

LEONARD G. HOROWITZ, Pro Se  
13-3775 Pahoia-Kalapana Road  
Pahoia, HI 96778  
Email: [editor@medicalveritas.org](mailto:editor@medicalveritas.org)  
808-965-2112

SHERRI KANE, Pro Se  
P. O. Box 75104  
Honolulu, HI 96836  
[SherriKane@gmail.com](mailto:SherriKane@gmail.com)  
310-877-3002

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

JASON HESTER, an individual	)	CIV. NO. 14 00413 JMS/RLP
Plaintiff,	)	
vs.	)	(Quiet Title/Summary Possession)
	)	
LEONARD G. HOROWITZ, an	)	<b>DEFENDANTS/COUNTERCLAIMANTS</b>
Individual; SHERRI KANE, an	)	<b>SCHEDULING CONFERENCE</b>
Individual; MEDICAL VERITAS	)	<b>STATEMENT; DECLARATION OF</b>
INTERNATIONAL, INC. a California	)	<b>LEONARD G. HOROWITZ AND</b>
non-profit corporation; THE ROYAL	)	<b>SHERRI KANE; CERTIFICATE OF</b>
BLOODLINE OF DAVID, a	)	<b>SERVICE</b>
Washington Corp. Sole; and DOES 1	)	
through 50, Inclusive	)	JUDGE: THE HON. RICHARD L.
Defendants / Counterclaimants	)	PUGLISI/
	)	J. MICHAEL SEABRIGHT
	)	
	)	SCHEDULING CONFERENCE: Nov. 20,
	)	2014
	)	
	)	CONFERENCE TIME: 9:30 AM, HST
	)	
	)	TRIAL DATE: Not Set

**DEFENDANTS/COUNTERCLAIMANTS  
SCHEDULING CONFERENCE STATEMENT**

COMES NOW DEFENDANTS/COUNTERCLAIMANTS (hereafter, "DCs") LEONARD G. HOROWITZ (hereafter "HOROWITZ) and SHERRI KANE ("KANE"), filing the following SCHEDULING CONFERENCE STATEMENT pro se, pursuant to Local Rule 16.2 and the honorable Court's Notice of Oct. 17, 2014, setting said conference for 9:30 AM HST, on Nov. 20, 2014.

**I. LR16.2 SCHEDULING CONFERENCE STATEMENT:**

**A. BRIEF STATEMENT: NATURE OF CASE.**

A-1. This Complaint for "Quiet Title" and "Summary Ejectment" damaging the DCs and their non-profit corporations—THE ROYAL BLOODLINE OF DAVID (hereafter "RBD") and MEDICAL VERITAS INTERNATIONAL, INC. ("MVI") stems from a purchase and sale agreement altered in 2003 by the Subject "Property" Seller, predicate felon and convicted marijuana trafficking king pin, Cecil Loran Lee, the purported "client" of attorney PAUL J. SULLA, JR. (hereafter, "SULLA"); who by fraud, extortion, and forgery hoodwinked HOROWITZ/RBD into an "*unconscionable bargain*" called "The Mortgage" coupled with two Promissory Notes, serving a large RICO enterprise and conspiracy damaging a lot of people on the Big Island of Hawaii and mainland.

A-2. Since that time, a group of men led by SULLA (i.e., "The Conspirators") have acted to deprive HOROWITZ and his partner KANE of their rights, money, religious Property, honorable reputations, and commercial operations in a complex anti-trust litigation that features a related Idaho case.

A-3. To reduce said complexity, the DCs propose the honorable Court bifurcate this case for efficiency, economy, and public service, into: a) Part I – the Quiet Title adjudication most important to the Parties' private interests; and b) Part II – a RICO action against The Conspirators for, inter alia, theft, extortion, real estate fraud, mail fraud, securities fraud, defamation, consumer fraud, drug trafficking, religious persecution, terroristic threatening, and unfair competition—crimes of widespread social interest.

A-3. This action follows a series of malicious prosecutions, a court DENIED FORECLOSURE, then three fraudulent transfers of securities and illegal non-judicial foreclosure ("NJF") committed by SULLA slandering Title; then two harassing and unlawful Ejectment Actions SULLA directed HESTER and his co-counsel, Phillip L. Carey, to file in the "wrong court" lacking subject matter jurisdiction; and one SLAPP-lawsuit SULLA contrived to censor the DCs' publications as "citizens' participation in government," delaying process for 2.5 years before being DISMISSED for SULLA's failure to prosecute.

A-4. In fact, this instant Complaint was forced upon SULLA and his shill sham Plaintiff ("HESTER") by Judge Harry P. Freitas after SULLA filed this same Ejectment Action in that court for a **second time**, (3RC 14-1-466, filed April 25, 2014) causing the judge to warn SULLA that if he and HESTER did not file their Quiet Title case in the "proper" (Third Circuit) court, then a trial would be scheduled on HOROWITZ's Motion for Sanctions for Malicious Prosecution, since Judge Freitas had earlier ruled in Civ. No. 3RC-11-1-662 that his court lacked jurisdiction to decide this contested title matter.

A-5. The first Freitas Dismissal followed months of SULLA's delaying tactics aimed to destroy RBD financially, which he accomplished (see Exhibit "EE").

A-6. Prior to the Freitas court actions, the Ibarra Court had DENIED FORECLOSURE (in Civ. No. 05-1-0196), ordered an "accelerated" final balloon payment of \$350,000.00 that HOROWITZ/RBD paid timely by applying a \$200,000.00 jury award as credit, only to have SULLA and Lee evade several Notices to release the Mortgage. Then, synchronous with SULLA filing to appeal the \$200,000.00 jury award, he *fraudulently transferred said contested (unconscionable bargain) Mortgage and Promissory Notes by Assignments into a new sham "church" incorporation*, manufactured, to defraud Lee's five (5) judgment creditors (from three (3) cases), by transferring the original paid debt (creating \$350,000.00 in new "false debt") into said "church" (absurdly titled, "THE OFFICE OF OVERSEER, A CORPORATE SOLE AND ITS SUCCESSOR, OVER AND FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS;" hereafter "GOB"). Within three weeks, Lee died, and SULLA defrauded the Ibarra Court into vacating the \$200,000.00 jury award in favor of the sham "church" "Substitute Plaintiff," and then proceeded to extort HOROWITZ to pay the "unlawful debt."

