memorialize the conversation I had on June 5, 2023, from approximately 12:30 pm to 1pm EST, with Amanda Besmanoff and Alisa Johnson regarding the fact that the three individuals (Anthony/Harned/Brown) who conducted evaluations of my skills/knowledge on February 22/23, 2023, were knowingly conflicted and ought to have recused themselves, the willful non-recusal of which however, invalidates their evaluations/reports and moreover has caused me further injury.

I emailed Ms. Besmanoff as soon as I became aware of these conflicts. The conflicts arise from the fact I have on multiple occasions, sued Defendant American Society of Interventional Pain Physicians (ASIPP) in the United States District Court, and that two individuals (Harned/Brown) were/are politically active directors of the Kentucky/Colorado ASIPP chapters and the third (Antony) is an active lecture providing, fee-paying, politically contributing member. A copy of one of these suits (K1) was emailed to Ms. Besmanoff, and establishes the conflicted nature of all members of Defendant ASIPP.

Another point raised during the conversation pertained to CPEP's relationship with the Federation State Medical Boards, an entity with which I have engaged in litigation. I would suggest you view www.pacer.org and search my name with RICHARD ARJUN KAUL, as this will provide further context as to the conflict with the FSMB.

Options:

I believe there are two (2) options:

1. The physician assessments are re-conducted by physicians with no professional, commercial connections/relations/associations, and as stated in my May 30, 2023, email to Ms. Besmanoff (copy attached), these individuals will likely be found in academic/research settings.

2. CPEP issue a report containing the contents of all the tests and the reports of Antony/Harned/Brown's with a statement/paragraph as to the conflicted nature of the reports and how/why the situation was permitted to come into existence, and cause further costly delay.

If option 1 is chosen, and the individuals are conflict-free, then I would not request the reimbursement of my approximately fourteen thousands dollars (\$14,000) enrollment fee, but I would still require I be provided a complete copy of my entire file.

If option 2 is chosen, I would request reimbursement of my enrollment fee and of course production of my entire file.

As I explained during the conversation, if it becomes impossible for me, through this particular avenue, to vindicate my rights and rectify/mitigate the illegal/ongoing eleven (11) year plus injury to my livelihood/life/liberty/reputation/economic standing, I will place the issue before the Pennsylvania Medical Board/ Pennsylvania Courts, to seek an alternate resolution, in which politics/business/professional rivalries are not permitted to obstruct/interfere with my fundamental human/constitutional rights.

I hope that CPEP advances this matter in a manner that is fair, professional and one ultimately, I believe, could reflect well on the organization within the medical profession.

Yours sincerely

RICHARD ARJUN KAUL, MD



Richard Kaul <drrichardkaul@gmail.com>

CPEP Assessment + Supporting Documents

1 message

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Tue, May 30, 2023 at 9:01 AM

Amanda,

I left a message last week on your VM enquiring as to CPEP's course of action in light of the conflicted nature of the three individuals retained by CPEP to evaluate my knowledge/skills. At your earliest convenience, could you please call me on this point.

Could you please also email me a complete copy of my CPEP file, and ensure that no changes are made to the file in the interim.

There are interventional pain physicians who have no association with Defendant ASIPP, and who quite frankly view the organization as lacking academic gravitas and an organization that is nothing more than a vehicle through which to funnel bribes to corrupt politicians. These individuals exist primarily within academic/research institutions and amongst practitioners who have no commercial interest in the spine market.

I hope we can rectify this situation.

Regards,

Richard Arjun Kaul, MD
www.drrichardkaul.com



Exhibit 21



Richard Kaul <drrichardkaul@gmail.com>

CPEP Assessment + Supporting Documents

1 message

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Tue, May 30, 2023 at 9:01 AM

Amanda,

I left a message last week on your VM enquiring as to CPEP's course of action in light of the conflicted nature of the three individuals retained by CPEP to evaluate my knowledge/skills. At your earliest convenience, could you please call me on this point.

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I hope we can rectify this situation.

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com



Exhibit 22



June 9, 2023

Via Email and U.S. Mail

Dr. Richard A. Kaul
24 Washington Valley Road
Morristown, NJ 07960
drrichardkaul@gmail.com

Re: CPEP Assessment Services

Dear Dr. Kaul:

We have reviewed in detail your concerns submitted via email on May 16, 2023, May 19, 2023, May 22, 2023, and May 23, 2023, and as discussed with Alisa Johnson, CPEP Program Director, on June 5, 2023, as well as your letter dated June 6, 2023, concerning the clinical consultants who participated in your CPEP Clinical Competence Assessment which took place on February 22, 2023.

On January 16, 2023, you entered an Assessment Services Participation Agreement with CPEP. Pursuant to the Agreement, CPEP engaged clinical consultants to participate in your Assessment. You were provided with the identity of these consultants prior to your Assessment in February 2023 and these consultants conducted clinical interviews with you during your Assessment. In the emails listed above and in further conversation you have contended that the consultants have conflicts of interest because of their affiliation with the American Society of Interventional Pain Physicians (ASIPP) and objected to their involvement based on pending litigation you have filed against ASIPP and others. In your June 6, 2023 correspondence you outlined two options including "re-conducting the Assessment with physicians with no professional, commercial connections/reasons/associations..." or "issuing a report containing the contents of all the tests and the reports of Antony/Harned/Brown's with a statement/paragraph as to the conflicted nature of the reports and how/why the situation was permitted to come into existence, and cause further costly delay." You also requested a copy of your complete file with both options and reimbursement of your enrollment fee.

CPEP is unable to agree to either option. § 6.2 of the Participation Agreement grants CPEP sole discretion to determine if you are a suitable candidate for participation. CPEP has determined you are not and Pursuant to § 6.2, CPEP terminates the Participation Agreement for cause. CPEP will not re-conduct the Assessment nor issue an Assessment Report with the existing consultants and data.

§ 2.5 of the Participation Agreement states that you are not entitled to review the contents of any file. Therefore, CPEP will not be providing this information to you.

While it is not required to do so, CPEP will refund the \$14,500 assessment fee you paid via your original payment methods.

Please note the Dispute Resolution provisions in Article VII of the Participation Agreement.

Thank you for your attention to these matters.

Sincerely,

Elizabeth J. Korinek
Chief Executive Officer

Exhibit 23

www.drrichardkaul.com

June 21, 2023

Elizabeth J. Korinek
CEO
CPEP
720 South Colorado Boulevard, 1100-N
Denver, CO 80246

Re: NOTICE OF LITIGATION

Dear Ms. Korinek,

Thank you for your letter of June 9, 2023 (copy enclosed). Please find below my response and further statement:

1. Conflict of Interest re: ASIPP:

You state: "On January 16, 2023, ... provided with the identity of these consultants ... conflicts of interest ... affiliation ... ASIPP ... Antony/Harned/Brown ... copy of your complete file ... fee", seemingly in support of your argument that because you provided the consultants names and I signed an agreement, that therefore the law indemnifies CPEP/members/consultants against the liability pursuant to the knowing perpetration of fraud. Not only were the referenced conflicts known to CPEP/members/consultants, they were intentional, and it was indeed the purpose of the participants/co-conspirators to conceal this wrongdoing and have issued highly defamatory and knowingly false reports.

2. Conflict of Interest re: Federation State Medical Boards:

In my June 6, 2023, letter to CPEP's lawyer, Alexis Angell (copy enclosed) I state: "Another point raised during the conversation pertained to CPEP's relationship with the Federation State Medical Boards, an entity with which I have engaged in litigation." CPEP is a commercially subjugate component of The Kaul Cases Defendant FSMB and was cognizant of this conflict of interest when it contracted with me on January 16, 2023. However, it concealed the conflict for the purpose of furthering its own economic agenda with The Kaul Cases Defendant FSMB, in the knowledge that it would issue a defamatory report purposed to prevent the issuance of my Pennsylvania medical license, which CPEP/FSMB believed would impede my prosecution of The Kaul Cases Defendant FSMB in the United States District Court.

Your failure, in your June 9, 2023, letter, to address/deny/contest/rebut these facts, constitute their tacit admission for the purpose of pending/future litigation.

3. **Mail Fraud:**

CPEP and its agents, did with fraudulent intent, instruct the United States Postal Service to use its apparatus to illegally/without legitimate cause, obstruct the delivery of documents from me. Specifically, on June 6, 2023, I sent the letter to Alexis Angell via certified mail, with a scheduled delivery date of June 8, 2023. As a consequence of CPEP's obstruction the letter remains at the postal facility in Denver. On June 9, 2023, I emailed the letter to Ms. Besmanoff.

CPEP/members/consultants fraudulent misconduct constitutes an **"ongoing pattern of racketeering"** and violation of my civil/constitutional rights, for which neither the agreement nor your disclosure of the consultants names provide any defense.

Please also be advised that as a consequence of CPEP/members/consultants and **The Kaul Cases** Defendant FSMB, being competitors of mine in the healthcare market, the within detailed misconduct constitutes a knowing violation of antitrust law.

Please be advised accordingly.

Yours sincerely

RICHARD ARJUN KAUL, MD

cc: Ajay Antony
Michael Harned
Robert Brown
ASIPP



June 9, 2023

Via Email and U.S. Mail

Dr. Richard A. Kaul
24 Washington Valley Road
Morristown, NJ 07960
drRichardKaul@gmail.com

Re: CPEP Assessment Services

Dear Dr. Kaul:

We have reviewed in detail your concerns submitted via email on May 16, 2023, May 19, 2023, May 22, 2023, and May 23, 2023, and as discussed with Alisa Johnson, CPEP Program Director, on June 5, 2023, as well as your letter dated June 6, 2023, concerning the clinical consultants who participated in your CPEP Clinical Competence Assessment which took place on February 22, 2023.

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Please note the Dispute Resolution provisions in Article VII of the Participation Agreement.

Thank you for your attention to these matters.

Sincerely,

Elizabeth J. Korinek
Chief Executive Officer

www.drrichardkaul.com

June 6, 2023

Alexis Angell, JD
Shareholder
Polsinelli
CPEP Board
720 S. Colorado Blvd., Suite 1100-N
Denver, CO 80246

Re: Resolution of Conflict of Interest

Dear Mr. Angell,

I write this letter as a follow-up and to memorialize the conversation I had on June 5, 2023, from approximately 12:30 pm to 1pm EST, with Amanda Besmanoff and Alisa Johnson regarding the fact that the three individuals (Anthony/Harned/Brown) who conducted evaluations of my skills/knowledge on February 22/23, 2023, were knowingly conflicted and ought to have recused themselves, the willful non-recusal of which however, invalidates their evaluations/reports and moreover has caused me further injury.

I emailed Ms. Besmanoff as soon as I became aware of these conflicts. The conflicts arise from the fact I have on multiple occasions, sued Defendant American Society of Interventional Pain Physicians (ASIPP) in the United States District Court, and that two individuals (Harned/Brown) were/are politically active directors of the Kentucky/Colorado ASIPP chapters and the third (Antony) is an active lecture providing, fee-paying, politically contributing member. A copy of one of these suits (K1) was emailed to Ms. Besmanoff, and establishes the conflicted nature of all members of Defendant ASIPP.

Another point raised during the conversation pertained to CPEP's relationship with the Federation State Medical Boards, an entity with which I have engaged in litigation. I would suggest you view www.pacer.org and search my name with RICHARD ARJUN KAUL, as this will provide further context as to the conflict with the FSMB.

Options:

I believe there are two (2) options:

1. The physician assessments are re-conducted by physicians with no professional, commercial connections/reasons/associations, and as stated in my May 30, 2023, email to Ms. Besmanoff (copy attached), these individuals will likely be found in academic/research settings.

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As I explained during the conversation, if it becomes impossible for me, through this particular avenue, to vindicate my rights and rectify/mitigate the illegal/ongoing eleven (11) year plus injury to my livelihood/life/liberty/reputation/economic standing, I will place the issue before the Pennsylvania Medical Board/ Pennsylvania Courts, to seek an alternate resolution, in which politics/business/professional rivalries are not permitted to obstruct/interfere with my fundamental human/constitutional rights.

I hope that CPEP advances this matter in a manner that is fair, professional and one ultimately, I believe, could reflect well on the organization within the medical profession.

Yours sincerely

RICHARD ARJUN KAUL, MD



Richard Kaul <drrichardkaul@gmail.com>

CPEP Assessment + Supporting Documents

1 message

Richard Kaul <drrichardkaul@gmail.com>
To: Amanda Besmanoff <abesmanoff@cpepdoc.org>

Tue, May 30, 2023 at 9:01 AM

Amanda,

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Could you please also email me a complete copy of my CPEP file, and ensure that no changes are made to the file in the interim.

There are interventional pain physicians who have no association with Defendant ASIPP, and who quite frankly view the organization as lacking academic gravitas and an organization that is nothing more than a vehicle through which to funnel bribes to corrupt politicians. These individuals exist primarily within academic/research institutions and amongst practitioners who have no commercial interest in the spine market.

I hope we can rectify this situation.

Regards,

Richard Arjun Kaul; MD

www.drrichardkaul.com



Exhibit 24

www.drrichardkaul.com

July 9, 2023

FROM:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD
MORRISTOWN, NJ 07960
973 876 2877
DRRICHARDKAUL@GMAIL.COM

ATTENTION:

PENNSYLVANIA STATE BOARD OF MEDICINE
2601 N 3RD STREET
HARRISBURG, PA 17110

SHANA M. WALTER, ESQ
COUNSEL, STATE BOARD OF MEDICINE

**RE: in the Matter of the Application for License to Practice as Medical Physician and Surgeon
Of Richard Arjun Kaul, MD + Dr. Kaul's petition to amend the May 27, 2020/February 8
2021 order of the State of Pennsylvania.
Case No. 19-49-007483**

Dear Members State Board of Medicine and Ms. Walter,

Please find submitted the above referenced petition, a PROPOSED AMENDMENT, and an affidavit from Dr. David Basch attesting that my knowledge of basic science, clinical medicine and relevant procedural technique satisfy the standard for the safe practice of interventional pain (Exhibit 1).

Preliminary Statement

For the reasons set forth below, Petitioner Kaul submits this petition seeking to have the Pennsylvania State Board of Medicine modify the May 27, 2020, proposed order (Exhibit 2) of Pennsylvania Hearing Officer, David Green, as per the attached PROPOSED AMENDMENT, to cause to cease the ongoing knowing/willful/malicious violation and obstruction of the May 27, 2020 order's purpose/intent of restoring Petitioner Kaul's right to his medical license/livelihood/liberty/life/economic standing; a right that was illegally deprived by The Kaul Cases, including the State of New Jersey, on June 13, 2012 (suspension)/February 12, 2014 (revocation).

Statement of Fact

The facts upon which the petition is based, are facts of a long-standing and ongoing “pattern” of human/constitutional/civil rights violations and are contained within K11-8/K11-15 (Exhibits 3 + 4) and the June 21, 2023, letter to CPEP’s CEO, Elizabeth Korinek (Exhibit 5). The Kaul Cases Defendants scheme extended to attempting to have Petitioner Kaul’s person seriously injured and or killed, a scheme that commenced in 2005 consequent to professional jealousy at Plaintiff Kaul’s professional success in having invented a procedure that revolutionized minimally invasive spine surgery. This percutaneous technique of spinal fusion is now the standard of care.

Efforts At Other Programs:

Lifeguard: In June/July 2020, after the issuance of the May 27, 2020, opinion/order, Petitioner Kaul applied to the Lifeguard Program, which accepted him for the physician assessment program and commenced constructing one specific to his re-entry pathway. However, approximately three (3) months later, and without any given reason, the Lifeguard program instructed Petitioner Kaul it would be cancelling his contract, returning his money, and deleting his files from their records. Plaintiff Kaul filed a lawsuit against Defendant Federation State Medical Boards (Kaul v Federation: 19-CV-3050) (K5) in late September 2020. The Lifeguard Program is a commercial subsidiary of Defendant FSMB. In fact, in 2023, Petitioner Kaul, in re-attempting to have Lifeguard provide the program received an unprofessional and somewhat disturbing email from one of its nurse directors to the effect that Lifeguard would “never” provide Petitioner Kaul the course.

PACE: Petitioner Kaul refers board members/counsel to K11-8 (Exhibit 3).

CPEP: Petitioner Kaul refers board members/counsel to Kaul June 21 letter to CPEP (Exhibit 5).

Vanderbilt University Comprehensive Assessment Program for Professionals (VCAP): Does not allegedly provide the necessary course.

Drexel University College of Medicine Physician Re-Entry Course: Does not allegedly provide the necessary course.

K-Star Program, A/M University, Texas: The program initially processed Petitioner Kaul's application, but within a week "**realized**" it did not provide the necessary course.

Legal Argument

Patient safety will be ensured with the PROPOSED AMENDMENT to the same degree as that associated with the May 27, 2020, order of Pennsylvania Hearing Officer, David Green.

Submitted with this petition are certifications from Drs. Basch and Feldman, attesting to the fact that Plaintiff Kaul possesses sufficient knowledge of the basic sciences, clinical medicine, and techniques of interventional pain to return and resume the safe and effective practice of interventional pain. These certifications in conjunction with the conditions contained within the **PROPOSED AMENDMENT**, and the fact that the procedures performed by Petitioner Kaul are restricted to the placement of needles/radiofrequency probes into the relatively superficial paravertebral structures, all conducted with an anesthesiologist, the use of fluoroscopy and subject to physician monitoring, provide for patient safety, ensure competence and a basis for ongoing knowledge assessment.

These conditions equate to those required as per the May 27, 2020, order/opinion, and will ensure patient safety.

Had Petitioner Kaul known or understood the commercial nexus between Defendant Federation and physician assessment businesses, he would have argued for an order/opinion consistent with the PROPOSED AMENDMENT.

On February 7, 2020, the hearing date regarding Petitioner Kaul's application for licensure, Petitioner Kaul had no knowledge of the fact that the physician assessment programs rely on Defendant Federation for inclusion in the list used by state medical boards and others within the physician regulatory/licensing market. Had Petitioner Kaul known this fact, he would have argued the inherent conflict of interest in any recommendation of the physician assessment programs that were listed in the May 27, 2020 opinion; a conflict that, as pled in K11-8/CPEP letter, caused the within stated acts of malfeasance.

Had Plaintiff Kaul known this fact, he would have argued for an opinion/order consistent with the terms of the PROPOSED AMENDMENT, which provides for patient safety.

Had Pennsylvania Hearing Officer, David Green, known that Petitioner Kaul had sued Defendant Federation on October 1, 2019, an entity with whom he has since remained adversarial, it is more likely than not, that Hearing Officer, David Green would, consistent with Plaintiff Kaul's due process rights, have entered an order/opinion consistent with the PROPOSED AMENDMENT.

Hearing Officer, David Green, in drafting his opinion/order had no knowledge of the inherent conflict of recommending physician assessment programs, whose commercial existence depends on and is controlled by Defendant Federation, which has an illegal per se monopolistic control of the physician regulatory and so called 'discipline' market. Plaintiff Kaul's legal pursuit in the United States District Court of Defendant Federation on, amongst other things, RICO/Antitrust/Civil Rights violations, rendered the conditioning of issuance of his Pennsylvania license on successful completion of an assessment course by one of the listed programs, a conflict of interest and a continuation of the 15-year plus violation of Plaintiff Kaul's due process rights.

The PROPOSED AMENDMENT ensures patient safety and is consistent with the intent/purpose of the May 27, 2020, opinion/order.

A modification of the May 27, 2020, order to that of the PROPOSED AMENDMENT would ensure patient safety and be consistent with the intent/purpose of the May 27, 2020 opinion/order.

The only difference between the May 27, 2020 opinion/order pertains to the substitution of the physician assessment programs with the condition that Petitioner Kaul commence and continue a program of continuing medical education in interventional pain, and in fact this method of ongoing education/training, a method Petitioner Kaul employed throughout his career, extends over years and is not simply a one (1) to two (2) assessment, that in Petitioner Kaul's cases was conducted by knowingly conflicted individuals/businesses.

Conclusion

For the above pled facts/arguments, Petitioner Kaul moves the Pennsylvania State Board of Medicine to adopt the PROPOSED AMENDMENT and issue Petitioner Kaul a license to practice medicine/surgery in the State of Pennsylvania.

I certify under penalty of perjury that the above statements are true and accurate to the best of my knowledge.

Dated: July 9, 2023

RICHARD ARJUN KAUL, MD

Exhibit 25

Corey Johnson
113 Midland Place
Newark, NJ 07106

T: 973 207 0525

James Gonzalez
President
University Hospital
150 Bergen Street
Newark, NJ 07103

September 23 2013

Dear Mr.Gonzalez

I am writing to file a formal complaint against Dr.Andrew Kaufman for grossly unprofessional conduct on February 26th 2010 on the premises of UMDNJ in room E 178 between the hours of approximately 7.15am to 12pm and during which he verbally abused me immediately before I underwent a lumbar discogram.

Dr.Ira Goldstein initially referred me to Dr.Kaufman for a lumbar discogram which was to intended to assist in the accurate diagnosis of the lumbar discs that had been injured subsequent to a major accident at work in 2006. The severity of the pain and the possible benefit of a spinal fusion prompted Dr.Goldstein to recommend a lumbar discogram as a diagnostic tool.

My experience with Dr.Kaufman was horrific and I continue to have nightmares about what happened on February 26th 2010. The things he said and the almost brutal manner in which he behaved towards me have psychologically scarred me.

CHRONOLOGY

I arrived at UMDNJ at 6am on 2/26/10 and was admitted through the front desk with instructions to go to room E-178 where I completed and signed further documents. At approximately 7.15am Dr. Kaufman walked into the room and made the following derogatory statements:

1. I can't believe this mother fucker is here
2. Are you really going to let me do this procedure to you?
3. You aren't shit and I am not going to help you with your legal case

His tone was threatening and I felt humiliated. I could not believe that a human let alone someone who is a physician, meant to heal, would make such abusive comments. I felt helpless and did not know where to look as he continued to rant and denigrate me in front of others. There were other people in the room and none of them asked him to stop. I had never felt this way before or been treated in such a humiliating way.

Dr.Kaufman then left the room and the nurse took me into the treatment area where I was given a patient gown and had an intravenous placed in my arm. I was then walked into the procedure room and Dr.Kaufman was standing in the opposite corner looking at me and continued to verbally attack me and made the following comments:

1. That mother fucker Richard Kaul is trying to take over the spine business and we are going to put a stop to it- I later worked out that he made this comment when he realized I had been under the care of Dr.Kaul since 2006 and who in my opinion had provided excellent care.

2. Are you sure you want me to do this. You know I am not going to help you with your legal case.

I did not respond to any of his comments and just felt very confused and scared that I was about to undergo a spinal procedure which could paralyze me by a man that had just been verbally hostile. I could not, at that time, work out why he (Kaufman) was being so aggressive but I later realized it was because of the fact that Dr. Richard Kaul had taken care of me and as I have since found out he (Kaufman) testified against Dr. Kaul in the case regarding his medical license.

I was instructed to lie face down on the operating table and as the anesthesiologist was applying the mask I could hear and see Kaufman screaming about how Kaul was taking their business and that they were going to stop him. None of this made any sense to me and I just kept on praying to God asking him for help. I was petrified and felt completely humiliated.

I remember waking up in the recovery room with no recollection at all of answering any questions about my pain level during the procedure, which I remember thinking was odd as I had been told before the procedure by Dr. Goldstein that I would be asked questions by Kaufman and the answers I gave were essential to making an accurate diagnosis. Still to this day I have no recollection of this happening during the procedure. I started to cry as I remembered the way Kaufman had talked to me and I wondered if it was because of my ethnicity. I was confused, scared and just wanted to leave the facility as quickly as possible.

The nurse removed the intravenous and I changed back into my own clothes and was driven home by my friend. I have had ongoing nightmares since this horrific incident and have received psychological counseling to help me deal with the feelings and terror I experience every day. In researching Kaufman I have come to know that many other patients have posted complaints about his abusive conduct and derogatory language towards patients and about other physicians.

About 1 week after the discogram I received from UMDNJ a patient satisfaction survey, which I completed and returned, and in which I made very clear my immense dissatisfaction and anger at the manner in which I had been treated. I have still not had a response to the survey I submitted in 2010 and would request that this be addressed.

UMDNJ is a very well respected hospital that does a lot for underserved communities in Newark but the abusive and shocking conduct of Dr. Kaufman on February 26 2010 in room E-178 left me with the impression that the hospital does not really care. I am sure my experience is not isolated and other patients have had to endure the same demeaning attacks.

I write this letter to bring your attention to an issue which has psychologically scarred me and which I would not wish on my worst enemy. I would therefore respectfully ask that a full and thorough investigation be carried out so that no patient will ever again have to endure such abuse.

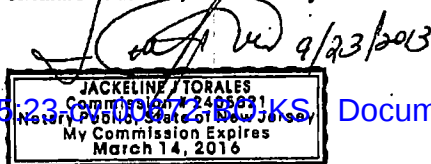
I look forward to your prompt response.

Yours sincerely

Corey Johnson

Corey Johnson

cc. Andrew Kaufman, MD, University Medicine and Dentistry of New Jersey



www.drrichardkaul.com

October 6, 2016

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED

2016 OCT -7 A 11:11

Honorable Steven C. Mannion
United States District Judge
District of New Jersey
UNITED STATES DISTRICT COURT

**Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364
Permission to file emergency restraining order and preliminary injunction**

Dear Judge Mannion,

I write this letter to bring to the court's attention a number of state-orchestrated acts that I believe have been instigated in retaliation for the above matter. I also want to alert the court to the fact that a non-party witness has interfered in my fact-finding efforts, by conditioning the provision of information to me, on the release of one of the defendants from the case. I therefore request permission to file a temporary restraining order and preliminary injunction, that bars the defendant state from pursuing any further legal action against my property or person, until the conclusion of the federal litigation, and also sanctions against Marc Cohen for obstruction of justice.

In January 2016 I commenced a process of pre-trial discovery by sending letters and e-mails to parties who I believe have knowledge pertaining to the allegations. On April 4, 2016 I received an e-mail from Dr. Richard Winne (**exhibit 1**) an interventional pain management physician on staff at defendant Atlantic Health Care. Dr. Winne both refers patients to, and receives patients from, a number of the defendant physicians, in addition to being a senior board member of defendant ASIPP. In response to my e-mail Dr. Winne requested that I call him and forwarded his cell phone number. However, when I called his number the following day the call was diverted to his voicemail, and I left a message, to which I have not yet received a response.

On August 25, 2016 I telephoned and spoke with Robert McGann, who is the northeastern regional manager for Spineology, a Minnesota based medical device company, that sells the Optimesh device, an implant used in spinal fusions. I have known Mr. McGann since 2005 and he is referenced in the complaint (**exhibit 2**) as having provided me with information regarding the misconduct of the defendant neurosurgeons. During the conversation Mr. McGann indicated that defendant Marc Cohen, whose work constituted fifty percent of McGann's business, had stopped using the device, because McGann had testified on my behalf in May 2013 during an administrative proceeding regarding the suspension of my medical license. McGann testified that the Optimesh device was used widely by physicians as an intervertebral

body fusion implant. According to McGann, Cohen had stopped using the Optimesh device because McGann had testified on my behalf, and the transcript had recently been obtained by Cohen's attorney. Cohen, upon becoming aware of this information, retaliated by ceasing to engage in healthcare commerce with McGann and his team of surgical representatives.

McGann stated that he understood exactly why I had named the neurosurgeons as defendants, but did not fully comprehend why Cohen had been included. I explained to McGann that the purpose of the call was to request that he agree to an informal interview, and I suggested he first obtain permission from his corporate superiors. McGann's work brought him into frequent proximity with numerous neurosurgeons, to whom he provided advice regarding the Optimesh device. It is the practice of surgical representatives to spend time with physicians in both their offices and operating rooms, and it was through McGann that I came to know of the hostility the defendant neurosurgeons harbored towards me. Subsequent to the conversation I e-mailed McGann a list of the questions I intended to ask him during the interview, which he had stated he would have his superiors review prior to the interview (exhibit 3).

On September 26, 2016, I sent McGann an e-mail to confirm the date for the interview and he responded that he would not talk to me until I confirmed that Cohen had been dismissed from the action (exhibit 4)

On September 15, 2016 I visited the offices of J.H. Buehrer, a transcription company that works with the state and which authored the transcripts, during twenty-three days of testimony from April to June 2013, in the office of administrative law, in my medical licensing matter. The purpose of my visit was to obtain a digital copy of the transcript from May 6, 2013, the day on which the state's expert and defendant neurosurgeon testified that no standards existed for minimally invasive spine surgery. This was one of the days an independent transcriptionist also recorded the proceedings, much to the chagrin of the defendant administrative law judge. Upon entering the office, I encountered an individual sat at a desk, and enquired as to the whereabouts of the owner, Anthony Petruzelli. The individual responded that he was at another location. However, as later became apparent this individual revealed himself to be Anthony Petruzelli, whom I interviewed for approximately twenty minutes regarding the transcript from May 6, 2016. I requested a digital copy of the file and after the meeting sent an e-mail (exhibit 5) To date I have received no response, despite having sent a follow up e-mail on September 26, 2016.

On September 21, 2016 at approximately 1:30am eight armed police officers from the Somerset County Sherriff's Office arrested me at my residence on a warrant for non-payment of child support. The revocation of my medical license caused immense economic harm to my family and resulted in the loss of my surgical center, Manhattan townhouse, professional practices and forced foreclosure on the house in which my children and ex-wife lived. My ex-wife commenced legal proceedings against me in 2014, which resulted in the issuance of an arrest warrant. I had communicated on multiple occasions with the family support division and informed them of the reasons as to why I had become unable to continue paying the \$13,000 monthly mortgage, and \$10,000/month in alimony to my ex-wife. The arrest warrant remained

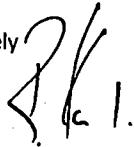
dormant, and it was not until **AFTER** I had commenced the federal action, that I was arrested. I was taken to the Somerset County Jail, but shortly thereafter I was transferred to Robert Wood Johnson Hospital due to an elevated blood pressure of 180/120. The probation officer who interviewed me at the jail demanded \$30,000 for my release, based upon his belief that I was in possession of money from the sale of the townhouse. In fact, I received less than \$5,000 at closing, because the majority of the money was apportioned to bank loans, and federal and state taxes (exhibit 6).

My domestic partner, a nurse, succeeded in having the family division agree to release me when she paid \$2,000, which came from monies purposed to pay her property taxes, and as a consequence is now delinquent on her property taxes. However, during the administrative process of finalizing the release documents, the Sheriff's Office identified an unsatisfied arrest warrant from Mercer County, which caused me to be held further and transferred into the custody of two officers from Mercer County. The warrant was a consequence of a criminal complaint that had been filed in May 2016 and was served at my ex-wife's residence in Bernardsville. I had never received the complaint, had no knowledge of the matter and did, therefore, not attend the initial hearing. The complaint was based on allegations that I had not paid taxes, but this cannot be the case as any outstanding amounts had been deducted from the monies obtained at closing and my corporations had filed for Chapter 11 bankruptcy in June 2013. The income I received as the debtor in possession was taxed at source, and authorized by defendant TD Bank. The Mercer County Court hearing was adjourned to October 11, 2016. I have made several calls to the assistant prosecutor, Rachel Cook, on October 5, 2016, to ascertain the basis of the complaint. It is significant that the complaint was only filed **AFTER** I had filed the federal complaint, and the assistant prosecutor has not returned my calls.

I believe that, as a consequence of the federal lawsuit, state agencies, under the control of the defendant politician, are being used in a retaliatory manner, with the clear intention of harassment and intimidation. Of note is the fact that the IRS has not filed any delinquent tax notices, or indeed taken any legal action against my property or person. I believe it is also significant that the judge assigned to the Mercer County matter was appointed by the defendant politician, which I would suggest is a conflict of interest, and in violation of my Fourteenth Amendment due process right to an impartial tribunal. The individual who is currently the New Jersey attorney general was also appointed by the defendant politician, and was part of the administration involved in the revocation of my medical license. I believe that the defendant politician has once again abused public office to further his personal agenda, with the hope that the Mercer County action could be used to negotiate his way out of the federal matter. This misconduct has been a theme of the legal proceedings against me since 2012, and was the reason my attorney, Robert Conroy, filed a lawsuit in Mercer County that requested the appointment of a special prosecutor and ad hoc medical board (exhibit 7)

For the reasons stated above I request that the court grant me permission to file a temporary restraining order and preliminary injunction against the defendant state, and that the court entertain an application for sanctions against defendant Marc Cohen.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Kaul', written over the printed name.

Richard Arjun Kaul, MD

cc: All Counsel via e-mail

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD

Plaintiff,

v.

CHRISTOPHER J. CHRISTIE, ESQ, et al.,

Defendants

CIVIL ACTION NO. 2:16-cv-02364-KM-SCM

CERTIFICATION OF JOHN ZERBINI

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
201 989 2299

John Zerbinini hereby certifies to the Court as follows:

1. I am forty-three (43) years old, a United States citizen and was a patient of Dr. Kaul from November 24, 2010 to July 21, 2011.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. In late July 2017 I spoke with Dr. Richard Kaul several times regarding various issues that pertain to the above matter. The following represents the essence of what was discussed. The information contained in this statement is a representation of the conversations that took place between March 2012 to late 2013, between myself, Dr. Kaufman and Deputy Attorney General, Doreen Hafner. Where the conversation is quoted verbatim it is marked in "". I have examined this record and signed it as

representative of what was said in the conversations. I have organized the conversations into 5 sections for ease of interpretation:

(a) Report of conversations between Dr. Kaufman and myself

I had several conversations with Dr. Kaufman in which he expressed his opinion of Dr. Kaul and also his intention to destroy Dr. Kaul's medical career. Dr. Kaufman frequently directed these opinions to me, in front of the nurses who assisted him and usually after he had performed procedures on my spine.

Dr. Kaufman was not interested in the care I had received from Dr. Kaul, but was more preoccupied with how he was planning to have Dr. Kaul's license revoked. It was obvious to me that he had no concern for my welfare, as all of the time we spent together from March 2012 to November 2012, he devoted to telling me and others how he was going to destroy Dr. Kaul. It was, to say the least, extremely unprofessional and rather disturbing.

These conversations occurred mainly in a curtained consulting room in the pain management lab, at Overlook Hospital New Jersey. The curtains of my cubicle were not always drawn, and the area was an open space, in which at any one time, there were a least fourteen other people, comprised of patients and staff. I would always sit in a cardiac chair, and Dr. Kaufman's comments were loud enough for all patients and nurses to have clearly heard what was being said.

Dr. Kaufman 'ranted' about Dr. Kaul, on numerous occasions. I felt that Dr. Kaufman was bragging about his actions towards Dr. Kaul. He made it clear that he had instigated proceedings against Dr. Kaul and said that he and "a few other doctors" were going after Dr. Kaul. I was not aware of the names of the other doctors.

The first time that Dr. Kaufman discussed these things with me was in April 2012.

Dr. Kaufman seemed to have some kind of vendetta against Dr. Kaul, and made comments to the effect that he was going to destroy Dr. Kaul's medical career, his reputation, and make sure he never worked again as a doctor. He stated that he was going to make sure Dr. Kaul was ostracized, and that he and a group of five other doctors had been working together since at least 2011, to make sure Dr. Kaul's medical license was revoked. He mentioned that they were

going to have articles and stories published, that caused permanent damage to Dr. Kaul's reputation, so that he would never be able to find work. Dr. Kaufman told me, "Dr. Kaul is a criminal", and that he [Kaufman] had instigated the plan to have Dr. Kaul's license revoked. His venomous conduct led me to believe that that he would not stop until he had achieved those ends.

I recall that Kaufman said that he had found something about Dr. Kaul that really pissed him off which is why he acted in this way. Kaufman said, "Dr. Kaul has no business being a doctor" and "he has no business practicing medicine". He told me that he would make sure Dr. Kaul never practiced medicine again.

During my conversations with Dr. Kaul I told him that I could not understand why Dr. Kaufman had such hatred towards him. I had never witnessed such venom, and he [Kaufman] seemed to have the small man angry syndrome. Kaufman is about five foot six inches, and one hundred and forty pounds.

Dr. Kaufman ranted about Dr. Kaul, in this way, at about two thirds of our consultations. I consulted with Dr. Kaufman every six weeks over period of one year, from March 2012 to late 2012.

The comments that Kaufman made about Dr. Kaul were made directly to me, and frequently in the presence of other staff and patients. My recollection of these comments was so vivid that I even remember the clothes I was wearing at each consultation, and on one occasion it involved a particularly bright stripped collared shirt.

In my opinion there was clear evidence for defamation of character, as when Dr. Kaufman was ranting, there were approximately 14 other people within earshot.

I told Dr. Kaul, during our conversations, that Dr. Kaufman "went after you (Dr. Kaul) like fury". "he was on fire."

I recounted how, in my earlier conversations with Dr. Kaufman, he said, "Check up on this guy (Dr. Kaul) on the internet and you will see that I and five other doctors have already taken action against him". When I went home I checked the internet and found what Dr. Kaufman had said, as well as the name of several other doctors who were involved.

During one of my conversations with Dr. Kaul, I told him, "I left Kaufman but I think he would tell you that he left me". I described to Dr. Kaul how Dr. Kaufman would not return my calls, when I telephoned his office, because my pain pump was not working, and I was in severe pain. This happened on multiple occasions. On one occasion, as a result of not having received a response from Dr. Kaufman after one week, and being in severe pain, I went to see my family physician. I subsequently told Dr. Kaufman that I had consulted with another doctor, and initially he said "no problem". However, 3 months later he became angry and told me that I had "violated his trust" and that he would no longer treat me. He started screaming at me, and I felt humiliated and began to cry. I pleaded with him not to suddenly stop prescribing my medications, but he didn't seem to care, and became very cold and callous. This was in November 2012. In fact, his uncaring attitude had caused me on several prior occasions to ask him, with tears in my eyes, "Why do you hate me?". It seemed to me, that his hostility, was a consequence of the fact that I had been under the care of Dr. Kaul, as I noticed he had a different attitude with other patients. I told Dr. Kaufman that I had never been spoken to by any of my treating physicians, in the derogatory manner in which he publicly berated me. After having been abandoned by Dr. Kaufman, I attempted to find another physician to manage my pain. However, it proved very difficult, because of the complicated nature of my medical conditions. However, Kaufman threatened to contact my internal medicine doctor, and any future pain management doctor, and tell them I had violated an agreement with him. Dr. Kaufman would then call me and berate me on the phone for "violating his trust". I eventually went to see Dr. Sukdeb Datta.

(b) My comments regarding my perception of the relationship between Dr. Kaufman and Deputy Attorney General, Doreen Hafner

During my conversation with Dr. Kaul I commented that "he [Kaufman] was "very chummy with that prosecutor". I observed that Dr. Kaufman's relationship with Doreen Hafner was "weirdly close" and that "it was really weird, moochy coochy, strange." I noted that Dr. Kaufman called the Deputy Attorney General by her first name, and on one occasion he told me that was meeting her for lunch. I observed that Dr. Kaufman was oddly "chummy" with Hafner, in a manner that seemed strange for a physician and deputy attorney general.

(c) My recollections of my meetings with Doreen Hafner

I recollect Dr. Kaufman saying on several occasions, "I'm going to see her [Hafner] later today or to have lunch with her".

I recollect at my first meeting with Hafner, she had two female investigators with her. The meeting occurred at my attorney's office. They inspected my back and how well I was able to walk. After this first meeting, Hafner contacted me directly, and our communications from that point did not involve my attorney. She told me in the first interview that "they were going to take make sure that we who were hurt will be taken care of". However, Hafner honored none of the promises she made, and after I testified took no further interest in my welfare. Both my wife and I felt that she exploited me, and lied to me to get me to testify against Dr. Kaul.

I believe that Hafner told me that Dr. Kaul had a "\$14 million condo in New York", and that she said she was going to take it. She told me Dr. Kaul had two Aston Martins, and that she was going to take them as well.

Hafner stated that Dr. Kaul had committed Medicaid and Medicare fraud, and asked me what insurance company had paid him for the procedure he performed on me. I told her that I had no insurance, and that Dr. Kaul had provided his services and that of his facility for free. I told her that he never asked me for a dime. I also told her that he had been able to get the device company, Medtronic, to provide the spinal cord stimulator free of charge. I asked Hafner that if Dr. Kaul had committed the crime she described, whether his passport had been confiscated. She responded, "I can't comment on that". I thought it was bizarre that Hafner was readily telling me about crimes Dr. Kaul was supposed to have committed, but then refused to answer a simple question about the information she so willingly divulged. I believe she was trying to manipulate and exploit me, in order to have me testify against Dr. Kaul.

I believe that Hafner went into great detail about a case in London that occurred in 1999, in which a patient suffered a cardiac arrest at the end of a dental procedure. She told me that Dr. Kaul fled the country before the authorities had completed their investigation, and had been a fugitive. I asked her that if this was the case, then why had he not been extradited back to

England. Again, her response was, "I can't comment on that", which I found to be as equally bizarre as her previous response. I asked her again why they had not confiscated his passport, and she once again responded with, "I can't comment on that". At this point in the proceedings, we communicated directly, without any involvement from my attorney, and Hafner would contact me directly. The things that Hafner was telling me about Dr. Kaul did not make any sense. I said to her, "If he is a criminal here from England and still on the streets, why wouldn't you arrest him?". Again her response was, "I can't comment on that".

I believe it was Hafner who told me that Dr. Kaul had been paid \$300,000 by Medtronic to find volunteers, for the use of spinal cord stimulators in the treatment of angina. This, as I found out from Dr. Kaul during one of our conversations, was a lie. I explained to Hafner that I could not believe Dr. Kaul had committed Medicare fraud. I told her that he used his own money to establish a charity that helped people in Africa, and she told me that the charity was just a front, and that Dr. Kaul was "trying to line his pockets".

I believe that Hafner lied to me about Dr. Kaul, and about wanting to help me with my lawsuit, to make sure that I testified against Dr. Kaul. She told me that if I testified against Dr. Kaul, it would help me with my lawsuit, "especially if Dr. Kaul had been stripped of his license to practice medicine". Hafner also told me that because Dr. Kaufman was a pain management expert for the state, it would help my case. I feel that Hafner exploited my situation to serve her own purpose, which was to take away Dr. Kaul's livelihood, and destroy his reputation.

(d) My opinion regarding the professional competence of Dr. Kaufman

My opinion of Dr. Kaufman is that he is an extremely unprofessional individual, a terrible doctor, and a man that seems to have nothing but hatred in his heart. He could not contain his anger towards Dr. Kaul, and I have never witnessed the outrageous public displays of unprofessionalism, that I had the misfortune to do so, with him. On one occasion he became so angry, his face turned red. I told Dr. Kaul, "He [Dr. Kaufman] screwed me up so badly that I wanted to sue him". Dr. Kaufman had installed a pain pump which did not work, and despite me repeatedly telling him that I was not getting any pain relief, he kept telling me the pump was working. He did not know to program the pump, and always had a representative from

Medtronic to do it for him. On a number of occasions, he had to stab me thirteen times in the stomach to find the entry point in the pump. He did this to me without any local anesthesia, which was extremely painful. He never checked to see if there were any blockages in the catheter in my spine. The pain kept on increasing, and Dr. Kaufman did nothing, and never returned my calls. When I did see him the only thing he did was to increase the infusion rate of the medication, which did not reduce the pain. Eventually I went to another doctor, who used fluoroscopy and intravenous hydration, and was able to diagnose that the catheter tip was crushed. This was the reason that the medication was not getting into my spine. Dr. Kaufman failed to perform this simple test, which caused me to remain in agony from May 2012 to August 2013, at which point the intrathecal pump was re-inserted by another physician. I told Dr. Kaul that Dr. Kaufman, "thinks he is hot shit but he didn't ever check what was wrong". Throughout the months of excruciating pain, Dr. Kaufman was very bad at responding to my calls, and on multiple occasions, because the pain was so severe, I was rushed to Overlook Hospital. I was experiencing such extreme pain and was shaking uncontrollably, with profuse sweating, all of which exacerbated my angina. I thought I was going to have a stroke or massive heart attack, as I was already in heart failure. When I was admitted to the hospital on each occasion, the staff were unable to contact Dr. Kaufman for several days. These were the episodes that caused me to find another doctor.

(e) Comments made by Dr. Kaufman regarding Dr. Kaul, during the hearing in the office of administrative law, in April 2013.

On or about April 17, 2013 I testified against Dr. Kaul in the proceedings in the office of administrative law. I was driven to the hearing by an armed female agent from the Attorney General's office, who made sure her badge was exposed. While I was sitting outside the hearing room, with the 'special' agent, who did not leave my side for one moment, Dr. Kaufman came out of the hearing room. He looked very agitated and made the following comments:

- (1) "Kaul is sitting there, pretending he cannot afford to hire an attorney"
- (2) "Kaul is wearing a suit that is worn out with trousers that are frayed at the bottom as if he is poor and no money to buy a decent suit".

(3) "Kaul is trying to pretend that he has no money"

The 'special' agent and the court security guard heard Kaufman's outburst.

I feel like I was exploited by Doreen Hafner and Dr. Kaufman, with lies that were intended to have me testify against Dr. Kaul. My clinical care with Dr. Kaufman was terrible, and he is a despicable human being.

I support Dr. Kaul in his quest for justice, and I hope, as do many of his patients, that he returns to the practice of medicine, and that those who caused him harm are severely punished.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: August 6, 2017

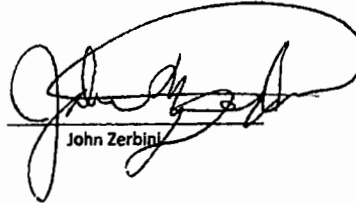
John Zerbin

I feel like I was exploited by Doreen Hafner and Dr. Kaufman, with lies that were intended to have me testify against Dr. Kaul. My clinical care with Dr. Kaufman was terrible, and he is a despicable human being.

I support Dr. Kaul in his quest for justice, and I hope, as do many of his patients, that he returns to the practice of medicine, and that those who caused him harm are severely punished.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: August 6, 2017



John Zerbin

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD

Plaintiff,

v.

CHRISTOPHER J. CHRISTIE, ESQ, et al.,

Defendants

CIVIL ACTION NO. 2:16-cv-02364-KM-SCM

CERTIFICATION OF KATHLEEN CALABRESE

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
201 989 2299

Kathleen Calabrese hereby certifies to the Court as follows:

1. I am *66* a United States citizen and was patient of Dr. Kaul from 2003 to 2012.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. In April 2012, when Dr. Kaul's medical license was suspended, it caused immense hardship to me, my family and many of Dr. Kaul's patients, with whom I had become acquainted since 2003.
4. I had several conversations with Dr. Kaul shortly after the widely publicized suspension, as to real reason for the action taken against his license, and it was during one of these conversations that I offered to make some enquiries.

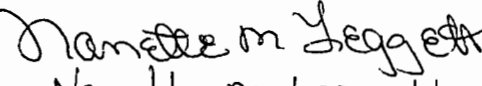
5. I ascertained that a group of doctors and politicians conspired and colluded to have Dr. Kaul's license revoked. I had witnessed on a number of occasions, while waiting in Dr. Kaul's office reception area, conversations between other patients, in which they described how other physicians regularly slandered Dr. Kaul.
6. I explained the situation to my brother, who subsequently spoke with an acquaintance of his, who had knowledge about the circumstances surrounding the suspension. This individual talked with my brother on the condition of anonymity, due to his concerns about possible retaliation from the Christie administration.
7. In approximately May/June 2012 my brother related to me a conversation he had with his acquaintance, during which the acquaintance made the following comment in regards to the suspension of Dr. Kaul's license:

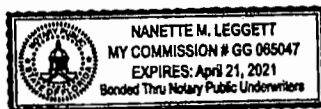
"I think it is terrible what they are doing to Dr. Kaul"

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September ²¹ 18, 2017


Kathleen Calabrese


Nanette M Leggett



9/21/2017

RICHARD ARJUN KAUL, MD
440c SOMERSET DRIVE
PEARL RIVER, NY 10965
201 989 2299

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
SEP 27 P 5:23

RICHARD ARJUN KAUL, MD

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

v.

KAUL v CHRISTIE: 18-CV-08086

CHRISTOPHER J. CHRISTIE, ESQ et als.,

NOTICE TO TAKE ORAL DEPOSITION

TO: All Counsel of Record/Parties:

PLEASE TAKE NOTICE THAT pursuant to F.R.C.P. 30(a)(1), the testimony of Third Party Witness, Arnold Erwin Feldman, MD, will be taken by deposition upon oral examination before Plaintiff Kaul, a person authorized pursuant to F.R.C.P 30(a)(1) to obtain such information:

DATE: October 18, 2018

TIME: 10:00 a.m.

PLACE: 1860 Beach Boulevard
Biloxi, Mississippi 39531

DEPONENT: Arnold Erwin Feldman, MD

By: RK-1
Richard Arjun Kaul, MD

Dated: September 21, 2018

cc: All Parties via e-mail + ECF.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RECEIVED
SEP 27 2018
P 5:23

RICHARD ARJUN KAUL, MD

Plaintiff,

v.

