

Harvard Club - Box 126
27 West 44th Street
New York, NY 10036
john@johnkarls.com
July 28, 2011

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

Strictly Privileged And Confidential

Mr. Marc H. Morial, President and CEO
National Urban League
120 Wall Street
New York, NY 10005

Dear Mr. Morial:

**Re: \$84 Billion Legally Pledged For Education of Californian Inner-City
Children Rapidly Slipping Away Due To Judicial Improprieties –
Amicus Briefs Under US Supreme Court Rule 37(2) Needed Urgently!!!**

The enclosures chronicle the sad story of how Barclays Capital Ltd., a U.K. subsidiary of Barclays Bank PLC, admitted that it stole a report containing a trade secret which was invented by me and whose value had been pledged in legally-binding fashion to provide inner-city children with “I Have A Dream”® or IHAD-style programs.

You are undoubtedly aware of the “I Have A Dream”® Programs which were patterned after Eugene Lang’s 1981 spontaneous promise of college tuition to the graduating sixth graders of Harlem P.S. 121 for whom he then arranged tutoring and mentoring through high school graduation.

- I was one of 178 sponsors who immediately stepped forward to replicate what Gene had done in 51 American cities (my program served 200 children in public housing projects), and
- I served as Gene’s volunteer treasurer of IHAD-National during the 1990’s.

Unfortunately, Barclays Capital Ltd. admittedly stole the trade secret despite knowing that they were stealing from millions of American inner-city children their futures and proceeded to use the trade secret to implement deals with 15 worldwide financial institutions, the only customers for the trade secret.

Since I was already retired when the theft was discovered and had always given away all of my excess wealth to IHAD and other worthwhile causes, I had no resources to hire legal counsel and, unfortunately, juridical entities including foundations cannot represent themselves. All of my rights were offered gratis to IHAD-National which, as expected, was not in a position to shoulder the cost of legal counsel and a life-long friend, Sir Arthur Collingsworth (for decades, a pillar of San Francisco’s gay community), and I were unable to persuade any California attorneys who were in a position to sue financial institutions (most are members of firms that represent, or aspire to represent, financial institutions) to represent a newly-created foundation.

Accordingly, since suing Barclays Capital Ltd. in the U.K. was not feasible, I sued the 15 financial institutions for common-law conversion in California state court near my retirement residence in San Francisco. As a human being, I was able to sue on a pro se basis, though I have always stood ready to assign my rights gratis to any credible foundation that is in a position to shoulder the cost of legal counsel to represent effectively the rights of the inner-city children.

As an attorney, you undoubtedly recognize common-law conversion as the civil tort corresponding to theft, and as the basis for recovery by heirs of Holocaust victims whose fine art was stolen by the Nazis as the current “owners” become known even if they were unaware of the theft.

On June 13, 2011, a Petition for Certiorari was filed with the U.S. Supreme Court in *Karls v. The Bank of New York, et al.* Its “Question Presented For Review” was:

“Can state court judges order their decisions which they know are diametrically-opposed to well-settled law, not to be published or cited (a strategy labeled ‘the segregated toilet’ in correspondence with 51 inner-city clergy who represent the 10 million inner-city children who have been disclosed from the outset as the ‘real parties at interest’ in this law suit) in order to flush away the rights of the 10 million inner-city children without disturbing the rights of first-class American citizens – without violating the ‘Equal Protection of the Law’ requirement of the Fourteenth Amendment of the U.S. Constitution?”

You might be interested to know that in arguing against an appeal to the California Supreme Court, The Bank of New York argued that inner-city children are not entitled to the same right to common-law conversion as is enjoyed by first-class American citizens because inner-city children are allegedly not facing a Holocaust!!!

In addition to writing continually to update the 51 inner-city clergy representing the 10 million inner-city children, I have also written to –

- 43 news-media superstars on five* occasions over the last 11 months to request them to shine the same spotlight on this litigation that they routinely shine on, for example, any of David Boies’ cases including his current Proposition 8 litigation.
- 21 National and California governmental officials (starting with President Obama, Governor Brown and the California Congressional Delegation) on four* occasions over the last 18 months to request them to file Amicus Curiae briefs – at a minimum by the U.S. and California Attorneys General and by the cities of Los Angeles, San Francisco and Oakland CA.

* The most recent occasion in both cases was on June 15, 2011, to provide a brief “heads up” that the Petition for Certiorari had indeed been filed with the U.S. Supreme Court on June 13, 2011, and that the expected date for decision on the Petition by the Court would be September 26, 2011.