A-7. Said Complaint evidences a prima facie case of conspiracy to deprive the DC's rights under color of law; and also evidences the manner and means by which the Conspirators committed RICO violations, including extortion, theft, drug trafficking, mail fraud, defamation, a pattern of malicious prosecutions, unfair competition, and deceptive trade.

A-8. The Complaint, according to the DC's pleadings and exhibits, was filed by SULLA in "bad faith" with "unclean hands," as proven by a chain of records showing the aforementioned fraudulent transfers. Compounding this illegality, SULLA issued HESTER a Mortgage creating and concealing SULLA's conflicting interests as co-surety with HESTER, and co-ownership/fiduciary agency (in effect his "trusteeship") over the two "churches" that are competing against HOROWITZ/RBD for ownership of the "sacred" geothermal Property.

A-9. Said competitors and concealed indispensable parties include GOB and "THE ECLECTIC CENTER OF UNIVERSAL FLOWING LIGHT-PAULO ROBERTO SILVA E SOUZA" ("ECU")— known on the Big Island as the "Ayahuasca Church"—in addition to other commercially competing entities, purportedly engaged in real estate development, natural health products and services, and illegal "community medicine" under "religious" protections.

A-10. SULLA's records, filed with the Hawaii Department of Commerce and Consumer Affairs (DCCA) and the Bureau of Conveyances, prove his conflicting interests in natural health products companies in direct competition with the DCs' commercial interests and investments, including the lava-heated steam issuing from vents on the sacred estate.

A-11. As proposed, Part II of this case would adjudicate Counterclaims XX thru XXIV and would prosecute SULLA et. al, for **exploiting:**

a) **First Amendment rights** to tax-free "religious" drug trafficking;

b) **a new religion** popularly called the "Church of Sante Daime" or "Ayahuasca Church," commercializing the risky, occasionally deadly, controlled narcotic dimethyltryptamine ("DMT") contained in the SULLA-church-manufactured "ayahuasca"; and

c) **court officers' and law enforcers' complicity** by willful blindness and/or direct involvements in SULLA's malicious prosecutions and "religious" racketeering enterprise; concealing said drug manufacturing and trafficking, money laundering, extortion, securities fraud, property theft, consumer fraud, and tax evasion, compromising the integrity of the Hawaii Third Circuit justice system (at minimum), along with the ethics, morals, and values of law-abiding Americans defrauded to patronize this corruptly administered, risky, even deadly, ayahuasca "religious" drug cult(ure).

A-12. This set of RICO claims and citizen's participation in government, provides a case study in social activism against judicial corruption, religious cult indoctrination, drug "market penetration," and profitable pharmaceutical intoxication.

A-13. The DCs propose promptly adjudicating and remedying the first matter of SULLA having committed **prima facie foreclosure fraud in criminal contempt of court** causing the DCs' damages and justifying their need for injunctive relief to mitigate losses of more than \$9 million mounting \$5,000.00 monthly, by granting **replevin** in favor of the Warranty Deed holder—RBD and "body corporate" HOROWITZ.

**A-14. The following two sections are provided in case the honorable Court desires further background on these two proposed bifurcated parts: a) "Quiet Title Counterclaims" I thru XIX; and b) "RICO-related Counterclaims" XX thru XXIV. (Otherwise, please skip ahead to Section B on page 19.)**

**A(I). PART I: THE QUIET TITLE ACTION**

AI-1. This "Quiet Title" matter sources from SULLA, who conspired with Plaintiff HESTER's fraudulently claimed "uncle"—that is, SULLA's previous purported "client," now deceased, but formerly a convicted drug trafficker and subject Property Seller, named Cecil Loran Lee ("Lee").

AI-2. By counterclaimed tortious and criminal acts, the Conspirators deprived the DCs of their property rights; competed unfairly against them, defamed them to destroy their business relationships, and blocked the commercial operations, development, and religious practices of the DCs and RBD, most violations committed *under color of law*.

AI-3. Exhibits "L", "M", and "N" (in the RICO Folder of Exhibits; hereafter "RF" Exhibits) prove SULLA's justification for slandering title is fraudulent, bearing on his having manufactured \$375,000.00 in "false debt," evidenced by fraudulent transfers of three (3) fraudulently warranted securities (neglecting with scienter HOROWITZ et. al.'s timely payments made, substantial equity established, previous court rulings, and Lee's multiple judgment creditors).

AI-4. SULLA flippantly dismisses the fact that he and his

purported "clients" (Lee, HESTER, et. al.) evaded Notices to release the Mortgage for many months in violation of HRS §506-8, to frustrate and defraud HOROWITZ and Lee's other judgment creditors.

AI-5. SULLA recklessly argues that the \$200,000.00 jury award in favor of HOROWITZ/RBD et. al., (that their counsel--John S. Carroll--directed be used to reduce the final balloon payment from \$350,000.00 to \$150,000.00; that HOROWITZ/RBD paid timely by order of the Ibarra Court) *vacated* many months later, (and long after Notices to release the Mortgage were served *and* SULLA schemed and administered the fraudulent transfers anyway to evade Lee's judgment creditors) was justification for SULLA to:

a) **incorporate the fraudulent conveyance "church"** (trust) to substitute for the dying Lee in the Conspirators' theft scheme;

b) **recklessly disregard FORECLOSURE DENIED rulings** in Civ. No. 05-1-0196 (in criminal contempt of court);

c) **recklessly disregard Lee's fraudulently altered sales contract**, Mortgage fraud, foreclosure fraud, and pattern of producing forgeries entered in the Third Circuit Court as a predicate felon; in this case suckering HOROWITZ into the Property purchase and sale to steal his money with complicit party HERBERT M. RITKE acting as Lee's "counsel." This conspiracy caused the Mortgage agreement to become an "unconscionable bargain," resulting in extensive ongoing damages;

d) **recklessly disregard inquiry notices and false assumptions**

**that the original Mortgage and Promissory Notes were valid** when, in fact, they were invalidated by Lee's fraud in the sale of the property, breaches of contracts, alterations of the sales Contract and "Agreement for Closing Escrow," and criminal conspiracy to deprive HOROWITZ et. al., that began in 2003;

**e) recklessly disregard the criminality, damages to third parties, and legal consequences of Assigning said fraudulent and defunctive Mortgage and Notes into said sham "church;"** and

**f) recklessly neglect the due process ongoing in the Appellate Court** at the same time SULLA committed the aforementioned fraudulent transfers, torts, crimes, and non-judicial foreclosure.

