

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 26<sup>th</sup> 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 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 26<sup>th</sup> 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.

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PPRR

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

*[Signature]* 9/23/2013

JACKELINE TORALES  
Commission # 2405821  
Notary Public, State of New Jersey  
My Commission Expires  
March 14, 2016

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~~12222~~



Richard Kaul <drrichardkaul@gmail.com>

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**Personal/Steven Waldman, MD**

1 message

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**Steven Waldman** <spwmd.atlasspine@gmail.com>  
To: drrichardkaul@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.

**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  
Palisades 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

Ken

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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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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.

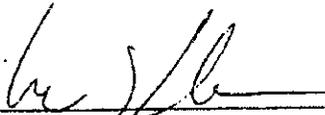
(c) Ms. Hafner asked me if I knew that Dr. Kaul had been arrested in London and charged with manslaughter, and she described in detail the events that had occurred in a dental clinic – I explained that although I didn't know these details, it did not change the fact that I was treated well by Dr. Kaul, 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

**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

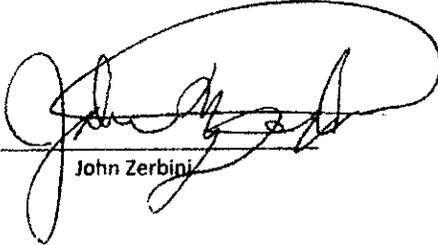
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John Zerbini

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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:

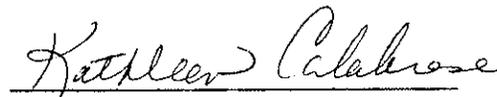
1. I am *66* a United States citizen and was patient of Dr. Kaul from 2003 to 2012.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. In April 2012, when Dr. Kaul's medical license was suspended, it caused immense hardship 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.

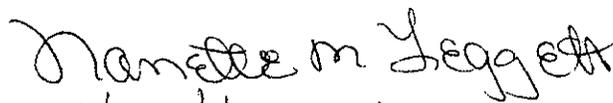
5. I ascertained that a group of doctors and politicians conspired and colluded to have Dr. Kaul's license revoked. I had witnessed on a number of occasions, while waiting in Dr. Kaul's office reception area, conversations between other patients, in which they described how other physicians regularly 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:

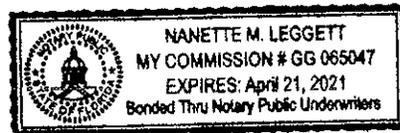
***"I think it is terrible what they are doing to Dr. Kaul"***

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 18<sup>21</sup>, 2017

  
Kathleen Calabrese

  
Nanette M Leggett



9/21/2017

[www.drrichardkaul.com](http://www.drrichardkaul.com)

January 16, 2018

CLERK  
U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
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2018 JAN 17 P 2: 54

Honorable Steven C. Mannion  
United States Magistrate Judge  
District of New Jersey  
UNITED STATES DISTRICT COURT

Re: **Kaul v Christie, et al.,**  
**Docket No. 16-CV-02364**  
**The Solomon Critique**

Dear Judge Mannion,

Please find submitted two (2) copies of the completed analysis of the trial transcript 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. The analysis, which is contained in the enclosed document entitled, 'The Solomon Critique', is referenced in ¶ 170 of the revised Second Amended Complaint that was filed with the Court on October 27, 2017. At that point in time, forty-four (44) instances of misconduct had been identified. However, on January 11, 2018, the date the analysis was completed, that number had risen to two hundred and seventy-eight (278) separate acts of misrepresentation, evidential omission, gross mischaracterization and perjury, collectively committed by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq and Defendants, Gregory Przybylski, MD and Andrew Kaufman, MD.