“Last Ditch” Request For You To Appeal To President Obama, Governor Brown and Three Mayors To File Amicus Curiae Briefs Under U.S. Supreme Court Rule 37(2) In *Karls v. The Bank of New York*

Your participation on Meet the Press on July 17th sparked the thought that you might be in a position to make a final appeal to President Obama, Governor Brown and the mayors of Los Angeles, San Francisco and Oakland to file Amicus Curiae Briefs with the U.S. Supreme Court before the Petition for Certiorari is decided pursuant to U.S. Supreme Court Rule 37(2).

After all, all five governments have full-time attorneys on the payrolls of their legal departments who regularly represent them in the U.S. Supreme Court. And none of the five governments responded in any way to the two requests last year to file Amicus briefs with the U.S. Supreme Court in the virtually-identical appeal of *Karls v. Goldman Sachs, et al.*, or have responded in any way so far to the two requests this year vis-à-vis *Karls v. The Bank of New York, et al.* [For your ready reference, all four requests were sent separately to President Obama, Chief of Staff Emanuel, Attorney General Holder and Education Sec’y Duncan – and to California’s then-Attorney General Brown at the Attorney General’s Office, at his Gubernatorial Campaign Office and at his Oakland CA residence – as well as both U.S. Senators from California and each member of the California Congressional Delegation representing the three cities.]

And I am guessing that the mayors of Los Angeles, San Francisco and Oakland will take your calls and, at a minimum, President Obama and Governor Brown will return your calls.

For your ready reference, the U.S. Supreme Court updated today the Docket for *Karls v. The Bank of New York, et al.*, to show that the Petition for Certiorari will indeed be decided at Conference on September 26, 2011.

Also for your ready reference, U.S. Supreme Court Rule 37(2) provides that an *Amicus* Brief filed before consideration of a Petition for Certiorari must be accompanied by a "Motion For Leave To File" if consent is not obtained from Defense Counsel who is Peter Obstler, Esq., Bingham McCutchen LLP, Three Embarcadero Center, San Francisco, CA 94111 (Direct = 415-393-2578).

Incidentally, it does not appear from the web site of the National Urban League that you have full-time attorneys on staff who are admitted to practice before the U.S. Supreme Court. However, if you do (or if the National Urban League were able to obtain the services of such an attorney on a pro bono basis) so that an *Amicus* brief could be filed in the name of the National Urban League, it might make all the difference in the world.

Copy To Ms. Michelle Miller, CBS News, 51 W. 52nd Street, NYC 10019 – With Enclosures

I hope you will not be offended by the sending of a copy of this letter with enclosures to your wife.

The primary reason for doing so is that during the course of a 44-year business career, communications often have been intercepted by the staff of the addressee despite being addressed "Strictly Privileged And Confidential."

In addition, I still harbor hopes that the 43 news-media superstars might have a change of heart – especially since, as noted in the enclosed letter to Ms. Marcia Coyle (U.S. Supreme Court Commentator for the PBS News Hour), a single dissent from their here-to-fore unanimous refusal to take action, might be sufficient to save the inner-city children.

And with the departure of Ms. Katie Couric from the CBS Evening News, the only person among the 43 recipients of the previous letters still associated with CBS News is Mr. Bob Schieffer of "Face The Nation."

Thank you for your consideration.

Sincerely yours,

John S. Karls
JD, Harvard Law School, 1967
Who's Who in American Law, 1988-2003
Who's Who in America, 1988-2003
Who's Who in the World, 1994-2003

Enclosures

cc: Ms. Michelle Miller, CBS News, 51 W. 52nd Street, NYC 10019 – w/enclosures

Blind Note:

Enclosures =

June 22, 2011, Letter to Jonathan Kozol

May 18, 2011, Letter to David Axelrod

May 18, 2011, Letter to U.S. Senator Christopher Coons

May 18, 2011, Letter to 22 Governmental Officials

May 18, 2011, Letter to 43 News-Media Superstars

May 18, 2011, Letter to 51 Inner-City Clergy From Los Angeles, San Francisco and Oakland

January 30, 2011, Settlement Offer

March 22, 2010, Offer To Assign Gratis All Rights To The “I Have A Dream”® Foundation

Resume

June 29, 2011 Letter to Marcia Coyle

Printed U.S. Supreme Court Petition for Certiorari Filed June 13, 2011

There were no cc's other than to Ms. Michelle Miller

Because this letter was sent to only two people, it was sent to each by USPS Certified – Return Receipt. USPS Tracking shows that Marc Morial's copy was received by the National Urban League on 8/2/2011 and Michelle Miller's was received by CBS News on 8/1/2011.