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May 18, 2011

>>>>> (Please send questions
(or comments by e-mail
(since itinerary is fluid

The Honorable Christopher A. Coons
U.S. Senator – Delaware
383 Russell Senate Office Building
Washington, DC 20510

Dear Chris:

**Re: Your Assistance In Obtaining Amicus Curiae Briefs Urgently Requested
Frequently-Asked Questions**

First things first, since it has been a decade since you and I served together on the Board of the national “I Have A Dream”® Foundation as Secretary and Treasurer, respectively. Congratulations on your election to the Senate!!! And congratulations on your committee assignments which, together with your background, imply that the leadership of the Democratic Party are grooming you as a possible Presidential candidate!!!

The reason for writing is to request your assistance in obtaining from the Department of Justice an Amicus Curiae brief to support a Petition for Certiorari that will be filed on June 14, 2011.

And your assistance in encouraging your Senatorial Colleagues from California to obtain Amicus Curiae briefs from the State of California and from the Cities of Los Angeles, San Francisco and Oakland.

The Petition for Certiorari relates to litigation against 15 large international financial institutions involving \$84 billion that was legally pledged for the education of American inner-city children in IHAD or IHAD-style programs and that is rapidly slipping away due to judicial improprieties.

In this regard, you may recall that in 1997 when we both served on the IHAD-National Board, I announced to the other sponsors of “I Have A Dream”® programs as well as my Ernst & Young partners that I was taking early retirement as Senior International Tax Partner (Technical) of Ernst & Young International in order to continue inventing trade secrets as an investment banker in order to finance additional IHAD or IHAD-style programs and thereby, hopefully, take IHAD to the scale required to deal effectively with the problem of America’s permanent underclass.

Details concerning the litigation are contained in the enclosed letters to Mr. David Axelrod, to 21 prominent governmental officials including President Obama, to 43 American news-media superstars, and to 51 inner-city clergy from Los Angeles, San Francisco and Oakland CA with whom I have been corresponding. [With regard to the latter, you may recall that my IHAD-Stamford CT program featured a Board comprising primarily clergy whose congregants served as volunteer tutors and mentors.]

Additional details are contained in the attached answers to Frequently-Asked Questions.

Good luck to you in your career in national politics!!! And please give my best regards to your mother in the event that she remembers me from the annual conventions of IHAD sponsors.

Sincerely yours,

John S. Karls

Frequently-Asked Questions

Who Is Sir Arthur Collingsworth and What Is The California Dreamers Scholarship Foundation?

When I served as Senior Tax Counsel and Director of Worldwide Tax Planning for Texaco Inc. 1974-1987 when it was still a Fortune-Ten company, the reputation of the Judiciary System of the United States among multi-national companies was that it ranked worse than most third-world countries.

On the one hand, third-world countries in general and in particular resource-rich developing countries that were still trying to attract expertise if not capital, were anxious to present an image of fair dealing both administratively and judicially. For OPEC countries, 1973 featuring 100% ownership by the international oil companies transitioning over several years to 100% ownership by the producing countries produced a string of personal kudos from the other Aramco partners (Chevron, Exxon and Mobil) and from Chevron as our 50% partner in Caltex (everything east of Suez other than Saudi Arabia to which Exxon and Mobil had been admitted as partners in 1948) for my ability to deal effectively with host governments which was based on their pride in their self images.

On the other hand, the U.S. Judicial System was notorious for requiring the retention of the most influential legal counsel – with influence most often determined by which firms featured senior partners who were best able to gratify the egos of the judges at the local country club. And heaven help a John Howard Griffin who should have written a sequel to his famous “Black Like Me” titled “Pro Se Like Me”!!!

Accordingly, we had to make judicious use of the 3-year statute of limitations that began to run from the date of the 6/30/2006 front-page Wall Street Journal article that described the activities of Barclays Capital Ltd. in selling U.S. foreign tax credits to “at least nine” U.S. companies of which the Wall Street Journal was only able to identify Bank of America, Wachovia Bank and Wells Fargo. [I immediately recognized my invention even though the Wall Street Journal was not able to explain how it worked because Bank of America, Wachovia and Wells refused to answer questions on the grounds that the structure was a “trade secret.”]