This case commenced on February 22, 2016, at which time I was not in possession of any witness certifications or evidential analyses. On November 23, 2016, the Defendants filed a motion to dismiss the Amended Complaint (noted in my briefs as the 'First Amended Complaint'), in which they relied principally on Solomon's fraudulent opinion. Despite being aware that the proceedings had been corrupted the defendants cited a paragraph in the board's FINAL ORDER of March 12, 2014, which characterized as, "*disturbing*", my refusal to accept their illegal act of license revocation. However, in light of the certification of John Zerbini, filed with the Court on August 9, 2017 and now The Solomon Critique, I would suggest that it is "*disturbing*" that the defendants were so willfully misrepresenting the truth in order to achieve their own ends. What is particularly troubling is the fact that the medical board continued these lies when they stated in their FINAL ORDER:

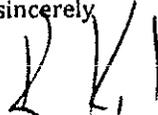
***"As indicated herein, based upon our review of the record, the Initial Decision, Exceptions and responses filed thereafter and consideration of oral argument of counsel, we have concluded that cause exists to adopt in their entirety all findings of fact and conclusions of law of the ALJ as amplified below. Based upon our independent review of the record and the evidence presented regarding sanctions, we herein modify the penalty recommendation to additionally include a \$300,000.00 monetary penalty."***

The evidence now before this Court proves this statement to be nothing, but a bare faced lie, intended to provide cover for their misconduct, and further the conspiracy described in John Zerbini's certification. The medical board knew that their actions were illegal, and despite having received a letter from me, dated February 6, 2014, in which I alerted them to the malfeasant conduct of their expert, Andrew Kaufman and senior medical board member, Steven Lomazow, they continued with their fraud.

The Defendants knew that their invocation of the Noerr-Pennington doctrine was improper, because they knew that they had behaved illegally in the administrative proceedings, and that Noerr-Pennington is no defense to acts of criminality. This however, did not stop them from deceiving this Court, in the same dishonest manner that the medical board rendered its 'cover-up' on March 12, 2014.

I hope that this submission is of assistance to the Court, in its determination of this case.

Yours sincerely



Richard Arjun Kaul, MD

cc: Judge Kevin McNulty  
All Counsel via e-mail

[www.drrichardkaul.com](http://www.drrichardkaul.com)

January 16, 2018

Honorable Kevin McNulty  
United States District Judge  
District of New Jersey  
UNITED STATES DISTRICT JUDGE

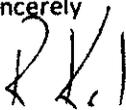
Re: **Kaul v Christle, et al.,**  
**Docket No. 16-CV-02364**  
**The Solomon Critique**

Dear Judge McNulty,

Please find submitted a copy of the completed analysis of the trial transcript 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. The analysis, which is contained in the enclosed document entitled, 'The Solomon Critique', is referenced in ¶ 170 of the revised Second Amended Complaint that was filed with the Court on October 27, 2017.

The document is necessarily detailed, and its length reflects that of the one hundred and five (105) -page opinion issued on December 13, 2013 by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq.

Yours sincerely



Richard Arjun Kaul, MD

cc: Judge Steven C. Mannion  
All Counsel via e-mail

## The Solomon Critique

A critical analysis of the trial transcript and evidence 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

Richard Arjun Kaul, MD

Richard Arjun Kaul, MD  
Propria Persona  
120 Temple Terrace  
Palisades Park, NJ 07650  
Tel: (201) 989 2299

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD  Plaintiff,  CHRISTOPHER J. CHRISTIE, ESQ, et al.,  Defendants	Civil Action No. 16-cv-02364  CERTIFICATION OF PLAINTIFF
---	--

Richard Arjun Kaul, of full age, certifies and says:

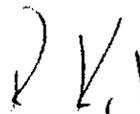
I am the Propria Persona Plaintiff

I make this certification in support of the Plaintiff's submission of 'The Solomon Critique'.

I certify that the italicized text in 'The Solomon Critique' is a true and accurate copy of the text of the opinion issued on December 13, 2013, by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq 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

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: January 16, 2018



Richard Arjun Kaul, MD

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## **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 *tr*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.

This detailed analysis of the trial record proves that the proceedings initiated against Dr. Kaul in

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.

RICHARD ARJUN KAUL, MD  
440c SOMERSET DRIVE  
PEARL RIVER, NY 10965  
201 989 2299

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DISTRICT OF NEW JERSEY  
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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**

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U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
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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.

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DISTRICT OF NEW JERSEY  
2018 SEP 27 P 5:23

5. I make this statement in support of the claims that Dr. Richard Arjun 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.