AI-5. Outrageously, SULLA's reckless, damaging, and maliciously prosecuting arguments also omit and neglect the fact that the DCs' claims of fraud, malicious prosecutions, breaches of contracts, and more, were held in abeyance for four years awaiting the Appellate Court's determination in No. 30293, ruled on Jan. 23, 2013; including Notice that HESTER had not been awarded anything, disfavoring SULLA's act of non-judicial foreclosure. (Exhibit "X")

AI-6. SULLA also recklessly argues (with scienter) that HOROWITZ has "no standing" to represent the Warranty Deed holder--THE ROYAL BLOODLINE OF DAVID ("RBD")--that was driven to insolvency and dissolved most proximally by SULLA's malicious prosecutions and depriving the DCs of their First Amendment rights. SULLA's "no standing" argument fails by neglect of the fact known to SULLA--that HOROWITZ is the ecclesiastical **"body**

**corporate**" of the RBD, and fully authorized to defend his personal investments, ministry's investments, and religious Property.

AI-7. Central to the tortious and criminal means schemed and administered by SULLA between May 15 thru May 28, 2009, as evidenced in RICO Folder (RF) Exhibits "P" thru "R", this Rambo attorney:

a) incorporated said sham "GOB" "church" as the dying man's (Lee's) "donative bequest," and positioned shill HESTER as its "Overseer," to protect SULLA's concealed interests, like a "front" used to conceal crimes and defraud people, including multiple court justices;

b) knowingly and willfully violated **the Uniform Fraudulent Transfer Act**, Haw. Rev. Stat. § 651C-5(a)and(b); and

c) demonstrated his *moral turpitude by neglecting and evading other laws*, including Haw. Rev. Stat. §§ HRS 480(a) and 480D-3(2)(3)(6)(8)(11) and D-4(a)(b); 480D-4(a)(b); 480-13(a); 485A(508 and 509; 708-830 (1) or (6)(a) and (7); in order to orchestrate a criminal conspiracy to deprive DCs' rights under color of law in violation of, inter alia, Title 42. U.S.C., § 1983; Title 18. USC §§ 241 and 242; the RICO Act (18 USC. § 1962); 42 USC § 2000bb-1, the Religious Freedom Restoration Act; and the Sherman Anti-trust Act.

AI-8. The honorable Court, and any reasonable person, will conclude SULLA's aforementioned malpractices are *outrageous*; and discern the criminality underlying SULLA's alibi that he simply acted on Lee's "bequest." But, if Lee had intended to leave HESTER his lost estate, then a simple Last Will would

have sufficed. Instead, SULLA concocted a complex "Vertical Abusive Trust Beneficiary Scheme" to steal the Property to profit his concealed surety.

### **AII. PART II: THE RICO ACTION**

AII-1. This Part advances complex litigation of Counterclaims XX through XXIV raising federal questions of widespread social interest pursuant to: SULLA et. al.'s criminal actions, commercial associations, public records, pattern of crimes involving real estate, foreclosure and securities fraud, hallucinogenic drug manufacturing and "religious" drug trafficking, torts and crimes aided-and-abetted by complicit parties, including subordinate attorneys who malpracticed with SULLA under the watchful eyes of willfully blind State and federal law enforcers and Third Circuit Court justices.

AII-2. Substantial background characterizing SULLA's criminal "condition of mind" required to commit the evidenced pattern of fraud and crimes is provided by the U.S. Tax Court and Hawaii U.S. District Court records revealing SULLA's repeated defrauding of "clients" into conspiring to commit multiple tax evasion schemes, some involving sham "religious" trusts much like he did in this case. The Public Record reveals a pattern whereby SULLA's clients are indicted and convicted for following his counsel, but SULLA always "walks," giving more than "an impression of impropriety." SULLA's **exclusive unconscionable exemption from prosecution and conviction** has

damaged many members of DC's community, whose "victim's rights" deserve vindication.

AII-3. Indeed, SULLA's "above the law" operations have been unreasonably neglected and encouraged by justice officials, consistent with the FBI's description of contracted "Confidential Informants" ("CIs"), as detailed in the *FBI Law Enforcement Bulletin* Volume: 62 Issue: 9 Dated:(September 1993) Pages: 10-15, that reads as follows:

"The most dangerous and disruptive informants in drug law enforcement are perversely motivated CIs. They offer their services to identify undercover agents and learn about investigative methods, targets, and intelligence. Restricted use informants include . . . individuals on probation or parole, current or former drug addicts, felons with multiple convictions, and **individuals known to be unreliable**. . . .

AII-4. According to the DCs' experience, knowledge, belief, and substantial material evidence, SULLA is a CI. The DCs' Discovery gives sufficient probable cause to assert this element in a criminal case against SULLA for his pattern of complicity in criminal conspiracies administered under color of law as evidenced in the cases of *United States vs. Arthur Lee Ong*, Cr. No. 09-00398 DAE, "Superseding Indictment" (July 28, 2010); and *United States vs. Bruce Robert Travis*, U.S. Court of Appeals, Ninth Circuit. No. 10-15518; (March 10, 2010)(2007). In these earlier federal cases, SULLA was primarily responsible for the crimes committed and damages caused, yet he was exempted from prosecution and not even disciplined by the State of Hawaii's Office of Disciplinary Counsel.

AII-5. These cases followed *Takaba v. Comm'r*, 119 T.C. 285, 295, 2002 WL 31818000, in which SULLA was sanctioned and Publicly Censured for arguing "like a reckless man." SULLA argued for tax evasion in that case demonstrating his "unreliability," but also his capacity to serve the FBI as a CI in the *Ong* and *Travis* cases, best explaining SULLA's exemption from prosecution in those cases. The *Ong* case convicted Lamar Hardy—America's leading tax evasion guru — who instructed SULLA in the manner and means to establish *Ong's* fraudulent religious trust tax evasion scheme. *U.S. vs. Ong, Op. cit.*

AII-6. SULLA's curious exemption from prosecution for crimes he instigated and administered on behalf of his later convicted clients (in *Ong* and *Travis*) vicariously implicates law enforcers, at minimum. in the discriminatory and inequitable administration of justice.