The first year was consumed by negotiations with Barclays during which it became painfully obvious that they were negotiating in bad faith. Even though they freely admitted in unprivileged communications that they had stolen my Trade Secret, they were so morally bankrupt that they had not only done so knowing that they were stealing from American inner-city children for whose education the value of the Trade Secret had been pledged to benefit in legally-binding fashion, but they also were solely focused on whether I still had the financial resources to sue them effectively.

After all, they knew that over the years I had given away all of my excess wealth to (1) IHAD-Stamford to fully fund the college-scholarship-endowment fund for the first class of 65 Dreamers, (2) IHAD-National totaling 6 figures and (3) the United Nations Environment Programme totaling 6 figures while performing, following my association with IHAD, volunteer fund raising for UNEP at the request of the U.N. Under-Secretary General for the Environment.

Barclays knew that in order for me to mount a serious legal challenge, I would need at least 8 figures and they seemed solely interested during the bad-faith negotiations in whether I had maintained my relationships with the world’s super-wealthy, each of whom could have provided 8 figures from “pocket money.”

Their assessment (which was accurate), was that by 2006 I had become much less active both socially on an international scale as well as professionally, in order to savor my remaining years as a skier and sailor.

Sir Arthur Collingsworth is a half-century-long friend from college. In recent decades he has been a pillar of the San Francisco gay community. In the early 1970’s, he was hired by the Japanese auto industry as their American political consultant and their American business consultant in their successful attempt to crack the American auto market. During that period, he transformed Youth for Understanding from dormancy to the

world's largest (by a factor of four) foreign-exchange student program based on Japanese auto contributions. And although he doesn't claim to be the inventor of United Nations University (because successful fund raising is always based on letting others claim credit), he took United Nations University from nothing to the primary alma mater of third-world and Eastern European governmental and business leaders – also based on Japanese auto money.

Sir Arthur agreed to chair the Board of the California Dreamers' Scholarship Foundation.

CDSF would have received gratis all of the legal rights to my Trade Secret if it had been able to afford legal counsel. Unfortunately, unlike human beings who can represent themselves Pro Se, juridical entities are required to be represented by legal counsel. Although Sir Arthur was willing to chair the CDSF board because of his interest in education, he was not willing to donate any of his own funds or divert contributions from any of his sources to CDSF. And, as Barclays Capital Ltd. had so carefully ascertained, I was no longer in a position to provide the 8 figures that would be required for counsel with the necessary influence.

However, for the portion of the 3-year statute-of-limitations period remaining after the year of bad-faith talks with Barclays Capital Ltd., Sir Arthur and I canvassed thoroughly our zillions of friends who are California attorneys to find someone willing to act as "attorney of record" for CDSF if they did not have to do the actual legal work which I would perform. [When I took early retirement in 1997 from Ernst & Young International to become an investment banker based in London, my membership in the NYS Bar lapsed – so becoming a member of the California Bar required reinstating my NYS Bar membership (which would entail a 12-month legal procedure) and then sitting for the California Bar Exam (like Florida, California requires attorneys from other states to take the California Exam to discourage immigration of attorneys, particularly retirees).]

Unfortunately, most attorneys are associated with firms that will not sue banks because the firms represent (or want to represent) banks. And most attorneys who are not associated with such firms aspire to do so and are loathe to "burn their bridges." Sir Arthur was only able to conjure an Assistant U.S. Attorney in San Diego who was reaching retirement age. And I was only able to conjure an Assistant U.S. Attorney in Salt Lake City in the vicinity of my ski house who was also reaching retirement age (she was from California originally and had attended Stanford Law School after completing a PhD in Musicology from Yale). Both turned us down even though they would only have had to sign any legal briefs and have had to attend any legal hearings – which would not have been as burdensome for Sir Arthur's friend because the lawsuits could have been brought in San Diego.