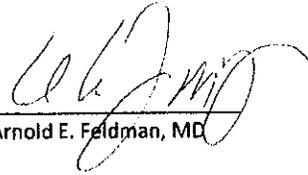
Dr. Kaul, like myself, was a victim of professional jealousy, that manifested itself through a corrupt medical board, that like many in the United States, flagrantly violate the due process rights of physicians.

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 protect: 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

**'The Solomon Critique 2'**

**Part 1**

**Analysis**

**PDF page 1-161**

**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

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF COLUMBIA**

RICHARD ARJUN KAUL, MD

Plaintiff

v.

FEDERATION OF STATE MEDICAL BOARDS, ET AL

Defendants.

CIVIL ACTION: 20-CV-01612-TSC

CERTIFICATION OF DINA M. KAUL

RICHARD ARJUN KAUL, MD  
440 c SOMERSET DRIVE  
PEARL RIVER, NY 10965  
862 881 9703  
drrichardkaul@gmail.com

Dina M. Kaul hereby certifies to the Court as follows:

I am fifty-one (51) years of age, a United States citizen and the mother of the children of Richard Arjun Kaul, MD ("**Plaintiff**").

I submit this affidavit in support of the claims and damages sought in the following cases:

- K1-Kaul v Christie: 16-CV-02364
- K2-Kaul v Christie: 18-CV-08086
- K3-Kaul v Schumer: 19-CV-13477
- K4-Kaul v Stolz: 18-CV-01489

K5-Kaul v Federation: 19-CV-3050

K6- State criminal indictment v Defendant Kaufman

K7-Kaul v Federation: 20-CV-01612

P1-Kaul/Patel v Allstate: 19-CV-08946

P2-Kaul/Patel v State of New Jersey/Crist: 19-CV-09232

A copy of this affidavit has been submitted into each of the above cases (**The Kaul Cases**)

On October 9, 2020 I spoke with Richard Arjun Kaul regarding various issues that pertain to the above cases. The following represents this telephone conversation, which lasted approximately one hour. The conversation has been organized into six (6) sections to facilitate interpretation.

**Section index:**

- A. Defendants' malicious violation of my maternal rights.
- B. Foreclosure of home + Deprivation of child support.
- C. Lawsuits + Bankruptcy.
- D. Defendants burglaries of Bernardsville home + Attack on Plaintiff's Surgical Center.
- E. Sheriffs.
- F. Claim Evidence.

**A. Defendants' malicious violation of my maternal rights**

1. I am the mother of two children, a boy and a girl, aged 18 and 15.
2. Both my children and I have suffered immensely, and continue to suffer because of the Defendants criminal scheme, as described in the above cases.
3. Our pain has been emotional, psychological and physical and is ongoing.

4. I submit this affidavit as a single mother and a woman who has desperately struggled since 2012 to raise two young children in the face of the Defendants malicious, relentless vendetta to destroy the life and reputation of my ex-husband, the Plaintiff.

5. The Plaintiff and I separated in 2005 and became divorced in 2009. He faithfully fulfilled all of his legal obligations under a property settlement agreement that we signed in 2005.

6. I find it incomprehensible that the Defendants attacked my children and I in the most vicious manner, in a period that commenced in 2012.

7. I also find it morally repugnant and reprehensible that the Defendants so perverted the process of justice, ethics and standards of basic human decency, in order to destroy my life, my children's lives and that of my ex-husband.

8. I have the utmost respect and admiration for the Plaintiff in the manner in which he has prosecuted the Defendants in his pursuit of justice.

9. To illustrate the character of the Defendants, mostly white privileged males, I make reference to the fact that I have worked as an administrator in the construction industry for twenty (20) years, and have never witnessed criminal conduct to the extent evident in the above cases.

10. I have dealt with teams of construction workers, mostly working class men, who are honest and would never do anything to intentionally harm women or children.

11. On several occasions I described the Defendants' crimes and their malicious scheme to intimidate, harass and attempt to destroy my life and that of my children.