CHRISTOPHER J. CHRISTIE, ESQ, et al.,

Defendants

CIVIL ACTION NO. 2:16-CV-02364-KM-SCM

CERTIFICATION OF ARNOLD E. FELDMAN

RICHARD ARJUN KAUL, MD
PROPRIA PERSONA
440c SOMERSET DRIVE
PEARL RIVER, NY 10965

Arnold Feldman, MD, hereby certifies to the Court as follows:

1. I am 63 years of age, a United States citizen and am a board-certified anesthesiologist with subspecialty training in interventional pain and minimally invasive spine surgery.
2. I graduated from the Medical College of Pennsylvania in June 1980, and underwent residency training at Thomas Jefferson University Hospital University Hospital (June 1980-June 1981) and Harvard Medical School, Department of Anesthesia (July 1982-July 1983).
3. From 1984 to 2016 I undertook over one hundred and twenty (120) CME hands-on cadaver training courses and eighteen (18) mini-fellowships in minimally invasive spine surgery.
4. From 1999 to 2016 I performed approximately on thousand (1000) minimally invasive spine surgeries.

5. I make this statement in support of the claims that Dr. Richard Arnold Kaul has filed against the Defendants in the above matter.
6. In late October 2017 I commenced a series of discourses with Dr. Kaul during which we exchanged information relevant to the facts and circumstances of the events, surrounding the revocation of Dr. Kaul's New Jersey medical license. The following is a summary of the pertinent points of our conversations:

Incident in Arizona + Commencement of Conspiracy

In 2006 I attended a minimally invasive spine surgery conference in Phoenix, Arizona, which to the best of my recollection, was also attended by Dr. Kaul. There were approximately five hundred (500) attendees at the meeting, and one of the course directors was Dr. Anthony Yeung, a general orthopedic surgeon who began performing endoscopic discectomies in 2002. Dr. Yeung is the owner and medical director of the Desert Institute and Spine Center, an outpatient facility in Phoenix, at which he and his associates perform minimally invasive discectomies and fusions. It was at this meeting that I first met Dr. Kaul, and to the best of my recollection it was his presence that prompted Dr. Yeung to make the following statement to a group of approximately five (5) physicians:

"There is a doctor in New Jersey, Richard Kaul, who is performing fusions, but they are going to get him."

I clearly remember that I was standing slightly behind and to the left of Dr. Yeung, because just after he made this comment, he invited the five physicians to his house, and then turned around and saw me, at which point he said, "You can come too Arnold". My wife and I attended the event, at which we did not see Dr. Kaul, but we observed Dr. Yeung promoting his surgical skills to his guests, and inviting physicians, a number of whom were interventional pain practitioners, to attend endoscopic spine workshops at his outpatient facility. At that time, Dr. Yeung seemed very enthusiastic about training interventional pain physicians, and did indeed train many. However, in approximately 2008 he stopped training interventional pain physicians unless they were accompanied by a neurosurgeon or orthopedic surgeon. I believe he came under pressure from neurosurgical/orthopedic members of the North American Spine Society. I know that Dr. Gabriel Jasper, a New Jersey physician, was one of the individuals he trained. Dr. Jasper, himself, then became an instructor for Joimax, a German company that specializes in endoscopic spine surgery, and to the best of my knowledge has trained many physicians at his outpatient facility in Toms River, New Jersey.

I received my initial training in the technique from orthopedic surgeon, Dr. Joseph Rauchwerk, who also trained Dr. Kaul. In addition I attended approximately --- hands-on cadaver training courses in the US and Europe, at which I met many trainee neurosurgeons and orthopedic surgeons.

I do not believe that Dr. Yeung was involved in the scheme to sabotage Dr. Kaul's practice, but he seemed particularly informed about the situation in New Jersey.

Incident in Illinois + Spine Turf Wars

In 2017 I was contacted by the owner of an outpatient surgical center in Chicago, Illinois, who informed me that he had just purchased equipment to perform minimally invasive spine surgery, and requested that I teach the technique to an interventional pain physician on staff at his center. I agreed and spent two days at the facility, during which I educated the nurses, surgical technicians and the physician on how to prepare the equipment and perform the procedure. The physician successfully performed two (2) cases under my guidance. Approximately three (3) months later the owner requested my assistance with another case, and when I attended the center I met with an orthopedic surgeon who wanted to learn the technique. The owner instructed me not to inform the orthopedic surgeon that I had trained the interventional pain physician. I believe this owner was aware of the professional 'turf wars' that existed in minimally invasive spine surgery, and was probably concerned that if the orthopedic surgeon knew about the interventional pain physician, he would stop operating at the facility. I also believe that because of the pressure applied by the neurosurgical/orthopedic members of the North American Spine Society, the issue of the 'turf wars' had become well known within the non-physician health care community.

Incident in Louisiana + Neurosurgical Racketeers

In approximately 2002 I established an interventional pain and minimally invasive spine surgery practice in Louisiana, and in 2006 I opened an outpatient surgical center, which became one of the busiest facilities in the region. A number of my local competitors, one of whom was the president of the medical board, began attacking my practice in approximately 2012, through slanderous comments to patients and other physicians. The president of the medical board, John Burdine, MD, also happened to be the president of the Louisiana chapter of the American Society of Interventional Pain, and had several offices within a ten-mile radius of my surgical

center. We competed within the same patient community, and I believe that he spearheaded the scheme that resulted in the suspension of my license in 2016.

As a consequence of the suspension, I hired a local neurosurgeon to continue providing care to my patients, and it was through my interactions with this individual that I came to know that a number of neurosurgeons had conspired with Burdine, to destroy my career and livelihood. I specifically remember that this individual told me, *"You think Burdine is your main enemy. I am telling you that the neurosurgeons are behind this"* She also described how many of the deaths and complications caused by the neurosurgeons were covered up, and never made known to the public. All of the deaths had occurred at hospitals.

However, due to personal commitments the female neurosurgeon became unable to continue providing care, and I hired a male neurosurgeon from Mississippi. In late 2016 this individual performed a minimally invasive laminectomy. The case proceeded without event and the patient was discharged, but several days later she went to the ER because she was experiencing some pain. The ER doctor called the local neurosurgeons who operated on the patient in the absence of any clinical indication, and found nothing to explain the patient's symptoms. These individuals filed a complaint with the medical board against the Mississippi surgeon, who is originally from Maine, and the board initiated an investigation, which caused him to stop working with me.

Incident in Germany + Market Manipulation + Extortion by North American Spine Society (NASS) of Global Spine Market + German Medical Device Company.

On January 5, 2018 I contacted a surgical representative from Joimax, to enquire whether his company would be interested in purchasing my minimally invasive spine surgery equipment. During our conversation I asked him how his business was developing in the United States, and if the company was still training interventional pain physicians. He informed me that in early 2017 certain members of NASS had told Joimax that they wanted the company to stop training interventional pain physicians anywhere in the world. The company perceived this as a commercial threat, in that if they did not appear to comply, then NASS would instruct its neurosurgical/orthopedic members not to use the Joimax system. As a consequence the company divided its educational corporation into two departments, in which the interventional pain physicians were trained separately from the neurosurgeons/orthopedic surgeons. The company was also forced to restructure its website, to conceal the fact that it had reorganized its corporate educational configuration. The communications from these NASS members were unofficial ones, that were 'off the record', but were made at a time (2016 to 2017) that I understand coincided with their Defendant status in this matter.

The American Society of Interventional Pain Physicians is currently training its members how to perform minimally invasive spine surgery, and one of the teachers is Dr. Frank Falco, a past-president of the society. It is my understanding that in 2012, Dr. Falco spent several days observing Dr. Kaul perform minimally invasive cervical and lumbar fusions at his surgical center in Pompton Lakes, New Jersey.

Conclusion

Dr. Kaul, like myself, was one of the first physicians to become involved in the development of minimally invasive spine surgery in the United States. I have read some of his legal submissions, in which he accurately describes the critical role of Fluoroscopic Guidance and Interpretation (FGI) in the evolution and practice of the minimally invasive technique. The skills required for FGI are the skills that interventional pain physicians acquire through their early training in the use of the fluoroscope for the delivery of Intra-spinal medications, and it is this expertise that explains why they are more competent than neurosurgeons/orthopedic surgeons, in performing minimally invasive spine surgery.

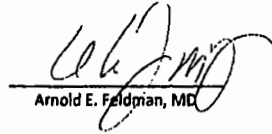
Dr. Kaul, like myself, was a victim of professional jealousy, that manifested itself through a corrupt medical board, that like many in the United States, flagrantly violate the due process rights of physicians.

I believe that this case will cause a fundamental, and long over-due reconfiguration of the mechanism of physician regulation, which will actually benefit the public and the profession of medicine. No evidence exists that the current system has ever protected or indeed protected the public. The medical board system in America has unfortunately operated for too long (1960 to 2018) without supervision, and has become a collection of 'rogue' and decidedly despotic agencies that do not protect the public, but covet and abuse their regulatory power, for personal, economic and political reasons. These agencies must either be dismantled or placed under a federal supervision program, that is transparent to the public, and reports annually to the federal government, the medical profession and most importantly the PUBLIC.

I hope this certification, and my opinion regarding physician regulation, provide the Court with information that it deems helpful in its evaluation of the above case.

I thank you for your consideration.

Dated: September 22, 2018


Arnold E. Feldman, MD

FILED
IN CLERKS OFFICE

2021 JUN -1 AM 10: 38

U.S. DISTRICT COURT
DISTRICT OF MASS.

www.drrichardkaul.com

May 28, 2021

Allison Burroughs
United States District Judge
District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: **Kaul v Boston Partners – K11-2**
21-CV-10326
Case Management Conference
Obstruction of Justice + Wrongful arrest

Dear Judge Burroughs

I write this letter to request the Court conduct a case management conference in light of several events that have occurred within the last three weeks, that pertain to the Defendants' ongoing efforts to obstruct of justice.

On May 26, 2021, I submitted to the Court a letter that evidences the Defendants' coopting of New Jersey's police into the ongoing "pattern of racketeering." (Exhibit 1). This document was received in the Court on May 27, 2021 but has yet to be published.

Please also find enclosed a copy of a letter (Exhibit 2) that was submitted into K1 on October 7, 2016, that sought permission to file an emergency restraining order and preliminary injunction "that bars the defendant state from pursuing any further legal action against my property or person, until the conclusion of the federal litigation, and also sanctions against Marc Cohen for obstruction of justice." That permission was never granted, and I was thus afforded no protections against further retaliatory actions by the agencies/actors of the State of New Jersey. It bears noting at this point that the State of New Jersey is not actually a sovereign state, but simply an extension of the insurance industry, of which Defendants Allstate/Geico are controlling members.

On May 26, 2021, at approximately 3 pm EST, Defendant Christie was served with a copy of the Complaint/Summons.

On May 27, 2021 at approximately 4 pm EST I was arrested at the location in New Jersey which I conduct my legal research and writing. Nine (9) armed officers from both local and state police entered my workspace through an open door, without warrants. What followed is further evidence in support of motions for summary judgment:

1. I was sitting in the front room of the building on a call with my colleague, Dr. Evangelos Megariotis.
2. I heard a voice at an open door at the back of the building.
3. I approached the door and witnessed nine (9) armed men, some in plain clothes and some in uniform, but remained on the call with Dr. Megariotis, in order that he could witness the exchange.
4. Two of these individuals had entered my building, and asked me to confirm my name, which I did.
5. I asked to see their warrants and was initially told they did not need to produce warrants, but that if I went with them, they would show me the warrant.
6. I instructed them that the law require a warrant before entry onto a person's property.
7. One of the plain clothes officers indicated he worked for a unit of the state police that investigates threats against state officials, and that they were investigating claims that I had threatened Defendant Christie.
8. I asked from whom he received his orders, and he told me the order originated from Patrick Callahan, the current administrative head of the New Jersey state police, who had received a request from Defendant Christie's "lawyer", Robert McGuire, a NJ deputy attorney general.
9. With Dr. Megariotis as a witness, I repeatedly asked for the production of a paper warrant, but none was produced.
10. At this point, one of the uniformed officers entered the building and told me that there was an outstanding warrant for my arrest from Mercer County. I asked him to produce this warrant, and his state colleague handed him a cell phone, on which was there were unintelligible typed words with an entry date of May 27, 2021.
11. It is relevant for this Court to know and will be relevant to the motions for summary judgment, that in March/April 2018, as part of my application for a license in the State of New Jersey, the state police conducted a background check that included pending warrants, and NONE were found. The purported warrant is a fabrication and constitutes an element of the Defendant's scheme of retaliation, a RICO predicate act.
12. The exchange between myself and these nine (9) armed individuals became increasingly hostile, and Dr. Megariotis suggested I permit myself to be arrested. I informed these individuals that any arrest would be illegal, and that I would seek legal redress for the injury. They smirked.
13. I was led outside and had my arms handcuffed behind me. I was led to a car, into which I sat, and was driven to the Mendham Township police station. I was led from the car and

chained to a metal bench inside the small building. I was then interrogated by three of the plain clothes state officers. At no point in any of these proceedings did any of these individuals read me my rights, except to say I was "under arrest".

14. The interrogation consisted of them telling me that it was a crime for me to serve legal documents on Defendant Christie, as he was an ex-state official who was still under the protection of the state. One of these individuals indicated that Defendant Christie had a "lot of enemies".
15. I responded that I had not served any documents on Defendant Christie, as they had been served by a process server, Doreen Bettens. They asked me her name, which I provided, and just as I was doing so, she called my cell.
16. I instructed the phone to be answered, and placed her on speakerphone, at which point I told her I was sitting chained to a metal bench in Mendham Township police station and had just explained to the police that she had served the documents on Defendant Christie. A brief conversation ensued between Doreen Bettens and these individuals, in which she confirmed that she had served Defendant Christie, and that I was not with her. She provided them her telephone number and the call concluded.
17. I was then taken from this police station to the Morristown police station, where I had my picture taken, and was then told to stand against a wall.
18. May 27, 2021 was a particularly hot day, and I had become dehydrated, and had not taken my blood pressure medication that day. I began to experience some mild light-headedness and asked a female officer behind the desk if I could have a seat. She said, "no you are in jail". Approximately one minute later, I collapsed to the floor on my right side. The next thing I remember is waking up in a chair and hearing this same female officer state that I had "jail-itis".
19. An ambulance was called, it arrived and as I was being placed on a stretcher, one of the officers handcuffed me to the bed. Almost immediately, the senior officer removed the handcuff, and the cuffing officer stated: "This is your lucky day".
20. I was transferred to Morristown Memorial Hospital by two policemen, who then departed the building, and left me with the nurse.
21. I then departed the hospital.

These events lend further evidential weight to the claims, that is irrefutable. As is clear from the record, the commission and attempted cover-up by the Defendants now involves the executive/legislative/judicial branches of the State of New Jersey. The Defendants scheme now involves the use of police to threaten, harass and intimidate process servers, witnesses and the Plaintiff himself, while violating the jurisdiction/authority of the United States.

My concern is that with this escalation of armed force, people will be killed. In that regard, I do request that there be emergently schedule a case management conference, in order to mitigate this threat, and stop the Defendants criminal abuse of state power and continued falsification of evidence.

I do also inform the Court that Defendants Christie/Hafner/Kaufman/Allstate/Crist have been served, and I will be moving variously for summary judgment and Rule 26 conferences.

I also believe it relevant for this Court to know that a case (K11-5) is pending in the Indian High Court against Defendant State of New Jersey, a case in which Intercontinental Exchange has been noticed (Exhibit 3). The thrust of which pertains to its collusion/conspiracy with Defendants Christie/Allstate in the perpetration of policies of racial discrimination and targeting of successful Indian physicians for criminal prosecution/incarceration. A copy of this letter has been sent to the Indian PM, as has K11-5.

The U.S.C.A. for the Third Circuit is aware of the Defendants crimes (Exhibit 4).

I thank you for your attention to this matter.

Yours sincerely



Richard Arjun Kaul, MD

cc: All Counsel via email
All parties with a legal or other interest
Patrick Callahan
Governor Philip Murphy
Gurbir Grewal (NJ-AG)

www.drrichardkaul.com

August 23, 2021

Re: Kaul/Basch v ICE et al.
21-CV-06992
K11-7
F.R.E. 801 - Tacit Admissions

Dear Mr. D'Aloia,

As counsel for Defendant Allstate in the above matter, please find submitted a series of admissions:

Defendant Allstate refers to any/all persons who have either have been or are employed/contracted/retained/otherwise associated with the corporation, and who orchestrated/participated/contributed/aided and abetted or have knowledge of the securities fraud scheme as pled in the Complaint. The relevant period is February 22, 2016 to the present.

Pursuant to F.R.E. 801, Defendant Allstate does admit to the following facts:

1. That it conspired to omit a material pending legal proceeding in its 2018 10-Q SEC filing.
2. That it did omit a material pending legal proceeding in its 2018 10-Q SEC filing.
3. That its omission of a material pending legal proceeding was committed with full cognizance of its violation of 17 CFR § 229.103.
4. That in its 2018 10-Q filing it did, on Page 92 of 93, under "**PART II. OTHER INFORMATION-Item 1. Legal Proceedings**" with fraudulent intent and effect, omit a material legal proceeding and divert attention to a general "**discussion under the heading "Regulation and Compliance"**" (copy enclosed).
5. That its omission was purposed to deceive, and did deceive, the global equities market of its right to honest services.
6. That in the commission of the omission, it did recognize its willful violation of the Sarbanes-Oxley Act.
7. That it was aided and abetted in its willful violation of the Sarbanes Oxley Act by Eric K. Ferren, a Senior Vice President, Controller, and Chief Accounting Officer.

These admissions will be submitted into evidence, in support of a motion for Summary Judgment on the Sarbanes-Oxley claim.

10-Q 1 allstatelife-63018x10q.htm 10-Q

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549
FORM 10-Q

The registrant meets the conditions set forth in General Instructions H (1)(a) and (b) of Form 10-Q and is therefore filing this form with the reduced disclosure format.

[X] QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the quarterly period ended June 30, 2018

OR

[] TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from _____ to _____

Commission file number 0-31248

ALLSTATE LIFE INSURANCE COMPANY

(Exact name of registrant as specified in its charter)

Illinois
(State or other jurisdiction of incorporation or organization)

36-2554642
(I.R.S. Employer Identification No.)

3075 Sanders Road, Northbrook, Illinois 60062
(Address of principal executive offices) (Zip Code)

(847) 402-5000
(Registrant's telephone number, including area code)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

Yes [X] No []

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate Web site, if any, every Interactive Data File required to be submitted and posted pursuant to Rule 405 of Regulation S-T (§ 232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files).

Yes [X] No []

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, a smaller reporting company, or an emerging growth company. See the definitions of "large accelerated filer," "accelerated filer," "smaller reporting company" and "emerging growth company" in Rule 12b-2 of the Exchange Act.

Large accelerated filer [] Accelerated filer []
Non-accelerated filer [X] (Do not check if a smaller reporting company) Smaller reporting company []
Emerging growth company []

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. []

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act).
Yes [] No [X]

In addition, the Company and the Corporation will each indemnify Prudential for certain post-closing liabilities that may arise from the acts of the Company and its agents, including certain liabilities arising from the Company's provision of transition services. The reinsurance agreements contain no limitations or indemnifications with regard to insurance risk transfer, and transferred all of the future risks and responsibilities for performance on the underlying variable annuity contracts to Prudential, including those related to benefit guarantees. Management does not believe this agreement will have a material effect on results of operations, cash flows or financial position of the Company.

The aggregate liability balance related to all guarantees was not material as of June 30, 2018.

Regulation and Compliance

The Company is subject to extensive laws, regulations and regulatory actions. From time to time, regulatory authorities or legislative bodies seek to impose additional regulations regarding agent and broker compensation, regulate the nature of and amount of investments, impose fines and penalties for unintended errors or mistakes, impose additional regulations regarding cybersecurity and privacy, and otherwise expand overall regulation of insurance products and the insurance industry. In addition,

the Company is subject to laws and regulations administered and enforced by federal agencies, international agencies, and other organizations, including but not limited to the Securities and Exchange Commission, the Financial Industry Regulatory Authority, and the U.S. Department of Justice. The Company has established procedures and policies to facilitate compliance with laws and regulations, to foster prudent business operations, and to support financial reporting. The Company routinely reviews its practices to validate compliance with laws and regulations and with internal procedures and policies. As a result of these reviews, from time to time the Company may decide to modify some of its procedures and policies. Such modifications, and the reviews that led to them, may be accompanied by payments being made and costs being incurred. The ultimate changes and eventual effects of these actions on the Company's business, if any, are uncertain.

8. Other Comprehensive Income

The components of other comprehensive (loss) income on a pre-tax and after-tax basis are as follows:

	Three months ended June 30,					
	2018			2017		
	Pre-tax	Tax	After-tax	Pre-tax	Tax	After-tax
Unrealized net holding gains and losses arising during the period, net of related offsets	\$ (94)	\$ 20	\$ (74)	\$ 178	\$ (62)	\$ 116
Less: reclassification adjustment of realized capital gains and losses	(17)	4	(13)	(3)	1	(2)
Unrealized net capital gains and losses	(77)	16	(61)	181	(63)	118
Unrealized foreign currency translation adjustments	6	(1)	5	—	—	—
Other comprehensive (loss) income	\$ (71)	\$ 15	\$ (56)	\$ 181	\$ (63)	\$ 118
	Six months ended June 30,					
	2018			2017		
	Pre-tax	Tax	After-tax	Pre-tax	Tax	After-tax
Unrealized net holding gains and losses arising during the period, net of related offsets	\$ (320)	\$ 67	\$ (253)	\$ 281	\$ (99)	\$ 182
Less: reclassification adjustment of realized capital gains and losses	(21)	4	(17)	(1)	—	(1)
Unrealized net capital gains and losses	(299)	63	(236)	282	(99)	183
Unrealized foreign currency translation adjustments	11	(2)	9	(5)	2	(3)
Other comprehensive (loss) income	\$ (288)	\$ 61	\$ (227)	\$ 277	\$ (97)	\$ 180

PART II. OTHER INFORMATION**Item 1. Legal Proceedings**

Information required for Part II, Item 1 is incorporated by reference to the discussion under the heading "Regulation and Compliance" in Note 7 of the condensed consolidated financial statements in Part I, Item 1 of this Form 10-Q.

Item 1A. Risk Factors

There have been no material changes in our risk factors from those disclosed in Part I, Item 1A in our annual report on Form 10-K for the year ended December 31, 2017.

Item 6. Exhibits

(a) Exhibits

The following is a list of exhibits filed as part of this Form 10-Q.

Exhibit Number	Exhibit Description	Incorporated by Reference				Filed or Furnished Herewith
		Form	File Number	Exhibit	Filing Date	
15	<u>Acknowledgment of awareness from Deloitte & Touche LLP dated August 6, 2018 concerning unaudited interim financial information</u>					X
31(i)	<u>Rule 13a-14(a) Certification of Principal Executive Officer</u>					X
31(i)	<u>Rule 13a-14(a) Certification of Principal Financial Officer</u>					X
32	<u>Section 1350 Certifications</u>					X
101.INS	XBRL Instance Document					X
101.SCH	XBRL Taxonomy Extension Schema					X
101.CAL	XBRL Taxonomy Extension Calculation Linkbase					X
101.DEF	XBRL Taxonomy Extension Definition Linkbase					X
101.LAB	XBRL Taxonomy Extension Label Linkbase					X
101.PRE	XBRL Taxonomy Extension Presentation Linkbase					X

Exhibit 2

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD ARJUN KAUL, M.D.,)	
Plaintiff,)	
v.)	
BOSTON PARTNERS, INC., et al.,)	Civil Action No. 21-cv-10326-ADB
Defendants.)	
)	

**BOSTON PARTNERS GLOBAL INVESTORS, INC.'S MEMORANDUM OF LAW
IN SUPPORT OF ITS MOTION TO DISMISS**

Pursuant to FRCP Rule 12(b)(6), Defendant Boston Partners, Inc. ("Boston Partners")¹ moves to dismiss the Complaint filed by Plaintiff Richard Arjun Kaul, M.D. ("Plaintiff"). The Complaint fails to set forth a "short and plain statement of the claim" which would entitle Plaintiff to relief from Boston Partners. *See* FRCP Rule 8(a)(2). Taking all the allegations set forth in the Complaint as true, Plaintiff has merely alleged that Boston Partners is a shareholder of Allstate Insurance Company, a publicly traded insurance company. *See* Complaint, p. 21². In fact, Boston Partners does not own shares in a proprietary capacity, but manages clients' assets, some of which were invested in Allstate. Nevertheless, Boston Partners' alleged status as a shareholder of a public corporation is insufficient to confer liability for the alleged wrongdoing.

Background

The following is a summary of the allegations contained in Plaintiff's sprawling 286-page Complaint that are relevant to the disposition of this motion. Plaintiff alleges that he is a spine

¹ The proper name of this entity is "Boston Partners Global Investors, Inc."

² Citations to the Complaint refer to page numbers, as Plaintiff did not number the paragraphs.

surgeon whose medical license has been revoked. Complaint, pp. 4, 20-21, 36. Plaintiff alleges that he pioneered minimally invasive spine surgery techniques that caused such “immense professional jealousy” among other physicians that encouraged patients to file lawsuits and medical complaints against Plaintiff. *Id.* at p. 37. He further alleges that a group of physicians bribed then-Governor of New Jersey, Chris Christie, to order the New Jersey Board of Medical Examiners to revoke Plaintiff’s medical license. *Id.* This group of jealous physicians, according to the Complaint, caused defendants GEICO and Allstate to file actions against Plaintiff for insurance fraud. *Id.* at pp. 37-38. Plaintiff alleges that doctors, politicians, and insurance companies have engaged in a massive corporate conspiracy that rivals “those crimes committed against humanity by the Nazis.” *Id.* at p. 28; *see also*, p. 69 (“There exists little or no difference between the corporate tyranny exacted on Kaul and the American public/medical profession by Defendants Allstate/Boston Partners/State Street Corporation and that exacted on humanity by the slaving industry and the holocaust.”).

The allegations directed against Boston Partners are scant. Boston Partners is named as a Defendant in two of the sixteen counts of the Complaint: Count I (a RICO violation) and Count Sixteen (Aid in the Commission of Tort). *Id.* at pp. 65, 282. The allegations to support those claims are even more scarce. Concerning Boston Partners, Plaintiff alleges:

“Defendant Boston Partners (“BP”) is a hedge fund that is one of the top ten corporate shareholders in Defendant Allstate. The top ten hold approximately eight percent (80%) of stock. Defendant BP, as a knowing co-conspirator in the crimes of Defendant Allstate, did illegally and unjustly enrich itself/its clients at the expense of Kaul. It is a resident of Massachusetts.”

Id. at p. 21.

The Complaint makes the conclusory allegation that:

“Defendants Allstate/Boston Partners/State Street Corporation in forming an Association-In-Fact Enterprise (“ABS Enterprise”), with the intent and purpose of

conducting a “pattern of racketeering” to advance a knowingly illegal scheme of grand corruption, through the commission of the predicate acts mail fraud/wire fraud/judicial corruption/public corruption/bribery/kickbacks, purposed for executive/corporate profit, did intentionally cause an immense injury to Kaul.” *Id.* at p. 65.

The specific allegations against Boston Partners are set forth as follows:

- Beginning on February 22, 2016, Plaintiff filed a series of cases against, among other defendants, Allstate;
- Allstate did not disclose the litigation in its quarterly and annual reports to investors;
- On November 22, 2018, Plaintiff sent a letter to the CEO of Boston Partners, alerting him to Allstate’s failure to disclose the litigation;
- In the first quarter of 2020, Boston Partners sold a majority of its holdings in Allstate, and its share price declined.

Id. at pp. 67-68.

Argument

The Complaint should be dismissed because: (1) it fails to set forth a short and plain statement of the claim against Boston Partners; (2) it offers no grounds to hold Boston Partners, a alleged to be a shareholder of a publicly traded company, liable for any alleged wrongdoing. Additionally, Boston Partners should be awarded its costs and fees associated with bringing this Motion.

I. The Complaint is Neither Short nor Plain.

The Court may dismiss a complaint with prejudice for its failure to abide by Rule 8(a)(2)’s “short and plain statement requirement.” *Kuehl v. F.D.I.C.*, 8 F.3d 905, 908 (1st Cir. 1993) (upholding a district court judge’s dismissal of a 43-page, 358-paragraph complaint where plaintiff had previously filed other complaints). Dismissal is appropriate where “the complaint is so confused, ambiguous, vague or otherwise unintelligible that its true substance, if any, is well disguised, such that it would be unreasonable to expect defendants to frame a response to it.”

Belanger v. BNY Mellon Asset Mgt., LLC, 307 F.R.D. 55, 58 (D. Mass. 2015) (internal quotations omitted).

Dismissal of Plaintiff's Complaint is warranted based on its length alone, which spans 286 pages of single-spaced, unnumbered paragraphs. *See Kuehl* (dismissal of 43-page, 358-paragraph complaint); *Belanger* (dismissal of 462-page complaint).

In addition to its length, the Complaint is also convoluted. It names 22 defendants, some in both their personal and professional capacities, then makes no attempt to sort out the allegations against these defendants in any meaningful way. The Complaint lists out 16 counts and then states little if any substance related to those claims. For example, in Count Sixteen, Plaintiff makes the conclusory allegation that Defendants "pursued a common plan or design to commit a series of torts upon Kaul, through their active participation, encouragement, or ratification of the harm done to Kaul, which inured to Defendants' collective benefit." Complaint, p. 283. The Complaint fails to say what the actions are by any of the specific defendants are that constitute the alleged "active participation, encourage, or ratification of the harm." With respect to Boston Partners at least, those factual allegations are utterly absent from the Complaint. *See Jacobowitz vs. Dartmouth Pub. Sch.*, D. Mass., 2010 WL 582359, No. CIV.A 08-11855-RWZ (D. Mass. 2010) (dismissing lengthy and convoluted complaint by *pro se* plaintiffs).³

³ "Fed. R. Civ. P. 8 requires 'a short and plain statement of the claim.' The 8/24 Complaint, in contrast, is both lengthy and convoluted. It names 26 defendants, and defendants no longer named still appear in the factual allegations. The introduction lists some 20 claims sounding in various state and federal laws, but only 17 claims are subsequently developed in the body of the complaint. Each claim is followed by a lengthy list of unrelated factual allegations against multiple defendants, rather than a comprehensible identification of the relevant conduct and parties."

Plaintiff, by his own admission, has filed numerous litigations in a variety of courts. The Complaint filed here presents an unreasonable burden on the Court and on Boston Partners to attempt to make sense of the claim. Accordingly, the Complaint should be dismissed with prejudice for its failure to meet the requirements of Rule 8(a)(2).

II. **There is No Basis to Hold Boston Partners, Alleged to be a Shareholder of a Publicly Traded Company, Liable.**

Boston Partner's presence in this lawsuit is based solely on its alleged status as a shareholder of Allstate, a publicly traded insurance company. The Complaint makes no specific allegations as to Boston Partner's conduct separate and apart from its alleged shareholder status. *See id.* at pp. 67-68. The Complaint alleges that Boston Partners is "one of the top ten corporate shareholders in Defendant Allstate." *Id.* at p. 21. The Complaint further alleges that: Allstate failed to disclose Plaintiff's previous litigations to its investors as part of its quarterly and annual reports to investors; Plaintiff sent a letter to the CEO of Boston Partners in November 2018 to notify the company of Allstate's alleged failure to disclose; and, in Q1 2020, Boston Partners sold the majority of its Allstate shares, and the price of the stock dropped subsequent to the sale. *Id.* at pp. 67-68. The Complaint offers no indications as to how this alleged fact pattern would give rise to any claim, nor is any such claim apparent or even conceivable.

Holding the shareholder of a publicly traded company is virtually unprecedented. *See Birbara v. Locke*, 99 F.3d 1233, 1237-38 (1st Cir. 1996) ("... the cases where courts have allowed creditors to reach the assets of shareholders have almost always involved close corporations."); *see* "Doctrine of 'piercing the corporate veil'", 14A Mass. Prac., Summary of Basic Law § 6:75 (5th ed.) quoting Palmiter, *Corporations: Examples and Explanations*, 7th Ed. (2012), § 32.1.1. ("No reported case of piercing [the corporate veil] has ever involved the shareholders of a publicly traded corporation."). Assuming, *arguendo*, Plaintiff could make new

law to pierce the veil of a public corporation, the Complaint has not even begun to allege the facts which would meet the Plaintiff's burden to establish a veil piercing claim. *See Birbara v. Locke*, 99 F.3d 1233, 1239 (1st Cir. 1996) (discussing plaintiff's failure to meet *My Bread* standards and declining to find the "rare particular situation" where it would be appropriate to disregard the corporate form in order to prevent gross inequity.").

Conclusion

For the reasons set forth above, Boston Partners' Motion to Dismiss should be allowed, and the Complaint should be dismissed with prejudice. Boston Partners should be awarded its costs and fees associated with filing this Motion.

Respectfully submitted,

BOSTON PARTNERS GLOBAL
INVESTORS, INC.,
By its attorneys

/s/ James E. Kruzer

David S. Godkin (BBO#196530)
James E. Kruzer (BBO#670827)
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CERTIFICATE OF SERVICE

I, James E. Kruzer, hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on the above date.

/s/ James E. Kruzer
James E. Kruzer

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD

Plaintiff,

v.

CHRISTOPHER J. CHRISTIE, ESQ, et al.,

Defendants

CIVIL ACTION NO. 2:16-cv-02364-KM-SCM

CERTIFICATION OF KENNETH SABO

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palsades Park, NJ 07650
201 989 2299

Kenneth Sabo hereby certifies to the Court as follows:

1. I am (insert age), a United States citizen, a US Veteran, and was a patient of Dr. Kaul from August 23, 2010 to June 1, 2012.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. On -- I initially consulted with Dr. Kaul, after having witnessed a segment on Channel 12 News, in which he and a sixteen-year-old gymnast, whose spinal deformity he corrected, were both interviewed. I was impressed with what I saw, and made an appointment to see Dr. Kaul.
4. I initially consulted with Dr. Kaul on August 23, 2010, and he ordered a series of tests to diagnose the cause of the pain in my neck and lower back. Based on the results of these

tests, he implemented a series of spinal injections, which provided temporary pain relief. However, due to the persistence of the pain, he performed minimally invasive spine surgery on my neck and lower back. The surgeries were successful in reducing my pain, and improving my ability to carry out my normal activities of daily living. I was treated with compassion, respect and received excellent care, from Dr. Kaul and his staff. The facility at which the operations were performed was modern, efficient, well organized and professionally operated, and on the days that I was at the NJSR Surgical Center, I often heard other patients express high opinions of Dr. Kaul. Both his patients and his staff expressed immense respect for his abilities, and this was evident to me from the professional, yet friendly environment, that I experienced while under the care of Dr. Kaul.

5. On --- I came to learn that his New Jersey medical license had been suspended, and that I would no longer be able to treat with him. This caused me great disappointment, and since then, I have been unable to find a physician that provides the high level care I received from Dr. Kaul
6. On --- I received a phone call from an individual, who identified herself as Doreen Hafner, a New Jersey deputy attorney general. Ms. Hafner explained that she was investigating Dr. Kaul and that she wanted to interview me, because Dr. Kaul had performed procedures on my spine. I agreed to an interview, and on --- Ms. Hafner and --- of her associates came to my house.
7. The interview lasted approximately forty-five minutes and during the interview the following exchanges occurred:
 - (a) Ms. Hafner requested that I testify against Dr. Kaul -- I refused, and explained to her that I held Dr. Kaul in the highest regard, that he had reduced my pain, and improved the quality of my life. I told her that I believed his surgery had been successful, and that I was very disappointed when he left.
 - (b) Ms. Hafner attempted to characterize Dr. Kaul as dishonest, by stating that on his website he described himself as a board certified minimally invasive spine surgeon, and that he was not -- I explained that I decided to consult with Dr. Kaul after having seen his

Ken

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p.4

interview with Dr. Derek DaSilva on Channel 12 News, and was very impressed with how he had helped a sixteen-year old gymnast return to gymnastics. I told her that I found Dr. Kaul to be very forthright, an opinion that I heard from many of his patients.

- (c) Ms. Hafner asked me if I knew that Dr. Kaul had been arrested in London and charged with manslaughter, and she described in detail the events that had occurred in a dental clinic – I explained that although I didn't know these details, it did not change the fact that I was treated well by Dr. Kaul, and that his procedures reduced my pain, and improved my quality of life. I told her that everybody I spoke to about Dr. Kaul, described him as phenomenal.
- (d) Ms. Hafner stated that the attorney general wanted to revoke Dr. Kaul's license. I asked why they would want to do such a thing, and I suggested that it should just be suspended for six months, as he had dedicated his whole life to his career. Ms. Hafner's response were words to the effect that suspension was not an option, and "what if he hurts someone". I told her that I had heard nothing but good things from other patients about Dr. Kaul
8. After the interview Ms. Hafner telephoned me approximately six times, and on each occasion attempted to have me testify against Dr. Kaul, and on each occasion I refused.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: July 12, 2017


Kenneth (place middle initial) Sabo



Richard Kaul <drichardkaul@gmail.com>

Personal/Steven Waldman, MD

1 message

Steven Waldman <spwmd.atlasspine@gmail.com>
To: drichardkaul@gmail.com
Cc: Steven Waldman <spwmd.atlasspine@gmail.com>

Sat, Oct 24, 2015 at 8:18 AM

Richard

You and I met a few times. We have friends in common. Probably you have been misinformed about a few things. First I want to tell you that I feel really awful that the Neurosurgeons and Medical Board have attacked you professionally and personally. Revolutionaries often are met with great resistance even when they are trying to do great and beneficial things. I'm sorry that the fascists in the Medical Board and state government have pulled your license. They are bullies and clearly politically motivated

I'm writing to you to inquire as to why you, of all people, would attack me personally with rather vicious and untrue YouTube videos. I have never attacked you in fact I admire you very much. I don't agree with everything you have done but that is a personal belief I am entitled to. But my professional opinions are really based upon the great professional risk that you have taken (and unfortunately are now paying for) in a very tough environment. This is not because of a specific lack of talent or training or knowledge and is certainly not personal.

Now Richard, I want to make some things crystal clear to you as it relates to your Youtube Video where you made some detailed and untrue allegations about me professionally and personally:

1: I have never said, published, written or done anything to you to hurt you professionally. I have never testified nor submitted comments about you, or about your cause to any agencies or professional bodies. In fact I strongly support what you have done.

www.drrichardkaul.com

February 11, 2022

RECEIVED
SDNY PRO SE OFFICE
2022 FEB 11 PM 1:46

Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: **Kaul/Basch v ICE et al**
21-CV-06992
K11-7
Interview of Defendant Christie's political colleague, Anthony Cappello

Dear Judge Oetken,

We write this letter to respectfully request that in your adjudication of the Defendants' motions, you consider the facts within the enclosed 'Statement'; facts that came into our possession for the first time on February 7, 2022, and that we submit are relevant to claim proof and defense dis-proof.

On February 4, 2022, I conducted a witnessed interview of a Mr. Anthony Cappello, an active member of the New Jersey Republican Party, a close friend of Defendant Christie and the brother of now deceased witness, Kathleen Calabrese, whose September 21, 2017 affidavit is in evidence (K11-7: D.E. 5 Page 64 of 131): "I explained the situation to my brother, who subsequently spoke with an acquaintance of his, who had knowledge about the circumstances surrounding the suspension. This individual talked with my brother on the condition of anonymity, due to his concerns about possible retaliation from the Christie administration". Mr. Cappello is the brother referenced in the affidavit.

Mr. Cappello, a decades-long New Jersey political insider, was presented with various pieces of evidence, and with his intimate knowledge of Defendant Christie, did unequivocally state that

the case was **"totally believable"**. His statement undermines the Defendants mischaracterizations of the case as **"vexatious ... frivolous ... meritless ... abusive ... harassing"**, and we respectfully request this document's contents be incorporated into your consideration of Defendants' motions.

Plaintiff Basch did not attend the interview, but shortly after it concluded, I communicated to him its factual substance.

We thank you for your attention to this matter.



RICHARD ARJUN KAUL, MD



DAVID BASCH, MD

Statement

1. In 2003, Kathleen Calabrese ("Kathleen") was referred to me by Richard Boiardo, an orthopedic surgeon, who also happened to be the grandchild of Ruggerio Boiardo, aka Richie "the Boot" Boiardo, who was an Italian-American mobster in the Genovese crime family.
2. I first met Boiardo in 2002, when we worked together at Columbus Hospital in Newark, New Jersey.
3. In one of our early conversations, he told me that his father, also a member of the Genovese clan, had advised him to pursue medicine instead of a life in the mafia, but that in his opinion, the mafia tactics in medicine far surpassed anything he had witnessed in the Italian mafia.
4. From 2003 to 2012 I provided care to Kathleen.
5. In April 2012, with the highly publicized suspension of my license, Kathleen told me that she would ask her brother, who was a member of the New Jersey Republican Party, to inquire as to facts and circumstances surrounding the suspension.
6. In approximately June 2012, Kathleen verbally informed me that her brother had spoken to a person in the New Jersey state government, who had direct knowledge of the facts and circumstances, but spoke on the condition of anonymity out of fear of retaliation from Defendant Christie, the then state governor.
7. This person stated: "I think it is terrible what they are doing to Dr. Kaul"
8. From 2012 to 2017, my requests to Kathleen for this person's identity were unsuccessful, as were my requests for her brother's contact information. She remained fearful of the consequences to her life, but did upon my continued plea provide an affidavit in September 2017, factually establishing certain content of her brother's communications with the then anonymous state government person.

9. In 2017, Kathleen relocated to Florida with her husband; and the last time we spoke was late 2017, in which I once again asked for her brother's contact information and the state government person's identity. She remained fearful and did not provide the information.
10. Kathleen and I became connected on Facebook in approximately 2015.
11. On January 21 2022, her passing was announced on Facebook, and within the post was a comment from her brother, Tony Cappello ("Cappello"), who is the manager at Katz's Marina in Lake Hopatcong, New Jersey.
12. On February 4, 2022, myself and Doreen Bettens, an acquaintance of Kathleen, drove to Katz's Marina to provide our condolences and talk with Cappello, but he did not appear to be in the marina office.
13. I left a voicemail, with my name, number, and relation to Kathleen, and approximately two (2) hours later, I received a call from Cappello, during which I expressed my condolences, and during which he indicated having seen our car arrive at his office. I informed Cappello that we would return on February 5, 2022, as there was a matter I wanted to discuss with him face to face.
14. At approximately 2 pm EST on February 5, 2022, myself, and Doreen Bettens, arrived at Katz's Marina.
15. We entered the office, and introduced ourselves to Mr. Cappello, who was sitting behind a desk.
16. Mr. Cappello appeared to be between 55 to 60 years old, has a shaved head, is 5'8" and approximately 200 lbs.
17. We sat down and a conversation commenced between me and Mr. Cappello, which lasted approximately twenty (20) minutes, and during which the following exchanges occurred:

- a. I first handed Cappello a copy of the affidavit of his recently deceased sister and asked him to review the statement, which he did.
- b. Cappello stated that he remembered me because in 2003 I had given my jet ski to a young man named Eric, who had worked for him at Katz's Marina, after Kathleen had informed me of Eric's dream to own one.
- c. Cappello, in stating that my gift changed Eric's life, appeared to be very familiar with his sister's personal and professional interactions with me, but kept nervously repeating that he had no recollection of Kathleen's affidavit.
- d. I then presented Cappello with copies of the affidavits of John Zerbinì and Kenneth Sabo, which he proceeded to closely read.
- e. While reading Zerbinì's affidavit, Cappello immediately recognized Defendant Kaufman's name, became flushed in the face, and repeated his name aloud, stating "Its Kaufman", without asking any questions about Kaufman or denying knowledge of Kaufman's involvement in the conspiracy.
- f. Without any further prompting, Cappello then stated that he and Defendant Christie had been friends for many years, through the state and national branches of the Republican Party, but that they had recently 'fallen out'.
- g. I asked Cappello the reason for the rift with Defendant Christie, but he provided no factual explanation, and instead asked me why I would be pursuing a politician whose career was over, and who, according to Cappello, did order the so called "Bridgegate" scandal.
- h. I told Cappello that the Defendants quid pro quo scheme involved them bribing Defendant Christie to have my license revoked.
- i. Cappello responded by stating that the scheme perpetrated against me by the Defendants was "totally believable". He stated he was no longer active in New Jersey politics because it is "so corrupt", but that he is involved nationally with the Republican Party.
- j. Cappello then stated that he remained in regular contact with Anthony Bucco, a Republican New Jersey state senator who is based in Morris County, New Jersey.
- k. I asked Cappello if he would be willing to testify under oath as to the statements he had just made.

l. Cappello responded by stating his concern that his testimony might undermine the contents of Kathleen's affidavit, as he could had no clear recollection of the affidavit.

m. Cappello is not a lawyer, but between becoming aware of my visit and the actual visit, there did pass more than twenty-four (24) hours, during which it appeared from his evasiveness that he had spoken with Defendant Christie.

n. I asked Cappello if his brother would have any information, but he stated that his brother lives in Florida and they had not spoken in seventeen (17) years. However, a photo on Facebook shows them together with Kathleen in 2020.

o. I concluded our conversation by asking Cappello to not only "revisit your memory bank" but to make further inquiries within the New Jersey Republican Party, to which he repeated that the only person with whom remains in contact is state senator, Anthony Bucco, and that he has no contact with any other persons.

p. Doreen Bettens sat to my right and witnessed the entire exchange.

We certify that the above statements are true and accurate to the best of our knowledge, and that if it is proved we knowingly and willfully misrepresented the facts, then we will be subject to punishment.

Dated: February 11, 2022



RICHARD ARJUN KAUL, MD



DAVID BASCH, MD

cc: All Counsel via email
All parties with a legal or other interest

149. Defendant Murphy, with this information in mind, knew that the law prohibited him from seizing Plaintiff Kaul's person, and thus he is without any defense as to his knowingly illegal seizure of Plaintiff Kaul's person.

COUNT THREE

AGAINST DEFENDANTS CHRISTIE/MURPHY

42 U.S.C. § 1985 (3) – CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS

150. "If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

151. The conspiracy that commenced against Plaintiff Kaul did so in approximately 2005/2006, when Plaintiff Kaul invented and successfully performed the first percutaneous minimally invasive outpatient spinal fusion.

152. From 2005/2206 this conspiracy has expanded to include, amongst others, the Morristown Police Department, which did knowingly enter the conspiracy on May 26/27, 2021, upon the encouragement by Defendant Christie of senior persons within the department.

153. Within the conspiracy there was an agreement, both tacit and explicit, that the successful execution of the scheme to eliminate Plaintiff Kaul (jail/suicide/murder) would require his civil rights be violated.

154. Defendants Christie and his co-conspirators at the Morristown Police Department knew that the willful violation of Plaintiff Kaul's civil rights constituted a felony, but did nonetheless attempt to perpetrate the scheme in the belief that Plaintiff Kaul would be eliminated on May 27, 2021, by having him transferred to the Mercer County Correctional Center, where he was to be seriously injured/killed, in order to render him unable to continue his prosecution of The Kaul Cases.

155. The conspiracy to violate Plaintiff Kaul's civil rights continued from the Morristown Police Department to the United States Marshals Service and into the Mercer County Correctional Center, where the scheme, for which Defendants Christie/Murphy, and in fact all of The Kaul Cases Defendants, pursuant to RICO's vicarious liability doctrine, are liable, involved an attempt to use anti-psychotics to render Plaintiff Kaul mentally infirm, psychiatrically labelled, susceptible to serious injury/death, in order to effectively eliminate his right to life and to actually eliminate Plaintiff Kaul.

156. It has become all but impossible to place a lead bullet in Plaintiff Kaul's head (that opportunity was lost in 2021) and so the schemes now involve pharmacological bullets.

Exhibit 26

www.drrichardkaul.com

September 12 2013

Reply To:
Dr. Richard Arjun Kaul, MD
973 338 0980 EXT 214
drrichardkaul@gmail.com

The Honorable Judge, Howard Solomon
The New Jersey Office of Administrative Law
7th floor
33 Washington Street
Newark, New Jersey 07102

Re: In the Matter of the Suspension or the Revocation of the License of Richard A.Kaul, M.D.
License No : 25 MA 063281
Docket No : BDS 08959- 2012 N

Dear Judge Solomon

I am writing this letter as a matter of last resort to bring your immediate attention to an issue that I believe has significant relevance for the above matter and which deeply troubles me as I am sure, having witnessed your impartial jurisprudence, it would you.

There are two issues of concern:

1. The inconsistency of a critical part of the May 6th transcript provided by J.H. Buhren compared to the transcript from Veritext, the service that I retained for certain days and I understand the comments you made in court regarding your insistence that you would only be referring to the court scheduled transcripts. However in court on that same day was a senior journalist from the largest orthopedic trade publication, Walter Eisner, and in the widely read article 'Spine On Trial' he specifically described the admission of Dr.Gregory Przybylski that NO STANDARDS exist for education and training in Minimally Invasive Spine Surgery. This very important detail has been omitted from the court scheduled transcript and as I am sure you will agree presents a very difficult situation.
2. There were 23 days of testimony and there are 23 transcripts with a deadline for submission of September 22 2013. I and my attorney, Charles Shaw, Esq, are in possession of only 16 with only 10 days left. I have placed multiple calls to J.H.Buhren requesting the provision of these outstanding documents and have received no response. Charles Shaw to his great credit has asked the New Jersey deputy attorney general, Doreen Hafner, to provide the transcripts of which she is in complete possession and has been consistently denied despite the fact that it would actually help mitigate the over \$1,000,000 of taxpayers money already spent by the state of New Jersey in bringing this case. The quality of the brief submitted on September 23rd will be dependent on the accuracy and possession in a timely manner of ALL 23 of the transcripts. Of great significance is the fact the transcript of Professor Solomon Kamson who was my main expert is one of the seven missing transcripts.