Nevertheless, I stand ready to assign my rights gratis to the California Dreamers' Scholarship Foundation as soon as it is able to shoulder the cost of legal counsel. It should be noted –

- My rights were offered gratis to IHAD-National to benefit IHAD-Los Angeles, IHAD-San Francisco and a to-be-reformed IHAD-Oakland but, as expected, IHAD-National was not in a position to provide legal counsel to handle the lawsuits. Reference Material J is a redacted e-mail memorializing my offer and sent to Peter Fishbein, Esq., General Counsel and Co-Chair of the IHAD-National Board of Directors who declined on behalf of IHAD-National.
- My rights were also offered gratis to IHAD-San Francisco and IHAD-Los Angeles which also, as expected, did not accept. Reference Material K is a copy of that offer.
- Following my offers to IHAD-National, and to IHAD-San Francisco and IHAD-Los Angeles, I began corresponding with 51 inner-city clergy from Los Angeles, San Francisco and Oakland CA. The reason was that my IHAD-Stamford CT featured a Board of Directors comprising primarily clergy whose congregants volunteered as tutors and mentors. And I wanted to be able to provide CDSF with substance quickly if the resources for hiring influential legal counsel became available. However, I never asked the 51 inner-city clergy for anything more than their prayers and exerting their influence in trying to get the 21 prominent governmental officials **to represent their constituents** by filing *Amicus Curiae* briefs. The reason, of course, for not soliciting any funds from the 51 inner-city clergy was to avoid the-then-obvious appearance that CDSF was a scam.

Why Didn't You Just Call Upon One Of Your Many Super-Wealthy Friends Such As Lillian Rothschild Berkman Who Joined The IHAD-National Board At Your Request Accompanied By A Pledge Of \$10 Million

Most of the world's super-wealthy people are wealthy widows which is not surprising since women have longer life expectancies in general and, in addition, successful men have often sustained a lot of stress.

You probably recall that I was an enthusiastic patron of the performing arts who has tossed more than 3,000 bouquets to opera stars and ballerinas over more than 50 years. Indeed, on 7/25/2004 which was long after we lost contact, the NY Times Arts & Leisure Section featured a three-quarter-page article including a large picture of a NYC Ballerina who had just received one of my tosses. It was based on a 10/16/2001 letter that I had sent to all of the members of the Royal Opera House/Covent Garden Orchestra but the article vastly underestimated the numbers of performances and bouquets because, as stated in the NYT article, I did not cooperate with its preparation. For your amusement, Reference L is a copy of the letter to each of the members of the ROH/CG orchestra.

[Incidentally, the penultimate paragraph of the ROH/CG letter mentions my having just attended the 25th Anniversary of friends in Prague. The friends were Sir Arthur Collingsworth who was described in the immediately-preceding FAQ, and his partner, Brian Simmons. Brian is British which is why Sir Arthur and Brian are always based outside the U.S. for six months each year. There were in attendance more than 300 governmental and business leaders from all over the world. My fiancé, a long-time San Francisco resident, was one of only 3 females in attendance.]

The reason for mentioning all this is fund-raising effectiveness.

When my parents started me tossing bouquets to opera stars at age 9, neither they nor I ever thought it would lead to anything other than enjoyment and certainly not to a highly-successful avocation as a fund raiser.

However, wealthy widows tend to be devotees of the performing and fine arts. They also tend to have extremely-strong feelings about having endured a lifetime of oppression in terms of the lack of freedom to have a career and the virtual-slavery of supporting a husband who often was a tyrant. Accordingly, they are thrilled by the spectacle of someone actually helping a female by tossing bouquets!!! So if you have impeccable manners, if you are a dapper dresser, if you are able to converse about any topic they select with insight and wit, and if it is apparent in a subdued manner that you know much more than they about their favorite subjects (the performing and fine arts), they crave your friendship and company.

Nevertheless, successful fund-raising from among your super-wealthy friends involves a cardinal rule that must NEVER be violated = you never ask for a contribution but only present opportunities. This means:

1. You never raise the subject until a friend is feeling mortal because, for example, a close friend or relative has just passed away. Only when they begin musing about their own mortality should you ever go near the subject of charitable giving.
2. In your posture of presenting opportunities, you suggest only things that are appropriate. For example, if a son has just died in an accident, you might remark about how much he enjoyed his undergraduate experience and you just happen to know that his alma mater needs a new chemistry lab that they would be happy to name in honor of her son.
3. Only if your super-wealthy friend is feeling particularly morose AND THERE ARE NO PLAUSIBLE CHARITIES THAT WOULD INTEREST HER, should you ever make a suggestion of your favorite charity (for example, IHAD or UNEP).
4. Even then, you should only commiserate and wait to be invited to make a suggestion. After all, during your friendship the super-wealthy have already become aware not only of your passion for the fine/performing arts but your passion for inner-city children and the environment.

