

Subject: The misconduct in case# CV38273 is blazing

Date: Wednesday, May 26, 2010 1:13 PM

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Today in the retaliation case #0916-CV29828, clerk "U" (See attached.pdf Exhibit 1) at the direction of the Justice Department Mrs. Beth Phillips and Wachovia Dealers (Wells Fargo) physically removed (no pleadings required) 200 pages of evidentiary exhibits from the court record proving that fraud was committed and continues on this court. I ask the clerk to mail the exhibits to me and she refused; I guess we don't want any record showing a crime was participated in by a court. I also ask the Judge, how can you remove evidence in a court record? No answer.

The only reason to remove evidentiary records from a court file at the request of a party is to manufacture an outcome unrelated to fact or law against the opposing party.

For over 10 years, I have shown how outcomes are manufactured in courts with no consideration for the record, law or the facts.

If this misconduct is allowed to continue, then courts are a meaningless forum for the rule of law.

May 25, 2010

Dale Carter
District 1 Councilman
City of Blue Springs
903 West Main Street
Blue Springs, MO 64015

**RE: Continued City of Blue Springs Obstruction of Justice in *Lipari v. Chapel Ridge LLC et al.*
Case No. 0916-CV38273**

Dear Dale,

After my repeated notifications of the liability the City of Blue Springs was subjecting itself to for the misconduct of City of Blue Springs police officers under the supervision of Police Chief Wayne McCoy (the highest or final policy making authority for the City of Blue Springs over matters of selecting subjects of criminal investigation and surveillance by marked police cars under *City of St. Louis v. Praprotnik*, 485

U.S. 112, 124-25 (1988)), I am writing to inform you I am considering legal action for your city's continued harassment of my nephew Ian Whitehill and my sister Susan Whitehill over my litigation to enter the hospital supply market which is monopolized by Novation LLC and my investigation .

Clearly the City of Blue Springs cannot have a legitimate interest in determining the outcome of private civil litigation the city and its officials are not even a party to. No person or entity can have a legitimate interest or lawful right to use extrinsic fraud and extortion to attempt to fix a case in Missouri State courts. This is a constitutional deprivation of my First Amendment protected rights to seek redress and a constitutional deprivation of my nephew's Fourth Amendment rights, both actionable against the City of Blue Springs under 42 U.S.C. § 1983.

Any defense or immunity the City of Blue Springs may have had based on good faith exercise of police powers has been abrogated by continued harassment of my nephew after City of Blue Springs Police Chief Wayne McCoy acknowledged notice of the misconduct of City of Blue Springs police officers against my nephew. See 1 M. Schwartz & J. Kirklin, Section 1983 Litigation, § 7.8, at 364 (2d ed. 1991) ("A persistent practice may constitute municipal policy whether it is carried out by the policymakers themselves, by other high-ranking officials, or even by subordinate employees."). However, before the actions of subordinate city employees can give rise to § 1983 liability, their discriminatory practice must be so manifest as to imply the constructive acquiescence of senior policy-making officials. See *Praprotnik*, 485 U.S. at 130, 108 S.Ct. at 927; *Krulik v. Board of Educ. of the City of New York*, 781 F.2d 15, 23 (2d Cir.1986).

I am aware of no remedial or disciplinary action taken against Police Chief Wayne McCoy and he appears to be still employed by the City of Blue Springs with the authority to make selecting subjects of criminal investigation and surveillance by marked police cars. Under these circumstances the City of Blue Springs is financially liable for all damages and injuries to my nephew, my sister or myself

resulting from these constitutional deprivations because as a Blue Springs Councilman and a senior policy-making official you have acquiesced to this policy of using extrinsic fraud and extortion under color of official right to attempt to fix private civil cases in Missouri State courts.

I am not unfamiliar with the Western District of Missouri US Attorney Beth Phillips and her predecessors John F. Wood and Bradley J. Schlozman using their office and authority to persuade state and municipal officials to corruptly obstruct justice litigation seeking to vindicate my rights to enter into Missouri's monopolized hospital supply market. There is no defense or immunity for yourself, Police Chief Wayne McCoy, his police officers or the City of Blue Springs itself from monetary damages resulting from constitutional deprivations at the direction of US Attorney Beth Phillips.