The outcome of this case has enormous consequences for many parties and the immediate concern is ensuring that there is a fair and legal approach to the provision of ALL of the transcripts in an accurate manner.

I would therefore respectfully request that the court order J.H.Buhren to provide the missing 7 transcripts by September 16th 2013 which would still only provide 3 days for analysis with the balance for brief drafting.
I have grave concerns that there will not be enough time to properly prepare the submissions unless the court intervenes immediately.


I look forward to your response

Yours sincerely

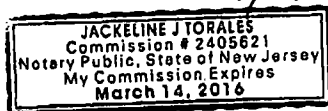


Richard Arjun Kaul, MD

Cc: Charles Shaw, Esq
Doreen Hafner, Esq
Daniel T. McMurray- Managing Director, FOCUS
Ilissa Hook, Esq



9/12/2013



www.drrichardkaul.com

September 13 2013

Reply To:
Dr. Richard Arjun Kaul, MD
973 338 0980 EXT 214
drrichardkaul@gmail.com

Mr. Chris Christie
Office of the Governor of New Jersey
P.O. Box 001
Trenton, New Jersey 08625

Dear Mr.Christie

I am writing this letter to bring your immediate attention to a problem that if not addressed now in a fair and legal manner will escalate rapidly and which specifically involves the following two issues:

1. The inconsistency between a critical part of the states transcript of Gregory Przybylski, MD, their main expert witness, and the transcript of the independent court reporter that I retained due to my concerns about the accuracy of the reporting process in the New Jersey Office of Administrative Law. In addition Walter Eisner, a senior reporter with Orthopedics This Week, flew in from Minneapolis for the May 6th cross examination of GP and wrote an article entitled "Spine on Trial" which is consistent with the independent transcription but inconsistent with the states transcript at the critical point where GP under cross examination admits there are NO STANDARDS for education and training in minimally invasive spine surgery. This admission was a significant blow for their case and is missing from their transcription.
2. There were 23 days of testimony and there were 23 transcripts generated. The final date for the post trial submission briefs is September 22nd 2013 and so far only 16 have been provided by the court contracted transcription service, J. H. Buehrer to my attorney which as you can imagine is a significant hurdle and one which if not immediately addressed will in my opinion have a negative impact on the licensing matter. I have left multiple voice messages with J. H. Bhuren and received no response. Charles Shaw has on multiple occasions asked Doreen Hafner, Esq, the deputy attorney general acting for the medical board and who is in possession of all of the transcripts to provide copies but she consistently denied all of the requests.

As I am sure you are aware the suspension of my medical license by the New Jersey Medical Board in June 2012 in a highly publicized and some would say politicized manner prompted the following responses from patient groups:

1. A petition with a 1000 patient signatures and 100 letters was delivered to you personally and in you capacity as the elected official currently occupying the office of New Jersey Governor to which there was absolutely no response and I

understand that in your official capacity you cannot be ostensibly involved but the communication was also hand delivered to you personally and I cannot currently ascertain any explanation for the lack of response.

2. Key Darrow, who was a patient of mine who testified on my behalf at the hearing in the matter above in June 2013 contacted the office of the Pompton Lakes Republican Assemblyman, Scott Rumana and subsequently handed him a file containing a petition and letters of patient support. Mr. Rumana did nothing to help despite the fact that New Jersey Spine and Rehabilitation Surgical Center had brought significant business with job creation to his struggling town.
3. Frank Cecala and his family had been patients of mine since 2003. Frank is the head groundsman for Delbarton School in Morristown, which is the school that you children attend and it was this capacity, and through this connection that he attempted to bring my case to your attention in 2012 but was as with all of these communications ignored.
4. Michael Frank and his family have been patients of mine since 2003. Michael has been a friend of the father of Scott Rumana for many years and spoke to both of them about my case with an appeal to help. Again, as with every other patient, he was ignored.
5. Kathleen Calabrese and her now deceased husband, "Jimmy" had been patients of mine since 2003. Kathy is very familiar with the New Jersey Republican Party and specifically the sector of the party that operates out of Morristown, your home base. Kathy talked with a senior member of your party in Morristown and expressed her profound respect for my professionalism. In this instance however the individual communicated that the suspension of my medical license was 'unfair' and should never have occurred'.

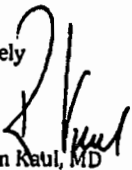
The suspension of the medical license was the cause of the filing in Federal Court for Chapter 11 Protection and this would NOT have happened had the license not been suspended which occurred in my opinion as a consequence of a professional turf war that became political.

The transcription irregularities and deficiencies combined with the deadline for post-trial submission briefs, which is September 23rd 2013, cause me great consternation. The quality of the brief will determine the outcome of the licensing matter, which will determine the outcome of the Chapter 11. The fact that only 16 of the 23 briefs have been provided, despite multiple efforts made by multiple parties, and with only 10 days remaining form the basis for this letter and specifically for a request directly to you, Mr. Christie, to engage and ensure that due process is afforded to the above matter in a fair, legal and transparent manner. This is very different request to the types described above as this talks to the issue of fundamental fairness of a system whose decisions and consequences are far reaching and for which you as the elected official are responsible.

I would therefore respectfully request that you contact the transcription service, J.H. Buehrer, and advise them of their obligation and duty to the legal system and more importantly Justice.

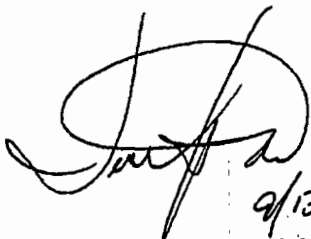
I look forward to your prompt response.

Yours sincerely



Richard Arjun Kaul, MD

Cc: Jeffrey Chiesa, Esq
Doreen Hafner, Esq
Judge Howard Solomon, Esq
Charles Shaw, Esq
Daniel T. McMurray
Ilissa Hook, Esq
Milca Fatovich, Esq
J.H. Buehrer And Associates- Certified Court Transcribers



9/13/2013

JACKELINE J TORALES
Commission # 2405621
Notary Public, State of New Jersey
My Commission Expires
March 14, 2016

www.drrichardkaul.com

September 26th 2013

Reply To:
Dr. Richard Arjun Kaul, MD
973 338 0980 EXT 214
drrichardkaul@gmail.com

Mr. Chris Christie
Office of the Governor of New Jersey
P.O. Box 001
Trenton, New Jersey 08625

Dear Mr. Christie

In response to a letter I sent to your office dated September 13th 2013 (please see attached) in which I brought to your attention the illegal alteration of legal transcripts in the matter of The State of New Jersey v Dr. Richard A Kaul requesting an investigation of the matter, did receive a phone call to the office of New Jersey Spine and Rehabilitation- tel 973 338 0980- at approximately 11am from a woman who identified herself in the following manner:

'this is Jaime from Governor Christie's office'

She then proceeded to tell me that unfortunately you could not get involved as this is a legal proceeding in the office of administrative law.

I responded by informing her that the committing of 'EVIDENCE TAMPERING' is an entirely separate issue and one that raises suspicions and questions on all other matters that have been handled in the Office of Administrative Law during your tenure as governor. She responded by telling me she would have to talk with her supervisor and then proceeded to give me her phone number- 609 777 2500.

LEGAL CHRONOLOGY

I will detail the legal events surrounding my case and the active participation of your Attorney General, Jeffrey Chiesa in manipulating both the media and interfering with the legal procedures of the New Jersey Medical Board in April 2012 under your explicit direction causing the suspension of my medical license. It is therefore evident you have already involved yourself and your administration in the legal process despite the words of protestation spoken by 'Jaime' from your office.

Jeffrey Chiesa, who is temporarily occupying the seat of the late Senator Lautenberg in Washington DC was your attorney general in April 2012 and prejudiced the entire legal process by making false statements to the press. This was again a clear instruction from you. This action amongst many others prompted an application to Superior Court by my attorney Robert Conroy asking the court to appoint:

1. A Special Prosecutor
2. An ad hoc board

Due to the grave concerns about the lack of due process that would be afforded to my case. Not since Watergate has a special prosecutor been appointed to oversee a state sponsored action and Mr. Conroy also communicated in an email to Doreen Hafner that he is the only attorney to ever have the

US Marshalls seize bank assets belonging to the state of New Jersey consequent to a Federal judgement and order.

The problem that now faces you goes to the heart of your integrity, credibility and administration of New Jersey and how you respond will determine the way history remembers you

The consequences of the illegal suspension of my medical license and my ability to make a living have been far reaching and I assure you that I intend on prosecuting this matter to its fullest extent. I filed a widely publicized lawsuit in Bergen County Superior Court, New Jersey on March 22nd 2013 and the 1st hearing on this matter is

September 27th 2013.

The action as I am sure you are aware makes allegations of defamation and anti-trust conduct against a group of 5 politically connected neurosurgeons who donated significantly to your campaign funds in return for you and Mr. Chiesa to suspend my medical license. The financial damages that I am seeking are in excess of \$30 million and I will not rest till I secure justice and compensation in these proceedings. The monies from this settlement will be mostly donated to the Spine Africa Project, www.spineafricaproject.org, a 501 c 3 US Registered Charity that has since 2008 provided free healthcare and education to the disadvantaged people of the Democratic Republic of Congo and a charity that you and your administration tried to destroy with countless legal subpoenas and investigations that proved the charity was legally organized. This part of your conduct has sickened me as it hurt the most vulnerable citizens of both New Jersey and Africa and due to the resources and time I have had to devote to fighting the almost criminal acts committed against me and my family I have been unable to continue to provide support for the Spine Africa Project.

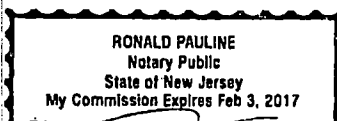
Mr.Christie you have destroyed the lives of many innocent people for nothing more than greed and your quest for power without a care for the devastated lives left in your trail.

The 'EVIDENCE TAMPERING' and the alteration of the transcripts must be addressed and parties must be held accountable for these crimes and you as the elected governor of the state of New Jersey have a responsibility to its citizens to at the very least have it properly investigated. If however, after reading this letter, you still choose to ignore this issue, I will have no option but to bring it to the attention of the US Federal Government and the government of India of which, as you are aware, I am a citizen.

I would also request that all communications from your office be made in writing.

Yours sincerely


Richard Arjun Kati, MD



www.drrichardkaul.com

December 26, 2013

Reply to:
Dr. Richard Arjun Kaul
973-338-0980 EXT 214
drrichardkaul@gmail.com

The Honorable Judge, Howard Solomon
The New Jersey Office of Administrative Law
33 Washington Street, 7th floor
Newark, NJ 07102

Dear Judge Solomon:

The opinion and conclusions you rendered on December 13th 2013 in the matter of New Jersey v. Dr. Richard Kaul were completely unrepresentative of the lengthy evidence actually presented during the trial, which commenced April 9th and concluded June 30th 2013 in the Office of Administrative Law, Newark, New Jersey, USA.

I have read your almost 100 page 'ruling' which seems simply to be a regurgitation of the case put forward by Doreen Hafner, the attorney representing New Jersey, and in which you have not given any credible consideration to the thoughtful testimony provided by the many witnesses who testified on my behalf. Your ruling is so extreme that it has raised many questions with many individuals who have profound concerns about your impartiality. I still have some faith in the New Jersey legal process and in your own personal sense of fairness and transparency. I and my many supporters would however like the following questions answered:

1. The Bergen Record published a very prejudicial and unfair story written by Lindy Washburn on November 17th 2013. I understand you live in Bergen County and so it would not be unexpected that the newspaper was delivered to your home on the morning of the 17th which was a Sunday. I am also aware of the fact you are bound by the legal Rules of Professional Conduct which would specifically prohibit you from reading any stories about my case. The question is therefore:

Did you read the November 17th 2013 story written by Lindy Washburn and published in the Bergen Record regarding my case?

2. I did not receive any response from you or your office regarding a letter I sent on September 11th 2013-copy attached- in which I brought to your attention the very serious issue of transcript fraud and evidence tampering. Your lack of response was alarming considering the allegations made and in light of your recent ruling it now almost confirms that the transcripts were altered and you most likely had knowledge that it occurred. The question is therefore:

Do you have knowledge that the transcripts had been altered?

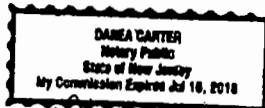
3. Dr. Robert Heary, a key witness in the case, received a subpoena to attend the hearing which he ignored and you did not enforce. It was and is my position that Robert Heary encouraged Frances Kuren to file a complaint with the medical board which led to the suspension of my license. His pivotal involvement in the case ranged from political donations to Mr. Christie to his close relationship with a member of the medical board, Steven Lomazow, and your reluctance to enforce the subpoena and allow the trial to conclude prematurely has raised many suspicions.

The question is therefore: Did you have any communications at any time with any parties during which you were encouraged NOT to enforce the Robert Heary subpoena?

I look forward to your responses.

Respectfully submitted,


Richard Arjun Kaul, M.D.



Cc: Charles Shaw, Esq.
Laura Saunders-Acting Director & Chief Administrative Law Judge for the State of NJ
Office of Administrative Law

www.dr-richardkaul.com

February 6th 2014

New Jersey Board of Medical Examiners
140 East Front Street
Trenton, New Jersey 08608
Phone: 609-826-7100

Dear Sirs and Madams:

I will not be in attendance on February 12th 2014 for the hearing in front of the body that improperly represents itself to be the New Jersey Medical Board because this 'board' as it is currently constituted and being the board that illegally suspended my medical license in June 2012 does not and did not have the proper authority to take such action.

UNCONSTITUTIONAL MEDICAL BOARD

It has recently been brought to my attention that the following individuals despite the expiration of their legally allowed tenure on the medical board, continue to improperly act as legitimate members taking votes against the licenses of New Jersey physicians:

1. Berkowitz-has served more than 6 years and been re-appointed 2 times
2. Cheema-has served more than 6 years and been re-appointed 2 times
3. Ciechanowski-has served more than 6 years and been re-appointed 3 times
4. Criss-has served more than 6 years and been re-appointed 3 times
5. Jordan-has served more than 6 years and been re-appointed 2 times
6. Lomazow-has served more than 6 years and been re-appointed 3 times
7. Mendelowitz-has served more than 6 years and been re-appointed 2 times
8. Scott-has served more than 6 years and been re-appointed 2 times
9. Stanley-has served more than 6 years and been re-appointed 2 times
10. Walsh-has served more than 6 years and been re-appointed 4 times
11. Weiss-has served more than 6 years and been re-appointed 3 times

As all board member are aware a legal quorum is required before any valid action can be taken against the property right of a physician and as the evidence above demonstrates no such quorum was in place when this body without authority suspended my medical license in June 2012 thus rendering all decisions regarding my license invalid until the proper constitution of a legal quorum.

ANDREW KAUFMAN

Andrew Kaufman, MD was retained as an expert by this board in April 2012 and produced a report that criticized my education and training. I have recently been made aware of a letter-please see attached- that was sent from a patient who had been mistreated by Dr. Kaufman at UMDNJ on August 2010 and from which it is clear Dr. Kaufman already held a very negative opinion of myself based seemingly on the fact that I was a successful business competitor to whom patients were flocking therefore hurting his business. Dr. Kaufman was then allowed to testify at the hearing in the office of administrative law in April 2013 at which his now obviously tainted testimony was given credence by Judge Howard Solomon who then used the aforesaid information as the basis for his final opinion. This fact alone casts a significant question over the credibility of Kaufman and therefore the veracity of the opinion issued by Solomon. It also brings into question the credibility of this board as it is very

likely that certain members such as Dr. Steven Lomazow would have been fully aware of the personally hostile position and unbiased testimony that Kaufman would provide. Therefore in light of this new piece of evidence the entirety of Kaufman's reports and testimony should be disallowed and a mistrial of these entire proceedings concluded.

TRANSCRIPTION FRAUD

In June 2012 I attended a hearing before this medical board to which my then attorney, Robert Conroy, brought his own transcriptionist because of his concerns that you, the medical board, could not be trusted to be honest in the transcription process. I must admit this came as a surprise as I had never before encountered a legal situation in which there was even a suggestion of transcript alteration.

When the hearing commenced in April 2013 in the office of administrative law I remembered the concerns expressed by Conroy and brought my own transcriptionist to court on several key days with one of them being the day your main expert, Dr. Gregory Przybylski, was cross examined by my attorney Charles Shaw. This act seemed to visibly upset Judge Howard Solomon who felt compelled to state several times that the only transcript he would rely on was the one engineered by the court transcriptionist.

The subsequent comparison of the transcripts indicated that several critical parts of the court's transcript had been altered to change testimony that was damaging to their case. Based upon an analysis of this evidence I sent several letters-please see attached- to the following parties requesting an investigation:

1. Judge Howard Solomon
2. Mr. Chris Christie
3. President Barack Obama with a cc to George Scott D.O, the current president of your board.

There has to this date, other than a phone call from the office of Christie, been no response and no investigation of an allegation that has both civil and criminal consequences.

STEVEN LOMAZOW

Steven Lomazow gave an interview in August 2012 regarding his recently published book about FDR for which he was attempting to obtain some publicity to boost flagging sales. During this interview and in a completely unprompted manner he made an extremely prejudicial comment about me which must preclude him from any further involvement in my licensing matter. The included video file speaks for itself.

As you must all be aware the current governor is under a multitude of investigations that bring serious doubt to the ability of his office to govern honestly and you as the medical board are answerable only to him and his office. Your appointments to this board are made by the governor and you can be dismissed for no cause by the governor. I have always maintained that the suspension of my license was a consequence of a corrupt governmental action carried out by the Christie administration as a favor to a small group of neurosurgeons that donated significant monies to his political campaign. The consequence to you, the New Jersey Medical Board, is that you belong to the administration that is now under state and federal investigation and as the attached documents and video demonstrate engaged in the same corrupt practices.

It is with great disappointment that I send this letter as I had expected a higher level of integrity from a state administration which in this case has not only let down me and the process of justice but most sadly the rest of America whose states operate according to principles of modern day justice.

I would therefore recommend that this body comply immediately with the state law that mandates no more than two 3 year terms per member as the current board constitution is illegal under NJSA 45:9-1.

I consider all actions taken against my license since June 2012 to be illegal and will pursue all options to remedy the damage caused to my reputation and estate.

Please be advised accordingly.

Yours sincerely,

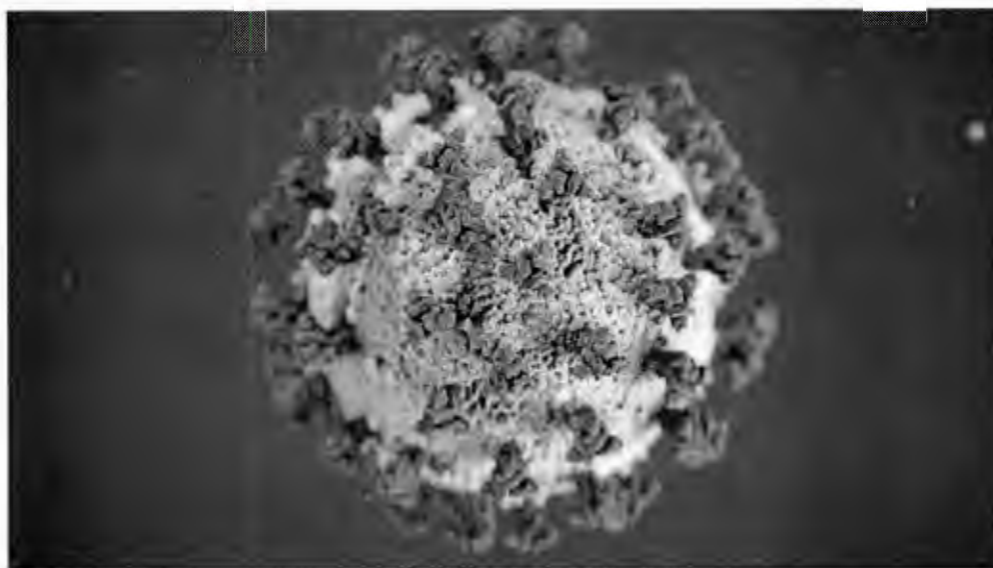


Richard Arjun Kaul, MD



Exhibit 27

**Trump: COVID-19 + Crimes
Against Humanity + Medical
Board Corruption.**



On May 11, 2020, minimally invasive spine pioneer, Richard Arjun Kaul, MD, filed a [lawsuit](#) in the United States District Court for the District of Columbia, in which racketeering and gross negligence claims are asserted against, amongst others, Defendants New Jersey Board of Medical Examiners and Allstate Insurance Company. The thrust of the case is that Defendant Allstate has, since at least 1999, engaged in massive schemes of bribery that have corrupted state medical boards. The Complaint alleges that this corruption is directly responsible, as of May 11, 2020, for over eighty thousand (80,000) deaths and one point three million (1,300,000) cases caused by COVID-19 infections.

Contemporaneously with the Complaint, Kaul submitted a letter to President Trump, in which he seeks to have the Criminal Division of the United States Department of Justice commence an investigation against state medical boards, regarding the commission of gross negligence and crimes against humanity.

On March 24, 2020, Kaul sent a [letter](#) to New Jersey Governor, Philip Murphy, that sought his assistance in having Kaul's New Jersey license reinstated. The illegal revocation on March 12, 2014 is the subject matter of a lawsuit Kaul filed on October 1, 2019. Kaul indicated to Murphy that a reinstatement would permit him to use his clinical expertise to save lives. Murphy failed to respond to the letter, but has continued to publicize his plan to stem the pandemic.

The plague of medical board corruption constitutes a central theme in Kaul's recently published audio [book](#): "[An Impossible Victory: Kaul v Christie](#)", a book whose publication the Defendants attempted to suppress. A series of documentaries about the book are in production, the first of which will be released in June, 2020.

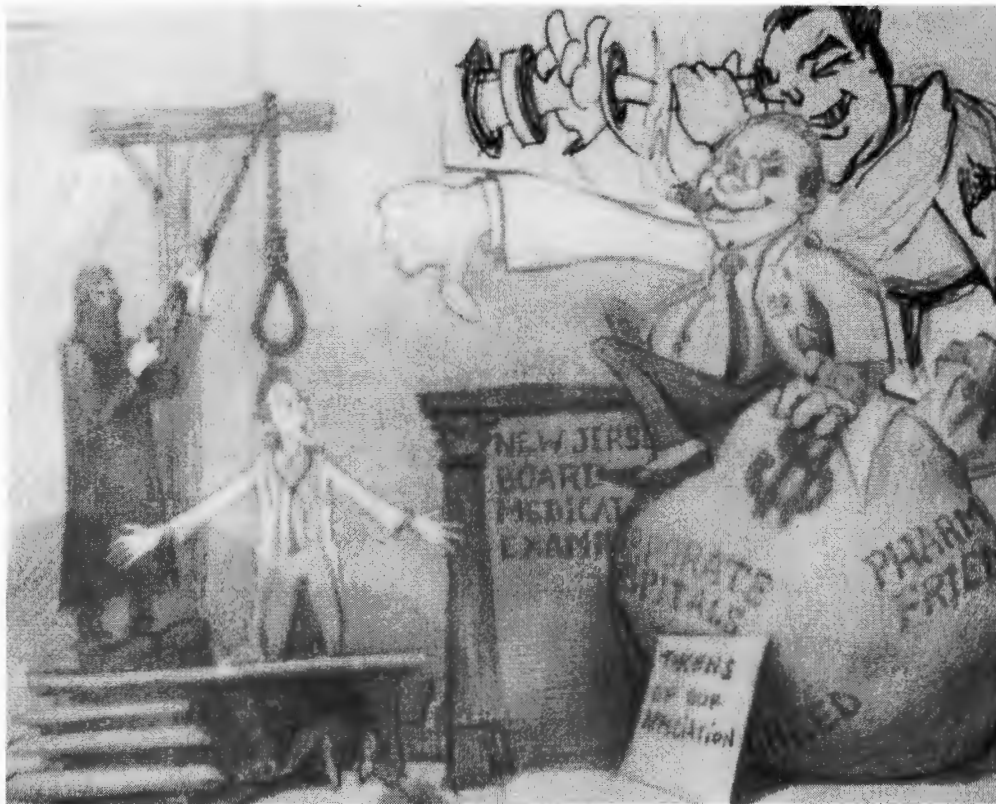
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**COVID-19 DEATHS + MEDICAL BOARD
RACKETEERING + THE SUPREME COURT OF THE
UNITED STATES**



A lawsuit filed on June 18, 2020 by Richard Arjun Kaul, MD, has exposed how schemes of rampant corruption/bribery of American state medical boards by, amongst others, Allstate Insurance Company, are responsible for COVID-19 related mortalities. Kaul's legal/public relations campaign to alert the public to the 'cancer of corruption' within the American healthcare sector officially began on February 22, 2016, when he filed the first in a series of 9 lawsuits ("**The Kaul Cases**") in United States federal courts. The overarching goal of his prosecution of the Defendants, of which Allstate, the New Jersey Medical Board and the Federation of State Medical Boards are but three, is to cause a "**Reformation of American Medical Boards**". Had this change occurred earlier, the American public would not now be experiencing the highest COVID-19 related mortality rate in the western world.

On November 3, 2020, Kaul filed an emergency petition in the Supreme Court of the United States, in which he advances six arguments, two of which are:

"Kaul respectfully asserts that the grant of a writ will reduce COVID-19 related morbidity/mortality and will be in aid of the Court's appellate jurisdiction."

"Kaul respectfully asserts that a grant of the writ will mitigate future threats of COVID-19 like microbial pandemics ..."

"The Kaul Cases" and the associated liability to the Defendants of in excess of \$9 billion, have negatively impacted the market capitalization of Defendants Allstate, TD Bank and Geico/Berkshire Hathaway, a fact that Kaul raises in the writ:

"Kaul respectfully asserts that the grant of a writ will mitigate any further decrease in market capitalization of Defendants Allstate + TD Bank + Berkshire Hathaway/Geico ... "


Racketeering and other criminal activity within American state medical boards were discussed on October 28, 2020 by Kaul and Oregon based physician, Dr. Eric Dover. The conversation highlighted the epidemic in American medicine of physician suicides, incarceration, and the role of the insurance industry and corporate greed in this human tragedy

have corrupted government and control the political process. State medical boards are governmental agencies. The longer a politician has been in politics the more beholden he is to these forces. Trump entered politics in 2016, Biden, a lawyer, entered in 1970; but whoever wins would be well advised to support a “**Reformation of American Medical Boards**”. In doing so he will save the lives of future Americans from another COVID-19 like pandemic. Political corruption kills.

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**COVID-19:
A MUTATION DEFEATS A VACCINE**



On December 15, 2020 the New York Post published a [story](#) entitled:

“UK finds new mutation of COVID-19 behind rapid spread across London”

Scientists from the COVID-19 Genomics UK Consortium related the rapid rise in transmission to a mutation in the so called “**spike protein**”, that part of the virus that locks on to human cells. The mutated genetic code has effectively ‘super-charged’ the virus and increased its genetic ‘stickiness’, rendering it far more infective and pathologically aggressive. The COVID-19 virus is an ‘intelligent’ microbial form that has mutated in response to the recently released vaccine from Pfizer and Moderna.

On November 21, 2020, Kaul sent a [letter](#) to the General Medical Council of the UK, in which he states:

“Additionally, the RNA virus has a marked propensity for mutation, which effectively means that whatever vaccine is developed, it will be rapidly ‘outmaneuvered’ by a COVID-19 genetic ‘two-step’, always staying one step ahead, until global herd immunity achieves a critical mass and COVID-19 appears in the rearview mirror of humanity. Until then, whenever that may be, the catastrophe will continue unabated, by which point medical board corruption or indeed medical boards will have been eradicated.”

On December 7, 2020, a [release](#) was issued from Kaul Healthcare Consultants entitled:

"PFIZER + COVID-19 VACCINE: “FROM THE FRYING PAN INTO THE FIRE” – A DEADLY PROPOSITION?"

It exposes the lack of evidence regarding the safety and efficacy of the vaccine, and references a case in the UK in which a vaccinated woman developed a severe neurological injury.

The vaccine has caused the mutation and will provide no protection to the mutant virus now coursing through the planet’s circulatory system.

All vaccination programs should cease and until proper clinical trials are conducted every human on this planet should reject the vaccine, a poison that places profit over people.

It is not the **“FIRE”** but the **“INFERNO”** into which the so called **“vaccine”** has cast humanity. This tale of greed, corporate tyranny and mutation has all the makings of a revolution:

“Coercion camouflaged as care, cares not for humanity” – Anon.
Circa. 1939: Germany.

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Exhibit 28

first time in its history, and unquestionably in a public relations 'damage-mitigation' effort, publicly admit to these crimes against humanity: <https://www.lloyds.com/about-lloyds/history/the-trans-atlantic-slave-trade/lloyds-marine-insurance-and-slavery>. The insurance industry, which includes the Defendants, has replaced shipping slaves with the human trafficking of Indian/African American physicians into the modern-day plantation equivalent, that of the American jails.)

19. The forced/coerced mass vaccination programs/passports are the chains and whips of the COVID enslavement program, the strings of which are being pulled by the British controlled insurance industry. The COVID vaccine, as Kaul predicted, has now been found to be highly toxic/ineffective: <https://www.drrichardkaul.com/so/24NPf5O65> This fact was known by the government/corporate entities that forced it on the world's population: <https://theswisstimes.ch/swiss-banker-files-criminal-charges-over-false-covid-vaccine-statements/> In K11-7, the Defendants attempted to frame the Plaintiffs' assertion of these facts as evidence of the implausibility of their complaint, with terms such as "vast conspiracy" and "nutcase". These facts are now proven, and this country, like Switzerland, should have the courage to bring criminal charges against those who perpetrated these crimes against humanity.

20. In K11-2, the Defendants and the Court devoted inordinate page space to Kaul's exposition of the insurance industry's four hundred (400) year-long genocide, and in doing so, did betray their conviction of the absolute truth of the matter.

21. In K11-7, Kaul identifies how, in 2021, the "pattern", like the COVID-19 virus, has mutated into a purported mission to save humanity, the calling card of which is a supposed "vaccine". The vaccine is more than useless, as it was the cause of the viral mutation, as Kaul in 2020, explained it would be.

UNCLE GRASLEY, IOWA, CHAIRMAN
 MIKE CRAVENS, IOWA
 PAT ROBERTS, KANSAS
 MICHAEL B. LEE, MISSOURI
 JOHN CORNYN, TEXAS
 JOHN THUNE, SOUTH DAKOTA
 EDWARD HUIE, NORTH CAROLINA
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 MARGIE MUELLER, NEW HAMPSHIRE
 CATHY LINE SCHIFF, ARIZONA
 BOB CORKER, TENNESSEE

United States Senate
 COMMITTEE ON FINANCE
 WASHINGTON, DC 20510-0200

JOLAN DENNIS, STAFF DIRECTOR AND CHIEF COUNSEL
 JOYCE BENDERMAN, LEGISLATIVE STAFF DIRECTOR

To: Members of the Senate Finance Committee
From: Senator Chuck Grassley, Chairman of the Senate Finance Committee
 Senator Ron Wyden, Ranking Member of the Senate Finance Committee
Date: December 16, 2020
Re: Findings from the Investigation of Opioid Manufacturers' Financial Relationships
 with Patient Advocacy Groups and other Tax-Exempt Entities

Dear Colleagues:

As the nation continues to respond to the COVID-19 pandemic, we want to bring your attention back to another concerning public health matter: our nation's opioid epidemic. Opioid overdoses claimed more than 450,000 lives in the United States from 1999 to 2019, and preliminary data from the Centers for Disease Control and Prevention (CDC) suggests drug overdose deaths, including those attributed to opioids, have accelerated since the pandemic began.¹ Indeed, COVID-19 has increased risk factors associated with substance-use disorders (SUDs) and opioid-use disorders (OUDs) like feelings of anxiety, depression, loneliness, and an ongoing sense of uncertainty.² For individuals suffering from these diseases, COVID-19 has even presented additional barriers to treatment and social support services as people are urged to stay-at-home and social distance.³ We are concerned that this will only worsen as our country continues to battle COVID-19 and as social isolation and lack of access to SUD and OUD treatment persists.

As the opioid epidemic and its impact on programs within the Finance Committee's jurisdiction shows no signs of abating, we write to provide you with an update on the

¹ *Opioid Overdose, Data Analysis and Resources*, CTRS. FOR DISEASE CONTROL AND PREVENTION, <https://www.cdc.gov/drugoverdose/data/annuals.html> (last viewed Dec. 10, 2020).
² Alex Edelman, *Overdose deaths appear to rise amid coronavirus pandemic in U.S.*, NBC NEWS (Oct. 20, 2020), <https://www.nbcnews.com/health/overdose-deaths-appear-rise-amid-coronavirus-pandemic-n1244924>; Jon Kamp and Arián Campo-Flores, *The Opioid Crisis, Already Serious, Has Intensified During Coronavirus Pandemic*, WALL ST. J. (Sept. 8, 2020), <https://www.wsj.com/articles/the-opioid-crisis-already-serious-has-intensified-during-coronavirus-pandemic-11592527401>.
³ Jon Kamp and Arián Campo-Flores, *The Opioid Crisis, Already Serious, Has Intensified During Coronavirus Pandemic*, WALL ST. J. (Sept. 8, 2020), <https://www.wsj.com/articles/the-opioid-crisis-already-serious-has-intensified-during-coronavirus-pandemic-11592527401>. See also DEPT. OF HEALTH AND HUMAN SERVS., OFF. OF INSPECTOR GEN., OPIOID TREATMENT PROGRAMS REPORTED CHALLENGES ENCOUNTERED DURING THE COVID-19 PANDEMIC AND ACTIONS TAKEN TO ADDRESS THEM (Nov. 2020), https://oig.hhs.gov/ons/reports/region9/2001001.asp?utm_source=web&utm_medium=web&utm_campaign=covid-A-09-20-01001.

Committee's ongoing investigation into the financial relationships between opioid manufacturers and tax-exempt organizations. To date, the Committee has identified approximately \$65 million in payments that opioid manufacturers and related companies have made to tax-exempt entities, which suggest that manufacturers view these organizations as helpful extensions of their sales and marketing efforts.

The Committee's Long-Standing Interest in the Opioid Epidemic

The opioid epidemic has directly impacted Federal health care programs under the Committee's jurisdiction, and has been a long-standing interest of its members.⁴ The increased use of opioid drugs for long-term chronic non-cancer pain in the 1990's dramatically increased the number of Medicare and Medicaid patients admitted to hospitals for "opioid overuse."⁵ By 2017, Medicare and Medicaid covered approximately 73% of 974,000 opioid-related inpatient hospital stays.⁶ Furthermore, earlier this year, and before the COVID-19 pandemic, the Office of Inspector General at the Department of Health and Human Services (HHS OIG) reported that 267,000 Medicare Part D beneficiaries received high amounts of opioids in 2019, and 209,000 beneficiaries received medically assisted treatment.⁷ And, while the HHS OIG found that opioid use in Medicare Part D had decreased in 2019 (when compared to the past 3 years) due to the efforts of the Department of Health and Human Services (HHS) and others, it stressed the critical need to remain diligent, especially during the COVID-19 pandemic.⁸

Over the past eight years, we have used our leadership positions to seek greater transparency into the financial relationships between opioid manufacturers and tax-exempt organizations. Our work reveals that opioid manufacturers have maintained extensive financial relationships with tax-exempt organizations, including pain advocacy groups, professional provider groups, and medical associations. In turn, those groups have sought to influence opioid prescribing practices and related Federal policy connected to opioid use and pain care that directly affects Medicare and Medicaid. Given these ongoing concerns, on June 28, 2019, we sent letters to 10 tax-exempt organizations and requested information about their financial relationships with opioid manufacturers.⁹ These groups included:

⁴ Senator Grassley, in his capacity as Ranking Member of the health subcommittee, co-chaired the Committee's first hearing on the opioid epidemic in 2012, *Prescription Drug Abuse: How are Medicare and Medicaid Adapting to the Challenge?*, *Hearing Before Subcomm. On Health of the S. Fin. Comm.*, 112th Cong. (2012), <https://www.finance.senate.gov/recordings/prescription-drug-abuse-how-are-medicare-and-medicaid-adapting-to-the-challenge>.

⁵ The number of combined hospital inpatient stays among Medicare and Medicaid beneficiaries increased from 126,500 in 1993 to 437,800 in 2012. See *Hospital Inpatient Utilization Related to Opioid Overuse Among Adults 1993-2012*, AHRQ Table 2 (Aug. 2014), <http://www.hsqr.usda.gov/replicator/index.php?table=172&report=opioid-overuse.pdf>.

⁶ *HICUP Fast Stats - Opioid-Related Hospital Use*, AHRQ, <https://www.hcup-us.ahrq.gov/faststats/output.jsp?tid=100&table=1> (last viewed Nov. 25, 2020).

⁷ DEPT OF HEALTH AND HUMAN SERVS., OFF. OF INSPECTION GEN., OPIOID USE IN MEDICARE PART D CONTINUES TO DECLINE IN 2019, BUT VIGILANCE IS NEEDED AS COVID-19 RAISES NEW CONCERNS (Aug. 13, 2020), <https://oig.hhs.gov/inspections/OIG-07-29-20020.asp>.

⁸ *Id.*

⁹ Press Release, Grassley, Wyden Press for Answers on Financial Relationships Between Opioid Manufacturers and Tax-Exempt Organizations (July 1, 2019), <https://www.grassley.senate.gov/newsroom/record/press-release>; <https://www.wyden.senate.gov/newsroom/record/press-release>.

1. American Chronic Pain Association
2. American Pain Society
3. American Society for Pain Management Nursing
4. American Society of Pain Educators
5. Center for Practical Bioethics
6. Federation of State Medical Boards
7. The Joint Commission
8. American Academy of Physical Medicine and Rehabilitation
9. Alliance for Patient Access
10. International Association for the Study of Pain

We requested complete Internal Revenue Service (IRS) Form 990s filed for each year between 2012 and 2019, as well as a detailed accounting of all payments and transfers including, but not limited to, contributions, grants, advertising, program scholarship, and other revenue and remuneration.¹⁰ In a separate, but related inquiry, Senator Wyden also requested information from the U.S. Pain Foundation and the American Academy of Pain Medicine.¹¹

The goal of our requests was to identify these groups' largest pharmaceutical donors and to ascertain whether these payments influenced the organizations' activities in any way, especially as they pertain to opioids and opioid prescribing practices. This investigation also built on work the Committee began in 2012, when then-Chairman Max Baucus of the Senate Finance Committee and then-Ranking Member Chuck Grassley of the Senate Judiciary Committee examined Purdue Pharma, Endo Pharmaceuticals, and Johnson & Johnson's financial relationship with tax-exempt medical groups, and included questions about payments made to physicians who specialize in pain management.¹² Ranking Member Wyden subsequently sent letters to Secretary Burwell,¹³ Secretary Price,¹⁴ Secretary Azar¹⁵ and the National Academy of Medicine,¹⁶ raising concerns about conflicts of interest of various members of Federal advisory

¹⁰ *Id.*

¹¹ Letter from Senator Ron Wyden to Dr. Jianguo Chong, President, American Academy of Pain Medicine (Mar. 12, 2019), <https://www.finance.senate.gov/imo/media/doc/031319%20Wyden%20letter%20to%20AAAPM.pdf>; Letter from Senator Ron Wyden to Nicole Hemmenway, Interim CEO, U.S. Pain Foundation (Dec. 18, 2018), <https://www.finance.senate.gov/imo/media/doc/131818%20Senator%20Wyden%20to%20U.S.%20Pain%20Foundation.pdf>.

¹² Press Release, Baucus, Grassley Seek Answers About Opioid Manufacturers' Ties to Medical Groups (May 8, 2012), <https://www.finance.senate.gov/imo/media/doc/baucus-grassley-seek-answers-about-opioid-manufacturers-ties-to-medical-groups>.

¹³ Letter from Senator Ron Wyden to Sylvia Burwell, Secretary, Department of Health and Human Services (Feb. 5, 2016), https://www.finance.senate.gov/imo/media/doc/Wyden%20letter%20to%20HHS_Opioid%20Conflicts.pdf.

¹⁴ Press Release, Wyden Asks Price to Delay Federal Opioid Workshop Until Industry Conflicts are Examined (May 8, 2017), <https://www.finance.senate.gov/imo/media/doc/wyden-asks-price-to-delay-federal-opioid-workshop-until-industry-conflicts-are-examined>.

¹⁵ Press Release, Wyden Reveals Opioid Industry Ties on HHS Task Force, Probus Advocacy Group's Finances (Dec. 19, 2018), <https://www.finance.senate.gov/imo/media/doc/wyden-reveals-opioid-industry-ties-on-hhs-task-force-probus-advocacy-groups-finances>.

¹⁶ Press Release, Wyden Concerned by National Academy Ties to Opioid Manufacturer (July 5, 2016), <https://www.finance.senate.gov/imo/media/doc/wyden-concerned-by-national-academy-committee-ties-to-opioid-manufacturer>.

panels who were financially linked to industry or industry-backed groups that are the subject of this investigation.¹⁷

2012: The Investigation Begins

The financial information collected during the Committee's 2012 inquiry showed that Purdue Pharma, L.P., (Purdue), Endo Pharmaceuticals (Endo), and Johnson & Johnson maintained strong financial ties to tax-exempt organizations and, in some cases, paid millions of dollars to them.¹⁸ For example, Purdue reported to the Committee that it had made payments to a handful of tax-exempt organizations totaling more than \$18 million. Between 1997 and 2012, these payments included approximately \$3.6 million to the (now-defunct) American Pain Foundation, \$3.6 million to the Center for Practical Bioethics, and \$3 million to the American Pain Society, which filed for bankruptcy in 2019.¹⁹

These payments were part of a broad strategy Purdue took to fund tax-exempt groups. Between 2006 and 2010, an internal presentation showed that the company spent \$24.5 million on education grants and donations, funding hundreds of requests annually.²⁰ The company also met with and closely tracked encounters with pain societies, professional associations, and professional licensing boards and "developed message points for Internal and external stakeholders."²¹ (The same internal presentation shows that the American Pain Foundation, American Pain Society, American Academy of Pain Medicine, the American Board of Pain Medicine, and the American Society of Pain Educators,²² were organizations with close ties to Purdue at the time).²³

Such deep cooperation was on display at the American Pain Foundation—a now-defunct, but once-influential non-profit. According to the American Pain Foundation's 1998 business plan, "most pain sufferers are under-medicated" and "many [physicians] are reluctant to prescribe opioids because they mistakenly think their patients will become addicted to the drug or because they fear investigation and sanctions by regulatory bodies."²⁴ The American Pain

¹⁷ Ranking Member Wyden's letters were based in part on information contained in CMS's Open Payments database created by the Physician Payment Sunshine Act that Chairman Grassley championed in the Senate.

¹⁸ Letter from Theodore Hester, Counsel, King & Spalding, on Behalf of Purdue Pharma, to Senator Baucus and Senator Grassley (June 8, 2012); Letter from Raymond V. Shepherd, Counsel, Venable, on Behalf of Endo Pharmaceuticals, to Senator Baucus and Senator Grassley (June 15, 2012); Letter from Daniel Donovan, Counsel, King & Spalding, to Senator Baucus and Senator Grassley (June 8, 2012); SFC00000001; JJ-SFC-00000001-10.

¹⁹ SFC00000001. See also Appendix A and B.

²⁰ SFC00002172, at SFC00002193.

²¹ *Id.* at SFC00002175-76, SFC00002179, SFC00002220, SFC00002186.

²² The American Society of Pain Educators was founded in 2004. It operated as a tax-exempt organization from 2004 until 2012, when the IRS revoked its status. ASPe's activities included providing tests that certified providers as "pain educators," and public tax records show it was involved in a number of medical communications activities. ASPe is closely associated with Aventine Co., a medical communications firm based in New Jersey, which has done business as *PainWeek*, a conference and communications franchise that features presentations from many people with professional and financial ties to opioid manufacturers. *PainWeek* was purchased by an Irish media company in 2015 in a multi-million acquisition. Purdue was one of several pharmaceutical companies that maintained "corporate memberships" with ASPe. See ASPe_000029-30.

²³ SFC00002172, at SFC00002175-76, SFC00002179, SFC00002220, SFC00002186.

²⁴ American Pain Foundation's 1998 Business Plan, at 3-2. Emphasis added.

Foundation's goal at the time was to reduce the "percentage of Americans who agree that it is easy to become addicted to pain medicine."²⁵

Purdue was the American Pain Foundation's largest funder during the organization's early years of existence, and the company repeatedly sent the organization checks exceeding \$100,000, as well as other financial assistance such as underwriting "challenge grants." Documents also show that as the foundation solicited funds from Purdue, it provided the company's top executives frequent and detailed updates, including to its president, Richard Sackler.²⁶ The accomplishments memo sent to Mr. Sackler highlighted multiple initiatives, including state and Federal lobbying efforts, and a public relations efforts to fight "misconceptions about [o]pioids in the [p]ress," noting that it had sent background materials to 1,200 health journalists.²⁷

Similarly, in 2007, Purdue and the American Pain Foundation worked closely to draft talking points for use during the Pain Care Forum, a coalition of drug manufacturers and other advocacy groups that met monthly to discuss opioid-related issues. According to these talking points:

Overly restrictive regulatory policies impeded pain relief . . . [and] other barriers to effective pain care include . . . the public—including doctors and people with pain—often believe that opioid medications are addictive and produce euphoria. The fact is that when properly prescribed by a health care professional and taken as directed, these medications give relief—not a 'high.'²⁸

After reviewing these draft talking points, a Purdue Pharma official wrote in track changes, "Do we want an ethical message . . . like if as a [health care provider] if you know the right thing to do and you don't do it . . . or the moral obligation to treat suffering????"²⁹ An employee of the American Pain Foundation wrote in a subsequent email that she amended the talking points to reflect the Purdue Pharma official's suggestions.³⁰

In addition to its close financial relationships with the American Pain Foundation, Purdue reported paying \$2.1 million to the Joint Commission for Accreditation of Health Organizations (now known as the "Joint Commission"), a standard-setting body for the health care industry. The data produced in response to the Committee's 2012 investigation shows that this organization also received "support for pain management activities" from Johnson & Johnson, Ortho McNeil (now Janssen), National Pharmaceutical Council, Endo, Pfizer, and Abbott Labs.³¹ This financial support occurred primarily between 2000 and 2002, when the Commission was developing a pain care guide and other materials that were distributed to providers.

The pain care guide notes that "[s]ome clinicians have inaccurate and exaggerated concerns" about addiction, tolerance and risk of death, and that "[t]his attitude prevails despite

²⁵ *Id.*

²⁶ See APP65-111, APP298-99.

²⁷ APP65-69.

²⁸ SFC00011527-29.

²⁹ *Id.*

³⁰ SFC00011511.

³¹ Letter from Mark Chassin, President, The Joint Commission, to Senators Houch and Senator Grimsley (June 29, 2012).

the fact there is no evidence that addiction is a significant issue when persons are given opioids for pain control."³² The Commission's data further disseminates these payments:

- In October 2001, Purdue funded the publication of a book for "Pain assessment and management: an organizational approach," totaling \$58,272. The company also funded two videos in August 2000 for "Pain Management in Special Populations: Geriatric and Disease Related Pain," totaling \$85,000.³³
- In 2001, Ortho McNeill (now Janssen) provided funding for "Pain Management: An Overview for Clinicians audioconference," totaling \$66,000.³⁴
- The National Pharmaceutical Council paid \$155,104 between 2001 and 2002 for the Joint Commission to develop "a monograph designed as a reference for clinicians, quality professionals, researchers and others involved in performance assessment, improvement, education, and policy decisions related to pain management within health care organizations."³⁵

Such initiatives were lumped in with other sales and marketing investments that opioid manufacturers made to expand the market footprint of their products. For example, this approach was on display in a pair of presentations created for Opana ER, an opioid drug marketed by Endo. (The company would later stop marketing in response to an unprecedented request from the Food and Drug Administration (FDA) which determined that the "benefits of the drug may no longer outweigh its risks.")³⁶ Ten years earlier, Endo identified such a threat in a multi-year business plan for Opana ER stating: "increased awareness of Rx abuse may lead to tighter governmental oversight and new restrictions for opioid analgesics."³⁷

Even though Endo knew of these risks, the company's business plan for marketing Opana ER included "utiliz[ing] existing and newly trained pain specialist speakers" in an effort to provide a platform for dialogue between pain specialists and the pain care physician community to discuss the features and benefits of Opana ER.³⁸ The business plan goes on to cite two physicians who served as speakers, including Bill McCarberg, a physician who Endo reported paying more than \$45,000 from the company for honoraria, sales support, and pain education from 2001 to 2006.³⁹ McCarberg, who at one point led the American Academy of Pain Medicine,⁴⁰ has received over \$700,000 from pharmaceutical manufacturers since 1998, including opioid makers Johnson & Johnson, Purdue, Pfizer, Collegium Pharmaceuticals and

³² Thomas Catan and Evan Perez, *A Pain-Drug Champion Has Second Thoughts*, WALL ST. J. (Dec. 17, 2012), <http://www.wsj.com/articles/SB110001424127887124478304578173242637645606>.

³³ Letter from Mark Chassin, President, The Joint Commission, to Senator Baucus and Senator Ginsley (June 29, 2012), Attachment A.