If you violate any of these principles, you not only fail but your status also plummets from friend of the super-wealthy to mere supplicant. And mere supplicants are quickly shunned by all of high society.

Why Do You Claim That Your Pledge Was Legally Binding?

As mentioned above that you will probably recall, when I took early retirement in 1997 from Ernst & Young International to become an investment banker based in London, I announced to the other sponsors of “I Have A Dream”® programs as well as my Ernst & Young partners that the reason for doing so was to continue inventing Trade Secrets whose value would be dedicated to financing additional IHAD or IHAD-style programs (rather than being shared with my Ernst & Young partners).

It is well-settled law that is routinely enforced by the courts that such announcements are legally-binding contracts if any of the people to whom the pledge is communicated make donations to the same cause. In other words, the pledges from others to the same cause are the “bargained for consideration” that makes the original pledge a legally-binding contract. Obviously, many of the Sponsors to whom my announcement was made continued to make donations to IHAD and, as a factual matter, many of my Ernst & Young partners had been inspired by me to make donations to IHAD and indeed many of them continued to do so.

Did The Courts Know That 10 Million Inner-City Children Were The “Real Parties At Interest”?

Yes.

The California Appellate Courts require the first brief filed by each party at that level to begin with a specified form that, inter alia, discloses the “real parties at interest.” That form for each of the appeals (Wachovia, Wells Fargo, Mellon Bank and Bank of New York) included a 9-page attachment that described at length the pledge, why it was legally binding, and why 10 million inner-city children were the “real parties at interest.”

Even at the trial-court level, including the Goldman Sachs – Citibank/Citicorp – ING Bank cases that were removed to U.S. District Court, all of the law firms involved began their briefs supporting their Motions to Dismiss with a lengthy attempt to defame me.

Apparently it is standard practice in California to inform the court whether a “Pro Se” plaintiff has ever been involved in any previous litigation. I had been (which meant, incidentally, that I had had first-hand experience with the treatment of “Pro Se” plaintiffs by the American “Justice” System).

At age 60 in 2002, I attempted to have commenced my Texaco Inc. pension. Unfortunately, Texaco had been taken over by Chevron in the meantime and Chevron had obviously instituted a policy of trying to avoid paying as many of the Texaco pensions as possible. In my case, the Chevron Human Resources Department refused to communicate with me unless I could provide a PIN that they claimed to have sent to me c/o The Harvard Club, PO Box 126, New York, NY 10036. I remonstrated that such a letter would have been undeliverable because “Box 126” is a member mail box physically located inside the Harvard Club and because the street address of the Harvard Club would have been required. Chevron refused to respond to more than two dozen such communications over several months, the last few of which suggested they contact the Harvard Club directly to ascertain its correct address and, if they didn’t, I would be forced to sue them. Finally, I was forced to sue. Chevron quickly supplied the PIN to the correct address to void the lawsuit, but then resumed their posture of refusing to respond to any communications. After another couple dozen queries over several months why they were refusing to commence pension payments, I was forced to file another lawsuit. Chevron quickly mailed me a check and filed a Motion to Dismiss which falsely claimed that I was covered by the Texaco qualified pension plan and Chevron had already commenced payments – **even though my Complaint had claimed that I was a member of the top-executive non-qualified pension plan and that since leaving Texaco in 1987, Texaco had never provided the annual information that would have been required to be provided to participants in an IRS-qualified plan.**

So what did the courts do???

The U.S. District Court granted the Motion to Dismiss without a hearing. Such motions can only be granted if there is no substantial factual dispute. The Court concocted a “fairy tale” of its own which had not even been claimed by Chevron that not only was I covered solely by an IRS-qualified plan for regular employees,

but that I also had “failed to exhaust my remedies” under that plan before bringing the lawsuit – without even a factual finding of what administrative remedy I had failed to exhaust and why two dozen unanswered communications over several months would not have been sufficient to exhaust whatever remedy was contained in the qualified plan. Without permitting a hearing, the Eighth Circuit affirmed the trial-court “fairy tale” based on the Eighth Circuit’s additional false “fairy tale” that my Complaint had not alleged that I was claiming solely a pension under the top-executive non-qualified pension plan, and then denied without comment my petition for reconsideration which pointed out that my Complaint had indeed so alleged.