The Western District of Missouri US Attorney's office under Bradley J. Schlozman, John F. Wood and now US Attorney Beth Phillips is known for utilizing extrinsic fraud including threatening the children of even attorneys representing parties with extortion under color of official right to fix the outcomes of cases and obstruct justice in US District Court. In "The Political Prosecutions of Karl Rove" a documentary film record of the pervasive misuse of the Justice Department, the Western District Office of the US Attorney was revealed to have threatened to prosecute the son of Missouri attorney Ron Partee for representing Kansas City Council Woman Rev. Saundra Mc Fadden-Weaver. A threat Partee has wisely denied. The film can be viewed at www.politicalprosecutions.org <<http://www.politicalprosecutions.org>>

The Western District of Missouri US Attorney's office under USA John F. Wood threatened and extorted my witness Dustin Sherwood, a successful Clay County farmer who was having his farmland taken through fraud to obtain real estate with high density infra structure improvements on the Northwest side of Smithville Lake that Republican National Committee campaign donor Jim Hasler wanted to acquire for a planned resort community development near Trimble, Missouri without having to compensate the Sherwoods under imminent domain.

John F. Wood, while US Attorney for the Western District of Missouri caused his Assistant US Attorney to state that the government would go after Dustin Sherwood's wife Jennifer Sherwood and deprive his young children of their mother if he did not confess to a crime that did not take place. USA John F. Wood caused this threat to be committed on or about the morning October 7, 2008 through Dustin Sherwood's criminal defense attorney Stephen G. Mirakian of Wyrsh Hobbs Mirakian PC.

The Western District of Missouri US Attorney's office under John F. Wood and now US Attorney Beth Phillips has used extrinsic fraud and extortion under color of official right on or about December 17, 2008 when Western District Assistant U.S. Attorney Jane Pansing Brown stated US Attorney John F. Wood office would prosecute the petitioner's witness Sidney J. Perceful and the family farm public interest organization attorney Bill Christiansen for several articles appearing in the Wisconsin Dairy farmer's newspaper The Milkweed that accurately described the misconduct occurring in the US District Court for Missouri in Kansas City. See www.themilkweed.com/MW%20Aug-Sep%2008%20Sherwood%20Story.pdf

My own former attorney Bret D. Landrith had his son Thomas Bret Landrith targeted on April 16, 2007

by Pittsburg Kansas High School Principal Mike Philpot for having caused the US Attorney General Alberto Gonzales to have to return and testify under oath before the US Senate Judiciary Committee after I leaked in an April 2007 press release entitled "Former MO US Attorney Todd Graves the Ninth Attorney Targeted by Alberto Gonzales" [1] <#_ftn1> information about an email I obtained in discovery that Todd Graves, Bradley J. Schlozman's predecessor as the Western District of Missouri US Attorney had been illegally removed from office.

Pittsburg Kansas High School Principal Mike Philpot interrogated Landrith's son with then Vice Principal Donna Zerr, and Crawford County Deputies attending for several hours over a made up accusation Principal Mike Philpot had participated in ensuring would be used corruptly against Landrith's son. Then on the following day, Pittsburg Kansas High School Principal Mike Philpot falsely stated Landrith's son had never been accused of anything. When High School Principal Mike Philpot's plan failed to work, Landrith's son was later bizarrely accused of criminal misconduct by Philpot for accepting lunch money from his older sister. Thomas Bret Landrith developed intestinal problems from the stress of being targeted and despite treatments and hospitalization was eventually no longer able to attend school mid way through his Sophomore year due to Irritable Bowel Syndrome.

Since I have no children of my own, my nephew was repeatedly targeted in his Blue Springs High School because of my litigation seeking to vindicate my rights to enter into Missouri's monopolized hospital supply market. His teacher Ashley Brooker, the wife of a Mathew Brooker a member of Waldeck Matteuzzi & Sloan, a law firm associated with the racketeering defendants Regus PLC, Regus Mangement Group LLC, and Lianne Zellmer used her position to sabotage his academic achievements in her class. My nephew has been told he is eligible to attend the University of Missouri at Rolla School of Engineering and has difficulty in only English because of a learning disability, the class taught by Ashley Brooker. Ashley Brooker's misconduct against Ian followed several events where I have complained to the Missouri Board of Bar Governors and the Department of Justice about the misconduct of targeting my nephew in his school because of my litigation in the 16th Circuit. See Exhibits 1-8:

<http://www.medicalsupplychain.com/pdf/Targeting%20Ian%20and%20Susan%20Evidence.pdf>

The Blue Springs School District's School Board acted affirmatively to avoid liability for teacher Ashley Brooker's misconduct against my nephew to further the racketeering defendants' scheme to use extrinsic fraud and extortion to protect the Novation LLC cartel's monopolization of hospital supplies. The Blue Springs School District School Board fired Ashley Brooker two weeks ago, before the semester had ended. Clearly the school board knew that if Ashley Brooker had not been disciplined, the Blue Springs School District would have been liable for a policy of criminally interfering in my private civil litigation through the deprivation of constitutional rights of myself and my nephew.