AII-7. In addition to the above suspected CI service, evidence of SULLA's immunity from prosecution, and the outrageous manner in which SULLA has gotten away with maliciously prosecuting, persecuting, and defaming the DCs and others under color of law, the DCs provide substantial material evidence of SULLA's multiple associations to agents and commercial entities serving the U.S. Central Intelligence Agency (CIA) and Federal Bureau of Investigation (FBI), effectively aiding-and-abetting SULLA's racketeering enterprise.

AII-8. The DCs' Discovery documents a history of SULLA-linked CIA, FBI and drug industry/pharmaceutical company associations

and operations (as cited below), that have damaged the DCs, United States citizens, and drug industry competitors.

AII-9. It is public knowledge that pharmaceutical industry whistleblowers have routinely suffered severely while attempting to protect public health and safety on behalf of organizations competing against monopolistic pharmaceutical industry interests and practices that have brought risky and deadly products, along with natural healthcare alternatives, into disrepute.

AII-10. These organized pharmaceutical interests have particularly opposed and oppressed HOROWITZ, who has been whistleblowing for consumer protection against vaccination contaminations and blood intoxications causing unprecedented health risks and problems such as HIV/AIDS. Central to this litigation is the fact that HOROWITZ, for a quarter century, has been a world leading "thorn in the side of Big Pharma." He is a prolific author, film-maker, and public health ambassador, widely acknowledged and viciously attacked in the media for whistleblowing on federally-protected private interests influencing health science and medicine. HOROWITZ has particularly damaged Big Pharma's international markets for vaccines and antibiotics; providing alternatives and clear and convincing evidence of media propaganda resulting in retaliations and unprecedented persecution he and KANE have suffered from "cyber-bullies" and, according to the DC's knowledge and belief, court officers in the Third Circuit Court of Hawaii and related Idaho case.

AII-11. Most urgently, at the time of this writing, with Ebola becoming a "top U.S. National Security priority," and government agents and agencies coming under fire for being ill-prepared, misleading the public regarding Ebola risks and "unavailable" cures—prompting unprecedented fears, and what HOROWITZ calls "vaccine-mania," the honorable Court should note that HOROWITZ has advanced a nine (9) step "Natural Ebola Cure Protocol" that heralds safe and effective low-cost natural treatments for Ebola and other infectious diseases that have been generally neglected by the mainstream media whose largest advertisers include drug companies. HOROWITZ has also suffered substantially-increased discrimination, cyber-harassments, and media censorship in the wake of the current Ebola outbreak, because he has been whistleblowing on the agents and laboratories sourcing Ebola-like viruses since 1996 with his publication of *Emerging Viruses: AIDS & Ebola—Nature, Accident, or Intentional?* — widely known in the fields of science and politics for evidencing the man-made origin and vaccine transmission of AIDS.

AII-12. The DCs' Discovery, and SULLA's "**adverse inference**" in **sworn testimony** (on January 4, 2013, in Civ. No. 12-1-0417), irrefutably proves SULLA has worked with multiple agents and organizations associated with the CIA, FBI, and drug trade—entities certainly interested in silencing HOROWITZ and promoting the burgeoning commercialization of the controlled substance dimethyltryptamine (i.e., "DMT") that SULLA and his enterprise supplies for the rapidly growing "Ayahuasca Cult" that endangers society and local communities medically and psychosocially.

AII-13. SULLA's drug trafficking enterprise has been certainly aided-and-abetted, directly as well as vicariously, by: a) the CIA's MKULTRA Program advancing related hallucinogenic drugs for "mind control" since the 1950s; b) the FBI's Counter-Intelligence Program (i.e., "COINTELPRO") that routinely libels commercial and political targets, including drug industry competitors and MKULTRA whistleblowers, including the DCs; and c) The U.S. Drug Enforcement Agency ("DEA") whose officials have repeatedly demonstrated willful blindness to SULLA's model DMT-manufacturing and "religious" drug trafficking enterprise, following the DCs' repeated complaints.

AII-14. Said scandalous facts are corroborated by the *Congressional Record* detailing determinations of the honorable Frank Church Congressional investigating Committee (See: Church Committee: Book II - Intelligence Activities and the Rights of Americans; Volume 7 - Hearings on Covert Action; and Volume 1 - Hearings on Unauthorized Storage of Toxic Agents, Sept. 16-18, 1975) pursuant to biological and chemical weapons, including the infamous hallucinogen "LSD," related to the controlled narcotic (legally-defined "chemical weapon") "DMT" that SULLA and son have been manufacturing and trafficking for many years, according to substantial irrefutable evidence and affidavits.

AII-15. In fact, 18 U.S. Code § 229F defines "chemical weapon" precisely describing the controlled substance "DMT" in "ayahuasca" as:

(A) A toxic chemical and its precursors, except where intended for a purpose not prohibited under this chapter as long as the type and quantity is consistent with such a purpose. . . .

The term "toxic chemical" means any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals. The term includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere.

(3) ["DMT" in "ayahuasca" is a] Key component of a binary or multicomponent chemical system.— The term "key component of a binary or multicomponent chemical system" means the precursor which plays the most important role in determining the toxic properties of the final product and reacts rapidly with other chemicals in the binary or multicomponent system.

(7) Purposes not prohibited by this chapter [provide no exception for "religious" uses of toxic chemicals reminiscent of Jim Jones' *Jonestown Massacre*]. The term "purposes not prohibited by this chapter" means the following: (A) Peaceful purposes.— Any peaceful purpose related to an industrial, agricultural, research, medical, or pharmaceutical activity or other activity. [**Note:** "DMT" use is not "peaceful" for the majority of persons who vomit from the "chemical weapon," and then often lose conscious control. One publication by a SULLA-churchgoer is provided in RF Exhibit "000" detailing his "blackout" and resulting hospitalization.]

AII-16. Public information published by the Church Committee exposed the CIA's hallucinogenic drug experiments, and widespread promotion and distribution of dangerous psychotropic chemicals that "The Company" manufactured, tested, and deployed through concealed commercial agents.