It was fortunate that I lost my rights under the Texaco top-executive pension plan!!!

Why???

Because I used the defamatory attacks by the international financial institutions in each of the new cases not only to explain what actually happened in the Texaco/Chevron litigation, but also to “carpe” the “diem” to explain that even if I were a litigation-happy nuisance, I was not the “real party at interest” who would receive anything for my time and expense (now well up in six figures and counting) from these lawsuits.

Each appeal (including Goldman Sachs, et. al. in the Ninth Circuit which does not have rules regarding Statements of the Real Parties at Interest) featured briefs from me reciting at the beginning of the “Facts” section the attempted defamation and the defamation defense that the 10 million inner-city children were the real parties at interest. Last year’s Certiorari Petition to the U.S. Supreme Court in Goldman Sachs, et. al., also featured a “Facts” section that began with those recitals – as did all of the appeals in the California state courts even though the “Facts” recitals were repeating information in the Statement of the Real Parties At Interest contained in the first appellate brief in each case.

What Is An International Tax Shelter And Who Was Donald Kendall?

Donald Kendall is the godfather of my children.

He is also the inventor of the first well-known international tax shelter when he invented 50 years ago International Leveraged Leasing (aka, “double dip” leasing).

An international tax shelter is based on the insistence of the United States to be “out of step” with the rest of the world in general, and Europe in particular which follows the form of an instrument (stock or debt), an entity (taxable corporation or non-taxable partnership), the character of a transaction (ownership or lease), etc., etc.

The U.S. Congress and the I.R.S. insist that they have the “Holy Grail” which follows “substance” even though they know that the rest of the world follows “form” and even though they know that taxpayers are receiving double tax benefits – from both the U.S. and the rest of the world.

Donald began structuring airplane leases for which the European investors were showered with accelerated tax depreciation by their home countries and the U.S. airlines were showered by the IRS with accelerated tax depreciation for their “ownership” which only the IRS could discern by reference to the “Holy Grail”!!!

Leveraged leasing soon put Donald on the five-person worldwide Management Committee of First Boston, the world’s premier investment bank until it was acquired by Credit Suisse in the 1990’s, at which point all of the investment bankers including Donald took their payouts and abandoned ship. (Donald is now a hedge fund manager.)

Why Was The International Tax Shelter In These Lawsuits A Trade Secret?

During my career at Ernst & Young, I spent nearly half my time inventing international tax shelters for Donald Kendall and his structured-products group at First Boston.

All of my international tax shelters were “rock solid” because they could not be attacked by the IRS without the IRS going to court to challenge its own “Holy Grail.” (It could only change U.S. law prospectively.)

My most successful shelters were “foreign tax credit” generators. The first FTC generator ever invented by anyone was my Parisian real estate structure designed for marketing by First Boston. It simply re-cycled burned-out French tax shelters in which wealthy French citizens had already enjoyed accelerated French tax depreciation. We brought American companies into the French partnerships. Denying them U.S. tax depreciation based on their new investments (which were based on fair market value of the real estate rather than the partnership’s already-exhausted tax basis for French tax depreciation) would have required the IRS to attack its own “bed rock” tax partnership rules.

The IRS promulgated new general regulations defining an FTC generator and disallowing any FTC generator that produced FTC rates greater than the U.S. income tax rate on the same income. In other words, they disallowed any excess FTC that could be used to shelter other income of a U.S. taxpayer.

The conventional wisdom was that FTC generators had become extinct.

This occurred shortly after I became an investment banker in 1997.

I promptly invented the next FTC generator. And was highly amused by the 6/30/2006 Wall Street Journal article that was reporting that no “outsiders” could understand how my FTC generator worked and that Bank of America, Wachovia Bank and Wells Fargo were claiming that my FTC generator was a “trade secret.”

Amusing if for no other reason than it demonstrates that there are Americans, other than Coca Cola employees, who can maintain a “trade secret” – in the case of my FTC generator for nearly a decade!!!