³⁴ *Id.*

³⁵ *Id.*

³⁶ Press Release, FDA requests removal of Opana ER for risks related to abuse (June 8, 2017),

<https://www.fda.gov/news-events/press-announcements/fda-request-removal-opana-er-risks-related-abuse>.

³⁷ SFC-00025042, at SFC-00025056.

³⁸ *Id.* at SFC-00025072-75.

³⁹ SFC00000001.

⁴⁰ SFC-00025042, at SFC-00025079.

Janssen Pharmaceuticals.⁴¹ Open Payments data further underscores the importance manufacturers' place on these relationships. Endo has provided more than \$28 million to physicians, as well as sponsored research and development initiatives since 2013.⁴² Similarly, Purdue provided \$89 million to physicians and sponsored research during the same period.⁴³

Endo also heavily invested in tax-exempt organizations focused on pain issues during this period. Endo reported that it made payments of \$5.9 million to the American Pain Foundation, \$4.2 million to the American Pain Society, \$1.3 million to the American Academy of Pain Medicine, and \$369,000 to the Federation of State Medical Boards between 1998 and 2012.⁴⁴ An internal presentation created for Endo's scientific affairs team in 2011 describes the company's interest in such investments, and the importance of developing "strategic partnerships . . . that further advance the coordination of the professional, patient, gov't and community advocacy efforts."⁴⁵ The presentation also highlighted efforts to advocate for tamper resistant opioids and the company's "strategic third party partnerships" with the American Pain Society, American Academy of Physical Medicine and Rehabilitation, American Academy of Pain Medicine, American Academy of Pain Management, Advanced Pain & Spine Institute, the Arthritis Foundation, National Council on Aging, and its membership in 17 State Pain initiatives.⁴⁶ It further notes that the company was "indisputably recognized as leader by the Pain Community and primary care for all pain therapeutic areas," citing its role in mobilizing a "rapid response" to an FDA proposal related to acetaminophen, securing an author for a white paper in the journal *Pain Medicine*, and leading in development of Risk Evaluation and Mitigation Strategies or REMS.⁴⁷

Endo's business plan likewise noted the value of collaborating with tax-exempt organizations, their executives, and their board members. It identified conferences, and articles in their publications as components of a multi-channel marketing strategy to increase prescription volume.⁴⁸ For example, a pocket card for managing pain—and, endorsed by the American

⁴¹ Johnson & Johnson reported to the Committee that it paid McCarberg more than \$169,000 from 2003 to 2010 for promotional speaker fees, advisory board work, and honoraria. Purdue Pharma reported paying McCarberg nearly \$31,000 from 1998 to 2005 for lecture programs, consulting fees, and clinical research. Open Payments data further shows that McCarberg was paid more than \$504,000 from pharmaceutical manufacturers from 2013 to 2019, including tens of thousands of dollars while he was head of the American Academy of Pain Medicine. *Open Payments Data, Physician Profile for Bill McCarberg*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physicians/117088> (last viewed Dec. 2, 2020).

⁴² *Endo Pharmaceuticals, Inc.*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/company/1000000285> (last viewed Nov. 25, 2020).

⁴³ *Purdue Pharma, L.P.*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/company/1000000122> (last viewed Dec. 2, 2020).

⁴⁴ *Endo Pharmaceuticals, Inc.*, payments to organizations.

⁴⁵ SFC-00057051, at SFC-00057069.

⁴⁶ *Id.* at SFC-00057069, SFC-00057071. Data collected by the Committee in 2019 shows that Endo's relationship with the organizations continued. The company paid the American Academy of Pain Medicine \$149,930 from 2013 to 2016 for corporate memberships, and various advertising at annual meetings. Endo also paid the American Academy of Physical Medicine and Rehabilitation \$30,000 to maintain a seat on the organization's industry relations council from 2012 to 2014, and \$8,500 to sponsor Risk Evaluation and Mitigation Strategies (REMS) at a 2012 annual assembly.

⁴⁷ *Id.* at SFC-00057069.

⁴⁸ SFC-00025042.

Society of Pain Educators⁴⁹—was among a list of “valued added initiative[s]” that “Endo sales representatives perceived as adding higher value than competitive representatives.”⁵⁰ During the two years leading up to the business plan presentation, Endo made contributions and grants to the American Society of Pain Educators totaling at least \$45,000⁵¹ and maintained a corporate membership with the organizations, which involved paying the organization at least \$25,000.⁵² That same year, the American Society of Pain Educators made over \$175,000 in payments to other pain advocacy organizations, including the American Association for Pain Management and the American Pain Society.⁵³

These industry-developed materials and talking points frequently downplayed or distracted from the addictive nature of prescription opioids. At the same time, companies sought to increase brand allegiance among prescribers, and adherence among patients. Meanwhile, prominent pain experts acknowledged that “much remains unknown about the number or types of chronic pain sufferer who will become addicted as a result of medical care,” and an FDA spokesperson said “the risk of addiction to chronic pain patients treated with narcotic analgesics has not been well studied and is not well characterized.”⁵⁴ These efforts directly influenced the medical community, causing them to widely believe that there was a low risk for addiction among patients with chronic pain—a false narrative promoted by opioid manufacturers to increase use of their opioid products.⁵⁵

2019: Senator Grassley and Senator Wyden Expand Their Investigations

In 2019, the Committee broadened its investigation to examine the financial relationships between a wider range of companies and non-profit organizations. We requested and received IRS Form 990s, grant contracts, and financial audits. These data were then compiled to assess each organization’s financial relationship to drug manufacturers that marketed opioids and opioid-related products such as therapies to treat opioid use disorder, opioid overdoses or opioid-induced constipation. Committee staff further analyzed the data to understand the timing and purposes of these payments.⁵⁶ We also sought presentations and other internal documents, which

⁴⁹ In 2016, the National Academies of Sciences, Engineering, and Medicine removed an ASPE board member from a panel studying prescription painkillers, following conflict of interest concerns raised by Ranking Member Wyden. Andrea McDaniels, *Painkiller panel drops experts linked to pharma industry*, BALTIMORE SUN (July 8, 2016), <https://www.baltimoresun.com/health/hs-ida-pain-panel-20160708-story.html>. See also Press Release, Wyden Concerned by National Academy Committee Ties to Opioid Manufacturers (July 5, 2016), <https://www.financ.senate.gov/ranking-members/news/wyden-concerned-by-national-academy-committee-ties-to-opioid-manufacturers>.

⁵⁰ SFC-00025042, at SFC-00025106.

⁵¹ ASPE_001510. (On file with the Committee).

⁵² ASPE_00025-26; ASPE_00007-28.

⁵³ ASPE Form 990 (2007). (On file with the Committee).

⁵⁴ Barry Meier, *The Delicate Balance of Pain and Addiction*, NEW YORK TIMES (Nov. 25, 2003),

<https://www.nytimes.com/2003/11/25/science/the-delicate-balance-of-pain-and-addiction.html>.

⁵⁵ Peter Whoriskey, *Rising painkiller addiction shows change from drugmakers’ role in shaping medical opinion*, WASHINGTON POST (Dec. 30 2012), http://www.washingtonpost.com/local/healthcare/4b3-11e2-b7d9-667035f9029_story.html.

⁵⁶ These data were categorized for each type of donor (i.e. pharmaceutical company, biotech company, device company, government, hospital, foundation, etc.), and the product developed by that donor (i.e. opioids, opioid-related drugs, non-opioid pain drugs, other drugs, or devices). Categories were also created to systematically label each program type across all organizations. For example, donations were labeled as: “program”, “conference”,

the Committee used in combination with publicly available materials, to review and evaluate the types of activities pursued by organizations that received large sums of money from opioid manufacturers.

Based on payment data collected for this investigation, between 2012 and 2019, drug manufacturers that marketed opioids or opioid-related therapies paid almost \$30 million to these organizations.³⁷ As the money rolled in, these organizations conducted activities similar to the ones that Purdue and Endo's internal documents previously identified as helpful to their respective businesses. Data collected by the Committee show that Teva Pharmaceuticals (Teva), Pfizer, Inc. (Pfizer), and Purdue were among the largest funders of these organizations. Teva led the way, having paid over \$4.8 million, the largest beneficiaries of which included the American Chronic Pain Association, the International Association for the Study of Pain, the American Academy of Pain Medicine, the American Pain Society, and the U.S. Pain Foundation. Pfizer made payments of roughly \$4.1 million, the largest share of which went towards funding programs at the International Association for the Study of Pain and the American Academy of Pain Medicine. Purdue paid \$2.8 million, with the majority going to the American Association for Pain Medicine, the American Academy of Physical Medicine and Rehabilitation, and the American Chronic Pain Association. Other major funders included Daiichi Sankyo, which made payments of nearly \$2 million, Endo, which made payments of almost \$1.8 million, and AbbVie, which made payments of more than \$1.6 million. In all, the Committee found that the tax-exempt organizations had received money from more than 40 pharmaceutical companies that market opioids or opioid-related products.

The data also shows that fees for opioid and opioid-related work is one of the biggest sources of revenue for some of these organizations. Together, Alliance for Patient Access, the American Academy of Pain Medicine, the American Chronic Pain Association, International Association for the Study of Pain, and the U.S. Pain Foundation received \$23 million—millions of which came in the form of grants from drug and device manufacturers for opioid and opioid-related work. For example, the International Association for the Study of Pain received more than \$4 million in funding from opioid manufacturers between 2012 and 2019. The Alliance for Patient Access came in at a close second, receiving \$4.2 million.

By contrast, the American Society for Pain Management Nursing, Center for Practical Bioethics, and The Joint Commission all received less than \$600,000 in payments for opioid and opioid-related work between 2012 and 2019. The Federation of State Medical Boards is the only organization that did not report receiving any funding from drug or device manufacturers between 2012 and 2019, opting instead to adopt a policy which precludes its acceptance of any grants or funding from pharmaceutical companies.³⁸ The Federation of State Medical Boards appears to have changed its policy shortly after the Committee's 2012 inquiry which showed that, between 2007 and 2012, the organization received approximately \$1.3 million from Purdue.

³⁷ "membership fees", "grant", "advocacy", "advertising" and "education/lecture". When possible, all payments were cross-referenced with 990 forms and other financial statements to eliminate duplicate observations. (hereinafter "payment data")

³⁸ See Form 990s and accompanying Schedule Bs. (On file with the Committee).

³⁹ Letter from Humayun Chaudhry, President and CEO, Federation of State Medical Boards, to Senator Grassley and Senator Wyden (July 29, 2019).

their medications and takes extra medications over and over again. That can also lead to addiction.⁶⁶ (Emphasis added).

In the February letter to Daiichi Sankyo, Penny Cowan, President of the ACPA, notes that the manufacturer's money would support an anonymous survey done on people with pain in order to "investigate general population knowledge, attitudes, beliefs and behaviors as it relates to opioids and [abuse-deterrent formulation]."⁶⁷ She goes on to explain that the survey will inform the video content by "address[ing] the misconceptions and help them understand what they need to know about [abuse-deterrent formulations], so they are used, stored and dispose[d] of properly."⁶⁸ She further states "this video will communicate all aspects of [abuse-deterrent formulations] and the importance of their use," and would be posted to ACPA's website as well as turned into a DVD for distribution to health care professionals, at medical conventions, for patient education, and would be incorporated into all of ACPA's presentations.⁶⁹ The ACPA estimated that around 50,000 people will view the video.⁷⁰

While much of the ACPA's funding came from opioid manufacturers, companies that have a financial stake in opioid-based pain treatment also contributed heavily to the organization. In turn, the organization produced programming and materials that hewed closely to the company's business interests, including at least one instance in which products were referred to in the material.⁷¹ AstraZeneca, which markets Movantik (naloxegol),⁷² a drug used to treat opioid-induced constipation, heavily funded the ACPA's opioid-induced constipation programming. In 2014, the same year that Movantik received FDA approval,⁷³ AstraZeneca was one of ACPA's corporate members that paid the organization tens of thousands of dollars annually to maintain its status. In addition, the company paid ACPA \$215,000 in a two-year span to fund programming related to opioid-induced constipation.⁷⁴ (During the same time period, ACPA's expenses related to opioid-induced constipation was \$207,000, according to a financial

⁶⁶ *Abuse Deterrent Formulation*, AMERICAN CHRONIC PAIN ASSOCIATION at 2:21, <https://www.theacpa.org/abuse-deterrent-formulations/> (lasted viewed Nov. 27, 2020).

⁶⁷ SFC_ACPA_0221-39.

⁶⁸ *Id.* at SFC_ACPA_0221.

⁶⁹ *Id.* at SFC_ACPA_0229.

⁷⁰ *Id.* at SFC_ACPA_0233.

⁷¹ See *Opioid Induced Constipation*, AMERICAN CHRONIC PAIN ASSOCIATION, at 4:22.

⁷² <https://www.astrazeneca.com/press-releases/2014/09/16/fda-approved-movantik-opioid-induced-constipation-chronic-non-cancer-pain-patients-16092014.html> (last viewed Nov. 27, 2020). In this video, the narrator states that, if over-the-counter medication and increasing hydration is not enough, patients should consider methylphenidate or naloxegol, as these are "easier to take" than other treatment options. *Id.* It's important to note that naloxegol is manufactured under the trade name MOVANTIKTM by AstraZeneca. See Press release, AstraZeneca, FDA approves MOVANTIKTM (naloxegol) tablets C-II for the treatment of opioid-induced constipation in adult patients with chronic non-cancer pain (Sept. 16, 2014), <https://www.astrazeneca.com/medicines/press-releases/2014/09/16/fda-approved-movantik-opioid-induced-constipation-chronic-non-cancer-pain-patients-16092014.html>.

⁷³ Press release, AstraZeneca, FDA approves MOVANTIKTM (naloxegol) tablets C-II for the treatment of opioid-induced constipation in adult patients with chronic non-cancer pain (Sept. 16, 2014), <https://www.astrazeneca.com/medicines/press-releases/2014/09/16/fda-approved-movantik-opioid-induced-constipation-chronic-non-cancer-pain-patients-16092014.html>.

⁷⁴ *Id.*

⁷⁵ SFC_ACPA_0127-41.

audit).⁷⁵ One video produced by ACPA, titled "Opioid Induced Constipation,"⁷⁶ singles out AstraZeneca's product, even though at least one study published five months prior found that a competing product, subcutaneous methyl naltrexone, "was found to perform better than other interventions for managing opioid-induced constipation."⁷⁷

Other educational videos posted on the ACPA's website specifically target conditions and treatments for pain. For instance, several videos are dedicated to explaining implantable medical devices like medication pumps and neurostimulators for treating pain. These videos are funded by Medtronic, a device manufacturer of pain medication pumps and nerve stimulators,⁷⁸ which donated \$100,000 for the production of a DVD and web segment on implantable devices.⁷⁹ Other videos walk the viewer through how the devices work, as well as benefits, risks, goals for treatment, what is involved in implementation procedures, what living with a pump is like, and maintenance of the pump.⁸⁰ One physician featured in the video is an anesthesiologist who received 235 payments, for a total of \$113,830, from Medtronic between 2013 and 2018.⁸¹

Alliance for Patient Access

Some tax-exempt organizations also proved to be helpful vehicles for opioid manufacturers to lobby the Federal government. One example is the Alliance for Patient Access (AIPA), an organization that describes itself as "a national network of physicians and other health care providers dedicated to ensuring patient access to approved therapies and appreciate clinical care."⁸² In 2017, all of the AIPA's approximately \$2 million in revenue was generated from contributions and grants, of which 90% were from pharmaceutical manufacturers.⁸³ Of these payments, three opioid makers accounted for 17% of contributions to the AIPA that year—Teva (\$225,000), Mallinckrodt (\$75,000), and Pfizer (\$40,000). Opioid manufacturers have consistently made large contributions to the AIPA. Since 2012, the AIPA has received at least \$2.1 million in payments from opioid manufacturers including AbbVie, Endo, Grunenthal, Mallinckrodt, Pfizer, Purdue and Teva.

Open Payments data further shows that opioid manufacturers' influence at the AIPA does not stop at direct payments to the organization. Doctors who sat on the organization's board of

⁷⁵ SFC_ACPA_0067, at SFC_APCA_0069, 0077, 0089, 00102.

⁷⁶ See also *Opioid Induced Constipation*, AMERICAN CHRONIC PAIN ASSOCIATION, <https://www.theacpa.org/pain-management-tools/survey/aic/>.

⁷⁷ See Kannan Sriharan, Gowri Sivaramakrishnan, *Drugs for Treating Opioid-Induced Constipation: A Mixed Treatment Comparison Network Meta-analysis of Randomized Controlled Clinical Trials*, J. OF PAIN AND SYMPTOM MANAGEMENT 55(2): 468-479 (2018), <https://pubmed.ncbi.nlm.nih.gov/28219511/>.

⁷⁸ *Drug Infusion Systems*, MEDTRONIC, <https://www.medtronic.com/us-en/healthcare-professionals/products/neurological/drug-infusion-systems.html> (last visited Nov. 27, 2020).

⁷⁹ SFC_ACPA_372, at SFC_ACPA_373-75, 593.

⁸⁰ *Intrathecal Medication Pumps*, AMERICAN CHRONIC PAIN ASSOCIATION, <https://www.theacpa.org/pain-management-tools/videos/conditionalpainmgmt/> (last viewed Nov. 27, 2020).

⁸¹ *Open Payments Data, Physician Profile for David Provenzano*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physician/17676> (last viewed Nov. 27, 2020).

⁸² Letter from Sam Dewey, Counsel, McDermott Will & Emery, on behalf of the Alliance for Patient Access, to Senator Grassley and Senator Wyden (July 29, 2019).

⁸³ AIPA Form 990 (2017), (On file with the Committee).

directors have received more than \$5 million in payments from pharmaceutical manufacturers and device manufacturers, of which more than \$1.9 million came from opioid makers.⁸⁴

Since 2013, Director Srinivas "Sri" Nalamachu, alone, received nearly \$1.7 million in payments from pharmaceutical companies, of which \$792,000 came from opioid makers—Purdue (\$231,000), Collegium Pharmaceutical (\$148,000), Endo (\$113,000), Insys (\$103,000), Assertio (\$81,000), Pernix Therapeutics (\$63,000) and Teva (\$53,000).⁸⁵ Similarly, Director Robin Dore received more than \$2.1 million from pharmaceutical manufacturers since 2013, including \$538,000 from opioid makers Pfizer (\$286,000), AbbVie (\$145,000), and UCB (\$107,000).⁸⁶ Opioid makers also paid Director Jack Schim \$271,000 and Howard Hoffberg \$180,000.⁸⁷ As the AIPA and its board received millions of dollars from opioid makers, the organization lobbied executive branch agencies and Congress on legislation related to opioids.⁸⁸ The AIPA also joined other organizations funded by opioid manufacturers that sought to limit restrictions on opioid prescribing while promoting expanded use of so-called "abuse-deterrent formulations."

For example, in October 2014, Brian Kennedy, Executive Director of the AIPA, wrote to the National Institutes of Health (NIH) decrying the agency's focus on "the deleterious effects of treating pain with opioids" and urged the agency to explore "how untreated or under-treated pain affects patients and communities."⁸⁹ Mr. Kennedy also suggested examples of studies the NIH might consider, including how reducing access to opioid medications may lead to "consequences of restricting access for patients with legitimate medical need" and "higher rates of depression, increased risks of suicide, loss of productivity and restricted mobility that requires additional care for patients."⁹⁰ The letter pointed to the work of AIPA's "Pain Therapy Access Physicians Working Group,"⁹¹ arguing that "undertreated pain may result in impaired concentration, which may in turn increase the risk of falls, fractures or motor vehicle injuries."⁹² What went unsaid is that Pfizer paid the AIPA \$125,000 to fund the working group from 2014 to 2018, and another \$25,000 in 2012 to the Prescription Drug Abuse and Diversion Education Initiative, part of more than \$300,000 the company had paid the AIPA.⁹³ The working group included Dr. Nalamachu and Bob Twillman, who held leadership positions at the American Academy of Pain Management (another group with strong ties to opioid manufacturers).

⁸⁴ The majority of these payments overlapped with directors' time on AIPA's board. In some instances, it was not clear when some directors joined or left the board.

⁸⁵ *Open Payments Data, Physician Profile for Srinivas Nalamachu*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physician/158076/general-payments> (last viewed Dec. 3, 2020).

⁸⁶ *Open Payments Data, Physician Profile for Robin Kathleen Dore*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physician/209026/general-payments> (last viewed Dec. 3, 2020).

⁸⁷ *Open Payments Data, Physician Profile for Howard Hoffberg*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physician/188830/general-payments> (last viewed Dec. 3, 2020); *Open Payments Data, Physician Profile for Jack D. Schim*, OPENPAYMENTS.DATA.CMS.GOV, <https://openpaymentsdata.cms.gov/physician/121951> (last viewed Dec. 3, 2020).

⁸⁸ AIPA_SFC_000193-241.

⁸⁹ *Id.* at AIPA_SFC_000233-34.

⁹⁰ *Id.*

⁹¹ See *Pain Management Working Group*, AIPA, <https://allincoformationsaccess.org/pain/> (last viewed Dec. 2, 2012).

⁹² AIPA_SFC_000193, at AIPA_SFC_000233-34.

⁹³ *Pfizer Medical, Scientific & Patient Education Grant Transparency*, PFIZER, <https://www.pfizer.com/supplies/transparency/transparency-in-grants> (last viewed Nov. 28, 2020).

In another example, on August 27, 2015, Dr. Nalamachu wrote to the FDA "on behalf of AIPA . . . in support of the oxycodone extended-release capsules for oral use submitted by Collegium Pharmaceuticals."⁹¹ Dr. Nalamachu wrote that he had been an investigator for the Collegium drug and explained that the "efficacy of oxycodone is well established," and "further, those of us in pain medicine know how important extended-release formulations are for patients who require around-the-clock pain management."⁹² The following year, Collegium Pharmaceuticals began making payments directly to Dr. Nalamachu, who would receive more than \$148,000 from the company.⁹³

Again, on March 5, 2018, AIPA co-signed a letter with several opioid manufacturers, including Purdue, Grunenthal GmbH, and Collegium Pharmaceuticals, and other tax-exempt organizations funded by opioid manufacturers, raising concerns about a CMS proposal to require prior authorization and dosage limits for abuse-deterrent opioids in Medicare Part D.⁹⁴ The letter highlighted diversion (the practice of transferring legally prescribed opioids to another person for illicit use) as a driver of the opioid epidemic, while sidestepping the fact that the U.S. has significantly higher rates of opioid prescribing when compared to other countries.⁹⁵ The coalition also told CMS that "increasing the availability of [abuse-deterrent] opioids represents a critical component of drug abuse prevention efforts," and repeatedly touted their benefits to patients even while acknowledging that "[o]pioids with abuse-deterrent properties are not abuse-proof and do not prevent or reduce the risk of addiction."⁹⁶ The coalition went on to urge CMS to "review plan formularies to ensure adequate access to [abuse-deterrent] opioids."⁹⁷ It was one of three letters AIPA sent with the coalition.⁹⁸ (Funders of the organization, including Pfizer, Teva, and Purdue, marketed opioids with abuse-deterrent label).

Finally, the AIPA manages a coalition called the Alliance for Balanced Pain Management, which it acquired from Mullinckrodt in 2016.⁹⁹ At the time of the acquisition, Mullinckrodt paid AIPA \$200,000 to support the coalition and pay for an annual summit the coalition hosts.¹⁰⁰ The coalition, which was previously managed by Green Room Communications,¹⁰¹ describes its mission as advocating "for balanced pain management by supporting organizations and individuals who share a common goal to reduce pain, reduce

⁹¹ AIPA_SFC_000193, at AIPA_SFC_000232.

⁹² *Id.*

⁹³ *Open Payments Data, Physician Profile for Srinivas Nalamachu, OPENPAYMENTS.DATA.CMS.GOV*, <https://openpaymentsdata.cms.gov/physicians/158076/users/m-payments> (last viewed Dec. 3, 2020).

⁹⁴ AIPA_SFC_000193-97.

⁹⁵ See Karim Ladha, et al., *Opioid Prescribing After Surgery in the United States, Canada, and Sweden*, JAMA Network (Sept. 4, 2019), <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/1801162> (An original investigation published in the JAMA Network, which concludes that the United States has the highest average dose of opioid prescriptions for most surgical procedures when compared to Canada and Sweden.).

⁹⁶ AIPA_SFC_000193-97.

⁹⁷ *Id.*

⁹⁸ AIPA_SFC_000193-205.

⁹⁹ Letter from the Samuel Dewey, Counsel, McDermott Will & Emery, on Behalf of the Alliance for Patient Access, to Senator Crossley and Senator Wyden (July 29, 2019), AIPA_SFC_000001-05.

¹⁰⁰ Letter from the Samuel Dewey, Counsel, McDermott Will & Emery, on Behalf of the Alliance for Patient Access, to Senator Crossley and Senator Wyden (Jan. 29, 2020).

¹⁰¹ *Greenroompr.com*, <https://www.greenroompr.com/> (last viewed Dec. 7, 2020).

medicine abuse and improve care.”¹⁰⁴ Its members include patient groups such as American Chronic Pain Foundation and the U.S. Pain Foundation, which have strong financial links to opioid manufacturers, and is led by a steering committee that includes several individuals who have received roughly \$480,000 from opioid manufacturers, according to CMS’s Open Payments data.¹⁰⁵ The AFA also told the Committee that the coalition includes industry members, but did not identify them, and further noted that “Mallinckrodt’s representative joined periodic membership calls and had an opportunity to review the Alliance for Balanced Pain Management’s educational materials in response to a group invitation for feedback.”¹⁰⁷ However, the AFA stated that it maintains sole discretion to determine the coalition’s “advocacy efforts, annual summit events, and educational materials.”¹⁰⁹ According to the AFA, these efforts have explored “issues such as the value of multimodal analgesia—an opioid-sparing approach to surgical pain, technology-based solutions for treating pain in patients who’ve battled opioid addiction, and the value of non-pharmacologic interventions like physical therapy, chiropractic care, and yoga.”¹⁰⁹

International Association for the Study of Pain

Between 2012 and 2018, fifteen opioid makers paid the International Association for the Study of Pain (IASP) more than \$4 million. These funds were used to support conferences the organization hosted, such as the World Congress on Pain, the International Symposium on Pediatric Pain, the International Congress on Neuropathic Pain, special interest group meetings, and various grants for activities such as the development of a tool to connect “healthcare professionals with access to independently created online education.”¹¹⁰ During this time period, Pfizer was the largest of these contributors, making payments of more than \$1.3 million to IASP, the majority of which were made in the form of grants in 2018. Other opioid manufacturers that made major payments included subsidiaries and affiliates of Mundipharma, (making more than \$1 million in payments combined),¹¹¹ Teva (\$627,000, of which \$300,000 was made in 2018)¹¹² and Allergan (\$161,000). Two Orphanthal entities, and a third party connected to the company, also paid IASP \$601,000 during this time period.

¹⁰⁴ Letter from the Samuel Dowe, Counsel, McDermott Will & Emery, on Behalf of the Alliance for Patient Access, to Senator Grassley and Senator Wyden (Jan. 29, 2020), *About A/B/P/A, ALLIANCE FOR BALANCED PAIN MANAGEMENT*, <https://allianceppm.org/press/> (last viewed Nov. 28, 2020).

¹⁰⁵ Letter from the Samuel Dowe, Counsel, McDermott Will & Emery, on Behalf of the Alliance for Patient Access, to Senator Grassley and Senator Wyden (Jan. 29, 2020).

¹⁰⁷ Letter from the Samuel Dowe, Counsel, McDermott Will & Emery, on Behalf of the Alliance for Patient Access, to Senator Grassley and Senator Wyden (July 29, 2019).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ IASP Submission Question 2 Attachment—Accounting Report. (On file with the Committee).

¹¹¹ IASP reported receiving payments during the 2012-2018 period from Mundipharma International (UK), Mundipharma International Ltd., Mundipharma Pte. Mundipharma Pte Limited, Mundipharma PTY (Australia), and Mundipharma Research GmbH.

¹¹² The organization reported to the Committee that it received \$147,550 in payments from Teva in 2018. However, it reported receiving \$300,230 from Teva that year on its IRS Form 990. (On file with the Committee).

Pfizer, which as noted above manufactures two extended-release prescription opioids that the FDA designated as "abuse-deterrent,"¹¹³ made payments of nearly \$4 million to various pain-related tax-exempt organizations, according to payments reviewed by the Committee.¹¹⁴ The largest share of these funds went to IASP. For example, Pfizer provided a \$527,000 education grant to the Japan chapter of the IASP in 2018.¹¹⁵ (This was the single largest payment to IASP from any company during the 2012-2018 time period). The grant was intended to fund nursing student pain education programs, publish medical school textbooks on pain, and develop a recurrent educational program for physical and occupational therapists.¹¹⁶ That grant was part of \$918,000 the organization received from Pfizer that year.

IASP's activities also suggest that opioid manufacturers are engaging in the same pattern of behavior in Asia and Europe. One such initiative is the World Congress on Pain. Opioid manufacturers have made more than \$2 million in payments to IASP in connection with the last four conferences, which in recent years have been held in Boston, Massachusetts (2018), Yokohama, Japan (2016), Buenos Aires, Argentina (2014), and Milan, Italy (2012).¹¹⁷ The meeting is advertised as the preeminent global meeting devoted to sharing new developments in pain research, treatment, and education, and attendees are predominantly clinicians, researchers, students, and educators.¹¹⁸ Each year, opioid manufacturers have made payments to fund the World Congress events, accounting for up to 16% of the conferences' total expenses.¹¹⁹

In addition to its global conferences, IASP has also developed region-specific programs to advance the availability and accessibility of opioids. In 2018, Pfizer made a payment of approximately \$190,000 to a program titled, "Develop, Equip, and Pilot: Guide for Multidisciplinary Pain Clinics in South East Asia Project."¹²⁰ Other programs like "IASP Pain Management Camp" are intensive courses that are designed to provide "information targeted to the educational and organizational aspects of health-care services for pain management" for health care professionals who want to start pain services or are already working with patients with chronic pain.¹²¹ IASP's Latin America Pain Camp received \$25,000 from Cirunenthal in

¹¹³ Press Release, Pfizer, FDA Approves Abuse Deterrent Labeling For Emsdo $\text{\textcircled{R}}$ (Morphine Sulfate and Naltrexone Hydrochloride) Extended-Release (ER) Capsules CII, (Oct. 17, 2014), <https://www.pfizer.com/news/news-releases/news-releases-detail/fda-approves-truxycas>; Press Release, Pfizer, FDA Approves Truxycas $\text{\textcircled{R}}$ (Oxycodone Hydrochloride and Naltrexone Hydrochloride) Extended-Release Capsules CII with Abuse-Deterrent Properties for the Management of Pain, Pfizer (Aug. 19, 2016), <https://www.pfizer.com/news/news-releases>.

¹¹⁴ Based on IASP's Form 990s collected during this investigation. (On file with the Committee).

¹¹⁵ IASP Submission Question 2 Attachment - Accounting Report. See also *Pfizer Independent Grants for Learning & Change (IGLC)*, INTERNATIONAL ASSOCIATION FOR THE STUDY OF PAIN, <https://www.iasp-pain.org/Education/GrantDetail.aspx?ItemNumber=7756> (last viewed Nov. 28, 2020).

¹¹⁶ According to IASP, "Pfizer has no influence over any aspect of the projects and only asks for reports about the results and the impact of the projects in order to share them publicly." See *Pfizer Independent Grants for Learning & Change (IGLC)*, IASP, <https://www.iasp-pain.org/Education/GrantDetail.aspx?ItemNumber=7756> (last viewed Dec. 8, 2020).

¹¹⁷ Past Congresses, IASP, <https://www.iasp-miln.org/Meetings/WorldCongressList.aspx> (last viewed Nov. 28, 2020).

¹¹⁸ About the IASP World Congress on Pain, IASP, <https://www.iaspworldcongress.org/about> (last viewed Dec. 8, 2020).

¹¹⁹ IASP Form 990 (2012-2018). (On file with the Committee).

¹²⁰ IASP Submission Question 2 Attachment - Accounting Report. (On file with the Committee).

¹²¹ *Latin American Pain Management Camp Leaves Students Smiling*, INTERNATIONAL ASSOCIATION FOR THE STUDY OF PAIN (Nov. 2014), <https://www.iasp-pain.org/PublicationsNews/IASPNewslettersArticles.aspx?ItemNumber=4009>.

2014 and, three years later, received a payment of \$87,000 from Teva to support the "independent development and execution" of the event.¹²² In a similar vein, IASP also offers "pain schools" which are held in North America and Europe, which serve as longer version of the camp program. Sponsors to the North American Pain School include Grunenthal, Eli Lilly, the Mayday Fund, and the American Pain Society.¹²³

Documents provided to the Committee also show that from 2012 to 2019, the IASP received a total of \$1 million from Mundipharma, a global affiliate of Purdue owned by the Sackler family.¹²⁴ This funding has gone towards World Congress on Pain events and special interest group meetings held all over the world.¹²⁵ Mundipharma has reportedly been distributing marketing materials for OxyContin in places like China, Australia, and Italy, and is using the same pitch that Purdue admitted was false in the U.S. more than a decade ago.¹²⁶ For instance, Mundipharma allegedly provided physicians with documents that claimed the risks of opioid addiction were "virtually non-existent and that OxyContin's slow-release formulation made it even safer."¹²⁷ Mundipharma is also allegedly targeting China with aggressive sales teams who provide gift cards, complimentary dinners, all-expense paid trips to meetings, and compensated speaking events to push opioid prescriptions.¹²⁸

Conclusion

While we continue to evaluate the information produced to the Committee, our initial review has revealed troubling instances in which patient advocacy groups, provider groups, and other tax-exempt organizations, their officers, and their board members have engaged in initiatives that appear to echo and amplify messages to increase use of opioid manufacturers' drugs, including abuse-deterrent opioids that have not been proven to be any less addictive than other types opioids.¹²⁹

Consumers, health care providers, and policymakers seeking unbiased information may not immediately recognize the significant industry ties these groups possess, especially when they are cited as resources on Federal health websites,¹³⁰ testify before Congress,¹³¹ and have

¹²² IASP Submission Question 2 Attachment – Accounting Report. (On file with the Committee).

¹²³ *Sponsors, Organizers and Supporters, NORTH AMERICAN PAIN SCHOOL*, <https://northamericainpainschool.com/> (last viewed Nov. 28, 2020).

¹²⁴ IASP Submission Question 2 Attachment – Accounting Report. (On file with the Committee).

¹²⁵ *Id.*

¹²⁶ Erika Kinetz, *Fake Doctors, pilfered medical records drive Oxy China Sales*, ABC NEWS (Nov. 20, 2019),

<https://abcnews.go.com/Business/wireStory/fake-doctors-misleading-claims-drive-oxycontin-sales-67151163>.

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ *Abuse-Deterrent Opioids Announcer*, FOOD & DRUG ADMINISTRATION, <https://www.fda.gov/oc/2019/06/19/abuse-deterrent-opioids-announcer> (last updated June 11, 2019).

(Here the FDA acknowledges that ADOPs are not addiction proof, and highlights that it is requiring manufacturers with ADF labeling claims to conduct post-market studies to determine the real world impact of their products). *Id.*

¹³⁰ See *Resource/References, NIH Pain Consortium – COPEX*, NIH <https://ocpnet.nih.gov/ocpnet/pep/3540-pain-consortium-analysis-and-action-references/2019-11-28> (last viewed Nov. 28, 2020).

¹³¹ *Managing Pain During the Opioid Crisis, Hearing Before the S. Comm. Health, Education, Labor & Pension, 116th Cong.* (Feb. 2019), <https://www.help.senate.gov/recordings/managing-pain-during-the-opioid-crisis>.

officers that sit on Federal advisory boards.¹³² This is why the Committee is releasing the financial information collected during the 2012 investigation, in addition to data collected over the past two years, because we remain concerned that the opioid epidemic was driven, in part, by misinformation and dubious marketing practices used by pharmaceutical companies and the tax-exempt groups they fund.

Congress must continue to shed light on pharmaceutical and medical device manufacturers' financial dealings with tax-exempt organizations. While such financial entanglements are of particular concern in regards to opioids, given their danger and addictive potential, such funding and influence is not limited to this therapeutic class.¹³³ This investigation clearly shows that such payments are viewed as key marketing and policy influencing tools, which, in the case of opioids, contributed to addiction, sickness, and death for millions of Americans. Therefore, Congress must continue to advocate for stronger safeguards within tax-exempt organizations and within the Federal government. Steps we recommend taking:

1. Expand CMS's Open Payments database to require pharmaceutical manufacturers and device manufacturers to report payments made to tax-exempt organizations.
2. Require the Secretary of HHS to develop guidelines and procedures to increase transparency among members of Federal task forces, as well as research groups and panels convened or contracted by HHS.

In the next Congress, we plan to continue our work on these important issues and we encourage my colleagues to do the same.

Charles Grassley
Chairman
Senate Finance Committee

Ron Wyden
Ranking Member
Senate Finance Committee

¹³² e.g., the FDA's advisory committee on analgesics, which evaluate the safety of opioids includes Kevin Zechinoff who sat on the ASPB board, and Lennie Zeltzer who was the APS and APF boards. See *Anesthetic and Analgesic Drug Products Advisory Committee Roster*, FDA, <https://www.fda.gov/oc/industry-committees/analgesic-and-analgesic-drug-products-advisory-committee-roster> (last viewed Dec. 10, 2020).

¹³³ See *Drug Pricing in America: A Prescription for Change, Part II: Hearing Before S. Comm. Fin 116th Cong. at 70, 147, 477, 529, 716 (2019)*, <https://www.finance.senate.gov/imo/media/doc/31143.pdf>. See also Alex Ruoff, *AbbVie, Bristol-Myers Among Patient Advocacy Groups' Big Backers*, BLOOMBERG, <https://about.bloomberg.com/news/abbvie-bristol-myers-among-patient-advocacy-groups-big-backers/>.

HEALTH CARE

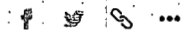
Medical boards get pushback as they try to punish doctors for Covid misinformation

Medical boards have sanctioned eight physicians since January 2021 for spreading coronavirus-related misinformation, according to the Federation of State Medical Boards.



A medical professional gives a patient a Covid vaccine. | Joe Raedle/Getty Images

By DARIUS TAHIR
02/01/2022 04:30 AM EST



Medical boards and other regulators across the country are scrambling to penalize doctors who spread misinformation about vaccines or promote unproven cures for Covid-19. But they are unsure whether they'll prevail over actions by state lawmakers who believe the boards are overreaching.

In Maui, the state medical board filed complaints against the state's chief health officer and another physician after they supported Covid-19 treatments federal health officials warned against. In Florida, the nominee for state

surgeon general refused to directly answer on the effectiveness and safety of the coronavirus vaccine — and that's after a local doctor filed a complaint to the state's medical boards. In Idaho, local GOP officials appointed a pathologist who promoted unproven virus treatments to a local public health board, despite complaints from his peers to state regulators.

Advertisement

In all, medical boards have sanctioned eight physicians since January 2021 for spreading coronavirus-related misinformation, according to the Federation of State Medical Boards, which has recommended that health officials consider action against medical professionals who dispense false medical claims in public forums. The eight penalized doctors, who've been hit with discipline from suspension to revocation of licenses, represent a surprising figure, considering the time it takes for state boards to mete out punishment. The targets of investigations have cited their own scientific expertise in recommending alternative courses of treatment.



TECHNOLOGY

Biden's vaccine misinformation road not taken

BY ALEXANDRA S. LEVINE

"When that white coat is weaponized to spread misinformation, it does public harm," Brian Castrucci, the CEO of the public health non-profit the de Beaumont Foundation in Bethesda, Md., who supports the action taken by health regulators.

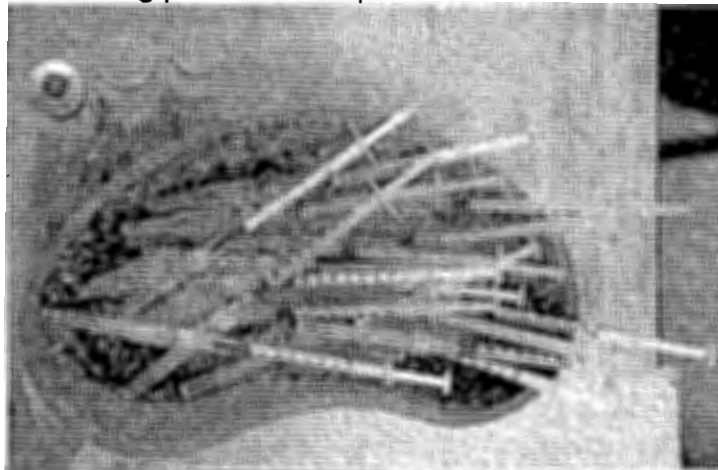
The federation expects its members will conduct more investigations that would lead to disciplinary actions. But in some cases the responses from some medical boards and state officials have been stymied by political backlash. States like Tennessee and North Dakota, for example, have restricted state medical boards' powers. And now legislators in 10 other states — including Florida and South Carolina — have introduced similar measures.

Some state boards also lack the legal tools to discipline doctors for sharing unreliable information via social media. They believe the precedents in their

states for unprofessional or unethical behavior more narrowly apply to actions or speech made directly to patients under their care.

“We need the medical boards to stand up and evolve,” said Castrucci, who cited the need to preserve the public’s trust in medicine. “With the click of a mouse button, two million people can get information that’s incorrect.”

Pressing public health problem



Medical personnel reach for pre-loaded syringes as they vaccinate students at KIPP Bellevue Charter School in New Orleans, Tuesday, Jan. 25, 2022. | Ted Jackson/AP Photo

Misinformation hasn’t just distorted the public debate over vaccines, Castrucci and his peers warn. It also has helped create a market for unproven drugs and treatment against Covid-19, sometimes with harmful side effects. Poison centers have recorded increased numbers of calls related to ivermectin and oleandrin, with some patients requiring hospitalizations. And a recent study in *The New England Journal of Medicine* projected nearly \$2.5 million in wasteful insurance spending on ivermectin in a single week.

Both substances have been the beneficiaries of considerable hype from commentators online and elsewhere outside the mainstream of the medical profession — even after negative clinical evidence came in — for their alleged anti-coronavirus properties.

Facing a flood of misinformation, plus the anti-establishment mood in many red states, the regulatory structure upholding professional standards is “unraveling,” said Richard Baron, the leader of the American Board of Internal Medicine, one of the private-sector bodies that certifies doctors. “We’re trying to figure out what the most effective way to act,” Baron said, conceding that he was uncertain about the most effective way to confront the problem. “There are

AD

Legal structures developed for the 20th century are, in many states, not suited to discipline doctors who broadcast misinformation on social media because the physicians are not directly treating patients, Federation of State Medical Boards CEO Humayun Chaudhry said. So, some boards — and other regulators that license providers and the non-profits that certify physicians for their expertise — feel uncertain about disciplining such doctors, even though they might be contributing to lagging vaccination rates.

“Doctors who are out in the public domain, making broad statements about discredited treatments, our processes weren’t designed for that,” acknowledged Kristina Lawson, the head of the Medical Board of California. “We’re actively thinking about that.”

When Lawson’s board started to crack down last year on doctors spreading misinformation about the coronavirus vaccines, she began getting threats. Anti-vaccination protesters accosted her at a parking lot and flew a drone over her house, she has said.

“I’ve had to have private security,” she told POLITICO. “I’ve had to have regular conversations with the California Highway Patrol,” an agency that protects high-level politicians in the state.

Now and then



Medical personnel from Riley County Health Department conduct a drive-thru vaccination using the new Moderna vaccine in Manhattan, Kansas.

Despite those constraints, continue to crack down on some of their own.

The federation said that two-thirds of their members had seen an increased number of complaints related to disinformation in a December 2021 survey. "There might be right now, dozens or hundreds of investigations going on [into misinformation]," Chaudhry said.

But it's unclear whether the activity will make a difference. Many inside the profession are pessimistic.

Some of the medical professions' trade groups have been called to act. In November, the American Medical Association's House of Delegates asked the organization to develop a strategy to address misinformation. The association's president, Gerald Harmon, told POLITICO around that time he had "the goal ahead of me," but the "devil is in the details." The association has no new updates.

Anti-vaccine sentiment and vaccine skepticism has drawn backlash. When Houston Methodist Hospital suspended a doctor's privileges November after she allegedly spread misinformation over social media about vaccine policies, the doctor hit right back. She broadcast on Facebook that she was suing hospital for financial information, alleging the hospital had profited from its administration of the vaccines. She also touted her cocktail of a high-dosage steroids, ivermectin, vitamin C, among other medications. (Some steroids have had success in treating Covid.)

The targets of misinformation investigations typically claim they're better scientists than the scientists bringing the disciplinary actions. "It's not

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A review of adverse effects of COVID-19 vaccines

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SUMMARY

The COVID-19 pandemic has led to unanticipated pressures on all aspects of human life. Multiple approaches to eliciting protective immunity must be rapidly evaluated. Numerous efforts have been made to develop an effective vaccine for this novel coronavirus, resulting in a race for vaccine development. To combat COVID-19, all nations must focus their efforts on widespread vaccination with an effective and safe vaccine. Globally, concerns about potential long-term adverse effects of vaccines have led to some apprehension about vaccine use. A vaccine's adverse effect has an integral role in the public's confidence and vaccine uptake. This article reviews the current primary literature regarding adverse effects associated with different COVID-19 vaccines in use worldwide.

Keywords: adverse effects, adverse events, complications, COVID-19, vaccine

BACKGROUND

As of January 14, 2022, the World Health Organization (WHO) has confirmed about 318,648,834 cases of COVID-19 worldwide, including 5,518,343 fatalities [1]. The COVID-19 pandemic has resulted in a global economic disruption. To restore normalcy and enable economic growth, vaccines are the best option. The first COVID-19 vaccine introduced in December 2020 has become a milestone in the fight against this pandemic. On December 2, 2020, using an Emergency Use Authorization (EUA), the UK became the first country to approve Pfizer-BioNTech's COVID-19 vaccine, BNT162 [2]. As of December 31, 2020, the WHO approved BNT162 for emergency use, making its global production and supply more efficient [3]. Different vaccine candidates for COVID-19 have been approved using similar EUA processes, and the list continues to grow.

A historic vaccination campaign is taking place in the US currently. In 1 week, 1.12 million doses were administered daily, on average. More than 523 million doses have been given in the US to date (Figure 1) [4, 5]. As of January 14, 2022, 194 vaccines are in preclinical development, and 139 are in clinical trials [6].



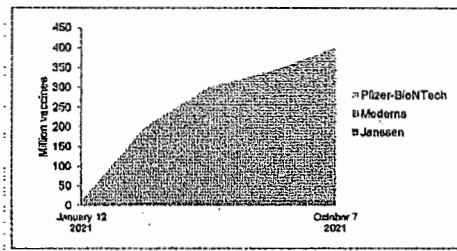


Figure 1
 COVID-19 Vaccines Administered in the US by Manufacturer [5].

Vaccine uptake must be accelerated in the coming months to continue to decrease infection rates [2]. However, some people question whether the speed at which a vaccine is developed will compromise its efficiency and safety. This, in turn, may lead to vaccine hesitancy, which further inhibits attaining the goal of having 70% of the population fully vaccinated, after which herd immunity can effectively be achieved [8]. Therefore, it is crucial to establish the safety of the vaccines in these circumstances to perhaps promote wider vaccine acceptance among hesitant people. Adverse effects, however, are associated with every vaccination [9]. The purpose of this article is to review the current primary literature regarding adverse effects associated with the different COVID-19 vaccines. Our aim is to provide insights into the safety of the vaccines to help address misinformation and vaccine hesitancy. We discuss the adverse effects of the most common vaccines, which were chosen based on the number of countries they are approved in.

This article is intended to be a narrative review. Searches were conducted in PubMed and Google Scholar to identify related literature from 2020 to 2021. Keywords such as "adverse effects," "adverse events," "complications," "COVID-19," and "vaccine," were searched individually or in combination to yield relevant information. The results were reviewed for relevance to the topic, and the articles were screened by 2 authors. We had no language restrictions because of the relatively few articles on the topic. Duplicated studies and studies providing insufficient and irrelevant information were excluded.

MRNA VACCINES

Pfizer-BioNTech

Pfizer-BioNTech's BNT162 vaccine is a lipid nanoparticle-derived, nucleoside-modified mRNA vaccine that encodes the SARS-CoV-2 glycoprotein spike [11]. The UK was the first nation to approve BNT162 on December 2, 2020 [2]. A first EUA for BNT162 was issued by the US Food and Drug Administration (FDA) on December 11, 2020 [11]. BNT162 was later approved by Canada and Mexico via their respective EUAs. The WHO approved the first vaccine candidate, BNT162, on December 31, 2020, for emergency use, therefore facilitating easy production and distribution globally [3]. A total of 232.52 million doses of the Pfizer-BioNTech vaccine have been given in the US through October 7, 2021 [12].

Moderna

mRNA-1273 from Moderna is a lipid-encapsulated mRNA vaccine that encodes the SARS-CoV-2 prefusion-stabilized spike protein [13]. The FDA issued an EUA for mRNA-1273 on December 18, 2020 [11]. It was the second COVID-19 vaccine in the US to be authorized under an EUA [14]. As of October 7, 2021, 152.51 million doses of Moderna vaccine have been given in the US [12].