AII-17. As mentioned, said "classified" commercial interests were aided-and-abetted by the FBI's COINTELPRO (Counter-intelligence program), and MKULTRA—a mass persuasion and social engineering program. Agents and organizations of this enterprise misinformed citizen/consumers about risks, while claiming "mind-expanding" neurotoxic drugs deliver "self-realization" and "God experiences." These agents and agencies convinced a generation of Americans to "turn on and drop out."

**III-18. Two of the top agents in this enterprise, Terrance McKenna and Dr. Stanley Krippner, served SULLA and his son's ayahuasca enterprise (i.e., ECU). McKenna confessed to working for the FBI as a CI before his death from brain cancer, likely linked to his regular DMT intoxication; and Krippner was a leading CIA contractor in this field of mind control promoting pharmaceutical psychiatrics, especially psychedelics.**

III-19. The CIA/FBI's COINTELPRO is widely known to have committed a series of covert actions by which defrauded Americans were induced to accept the targeting of activists (such as Martin Luther King, Jr.), whose rights were unlawfully deprived and reputations severely damaged by defamatory media propaganda. The COINTELPRO aimed to severely distress and financially damage targets, and disrupt their lives and competing commercial operations, much like SULLA and his co-conspirators have done repeatedly to HOROWITZ and KANE.

III-20. The administration of conspiracies to deprive citizens rights and properties by, inter alia, extortion and defamation was certified by the Church Committee as a MKULTRA/COINTELPRO routine function; and the COINTELPRO operates today under new names according to documents leaked by the Hawaii-based National Security Agency employee, Edward Snowden, while working at the NSA center in Honolulu in the consulting firm Booz Allen Hamilton.<sup>1</sup>

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<sup>1</sup> It should also be noted that the late Hawaii Sen. Daniel K. Inouye chaired the U.S. SENATE, SELECT COMMITTEE ON INTELLIGENCE, AND SUBCOMMITTEE ON HEALTH AND SCIENTIFIC RESEARCH OF THE COMMITTEE ON

AII-21. Today, the COINTELPRO is administered by the Joint Threat Research Intelligence Unit (JTRIG), the British counterpart to the U.S. National Security Agency, through the Government Communications Headquarters (GCHQ)—NSA's British partner—according to Snowden's leaked documents that also revealed the NSA to be tracking people termed "radicalizers" in order to discredit them, and effectively destroy their lives, as the DCs have endured under the malicious prosecutions and defamations committed by SULLA and his co-conspirators.

AII-22. The *Congressional Record* and GCHQ's publications detail the defamation strategies committed by agents trained by the Human Science Operations Cell (HSOC) of Central Intelligence, popularly called "hacktivist trolls," to destroy the reputations of Americans targeted as "radicalizers," including HOROWITZ and KANE--christened "The HOROKANE" for smear purposes by SULLA's main material witnesses in his SLAPP lawsuit (Civ. No. 12-1-0417) — Alma C. Ott (hereafter, "Ott") and Roxanne Joan Hampton (hereafter, "Hampton"). These agents are HOROWITZ's health products competitor and disgruntled estate caretaker, respectively. (See: RF Exhibits "KK" and "LL")

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HUMAN RESOURCES that reviewed hallucinogenic drug research and developments, and performed an annual review of the intelligence budget submitted by the president. Committee members prepared legislation authorizing appropriations for the various civilian and military agencies and departments comprising the intelligence community. These entities included the Office of the Director of National Intelligence, Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, National Geospatial-Intelligence Agency, National Reconnaissance Office, as well as the intelligence-related components of Department of State, Federal Bureau of Investigation, Department of the Treasury, and Department of Energy.

AII-23. To defame and damage the DCs commercially, these SULLA associates produced and distributed outrageous anti-Semitic and lascivious libel damaging the DCs reputations, supplementing SULLA's published libel (See: RF Exhibits "LL" and "TTT"). Ott and Hampton's revenge pornography "blackmail video" was used to extort the DCs, unfairly compete, and restrict the DCs' interstate trade. A so-called "sex tape" supplemented Ott and Hampton's attacks claiming "The HOROKANE" engaged in sadomasochism and sexual bondage. (Copies of this evidence have been secured for trial.)

AII-24. The aforementioned evidence-supported facts further prove conspiracy to deprive citizens' rights, and compound evidence of SULLA's alleged involvement as a CI in covert intelligence operations, Hawaii's illegal drug trade, and persecution of "The HOROKANE." These facts justify the RICO-related Counterclaims XX thru XXIV, including the claims of sedition and treason in a nation that has declared a "War on Drugs," and defined "LSD" and "DMT" as "chemical weapons."

AII-25. By the DCs' "citizens' participation in government," they have sought, as in this case, to defend themselves and citizens of the United States against this enterprise's damaging illegal operations.

AII-26. Under these unusual circumstances, the DCs are dutifully-driven to submit to public duty doctrine and 42 U.S.C. § 1988 that encourages and empowers them to prosecute said racketeering enterprise in the public's interest as private attorneys general.

AII-27. Under these circumstances, Federal Rules of Civil Procedure (FRCP) Rule 17(a) directs the United States to be joined as a real party of interest, since this rule states (in relevant part): "when a statute of the United States so provides, an action for the use or benefit of another shall be brought in the name of the United States."

**AIII. SUMMARY OF PROPOSED BIFURCATION: Parts I and II.**

AIII-1. The Plaintiff's Complaint to gain Quiet Title and Summary Ejectment seeks to make the honorable Court complicit in theft under color of law, and omits/neglects: a) indispensable parties; b) SULLA as a concealed surety and co-beneficiary with HESTER, GOB, the ECU, et. al.; and c) complicit third parties who have aided-and-abetted the Conspiracy to deprive the DCs' rights and properties.

AIII-2. Barring their procedural and technical disadvantages as lay (pro se) advocates for justice, praying to have the honorable Court adjudicate these matters on the merits, the DCs propose proceeding with their RICO claim(s) *after* gaining *replevin* to mitigate damages and restore their free and clear Title to resume non-profit commercial development of the religious Property that has been delayed for nearly a decade.

AIII-3. For Part II claims, the DCs propose to the honorable Court that The United States of America be joined as a Counterclaim plaintiff in prosecuting SULLA et. al.'s illegal real estate transactions, money laundering, and drug trafficking enterprise; to secure the DCs' and public's

protection against SULLA and complicit parties engaged in white collar and organized crimes; to stop unfair competition, consumer fraud, and deceptive drug trade risking public health and safety; to vindicate rights and remedies for those who have been damaged and neglected; to enjoin further damage distressing the DCs; to protect global populations defrauded by religious drug propaganda and pharmaceutical profiteers; to secure access to and legitimacy of natural medicine providers, and the integrity of the American justice system, intelligence communities, and legally-operating traditional religions and their service organizations.