I have always been renowned for my creativity – such as the kudos from the other Aramco shareholders (Chevron, Exxon and Mobil) of how to justify Aramco’s foreign tax credits in the 1970’s when the Saudi Oil Minister dictated that the cash flow would have to mirror the 25% ownership and then the 60% ownership and finally the 100% ownership decreed by his OPEC counterparts, even though Aramco as a Delaware company was still obligated to file U.S. tax returns which showed royalties and income taxes being paid to the Saudi government on the basis of 100% U.S. ownership of all Saudi reserves because the oil minister was the only governmental minister who was NOT a member of the Royal Family and he had never been able to obtain approval by the Council of Ministers to implement OPEC policy. [For the curious, I pointed out to Chevron-Exxon-Mobil that what Saudi Arabia had was a 25% > 60% > 99% (since 100% arrangements included a 5¢/bbl. “marketing allowance”) “net cash-flow interest” coupled with a perpetual option to exchange that “net cash-flow interest” at any instant into either a 25%-60%-100% stock interest in the Delaware company or, alternatively, into a 25%-60%-100% undivided interest in the Delaware company’s assets – and that just like a “net profits” interest which was clearly a royalty interest, a “net cash-flow interest” should also be treated as a royalty interest even though the world had never seen one before.]

Sorry to digress!!!

My new FTC generator (like all my tax shelters) were like Thomas Edison’s light bulb – everyone can understand it after Edison has invented it, but it took Edison to invent it.

Simply take two financial institutions, combine some of their liquid assets – mix well and let marinate.

For example, banks make loans and insurance companies have unearned premiums and reserves that are typically also used to make loans.

Assume, for example, that Barclays Bank has the equivalent of \$10 billion in loans that it has made and a U.S. bank or insurance company also has \$10 billion in loans that it has made. Each transfers to a new entity its \$10 billion in loans in exchange for an “instrument” issued by the new entity – the arrangement has to exist for at least 5 years to insure that the U.S. “Holy Grail” views the “instrument” received by the U.S. financial institution as equity while the rest of the world views that same instrument as “debt” – a classic “hybrid” instrument. The “instrument” received by Barclays is a “reverse hybrid” (debt per the U.S. “Holy Grail” but equity to the rest of the world). The loans transferred to the new entity are subject to strict rules which insure that they continue to be invested in the same manner that they would have been if the \$20 billion “egg” had never been “scrambled.” To keep the math simple, let’s assume a 10% interest rate.

The results???

Both the U.K. and the country in which the joint entity is located (which could be the U.K.) view the joint entity as owned 100% by Barclays, and view the joint entity as earning \$2 billion of interest income and paying \$1 billion of interest expense to the U.S. financial institution. Accordingly, the net \$1 billion of income is subject to the same amount of income tax that Barclays would have paid if the “egg” had never been “scrambled” and Barclays receives as a dividend (ignoring its economic reward for “scrambling” the “egg”) the same \$1 billion less the foreign income tax that would have resulted in the absence of the “scrambled egg” and incurs no additional U.K. tax.

However, the IRS consults its “Holy Grail” and decrees that the U.S. financial institution really owns 100% of the joint entity, and that the joint entity has earned \$2 billion of interest income and paid \$1 billion of interest expense to Barclays which, in the real world, is the dividend Barclays receives. Accordingly, the IRS decrees that according to the “Holy Grail” the net income really belongs to the U.S. financial institution and it is entitled to a foreign tax credit offsetting the U.S. income tax on that income. Therefore, the real-world “interest” that the U.S. financial institution receives is viewed as a dividend and it claims a foreign tax credit for the same foreign income tax for which Barclays is claiming U.K. tax benefit.

Bottom line ignoring how the overall tax savings is split and assuming a 35% US income tax rate and a 30% foreign income tax rate =

(1) No “scrambled egg” –

Barclays earns \$1 billion and US Co earns \$1 billion for total earnings of \$2 billion.

Barclays pays \$300 million of foreign income tax and US Co pays \$350 million of US income tax for total income taxes of \$650 million.

(2) The “scrambled egg” –

Barclays still earns \$1 billion and US Co still earns \$1 billion for total earnings of \$2 billion.

Barclays still bears the burden of \$300 million of foreign income taxes but US Co only pays US income taxes of \$50 million (\$350 million pre-credit, less a credit for the \$300 million of foreign income tax that the “Holy Grail” decrees was borne by US Co) – for total income taxes of only \$350 million rather than \$650 million.

How Do You Know Your Letters Last Year To The 21 Governmental Officials And The 43 News-Media Superstars Were Received?