12. On several occasion, these men described the Defendants misconduct as **"appalling"** and on one occasion, one individual described these men as **"heartless scumbags"**. He then went on to describe the manner in which he would have dealt with these individuals if they had attacked his family and children.
13. The Defendants violated my maternal rights, in that because of their relentless and vicious scheme, I was forced to fight just to survive, and was therefore deprived of time with my children. This is time that was so cruelly taken away from my children and I, time that I can NEVER get back.
14. To this day I cannot even begin to comprehend why these Defendants conspired to attack, and did attack my children and I. Even hardened criminals and members of the mafia have a code of conduct with regards to women and children.
15. The Defendants have stolen my sense of security and my children's sense of security. They do not feel safe at home or at school, because of the emotional, psychological and physical trauma that the Defendants have caused them. These individuals, wealthy, white and in positions of power, have stolen my children's childhood. Sometimes, when I think about the heinous crimes committed by the Defendants I want them to suffer, but I wish no harm on their wives or children, in the way that they did on my children and I.
16. To this day, I cannot fathom the evil that possessed the Defendants to commit the crimes they committed. I find it incomprehensible that it all stemmed from professional jealousy. If that is in fact the case, then the Defendants will need psychiatric help in jail.
17. I have read the affidavit of John Zerbini (K1-D.E. 205), and it sickens me, to know that Defendant Doreen Hafner, a deputy attorney general for the State of New Jersey, maliciously intended to destroy the lives and my children and I ( copy attached). I don't have the words to express how much pain she has caused me and

my innocent children, but I know justice will punish her and the other Defendants for the evil they perpetrated. I hope they rot in jail, so that no other mother and no more children will ever be subjected to the torture that my children and I have endured since 2012.

18. The facts detailed in this affidavit are just the 'tip of the iceberg'. There is so much more, but it is very painful at this time for me to talk about these atrocities, let alone write about them. It has taken me many years to develop the courage to submit this affidavit. I wanted to leave everything in the past, and not think about the agony to which my children and I were subjected by the Defendants, but the Plaintiff, the father of my our children, told me, **"that I must face the past, in order to find the future"**.

19. The Plaintiff is a brilliant and courageous man. The Defendants are greedy bullies, cowards and abusers of innocent women and children. These individuals are despicable.

20. I am extremely angry about the immense and permanent injuries the Defendants have caused to my children and I, and for what. Because they were jealous of the Plaintiff's professional success. The Defendants have tormented my children and I since 2012, because they wanted to destroy him and everyone in his life. I imagine that these individuals sat down in a room, on many occasions, and planned every detail of their illegal scheme, including rackets intended to abuse the legal system in order to exact an inhumane degree of psychological pressure on the Plaintiff. The purpose of these rackets was to have the Plaintiff die, be jailed or flee the country. The Plaintiff has enormous mental fortitude, a profound hate of injustice, an indomitable will and an undying love for his children. He is a hero, who has publicly exposed the Defendants' as bullies, cowards and in all truth, individuals that deserve to be eliminated from society.

**B. Foreclosure of home + Deprivation of child support**

21. In December 2003, the Plaintiff and I jointly purchased a home in Bernardsville, New Jersey, in which I invested the entirety of monies derived from the sale of my studio apartment in Manhattan.
22. From December 2003 to August 2016, I lived in the house with my two young children, who were aged thirteen (13) and nine (9) when we were evicted due to bank foreclosure.
23. The foreclosure of the Bernardsville house was a direct consequence of the Plaintiff's sudden inability to provide child and pay the mortgage. These were a consequence of the immense economic hardship caused to the Plaintiff by the widely publicized suspension/revocation (2012/2014) of his New Jersey medical license.
24. As a consequence of the license suspension, I stopped receiving child support in March 2013.
25. As a consequence of the license suspension, the Plaintiff stopped paying the mortgage in April 2013.
26. As a consequence of the suspension, my children's education was abruptly interrupted and they were forced to leave the school in which they had studied since the ages of seven (7) and five (5). This event was extremely traumatic for them.
27. As a consequence of the foreclosure proceedings, and my lack of child support, I was forced to sell all possessions in the house. This sale occurred in June 2016, and resulted in the total loss of my possessions, my children's possessions and those possessions in the house that belonged to the Plaintiff.

28. As a consequence of not having received child support/alimony since March 2013, I was forced into a state of poverty, which caused me to file for personal bankruptcy on May 13, 2015.

29. As a consequence of my filing for personal bankruptcy, my financial credit score was reduced to less than 550, and upon the eviction of my children and I from our home, I was unable to secure a rental property. My children and I were forced into a state of homelessness and poverty.