AIII-4. The Counterclaims of sedition and treason have been added respecting the nation's War on Drugs, and the growing damage caused to American citizens, communities, and the country from the trafficking of "ayahuasca" containing the controlled hallucinogenic narcotic "chemical weapon"--"DMT"--for claimed "religious" purposes, being manufactured by SULLA's enterprise and supplied by the truckloads, according to one affiant "church worker" (See: RF Exhibit "II"), to leaders and organizations racketeering under "religious protections" on the mainland.

## **B. JURISDICTION PROPER**

On 10-16-2014, The honorable Court certified its jurisdiction over this case. (See: Doc. No. 15).

### **C. JURY TRIAL DEMANDED**

A TRIAL BY JURY was Noticed on the DCs/ Removal/Civil Cover Sheet filed on 9-14-14, and is demanded pursuant to: 1) Amendment VII of the Constitution; 2) Article III, Section 2, Clause 3, of the Constitution by reason of multiple *criminal* Counterclaims brought by the DCs' First Amended Counterclaim (Doc. No. [10]), including Counterclaim VI for theft/conversion, and Counterclaims XX thru XXIV for RICO, mail fraud, treason, sedition, and conspiracy to deprive civil rights, respectively; and 3) The Due Process Clause of the Fifth Amendment requiring procedural due process and substantive due process as Plaintiff seeks to have this federal Court burden the DCs' protected interests.

### **D. DISCLOSURES**

The DCs are reasonably concerned that Plaintiff's attorney (SULLA) will not provide Discovery in good faith, as he demonstrated neglectfully in Civ. No. 12-1-0417 SLAPP lawsuit trial preparation. The DCs, acting as citizens participating in government on behalf of societal interests and The United States of America, requested, but SULLA evaded, providing Discovery pursuant to his contractual relationships with his "religious," real estate, DMT/ayahuasca and marijuana enterprise associates, affiliates, partners, trusts, and corporations.

Therefore, the DCs make this special request that the honorable Court require SULLA's Discovery documents and replies to interrogatories be provided timely, in compliance with Fed. R.

Civ. P. 26 and LR26.1, (other than those covered by the report(s) to be filed pursuant to Fed. R. Civ. P. 26(f)).

#### **E. DISCOVERY**

E-1. For efficiency, economy, and substantive due process, the DCs request that the honorable Court compel Mr. SULLA to comply timely, and in good faith, in this case, by responding to the DCs' *previously issued Discovery requests made said in related case Civ. No. 12-1-0417*, so as not to further prejudice or encumber the DCs' participation in government and due process in this case; instructing Mr. SULLA on his rights and risks of sanctions.

E-2. As mentioned, in Civ. No. 12-1-0417, on 1-4-13, Mr. SULLA exercised his Fifth Amendment privilege to prejudice the DCs Discovery. He averted incriminating himself by disclosing under oath the intelligence requested pursuant to his DMT/ayahuasca manufacturing and trafficking enterprise, as recorded in the Third Circuit Court's Partial Transcript. (See: RF EXHIBIT "ZZ", pp. 450-451).

E-3. *The Court should take special note of this "adverse inference,"* and its ramifications pursuant to the prosecution of all claims, especially the RICO claim(s) in this case; including the fact that this "negative averment" formerly prejudiced the DCs' Discovery of evidence corroborating the association between leading federal (CIA) contractor and ayahuasca researcher, Dr. Stanley Krippner, and SULLA, his son (SULLA, III), and their "religious" real estate and drug trafficking enterprise.

## **F. SPECIAL MATTERS**

F-1. The Counterclaimants address the appropriateness of Fed. R. Civ. P. 16(c)(L) adopting special procedures for managing this potentially difficult or protracted action that involves "complex issues, multiple parties, difficult legal questions, or unusual proof problems" including Discovery of classified intelligence in the possession of federal agencies pursuant to SULLA's DMT/ayahuasca racketeering enterprise and SULLA's probable role as a "CI" or "chemical toxin" supplier.

F-2. Pursuant to FRCP section 16(c)(M), the DCs encourage the honorable Court to consider bifurcating this case, ordering a separate trial for: 1) the Quiet Title claims, including related Counterclaims I thru XIX; and 2) Counterclaims XX thru XXIV addressing more complex matters of social interest in conspiracy to deprive the DCs' civil rights and properties involving multiple third party Counterclaim defendants yet to be named. Under Rule 42(b), bifurcation may help dispose of these matters most efficiently and timely.

## **G. RELATED CASES**

G-1. Related cases adjudicated or otherwise terminated all having to do with the "Quiet Title" claim, and Conspirators' fraud and breaches of contracts in the specious sale and resale of the Property by NJF, are listed below. This long list includes *several malicious prosecutions* committed for extortion, defamation, and deprivation of rights and properties by co-conspirators under color of law, evidencing a *pattern of abusing the courts*:

- 1) Maise and Flament v. Lee, Civ. No. 01-01-0444.
- 2) Horowitz and RBD v. Lee Civ. No. 04-1-0339.
- 3) Lee v. Maise Civ. No. 05-1-0235.
- 4) Lee v. The Royal Bloodline of David and Horowitz et. al., Civ. No. 05-1-0196 (i.e., Foreclosure Case).
- 5) The Royal Bloodline of David and Horowitz et. al. v. Lee, Civ. No. 09-1-0178 (i.e., Complaint For Conveyance to Compel Mortgage Release, May 21, 2009).
- 6) Hester v. The Royal Bloodline of David, Civ. No. 3RC-11-1-662 (i.e., Ejectment Action #1).
- 7) The Royal Bloodline of David, et. al. v. Healing Celebrations, LLC, et. al., Civ. No. 2011-0001409.
- 8) Horowitz v. Sakell, 3SS12-1-146, (i.e., Restraining Order).
- 9) Kane v. Hampton and Jones, Civ. No. Civ. No. 3SS-12-1-147.
- 10) Sulla, Jr. and Sulla, III v. Horowitz and Kane, Civ. No. 12-1-0417 (i.e., SLAPP lawsuit).
- 11) Horowitz and Kane v. Sulla, Hester, et. al., Civ. No. 13-00500 HG-BMK.
- 12) Hester v. Horowitz and Kane, et. al., 3RC 14-1-466 (i.e., Ejectment Action #2 [same State District court lacking jurisdiction]).
- 13) Sulla, Jr. and Sulla, III v. Horowitz Civ. No. 3CC14-1-000173.
- 14) Hester v. Horowitz, Kane, et. al. Civ. No. 14-1-0304.