The 4/4/2010 letter to the 21 governmental officials actually produced 6 responses, 2 of which were received after the 6/18/2010 follow-up letter had been sent. So at least the 6 recipients who responded cannot claim that they did not receive the letters to which they responded.

[Incidentally, the penultimate paragraph of the 6/18/2011 letter apologized for being forced to make a point concerning the consequences of a refusal by the 21 governmental officials to represent **their own constituents (the 10 million inner-city children)** by filing or causing to be filed *Amicus Curiae* briefs. Ignoring the 15 failures to respond and focusing on only the 6 responses, you might be able to understand why I felt forced to make the point in the penultimate paragraph – (1) the response to U.S. Education Secretary Duncan’s letter praised IHAD while ignoring the request for *Amicus Curiae* briefs, (2) the responses from Representatives Barbara Lee and Jane Harman pretended that none of the 10 million inner-city children were their constituents and referred me to my Representative, Speaker Pelosi, and (3) the responses from Speaker Pelosi and Senators Boxer and Feinstein, none of whom could claim that I was not one of their constituents, mendaciously claimed that they are not permitted to request the U.S. and California Attorneys General and the Mayors of Los Angeles, San Francisco and Oakland to file *Amicus Curiae* briefs.]

Admittedly, there were no responses to the 6/18/2011 follow-up letter to the 21 governmental officials.

And there were no responses to either the 8/16/2010 letter or the 9/2/2011 follow-up letter to the 43 news-media superstars.

However, for 12-14 days after each of the four letters, there were daily requests from Who's Who to update my biography and authorize its inclusion once more in Who's Who in America and Who's Who in the World. [I had only listed my credentials following the signatures so that the four sets of letters would be taken seriously – not to renew listings in Who's Who in America and Who's Who in the World which I had refused to authorize since 2003 and continued to do in response to the new requests.]

Is There Any Chance That The Entire \$84 Billion Could Still Be Recovered (Not Just The Portion Relating To The Bank Of New York)?

Yes. Ordinarily, complaints for conversion (the civil tort corresponding to criminal theft) also include allegations of fraud in circumstances such as those involved in this imbroglio where a new employer, Barclays Capital, has hired the marketing team of the Dresdner Kleinwort Wasserstein structured-products group. However, I had no evidence that Barclays Capital had done anything more than collude with my former colleagues to steal the reports that contained my Trade Secrets.

However, the 6/30/2006 Wall Street Journal article implies that the transactions implemented by Barclays with “at least 9” U.S. financial institutions might have been based on a structure for which approval was first sought with the U.S. Office of the Comptroller of the Currency in 2000, which was two years before the Barclays admitted theft. During the course of the litigation, I was diligent in attempting to discover from Wells Fargo whether its 2000 proposal related to my FTC generator but was fined \$1,300 by the state trial court for my “audacity” in believing that normal statutory discovery rights extend to “Pro Se” Plaintiffs!!!

What I hoped to ascertain from Wells Fargo through the normal discovery rules was (1) whether the 2000 proposal did relate to my FTC generator and, if so (2) whether my Dresdner Kleinwort Wasserstein colleagues had secretly been working on a deal between Barclays and Wells Fargo using my FTC generator and, on the eve of implementing it (or perhaps even afterwards with an IOU from Barclays and Wells Fargo), my DKW colleagues used my FTC generator to join the Barclays payroll.

If discovery had been permitted and these two facts had been adduced, Barclays would have been guilty of criminal fraud as well as theft. And just like the statute of limitations period for conversion does not begin to run until the theft has been discovered, the statute of limitations for fraud does not begin to run until discovery of the fraud.

Accordingly, Barclays is still vulnerable. And will probably remain vulnerable in perpetuity.

However, my conscience is clear that I did everything necessary to obtain the financing to provide 10 million inner-city children with IHAD or IHAD-style programs. And that these efforts were thwarted by the unconstitutional denials of “due process” and “equal protection” by the American Apartheid “Justice” System – with the acquiescence of 21 governmental officials and 43 news-media superstars (as well as the 8 prominent editors of the NY Times, Washington Post, etc., at an earlier stage of the proceedings).