Considerations with mRNA vaccines

For the 2 mRNA vaccines, the second dose was associated with more adverse effects than the first dose [15]. A higher rate of systemic events was reported by younger vaccine recipients (aged 16–55 years) than those older than 55 years, which may be due to a more robust immunogenic response in younger persons [15].

Evaluation of the vaccines vs placebo (normal saline) showed a higher incidence of mild local adverse effects such as pain, heat, swelling, and redness [15]. The vaccines were also associated with other systemic adverse effects such as fever, fatigue, arthralgias, myalgias, and headache. These adverse effects usually developed within 1 to 2 days of vaccination [15].

In initial trials, the localized symptoms were mild to moderate in severity and lasted 1 to 2 days. Moderate to severe systemic symptoms, such as headache, myalgia, arthralgia, and fatigue, also lasted 1 to 2 days [15]. More local reactions were seen among the vaccine group than the placebo group. The most common localized symptom was pain at the injection site, which was seen within 1 week of vaccination [15]. Anaphylaxis and edema of the labial, facial, and glossal areas were among the adverse events noted [16].

ADENOVIRAL VACCINES

Oxford/AstraZeneca ChAdOx1 nCoV-19 Vaccine (AZD1222)

The SARS-CoV-2 structural surface spike protein gene is integrated into the ChAdOx1 nCoV-19 vaccine (AZD1222; trade name Vaxzevria) from Oxford/AstraZeneca, which is made from replication-deficient chimpanzee adenovirus ChAdOx1 [17]. Efficacy and safety results for AZD1222 have been documented in 4 randomized clinical trials in the UK, South Africa, and Brazil [17]. Overall, the vaccine was safe across all 4 studies, and serious adverse events were evenly distributed among all study groups. A total of 168 serious adverse events were reported among 79 recipients of AZD1222 and 89 recipients of saline control [17]. One case of transverse myelitis was reported 14 days after the second dose of AZD1222; this was viewed as possibly related to vaccination, and a diagnosis of an idiopathic, short-segment, spinal cord demyelination was made. In South Africa, 1 patient had a fever higher than 40°C 2 days after vaccination, but the patient recovered quickly [17]. In another study, laboratory tests in 11 patients in Austria and Germany indicated either thrombocytopenia or thrombosis after being vaccinated with AZD1222 [18]. The Supplemental Figure shows the number of individual events by reaction group identified in the European database of suspected adverse drug reaction reports (EudraVigilance) for AZD1222 (up to January 15, 2022) [19].

Johnson & Johnson (Janssen) Ad26.COV2.S

The Ad26.COV2.S vaccine from Johnson & Johnson (Janssen) was the third COVID-19 vaccine approved to be used in the US. Ad26.COV2.S employs a human adenoviral type 26 vector platform [20]. The first 2 approved mRNA vaccines require 2 doses, whereas the Janssen vaccine is given as a single dose intramuscularly. Ad26.COV2.S was granted an EUA by the FDA on Feb 27, 2021 [14]. Low- and middle-income countries prefer adenoviral vaccines because they do not require high-level cold-chain storage, and Ad26.COV2.S requires only 1 dose [20].

After 6 recipients were diagnosed with cerebral venous sinus thrombosis and thrombocytopenia, the FDA and the Centers for Disease Control and Prevention (CDC) recommended a pause in the administration of Janssen vaccines [21]. In Europe, reports of similar thrombotic events have been observed primarily among women younger than 60 years after receiving the AstraZeneca AZD1222 vaccine [20].

Sputnik V

Sputnik V (Gam-COVID-Vac) is a 2-part adenoviral vaccine against SARS-CoV-2. Specifically, it contains the DNA for the spike protein encoded by SARS-CoV-2 that the virus uses to infect human cells. An immune response is triggered to the spike protein [22]. This vaccine consists of 2 adenoviral vectors (rAd26 and rAd5) administered in separate doses, 21 days apart. [23] The use of recombinant adenovirus is similar to the Oxford AstraZeneca and the Janssen vaccines [17, 24].

The Gamaleya National Center of Epidemiology and Microbiology in Moscow was already devising prototypes of Sputnik V when the WHO declared COVID-19 a pandemic [25]. In September 2020, researchers published results from phases I and II of an open, nonrandomized trial of 76 participants [26]. All participants were reported to have developed antibodies against SARS-CoV-2. Pain at the injection site (44 [58%]), asthenia (21 [28%]), headache (32 [42%]), hyperthermia (38 [50%]), and muscle pain (18 [24%]) were among the most common adverse events. Serious adverse events were not observed [26]. The rapidity and lack of transparency in the development of the Sputnik V vaccine have been criticized, however [27].

The phase III interim report included results for more than 20,000 participants. The vaccine was not directly linked to any serious adverse events. However, 45 participants who were given the vaccine and 23 who were given the placebo experienced serious adverse effects that were not related to the vaccine [26].

SURVEILLANCE PROGRAMS

To confirm vaccine safety, an objective analysis of adverse effects and potential adverse reactions is required. To this effect, several surveillance programs are used. The Vaccine Adverse Event Reporting System (VAERS), created by the CDC and FDA, monitors adverse reactions after vaccination (Figure 2) [28, 29]. Reports can be submitted by vaccine manufacturers, health care providers, and the general public. VAERS requires reporting of various adverse events by health care providers, including deaths, as part of the European Union Agreements on COVID-19 vaccines [28].

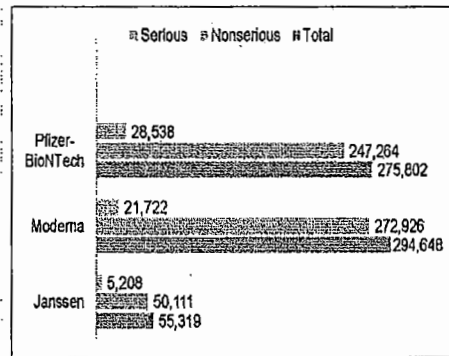


Figure 2

Vaccine Adverse Events According to the Vaccine Adverse Event Reporting System [29]. Events reported through October 7, 2021.

VAERS database entries do not indicate a causal relationship between vaccination and the cases. In addition, the VAERS database is based on passive surveillance and therefore could be biased or contain errors resulting from reporting bias. Because of the large number of vaccines administered and the prevalence of serious adverse events in the population, some cases of these conditions may occur by chance during the postvaccination period, unrelated to the vaccines themselves [30]. Constitutional symptoms reported to VAERS as of January 7, 2022, are shown in Table 1 [31, 32].

Table 1

Constitutional Symptoms Reported to the Vaccine Adverse Event Reporting System as of January 2022.

Symptoms	Vaccine Manufacturer		
	Pfizer-BioNTech	Moderna	Janssen
Chills	52,401	51,189	12,590
Dizziness	57,390	32,472	9,186
Dyspnea	40,930	20,218	4,887
Fatigue	82,486	57,543	12,248
Headache	97,265	67,239	17,831
Injection site pain	13,090	25,668	4,029
Nausea	55,440	38,089	9,082
Pain in extremity	46,927	38,874	6,753
Pyrexia	73,542	63,024	15,097
Total	519,471	394,316	91,703

The v-safe program is a system of surveillance using text messages to collect information regarding vaccine adverse effects. In v-safe, vaccine recipients are consistently prompted to complete short medical surveys, including an inquiry about the injection site and systemic reactions and health effects. When enrollees seek medical care, the v-safe call center notifies them and encourages them to fill out a VAERS report [28].

SPECIFIC ADVERSE EVENTS

Thrombosis

Recently, several reports of thrombocytopenia with thrombosis, most notably cerebral venous sinus thrombosis or cerebral venous thrombosis (CVT) within 28 days of vaccination, have been associated with Ad26.COV2.S (Janssen) and AZD1222 (AstraZeneca) (Table 2), both of which use the adenovirus-vector platform [19, 33]. Reports of thrombosis could have implications for vaccine uptake all over the world. Consequently, many nations have altered their vaccination guidelines. AZD1222 was made available only to adults older than 40 years in the UK, older than 55 years in Canada, and older than 60 years in Germany [33–35]. As a result of 6 reports of CVT, the FDA and CDC recommended a pause in the administration of Ad26.COV2.S vaccine in the US on April 13, 2021 [21].

Table 2

Cases of Cerebral Venous Thrombosis and Cerebral Venous Sinus Thrombosis by Age and Sex^a.

Sex	Age, y			
	18–64	65–85	>85	Not Specified
Women	142,287	18,503	546	9,505
Men	43,474	7,995	302	3,082
Not specified	2,349	563	16	2,092

^aCerebral venous thrombosis and cerebral venous sinus thrombosis cases reported to EudraVigilance for COVID-19 vaccine AZD1222 (AstraZeneca) up to January 15, 2022.

New-onset severe headache is an important symptom of CVT and occurs in up to 67% of persons within the first few days after COVID-19 immunization [36]. It is critical for health care providers to diagnose CVT in vaccinated patients and to evaluate and treat patients with suspicion of immune-mediated thrombocytopenia with thrombosis resulting from vaccination. A CVT event occurs when the smaller draining cortical veins or the cerebral venous sinus system are completely or partially occluded [37]. It is more likely to occur in young adults and is 3 times as common among women than men [38].

Antibodies to platelet factor 4 (PF4) were detected in several patients who had CVT events after vaccination with Ad26.COV2.S and AZD1222 vaccines, which mimicked autoimmune heparin-induced thrombocytopenia [39]. Antibody complexes involving PF4 are formed which bind the Fc gamma receptor of platelets, form crosslinks, and activate the platelets [18]. Similar to heparin-induced thrombocytopenia, when platelets are consumed, thrombocytopenia is precipitated, and when monocytes and platelets are activated, thrombin production increases, which leads to thrombosis. In addition, an increase in D-dimer levels is seen, and eventually, it leads to disseminated intravascular coagulation [18]. The reason for adenoviral vector vaccines being associated with PF4 antibody production and thrombosis is unknown, but animal trials have shown that adenoviral vaccines can be biodistributed in the brain. Therefore, the presence of spike protein in the cerebral tissues can trigger an autoimmune reaction and eventual thrombosis [40].

The development of CVT is 41 times more likely in patients with COVID-19 than those without COVID-19, according to analyzed TriNetX data [41]. Thus, COVID-19 vaccination provides an overall benefit. In the US, on April 27, 2021, authorities decided to resume the use of the Ad26.COV2.S vaccine in all adults older than 18 years [42]. However, the CDC included a warning for women younger than 50 years on the risks of thrombosis associated with this vaccine [43].

Guillain-Barré syndrome

In developed countries, Guillain-Barré syndrome (GBS) is one of the leading causes of acute flaccid paralysis, characterized by autonomic dysfunction, sensory abnormalities, and varying degrees of weakness. Although the specific pathophysiology is not known, this disorder is believed to result from an autoimmune response [44].

mRNA from the approved mRNA vaccines gains access into the human cell and directs it to synthesize a copy of the spike protein found on the virus's surface and produce antibodies against it. These antibodies become primed to inactivate the virus before it can cause the disease. Sometimes, however, a patient's immune response can trigger the synthesis of antibodies against myelin, causing GBS [45].

A case of GBS was seen in the UK in a 62-year-old woman who had paresthesias and weakness of the lower limbs 11 days after her initial dose of AZD1222 vaccine [46]. Another 82-year-old woman received her initial dose of the BNT162 vaccine 2 weeks before the diagnosis of GBS [45]. Approximately 17 cases of GBS develop per million people worldwide each year. With previous 1976 Swine flu and 2009 H1N1 vaccines, studies showed no increase in cases of GBS after vaccination [47]. To date, there is no substantial evidence that any of the COVID-19 vaccines cause GBS. Furthermore, no association was found between infection with COVID-19 and GBS. As a result, there is a low probability that GBS incidence will increase after COVID-19 vaccination [48]. COVID-19 poses a much greater risk of mortality and morbidity for adults than GBS does [49].

Acute transverse myelitis

Acute transverse myelitis is an uncommon neurologic condition affecting people aged 35 to 40 years at an incidence of 1.34 to 4.6 cases/million adults per year [50]. Of the reported adverse events after immunization recorded in the VAERS, 341 were neurologic events, 122 of which were cases of transverse myelitis [31]. Interleukin (IL)-17 and IL-6 appear to be involved in the pathogenesis of transverse myelitis. In myelitis, cerebrospinal fluid analysis findings show increased IL-6 levels [51]. By regulating cytokines, IL-17 stimulates astrocytes to produce IL-6, which forms nitric oxide metabolites and causes CNS damage [51].

Three cases of transverse myelitis were reported in the trial phase of the recombinant AZD1222 vaccine. Among these 3, 1 case had a background of multiple sclerosis; another was initially termed a potentially related case, but this was later ruled out by experts [17]. The presence of chimpanzee adenovirus antigen in AZD1222 may instigate immune responses targeting the spinal cord, which may in turn result in acute transverse myelitis [52]. COVID-19 - associated acute transverse myelitis should be investigated to identify the responsible antigen and explore immunopathogenesis.

Myocarditis and pericarditis

Myocarditis is an inflammation of the myocardial tissue without signs of ischemia and has various causes and diverse patterns [53]. In a study involving 7 patients with myocarditis between February 1 and April 30, 2021, 4 were diagnosed within 5 days after receiving COVID-19 vaccination. These 4 patients, who had received the second dose of an mRNA vaccine, reported chest pain and had increased biomarker levels suggestive of myocardial tissue injury. Cardiac magnetic resonance imaging results showed characteristics of myocarditis [54].

According to the CDC, more than 10,000 reports of myocarditis were reported to the VAERS after COVID-19 vaccination (Pfizer-BioNTech and Moderna) in the US (Table 3) [29]. These reports, however, are infrequent compared with the hundreds of millions of vaccine doses that were administered without adverse effects. The majority of the confirmed cases have been in teenagers and young adults 16 years or older and were often seen after receiving the second dose of the vaccine [55]. In a study of 200,287 persons, medical records from 40 hospitals in California, Montana, Los Angeles County, Oregon, and Washington were reviewed to identify cases of myocarditis and pericarditis after vaccination [56]. Myocarditis developed in 20 persons and pericarditis in 37. The incidence of myocarditis was highest among younger patients, generally after the second dose. However, older patients had development of pericarditis after the first or second dose [56]. In another study, vaccination for COVID-19 led to myocarditis in 23 male patients, 22 of whom were healthy members of the military [57]. In the majority of the patients, the diagnosis was made at least 4 days after the second dose of vaccination [57]. The clinical course and presentation suggest an association with vaccination-induced inflammation.

Table 3

Myopericarditis Events and Related Deaths Reported to the Vaccine Adverse Event Reporting System as of January 7, 2022.

Vaccine manufacturer	Myopericarditis events	Deaths
Pfizer-BioNTech	7,805	122
Moderna	2,720	36
Janssen	160	11
Unknown	20	3
Total	10,705	172

Cutaneous reactions

In a study from December 2020 to February 2021, 414 cutaneous symptoms were noted after administration of an mRNA vaccine [58]. Injection-site reactions, with delayed local reactions and urticarial and morbilliform eruptions, were the most commonly observed findings. Among recipients with first-dose reactions, 43% also had recurrences after their second dose [58]. Other reactions less commonly reported were pernio/chilblain, pityriasis rosea-like reactions, zoster, cosmetic filler reactions, and herpes simplex exacerbations. Some dermatologic symptoms, like pernio/chilblain, imitated COVID-19 symptoms. None of the patients reported serious adverse effects after receiving either of the doses [58]. As a result, researchers concluded that COVID-19 vaccination generally causes only mild and self-limiting reactions, and people should not be discouraged from the vaccination because of them [58].

Glomerular disease

Since mass-vaccination campaigns began in January 2021, the incidence of vaccine-associated glomerular disease has increased [59]. Symptoms of recurrent glomerular diseases or new glomerular diseases have appeared, especially after administration of the mRNA vaccines. The pathogenesis behind vaccine-associated glomerular disorders is not clearly understood. However, an immunogenic response to vaccines has been noted as a possible cause [60]. Minimal change disease, anti-glomerular basement membrane disease, membranous glomerular disease, and immunoglobulin A nephropathy are some of the glomerular lesions observed after vaccination [60]. Some case reports have described patients with gross hematuria after vaccination who were later found to have immunoglobulin A nephropathy. The majority of vaccine-related cases were typically seen within 1 to 3 weeks after vaccination [59]. Management of the glomerular disease must be on a case-by-case basis depending on the severity and remission status, because the benefits of vaccination outweigh the rare risk of glomerular disease.

CONCLUSIONS

COVID-19 is a global health concern that has spread worldwide [61] and has dramatically changed global sociopolitical, economic, and cultural aspects of humanity [62]. COVID-19 vaccines became more and more critical due to the limited prevention and treatment options available [63]. To end the pandemic crisis, the development of affordable, effective, safe, and transportable vaccines has become necessary. Some risks are associated with COVID-19 vaccinations, but no vaccination is entirely safe. Generally, short-term adverse effects of the COVID-19 vaccines present with mild symptoms. The most common symptoms are localized pain and swelling at the injection site, fever, headache, myalgia, and chills. Cases of thrombosis, notably CVT, are mostly seen with the adenoviral vector vaccines. Adverse effects such as myocarditis, glomerular diseases, and cutaneous eruptions are seen with the mRNA vaccines. The majority of vaccination reactions peak within the first 6 weeks after receiving the vaccine, but tracking over a longer time frame may provide insight into any future adverse reactions and rule out reactions that are falsely attributed to vaccinations. It is essential to identify the underlying immunologic and nonimmunologic mechanisms of adverse events so that appropriate policies are adopted, keeping safety in mind.

Supplementary Data

Supplemental Figure

[Click here to view \[24M, 0\]](#)

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Footnotes

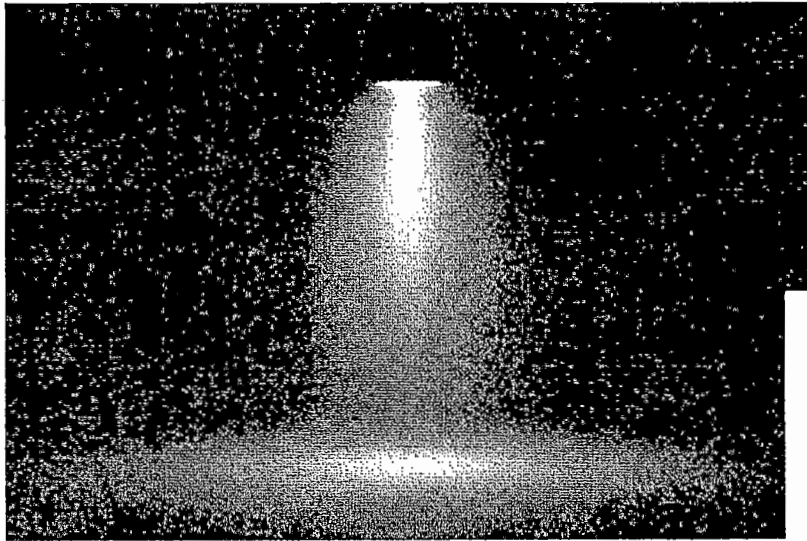
Conflict of Interest

None to declare.

Funding

None to declare.

REFERENCES



Dark Truth Revealed: Medical Censorship, Dubious Networks and the Medical Council of New Zealand

[Censorship & Politics](#)



I have never met a doctor, when I bring up the Federation of State Medical Boards, who knows what I'm talking about ... The medical councils of the world have been captured by the Federation. We should not be allowing a private corporation to be influencing medical councils like this. If we stand by and we let the Medical Council of New Zealand incorporate this into their policies and procedures, that will be the final gag on anything that a doctor says counter to the mainstream narrative. ~ Dr Bruce Dooley

Dr Dooley is an American trained private medical doctor who has been practicing in New Zealand for some years. After receiving a Master's degree in immunology and virology he attended medical school, where he learned

very early on, of the grooming that the pharmaceutical industry engage in with doctors and medical students. He gave an [explosive interview](#) with Liz Gunn at [FreeNZ Media](#) on 24 September 2022.

A Tale in History: Corruption of the Medical Council of New Zealand?

In the early 1900s most treatment processes were “natural medicine”, involving interventions aimed at [maintaining a healthy terrain](#). Described well by Robert F Kennedy Jr in [The Real Anthony Fauci](#), America had around 2,000 medical schools at that time, teaching a range of interventions. Oil magnate John D Rockefeller eliminated the majority of them, reducing the number to around 150, all of whom focused on allopathic medicine, which follows the pharmaceutical model using petroleum based medicine. This became known as “mainstream” whilst all other interventions were marginalised as “quack medicine”.

The [Federation of State Medical Boards](#) (FSMB) is a private organisation founded in 1913, now based near Dallas in Texas and with a branch in Washington, DC. It is not known if Rockefeller was involved in its formation but the timing makes it seem plausible. An international arm based at the same Texas address, the [International Association of Medical Regulatory Authorities](#) (IAMRA), was established in 1994, of which the Medical Council of NZ is a [member organisation](#).

These organisations operate with a cloak of secrecy such that most doctors are unaware of their existence despite the inordinate power that they wield over medical practitioner regulatory authorities. Our concerns about this privatised, Machiavellian global monopolisation encroaching on the regulation of New Zealand medical practitioners were [recently raised by Dr Emanuel Garcia](#). Dr Dooley outlines the ways in which the intrusion plays out. He refers to the aim of medical councils being to “reduce harm to patients”. The [primary purpose of the MCNZ](#) is to ‘protect patients and the public’.

As our own [Dr Matt Shelton learned](#), having a medical opinion which he is adequately qualified to have, but which is not consistent with the pharmaceutical industry business model, is now enough to be considered as causing “potential harm”. Dr Dooley uses Dr Shelton as an example in his description of this public health crisis. He asks why the Medical Council of New Zealand’s letter of suspension to Dr Shelton was copied to the FSMB?

Dr Dooley learned about the FSMB whilst living in Florida, USA in the mid-1990s. He was practicing EDTA chelation therapy, an extremely safe and effective intervention for patients with heart disease and other chronic conditions. A politically connected cardiologist appointed to the local medical council tried to have chelation therapy made illegal, as successful patient outcomes were reducing his patient load.

Dr Dooley found himself before a disciplinary board on the matter, where he overheard mention of the FSMB. Curious to know who they were, he found out and attended the annual FSMB meeting in order to understand who they were, what they were doing and how. He describes FSMB as a private organisation of unknown funding offering luxurious "wine and dine" experiences including an awards ceremony, a library with free books and other gifts, to members of the medical councils.

Ways to suspend the licenses of so-called "quack" or "fringe" doctors were openly discussed at the event. At the time doctors and patients were pushing for medical freedom, and a movement was growing. FSMB encouraged medical council delegates to lobby lawmakers to restrict this movement, using the argument of needing medical council control for protection of public health. Medical council delegates (government employees) voted on policy written by the FSMB (a private organisation), which they had not seen until it was presented to them at the voting event during the annual conference.

The end result was the creation of new laws further crushing the rights of doctors to practice autonomously. It appears this has been happening for decades, and has since spread across the world via IAMRA.

Dr Dooley then testified at the White House Commission on Complementary and Alternative Medicine Policy, under President Clinton. This two year project produced great outcomes around how complementary medicines could impact population health but no action was taken. In his testimony he told the commission what he knew of the FSMB and declared that private organisations should not have the right to influence medical councils in this way.

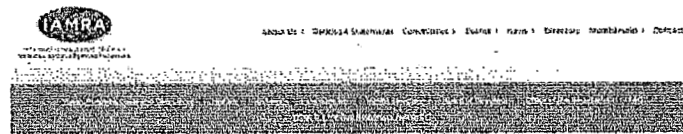
In 2021 the FSMB made this public statement, which Dr Dooley describes as a "battle cry to the medical councils". Interestingly it coincides with a meteoric rise in "dissident" doctors being disciplined and de-licensed by medical councils across the globe.

A few months after this notice was published, the FSMB conducted a survey of the medical councils and found a 56% increase in complaints about misinformation and disinformation from physicians. They concluded that they would therefore formulate policy relating to physician mis- and disinformation, to be voted on at the next annual conference. The vote took place in April 2022, and policy has been voted in confirming the right to delicense medical doctors spreading mis- and disinformation. This action is an incredible display of Hegelian Dialectic..



With no medical qualifications, Joan Simeon is currently the CEO of the Medical Council of New Zealand, where she has worked for 19 years following ten years as a practice manager at a medical imaging company. Demonstrating the intensely globalist networks between FSMB, IAMRA and their member organisations, Ms Simeon is the incoming Chair Elect of IAMRA. Dr Dooley reveals that IAMRA secretary and FSMB President/CEO, Dr Chaudhry, earns a salary of US\$700,000. No doubt Ms Simeon anticipates her own bonanza. Where does all this money come from? Both IAMRA and

FSMB are run as registered charities, meaning their donors can remain opaque.



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Jean Simeon
 Director
 Director
 Medical Council of New Zealand



Dr. Tebago Kogeleto Solomon
 Director
 Director
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SECRETARY
 Secretary and CEO
 The Federation of State Medical
 Boards of the United States

Dr Dooley describes the heartache he feels, watching the profession he loves so much, crumble. Public trust in the medical profession has been devastated. Nurses have confided in Dr Dooley, that to vent their horrors at what they are seeing today, they leave their phones behind and congregate in the hospital car park to speak in confidence as they know their careers could be jeopardised if they are heard "wrong speaking".

Ms Simeon has already written to every licensed New Zealand doctor, saying that (her untrained definition of) misinformation and disinformation is being spread by "a few doctors". On this, we agree with Ontario Supreme Court Judge Pazaratz, who asked if "misinformation" is even a real word ... Or has it become a crass, self-serving tool to pre-empt scrutiny and discredit your opponent?"

The Medical Council of New Zealand have requested the input of doctors on a policy resembling, if not identical to, that passed in April by the FSMB, prior to voting on it. Dr Dooley warns: this will be the final gag on the right of doctors to speak on matters relevant to their clinical expertise, that are not in keeping with the mainstream narrative. NZDSOS disagrees slightly with

having sat back quietly while early covid treatments were fraudulently suppressed, enforcing the One Source of Truth's narrative using a very large stick approach. It has ensured most of the profession has already given up its autonomy and independent thinking out of fear.

We know of dead and injured doctor casualties from the job's enforcement, and we will not rest until all the enablers are held to account. Based on the increasing body of evidence showing lies and deception, it really should not be long now.

Dr Dooley concludes correctly that we need to disentangle our health care regulatory bodies totally from these powerful and malign influences. The Medical Council of New Zealand must disengage from the international bodies and the government must allow open debate on issues of public health.

Watch: Dr Dooley Outlines Concerns Regarding Dubious Networks At The Medical Council of New Zealand

Dr Dooley's story belongs to every New Zealander, and particularly every New Zealand doctor and licensed health care practitioner. Big Money must not be allowed to beat integrity and experience.

Liz Gunn has put a call out to Joan Simeon, for an interview to discuss the issues raised by Dr Dooley.

Please share this story far and wide.

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COVID-19 and Medical Board Tyranny

Steven LaTulippe, M.D.

The COVID-19 pandemic may someday be the subject of countless volumes of literature describing it as a sinister man-made global plague. In today's America, it has introduced a dark age of medical science. Nowhere has this fact been demonstrated more clearly than by the actions of state medical licensing boards, most of whom take their cues from the Federation of State Medical Boards (FSMB). Their drive to control medical practice has been gaining momentum for decades, but their current stance and methodology is an all-out assault on the once noble and legitimate medical profession.

Having received the infamous honor of being the first medical doctor in the U.S. to have my medical license first suspended, then fully revoked, because of COVID malevolence, I've learned many lessons about exactly how state medical boards have honed the process of destroying good physicians.

Now, to be sure, there are no perfect physicians, just as there are no perfect people. But a serious problem must exist when the Oregon Medical Board (OMB) is able to take down a physician who has done no harm and who actually had no patient complaints concerning the board's allegations against him.

In this story of my experience, I am just an example. It exposes the corruption and dirty secrets of an agency that is out of control, without accountability, and devoid of any regard for the best science and sound medical practice. State medical licensing boards have evolved into monsters that devour any medical practitioners in their path who do not comply with the government narrative. When government goes rogue, the medical system becomes an unholy alliance that ultimately wreaks havoc on patients. When the physician-patient kinship is compromised, the healing arts suffer greatly. Any collaboration between government and medicine spells disaster.

When Nothing Makes Sense, Think In Terms of Evil

In late October 2019, I treated my first patient who presented with a full-blown influenza-like illness that typified what in several months would be attributed to SARS-CoV-2. I wasn't particularly disturbed by the illness, having seen similarly severe cases over the past decade.

When the COVID-19 pandemic was declared on Mar 11, 2020, I had treated only about 75 patients with the syndrome. They varied in age, but all severe cases were adults, many with comorbidities. They all recovered in about a week's time and all resumed their normal lifestyles. My treatment for severe viral illnesses had worked successfully for decades. It included a pulse dosing of high-dose prednisone, a high-dose topical steroid inhaler, azithromycin or doxycycline, a beta-agonist inhaler, and a generic oral hydrating solution. Simple as that.

What caught my attention about this virus was not so much the virus itself, but the seemingly nonsensical approach to this mysterious pandemic. All the best studies regarding masking concluded that masking was worthless, yet overnight Dr.

Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases and the President's chief medical adviser, suddenly claimed that masking could help, and maybe two masks were better than one. Really?

That message opposed the then-current standard of care. Then, doctors were advised to close their clinics for two weeks. But isn't it the duty of physicians to treat the sick? Why close a clinic when clinicians are most needed? To the best of my knowledge, I was the only doctor in Polk County to keep my clinic doors open throughout the pandemic, staying faithful to my duty to put the patient first—always.

In the early days of the pandemic, my patients who became ill over the weekend were calling for treatment appointments on Monday. They all told stories of being turned away at emergency departments and urgent care clinics. They received no treatment and were advised to quarantine at home for two weeks, and if their lips turned blue to go to the hospital. I had never heard of such advice before. This was not medicine. As people were being told to cover their faces, social distance, close their businesses, and then to take an untested new type of mRNA "vaccine," I began to feel that I was living in Alice's Wonderland where nothing made sense.

My office staff and I had never masked, and all the patients I treated recovered swiftly. My standard cold and flu season protocol worked very well. We had no problems with disease spread, and no cases were traced to my office. Neither my staff nor I ever got sick. And I had even treated a couple patients who were in overt heart failure and had been refused treatment in the emergency department or by their specialists.

Absolutely nothing made sense, until I started putting the pieces of the puzzle together. People were living in fear and confusion. I soon concluded that this was intentional. As the accumulating evidence revealed that the SARS-CoV-2 virus was patented, as was also the reported "cure-all" vaccine, I suspected foul play. Whatever this pandemic was, it appeared to be planned, and it was evil. That would explain an otherwise inexplicable pattern.

The Cost of Truth-Telling

In December 2019, I opened my first-ever social media account on Twitter, at the behest of my publisher, who suggested it to promote a book that I had just launched: *Unity Without Compromise: a Biblical Basis for Christian Union*. The comments popping up on Twitter at that time were disturbing. People seemed so confused and distressed about this virus. Maybe it was my Ph.D. training in microbiology that induced my reaction, but I couldn't resist responding with comments of common sense and what our best scientific studies had taught us. In no time, more than 30,000 Twitter followers revealed how desperate they were to hear the truth. But "Twitter Jack" Dorsey, Twitter's co-founder and now former CEO, didn't like what I had to say, and I was often censored. By then I knew why.

Unfortunately, I never did get to market my book. The COVID-19 panic consumed my time.

On Aug 13, 2020, I received a notice from the Oregon Medical Board (OMB) that it had "received a complaint regarding unprofessional conduct and has opened an investigation."

It alleged three things: 1) Licensee is not following social-distancing guidelines in his practice and care of patients; 2) licensee is advising patients and the public that masks required under the current guidelines do not work and should not be worn; and 3) licensee has been posting to social media statements discouraging citizens from adhering to distancing guidelines specific to COVID-19.

I responded to the allegations, stating that I had no immediate recall of specifically addressing social-distancing guidelines, but I affirmed my position that masks are not an effective viral barrier, and I gave my patients informed consent regarding scientific mask data and allowed them to choose for themselves to mask or not in my clinic. My patients were most grateful for the honest information. I heard nothing further from OMB after submitting my response.

Almost 4 months later, I attended a political rally at the capitol in Salem. By that time, I had concluded that some serious chicanery was involved in the pandemic response. It was too coordinated, and it defied all the best current science. Unexpectedly, on Nov 7, 2020, I spoke to a large crowd about masking, my highly successful early treatment of COVID, and the fact that the government was trying to shut us down and control us.

The Multnomah County (Portland) Republican National Committee had recorded my speech and made a YouTube video of it that went viral globally. Apparently, the next day the video reached the eyes of OMB, and on Nov 9 the OMB medical director sent me a threatening letter advising me that I "may be in direct and active violation of current Governor Executive Orders" specifying that "elective and non-urgent procedures across all care settings that utilize PPE are allowed, but only to the extent they comply with guidance or administrative rules issued by the Oregon Health Authority."

The letter further stated that these "legal mandates" require all people to wear "properly fitted facemasks" when indoors in any care setting, this because "[i]n]masking has been shown to significantly reduce the spread of the novel coronavirus responsible for the current worldwide pandemic." Of course, that statement was contradicted by the scientific evidence. But according to OMB's medical director, my care "may be found to be negligent and may also constitute unprofessional or dishonorable conduct" and therefore "may be subject to administrative sanctions." He concluded, "Thank you for your prompt attention to these matters."

My prompt attention apparently necessitated a surprise visit from a board investigator, who requested five minutes of my time. I spent more than an hour explaining to him my disease prevention protocol, my 100 percent success in treating COVID-19 patients, and all the best science on masking—to no avail. His "investigation" got about nearly everything about my case wrong, except that my staff and I were not masking. He lied, fabricated, and misrepresented data, and his bias was clearly to support the government party line. His investigation was shoddy at best; he acted more as a prosecutor than an investigator.

The next morning, after the entire world had been notified, the investigator advised me that OMB suspended my license

by "emergency" order. No explanation. No due process. No free speech protection. Guilty as charged, allegedly for not practicing medicine according to Governor Kate Brown's "legal mandates." I was unaware that an unlicensed governor could practice medicine in Oregon. Nothing was legal with these decisions, and I quickly sought counsel and filed a federal lawsuit against OMB.

The board does all its damage in administrative courts, and is highly skilled in staying out of a real courtroom. OMB immediately petitioned to dismiss my case on the grounds of it having "judicial immunity." It took a year for the judge to respond, but my federal lawsuit was dismissed—after OMB blindsided me with a new "Complaint and Notice of Proposed Disciplinary Action" on Jul 16, 2021. To all the previous "findings" related to COVID guidelines, this complaint added conclusions from two fraudulent pain medicine investigations that had been opened in 2019 and never closed.

Medical Boards' Tyranny in Pain Medicine

OMB has been on the warpath against all doctors practicing pain medicine at least since the Centers for Disease Control and Prevention (CDC) chronic opioid prescribing guidelines surfaced in 2016. When a pain patient of mine repeatedly refused to abide by one of those guidelines, and then verbally abused my staff, I terminated his care. The patient's partner's friend filed a complaint against me, unbeknownst to the patient himself (so the accuser stated in a personal letter to me). Though my action was clearly justified, OMB opened an investigation.

Less than a month later, on Dec 10, 2019, I received another notice from OMB, this time stating, "The Oregon Medical Board has received a complaint regarding your care and treatment of [seven additional] patients...and have [sic] opened an investigation." The vague charge was that "Licensee is not following the guidelines for the treatment of chronic pain." Once again, "guidelines" were cited, but not a mention was made of what guidelines I was being accused of not following. Five of these seven patients actually wrote affidavits on my behalf after OMB suspended my medical license.

At the ensuing Investigative Committee meeting, several specialists took turns at setting traps for me. I focused on exposing their ignorance about pain medicine. They called for the meeting to end, but I challenged them, stating that according to their policy, I could now ask them questions. Although the chairman insisted they were out of time, I continued. "Why did you open an investigation on a patient who was rightfully terminated for not following the 'guidelines' and violating his opioid agreement?" No answer. Second question: "Was there a complaint filed against me by seven patients regarding my treatment of their chronic pain?" They responded that they could not give out the names or discuss anything about anyone who files a complaint. That wasn't my question. I repeated, "Was a complaint actually filed against me about these seven patients?" Thirty seconds elapsed. No answer. My attorney then spoke up for the first time and stated, "You didn't answer Dr. LaTulippe's question." He repeated the question. Again, no answer. Just silence.

I immediately sent OMB medical literature to support my position against the erroneous claims regarding pain management. Then I heard nothing further for some time. The investigation was left open.

Medical Board Retaliation

The proposed disciplinary action dated Jul 16, 2021, included fully revoking my license and fining me \$10,000. The day before this complaint was filed, my wife and I left the state to visit our daughters in Arizona, and we put our mail on hold. Our intent was to be gone four weeks, but we extended our stay for seven weeks. Upon our return, we found a letter from the OMB sent by regular-service mail; the certified letter had been returned unopened after two weeks. The letter announced their proposed action and gave me three weeks to respond. Not having received the notice, I responded four weeks late. I mailed the letter certified, and at the same time received a notice that a default order for revoking my medical license and the \$10,000 fine were acted upon because I had not responded. Again, no due process. OMB made no attempt to contact me, despite having my email address and cell phone number.

After receiving my response, OMB refused to reconsider. And since my license was revoked because of additional pain "findings," the board's petition to dismiss my federal lawsuit was granted. I appealed the case for judicial review, but at the time I had no legal representation. Now that I have an attorney, I am a slightly less vulnerable victim. But delay after delay has greatly drawn out the legal process.

How Medical Boards Destroy Doctors

State medical boards can destroy highly qualified, conscientious, caring, and competent physicians for no other reason than that the doctors didn't follow the current political narrative. Although their stated purpose is to protect the public from rogue doctors who do terrible things to patients, the actual purpose of state medical licensing boards now includes policing dissenters who abide by their Oath of Hippocrates and actually base medical decisions on the best scientific evidence. How many good doctors have been removed? How could we find out? How do licensing boards get away with it, and why is the public unaware of their sordid tactics? The answers are compelling—and frightening.

The process of weakening and wearing down good physicians by state medical boards is systematic and can be described by what I call the six D's:

- Demoralize you,
- Divest you of your income,
- Destroy your reputation publicly,
- Divert attention from the real issue,
- Delay the litigation process for as long as possible, and
- Deprive you of licensure in another state.

A colleague encouraged me to apply for a Florida medical license because legislators there vowed to not deny a medical license to anyone persecuted by medical boards because of COVID. Such was my case. But after I filed a federal lawsuit against OMB for constitutional violations, it suddenly found cause to open new bogus investigations against me, citing ludicrous things that allegedly happened to patients that I hadn't seen for as long as five years.

I'm uncertain whether any of these fabricated cases are still open despite OMB's having revoked my license. The Florida Medical Board informed me that any open case would nullify my opportunity to apply for a Florida license to practice medicine. Since my case against OMB is now pending in Oregon Appellate Court, I was denied the state license. But all OMB had to do was

keep open a single bogus investigation—something they do all the time—to prevent me from ever again practicing medicine in any state.

Medical boards ruthlessly break the law with no fear of consequences, have zero accountability, and know full well that the rigged judicial system will always guarantee their victory against medical doctors. State medical boards can do whatever they want and they know it. Their methodology is based on five factors: Judicial Immunity, avoiding real courtrooms, capitalizing on the physician's weaknesses, ignoring the best science, and discarding all ethics.

Judicial Immunity

The ever-abused disclaimer of medical boards charged with any foul play is "judicial immunity." They assert that their actions were implemented under the protective canopy of serving as a judge. As judge, they declare themselves exempt from all charges such as character defamation, malicious prosecution, fraud, and even glaring constitutional violations that involve the First, Fifth, and Fourteenth Amendments.

Medical board members are selected by the state governor, and consist of a potpourri of medical and non-medical personnel. They have no legal expertise, but when it comes to taking down physicians, they are self-declared "experts." The legal system has rules that must be followed, but medical board accusers have their own unique set of rules. They would be quickly destroyed in a real courtroom, but they are able to work in a system that fully enables their methods: administrative law.

Administrative Court—the Quintessential Kangaroo Court

Unlike in civil and criminal courts, the composite medical board is assigned the role of judge, although the members have no training in jurisprudence. Their assuming full judicial authority is akin to practicing medicine without a license. Also, no due process of the law applies to these courts. There are no rules of evidence, and hearsay is fully admissible as "evidence" of wrongdoing.

Hearsay might involve a stranger far away who read an article or somehow heard about a doctor and decides he wants to file a complaint with the state board against the doctor. If such a "witness" makes any blind accusation against the doctor—whom he may not know in the least—then that surreptitious charge would be considered as evidence. If the accusation favors the bias of the medical board team, then it becomes very useful fodder in a board proceeding.

When a medical board takes action against a medical professional, such hearsay is memorialized in the widely publicized, unscrupulous mainstream media that adds its own twist, giving the public the false impression that this rumor or personal statement is a proven fact. In this way, even the most absurd and false claims (lies) are tied to the "villain," and his character is quickly destroyed. Of course, the board knows the claims are fallacious, but they will serve to incite the recruited vigilantes to attack their prey. Threats and insults and new accusations are sure to follow. And that rationalizes the board's deviant scheme.

All such accusers are given full protection by the board. That means the indicted medical doctor isn't allowed to know the identity of his accuser(s). It means no cross-examination is permitted. This allows the board to build a case against a doctor without any evidence of patient harm or actual wrongdoing.

An administrative law judge (ALJ) is assigned to these

hearings, but acts only in an advisory capacity. Since medical board members are clueless about judicial procedure, the ALJ facilitates medical board "judges" and makes recommendations that favor the board's actions and decisions. The bias of ALJs is readily obvious, as expected, since a huge conflict of interest compromises them: they receive their income from government agencies that they represent. In other words, the entire administrative court system is rigged. Judgment is already decided before the hearings begin. It is rare for a defendant to win in administrative courts. They are the quintessential kangaroo court.

Disarming the Victims of Medical Board Abuse

One of the most devastating actions committed by state medical boards against accused doctors is rendering them weak and unfit to ward off their vicious attacker. The moment a physician's license is suspended, his income is abruptly halted. Yet he must still pay out many expenses in the process of closing his clinic. How can he afford to hire an attorney? That's easy, just dip into life savings for retirement, or deplete the children's college funds. Then hire an expensive attorney who already knows the case is futile, but will go through the motions of defending you in the mock court. After all, it does provide the lawyer income. By that time, your funds are sufficiently depleted that you are extremely hesitant to appeal your case in civil court. What will that cost?

After all the libel and slander, abrupt loss of income, notifications that all medical affiliations, board certifications, insurance contracts, and hospital privileges have been canceled, the pending sense of doom begins to engulf you.

'The Science' Substitutes for Best Science

Throughout the fake court hearings, you realize that all the best evidence you presented to defend your actions and your honor meant nothing. The board accused you of not complying with a standard of care or best practices, when in fact, such standards were based on the weakest and most biased medical studies available, or simply on the whim of the state's "woke" health agencies. The best science was neither cited nor acknowledged. Good science was ignored. When I declared this elephant in the room, the board simply did not respond. All logic and strong evidence were overruled by some means or another by the ALJ.

Ethics and Morality Discarded

Exposing all the subtle discrepancies of justice that occur in a medical board action is a formidable challenge. State medical boards abide by no code of ethics, and they make their own definitions of good and evil. How else can one explain the fact that state medical boards have no problem with surgeons who mutilate, and render forever infertile, perfectly healthy young bodies under the guise of "gender-affirming care," while they will gladly crush a physician who actually heals the sick and first does no harm?

When ethics and morality are discarded, people will do whatever evil they wish, and justify it to themselves. Never will they consider the collateral damage they do. When OMB suspended my license, thousands of patients suddenly had no physician. One-half of my practice involved pain and addiction medicine. This population was doing very well under my care. Some of them now have suffered greatly, and in diverse

ways. One committed suicide. Several applied for disability compensation. Others returned to heroin and other street drugs. Some are depressed and anxious due to lack of quality care. A few have given up and slowly wilt away.

My receptionist derived much support from our "clinic family." She had been suffering from severe personal and family issues, but she thrived in my office. After my clinic closed, she moved and sought other employment. In a few months, she died from a substance overdose.

The Consequences of Such a System

I practiced medicine without blemish for more than 22 years before OMB took me down for telling the world that early medical treatment for COVID-19 was extremely effective. What if a small-town doctor showed the world that there is an effective COVID-19 treatment when Emergency Use Authorization for an experimental vaccine requires that no treatment be available? The loss to the pharmaceutical industry would be enormous. Thus, independent doctors must be sacrificed.

State medical boards are so powerful that almost all physicians are terrorized into silence and submission. I broke the rules, and I paid the price. I lost my license, my clinic, my home, my career, my reputation, and my means of supporting my family.

The evidence that OMB conveniently ignores is that no actual complaint was ever filed against me by any of my patients, and that I never caused any harm to even a single patient. I only did my job. OMB lied about a complaint being filed against me—a gross injustice. Will I ever be vindicated? In the world's eyes, it likely doesn't matter.

Restoring Medical Freedom

Some say that we need a parallel medical system in America, free from the pirated third-party system. Such a system would be incredibly effective at restoring quality medical care. But that would likely be the system's downfall. Independent doctors would still be a small minority. They would yet be attacked and threatened for doing their job faithfully. Thwarted by corrupt pharma, judges, lawyers, hospital CEOs, and many other colleagues, could they survive?

Medical freedom demands that we dissolve the Federation of State Medical Boards, which now advises every state's medical licensing board to punish doctors for speaking truth in medicine and insisting on informed consent. State medical boards must be dethroned. Litigation and legislative changes are vital.

Now is the time to act, as the evidence of the death and disease caused by malefactors in the disastrous COVID-19 response mounts. International and U.S. government agencies, and their officials, knew the truth. The truth will be told in history, but many lives will be saved if we boldly and loudly proclaim the truth now.

As individuals, we must all do what we can to better our world, and recognize that whatever the price of freedom, no cost is too great.

Freedom is only vanquished when the people forfeit their liberty. Once lost, this pearl of great price may never be restored.

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Disciplining Physicians Who Spread Medical Misinformation

Y. Tony Yang, ScD, LL.M, MPH[✉] and Sarah Schatzler QeBou, MD, MA

The combination of the rapidly evolving COVID-19 landscape and the widespread use of social media has created the perfect storm for viral dissemination of misinformation, leaving the health community struggling to communicate evidence-based guidance in a broad and timely fashion. Exacerbating this problem is a minority of health care professionals who promote falsehoods about COVID-19 and have thereby brought renewed focus to concerns about medical misinformation and the rights and responsibilities of health care professionals to communicate accurate, evidence-based information. Recently, there have been increasing calls in the medical community, including from the Federation of State Medical Boards (FSMB)¹ and professional certification boards such as the American Boards of Family Medicine (ABFM), Internal Medicine (ABIM), and Pediatrics (ABP),² to revoke the licenses and board certifications of physicians who promulgate medical misinformation, whose harmful claims tend to receive disproportionate attention based on their professional status. There have been reports of physicians refuting now widely accepted preventive measures, such as masking and vaccines, contrary to ample evidence supporting their efficacy.³ In addition, a small but vocal number of physicians continue to tout the benefits of now discredited treatments, such as ivermectin, which not only fail to successfully treat COVID-19 infection but may also put patients at risk.^{4,5}

Lessons learned from vaccine hesitancy research can help inform the dangers of physician spread misinformation, as vaccination is now the most important COVID-19 preventive measure available. Decades of research have consistently demonstrated that a strong physician recommendation is among the most important drivers of vaccine acceptance and uptake,⁶ and early surveys suggest that the same is true for COVID-19 vaccination.^{7,8}

Medical Boards and Disciplinary Proceedings

Physicians generally enjoy the privileges and responsibilities of self-regulation, but state medical boards provide oversight to ensure that rules are followed. The structure and authority of medical boards vary from state to state. Most boards are independent and maintain all licensing and disciplinary powers, while some are part of a larger umbrella agency such as a state department of health. For example, discipline against physicians accused of misconduct in New York is housed within the state Health Department's Office of Professional Medical Conduct.⁹ Each state's Medical Practice Act prohibits physicians from engaging in "unprofessional conduct." While states define unprofessional conduct differently, it is the most common reason for physician disciplinary action related to professionalism.¹⁰

Some state laws authorize disciplinary action against physicians who make false, deceptive, or misleading statements to the public. Generally, these laws apply only to statements made in connection with advertising, but some are worded broadly enough to apply in additional contexts.¹¹ Among the cases pursued by medical boards, none have imposed serious penalties against physicians thought to be spreading misinformation (Table).¹²



TABLE 1

Examples of Actions by State Medical Boards Against Physician Spreading Misinformation

State/Year	Case	Result
Illinois/2004	A complaint filed against a physician based on an online publication of "false and potentially harmful medical advice."	Voluntarily dismissed after the physician modified his Web site and stopped treating patients.
Arizona/2015	Investigation into a physician for anti-vaccine messages.	Investigation closed because none of the individuals who filed complaints against the physician had alleged problems with his "actual medical care."
Oregon/2020	Action against an "anti-mask" physician.	License suspension based on the physician's failure to comply with masking requirements in the treatment of patients, not statements made in public settings.
Georgia/2020	A complaint accusing a physician of publicly spreading false COVID-19 information.	No violation determined.
Texas/2021	A complaint of a physician spreading misinformation about hydroxychloroquine as COVID-19 treatment	The physician was fined \$500 for failing to explain harmful side effects to the patient upon prescription of hydroxychloroquine.