G-2. The number "7" case cited above is an Idaho case misrepresented by SULLA in his filing of pending Motion to Dismiss. This case was instigated by SULLA's material witness in Civ. No. 12-1-0417, Alma C. Ott, who substantially

influenced a hostile take-over of HOROWITZ et. al.'s companies compelling HOROWITZ's filing for Injunctive Relief therein. That case was bifurcated into: a) a bench trial on the division of common tenancy and corporate assets involving HOROWITZ's marital relationship, divorce, and HOROWITZ's confirmed ownership of the subject Property with RBD; and b) a continued (currently delayed) trial by jury pursuant to this same conspiracy involving SULLA, Ott, et al., that has resulted in damages to the DCs from the Conspirators' cyber-bullying, extortion, terroristic threatening, libeling the DCs using, inter alia, revenge pornography including white supremacy anti-Semitic slurs, published by Ott and Hampton who conspired with SULLA to damage the DCs and destroy the RBD.

G-3. There are at least two other cases pending pursuant to First Amendment rights violations, racially-related libel, discriminatory censorship of the DCs' publications issued in defense against said defamations, extortions, and unfair competition, involving SULLA, Ott, Hampton, and certain media corporations that have aided-and-abetted the Conspirators' libel.

G-4. These pending litigations concern the deprivation of the DCs' (whistleblowers') First Amendment rights, and discriminatory blocking of publications of widespread social importance placing the public's health and safety at risk. These discriminatory deprivations have severely distressed the DCs and damaged them commercially and financially as well; and these pending matters compound evidence of SULLA's involvements

with the CIA and certain intelligence assets, including Google/YouTube.

G-5. The pending cases similarly evidence a conspiracy to: a) deprive the DC's rights and properties; b) compete unfairly in commerce by SULLA, Ott and complicit drug makers, drug traffickers, and concealed social/media controllers; and c) defraud the public for commercial gain, risking citizens' health and safety.

#### **H. ADDITIONAL MATTERS OF CONCERN**

H-1. The DCs are acting in this case in defense of their First Amendment rights, and similarly on behalf of society, U.S. National Security, and the United States of America, encouraged by Congressional statute 42 USC 1988 to act as private attorneys general for vindicating rights under the aforementioned extraordinary circumstances, pursuant to SULLA's RICO enterprise. HOROWITZ, as a public health ambassador and public minister, certified by the U.S. Department of Foreign Affairs, Trade and Development, is compelled by public duty doctrine, misprision of felony law, and ethics, to encourage attending Justices to report these matters of criminal conspiracy to *reliable* federal law enforcers--investigators, and prosecutors--with whom the DCs pledge to cooperate in administering delayed justice.

#### **I. SERVICE TO PARTIES NOT YET JOINED**

(Provided in two parts, assuming the honorable Court rules to bifurcate the Quiet Title Case from the Counterclaims XX thru

XXIV for the "RICO case.") The DCs request the Court's leave to serve the following indispensable parties not yet served:

PART I.

- a) PAUL J. SULLA, JR., an individual;
- b) PAUL J. SULLA, JR., Attorney-at-Law, A Law Corp.;
- c) THE OFFICE OF OVERSEER, A CORPORATE SOLE AND ITS SUCCESSOR, OVER AND FOR THE POPULAR ASSEMBLY OF REVITALIZE, A GOSPEL OF BELIEVERS, a Hawaii Corp. Sole;
- d) THE ECLECTIC CENTER OF UNIVERSAL FLOWING LIGHT-PAULO ROBERTO SILVA E SOUZA, a Hawaii Corp. Sole;
- e) PAUL J. SULLA, III, an individual;
- f) FRIENDS OF THE AMAZON FOREST, a Domestic Nonprofit Corp.;
- g) THE HEALTH CONNECTION, INC., a Hawaii Profit Corp.;
- h) HEALTH FOR WEALTH, a Hawaii Nutritional Program/Products Company;
- i) PHILLIP L. CAREY, an individual;
- j) HERBERT M. RITKE, an individual;
- k) RONN RITKE, an individual; and

PART II.

1) THE UNITED STATES OF AMERICA (by FRCP Rule 17(a) as Counterclaim Plaintiff); and

2) Counterclaim defendants:

- m) ROXANNE JOAN HAMPTON;
- n) ALMA C. OTT, an individual;
- o) MOTHER EARTH MINERALS, INC;
- p) JACQUELINE G. LINDENBACH, an individual;
- q) HEALTHY WORLD CELEBRATIONS, LLC, an Idaho Nutritional Products Company;
- r) ALEX MCGOWIN STUDER, an individual;
- s) LEE NEVINS BRACKER, an individual;
- t) SHERYL SULTAN (aka "Sativa" Jones)
- u) TIFFANY EDWARDS HUNT;
- v) KEN ADACHE (aka Peter Boudreau)
- w) GOOGLE/YOUTUBE;

## **J. ANTICIPATED MOTIONS**

J-1. Anticipated motions include (with deadlines and hearings yet to be determined):

a) Motion to Disqualify Plaintiff's co-counsel, PAUL J. SULLA, JR. – a surety, real party of interest, indispensable counterclaim defendant; and Phillip L. Carey, a necessary witnesses at trial, who, with SULLA, committed terroristic threatening, criminal trespass, and extortion under color of law (See: RF Exhibits "UU," "VV" and "BBB" thru "EEE".)

b) MOTION TO ADD, OR ALTERNATIVELY SUBSTITUTE, THE UNITED STATES OF AMERICA as a required Counterclaim Plaintiff, pursuant to (FRCP) Rule 17(a);

c) MOTION TO ARREST PAUL J. SULLA, JR. FOR THEFT, SECURITIES FRAUD, PERJURY, FORGERY, AND CRIMINAL CONTEMPT OF MULTIPLE COURTS (FRCP) Rule 64(b);

d) MOTION FOR INJUNCTIVE RELIEF BY REPLEVIN;

e) MOTION TO ENJOIN CYBER-BULLYING and INTERNET LIBEL;

f) MOTION TO DISMISS PLAINTIFF'S QUIET TITLE AND SUMMARY EJECTMENT CLAIMS FOR PAUL J. SULLA, JR.'s FRAUD and CONCEALED SURETY; and

g) MOTION TO ATTACH REAL ESTATE OF PAUL J. SULLA, JR. TO SECURE DAMAGES, PENDING THE OUTCOME OF TRIAL.