30. As a consequence of the foreclosure and deprivation of child support, my children have suffered immense psychological, emotional and physical injuries that are ongoing.

#### **C. Lawsuits + Bankruptcy**

31. On May 13, 2015, I was forced to file for personal bankruptcy due to multiple liens and judgments levied against my name.

32. The judgments and liens were a direct consequence of lawsuits filed against me and the Plaintiff by amongst others, Defendant Stein.

33. In March 2014, Defendant Stein attempted to have me and my two children evicted from our home.

34. I was forced to retain a lawyer, but because I had not received any child support/alimony since March 2013, I had no money and my retired parents used their pension to pay the legal fees.

35. In December 2003, the Plaintiff and I jointly purchased the house, and it remained in both of our names after our divorce in May 2011.

36. It is my understanding that in approximately late 2013, Defendant Stein misrepresented to the Morris County Court that the Plaintiff retained sole title of the house, in order to have the court enter an order of eviction.
37. Had an order of eviction been entered in 2014, my children and I would have been left destitute and homeless.
38. As a consequence of the suspension/revocation the Plaintiff, in late 2012, became unable to pay the school fees for our children.
39. In late 2012 the Plaintiff and I met with the school administrators to discuss our situation, in the hope that our children's departure from the school would not be sudden. To this effect my parents used monies from their pension.
40. However, in mid 2014, the school filed a lawsuit against the Plaintiff and I, in which it made false claims that we owed it money.
41. Neither the Plaintiff nor I had the money to defend the claims, and consequently, a default judgment was entered against both him and I.
42. It is my understanding that the school (Far Hills Country Day School) also filed a claim in the Chapter 11 bankruptcy proceedings (13-23366-DNJ) initiated by the Plaintiff's corporations on June 17, 2013. I have no knowledge as to whether the claim was paid.
43. It is my understanding that the school, consequent to the widely publicized suspension of the Plaintiffs license on June 13, 2012, entered into a series of communications with members of the administration of Defendant Christie/New Jersey Attorney General.

44. In the aforesaid communications the school administrators were informed that the FBI were investigating the Plaintiff, and that he would be indicted and convicted.

45. It is my understanding that as a consequence of these communications, the school decided to file a lawsuit, in the belief that the Plaintiff would either die, be jailed or leave the country.

46. It is my understanding that the school colluded and conspired with the aforesaid parties to file a lawsuit, with the intent and purpose of facilitating the illegal schemes the Plaintiff has detailed in his federal lawsuits ("The Kaul Cases").

47. It is my understanding that the conspiracy was purposed to destroy the Plaintiff's livelihood and reputation.

48. From April 2012 to late 2016, insurance companies (Allstate/Geico), banks and ex-patients named me as a defendant in multiple lawsuits they filed against the Plaintiff.

49. I had no money to defend the aforesaid claims and as a consequence multiple default judgments were entered against me. These detrimentally affected my credit score and made it impossible for my children and I to secure a rental property upon eviction, in 2016, from their childhood home.

50. As a consequence of the aforesaid judgments/liens/levies I was forced to file for chapter 7 bankruptcy on May 13, 2015.

51. As a consequence of the aforesaid judgments/liens/levies my personal bank account was 'frozen'.

52. On June 26, 2015 I attended a creditors meeting in Trenton, at which the trustee, Daniel M. Straffi, interviewed me.

53. I specifically remember that the majority of the questions pertained to personal and professional matters regarding the Plaintiff. Straffi repeatedly asked me why I had agreed to the terms of the Property Settlement Agreement that the Plaintiff and I signed in 2005.

54. It is my understanding that Defendant Stein, members of the administration of Defendant Christie and Office of the New Jersey Attorney General had conspired/colluded with Steffi to focus his questions on the property settlement agreement.

55. Straffi initially objected to my application to file for chapter 7 bankruptcy

56. It is my understanding that the purpose of these particular questions was an attempt to improperly facilitate the effort of Defendant Stein to have me and my children evicted from our home.

57. When I informed my lawyer as to what I believed was a bizarre line of questioning from Straffi, he failed to disclose that he too had been co-opted by members of the Office of the New Jersey Attorney General and the administration of Defendant Christie.