Therefore, in the wonderful words of the “Bye and Bye” Spiritual, next Fall may be when “I am going to lay down my heavy load” – in other words, I would be delighted to assign my rights against Barclays, et. al., for fraud to any credible organization that is willing to pursue the culprits on behalf of the 10 million inner-city children and to cooperate with such efforts – but after the U.S. Supreme Court denies the new Petition for Certiorari, I will feel that I have “earned my rest” and will no longer serve as the primary moving force.

Nevertheless, it is theoretically possible that the U.S. Supreme Court might grant the Petition for Certiorari and that the Bank of New York might have information about the old Wells Fargo transaction in its files.

What Is www.ReadingLiberally-SaltLake.org Where Are Located The Reference Materials Described Above (Such As Your Offers To Assign Your Rights To IHAD-National) And In The Letter To 51 Inner-City Clergy (Such As Copies Of Various Legal Briefs)?

Reading Liberally - Salt Lake is a monthly politically-oriented discussion group that I have facilitated for the last 4.5 years in the vicinity of my Utah ski house.

It is patterned after a monthly discussion group of the Harvard Club of NYC in which I participated for several decades. (The Harvard Club group no longer exists, though I still participate in several non-political monthly discussion groups at the Harvard Club/NYC.)

The Harvard Club/NYC politically-oriented discussion group often saw its ideas implemented in governmental policy and it was always a heady experience whenever the idea was yours personally. This happened quite frequently because many of the members of our group were floating in and out of the top levels of government and the “ins” at any particular moment often canvassed the “outs” for good ideas.

However, our Salt Lake City group does not include, as did the Harvard Club/NYC group, a lot of high-powered foreign-policy experts associated with the Council on Foreign Relations, the United Nations, and the home offices of the world’s top international law firms.

Accordingly, I invented for the SLC group a procedure called the Six-Degrees-Of-Separation E-mail Campaign so that each time we reach unanimity or consensus (max. one dissent for the latter) on a solution to a problem, we send identical e-mails to the President or other key decision makers and we also send the e-mail to friends so that with only a dozen key strokes, they can also do the same in an unending chain.

You may want to run your eye over some of the 10-11 e-mail campaigns we have launched over the years. Two that I would especially commend for your attention =

1. Our recommendation to eliminate unemployment with an FDR-style program to put the unemployed to work making solar panels. The level of wages would equal what unemployment compensation would have been, except now that income stream would never cut off. And unlimited time off would be given for job interviews to rejoin the regular economy.
2. Our recommendation to effectively eliminate corporate campaign contributions that do not relate closely to a specific/narrow issue affecting the corporation’s business. This could easily be accomplished via the existing corporate income tax law which (1) disallows as deductions any expenditure that is not an “ordinary and necessary” business expense and (2) treats the disallowed deduction as a taxable non-cash dividend to the shareholders if the expenditure was made for their benefit. Of our 13 members at the meeting that approved that e-mail campaign, a majority were attorneys and we all agreed (including all the attorneys) regarding the validity of new IRS regulations that would disallow corporate tax deductions for such expenditures and tax as non-cash dividends the shareholders on their pro rata portion.

With regard to the second, you might find that Senator McCain is looking for a new partner, now that Senator Feingold did not win reelection. And Congressional action probably wouldn’t be required anyway.

And with regard to the first, which would require Congressional action, your championing the cause would improve society if you are successful and, in the meantime, would provide your Democratic Party colleagues with a nice talking point on the campaign trail.

Please permit me to wish you the best of luck should you decide to tackle either of these (or any of our other 10-11 issues) and, once again, to wish you nothing but health and happiness in the years ahead.

Reference Materials Available On www.ReadingLiberally-SaltLake.org In Its Third Section Entitled “Possible Topic for Fall 2011” –

- Reference Materials A through I – Please see the penultimate section of the letter being sent to 51 inner-city clergy from Los Angeles, San Francisco and Oakland CA.
- Reference Material J – Offer to assign all rights gratis to IHAD-National to benefit 10 million California inner-city children.
- Reference Material K – Offer to assign all rights gratis to IHAD-Los Angeles and IHAD-San Francisco (NB: IHAD-Oakland which existed when I was IHAD-National Treasurer in the 1990’s is defunct).
- Reference Material L – 10/16/2001 Letter to all of the members of the Royal Opera House/Covent Garden orchestra which was discussed above with respect to fund-raising.