J-2. The appropriateness and timing of the above motions, relevant to dismissal or summary judgment under Fed. R. Civ. P. 12 or 56, will be determined at the scheduling conference.

## **K. DEADLINES TO AMEND PLEADINGS**

K-1. Deadlines to join other parties and to amend pleadings, will be determined at the scheduling conference.

#### **L. DEADLINES FOR DISCOVERY**

L-2. Anticipated or remaining discovery, including discovery cut-off dates, will be determined at the scheduling conference.

#### **M. DISCOVERY**

M-1. The control and scheduling of discovery, including orders affecting disclosures and discovery pursuant to Fed. R. Civ. P. 26 and 29 through 37 and LR26.1, will be determined at the scheduling conference.

#### **N. FURTHER PROCEEDINGS**

Further proceedings, including setting dates for pretrial and trial, and compliance with LR16.6, 16.8 and 16.9, will be determined at the scheduling conference.

#### **NI. CONSOLIDATION OF ACTIONS**

N-1. The honorable Court is requested to instruct the Parties on the appropriateness of special procedures, such as consolidating with this action the related delayed Idaho case trail; to facilitate discovery or pretrial preparation(s), the need and function of a master or magistrate judge or Judicial Panel on Multidistrict Litigation, alternative dispute procedures, or application of the Manual for Complex Litigation.

## **O. MODIFICATION OF STANDARD PROCEDURES**

O-1. The honorable Court is requested to instruct the Parties on the appropriateness of modifying the standard pretrial procedures, specified by this rule on account of the relative complexity of this action.

## **P. PROSPECTS FOR SETTLEMENT**

P-1. The prospects for settlement are slim considering the DCs have attempted to mediate with SULLA on three occasions to no avail.

P-2. The DCs pledge to participate in any dispute resolution process directed by the Court, but considering the criminal matters raised in this case, the DCs private interests are subordinate to public interests to be dutifully served.

P-3. The DCs propose that "the [most] just, efficient, and economical determination of th[is] action" can be ordered most timely by the honorable Court pursuant to Rule 16(2)(I) and the prima facie proof of Property theft and extortion in violation of the Hobbs Act, 18 U.S.C.A. § 1951(a). This Rule and statute authorizes the Court to direct federal prosecutors to investigate, indict, and convict SULLA and co-conspirators for said crimes, relieving the DCs of their duty (and burden) to prosecute as citizens participating in government as private attorneys general under 42 U.S.C. § 1988(a)(b). Then, a reasonable determination and award of the DCs' damages by the Court would be accepted by the DCs as just and equitable

relief. This "settlement" would relieve potentially protracted and expensive litigation in this complex case.

RESPECTFULLY SUBMITTED.

DATED: Kona, HI: Nov. 5, 2014



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LEONARD G. HOROWITZ  
Defendant/Counterclaimant in Pro per



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SHERRI KANE  
Defendant/Counterclaimant in Pro

LEONARD G. HOROWITZ, Pro Se  
13-3775 Pahoia-Kalapana Road  
Pahoia, HI 96778  
Email: [editor@medicalveritas.org](mailto:editor@medicalveritas.org)  
808-965-2112

SHERRI KANE, Pro Se  
P. O. Box 75104  
Honolulu, HI 96836  
[SherriKane@gmail.com](mailto:SherriKane@gmail.com)  
310-877-3002

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

JASON HESTER, an individual	)	CIV. NO. 14 00413 JMS/RLP
	)	
Plaintiff,	)	(Quiet Title/Summary
vs.	)	Possession)
	)	
LEONARD G. HOROWITZ, an	)	
Individual; SHERRI KANE,	)	<b>DECLARATION OF LEONARD G.</b>
an Individual; MEDICAL	)	<b>HOROWITZ AND SHERRI KANE</b>
VERITAS INTERNATIONAL,	)	
INC. a California non-	)	
profit corporation; THE	)	
ROYAL BLOODLINE OF DAVID,	)	JUDGE: THE HON. J. MICHAEL
a Washington Corp. Sole;	)	SEABRIGHT
and DOES 1 through 50,	)	
Inclusive	)	TRIAL DATE: Not Set
	)	
Defendants/Counterclaimants	)	

**DECLARATION OF LEONARD G. HOROWITZ AND SHERRI KANE**

We the Counterclaim Plaintiffs, Leonard G. Horowitz and Sherri Kane, declare under penalty of perjury that the foregoing **DEFENDANTS / COUNTERCLAIMANTS' SCHEDULING CONFERENCE STATEMENT** is true and correct to the best of our knowledge and competence level; and state that we have prepared and submitted the foregoing timely reply in good faith to the honorable Court's "Notice of Oct. 17, 2014."

DATED: Paho, HI: Nov. 5, 2014



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LEONARD G. HOROWITZ  
Defendant/Counterclaimant in Pro per



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SHERRI KANE  
Defendant/Counterclaimant in Pro

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that on this 5th day of Nov. 2014, we served a true and correct copy of the foregoing **DEFENDANTS / COUNTERCLAIMANTS' SCHEDULING CONFERENCE STATEMENT** by the method described below to:

PAUL J. SULLA, JR. (5398)  
Attorney at Law for JASON HESTER  
106 Kamehameha Ave.  
Suite 2A  
Hilo, HI 96720  
808-933-3600

U.S. Mail

Hand Delivery

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII,  
OFFICE OF THE CLERK,  
300 Ala Moana Blvd # C338  
Honolulu, HI 96850  
(808) 541-1300

U.S. Mail

Hand Delivery



LEONARD G. HOROWITZ  
Defendant/Counterclaimant in Pro per



SHERRI KANE  
Defendant/Counterclaimant in Pro