58. I was separated from the Plaintiff in 2005 and divorced in 2009.

59. I now believe that there existed from 2012 to 2016 a conspiracy by the Defendants to have the Plaintiff die, be jailed, deported and or destroy his reputation and livelihood.

**D. Defendants burglaries of Bernardsville home + attack on Plaintiff's surgical center**

60. It is my understanding that in 2006 the Defendants commenced their scheme to have the Plaintiff's license revoked, and that on February 3 2010 Defendant New Jersey Board of Medical Examiners interviewed him about his practice of minimally invasive spine surgery.
61. In October 2010 my home was burgled, while my children and I were away from the house.
62. Upon returning to the house, I immediately noticed that the entire front door had been destroyed, that there were footprints throughout the house and that every room, including my children's bedrooms, had been ransacked. Cupboards had been emptied, draws flung to the floor, rugs pulled up and it was apparent that the intruders had attempted to access my computer. I filed a police report.
63. The burglary terrified my children, who at the time were aged eight (8) and six (6). My son began having difficulty sleeping at night and experienced frequent nightmares, from which he would wake in a state of panic. He also had difficulty concentrating at school and on his homework, as he believed there would another burglary.
64. In June 2013 there was indeed another burglary, that was conducted in the same manner as the previous one. However, on this occasion my computer was left abandoned in the hallway, and I believe that the intruders were in the house as I entered the cul-de-sac on which it was located. I filed a report with the police.
65. It is my understanding that this burglary coincided with an attack on the building in which the Plaintiff's surgical center was located, at 111 Wanaque Avenue, Pompton Lakes New Jersey. This was the NJSR Surgical Center.

66. It is my understanding that the building sustained enormous water damage from a fractured pipe. This occurred in June 2013, at a time when the Plaintiff was attending the medical license hearing in the New Jersey Office of Administrative Law (April 9, 2013 to June 28, 2013).

**E. Sheriffs**

67. From April 2012 to mid 2016, just after the Plaintiff filed a RICO claim against the Defendants, armed Sheriffs officers frequently appeared at my home, to serve legal papers for the Plaintiff. This occurred on a monthly basis.

68. On each and every occasion I informed these individuals that the Plaintiff had not lived at the house since 2005, and almost every time the person insisted that he did.

69. On multiple occasions the individual screamed at me, while my children stood behind me in a state of utter panic. On a number of occasions my son asked me if I and or the Plaintiff, their father, were going to jail.

70. On a number of occasions the individual threw the papers into the hallway of my home. My children witnessed these acts.

71. These events stopped shortly after the Plaintiff commenced legal action against the Defendants.

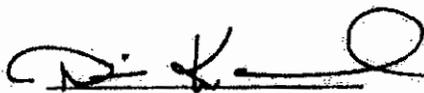
**F. Claim Evidence**

72. A family member of mine involved in the New Jersey healthcare sector, an individual with direct knowledge of the Defendants' crimes, has confirmed to me the truthfulness of the Plaintiff's claims.

73. The Defendants crimes have had an enormous impact on the lives of my children, that continues to this day, and I believe they should be held accountable for their malicious and criminal wrongdoing.

I certify that the above statements made by me are true. I am aware that if any of the above statements are willfully false, I will be subject to punishment.

Dated: November 9, 2020

A handwritten signature in black ink, appearing to read 'Dina M. Kaul', with a large loop at the end of the name.

Dina M. Kaul

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[www.drrichardkaul.com](http://www.drrichardkaul.com)

May 28, 2021

U.S. DISTRICT COURT  
DISTRICT OF MASS.

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](http://www.drrichardkaul.com)

February 11, 2022

RECEIVED  
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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.



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RICHARD ARJUN KAUL, MD



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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 Zerbini and Kenneth Sabo, which he proceeded to closely read.
- e. While reading Zerbini'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.

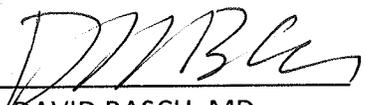
o. I concluded our conversation by asking Cappello to not only "**revisit your memory bank**" but to make further inquiries within the New Jersey Republican Party, to which he repeated that the only person with whom remains in contact is state senator, Anthony Bucco, and that he has no contact with any 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