Disciplinary proceedings can be lengthy and challenging in nature. It is also not clear whether physicians—who are not government officials—have any legal obligation to promote public health, despite ethical and professional obligations.

Disciplining a physician who spreads misinformation is a judgment on the physician's competency. Professional governing bodies—including state medical boards—promulgate rules and standards by which members must abide. The right to practice medicine is a privilege granted by the state. If a physician intentionally spreads misinformation that puts the public at risk, the medical board has a duty to act.

Constitutionality and Concerns

Physicians have the right to free speech that prohibits government restriction, even if the content is false. But freedom of speech is not absolute. The Supreme Court has determined that there are 3 types of speech restrictions: *content-based*, *commercial*, and *professional*.¹³ Depending on the speech's nature, courts will apply varying levels of scrutiny when considering a ruling.

State medical board disciplinary proceedings against physicians disseminating misinformation can be considered *content-based* restrictions. A content-based restriction "discriminates against speech based on the substance of what it communicates."¹⁴ Content-based restrictions are presumptively unconstitutional and are only valid if the state shows that they are the least restrictive means of achieving a compelling state interest.

The arguments for disciplinary proceedings generally emphasize the potential harms to public health. But this is likely not enough to achieve constitutionality, because the state can mitigate the harm by disseminating factually accurate messages.

Many of the physicians implicated in the dissemination of misinformation have done so without offering anything for sale. In these cases, the commercial speech doctrine and its lower scrutiny do not apply.¹⁵ But even if the speech contemplates a transaction, "courts have demonstrated increasing reluctance to regulate commercial speech, emphasizing the rights of speakers rather than the state's interests in the health and welfare of community members."¹⁶

The *professional speech* doctrine has been applied by several federal appellate courts to limit the free speech rights of physicians or therapists. Some circuit courts have decided that when dispensing professional advice, physicians are entitled to less stringent First Amendment protections. According to the Ninth Circuit, while medical treatments require speech, a physician's speech in that context concerns treatment less than speech about public issues.¹³ In 2018, the Supreme Court upheld a California statute requiring licensed "crisis pregnancy centers" (which discourage women from seeking abortions) to notify women that California provided free and low-cost services including abortions.¹⁴ While the case may support the notion of the professional speech doctrine, it likely is not broad enough to cover speech entirely unrelated to practicing medicine, which is generally defined as providing a diagnosis or treatment to individual patients. When physicians make public statements about medical matters, they are not speaking to an individual patient.

Another important consideration is the concern about punishing physicians who stray from medically accepted standards when they believe the standard of care is misguided. Those physicians might be loery of expressing their thoughts if a state medical board could discipline against their opposing statements. This is especially concerning when guidance from public health officials change along the course of an evolving public health scenario. One notable example was Dr Anthony Fauci's opinion early in the COVID-19 pandemic that masking was not required. Since then, as evidence of COVID-19's transmissibility was augmented, masking became a clear emphasis.

However, formal professional channels exist for refuting widely accepted medical information—namely, through peer-reviewed publications. The peer-review process helps ensure the scientific rigor of the information presented and attempts to prevent low-quality information from reaching the scientific community.¹⁵ By subjecting their studies to the scrutiny of peer revisions, physicians who disagree with current medical standards have an avenue not only for expressing their dissent but also for sharing the evidence to support it, as well as a platform for public dissemination if accepted.

There is ample evidence of the so-called "medical reversals"¹⁶ that exemplify the power of the peer-review process. In the late 1980s, a group of drugs once widely considered essential for the prevention of sudden cardiac arrest following myocardial infarction was found to increase patients' mortality risk when compared with placebo.¹⁷ More recent examples include rejecting the practice of prescribing hormone replacement therapy for postmenopausal women and allergen avoidance for children at high risk of peanut allergy.

Potential Solution

Despite constitutional limitations, one solution draws on established disciplinary guidelines against lawyers who spread knowing or reckless falsehoods. Under this standard, a state medical board could discipline a physician who *knowingly* spreads medical misinformation (i.e., spreads disinformation) or spreads misinformation despite having serious doubts that the information is true (i.e., spreads information *recklessly*). In the legal profession, knowingly or recklessly spreading falsehoods is evidence of the lawyer's "fitness to practice" and as such warrants disciplinary action against the lawyer.

Within this framework, a state medical board would have to prove 2 things. First, the information spread was false. Second, the physician acted knowingly or recklessly. While medical knowledge is ever-evolving, some positions in the medical community have been accepted as factual cornerstones, such as the widely and roundly refuted suggestion that vaccines contribute to autism. Proving the physician's knowing or reckless mental state would require proving that the defendant acted with "actual malice"—that is "with knowledge that it was false or with reckless disregard of the statement's validity."

Proving malice does not require direct evidence of intent to deceive; rather, it can be established by evidence that statements were "fabricated," "the product of imagination," or "so inherently improbable that only a reckless man would have put them into circulation." A state medical board could prove a physician's actual malice by showing that his or her statements contradicted a settled medical consensus *and* were based on unverifiable sources or no evidence at all. This combination would allow the board to determine that a physician could not—in good faith—believe the unsupported statements when all responsible medical authorities have rejected those same statements.

Conclusion

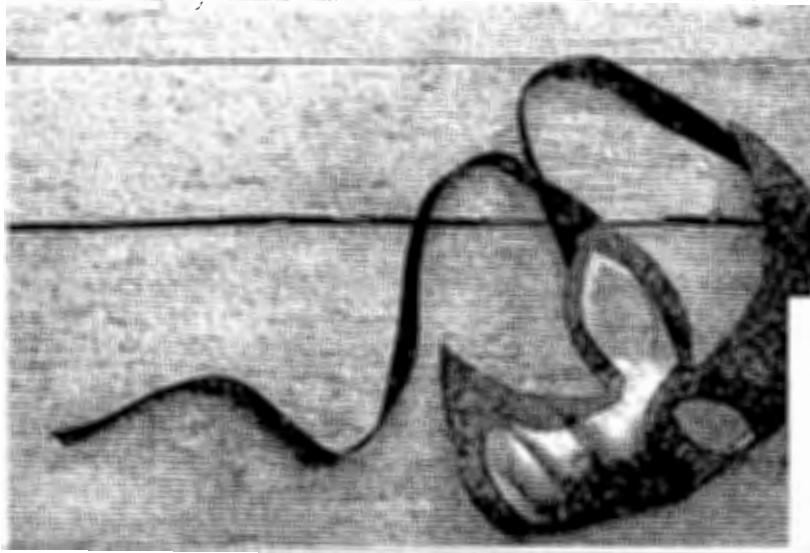
Disseminating health misinformation has only become easier in today's world of social media. Many have taken the position that state medical boards should act against physicians spreading misinformation regarding COVID-19 vaccines and other mitigation strategies. However, disseminating misinformation via social media is not the same as treating an individual patient. As such, physicians disseminating harmful misinformation are afforded constitutional protections. And while this may be harmful to society in the context of COVID-19, allowing physicians to challenge medically accepted standards has resulted in "medical reversals" of these standards throughout history. So, any limitations on physicians' speech must be narrowly tailored. Requiring state medical boards to prove that physicians are knowingly or recklessly spreading misinformation strikes the right balance.

Footnotes

The authors declare no conflicts of interest.

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Unmasking the Mystery of the Federation of State Medical Boards : Dr Emanuel Garcia in Discussion With Maajid Nawaz

[Censorship & Politics. What is Going On?](#)

Who Are the Federation of State Medical Boards?

Most doctors have never heard of the Federation of State Medical Boards (FSMB) despite the fact that they impose the rules and regulations that doctors are increasingly required to abide by. Dr Bruce Dooley brought them to [international attention](#) in his September 2022 interview with Liz Gunn at [FreeNZ Media](#). However our own NZDSOS founding member Dr Emanuel Garcia first wrote about them at [Global Research In August 2022](#) and he has remained [forefront in the exposé](#).

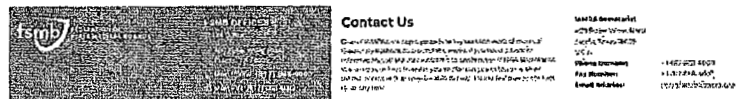
Hot on the tails of Dr Matt Shelton's [recent interview](#) with Maajid Nawaz, Dr Garcia has now spoken on the podcast [Radical](#). Their conversation focuses on the Federation of State Medical Boards and its influence on medical and health professional licensing authorities across the globe.

The Federation of State Medical Boards is a private entity connected to a charitable foundation whose donors are shrouded in secrecy but very likely to be primarily from the pharmaceutical industry. Founded in 1912, a year before the US Federal Reserve Bank, whose name also dishonestly implies governmental authority, the only connection between government and the Federation of State Medical Boards is the lobbying they undertake for political influence.

They are otherwise a corporate-funded organisation claiming a mission to safeguard patients by "*licensing, disciplining and regulating physicians and other healthcare professionals*". As has been revealed during the Covid-19 crisis, they do this by engaging in Mafia style strategies to silence opposition, serving to increase and fortify their own profits and control. They were instrumental in suppressing the integrative medicine movement in the 1990s and also appear to be implicated in America's opioid crisis.

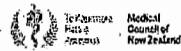


In conversation with Maajid Nawaz, Dr Garcia discusses how he came to learn about the Federation of State Medical Boards and how their influence impacted his own professional career as a psychiatrist working in New Zealand. Founded in 1994, the International Association of Medical Regulatory Authorities (IAMRA) is an expansion of the Federation of State Medical Boards, also claiming a goal of public protection by ensuring doctors are "*safe and competent*".



As a partnership both entities now influence medical and health professional regulatory authorities across disciplines, states and nations, including the Medical Council of New Zealand (MCNZ). Two New Zealand examples of the obvious conflicts of interest involved are:

- Joan Simeon is both CEO of MCNZ and Chair-Elect of IAMRA;
- Curtis Walker is Chair of MCNZ and member of the Federation of State Medical Board's Task Force on Health Equity and Medical Regulation.



Joan Simeon
CHIEF-EXECUTIVE



Joan Simeon
CHAIR-ELECT
(from 2020, then serves as
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Dr Curtis Walker Chair of MCNZ

What Impact Is The Federation of State Medical Boards Having on Medicine, Doctors and Public Health?

Doctors and health professionals daring to speak against the Industry-led narrative in favour of medical and public health evidence have fallen foul of an aggressive smear campaign and been investigated and de-licensed by compromised regulators, ensuring suppression of dissent. Individual members at NZDSOS have faced this wrath, as have high profile international experts. The erroneous belief amongst many health professionals is that their compliance with these directives serves the public, when it is apparent that they serve private interests connected to the Federation of State Medical Boards which threatens public safety.

Dr Garcia also speaks about the public health measures enforced, the lack of science behind them and the untold harm they have – and continue – to cause, in New Zealand. This includes his experiences and observations at the February 2022 Freedom Camp in Wellington. New Zealanders have a general trust in our authorities, which has resulted in a widespread belief that we should follow government guidance, even when that guidance has been absurd. This is facilitated by what Dr Garcia calls a “*drumbeat of fear*”, via the propaganda of mainstream state funded media.

Following on from Dr Garcia’s interview, the same podcast episode then features Dr Bob Gill, an English General Practitioner and director of the documentary The Great NHS Heist. He provides a British perspective on the privatisation, monetisation and corruption of health systems. This is a fascinating story which fits into the jigsaw that the Federation of State Medical Boards have a significant part in. Dr Gill describes doctors being unwittingly pulled into their own self-destruction, and the roles played in the demolition of health systems by the pharmaceutical industry, health

insurance industry and public-private partnerships being encouraged by nefarious entities such as World Economic Forum.

A Call For Support From Our Colleagues: It Is Not Too Late

Dr Garcia argues that if 5% of doctors with critical faculties – acting like real doctors – had spoken up against the narrative, then the damage and destruction New Zealanders have experienced would have been prevented. The mafia tactics of the Federation of State Medical Boards, filtered down to individual health professionals, has been highly effective in suffocating dissent, stigmatising critical thinking and helping to establish a Stasi-style culture.

New Zealand's emergency covid legislation remains in place, and Dr Garcia suggests it can be used against the populace again at anytime. Doctors are in a prime position to oppose this harmful legislation ever being imposed upon New Zealand again.

Listen to Dr Garcia's story, acquire an understanding of events playing out and determine the role you wish to play at this critical time. Lend your expertise to NZDSOS, to protect medical freedoms and democracy against psychopathic entities such as the Federation of State Medical Boards.

Watch: Dr Garcia and Dr Gill Revealing the Harms of Public-Private Partnerships Corrupting Health Care Systems Globally

We highly recommend an hour with Dr Emanuel Garcia of NZDSOS followed by half an hour with Dr Bob Gill, for anyone trying to make sense of what is going wrong in health systems across the western world.

Radical: Episode 32 – On Destroying Our Health System and Big Pharma Capture.

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RAPID SPREAD —

COVID outbreak at CDC gathering infects 181 disease detectives

Nearly all of the attendees were vaccinated, but 70% said they didn't mask.

BETH MOLE - 5/30/2023, 1:03 PM



Getty | Bloomberg

Enlarge / The Centers for Disease Control and Prevention (CDC) headquarters stands in Atlanta, Georgia, on Saturday, March 14, 2020.



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Roughly 1,800 gathered in person for this year's annual Epidemic Intelligence Service (EIS) Conference, which was held on April 24 to 27 in a hotel conference facility in Atlanta, the city where the CDC's headquarters are located. It was the first time the 70-year-old conference had in-person attendees since 2019. The CDC agency estimates an additional 400 attended virtually this year.



FURTHER READING

Disease detectives gathered at CDC event—a COVID outbreak erupted

By the last day of the event, a number of in-person attendees had reported testing positive for COVID-19, causing conference organizers to warn attendees and make changes to reduce the chance of further spread. That reportedly included canceling an in-person training and offering to extend the hotel stays of sick attendees who needed to isolate.

But in the days that followed, the CDC received reports of more cases, and it teamed up with the Georgia Department of Public Health to carry out a rapid assessment. As of May 2, the agency had tallied 35 cases linked to the conference.

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recommend wearing masks.

The agency highlighted that none of the infected conference attendees were hospitalized, though 49 respondents (27 percent) reported taking antiviral medications for their infection.

"[T]he findings of this rapid assessment support previous data that demonstrate that COVID-19 vaccines, antiviral treatments, and immunity from previous infection continue to provide people with protection against serious illness," the agency wrote. "CDC continues to recommend that everyone ages six months and older stay up to date with all COVID-19 vaccines, including receiving an updated vaccine."

Still, according to an advisory seen by The Washington Post, the CDC is warning attendees of an upcoming conference the agency is holding at the same hotel venue in June about the outbreak at the event in April. The CDC is encouraging attendees of the June event to wear their "own high-quality masks and, if possible, also carry COVID-19 rapid tests with them." Spokesperson Kristen Nordlund said that the agency will also have masks on hand.

READER COMMENTS 198

BETH MOLE

Beth is Ars Technica's Senior Health Reporter. Beth has a Ph.D. in microbiology from the University of North Carolina at Chapel Hill and attended the Science Communication program at the University of California, Santa Cruz. She specializes in covering infectious diseases, public health, and microbes.

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Unsolved Mysteries Of Quantum Leap With Donald P. Bellisario

Today "Quantum Leap" series creator Donald P. Bellisario joins Ars Technica to answer once and for all the lingering questions we have about his enduringly popular show. Was Dr. Sam Beckett really leaping between all those time periods and people or did he simply imagine it all? What do people in the waiting room do while Sam is in their bodies? What happens to Sam's loyal ally AI? 30 years following the series finale, answers to these mysteries and more await.

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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

May 8, 2012

Dr. Humayun J. Chaudhy
President and Chief Executive Officer
Federation of State Medical Boards
400 Fuller Wisser Road, Suite 300
Euless, TX 76039

Dear Dr. Chaudy:

As Chairman and a senior member of the Senate Finance Committee, we have a responsibility to the more than 100 million Americans who receive health care under Medicare, Medicaid, and CHIP. As part of that responsibility, this Committee has investigated the marketing practices of pharmaceutical and medical device companies as well as their relationships with physicians and non-profit medical organizations.

It is clear that the United States is suffering from an epidemic of accidental deaths and addiction resulting from the increased sale and use of powerful narcotic painkillers such as Oxycontin (oxycodone), Vicodin (hydrocodone), and Opana (oxymorphone). According to CDC data, "more than 40% (14,800)" of the "36,500 drug poisoning deaths in 2008" were related to opioid-based prescription painkillers.¹ Deaths from these drugs rose more rapidly, "from about 4,000 to 14,800" between 1999 and 2008, than any other class of drugs,² and now kill more people than heroin and cocaine combined.³ More people in the United States now die from drugs than car accidents as a result of this new epidemic.⁴ Additionally, the CDC reports that improper "use of prescription painkillers costs health insurers up to \$72.5 billion annually in direct health care costs."⁵

In Montana, prescription drug abuse is characterized by the state's Department of Justice as an "invisible epidemic" killing at least 300 people per year and contributing to increases in

¹ Center for Disease Control, "Drug Poisoning Deaths in the United States, 1980-2008, NCHS Data Brief, No. 81, December 2011 at <http://www.cdc.gov/nchs/data/databriefs/db81.pdf>.

² Id.

³ CDC Press Release, "Prescription painkiller overdoses at epidemic levels," November 1, 2011 at http://www.cdc.gov/media/releases/2011/p1101_flu_pain_killer_overdose.html.

⁴ LA Times, "Drug deaths now outnumber traffic fatalities in U.S., data show," September 17, 2011 at <http://articles.latimes.com/2011/sep/17/local/la-me-drugs-epidemic-20110918>.

⁵ International Business Times, "Prescription Painkiller Overdoses Cost Insurers \$72.5 Billion Yearly: CDC," November 3, 2011 at <http://www.ibtimes.com/articles/242437/20111103/prescription-painkiller-overdoses-cost-insurers-72-5.htm>.

addiction and crime.⁶ The University of Montana Bureau of Business and Economic Research estimated that prescription drug abuse is costing the state \$20 million annually in additional law enforcement, social services, and lost productivity.⁷

In Iowa, “the use of opioid painkillers such as hydrocodone and oxycodone has increased dramatically in the last decade,” according to the Governor’s Office of Drug Control Policy. Annual overdose deaths from opioids “increased more than 1,233% from 3 deaths in 2000 to 40 deaths in 2009.”⁸ Data from Iowa’s prescription drug monitoring program demonstrates that in 2010, 89,500,000 doses of hydrocodone and oxycodone were prescribed totaling nearly 40% of all controlled substance prescriptions.⁹

Concurrent with the growing epidemic, the *New York Times* reports that, based on federal data, “over the last decade, the number of prescriptions for the strongest opioids has increased nearly fourfold, with only limited evidence of their long-term effectiveness or risks” while “[d]ata suggest that hundreds of thousands of patients nationwide may be on potentially dangerous doses.”¹⁰

There is growing evidence pharmaceutical companies that manufacture and market opioids may be responsible, at least in part, for this epidemic by promoting misleading information about the drugs’ safety and effectiveness. Recent investigative reporting from the *Milwaukee Journal Sentinel/MedPage Today* and *ProPublica* revealed extensive ties between companies that manufacture and market opioids and non-profit organizations such as the American Pain Foundation, the American Academy of Pain Medicine, the Federation of State Medical Boards, the University of Wisconsin Pain and Policy Study Group, and the Joint Commission.

According to the *Milwaukee Journal Sentinel/MedPage Today*, a “network of national organizations and researchers with financial connections to the makers of narcotic painkillers...helped create a body of dubious information” favoring opioids “that can be found in prescribing guidelines, patient literature, position statements, books and doctor education courses.”¹¹ Specifically, the *Sentinel* reported that the Federation of State Medical Boards, with financial support from opioid manufacturers, distributed more than 160,000 copies of a model policy book that drew criticism from doctors because “it failed to point out the lack of science supporting the use of opioids for chronic, non cancer pain.”¹²

Although it is critical that patients continue to have access to opioids to treat serious pain, pharmaceutical companies and health care organizations must distribute accurate information about these drugs in order to prevent improper use and diversion to drug abusers.

⁶ See the Montana Department of Justice website at <http://doj.mt.gov/prescriptionabuse/>.

⁷ Bureau of Business and Economic Research, “The Economic Cost of Prescription Drug Abuse in Montana”, June 2011 at <http://mbcc.mt.gov/PlanProj/Projects/PDMP/Prescription%20Drug%20Abuse%2020110629.pdf>.

⁸ Iowa Governor’s Office of Drug Control Policy, “Iowa Drug Control Strategy: 2012,” November 1, 2011 at http://www.iowa.gov/odcp/drug_control_strategy/Strategy2012.Final.pdf

⁹ *Id.*

¹⁰ NY Times, “Tightening the Lid on Pain Prescriptions,” April 8, 2012 at <http://www.nytimes.com/2012/04/09/health/opioid-painkiller-prescriptions-pose-danger-without-oversight.html>.

¹¹ Milwaukee Journal Sentinel/MedPage Today, “Follow the Money: Pain, Policy, and Profit,” February 19, 2012 at <http://www.medpagetoday.com/Neurology/PainManagement/31256>.

¹² *Id.*

As part of our effort to understand the relationship between opioid manufacturers and non-profit health care organizations, please provide the following information:

- 1) Provide a detailed account of all payments/transfers received from all organizations that develop, manufacture, produce, market, or promote the use of opioid-based drugs from 1997 to the present. For each payment identified, provide:
 - i. Date of payment
 - ii. Payment description (CME, royalty, honorarium, research support, etc.)
 - iii. Amount of payment
 - iv. Year end or year-to-date payment total and cumulative total payments for each organization or individual.
 - v. For each year a payment was received, the percentage of funding from organizations identified above relative to total revenue.
- 2) Identify any grants or financial transfers used to fund the production of the book, "Responsible Opioid Prescribing" by Dr. Scott M. Fishman. Provide the date, amount, and source of each grant.
- 3) How much revenue was generated by sales of "Responsible Opioid Prescribing?" Provide amounts by year, state, and total.
- 4) List each state that has distributed copies of "Responsible Opioid Prescribing" and the number of copies distributed.
- 5) Provide the names of any people or organizations, other than Federation of State Medical Boards employees or Dr. Scott M. Fishman, involved in writing or editing the content of "Responsible Opioid Prescribing."
 - i. For each person or organization identified, list any financial transfers between the identified person or organization and the Federation of State Medical Boards.
 - ii. For each individual or organization identified, provide a description of the involvement.
- 6) Please identify the name, job title, job description, and dates employed of any Federation of State Medical Boards employees who worked on distributing this book.

In cooperating with the Committee's review, no documents, records, data, or other information related to these matters, either directly or indirectly, shall be destroyed, modified, removed, or otherwise made inaccessible to the Committee.

We look forward to hearing from you by no later than June 8, 2012. All documents responsive to this request should be sent electronically, on a disc, in searchable PDF format to

my staff. If you have any questions, please do not hesitate to contact Christopher Law with Senator Baucus at (202) 224-4515 or Erika Smith with Senator Grassley at (202) 224-5225.

Sincerely,



Charles E. Grassley
Senator



Max Baucus
Chairman

Exhibit 30

2/11/2021

Insurers Swindled Jews, Nazi Files Show - The New York Times

The New York Times

Insurers Swindled Jews, Nazi Files Show

By Christopher S. Wren

May 18, 1998

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In an outburst of anti-Semitic violence that presaged the Holocaust, mobs incited by the Nazis rampaged through Berlin and other German cities on Nov. 9 and 10, 1938, smashing and torching an estimated 171 synagogues and thousands of Jewish shops and homes.

Nearly 60 years later, fresh details surrounding Kristallnacht, or "night of broken glass," have been extracted from Government archives in Moscow that have been storing Nazi documents seized by Soviet troops in 1945.

The Nazi Government was known to have confiscated insurance payments to Jews whose property was damaged in Kristallnacht. But the newly unearthed documents suggest that German insurance companies not only connived with the Nazis to avoid paying Jewish policyholders, but also sometimes exceeded Government guidelines and canceled unrelated life, health and pension policies on which Jews had been paying premiums for years.

Some of the documents are to be presented today at a hearing in Manhattan scheduled by the New York State Senate Insurance Committee. The panel, headed by Guy J. Velella, Republican of the Bronx, is considering legislation that would penalize European insurers who do business in New York if they failed to pay claims related to the Holocaust.

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Insurers Swindled Jews, Nazi Files Show - The New York Times

The documents, which abound with anti-Jewish slurs, include a confidential industry estimate that at least 19 of the 43 German fire insurance companies stood to suffer losses for the year if they fulfilled their obligations to Jewish policyholders for Kristallnacht. That contradicts an assertion of some German insurers that they did not profit from the Holocaust.

An agreement reached last month commits four European insurers, including the Allianz of Munich, the world's second-largest insurance company, to open their books to an international tribunal and help expedite the claims of people whose policies were seized or not honored.

Many insurers mentioned in the documents no longer exist. Allianz is cited in the industry estimate as one of the 19 companies that could expect to lose money, but does not appear elsewhere. Company officials did not respond to requests for comment.

The Nazi documents, found in February and April, remain stored in Moscow. Photocopies of some excerpts were made available by Risk International Services Inc. of Houston, a company that specializes in "insurance archeology" by searching repositories, from archives to attics, to retrieve lost insurance documents and determine their significance.

The vice president and counsel of Risk International, Douglas L. Talley, said although the research was preliminary, the documents indicate how the Nazis, with the German insurance industry's complicity, established the practice of confiscating the insurance assets of German Jews. Mr. Talley found some of the documents in Moscow in a Nazi folder marked "Insurance Affairs – Jewish Questions."

According to William L. Shirer's "Rise and Fall of the Third Reich," after the Kristallnacht riots, three Nazi leaders – Hermann Goring, Josef Goebbels and Reinhard Heydrich – met with an Allianz executive who represented the German insurance industry, Eduard Hilgard. Mr. Hilgard told them that confidence in the industry would suffer if Jewish claimants were not paid, but that reimbursing them could bankrupt smaller companies.

After the war Mr. Hilgard told Allied interrogators that he had helped the companies settle Kristallnacht claims at 3 cents to the dollar.

Foreign and non-Jewish claims were paid, but Field Marshal Goring confiscated the money due Jewish policyholders. In a document dated Nov. 29, 1938, the Nova insurance company informed insurance regulators that in keeping with the confiscation order, "Jewish members of the cooperative are excluded" from receiving benefits.

In a letter dated Nov. 17, 1938, the Isar Life Insurance Stock Company said that so many Jewish clients were desperately trying to cash in their policies "that the worst fears have to be asserted for the further existence of our company." Isar asked the Government's

2/11/2021

Insurers Swindled Jews, Nazi Files Show - The New York Times

Oversight Office for permission to deny payment or to convert policies owned by Jews to nonredeemable status.

The Economic Ministry initially balked at letting insurance companies exploit Goring's confiscation of reimbursements for Kristallnacht as a pretext for not honoring other Jewish claims. On Nov. 21, 1938, a ministry official reminded insurers that the order affected "only the insurance claims confiscated from Jews of German citizenship for the benefit of the Reich, which came due because of the events of Nov. 8, 9 and 10, 1938."

"Other insurance claims, for example, life insurance, etc., are not affected," the official wrote. "Please communicate this to the companies involved."

Other documents to be released today suggest how swiftly some companies moved to cancel life, health and pension benefits of their Jewish customers after Kristallnacht. A letter from a representative of a group of health insurers dated Nov. 14, 1938, said, "To the extent insurance conditions permitted, Jewish insured were canceled already." He reminded the Government that he proposed excluding Jews in 1935 and described them as "the worst risks" who did not belong in the same risk pool as Aryans.

On Nov. 23, 1938, another German insurer selling pension annuities notified Government overseers that "we will discontinue the payment of pensions and widows' pensions beginning December of this year, insofar as the recipients are Jews."

2/12/2021

Family's quest for truth reveals top insurer's link to SS death camps | World news | The Guardian

The Guardian



This article is more than 4 years old

Family's quest for truth reveals top insurer's link to SS death camps

Dina Gold researched her family's Berlin past - and uncovered a dark secret dating from the Nazi era

Michael Freedland

Sat 26 Nov 2016 17:00 EST

When Dina Gold began searching for the Berlin property seized from her family by the Nazis in the 1930s, she had little idea she would unearth a dark secret - how the SS paid millions in premiums to insure a key part of Auschwitz and other death camps to what is still one of Germany's top insurance companies.

Gold, a former BBC reporter now living in Washington, wrote earlier this year about her quest to find the massive Berlin building that had housed the headquarters of fur traders H Wolff, owned by her grandparents, which was taken over by the Nazis in 1937, four years after Adolf Hitler came to power.

2/12/2021

Family's quest for truth reveals top insurer's link to SS death camps | World news | The Guardian

Stolen Legacy related how her search was prompted by the stories her grandmother, Nellie Wolff, told of her family's life in pre-Nazi Germany and how they had owned a huge building in the centre of Berlin, which served as the headquarters of their successful business. Nellie died in 1977, leaving nothing to help locate the property or prove its ownership. When the Berlin Wall fell in 1989, Gold set out to find the truth.

Some in the family were sceptical, but Gold had listened to Nellie, who had enthused: "Dina, when the Wall comes down and we get back our building in Berlin, we'll be rich." She began a trawl of documents and identified the building - Krausenstrasse 17/18 - by unearthing a 1920 trade directory. Built by Gold's great-grandfather in 1910, it was foreclosed upon by the Victoria Insurance Company in 1937 and transferred to the Deutsche Reichsbahn, Hitler's railways that later transported millions of Jews to death camps.

After Gold's book was published, an executive of Ergo, the company that now owns the insurer, allowed her to see the archive recording the activities of the firm during the Nazi era. They revealed that the SS, which ran factories in the camps at Auschwitz, Buchenwald and Stutthof, close to what is now Gdansk, paid a consortium of firms, including the Victoria, premiums of 3.7m reichsmarks a year (£320,000 at 1939 exchange rates) to insure the factories.

"They didn't insure the workers," says Gold. "They were too easily replaced."

The death camp factories - described as "German equipment works" - were run by the Deutsche Ausrüstungswerke, wholly owned by the SS. The archive showed the close link between the factories and the concentration camps. One read: "Special security patrols are not taking place because the workshop is located in the grounds of the concentration camp, which is under permanent military guard."



The Wolff family's former Berlin headquarters on Krausenstrasse.

Photograph: Heinrich Hermes/Heinrich hermes

The Victoria's head, Kurt Hamann, was awarded Germany's highest civilian honour, the Federal Cross of Merit, after the war and had a foundation named after him at Mannheim University. Gold discovered documents linking him to the forced sale of the Wolff building, and Hamann was listed in a book by the War Office in London in 1944 called *Who's Who in Nazi Germany*.

The archive revealed how the Victoria held a mortgage on Krausenstrasse 17/18. Once the Victoria foreclosed on the mortgage - the Wolffs had paid their premiums, but the Nazis decreed all businesses had to be taken out of Jewish hands - the insurer sold the building to the German state railways. Herbert Wolff came away with the sterling equivalent of £100,000. He left Germany

2/12/2021

Family's quest for truth reveals top insurer's link to SS death camps | World news | The Guardian

emigrated to British-mandated Palestine and divorced his wife. His children (including Gold's mother, Aviva, who would be sent to Britain by Nellie at the age of 14) followed.

At the end of the war, the building was taken over by the East German railways. When the Wall fell, the new German railway became the owners and 20 years ago a deal was struck giving the Wolff family £8m.

Gold quotes Rudolf Vrba, who escaped from one of the factories, who wrote: "My job was painting ski boards [it was the time of the severest winter fighting on the Russian front]. We had to finish a minimum of 110 pieces a day. Anyone who could not complete that amount was flogged in the evening. We had to work very hard to avoid the evening punishment. Another group manufactured boxes for shells. On one occasion 15,000 such boxes ... were found to be a few centimetres shorter than ordered. Thereupon several Jewish prisoners ... were shot for sabotage."

Alexander Becker from Ergo said: "We are very open about this. This is nothing to be proud of. We have known about the link between the Victoria and the camps for several years."

Hamann's honour has yet to be rescinded, and the University fellowship still exists. But a plaque at the family building now records that Krausenstrasse 17/18 used to be the HQ of "H Wolff fur company, one of Berlin's oldest Jewish fashion firms".

Gold said: "You can call it a granddaughter's revenge."

Stolen Legacy: Nazi Theft and the Quest for Justice at Krausenstrasse 17/18, Berlin, by Dina Gold, is available from the Guardian bookshop

This article was amended on 27 November 2016 to remove incorrect references to Kurt Hamann's honour and fellowship having been rescinded.

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Kaul v Boston Partners: K11-2

The Slaving-Nazi-Insurance Axis

This exhibit consists of:

1. This cover page.
2. Excerpts from the Nuremberg Indictment juxtaposed to excerpts from **The Kaul Cases**.

The common thread connecting the slaving industry, the Nazi atrocities and the "War on Doctors" (1990 to the present) is the ruthless/genocidal for-profit insurance/banking industry/machine of which Defendants Allstate/Geico/TD/Northern Trust/Boston Partners are members.

The purpose and relevance of this exhibit is to illustrate and evidence that the insurance industry of which Defendants Allstate/Geico are members/beneficiaries, have been engaging in "patterns of racketeering" since the inception of the industry in London in the 1600s. The fundamental legal elements of RICO were conceived/developed/implemented over four centuries ago and became codified in the 1970s. Racial profiling/targeting and discrimination against particular groups for the purpose of profit have remained a constant, and the ration d'etre for the insurance industry is purely profit, while that of medicine is altruistic. Not too many physicians are disposed in the art of war, while the insurance industry views war as a progenitor of fear, a fear they exploit in their commercialization of risk. The insurance industry is arguably humanity's largest ever racket.

In 2021, the tools of torture used by Defendants Allstate/Geico (insurance industry) are those of the courts/lawyers/prosecutors/loss of livelihood/incarceration/false convictions/false imprisonment/media defamation/harassment of physicians families/children a global public humiliation over the Internet. No longer is it iron cuffs in crowded slave ships, suffocating trains destined for work camps or summary executions. The methods of extermination have become bureaucratized, sterile and conducted under 'color of state', with the apparent legitimacy of state medical boards, state/federal judges/courts/prosecutors and a corporate media only too willing to knowingly perpetuate the crimes of the insurance industry. False claims of insurance fraud, alleged over-prescribing of opiate medications, sting operations to entrap unsuspecting physicians in compromising sexual situations, are just some of the

excuses/pre-texts used to exterminate physicians, in order to increase corporate/executive profit through reducing the number of so called "healthcare providers" and thus the total amount of health insurance premiums spent on healthcare. In essence, eliminate the physicians and the patients, and divert a greater percentage of the public's health insurance premiums to the executives/corporate coffers of Defendants Allstate/Geico.

In 2021, the cost to American society is evident in:

1. The excessive COVID-19 related mortality/morbidity in the US.
2. The so-called "opiate epidemic", from which the insurance industry has profited. Deaths from opiate overdosing are due to street-grade heroin, laced with fentanyl, and not prescription opiates. From 2006 to the present the number of medications dispensed has dropped by almost fifty-percent (50%), resulting in billions of profits for the insurance industry, as it spends less on medications, while continuing to raise the cost of health insurance premiums.
3. The "pain epidemic" as millions of Americans with chronic pain have been denied access to life-saving care, with many committing suicide.
4. The epidemic of physician suicides, as the insurance industry orders state/federal regulatory/investigatory/prosecutorial/judicial collaborators to suspend/revoke physicians licenses and or incarcerate them.

To assist the comprehension of all parties in the clarification of the Nazi-Insurance Industry analogy of the aforementioned axis, one of evil; please find below a table that Kaul respectfully asserts, any jury/public would immediately understand:

The Slaving-Nazi-Insurance Axis ("SNI")	The FSMB/SMB-State/Federal Investigative/Prosecutorial-Insurance (Corporation) Axis ("FSI") Identified with <u>The Kaul Cases</u> are the equivalent SNI parties/perpetrators.
The British Crown/Government/Royal African Company/Lloyd's of London-Insurance Industry/British Courts.	Defendant Federation of State Medical Boards/State Medical Boards. Defendants Allstate/Geico Defendants AHS/HUMC Defendant State of New Jersey Defendant NJ Department of Banking and Insurance. Defendant NJ Office of the Insurance Fraud Prosecutor

	Defendant District of New Jersey (K11-1-DNJ-N) Defendant Judges in K11-3 (U.S.D.C. for the Northern District of Illinois)
The Yorke-Talbot Slavery <u>Opinion</u>	The NJ IFPA (17:33A) + 21 U.S.C. (Abuse of Congressional Intent) + CDC Guideline for Prescribing Opioids for Chronic Pain (<u>Abuse</u> of recommendations)
The German Government/Nazi Party	Defendant State of New Jersey.
Senior Public Prosecutor - Paul Barnickel	Office of the NJ Attorney General
Chief of the Civil Law and Procedure Division of the Reich Ministry of Justice; and Oberführer in the SS - Josef Allstoter	The NJ Attorney General - Jeffrey Chiesa/Doreen Hafner
Chief Justice of the Special Court - Hermann Cuhorst	Defendant Jay Howard Solomon Defendant Jose Linares Defendant Kenneth J. Grispin
Legal Adviser to the Reich Minister - Guenther Joel	Defendant Eric Kanefsky, Esq
Chief Justice of the Fourth Senate of the People's Court - Guenther Nebelung	Defendant Chief Judge Fred Wolfson, Esq
Senior Public Prosecutor - David Puteska, Esq	
Consulting physician to the Luftwaffe - Wilhelm Beigblock	Defendant Andrew Gregory Kaufman, MD
Chief Physician to Hitler/SS/Reich - Karl Brandt	Defendant Scott Metzger, MD
Chief Surgeon of the Staff of the Reich Physician SS - Karl Gebhardt	Defendant Gregory Przybylski, MD
Chief Surgeon of the Surgical Clinic in Berlin - Paul Rostock	Defendant Robert Francis Heary, MD
Der Fuhrer- Adolf Hitler	Defendant Christopher J. Christie, Esq

Friedrich Flick - The CEO of the "Flick Concern" (business conglomerate - finance/mining and financier/briber of the Nazi Party	Defendant Richard Crist Defendant Allstate Defendant Geico Defendant TD
Farben - Business conglomerate that included the insurance/finance industry, that financed the Nazi Party/German State and the initial funding for concentration camps.	Defendant Allstate Defendant Geico Defendant TD Defendant Northern Trust Defendant Boston Partners
Those exterminated/enslaved/subjected to summary justice/denied justice/imprisoned/stripped of their livelihood/publicly humiliated/deprived of their property/liberty/life without due process - Men, women and children belonging to the following groups: Africans/Jews/Russians/Poles/Patients with disabilities/Political dissenters/Those who refused to submit/fought Nazi oppression.	Plaintiff Kau/his family/his patients Plaintiff Feldman/his family/his patients Plaintiff Patel/his family/patients treated in his healthcare facility. The American public - increased insurance premiums. The American pain patient population - decreased access to most effective forms of pain relieving healthcare (surgical/non-surgical). The American medical profession - Increased suicide/loss of livelihood/loss of liberty/loss of property.
Otto Ambros - Chief of Chemical Warfare	Defendant Christopher J. Christie, Esq
August Von Knieriem - Chief Counsel of Farben	David D'Aloia, Esq - Counsel for Defendant Allstate

The Blacks:

The insurance industry (corporations) was born in the 1600's and is the progeny of Llyod's of London. It initially gripped humanity in its cold ruthless clutches by attaching itself to the booming trans-Atlantic slaving industry, at the helm of which, at that time, were the British. They would later claim to be the originators of abolition, a calculated political move whose true purpose was not altruistic, but one of commercial colonial opportunism, as it provided them legal parliamentary cover to seize the slave ships belonging to their colonial competitors, the French, Dutch and Portuguese. Meanwhile the British continued to plunder, rape and pillage Indian, Africa and China, the latter a country it flooded with opium from the poppy-fields of the north-western frontier in

Afghanistan/Kashmir. The Chinese were incapacitated by the opium, the Indians were forced into indentured servitude, along with the Africans.

The Jews:

Towards the ostensible fall of the British Empire, the global insurance industry, still orchestrated by and through Lloyd's of London, continued its inexorable and genocidal expansion by conspiring/colluding and furthering in an ongoing "pattern of racketeering" that commenced with the slaving industry. The RICO predicate acts of murder, extortion, conspiracy and human trafficking were perpetrated by the Nazi War Machine, on millions of Jews, Russians, Poles and people with physical and psychological handicaps, through multiple association-in-fact enterprises that included Nazi courts, Nazi Judges, The Nazi Justice Ministry, The Nazi Medical Boards/Medical Profession, Nazi Politicians, Nazi Prosecutors/Lawyers, German Industry and the insurance industry. Multiple RICO schemes were perpetrated through, by and with the political, medical, legal and business elements of the Nazi's genocidal machine, in collusion/conspiracy with the insurance industry. The purpose of the Nazi-Insurance Association-In-Fact Enterprise was to further the political/economic agendas of the scheme's orchestrators/perpetrators/aiders/abettors/abstentions of willful ignorance. The insurance industry, having developed its model of using the ostensibly legitimate cover of legal/judicial/political authority with the slaving industry, simply employed the same tactics/strategy on those enslaved/imprisoned/murdered in the years from 1939 to 1945. The insurance industry continued its "pattern of continuity" of murder/exploitation/false imprisonment/abuse of legal process/political corruption/judicial corruption/bribery/extortion/kickbacks/racial profiling and discrimination against the mentally/physical infirm.

The Indians:

The Allied Forces (American/British) conducted the investigation/prosecution of the crimes against humanity that were committed in the period from 1939 to 1945. The trials at Nuremberg (1945 to 1947) resulted in the criminal convictions of hundreds of senior/high ranking judges/lawyers/physicians/business/insurance executives/politicians, individuals who had assisted Adolph Hitler in his conversion of the State of Germany into a massive, murderous "racketeering enterprise", purposed to further the economic/political agendas of The Third Reich. The insurance industry, of which Defendant Allstate/Geico are members, profited from the aforementioned schemes, and the progeny of those profits continue to be laundered through Defendants Allstate/Geico. However, what remains irrefutable is the fact that the tactics/strategy/"patterns of racketeering" legally codified by the insurance industry

continue to be employed today against Indian physicians/so called "healthcare providers"/ chronic pain patients and those with health conditions that require long-term ongoing care, those with mental/physical infirmities.

The atrocities/crimes (murder/manslaughter/enslavement/economic servitude/human trafficking/imprisonment) against humanity of the slaving industry/the holocaust/the targeted extermination of the infirm/specific racial groups continues to be perpetrated today in the United States by the insurance industry against ethnic minorities, occupied principally by immigrants/Indians/Hispanics/Blacks. The insurance industry, as it has done since the 1600s has targeted racial groups, ones its considers the weakest, and now in 2021 in America, land of the free, home of the brave, there are over two (2) million citizens incarcerated in prisons/work camps/concentration camps (another British invention), and an unprecedented number of physicians, the majority of whom are Indian.

The insurance industry's most recent scheme against Indian physicians has and is being conducted in collusion/conspiracy with the American equivalent of the Nazi judiciary/body politic/medical profession, with the overall purpose of economic/political advantage. The Allied Forces/Prosecutors (American/British) were unwitting conduits for the transmission of information regarding the construction/perpetration of elaborate, well concealed "racketeering schemes" that, as with The Kaul Cases Defendants did convert a state (Germany: 1939 to 1945 - New Jersey: circa. 1960 to the present) into "racketeering enterprises" through, by and which the insurance industry profited by collusion/conspiracy with worlds of medicine/business/politics.

The Kaul Cases, and there will be further international tribunal/examination, are, without overstating their relevance, the most equivalent legal vehicle thus far in American legal history, that in any manner mimics The Nuremberg Trials. The German public and the world remained ignorant to the atrocities of the Nazi legal/political/medical/judicial/business machine, until the crimes were exposed in these trials. Similarly, the insurance industry propaganda machine has concealed from the American public its "War on Doctors" and patients with chronic illnesses. It has concealed its pervasive corruption of the judiciary and crooked physicians willing to provide false testimony against physicians to whom the insurance industry owes money, in order to have these physicians (mostly Indians) eliminated through incarceration/loss of livelihood/license suspension/revocation/suicide/social ostracization/professional ostracization. No different to the strategies employed by Slaving-Nazi-Insurance Axis.

Humanity existed for thousands of years before insurance. Insurance is nothing but legalized extortion, and humanity will prosper for thousands of years after the insurance

industry has been eliminated. Bitcoin is doing the same thing to the banking cartels, another British institution. Lest no one forget, it was the "money-lenders" who were evicted from the temple.

Dated: February 20, 2021

Richard Arjun Kaul, MD

Exhibit 31

77. In the five (5) week trial of Dr. Lesly Pompy (USA v Dr. Lesly Pompy (18-cr-20454)), a physician from Haiti acquitted on all thirty-eight (38) counts (Exhibit 21), there emerged evidence on December 2, 2022, in the form of testimony from a James Stewart Howell, an ex-police officer/Blue Cross Blue Shield 'undercover investigator'/Government witness, that detailed the massive schemes of fraud perpetrated against principally ethnic minority physicians by Blue Cross Blue Shield and governmental persons/agencies.

78. Plaintiff Kaul incorporated the transcript of this testimony into the matter of Kaul v BCBS/Marino: 23-CV-00518 (K11-11) (D.E. 1-4) and submits into K11-14 an excerpt of the K11-11 Complaint (Exhibit 22), which contains facts pertaining to racial targeting and insurance industry "patterns of racketeering" that are highly probative of the claims in K11-14:

79. "In 2018, Dr. Lesly Pompy, a Michigan based interventional pain physician of Haitian origin, was indicted by the US Government on charges of healthcare fraud, in a case almost identical to that filed against Dr. Anand" (Exhibit 22).

80. "However, during the trial evidence emerged of the fraudulent schemes perpetrated by the Blue Cross Blue Shield corporations in their efforts to entrap knowingly innocent physicians, mostly of whom belonged to ethnic minorities" (Exhibit 22).

81. "During the testimony of a James Howell, an ex-police officer employed by Blue Cross Blue Shield to manufacture entrapment schemes, Howell testified that in furtherance of these schemes he was provided fraudulent medical documents, driving licenses and other official documents by agencies/persons of the State of Michigan and physicians employed by Blue Cross Blue Shield" (Exhibit 22).

82. "Howell's prior testimony in various other prior court proceedings had resulted in the wrongful conviction and incarceration of other ethnic minority physicians, all of whom continue to languish in jail" (Exhibit 22).

83. "The trial of Dr. Pompy unequivocally establishes the "pattern of racketeering" being perpetrated by the American Insurance Industry and specifically the Blue Cross Blue Shield corporations, and corroborates the claims that Kaul has asserted within The Kaul Cases, since 2016." (Exhibit 22).

The American insurance industry's schemes of racial discrimination/asset seizure and commercial conspiracies with governmental agencies against ethnic minority physicians (Hispanic/Black/Indian) are almost exact replicas of those perpetrated against Jews by German industrialists and the Nazi Government as detailed in the final reports of the Nuremberg Trial.

84. The parallels between the Nazis persecution of the Jews/others (1933-1945) as detailed in the Nuremberg trial/final report (Exhibit 23) and the American persecution of ethnic minority physicians by an insurance industry-government totalitarianism (1990s and ongoing) is more than coincidental, and is fact, simply a continuation of the four hundred (400) year-plus "pattern" of profit purposed racketeering/human rights violations/crimes against humanity. Irrefutable evidence of these crimes against humanity was released by the American Government under a FOIA request, and was published as part of a May 17, 2023, press release issued by Plaintiff Kaul:

US INSURANCE GIANT, BLUE CROSS BLUE SHIELD, HAS EXPOSED ITS TARGETING OF ETHNIC MINORITY PHYSICIANS FOR MASS INCARCERATION

85. <https://www.drrichardkaul.com/so/200WhtSL1?languageTag=en>

86. In fact, the Flexner Report (Exhibit 24) provides historical evidence that corroborates the facts within the press release. The Report, published in 1910 at the behest of the Carnegie and Rockefeller Corporations, set forth a plan to design and control every element of medical education/licensing in order to subjugate the medical profession to corporate interests.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 2:18-cr-20454

Plaintiff,

HONORABLE STEPHEN J. MURPHY, III

v.

LESLY POMPY,

Defendant.

VERDICT FORM

We, the jury, unanimously find the following:

COUNT ONE

Unlawful Distribution of Controlled Substances

Patient J.St., Hydrocodone bitartrate-acetaminophen (Norco), May 9, 2016

Not Guilty Guilty

COUNT TWO

Unlawful Distribution of Controlled Substances

Patient J.St., Hydrocodone bitartrate-acetaminophen (Norco), May 17, 2016

Not Guilty Guilty

COUNT THREE

Unlawful Distribution of Controlled Substances

Patient R.B., Fentanyl (Subsys), March 31, 2016

Not Guilty Guilty

COUNT FOUR

Unlawful Distribution of Controlled Substances

Patient R.B., Morphine sulfate (MS Contin), September 12, 2016

X Not Guilty _____ Guilty

COUNT FIVE

Unlawful Distribution of Controlled Substances

Patient T.L., Oxycodone HCL-acetaminophen (Percocet), September 12, 2016

 X Not Guilty _____ Guilty

COUNT SIX

Unlawful Distribution of Controlled Substances

Patient D.K., Hydrocodone-acetaminophen (Norco), June 2, 2016

 X Not Guilty _____ Guilty

COUNT SEVEN

Unlawful Distribution of Controlled Substances

Patient D.K., Dextroamp-amphetamine (Adderall), June 2, 2016

 X Not Guilty _____ Guilty

COUNT EIGHT

Unlawful Distribution of Controlled Substances

Patient S.S., Oxycodone-acetaminophen (Percocet), March 21, 2016

 X Not Guilty _____ Guilty

COUNT NINE

Unlawful Distribution of Controlled Substances

Patient S.S., Methadone, March 21, 2016

 X Not Guilty _____ Guilty

COUNT TEN

Unlawful Distribution of Controlled Substances

Patient S.S., Morphine Sulfate, March 21, 2016

 X Not Guilty _____ Guilty

COUNT ELEVEN

Unlawful Distribution of Controlled Substances

Patient S.S., Oxymorphone HCL (Opana), March 21, 2016

X Not Guilty _____ Guilty

COUNT TWELVE

Unlawful Distribution of Controlled Substances

Patient S.S., Tramadol (Ultram), March 21, 2016

X Not Guilty _____ Guilty

COUNT THIRTEEN

Unlawful Distribution of Controlled Substances

Patient F.E., Buprenorphine/Naloxone (Zubsolv), March 28, 2016

X Not Guilty _____ Guilty

COUNT FOURTEEN

Unlawful Distribution of Controlled Substances

Patient F.E., Oxycodone HCL-acetaminophen (Percocet), March 28, 2016

X Not Guilty _____ Guilty

COUNT FIFTEEN

Unlawful Distribution of Controlled Substances

Patient R.O., Oxycodone HCL-acetaminophen (Percocet), May 16, 2016

X Not Guilty _____ Guilty

COUNT SIXTEEN

Unlawful Distribution of Controlled Substances

Patient R.O., Oxycodone HCL-acetaminophen (Percocet), May 24, 2016

X Not Guilty _____ Guilty

COUNT SEVENTEEN

Unlawful Distribution of the Controlled Substance

Patient L.K., Tapentadol (Nucynta), August 25, 2016

X Not Guilty _____ Guilty

COUNT EIGHTEEN

Unlawful Distribution of the Controlled Substance
Patient L.K., Methadone, August 25, 2016

 X Not Guilty _____ Guilty

COUNT NINETEEN

Unlawful Distribution of the Controlled Substance
Patient G.T., Morphine Sulfate (MS Contin), September 22, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY

Unlawful Distribution of the Controlled Substance
Patient G.T., Methadone, September 22, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-ONE

Unlawful Distribution of the Controlled Substance
Patient J.Sh., Oxycodone HCL-acetaminophen (Percocet), April 12, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-TWO

Unlawful Distribution of the Controlled Substance
Patient J.Sh., Methadone HCL, April 12, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-THREE

Health Care Fraud
Patient J.St., Office Visit 99213, May 9, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-FOUR

Health Care Fraud
Patient J.St., Drug Test G0483, May 9, 2016

X Not Guilty _____ Guilty

COUNT TWENTY-FIVE

Health Care Fraud

Patient J.St., Office Visit 99213, May 17, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-SEVEN

Health Care Fraud

Patient D.K., Office Visit 99213, June 2, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-EIGHT

Health Care Fraud

Patient T.L., Office Visit 99213, September 12, 2016

 X Not Guilty _____ Guilty

COUNT TWENTY-NINE

Health Care Fraud

Patient S.S., Office Visit 99213, March 21, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-TWO

Health Care Fraud

Patient K.R., Office Visit 99215, May 26, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-THREE

Health Care Fraud

Patient M.B., Office Visit 99213, May 26, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-FIVE

Health Care Fraud

Patient K.R., Office Visit 99215, September 12, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-SIX

Health Care Fraud

Patient B.L., Office Visit 99215, September 12, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-SEVEN

Health Care Fraud

Patient K.R., Office Visit 99215, January 18, 2016

 X Not Guilty _____ Guilty

COUNT THIRTY-EIGHT

Maintaining Drug-Involved Premises, 730 North Macomb, Suite 222, Monroe, MI

 X Not Guilty _____ Guilty

s/Jury Foreperson

Date: 1/4/23

In compliance with the Privacy Policy Adopted by the Judicial Conference, the verdict form with the original signature has been filed under seal.

Evidence + Related Cases

5. UNITED STATES OF AMERICA v. LESLY POMPY: 18-cr-20454 – UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF MICHIGAN: Dr. Pompy was criminally charged on June 26, 2016, with a thirty-seven (37) count indictment in which he was accused of allegedly having dispensed opiates and other commonly prescribed pain reducing medications on certain dates to approximately fifteen (15) patients in 2016. Dr. Pompy, who had been in practice for over thirty (30) years was the largest provider of pain management services in his county, and had successfully treated tens of thousands of patients. The criminal trial commenced on November 28, 2022, and concluded on January 4, 2023, with an acquittal by the jury on all thirty-seven (37) counts. The trial resulted in the production by a BCBS investigator of testimony highly to the insurance company's "ongoing pattern of racketeering", in which with it, with its state-co-conspirators, has perpetrated through and under state-cover hundreds of RICO predicate acts, that include wire fraud/entrapment/evidence tampering/falsification medical records/issuance of fraudulent of state driving licenses by state police/subornation re production of fraudulent medical documents by physician employees of Defendant BCBS/formalization and education at special undercover training units for BCBS investigators of tactics of entrapment and their subsequent propagation against physicians.

On December 2/3, 2022, testimony was provided by Mr. James Stewart Howell, a person who after having retired from the police force, was hired and trained by BCBS to conduct undercover operations, targeting principally ethnic minority/foreign trained physicians whom BCBS wanted eliminated (license revocation/incarceration/suicide/death) in order to eradicate their debt to the physician, and eliminate the competitive threat posed by their continued practice in the relevant healthcare market.

Excerpts of Mr. Howell's testimony are included below, and the entire two (2) day transcript is enclosed (Exhibit 3 December 1, 2022 – Direct Examination) (Exhibit 4 December 2, 2022 – Direct + Cross Examination):

Conspiracy to commit fraud

BY MR. CHAPMAN – Page 99 Line 11-25 (Howell defense cross examination) (Exhibit 4):

Q. All right. So, let's start with January 5th. Your goal is to go into Dr. Pompy's office and see if you can get seen? A. Yes, sir.

Q. You were told by the front desk that you need to have a referral for pain management?

A. That's correct.

Q. You go to Blue Cross Blue Shield and say, "He won't see me without a referral," right?

A. Right.

Q. They set you up with Dr. Robertson?

A. Yeah.

Q. Now, you understand how the referral system of medicine works, right? Doctors refer patients to other doctors when they're not able to help that specific issue?

A. It -- I -- yeah, I understand the basic sense of that, but ...

Evidential Falsification/Tampering with medical records/Wire fraud

BY MR. CHAPMAN - Page 101 Lines 1-25 + Page 102 Lines 1-25 + Page 3 Lines 1-17 (Howell defense cross examination) (Exhibit 4):

MR. CHAPMAN –Government Exhibit on page 7, Government Exhibit 1, page 7?

MS. OUELETTE: Is that page 7?

MR. CHAPMAN: Yes, please.

BY MR. CHAPMAN:

Q So I think you were correct that the – the other documents said back and nerve problems, but here we have a prescription, right?

A. Yes.

Q. And this is from Dr. Robertson?

A. It is, yes.

Q. And it says for pain management, right?

A. Yep, it just says the words "pain management."

Q. And that's Dr. Robertson's signature?

A. Yes.

Q. Now, that was dated December 10th, 2015, correct?

A. It was.

Q. You had Dr. Robertson backdate this referral to make it look like it was made before you showed up on January 5th?

A. I -- I don't recall the -- the timeline of that being signed or dated.

Q. Mr. Howell, there must have been some discussion about this. This is a medical record, right?

A. It is.

Q. You're aware that falsification of a medical record is a felony in the State of Michigan?

A. It is, yeah.

Q. Did you have any special authorization to commit a felony in the State of Michigan, to create that false medical record?

A. No, my intent was -- no intent to commit a felony. My intent was to further the investigation and get a pain management referral. There was no --

Q. The question was did you have any special permission to commit a felony in the State of Michigan and alter a medical record?

A. I -- I didn't alter that document.

Q. You had Dr. Robertson do that, right?

A. He wrote that pain management referral. I didn't write it.

Q. Was your conversation with Dr. Robertson to receive pain management on December 5th or was it after January -- on December 10th or was it after January 5th?

A. It was after January 5th.

Q. That date's false?

A. That date's false. I talked to him after January 5th, 2016.

Q. The need for pain management is also false?

A. Right.

Q. Okay.

A. It's -- yeah.

Q. Did you talk to any health care professionals about whether getting a referral for pain management would give a doctor an indication that you have a legitimate medical injury?

A. No. Just I talked to Dr. Robertson about this referral. It's -- didn't go anywhere else.

Q. Did you talk to Blue Cross Blue Shield about this referral?

A. I think my manager knew I did this, yeah.

Q. Your manager said it was, okay?

A. Yeah.

Q. Did you have Dr. Robertson date that referral on December 10th or did he just do that himself?

A. I don't remember any discussion about what the date was. Q. So it just magically happened to be backdated to before you ever stepped foot in Dr. Pompy's office?

A. I didn't say that.

Q. Okay.

Evidential Falsification/Tampering with medical records/Wire fraud/Entrapment/Conspiracy to commit fraud

BY MR. CHAPMAN - Page 143 Line 7-20 + Page 144 Line 1-25 (Howell defense cross examination) (Exhibit 4):

Q. In fact, during the entire time you saw Dr. Pompy, there are many of those tests that you didn't complete?

A. Many of them that I did not do, that's correct.

Q. You informed his office staff that insurance wouldn't cover it?

A. The discussion about what was not covered was in regard to an MRI, which is expensive.

Q. Was it true that Blue Cross Blue Shield wouldn't cover the test that was ordered by Dr. Pompy?

A. I don't know if it would have been or not. I didn't discuss it with anyone really.

Q. Just like you did with the X-ray, you had the ability to go to Dr. Robertson and falsify another MRI study, right?

A. I -- sure, I guess I could have ...

A. He would have probably assisted like he did on the other one.

Q. Because he's willing to falsify medical records for you, right?

A. He's willing to assist me.

Q. Okay. But you didn't do that, you didn't present a normal MRI. You said, "My insurance won't cover it."

A. I did, yep.

Q. Because you were concerned that if you came into that office with a normal MRI, Dr. Pompy would say, "I don't see anything wrong with you."

A. Yeah, I just did not want to -- didn't want to get an MRI and bring it in there or falsify one.

Q. Then that's the end of the operation, right?

A. I don't --

Q. You don't get your man?

A. I don't think so.

Q. Okay. Same thing with the referral. You don't falsify that referral to get into Dr. Pompy's office, that's the end of the operation?

A. Yeah, if you didn't come up with a pain management referral, I don't think they would accept you there.

Q. The only reason you got treated by Dr. Pompy was because you were willing to go so far as to falsify medical records to get in?

Evidential falsification/Diversion drugs by undercover agent

BY MR. CHAPMAN - Page 157 Line 17-25 + Page 158 Line 1-25 + Page 159 Line 1-25 + Page 160 Line 1-25 + Page 161 Line 1-7 (Howell defense cross examination) (Exhibit 4):

Q. Now, during that April 26th visit, you also tested positive in a point of care cup for benzodiazepines, isn't that, right?

A. I don't think that's right. I don't think there was a point of care test.

MR. CHAPMAN: Can we take a look at Government's 1, page 59? Can you blow up the box where it says

"Benzodiazepines"?

BY MR. CHAPMAN:

Q. You see a positive for benzodiazepine, sir?

A. I see that.

Q. Okay. And this is an indication that the point of care cup that you dropped a sample in showed positive for benzodiazepines?

A. If you could back that out so I can see -- I don't -- I don't recall that saying point of care above that.

Q. We can do that.

You're aware from reviewing these tests that if there's a confirmation study, usually it shows the metabolite levels in the urine?

A. I have seen that, yes.

Q. And if it's a point of care cup, it's usually filled out by hand?

A. Usually, yeah, 'cuz it's done on the spot.

Q. Somebody's trying to interpret that test?

A. Right.

Q. And you're aware from your knowledge as an investigator that these point of care cups can be very inaccurate?

A. I can't really talk about the accuracy of those. I -- I don't know the -- the total -- the accuracy of them.

Q. After you had a positive test for barbiturates and also benzodiazepines, did you think that these tests are accurate?

A. Those particular ones are not, no.

Q. Okay. So, in your experience there's inaccuracies?

A. Oh -- on -- yeah, on this case for sure there's inaccuracies.

Q. You also went over --

MR. CHAPMAN: And we can take that down. Thank you. BY MR. CHAPMAN:

Q. -- a positive barbiturate test from your urine sample, I believe it was from March 22nd, right?

A. That's correct.

Q. And you were informed of those results on April 26th?

A. That's right.

Q. Over a month later?

A. Yes.

Q. Okay. At that point you hadn't received any medications from Dr. Pompy?

A. Right. At the time they were discussing the results of the test I had not been prescribed any medication.

Q. So --

A. Is that what you're asking?

Q. Yes.

A. Okay.

Q. I don't mean to be redundant, but you dropped a sample on March 22nd, you learn of the results on April 26th?

A. That's correct, yes.

Q. You also mentioned that at that time, within 48 hours you went to Blue Cross and got your own test done?

A. I did.

Q. Had you taken a barbiturate, that would have been long gone from your system a month later, right?

A. I don't know.

Q. I imagine the positive test caused quite a stir at Blue Cross Blue Shield?

A. I -- it had me pretty upset but I don't know about causing a stir. I -- I definitely thought it was important to address it immediately.

Q. Without going over the whole thing, that same day, 4-26-26, you filled out a pre-visit questionnaire?

A. Yes.

Q. You again said your pain began ten years ago?

A. I believe so, yes.

Q. You said it was a level 5?

A. Yes.

Q. You said it stayed the same and is continuous?

A. Yeah. I kept indicating stiffness and circling 5s and continuous and --

Q. You said it was -- I'm sorry I cut you off. You said it was worse in the morning?

A. Yeah.

Q. You said you were using physical therapy to cope?

A. Yes.

Q. You did not indicate any other new symptoms?

A. Correct.

Q. And then you also indicated that you were taking Xanax at that time, right?

A. I did, yes.

Q. But that was a false statement because you weren't prescribed any Xanax?

A. That's true.

Conspiracy to entrap and illegal concealment/non-contractual disclosure from public of health premium fund diversion to 'Blues Academy'

BY MR. LIEVENSE – Page 8 Line 3-25 (Howell direct examination) (Exhibit 3):

Q. And what type of in-house training did they provide you? A. We did a training as far as we did a -- like a -- we called it a Blues Academy which -- which covered an entire range of health care investigations. We talked about undercover activities and things like that.

Q. Did you also have to learn how to become familiar with like Blue Cross Blue Shield data and information?

A. Yes.

Q. At some point did you become an accredited health care fraud investigator?

A. Yes.

Q. Is that a program -- was that a program kind of outside of Blue Cross training?

A. Yes.

Q. And what -- what -- what did that training entail?

A. That is -- to be an accredited health care fraud investigator, you had to be a member of the NHCAA, which is National Health Care Antifraud Association, and then you have to have five years' experience doing health care investigations, and then you also had to pass 150-question test to be -- to get that certification.

Conspiracy with state to commit fraud/issue fraudulent official documents

BY MR. LIEVENSE – Page 14 Line 11-25 (Howell direct examination) (Exhibit 3):

Q. Now, do you use your normal driver's license that's issued by the Secretary of State that you've had since you turned 16 years old?

A. No.

Q. All right. Do you -- are you able to get an undercover driver's license?

A. Yes.

Q. Now, how do you go about getting one of those?

A. There's a process we go through. I would -- I submit it to my manager and then it goes to the Michigan State Police, from there to the Secretary of State of Michigan.

Q. And so when you want to get an undercover driver's license, do you have to go to a special location, or do you just go to the local Secretary of State?

A. Both ...

Conspiracy with state to commit fraud/issue fraudulent official documents

BY MR. LIEVENSE – Page 16 Line 4-15 (Howell direct examination) (Exhibit 3):

Q. And would you need an insurance card that matched your undercover driver's license?

A. Yes.

Q. And so once you received an undercover driver's license from the State of Michigan, what would you need to do to get an undercover insurance card?

A. Submit -- submit a form under that same name to someone who reviews it and then they actually get a physical, actual plastic card made.

Q. And why do you use an undercover driver's license and undercover Blue Cross Blue Shield insurance card instead of your personal ones?

Conspiracy with state in furtherance of schemes of fraud and entrapment/unaccounted for diversion of prescription drugs

BY MR. LIEVENSE – Page 45 Line 7-23 (Howell direct examination) (Exhibit 4):

Q. Like to show you Government's Exhibit 1A.

After you received the prescription from Dr. Pompy on April -- the two prescriptions on April -- well, the Norco and the Lyrica prescriptions on April 26th, what did you do with them?

A. I went and filled them, and I was with the Michigan State Police and turned them over to them.

Q. So you first went to a pharmacy?

A. That's correct.

Q. And you filled the prescription?

A. Yep.

Q. And then once you got the prescription and the pills, what did you do?

A. Turned them over to them immediately, had them count them just to make sure.

Q. By them, you said it was the Michigan State Police?

A. Yes.

6. NEIL ANAND v. INDEPENDENCE BLUE CROSS: 20-cv-062456 – UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA: Dr. Neil Anand, an Indian origin Pennsylvania based interventional pain physician, who established a highly successful interventional pain practice, was indicted by the US Government in 2019, on almost exactly the same charges as those levied against Dr. Pompy and many other ethnic minority physicians. In these cases, there is either no evidence or fraudulent 'evidence', and most charged physicians plead guilty, even though they know they are not guilty, but they are unable to fund a defense, as their assets are illegally seized. Dr. Anand attended D. Pompy's trial on every day. In late 2020, Dr. Anand, having calculated that Defendant Independence BCBS had conspired with state/federal investigative/prosecutorial/adjudicative agencies to manufacture the indictment against him, did then initiate a civil suit against BCBS. However, his efforts to prosecute the case and procure further evidence was obstructed by Defendant BCBS, and the case was eventually dismissed. Dr. Anand appealed to the Third Circuit Court of Appeals, and on June 29, 2021, the Appellate Court remanded the case to the district court (**Exhibit 5**). Consequent to the January 4, 2023, widely publicized acquittal of Dr. Pompy, the district court in Dr. Anand's case dismissed Defendant Independent BCBS's motion to dismiss, and ordered it to answer the claims (**Exhibit 6**). The lower court's decision was also based on argument/fact/law submitted by Dr. Anand in his January 4, 2023, responsive brief to Defendant motion to dismiss (**Exhibit 7**), in which he submits binding case law, in which the United States District Court has conclusively found that BCBS is a recalcitrant and chronic antitrust violator. BCBS's "patterns" of ongoing misconduct commenced against Kaul in 2005/2006, but were concealed from Kaul until

recently, who only came into their possession as a consequence of Dr. Anand's extensive state/federal Freedom of Information (FOI) requests in 2022 that exposed the Defendants' so called 'Health Fraud Partnership'. Dr. Anand's evidence was conclusively corroborated during Dr. Pompy's trial and acquittal. A jury of twelve (12) people believed that there does indeed exist a "vast conspiracy" between government agencies and private/corporate interests, that targets successful ethnic minority physicians. The referenced section of Anand's January 4, 2023, submission is:

"Plaintiff [ANAND] Has A Valid Sherman and Clayton Act Anti-trust Claim."

The monopolistic and price fixing activity of the Blue Cross Blue Shield Companies is of common public awareness due to its recent antitrust settlement, arising from a class action antitrust lawsuit called In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406, which was reached on behalf of individuals and companies that purchased or received health insurance provided or administered by a Blue Cross Blue Shield company. The Class Representatives reached a Settlement on October 16, 2020, with the Blue Cross Blue Shield Association and settling Individual Blue Plans that knowingly violated antitrust laws by entering into an agreement not to compete with each other and to limit competition among themselves in selling health insurance and administrative services for health insurance. See <https://www.bcbsssettlement.com/>. Pursuant to collateral estoppel, the restraint of trade by Blue Cross Blue Shield Association and its franchisees has been determined under In re Blue Cross Blue Shield Antitrust Litig., FINAL ORDER, Master File No.: 2:13-CV-20000-RDP (MDL NO.: 2406) (N.D. Ala. 2018). The FINAL ORDER provides on Pages 1-2: "This litigation began more than nine years ago and involves the consolidation of a number of actions filed by Subscriber Plaintiffs against the Blue Cross and Blue Shield Association ("BCBSA") and its Member Plans (the "Member Plans" or "Blue Plans") (collectively, "Defendants" or "Blues"). Subscriber Plaintiffs allege, among other things, that Defendants violated Sections 1, 2, and 3 of the Sherman Antitrust Act, 15 U.S.C. §§ 1-3, by entering into an unlawful agreement that restrained competition between them in the markets for selling health insurance and the administration of Commercial Health Benefit Products in the United States and its territories. Subscriber Plaintiffs contend that the Blues: (1) allocated geographic territories; (2) limited the Member Plans from competing against each other, even when not using a Blue name, by mandating a minimum percentage of business that each Member Plan must do under that name, both inside and outside each Member Plan's territory; (3) restricted the right of any Member Plan to be sold to a company that is not a member of BCBSA; and (4) further agreed to other ancillary restraints on competition. (Doc. # 1082).

IBC is utilizing its monopoly market power to increase insurance premium prices and deductibles for its Members negatively. IBC and its "most favored" groups of health providers through Facilitated Health Networks (FHN), engage in anticompetitive conducts, i.e. price fixing, geographic market division, and group boycott (attack of non-white physicians prescribing controlled substances) which are causing market injury to individual physicians and small groups and are illegal per se. IBC in their own public announcements claim they are the largest and leading health insurer in Philadelphia (supported by USDOJ findings supra), and is utilizing its monopsony market power by substantially controlling physician treatment plans and reducing physician fee schedules, as IBC is the major purchaser of health services

offered by Philadelphia physicians. The per se rule is violated here, “by a price restraint that tends to provide the same economic rewards to all practitioners regardless of their skill, experience, training, or willingness to employ innovative and difficult procedures in individual cases. Such a restraint may also discourage entry into the market, and may deter experimentation and new developments by individual entrepreneurs”. quoting P.457 U. S. 348 *Arizona v. Maricopa County Med. Soc’y*, 457 U.S. 332 (1982); and *Group Life & Health Ins. Co. v. Royal Drug Co., Inc.*, 440 U.S. 205 (1979). Anand’s Complaint’s Claims, distinguishes between “restraints with an anticompetitive”

In this case, K11-11, the question of whether the Defendants can raise any defenses to Kaul’s antitrust claims has been affirmatively answered in *in re Blue Cross Blue Shield Antitrust Litig., FINAL ORDER, Master File No.: 2:13-CV-20000-RDP (MDL NO.: 2406) (N.D. Ala. 2018)*, and it is no; the law has foreclosed the Defendants, and thus the law permits Kaul to move for Summary Judgment.

Dr. Anand’s September 9, 2021, 3rd Amended Complaint painstakingly details the method, that has been, and continues to be uniformly utilized across the country by BCBS against principally ethnic minority physicians, in what is effectively a bureaucratic scheme of ‘slave-like’ labor and ethnic cleansing, perpetrated through the American courts and jails (Exhibit B):

“IBC and its employees engaged in racial discrimination against Anand and other Philadelphia and Pennsylvania physicians because of their race, heritage, skin color or religion”

“to its recent antitrust settlement, arising from a class action antitrust lawsuit called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406, N.D. Ala. Master File No. 2:13-cv-20000-RDP*, which was reached on behalf of individuals and companies that purchased or received health insurance provided or administered by a Blue Cross Blue Shield company.”

“IBC uses its “police power” via the Health Care Fraud Prevention Partnership to induce criminal proceedings against other physicians through coordination with OIG, FBI, and USDOJ which causes a chilling effect of proper medical treatments of patients.”

7. ANAND STATE/FEDERAL FOI REQUESTS: In a period commencing in or around late early 2021, Dr. Anand began submitting FOI requests to state/federal governmental agencies, that sought, amongst other things, any and all information pertaining/relevant to any agreements/contracts/communications between the insurance industry and the government regarding conspiracies as to what Dr. Anand was ultimately able to establish as the so called “Health Fraud Partnership”. This illegal agreement, is misleadingly titled, in order to provide ‘cover’ and apparent legitimacy for an illegal scheme concocted by the insurance industry, in which governmental agencies have provided it unfettered access and control of governmental investigative/prosecutorial/adjudicative functions with which they have manufactured knowingly false civil/criminal cases against principally ethnic minority physicians, for license revocation/asset seizure/incarceration, in order to eradicate their debt and eliminate the future threat of competition that the physician’s continued practice would pose. Within the

Exhibit 32



Flexner Report

The *Flexner Report*^[1] is a book-length landmark report of medical education in the United States and Canada, written by Abraham Flexner and published in 1910 under the aegis of the Carnegie Foundation. Many aspects of the present-day American medical profession stem from the *Flexner Report* and its aftermath. The Flexner report has been criticized for introducing policies that encouraged systemic racism.^{[2][3][4]}

The *Report*, also called Carnegie Foundation Bulletin Number Four, called on American medical schools to enact higher admission and graduation standards, and to adhere strictly to the protocols of mainstream science in their teaching and research. The report talked about the need for revamping and centralizing medical institutions. Many American medical schools fell short of the standard advocated in the *Flexner Report* and, subsequent to its publication, nearly half of such schools merged or were closed outright. Colleges in electrotherapy were closed.

Homeopathy, traditional osteopathy, eclectic medicine, and physiomedicalism (botanical therapies that had not been tested scientifically) were derided.^[5]

The Report also concluded that there were too many medical schools in the United States, and that too many doctors were being trained. A repercussion of the *Flexner Report*, resulting from the closure or consolidation of university training, was the closure of all but two "negro" medical schools and the reversion of American universities to male-only admittance programs to accommodate a smaller admission pool. Universities had begun opening and expanding female admissions as part of women's and co-educational facilities only in the mid-to-latter part of the 19th century with the founding of co-educational Oberlin College in 1833 and private colleges such as Vassar College and Pembroke College.

Background

In 1904, the American Medical Association (AMA) created the Council on Medical Education (CME),^[6] whose objective was to restructure American medical education. At its first annual meeting, the CME adopted two standards: one laid down the minimum prior education required for admission to a medical school; the other defined a medical education as consisting of two years training in human anatomy and physiology followed by two years of clinical work in a teaching hospital. Generally speaking, the council strove to improve the quality of medical students, looking to draw from the society of upper-class, educated students.^[7]

In 1908, seeking to advance its reformist agenda and hasten the elimination of schools that failed to meet its standards, the CME contracted with the Carnegie Foundation for the Advancement of Teaching to survey American medical education. Henry Pritchett, president of the Carnegie Foundation and a staunch advocate of the new school reform, chose Abraham Flexner to conduct the survey. Neither a physician, a scientist, nor a medical educator, Flexner held a Bachelor of Arts degree and operated a for-profit school in Louisville, Kentucky.^[8] He



The title page for the Flexner Report



Abraham Flexner

Each day students were subjected to interminable lectures and recitations. After a long morning of dissection or a series of quiz sections, they might sit wearily in the afternoon through three or four or even five lectures delivered in methodical fashion by part-time teachers. Evenings were given over to reading and preparation for recitations. If fortunate enough to gain entrance to a hospital, they observed more than participated.

The Report became notorious for its harsh description of certain establishments, describing Chicago's fourteen medical schools, for example, as "a disgrace to the State whose laws permit its existence . . . indescribably foul . . . the plague spot of the nation." Nevertheless, several schools received praise for excellent performance, including Western Reserve (now Case Western Reserve), Michigan, Wake Forest, McGill, Toronto, and particularly Johns Hopkins, which was described as the 'model for medical education'.^[10]

Recommended changes

To help with the transition and change the minds of other doctors and scientists, John D. Rockefeller gave many millions to colleges, hospitals and founded a philanthropic front group called "General Education Board" (GEB).^[11]

When Flexner researched his report, many American medical schools were small "proprietary" trade schools owned by one or more doctors, unaffiliated with a college or university, and run to make a profit. A degree was typically awarded after only two years of study with laboratory work and dissection optional. Many of the instructors were local doctors teaching part-time. Regulation of the medical profession by state governments was minimal or nonexistent. American doctors varied enormously in their scientific understanding of human physiology, and the word "quack" was in common use.

Flexner carefully examined the situation. Using the Johns Hopkins School of Medicine as the ideal,^[12] he issued the following recommendations:^[13]

1. Reduce the number of medical schools (from 155 to 31) and the number of poorly trained physicians;
2. Increase the prerequisites to enter medical training;
3. Train physicians to practice in a scientific manner and engage medical faculty in research;
4. Give medical schools control of clinical instruction in hospitals
5. Strengthen state regulation of medical licensure

Flexner expressed that he found Hopkins to be a "small but ideal medical school, embodying in a novel way, adapted to American conditions, the best features of medical education in England, France, and Germany." In his efforts to ensure that Hopkins was the standard to which all other medical schools in the United States were compared, Flexner went on to claim that all the other medical schools were subordinate in relation to this "one bright spot."^[14] Flexner believed that admission to a medical school should require, at minimum, a high school diploma and at least two years of college or university study, primarily devoted to basic science. When Flexner researched his report, only 16 out of 155 medical schools in the United States and Canada required applicants to have completed two or more years of university education.^[15] By 1920, 92 percent of U.S. medical schools required this of applicants. Flexner also argued that the length of medical education should be four years, and its content should be what the CME agreed to in 1905. Flexner recommended that the proprietary medical schools should either close or be incorporated into existing universities. He stated that medical schools needed be part of a larger university since a proper stand-alone medical school would have to charge too much in order to break even financially.

Less known is Flexner's recommendation that medical schools appoint full-time clinical professors. Holders of these appointments would become "true university teachers, barred from all but charity practice, in the interest of teaching." Flexner pursued this objective for years, despite widespread opposition from existing medical faculty.

Flexner was the child of German immigrants, and had studied and traveled in Europe. He was well

By and large, medical schools in Canada and the United States followed many of Flexner's recommendations. However, schools have increased their emphasis on matters of public health.

Consequences of the report

Many aspects of the medical profession in North America changed following the *Flexner Report*. Medical training adhered more closely to the scientific method and became grounded in human physiology and biochemistry. Medical research aligned more fully with the protocols of scientific research.^[16] Average physician quality significantly increased.^[13]

Medical school closings

Flexner sought to reduce the number of medical schools in the US.^[17] A majority of American institutions granting MD or DO degrees as of the date of the Report (1910) closed within two to three decades. (In Canada, only the medical school at Western University was deemed inadequate, but none was closed or merged subsequent to the Report.) In 1904, there were 160 MD-granting institutions with more than 28,000 students. By 1920, there were only 85 MD-granting institutions, educating only 13,800 students. By 1935, there were only 66 medical schools operating in the US.

Between 1910 and 1935, more than half of all American medical schools merged or closed. The dramatic decline was in some part due to the implementation of the Report's recommendation that all "proprietary" schools be closed and that medical schools should henceforth all be connected to universities. Of the 66 surviving MD-granting institutions in 1935, 57 were part of a university. An important factor driving the mergers and closures of medical schools was that all state medical boards gradually adopted and enforced the Report's recommendations. In response to the Report, some schools fired senior faculty members as part of a process of reform and renewal.^[18]

Impact on African-American doctors and patients

The Flexner report has been criticized for introducing policies that encouraged systemic racism^{[2][3][19][20]} and sexism.^[4]

Flexner advocated closing all but two of the historically black medical schools. As a result, only Howard University College of Medicine and Meharry Medical College were left open, while five other schools were closed. Flexner's view was that black doctors should treat only black patients and should play roles subservient to those of white physicians. The closure of the five schools, and the fact that black students were not admitted to many U.S. medical schools for the next 50 years, has contributed to the low numbers of American-born physicians of color, and the ramifications are still felt more than a century later.^[21]

Flexner's findings also restricted opportunities for African-American physicians in the medical sphere. Even the Howard and Meharry schools struggled to stay open following the Flexner Report, having to meet the institutional requirements of white medical schools, reflecting a divide in access to health care between white and African-Americans. Following the Flexner Report, African-American students sued universities, challenging the precedent set by *Plessy v. Ferguson*. However, those students were met by opposition from schools, who remained committed to segregated medical education. It was not until 15 years after *Brown v. Board of Education* in 1954 that the AAMC ensured access to medical education for African-Americans and minorities by supporting the diversification of medical schools.^[22]

Along with his adherence to germ theory, Flexner argued that, if not properly trained and treated, African-Americans posed a health threat to middle and upper-class whites.^[23]

"The practice of the Negro doctor will be limited to his own race, which in its turn will be a barrier to the practice of good Negro physicians. It is not only the Negro himself who suffers from being of the Negro is not only of moment to the Negro himself. Ten million of them live in close contact with sixty million whites. Not only does the Negro himself suffer from

The view that Flexner and his report were detrimental to Black medical schools is largely refuted by Thomas N. Bonner, a scholar referred to as a "distinguished historian" by the AAMC. Bonner contended that Flexner worked to save the two Black medical schools that were graduating most of the Black physicians at that time.^[24]

Impact on alternative medicine

When Flexner researched his report, "modern" medicine faced vigorous competition from several quarters, including osteopathic medicine, chiropractic medicine, electrotherapy, eclectic medicine, naturopathy, and homeopathy.^[25] Flexner clearly doubted the scientific validity of all forms of medicine other than that based on scientific research, deeming any approach to medicine that did not advocate the use of treatments such as vaccines to prevent and cure illness as tantamount to quackery and charlatanism. Medical schools that offered training in various disciplines including electromagnetic field therapy, phototherapy, eclectic medicine, physiomedicalism, naturopathy, and homeopathy, were told either to drop these courses from their curriculum or lose their accreditation and underwriting support. A few schools resisted for a time, but eventually most complied with the Report or shut their doors.^[26]

Impact on osteopathic medicine

Although almost all the alternative medical schools listed in Flexner's report were closed, the American Osteopathic Association (AOA) brought a number of osteopathic medical schools into compliance with Flexner's recommendations to produce an evidence-based practice. The curricula of DO- and MD-awarding medical schools are now nearly identical, the chief difference being the additional instruction in osteopathic schools of osteopathic manipulative medicine.

Impact on role of physician

The vision for medical education described in the Flexner Report narrowed medical schools' interests to disease, and not on the system of health care or society's health beyond disease. Preventive medicine and population health were not considered a responsibility of physicians, bifurcating "health" into two separate fields: scientific medicine and public health.^[27]

See also

- [Committee of Ten](#)

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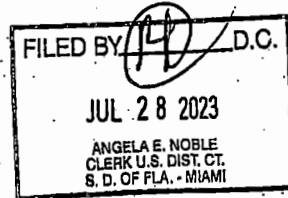
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Exhibit 33

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA



RICHARD ARJUN KAUL, MD;
JANE DOE, JOHN DOE

v.

CHRISTOPHER J. CHRISTIE; KENNETH MURPHY
JANE DOE; JOHN DOE (1-11)

CIVIL ACTION: NO.: 23-CV-22582-BB

FIRST AMENDED COMPLAINT

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COUNT ONE

AGAINST DEFENDANTS CHRISTIE/MURPHY

VIOLATION OF PLAINTIFF KAUL'S DUE PROCESS RIGHTS PURSUANT TO THE FIFTH, EIGHT AND

FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION – Page 23

COUNT TWO

AGAINST DEFENDANTS CHRISTIE/MURPHY

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COUNT THREE

AGAINST DEFENDANTS CHRISTIE/MURPHY

42 U.S.C. § 1985 (3) – CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS – Page 28

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Preliminary Statement

1. This case, K11-15 of The Kaul Cases, details the ever-expanding and continually unsuccessful conspiracy to eliminate Plaintiff Kaul (jail-suicide/murder), in order to cause him to cease his prosecution of The Kaul Cases Defendants, a prosecution that will further expose their crimes and those of their co-conspirators.

2. Continuing to be a central cog in the conspiracy is Defendant Christie, whose profound concerns about the decimating effect that Plaintiff Kaul has had, and continues to have on his political path to the White House, have destabilized his mental fitness/political judgment, such that his schemes to eliminate Plaintiff Kaul have devolved into the conversion of unwitting rookie/other police officers into nothing but 'Nazi-esque' thugs.

3. K11-15 details a scheme of ongoing human/constitutional/civil rights violations, that constitute further conclusive evidence of The Kaul Cases claims, and specifically those of K11-14, claims that Plaintiff Kaul has been consistently asserting in the United States District Court since February 22, 2016.

4. The relief sought in K11-15 is of the same nature and form as that sought in K1, and involves not only relief specific to Plaintiff Kaul, but, and arguably as important, if not more, changes to the political and healthcare regulatory systems, including a "Reformation of American Medical Boards" ("RAMBO").

5. Plaintiff Kaul, a citizen of India, respectfully advises this Court that the Indian Government and specifically the Office of PM Modi, have been made aware of the within pled facts/surrounding issues, and a copy of this Complaint has been transmitted to the relevant persons/consulates.

Jurisdiction + Venue

6. General:

28 U.S.C. § 1331 – Plaintiff's allegations arise pursuant to Section 1983 claims of violations of Kaul's Constitutional rights and U.S.C. § 1964(a)(b)(c)(d) and 1962.

28 U.S.C. § 1332(a) – The aggregate amount in controversy exceeds seventy-five thousand dollars (\$75,000).

7. Personal:

The Court has personal jurisdiction over all K11-15 Defendants, as there remains pending a case (K11-14) in this Court, in which there exists commonality of litigants, subject matter, evidence, facts, argument and law, that substantiate in the interest of judicial efficiency and consistency, that K11-14/K11-15 be tried concurrently and under a consistent set of rules, in order to avoid inconsistent decisions and an inefficient utilization of the Court's resources.

Personal jurisdiction exists consequent to the transaction of business, maintenance of substantial contacts, and/or the commission of acts in furtherance of the illegal scheme and conspiracy throughout the United States, including in this district. The scheme and conspiracy have been directed at and have had the intended effect of causing injury to persons residing in, located in, or doing business throughout the United States including this District.

On July 11, 2023, under the authority of the United States District Court for the Southern District of Florida, personal jurisdiction was established on the Defendants, with the filing of a Complaint, pending the submission of a filing fee and Case Information Statement.

8. Venue:

28 U.S.C. § 1391(a)(2) – the proper venue for a civil action shall be determined without regard to whether the action is local or transitory in nature.

Parties

9. Plaintiff

RICHARD ARJUN KAUL, MD – 24 Washington Valley Road, Morristown, NJ 07960: 973 876 2877:
DRRICHARDKAUL@GMAIL.COM (“PLAINTIFF KAUL”)

10. Defendants

CHRISTOPHER J. CHRISTIE – 46 COREY LANE, MENDHAM, NJ 07945 (“DEFENDANT CHRISTIE”).

OFFICER KENNETH MURPHY – MORRISTOWN POLICE DEPARTMENT, 200 SOUTH STREET
MORRISTOWN, NJ 07963-4152 (“DEFENDANT MURPHY”)

Facts

11. From 2002 to 2012, Plaintiff Kaul revolutionized the field of minimally invasive spine surgery by inventing and successfully performing the first percutaneous outpatient spinal fusion in February 2005 at the Market Street Surgical Center in Saddlebrook, New Jersey.

12. As a consequence of the invention/successful performance of this industry changing procedure, Plaintiff Kaul's professional and commercial success escalated exponentially, and his businesses generated immense wealth based on the superiority of his technique over those performed by his surgeon competitors, who did not possess the surgical skills to perform Plaintiff Kaul's percutaneous procedure.

13. Plaintiff Kaul's competitors, unable to compete with Plaintiff Kaul in the minimally invasive spine surgery market, and feeling threatened by his rapidly increasing professional/commercial/reputational success, commenced conspiring against him.

14. From 2005 to 2008, the conspiracy consisted of, amongst other things: (i) slandering Plaintiff Kaul's name with patients; (ii) instructing/coercing physicians in the community to not refer patients to Plaintiff Kaul; (iii) instructing/coercing hospitals to not grant Plaintiff Kaul admitting privileges; (iv) coercing medical device representatives to not provide Plaintiff Kaul the devices/material he required to conduct the percutaneous spinal fusions, by threatening to have members of their surgical societies refuse to use their products; (v) colluding with insurance companies in the generation of medical 'opinions' denying payment to Plaintiff Kaul for his rendering of clinical services.

15. In approximately 2008, Plaintiff Kaul's competitors, recognizing the failure of their prior tactics, did engage with The Kaul Cases Defendant, and about to then be the 2009 New Jersey Governor, Christie, in a quid pro quo scheme, in which bribes were funneled into his personal/business/political 'coffers' and other financial vehicles.

16. In exchange for the bribes, Defendant Christie abused state executive power and ordered his AG/OAL Judge/Medical Board to commence 'sham' legal proceedings to illegally suspend (2012) and then revoke (2014) Plaintiff Kaul's license.

17. The licensing proceedings in the New Jersey Office of Administrative Law (April 9 to June 28, 2013) were conducted illegally and involved corruption of the administrative law judge and The Kaul Cases Defendant, Jay Howard Solomon and at least two hundred and seventy-eight (278) separate instances of evidential tampering/witness tampering/perjury/evidential omission in the final report issued by The Kaul Cases Defendant, Jay Howard Solomon, on December 13, 2013.

18. In a period from approximately 2010 to late 2015, Defendant Christie abused the executive power of state and his influence from his tenure (2000-2008) as the US Attorney for the District of New Jersey, to have violated Plaintiff Kaul's human/constitutional rights in administrative/state/state-appellate/bankruptcy/district courts within the geographic boundaries of the State of New Jersey, the purpose being to eliminate or otherwise effectively terminate Plaintiff Kaul's existence.

19. The purpose of eliminating/otherwise terminating Plaintiff Kaul was to attempt to prevent him from exposing, through litigation, the crimes of The Kaul Cases Defendants.

20. On February 22, 2016, Plaintiff Kaul filed suit against Defendant Christie and others in the United States District Court (Kaul v Christie: 16-CV-02364) (K1), on charges of knowing/willful violations of RICO/Antitrust and violations of Plaintiff Kaul's human/constitutional rights.

21. In or around May 2016, Defendant Christie, in collusion and conspiracy with certain persons in the New Jersey Office of the Attorney General and the Mercer County Prosecutor's Office, willfully abused the power of state to file a knowingly false criminal indictment against Plaintiff Kaul, in retaliation for the filing of K1.

22. Defendant Christie and his co-conspirators concocted and schemed to use the US wires and apparatus of state to perpetrate a knowingly illegal fraud against Plaintiff Kaul in an attempt to intimidate/harass him into not prosecuting K1, in an effort to conceal the crimes/human rights violations committed against Plaintiff Kaul by himself and The Kaul Cases Defendants.

23. The knowingly false indictment claimed that Plaintiff Kaul had allegedly deprived the state of tax revenue.

24. Defendant Christie and his co-conspirators knew that their allegations were false, and that the perpetration of the fraud through the apparatus of state constituted the commission of the felonies of wire fraud/public corruption/perjury.

25. Defendant Christie and his co-conspirators knew that in their commission of the felonies of wire fraud/public corruption/perjury, they willfully and with malice deprived Plaintiff Kaul of his human/civil/constitutional rights.

26. Defendant Christie and his conspirators, despite cognizance of the illegality of their misconduct, did act with impunity, as they filed the indictment with Peter Warshaw, a state court judge appointed by Defendant Christie to the Trenton bench. Plaintiff Kaul sent Warshaw a letter, dated October 11, 2016, informing him of, amongst other things, the conflict of interest (Exhibit 2). Plaintiff Kaul received no response.

27. Under orders from Defendant Christie, a paper copy of the fraudulent tax indictment was transmitted via the US mail to Plaintiff Kaul's ex-residence in Bernardsville in or around May/June 2016.

28. In 2016, Plaintiff Kaul's ex-residence was occupied by his ex-wife and two (2) young children, who had lived in the house since 2003 with Plaintiff Kaul until he relocated into Manhattan in 2005, that being the last year of his residence.

29. Plaintiff Kaul's ex-wife never forwarded him the papers of Defendant Christie's fraudulent tax indictment.

30. At approximately 1:30 am on September 16, 2016, Plaintiff Kaul was arrested at his residence by eight armed officers from the Somerset County Sheriff's Office on a warrant for unpaid child support, pursuant to a case filed by Plaintiff Kaul's ex-wife with the child support probation department of the State of New Jersey.

31. Subsequent to the arrest, Plaintiff Kaul was taken to the Somerset County Jail where he was told by a child probation officer that unless he paid thirty thousand dollars (\$30,000), he would not be released.

32. Plaintiff Kaul informed this individual that consequent to the illegal suspension (2012)/revocation (2014) and their legal sequelae, he had entered a state of poverty, and thus could not make any payments.

33. Plaintiff Kaul was then medically evaluated and found to have an excessively high blood pressure, but was nonetheless placed in a holding cell at approximately 3 am and at 7am he was transferred to a jail cell without having received any antihypertensive medications.

34. At approximately 9 am, Plaintiff Kaul's blood pressure was again measured and had increased, and so he was transferred to the medical unit within the jail, where he was placed on EKG, oxygen, and blood pressure monitoring, and had conducted a twelve (12) lead EKG.

35. Plaintiff Kaul remained handcuffed to the medical unit bed.

36. After several hours of intravenous therapy, nitroglycerin therapy and intravenous antihypertensives, Plaintiff Kaul's condition had not improved, and so he was transferred via to

Robert Wood Johnson University Hospital in Somerset, New Jersey, via an ambulance, in which he remained handcuffed to the stretcher.

37. Plaintiff Kaul was rapidly transferred to the emergency room and then onto the cardiac unit, where he was placed on intensive cardiac monitoring, but continued to be handcuffed to the bed and guarded by several prison officers.

38. In the early morning of September 17, 2016, Plaintiff Kaul's then partner, a nurse, paid two thousand dollars (\$2,000) to the State of New Jersey towards the alleged child support, without which Plaintiff Kaul would not have been released and would have been returned to jail.

39. Subsequent to the Somerset County Sheriff's Department receiving confirmation of the \$2,000 payment, the officers commenced the process to release Plaintiff Kaul, which involved checking as to any outstanding warrants.

40. In the process it was discovered that there was an alleged outstanding warrant from Mercer County, and upon informing Plaintiff Kaul of this alleged warrant and that instead of being released, he would be transferred into the custody of the Mercer County Sheriffs and transported to the Mercer County Correctional Center in Trenton, NJ, for further processing and appearance before a judge.

41. Plaintiff Kaul's physician, who had been markedly disturbed by the events he observed in witnessing a colleague with resistant hypertension chained to a hospital bed, informed the prison guards that the stresses associated with transferring Plaintiff Kaul to Trenton would likely cause him to sustain a lethal myocardial infarction.

42. The Somerset County Sheriffs Office informed the Mercer County Sheriff's Office, who informed the judge, Peter Warshaw, who adjourned the hearing and stated that the court would mail Plaintiff Kaul a notice of the new date.

43. At approximately 4:30 pm Plaintiff Kaul departed the hospital with his partner, who had been prevented by the prison guards from seeing Plaintiff Kaul upon either his admission to the emergency room on September 16, 2016, or while chained to the bed in the cardiac unit.

44. Plaintiff Kaul returned to his residence, and continued his prosecution of Kaul v Christie: 16-CV-02364 (K1), undeterred and in fact fortified by the events of the prior days. Plaintiff Kaul submitted a request to the K1 Magistrate Judge, in which he sought a Temporary Restraining Order and Preliminary Injunction against the State of New Jersey (Exhibit 1). The petition was ignored.

45. Approximately two (2) weeks later, Plaintiff Kaul received a letter from the Trenton court, in which the hearing date regarding the alleged tax indictment, had been scheduled for mid-October.

46. Upon receiving the letter, Plaintiff Kaul telephoned the prosecutor's office and during a conversation with a Rachel Cook, the assistant prosecutor assigned to the case, Plaintiff Kaul requested he be sent a copy of the entire file pertaining to the alleged indictment, in order that he could review and prepare for the October hearing.

47. The file was never sent and despite several unanswered and unreturned telephone calls/messages, no information was ever sent to Plaintiff Kaul.

48. Without any understanding or knowledge of the basis of the allegations, Plaintiff Kaul sent a letter to the judge, Peter Warshaw, informing him that he would not attend the hearing until he received the requested information, in accordance with his constitutional rights.

49. Plaintiff Kaul received no response from the court or the prosecutor's office, and as of the filing of this Complaint, has not received a copy of the alleged indictment or the materials on which the purported indictment was based/procured, the reason being that the 'indictment'

was and is a 'Fraud on the Court', a fact that the law required be known or ought to be known by all state/federal law enforcements agencies/persons within the State of New Jersey and the District of New Jersey.

50. From September 2017 to February 2021, Plaintiff Kaul submitted applications to the states of Pennsylvania/New Jersey/New York for medical licenses, and was, as part of the process, subjected to criminal background checks by state/federal authorities, that involved fingerprinting and the checking for any outstanding arrest warrants (Exhibits 4 + 5).

51. No outstanding warrants were found, and Plaintiff Kaul passed all criminal background checks.

52. On February 24, 2021, Plaintiff Kaul filed a lawsuit in the United States District Court for the District of Massachusetts (Kaul v Boston Partners: 21-CV-10326) (K11-2), in which Defendant Christie was charged with, amongst other things, racketeering and violating Plaintiff Kaul's human/civil/constitutional rights.

53. On May 26, 2021, Defendant Christie was served with a copy of the Summons/Complaint at his law office in Morristown, New Jersey.

54. On May 27, 2021, in retaliation for having been sued/served, Defendant Christie, in collusion/conspiracy with persons employed by county and state police agencies, did illegally and without warrants, enter Plaintiff Kaul's place of residence/work and seize his person.

55. The events of the 'Kaul Kidnapping Scheme' are memorialized in a letter filed on May 28, 2021, by Plaintiff Kaul in K11-2 (Exhibit ---) and of note is the fact that no warrant from Mercer County was ever produced, because the indictment was fraudulent, which explains why the Morristown police officers deposited my person at the hospital and left the building.

56. Despite Defendant Christie's illegal scheme to attempt to harass/intimidate Plaintiff Kaul into ceasing his prosecution of The Kaul Cases, which included having local New Jersey police forces harass process servers delivering legal papers to The Kaul Cases Defendants and having a New Jersey deputy attorney general threaten Plaintiff Kaul with arrest if he continued the prosecution, Plaintiff Kaul continued the prosecution.

57. From 2012 onwards, The Kaul Cases Defendants scheme of public corruption/obstruction of justice has involved the corruption of, amongst others, New Jersey based politicians/judges/prosecutors/police.

58. On June 14, 2023, during a police traffic stop in Morristown, Plaintiff Kaul was informed by Defendant Kenneth Murphy and a colleague that there existed a warrant for his arrest from Mercer County, New Jersey.

59. The approximate time from the moment Plaintiff Kaul was stopped to the time he was informed of the warrant was thirty (30) minutes, during which Defendant Murphy/his colleague engaged in conversation with a person/s over the communication system in their car.

60. The conversation was audible to Plaintiff Kaul and involved discussion about the purported Mercer County warrant.

61. When Defendant Murphy/his colleague approached Plaintiff Kaul's car and informed him of the purported Mercer County warrant, Plaintiff Kaul asked if the warrant was related to his child support case, to which Defendant Murphy knowingly misrepresented that it was, when in fact Defendant Murphy knew it pertained to the illegal Mercer County tax indictment.

62. Defendant Murphy knowing that there was no legitimate warrant, did not present Plaintiff Kaul with a copy of the warrant, but instead ordered Plaintiff Kaul to exit the car, which he did.

63. Defendant Murphy denied Plaintiff Kaul's request to call his girlfriend to inform her of the ongoing events and that he would not be meeting her.

64. Defendant Murphy, knowing that there was no legitimate warrant, did conduct a public examination of Plaintiff Kaul's person, in the knowledge that the examination was illegal and constituted a violation of Plaintiff Kaul's human/civil/constitutional rights.

65. Defendant Murphy's public examination was purposed to harass/intimidate/humiliate Plaintiff Kaul, with the by-passing of traffic.

66. Defendant Murphy, knowing that his physical apprehension of Plaintiff Kaul's person was illegal, did then further restrain Plaintiff Kaul's person with handcuffs and place him in the back of his car.

67. Defendant Murphy, knowing that there was no legitimate warrant, did then illegally transport Plaintiff Kaul's person to the Morristown Police Station.

68. Defendant Murphy, knowing that there was no legitimate warrant, and seeking to conceal from public view the illegal transport of Plaintiff Kaul, did enter the police station through a small well hidden rear exit, that bypassed the public booking area into which Plaintiff Kaul had been taken on May 27, 2021.

69. The transport of Plaintiff Kaul in this clandestine manner was consistent with Defendant Murphy's guilty state-of-mind, in knowing that there existed no legitimate arrest warrant, and that his illegal seizure of Plaintiff Kaul's person did willfully and knowingly violate Plaintiff Kaul's human/constitutional/civil rights.

70. Defendant Murphy entered a small bay and walked Plaintiff Kaul from the car down a set of bare concrete steps to a door which opened into a small room, which Defendant Murphy and Plaintiff Kaul entered.

71. At no point in time from the seizure of Plaintiff Kaul's person to his transfer to the US Marshals Service did any police officer or person inform him of his rights or of his right to remain silent.

72. An individual by the name of Underhill appeared, and began questioning Plaintiff Kaul.

73. Plaintiff Kaul was photographed, but not fingerprinted and was then instructed to remove his shoes and placed in a cell in which the temperature was excessively low.

74. Plaintiff Kaul was wearing no socks and after what seemed to be approximately two (2) hours in the cell pressed a communication button on the wall and indicated at a wall camera that he required assistance. His requests were ignored.

75. After what Plaintiff Kaul subsequently surmised was approximately four (4) hours, the door opened and Defendant Murphy and his colleague entered, and informed Plaintiff Kaul that he was to be transferred to the Mercer County Correctional Center.

76. Defendant Murphy and his colleague instructed Plaintiff Kaul to 'put his shoes on' and they then handed him into the custody of two individuals wearing badges and shirts on which were emblazoned words indicating they belonged to a "FUGITIVE" task force of the United States Marshals Service.

77. These individuals instructed Plaintiff Kaul to face the wall, and then proceeded to place a shackling system on his person, in which a wide leather band was placed around his waist to

which was tethered a set of handcuffs that were placed around Plaintiff Kaul's wrists, while attaching a set of cuffs around Plaintiff Kaul's ankles that restrained the motion of his legs.

78. At no point was Plaintiff Kaul permitted to make a telephone call.

79. Plaintiff Kaul was then walked from this underground area back up the bare concrete steps, and into the back seat of a black car with blacked out windows, in which he was restrained with a harness.

80. Plaintiff Kaul was not provided the names of the two individuals wearing insignia from the United States Marshals Service.

81. Plaintiff Kaul was transported from the Morristown Police Station to the Mercer County Correctional Center, with the car reaching speeds of almost 100 mph, causing a travel time of approximately one (1) hour.

82. Plaintiff Kaul's person was seized by Defendant Murphy at approximately 9:30 am EST, and he was transferred into the Mercer County Correctional Center at approximately 2:30 pm EST.

83. Plaintiff Kaul was led from the black car through a door into a small waiting area in which there was sat an African American male, in which there was a one-way mirror, on the other side of which sat a person and in which there was a TV repeating a video regarding the reporting of prison rape.

84. Still cuffed at the wrists/ankles, Plaintiff Kaul sat on a bench for approximately thirty (30) minutes, and was then instructed by a jail officer to enter a processing area, where the cuffs were removed by one of the United States Marshals, an individual in his fifties with dark hair and approximately five feet ten inches and two hundred pounds.

85. As this individual was removing the cuffs, Plaintiff Kaul told him that if he wanted to know who Plaintiff Kaul was that he should go to www.drrichardkaul.com. He repeated this information, and Plaintiff Kaul confirmed its accuracy.

86. Plaintiff Kaul was then moved into another room where he was fingerprinted, placed in prison attire, photographed, and given a blanket, sheet, some slippers, a cup, toothbrush, toothpaste, and deodorant.

87. Plaintiff Kaul was then given directions to the prison cell, it being an enclosed area in which there approximately seventy (75) beds, organized in sets of bunks of three, and in which there were multiple men sleeping on the floor in extremely unhygienic conditions.

88. Plaintiff Kaul's period of illegal detainment was in excess of twenty-four (24) hours.

89. On the morning of Thursday June 15, 2023, at approximately 7 am EST, a person purporting to be a nurse appeared at the cell gates, her appearance was announced by a prison guard and a number of men formed a queue at the gate.

90. Plaintiff Kaul joined this queue, seeking to obtain his blood pressure medications, which he had been prevented from taking the prior day.

91. The purported nurse handed Plaintiff Kaul a small paper cup containing four tablets that did not look like Plaintiff Kaul's usual blood pressure medications.

92. Plaintiff Kaul enquired as to the nature of each tablet, and was informed that the medications were the ones of which he had informed the intake persons.

93. At approximately 9 am EST, the prison guard enquired if Plaintiff Kaul wanted to see the prison psychiatrist, to which he responded in the negative.

94. At approximately 11 am EST, Plaintiff Kaul, along with a group of other men were escorted to the floor on which the medical unit was situated, but because the waiting room was full, Plaintiff Kaul was re-directed to the virtual court room, where he believed he would have an exchange with a judge.

95. Plaintiff Kaul entered an area in which there were several small rooms in which there were phones and telecommunications screens.

96. The prison guard instructed Plaintiff Kaul to enter one of the rooms and pick up the phone, which Plaintiff Kaul did, and a conversation then ensued between Plaintiff Kaul and a person who purported to be a representative of the public defenders office, tasked to ascertain whether Plaintiff Kaul qualified for public defender assistance.

97. This female person asked Plaintiff Kaul a series of questions and concluded that Plaintiff Kaul did qualify for a public defender, although Plaintiff Kaul did neither request nor indeed want a public defender, as he intended on representing himself.

98. At the conclusion of the conversation, Plaintiff Kaul was escorted back to the medical unit and entered into the waiting room, where there were sat approximately twenty (20) men.

99. Approximately fifteen (15) minutes after entering the medical unit, there was an incident in which another man, a rather frail/confused one, had thrown an empty paper cup at the prison guard, which resulted in a number of heavily armed men entering the room, violently apprehending this slightly built/confused individual, and instructing all other men to move into the corridor next to the waiting room.

100. Plaintiff Kaul was subsequently called into see a doctor, who knew of Plaintiff Kaul's physician status, and who stated that it was highly unusual for a physician to be held in the medium-maximum security facility that is the Mercer County Correctional Center.

101. The physician asked Plaintiff Kaul a series of questions pertaining to suicidal ideation, and enquired as to whether Plaintiff Kaul had considered suicide, to which Plaintiff Kaul answered in the negative.

102. The physician responded that professionals of Plaintiff Kaul's age who find themselves held in medium-maximum security facilities are at a very high risk of suicide, and require mental health evaluations.

103. Plaintiff Kaul expressed that he did not have any suicidal ideation, but the physician recommended Plaintiff Kaul be seen by a mental health evaluator.

104. Plaintiff Kaul was then escorted from the medical unit to the mental health evaluation unit, where he entered a room, in which was sat an individual who purported to be a mental health evaluator.

105. This person enquired if Plaintiff Kaul wanted to make a phone call, to which Plaintiff Kaul responded in the affirmative and stated that he wanted to call his lawyer, as he had not been permitted to speak to a lawyer since his arrest by Defendant Murphy.

106. This person stated that Plaintiff Kaul was not permitted to call a lawyer and could only call a "loved one"; which Plaintiff Kaul did, and during which he quickly instructed his friend to call Plaintiff Kaul's lawyer.

107. Plaintiff Kaul was then escorted back to the cell area, but approximately thirty (30) minutes later, he was escorted back to the medical unit, where he saw a nurse who presented him with a paper cup containing a large tablet of Librium.

108. Plaintiff Kaul enquired as to why he was being prescribed an anti-psychotic medication that causes mental infirmity in otherwise healthy individuals, to which the evidently nervous nurse answered that it was to mitigate Plaintiff Kaul's symptoms of withdrawal.

109. Plaintiff Kaul stated that he was not experiencing withdrawal from opiate narcotics, as he had never taken any, and did not require a medication such as Librium.

110. The nurse informed Plaintiff Kaul that she had been instructed to have Plaintiff Kaul consume the Librium.

111. Plaintiff Kaul placed the tablet in his mouth, but under his tongue, swallowed some water, and upon re-entering the cell, went to the bathroom area and spat the tablet into the toilet.

112. The nervous nurse failed to inspect Plaintiff Kaul's mouth after he had deposited the tablet.

113. The nervous nurse also, quite accidentally, informed Plaintiff Kaul that he was to be held in the facility for at least thirty (30) days.

114. It became rapidly apparent to Plaintiff Kaul that Defendant Christie's scheme was to have Plaintiff Kaul rendered/labelled mentally incompetent, in order to subsequently use the label against him in Plaintiff Kaul's prosecution of The Kaul Cases and his efforts to have his NJ license reinstated and or procure licenses in other states/countries.

115. It also became apparent to Plaintiff Kaul that Defendant Christie's scheme involved attempting to have Plaintiff Kaul held for as long as possible, with the intention of having him, while in a mentally incapacitated state, physically injured/killed, in order to prevent him from continuing his prosecution of The Kaul Cases by his elimination through either death or severe physical/psychological injury.

116. At approximately 7:30 pm, more than twenty-four (24) hours since the illegal seizure of Plaintiff Kaul's person by Defendant Murphy and without having seen a judge, Plaintiff Kaul was instructed by a prison guard that he was to immediately depart the facility.

117. Plaintiff Kaul was provided no documentation regarding any subsequent legal proceedings pertaining to the fraudulent tax indictment, but was given copies of the traffic tickets from Defendant Murphy, that were issued on June 14, 2023, during and as part of his knowingly illegal seizure of Plaintiff Kaul's person.

118. Plaintiff Kaul was transported from the Mercer County Correctional Center to the center of Trenton, where he was disembarked from the prison van at approximately 9:30 pm.

119. Plaintiff Kaul arrived at his residence at approximately 12:30 am June 16, 2023.

Legal Claims

42 U.S.C. § 1983 – CIVIL ACTION FOR DEPRIVATION OF RIGHTS

120. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

COUNT ONE

AGAINST DEFENDANTS CHRISTIE/MURPHY

VIOLATION OF PLAINTIFF KAUL'S DUE PROCESS RIGHTS PURSUANT TO THE FIFTH, EIGHT AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION

121. Plaintiff Kaul incorporates all of the above facts as if re-pled:

122. Defendant Christie, in causing the filing in May 2016 of a knowingly false tax indictment/legal instrument, did, while occupying the Office of the New Jersey Governor, knowingly and with malice, abuse the power of state as a 'state actor'.

123. Defendant Christie, as a 'state actor' did act under color of law in knowing violation of the law and of Plaintiff Kaul's human/constitutional/civil rights.

124. Defendant Christie, as a 'state actor' in knowingly violating the law and Plaintiff Kaul's human/constitutional/civil rights for the purpose of having filed a false criminal charge against Plaintiff Kaul, did knowingly commit a 'Fraud on the Court'.

125. Defendant Christie's commission of crime was committed against Plaintiff Kaul, to whom he caused and continues to cause irreparable injury and insult.

126. Defendant Christie's commission of crime was committed against the process of justice to which he caused and continues to cause irreparable injury and insult.

127. Defendant Christie's commission of crime was committed against the Office of the New Jersey Governor, to which he caused and continues to cause irreparable injury and insult.

128. Defendant Christie's commission of crime was committed against the Office of the New Jersey Attorney General, to which he caused and continues to cause irreparable injury and insult.

129. Defendant Christie's commission of crime was committed against the public, to which he caused and continues to cause irreparable injury and insult.

130. Defendant Christie's commission of crime was motivated by his political ambition to become the 2016 US President.

131. Defendant Christie, in the commission of crime/violation of civil rights, did know he was a 'state actor' engaging in a knowingly illegal conspiracy with other 'state actors' within the Office of the New Jersey Attorney General.

132. Defendant Christie, in the commission of crime/violation of civil rights, did know he was a 'state actor' engaging in a knowingly illegal use of the US wires.

133. Defendant Christie's willful/knowing/malicious deprivation of Plaintiff Kaul's human/constitutional/civil rights caused and continues to cause injury to Plaintiff Kaul, and as such Defendant Christie remains liable to Plaintiff Kaul for compensatory, consequential, and punitive damages.

134. Defendant Murphy, in acting with a knowledge of the illegality of the warrant on June 14, 2023, did so in his capacity as a 'state actor' pursuant to a section 1983 claim.

135. Defendant Murphy, in the knowledge that the warrant was illegal, did, while acting under color of law, knowingly violate Plaintiff Kaul's human/constitutional/civil rights.

136. Defendant Murphy's knowing violation of Plaintiff Kaul's human/constitutional/civil rights were committed through the illegal arrest, imprisonment, and denial of Plaintiff Kaul's request to alert a third party of his whereabouts.

137. Defendant Murphy's illegal seizure of Plaintiff Kaul's person and violation of his rights, while a 'state actor' acting under color of law, has caused him to incur liability pursuant to section 1983.

138. Defendant Murphy, an employee of the Morristown Police Department, did know of the illegal seizure of Plaintiff Kaul's person on May 27, 2021.

139. Defendant Murphy, in the knowledge of the illegality of the May 27, 2021, seizure, the illegality of the warrant and the illegality of the June 14, 2023, seizure, did nonetheless commit these violations of law and Plaintiff Kaul's rights, as he had received orders to do so.

COUNT TWO
AGAINST DEFENDANTS CHRISTIE/MURPHY

VIOLATION OF PLAINTIFF KAUL'S RIGHT PURSUANT TO THE FOURTH AMENDMENT OF THE
UNITED STATES CONSTITUTION

140. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

141. The conspiracy underpinning, surrounding, and causing the issuance in May 2016 of a fraudulent tax indictment, the illegal seizure of Plaintiff Kaul's person on May 27, 2021, and the illegal seizure of Plaintiff Kaul's person on June 14, 2023, does, pursuant to the doctrine of vicarious liability (SEDIMA, S. P. R. L. v. IMREX CO., INC., ET AL. No. 84-648. 473 U.S. 479 (1985)) confer on Defendant Christie the liability of Defendant Murphy's illegal seizure of Plaintiff Kaul, as if Defendant Christie conducted the illegal seizure himself.

142. Defendant Murphy's June 14, 2023, illegal seizure of Plaintiff Kaul's person, although conducted with a knowing illegality, would never have occurred had Defendant Christie not had issued the May 2016 fraudulent tax indictment.

143. The law prohibits Defendant Murphy from raising a probable cause defense. See Berg v County of Allegheny, 219 F. 3d 261 – Court of Appeals, 3rd Circuit 2000 (Exhibit 3):

144. "The Supreme Court's decision in Whiteley v. Warden, 401 U.S. 560, 91 S.Ct. 1031, 28 L.Ed.2d 306 (1971), as well as our own subsequent decisions, make clear that an erroneously issued warrant cannot provide probable cause for an arrest. In Whiteley, a county sheriff

obtained a warrant for Whiteley's arrest based on a conclusory complaint. Police officers in another jurisdiction arrested Whiteley, discovering evidence later introduced at his trial. The state argued that because the arresting officers were unaware of the defect in the warrant, they had probable cause to arrest whether or not the sheriff did. But the Supreme Court held that the arrest was unconstitutional and ordered the evidence excluded:

Certainly, police officers called upon to aid other officers in executing arrest warrants are entitled to assume that the officers requesting aid offered the magistrate the information requisite to support an independent judicial assessment of probable cause. Where, however, the contrary turns out to be true, an otherwise illegal arrest cannot be insulated from challenge by the decision of the instigating officer to rely on fellow officers to make the arrest." at 270

145. Neither can Defendant Murphy claim the "I was only taking orders" defense, a defense debunked at the Nuremberg Trials.

146. Defendant Murphy's illegal seizure of Plaintiff Kaul was made without probable cause, as Defendant Murphy knew the tax indictment related warrant was illegal, but for reasons of professional advancement entered into the conspiracy formed on May 26/27, 2021, between Defendant Christie and the Morristown Police Department.

147. Further substantiating Defendant Murphy's defenseless position is the fact that he, upon communicating with persons at the Morristown Police Department, knew that the May 27, 2021, seizure of Plaintiff Kaul's person was illegal

148. Further substantiating Defendant Murphy's defenselessness is the fact that he, upon communicating with persons at the Morristown Police Department, knew that the illegal May 27, 2021, seizure of Plaintiff Kaul's person was a retaliatory act initiated/orchestrated by Defendant Christie in an attempt to harass/intimidate/injure/kill Plaintiff Kaul, in order to cause him to cease his prosecution of The Kaul Cases Defendants.

149. Defendant Murphy, with this information in mind, knew that the law prohibited him from seizing Plaintiff Kaul's person, and thus he is without any defense as to his knowingly illegal seizure of Plaintiff Kaul's person.

**COUNT THREE
AGAINST DEFENDANTS CHRISTIE/MURPHY**

42 U.S.C. § 1985 (3) – CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS

150. "If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

151. The conspiracy that commenced against Plaintiff Kaul did so in approximately 2005/2006, when Plaintiff Kaul invented and successfully performed the first percutaneous minimally invasive outpatient spinal fusion.

152. From 2005/2206 this conspiracy has expanded to include, amongst others, the Morristown Police Department, which did knowingly enter the conspiracy on May 26/27, 2021, upon the encouragement by Defendant Christie of senior persons within the department.

153. Within the conspiracy there was an agreement, both tacit and explicit, that the successful execution of the scheme to eliminate Plaintiff Kaul (jail/suicide/murder) would require his civil rights be violated.

154. Defendants Christie and his co-conspirators at the Morristown Police Department knew that the willful violation of Plaintiff Kaul's civil rights constituted a felony, but did nonetheless attempt to perpetrate the scheme in the belief that Plaintiff Kaul would be eliminated on May 27, 2021, by having him transferred to the Mercer County Correctional Center, where he was to be seriously injured/killed, in order to render him unable to continue his prosecution of The Kaul Cases.

155. The conspiracy to violate Plaintiff Kaul's civil rights continued from the Morristown Police Department to the United States Marshals Service and into the Mercer County Correctional Center, where the scheme, for which Defendants Christie/Murphy, and in fact all of The Kaul Cases Defendants, pursuant to RICO's vicarious liability doctrine, are liable, involved an attempt to use anti-psychotics to render Plaintiff Kaul mentally infirm, psychiatrically labelled, susceptible to serious injury/death, in order to effectively eliminate his right to life and to actually eliminate Plaintiff Kaul.

156. It has become all but impossible to place a lead bullet in Plaintiff Kaul's head (that opportunity was lost in 2021) and so the schemes now involve pharmacological bullets.

Relief

1. Injunctive relief prohibiting any persons/agencies that either are or ever have been associated/contracted/employed/otherwise related to any legal elements/agencies of the State of New Jersey/its counties and or their agents from any further attempts at harassment/intimidation/interference with the person and rights of Plaintiff Kaul.
2. Compensatory/Consequential/Punitive relief in the amount of five hundred million dollars (\$500,000,000).
3. An order to Defendant Christie that he is to disseminate to all state agencies/courts/judges the above judgments.

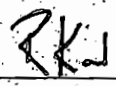
Conclusion

K11-15 represents an unhinged escalation of force that constitutes further conclusive evidence of the guilt of The Kaul Cases Defendants, to a criminal standard. This evidence will be submitted into K11-14 in support of motions for Summary Judgment.

The State of New Jersey is a Defendant in K11-5 (India), and the Indian Government is now appraised of the events/facts of this case and others.

Plaintiff Kaul respectfully informs this Court that its inaction in October 2016 regarding Plaintiff Kaul's request for a TRO/PI and subsequent obstruction of Plaintiff Kaul's efforts at prosecuting The Kaul Cases are partially responsible for the events of May 27, 2021/June 14, 2023, and should Plaintiff Kaul be injured/'suicided'/murdered, the Indian Government will demand The Kaul Cases Defendants be brought to justice in the US, and will exercise its power over American citizens/corporations in India.

Dated: July 27, 2023


RICHARD ARJUN KAUL, MD

www.drrichardkaul.com

June 7, 2022

Ramanathan Raju, MD
25 Windy Hollow Way
Staten Island, NY 10304-1131

Re: IN THE MATTER OF THE LICENSURE
APPLICATION OF RICHARD ARJUN KAUL
CAL. NO. 33128

Related cases:

Kaul v Zucker: INDEX No. 101121-2021 (SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION: FIRST DEPARTMENT)

Kaul v ICE: 21-CV-06992 (K11-7) (UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK)

Dear Dr. Raju,

Pursuant to 2010 New York Code, Article 31 Section 3123 **"Admissions as to matters of fact ..."**, please be noticed that if by June 22, 2022, you fail to address/rebut/deny the below statements, they will be deemed admitted, and will be submitted as fact in support of the claims identified in K11-7, a copy of which can be viewed on the home page of:

www.drrichardkaul.com

Richard Arjun Kaul, MD (hereinafter **"Kaul"**)

Statements:

1. I admit that: **(i)** no sub-committee of the New York State Medical Board was ever convened to adjudicate the application of Kaul, for a physician license in the State of New York; **(ii)** I have reviewed the October 20, 2021, Article 31 Section 3123 Admissions of Fact of Dr. Mary Jane Massie, a copy of which is attached to this document, and I do concur with the admitted facts.

2. I admit that no sub-committee of the New York State Medical Board ever issued an opinion regarding the application of Kaul, for a physician license in the State of New York.
3. I admit that no sub-committee of the New York State Medical Board ever communicated with a person by the name of **"Vincent Vollaro"**, an individual who represented himself as being a Supervising Investigator with the Office of Professional Discipline.
4. I respectively admit and do know that neither I nor any members of the New York State Medical Board have any knowledge pertaining to the purported issuance of a supposed opinion by a supposed sub-committee of the New York State Medical Board, regarding any application by Kaul for a physician license.
5. I respectively admit and do know that both I and all members of the New York State Medical Board provided no basis for the statement made via email by Vincent Vollaro on August 23, 2021, that a purported sub-committee of the New York State Medical Board supposedly opined, regarding my application, that there existed an **"issue of moral character"**. A copy of the email is attached to this document.
6. I admit that I have reviewed the August 27, 2021, report of Vincent Vollaro, a copy of which is attached to this document, and admit that his statement: **"On July 9, 2021, Robert Walther, MD, Ronald Uva, MD, and Ramanathan Raju, MD, of the NY Medical Board, all agreed that there is a substantial issue of moral character relative to the application for licensure of Richard Kaul."** is knowingly false.
7. I have knowledge that the August 27, 2021, report of Vincent Villaro was only issued after, and as a direct consequence of the lawsuits filed by Kaul, on August 19, 2021, in the United States District Court for the Southern District of New York (Kaul v ICE: 21-CV-06992) and August 25, 2021, in the New York State Supreme Court (Kaul v Howard A. Zucker/Arthur Hengerer: Index No. 101019-2021). I know that Vollaro was ordered to do this to attempt to mitigate the fraud liability of the New York State Medical Board/Members, on the charge, as admitted to by Dr. Jane Massie, of having lied that a sub-committee of the board found there existed a supposed question of **"moral character"**.
8. I have knowledge that the fraud committed by the New York State Medical Board/Members, was the direct and proximate cause of that committed in Kaul v Howard A. Zucker/Arthur Hengerer: Index No. 101019-2021, by NY AAG, Maryam Jazini Dorcheh, on November 8, 2021, when she misled the New York State Supreme Court into believing that a subcommittee of the New York State Medical Board had issued a written opinion regarding the **"moral character"** of Kaul: **"Petitioner thus fails to state a cause of action to compel their production of a document relating to his license application."** A copy of the VERIFIED ANSWER is attached to this document, and the falsehood is found on page 9.
9. I have knowledge that the fraud committed by the New York State Medical Board/Members, was the direct and proximate cause of that committed in Kaul v Howard A.

Zucker/Arthur Hengerer: Index No. 101019-2021, by New York State Judge, Shlomo Hagler, on February 17, 2022, when he was misled into believing that a subcommittee of the New York State Medical Board had issued a written opinion regarding the “moral character” of Kaul: **“Finally, even if Petitioner had sued the proper party, there is no evidence that Petitioner has a “clear legal right” to an opinion allegedly made by the SED or OPD ...”**. A copy of Judge Hagler’s order is attached to this document.

10. I have knowledge that the fraud perpetrated by the New York State Medical Board/Members and then propagated through the Office of the NY AG and the New York State Supreme Court, is now before the First Department of the New York State Appellate Court, in that on March 19, 2022, Kaul appealed the lower court order. A copy of the appeal is attached to this document.

11. I know that the perpetration/propagation of the aforesaid fraud constitutes the felony of ‘Fraud on the Court’, a RICO predicate act, which I know Kaul will submit into K11-7, in support of the racketeering claims.

12. I know that the use of the US wires to transmit the product of the fraud initiated/perpetrated by the New York State Medical Board/Members/Office of the NY AG/NYS Court System, constitutes the felony of wire fraud, which I know. Kaul will submit into K11-7, in support of the racketeering claims.

13. I have knowledge that it is not the intent of the New York State Medical Board to ever issue Kaul a functional license, but it is their intent to grant his application with conditions that knowingly/purposely render impossible his re-commencement of clinical practice in New York.

14. I have knowledge that the purpose of the proposed hearing and issuance of a non-functional license, constitutes another element of the **“New York Scheme”**, as identified in K11-7, in which the Defendants believe that issuance of a knowingly non-functional license will bolster their venue defense and mitigate their damages.


15. I have knowledge that the proposed hearing is the product of a conspiracy between certain K11-7 Defendants and the New York State Medical Board/Counsel/Members, purposed to attempt to manufacture a record that the K11-7 Defendants believe will bolster their K11-7 defense of venue, to which Kaul has submitted opposition, which in certain sections, references the New York State Medical Board/Members/Dr. Jane Massie. A copy of these sections is attached to this document.

16. I have knowledge that the K11-7 Defendants, in their recognition of the highly incriminating evidence/facts/arguments/law submitted by Kaul since August 19, 2021, did conspire with the New York State Medical Board/Members to plan to conduct a **“sham hearing”**, the purpose of which is, with fraudulent intent, to manufacture a record that they believe will bolster their defenses in K11-7.

17. I have knowledge that the New York Medical Board/Members, in furtherance of the "New York Scheme" did conspire with the K11-7 Defendants to, with a knowing illegality, ignore the May 27, 2020 opinion of a Pennsylvania Hearing Officer, that granted Kaul's application for licensure; and did with a knowing illegality not issue the exact same order, as legal reciprocity mandates, an act that constitutes a further violation of Kaul's human/constitutional rights, as pled in K11-7.

Please be advised accordingly.

Dated: June 7, 2022



RICHARD ARJUN KAUL, MD

Respond to:

drrichardkaul@gmail.com
440c Somerset Drive, Pearl River, NY 10965

ADVOCATES

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16 December 2022

**Through E-mail/ Post/Fedex
Without Prejudice**

To

1. The Intercontinental Exchange (ICE)
The Skyview
9th Floor Unit No. 09th & 11th Floor
Gachibowli, Ranga Reddy
Raidurg Village,
Hyderabad 500081
Telangana, India

2. Intercontinental Exchange Inc.
5660 New Northside Drive NW
3rd Floor
Atlanta, GA 30328
USA
+1-770-857-4700

also at:
11 Wall Street
New York
NY 10005
USA
+1-212-3000

Sir/Madam

**Sub: Legal Notice prior to commencement of Litigation
Proceedings on behalf of Dr. Richard A. Kaul.**

1. We act for and on behalf of our client Dr. Richard A. Kaul and under instructions of our client, serve upon you the present Legal Notice, which is being served primarily to you the Noticee No. 1 above and to you the Noticee No. 2 as the parent/holding company of the Noticee No. 1. The present Legal Notice is being served by way of abundant caution to apprise you of the intent of my client to initiate appropriate Legal Proceedings before the Court of competent jurisdiction in India or elsewhere, for and on account of reasons set out below in this Legal Notice.

2. You the Noticee No. 2 are the parent Company of the Indian subsidiary, i.e. the Noticee No. 1 herein and hence equally liable for the acts, deeds and omissions of the Noticee No. 1 as well.
3. Please be notified that you the Noticees No. 1 and 2 have inter alia committed legal violations by way of hatching a conspiracy against our client through collusion with the Indian subsidiary of Allstate Insurance Company, namely Allstate Solutions Private Limited who continues to violate the legal rights of our client and against whom our client has already initiated suitable legal proceedings before the Court of competent jurisdiction in India. It is a reasonable suspicion and apprehension of our client that you the Noticee No. 1, on behest of the Noticee No. 2 and under collusion with Allstate Insurance and its subsidiaries, acted in a manner prejudicial to our client bringing him reputational and vocational losses in addition to pecuniary losses and defamation.
4. Please be informed that our client has sufficient material and reasonable grounds to form a valid opinion that the legal rights to which he is entitled, under the Constitution of India, being an Indian National are being wrongfully suppressed and adversely affect his right to property and the right to livelihood and life in India. It is the belief of our client that you the Noticee No. 1 have been running a false propaganda through digital and non-digital modes of communication with the Indian Territory directly causing perjury to our client.
5. Please be informed that you the Noticee No. 1, acting on behest of the Noticee No. 2 have colluded with Allstate Insurance which is impleaded as a Defendant in Lawsuit No. K11-5 before the Court of competent jurisdiction in USA and its Indian Subsidiary which is the Defendant in another Lawsuit filed before the Hon'ble City Civil Court Bangalore, and in collusion you the Noticee No. 1 have effectuated a schematic approach to thwart the economic resurgence of our client, and have inter alia used modern technology including the internet to propagate defamatory articles regarding our client's character and competence as a physician, and casting aspersions on the medical acumen of our client clearly with an intent to damage his reputation and possibilities of professional progression in India. Please take

notice that these practices amount to misconduct and violate our client's legal rights under the Indian Constitution.

6. You the Noticees No. 1 and 2, are therefore, in your own interest advised to refrain yourself from indulging into such defamatory malpractices in collusion with any other entity including but not limited to Allstate Insurance or otherwise. In the event of your failure to cease and desist from continuing with the malpractices pointed out herein in the present Legal Notice, we have definite instructions from our client to initiate appropriate legal actions against you the Noticees No. 1 and 2, entirely at your own risk, cost and peril. Our client reserves its rights to claim suitable legal damages and compensation and also claim the charges incurred towards this Legal Notice amounting to USD 750 (Seven Hundred and Fifty US Dollars).

In above terms we serve upon you the present Legal Notice advising you to immediately Cease and Desist from publishing, promoting and promulgating and adverse, damaging and negative material against our client Dr. Richard A. Kaul and if at any juncture it is further observed that you the Noticees No. 1 and 2, have either under collusion or influence of any other third party or otherwise, caused any reputational harm or damage to our Client, we shall be constrained to initiate suitable Legal Actions against you the Noticees No. 1 and 2.

Please be notified accordingly.

Yours Sincerely


Bhatnagar, N.K.
Advocate

N. K. BHATNAGAR
ADVOCATE
Managing Partner
NKB LEGAL-Advocates & Legal Consultants
1st Floor, 50 Janpath, Tolstoy Lane,
Connaught Place, New Delhi-110001
Tel: 011-43103773

Exhibit 1

9/13/22, 5:57 PM

Cornyn, Coons Bill to Apply STOCK Act Requirements to Federal Judges Signed Into Law | United States Senator John Cornyn, Texas

(/)

Cornyn, Coons Bill to Apply STOCK Act Requirements to Federal Judges Signed Into Law

In: All News (/newsroom) Posted 05/13/2022

Share: [f \(https://www.facebook.com/sharer/sharer.php?](https://www.facebook.com/sharer/sharer.php?u=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[u=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[requirements-federal-judges-signed-law](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law) [t \(https://twitter.com/intent/tweet?](https://twitter.com/intent/tweet?text=Cornyn%2C+Coons+Bill+to+Apply+STOCK+Act+Requirements+to+Federal+Judges+Signed+Into+Law&url=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[text=Cornyn%2C+Coons+Bill+to+Apply+STOCK+Act+Requirements+to+Federal+Judges+Sign](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[ed+Into+Law&url=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[act-requirements-federal-judges-signed-law](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law) [e \(mailto:?subject=Cornyn, Coons Bill to Apply](mailto:?subject=Cornyn, Coons Bill to Apply STOCK Act Requirements to Federal Judges Signed Into Law&body=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[STOCK Act Requirements to Federal Judges Signed Into](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[Law&body=https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law)

[requirements-federal-judges-signed-law](https://www.cornyn.senate.gov/content/news/cornyn-coons-bill-apply-stock-act-requirements-federal-judges-signed-law))

"Bill Followed Wall Street Journal Report on Judges Neglecting Financial Disclosure Requirements, Avoiding Potential Conflicts of Interest"

WASHINGTON – U.S. Senators John Cornyn (R-TX) and Chris Coons (D-DE) released the following statements after their *Courthouse Ethics and Transparency Act*, which would require online publication of financial disclosure reports for federal judges and mandate they submit periodic transaction reports for certain securities transactions, was signed into law:

"Excluding federal judges from the same disclosure requirements as other federal officials under the STOCK Act was a mistake, and I'm glad we could right this wrong," said Sen. Cornyn. *"Thank you to my colleagues in Congress and the Biden Administration for acting quickly to make this the law of the land so we can prevent conflicts of interest and reassure litigants that they will receive a fair trial."*

"Every American who has their day in court deserves to know they'll be treated fairly by their judge, and now that the Courthouse Ethics and Transparency Act is law, they can be more confident than ever that they're getting equal and unbiased treatment. By signing this bipartisan measure into law, President Biden has brought badly needed transparency to federal judges' finances by signing this bipartisan measure into law," said Sen. Coons.

The legislation is cosponsored by Senate Judiciary Committee Chairman Dick Durbin (D-IL) and Ranking Member Chuck Grassley (R-IA) and Senators John Kennedy (R-LA), Sheldon Whitehouse (D-RI), Ted Cruz (R-TX), and Jon Ossoff (D-GA).

9/13/22, 5:57 PM

Cornyn, Coons Bill to Apply STOCK Act Requirements to Federal Judges Signed Into Law | United States Senator John Cornyn, Texas

The *Courthouse Ethics and Transparency Act* will require that federal judges' financial disclosure reports be made publicly available online and require federal judges to submit periodic transaction reports of securities transactions in line with other federal officials under the *STOCK Act*. The bill will amend the *Ethics in Government Act of 1978* to:

- Require the Administrative Office of the U.S. Courts to create a searchable online database of judicial financial disclosure forms and post those forms within 90 days of being filed, and
- Subject federal judges to the *STOCK Act's* requirement of filing periodic transaction reports within 45 days of securities transactions over \$1,000.

Importantly, the bill also preserves the existing ability of judges to request redactions of personal information on financial disclosure reports due to a security concern.

Under ethics guidelines and federal law prior to the *Courthouse Ethics and Transparency Act*, federal judges were prohibited from hearing cases that involve a party in which they, their spouse, or their minor children have a financial interest. Federal judges were instead supposed to disqualify themselves in any proceeding in which their impartiality may be questioned. Despite this, a recent report from the *Wall Street Journal* found that between 2010 and 2018, more than 130 federal judges failed to recuse themselves in nearly 700 cases in which they or an immediate family member held stock in a company involved in the case.

While federal judges were required to submit financial disclosure reports, the law did not provide sufficient transparency or certainty for litigants to discern if the judge has a conflict of interest. The process for obtaining judicial financial disclosure forms was often cumbersome and took months or even years. By contrast, financial disclosure reports for the President, Members of Congress, and Presidential-appointed and Senate-confirmed officials are readily available online.

Litigants need real-time access to judges' financial disclosures and securities transactions in order to preserve the integrity of the proceedings and ensure a recusal when there's a potential conflict of interest in their case. The *Courthouse Ethics and Transparency Act* will enact necessary updates to disclosure rules and provide litigants and the public with greater confidence in the judicial system.

Contact Senator Cornyn [@/contact](#)

Keep Informed

First Name

Last Name

E-mail

Sign Up

Exhibit 1



N. K. Bhatnagar
Advocate

1st Floor, 50 Janpath
Tolstoy Lane
Connaught Place
New Delhi-110001
E-mail : nkb@nkblegal.com
URL : www.nkblegal.com
Tel.: 011-43103773

16 December 2022

Through E-mail/ Post/Fedex
Without Prejudice

To
1. The Intercontinental Exchange (ICE)
The Skyview
9th Floor Unit No. 09th & 11th Floor
Gachibowli, Ranga Reddy
Raidurg Village,
Hyderabad 500081
Telangana, India

2. Intercontinental Exchange Inc.
5660 New Northside Drive NW
3rd Floor
Atlanta, GA 30328
USA
+1-770-857-4700

also at:
11 Wall Street
New York
NY 10005
USA
+1-212-3000

Sir/Madam

**Sub: Legal Notice prior to commencement of Litigation
Proceedings on behalf of Dr. Richard A. Kaul.**

1. We act for and on behalf of our client Dr. Richard A. Kaul and under instructions of our client, serve upon you the present Legal Notice, which is being served primarily to you the Noticee No. 1 above and to you the Noticee No. 2 as the parent/holding company of the Noticee No. 1. The present Legal Notice is being served by way of abundant caution to apprise you of the Intent of my client to initiate appropriate Legal Proceedings before the Court of competent jurisdiction in India or elsewhere, for and on account of reasons set out below in this Legal Notice.



2. You the Noticee No. 2 are the parent Company of the Indian subsidiary, i.e. the Noticee No. 1 herein and hence equally liable for the acts, deeds and omissions of the Noticee No. 1 as well.
3. Please be notified that you the Noticees No. 1 and 2 have inter alia committed legal violations by way of hatching a conspiracy against our client through collusion with the Indian subsidiary of Allstate Insurance Company, namely Allstate Solutions Private Limited who continues to violate the legal rights of our client and against whom our client has already initiated suitable legal proceedings before the Court of competent jurisdiction in India. It is a reasonable suspicion and apprehension of our client that you the Noticee No. 1, on behalf of the Noticee No. 2 and under collusion with Allstate Insurance and its subsidiaries, acted in a manner prejudicial to our client bringing him reputational and vocational losses in addition to pecuniary losses and defamation.
4. Please be informed that our client has sufficient material and reasonable grounds to form a valid opinion that the legal rights to which he is entitled, under the Constitution of India, being an Indian National are being wrongfully suppressed and adversely affect his right to property and the right to livelihood and life in India. It is the belief of our client that you the Noticee No. 1 have been running a false propaganda through digital and non-digital modes of communication with the Indian Territory directly causing perjury to our client.
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M. K. Bhatnagar
M. K. BHATNAGAR



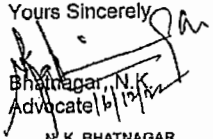
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Please be notified accordingly.

Yours Sincerely


Bhatnagar, N.K.
Advocate

N. K. BHATNAGAR
ADVOCATE
Managing Partner
NKB LEGAL, Advocates & Legal Consultants
1st Floor, 50 Janpath, Tolstoy Lane,
Connaught Place, New Delhi-110001
Tel: 011-43103773

5:23-cv-672-BO

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RICHARD ARJUN KAUL, MD

(b) County of Residence of First Listed Plaintiff NEW JERSEY (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

PROPRIA PERSONA PLAINTIFF

DEFENDANTS

CENTER FOR PERSONALIZED PHYSICIAN EDUCATION, ETAL

County of Residence of First Listed Defendant WAKE (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
FTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, TORTS, PERSONAL INJURY, PERSONAL PROPERTY, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories and checkboxes.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

RICO/SECTION 1983
Brief description of cause: DEFENDANTS ONGOING VIOLATIONS OF RICO AND PLAINTIFF'S CIVIL RIGHTS CONTINUE TO CAUSE PLAINTIFF ONGOING/NEW INJURY

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ MORE THAN \$75,000 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

Nov 14, 2023

FOR OFFICE USE ONLY

Case 5:23-cv-00672-BO-KS Document 1-36 Filed 11/20/23 Page 1 of 1

RECEIPT #

AMOUNT

APPLYING IFF

JUDGE

MAG. JUDGE

www.drrichardkaul.com

November 14, 2023

CLERK OF THE COURT
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
310 NEW BERN AVENUE, SUITE 174
RALEIGH, NORTH CAROLINA 27601

RE: KAUL v. CPEP ET AL
K11-17
COMPLAINT

Dear Clerk of the Court,

Please find submitted the following documents:

1. COMPLAINT WITH EXHIBITS.
2. CIVIL COVER SHEET.
3. CONSENT TO ELECTRONIC NOTIFICATION.
4. FINANCIAL DISCLOSURE STATEMENT.
5. NOTICE OF SELF-REPRESENTATION.
6. SUMMONS (3 COPIES) FOR ALL DEFENDANTS.
7. MONEY ORDER FOR FOUR-HUNDRED AND TWO DOLLARS (\$402.00) PAYABLE TO THE 'UNITED STATES DISTRICT COURT'.

Thank you in advance for your assistance.

Yours sincerely

Handwritten signature of Richard Arjun Kaul, consisting of stylized initials 'R.A.K.'.

RICHARD ARJUN KAUL, MD

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP) ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS
222 NORTH PERSON STREET, RALEIGH, NC 27601-1067

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP) ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS
222 NORTH PERSON STREET, RALEIGH, NC 27601-1067

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

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I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

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Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP) ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS
222 NORTH PERSON STREET, RALEIGH, NC 27601-1067

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

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on *(date)* _____, and mailed a copy to the individual's last known address; or

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_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

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Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ALLSTATE INSURANCE COMPANY, ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ALLSTATE INSURANCE COMPANY - 2775 SANDERS ROAD, NORTH PLAZA, NORTHBROOK, IL 60062-6127

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

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Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ALLSTATE INSURANCE COMPANY, ET AL

Defendant(s)

Civil Action No. 5: 23 - CV - 00672 - 50

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ALLSTATE INSURANCE COMPANY - 2775 SANDERS ROAD, NORTH PLAZA, NORTHBROOK, IL 60062-6127

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD 24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ALLSTATE INSURANCE COMPANY, ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-Bo

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ALLSTATE INSURANCE COMPANY - 2775 SANDERS ROAD, NORTH PLAZA, NORTHBROOK, IL 60062-6127

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD 24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Signature of Clerk or Deputy Clerk

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); CHRISTOPHER J. CHRISTIE, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-Bo

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CHRISTOPER J. CHRISTIE, 46 COREY LANE, MENDHAM 07960

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); CHRISTOPHER J. CHRISTIE, ET AL

Defendant(s)

Civil Action No.

5-23-CV-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CHRISTOPER J. CHRISTIE, 46 COREY LANE, MENDHAM 07960

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); CHRISTOPHER J. CHRISTIE, ET AL

Defendant(s)

Civil Action No.

5: 23- CV- 00672-30

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CHRISTOPER J. CHRISTIE, 46 COREY LANE, MENDHAM 07960

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); DANIEL STOLZ, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

DANIEL STOLZ - 60 CHRISTY DRIVE, WARREN, NJ 07059-6833

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); DANIEL STOLZ, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-Bo

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

DANIEL STOLZ - 60 CHRISTY DRIVE, WARREN, NJ 07059-6833

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); DANIEL STOLZ, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

DANIEL STOLZ - 60 CHRISTY DRIVE, WARREN, NJ 07059-6833

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); FEDERATION STATE MEDICAL BOARDS, ET AL

Defendant(s)

Civil Action No.

5:23-CV-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

FEDERATION STATE MEDICAL BOARDS - 400 FULLER WISER ROAD, SUITE 300, EULESS, TEXAS 76039

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); FEDERATION STATE MEDICAL BOARDS, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

FEDERATION STATE MEDICAL BOARDS - 400 FULLER WISER ROAD, SUITE 300, EULESS, TEXAS 76039

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); FEDERATION STATE MEDICAL BOARDS, ET AL

Defendant(s)

Civil Action No.

5:23-CV-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

FEDERATION STATE MEDICAL BOARDS - 400 FULLER WISER ROAD, SUITE 300, EULESS, TEXAS 76039

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); JAMES HOWARD SOLOMON, ET AL

Defendant(s)

Civil Action No.

5:23-CV-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

JAMES HOWARD SOLOMON
44 DOVER STREET, ASHEVILLE, NC 28804-2557

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify):*

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); JAMES HOWARD SOLOMON, ET AL

Defendant(s)

Civil Action No. 5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

JAMES HOWARD SOLOMON
44 DOVER STREET, ASHEVILLE, NC 28804-2557

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); JAMES HOWARD SOLOMON, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

JAMES HOWARD SOLOMON
44 DOVER STREET, ASHEVILLE, NC 28804-2557

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/14/2023

Civil Action No. 5:23-cv-00672-BO

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on *(date)* _____ ; or

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_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ROBERT HEARY, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-Bo

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ROBERT HEARY - 68 BLACKBURN ROAD, SUMMIT, NEW JERSEY 07901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

PROOF OF SERVICE

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designated by law to accept service of process on behalf of *(name of organization)* _____
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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ROBERT HEARY, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-BO

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ROBERT HEARY - 68 BLACKBURN ROAD, SUMMIT, NEW JERSEY 07901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

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Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

RICHARD ARJUN KAUL, MD

Plaintiff(s)

v.

CENTER FOR PERSONALIZED EDUCATION FOR PHYSICIANS (CPEP); ROBERT HEARY, ET AL

Defendant(s)

Civil Action No.

5:23-cv-00672-Bo

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ROBERT HEARY - 68 BLACKBURN ROAD, SUMMIT, NEW JERSEY 07901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD ARJUN KAUL, MD
24 WASHINGTON VALLEY ROAD, MORRISTOWN, NJ 07960

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Civil Action No. 5:23-cv-00672-BO

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Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:



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RALEIGH, NORTH CAROLINA 27601

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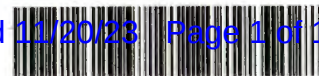
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US DISTRICT COURT, EDNC

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