Similarly, the Kansas USD 250 Board of Education ended up removing Pittsburg High School Principal Mike Philpot from his post, the same semester he had repeatedly targeted my former counsel Bret Landrith's son. However, the Western District of Missouri US Attorney Beth Phillips and the Novation LLC hospital supply cartel have continued to pressure public officials to corruptly use their power for the purpose of protecting their lucrative hospital supply monopoly. When my former counsel finally obtained custody of his son, the Kansas City Missouri School District resisted letting him attend school until Interim Superintendent Clive Coleman conceded Thomas Landrith had the right to attend a

school, but both school principals Linda Collins of North East and Tom Herrera of East denied his son the opportunity to re-enter high school last year. Tom Herrera of East High even used the false pretext that Thomas Landrith's records were not available when the Kansas City Missouri School District had already entered Thomas Landrith files into the East High master system and registered him.

The City of Blue Springs has not terminated or taken other adequate disciplinary action against Police Chief Wayne McCoy. There is no reason to believe the misconduct of his police officers toward my nephew and sister will stop. In fact, Police Chief Wayne McCoy renewed his misconduct on behalf of US Attorney Beth Phillips and the Novation LLC hospital supply cartel against my nephew when the Blue Springs School District's School Board took measures to stop Ashley Brooker from furthering US Attorney Beth Phillips and Novation LLC's obstruction of justice through harassment and extortion.

As a city councilman, your negligence has made the City of Blue Springs liable for a policy that is not only unlawful, but contrary to the interest of every citizen of Blue Springs. Your constituents are suffering from a recession and many have lost jobs at the Ford Motor Company's Kansas City Assembly plant in Claycomo, Missouri directly because of the Novation LLC cartel's monopolization of hospital supplies [2] <#_ftn2> making healthcare costs destroy Missouri and American manufacturer's competitiveness.

The State of Missouri is forced to cut its budgets radically for the second straight year, causing Missouri municipalities to have to reduce services to their constituents and neglect maintenance to their infrastructure. The State of Missouri could not fund an incentive package to encourage new investment and jobs at the Claycomo factory, which is expected to lose a production line or close next year.

Your own fiscal management has been impacted by substantial annual increases in healthcare insurance costs for City of Blue Springs employees resulting from the Novation LLC cartel's ability to exclude cost controlling competition from the nation's hospitals supply sources.

Since City of Blue Springs officials including Police Chief Wayne McCoy are continuing a constructive policy to break the law and assist the Novation LLC cartel continue its harassment and extortion of my associates and family members for the purpose of obstructing justice in my private civil litigation and in my False Claims Act investigation through extrinsic fraud, the gravamen of the misconduct of City of Blue Springs officials including Police Chief Wayne McCoy appears to outweigh mere constitutional deprivations and will likely lead to individual capacity civil liability under Racketeer Influenced and Corrupt Organizations Act of 1970 (RICO) 18 U.S.C. §§ 1961 *et seq.* for misconduct under Color of Official Right via threats of economic harm described in *U.S. v. Kelley*, 461 F.3d 817 at 826 (6th Cir., 2006) and through the Coercive Nature of Official Office described in *U.S. v. Antico*, 275 F.3d 245 at 256 (3rd Cir., 2001) to obstruct justice against me in vindicating federal law in the role of a private attorney general.

The March 31st letter I received from Police Chief Wayne McCoy and the involvement of the City of Blue Springs Attorney Bob McDonald in a scheme to commit fraud on the 16th Circuit State of Missouri Court in a racketeering conspiracy with the Novation LLC Cartel member General Electric to deprive me of my contract property rights has led me to believe you are not getting adequate legal

counsel. I implore you to exercise your responsibility for the governance of your city and cease its participation in crimes against my family, my associates or myself.

I assure you I will take legal action if you do not.

Sincerely,

Samuel Lipari

cc Governor Jay Nixon
Attorney General Chris Koster

[1] <#_ftnref> <http://www.pressrelease365.com/pr/government/federal/graves-attorney-general-gonzales-1275.htm>

[2] <#_ftnref> Wide U.S. Inquiry Into Purchasing for Health Care By MARY WILLIAMS WALSH, NY Times. August 21, 2004 <http://www.medicalsupplychain.com/pdf/NYTIMES%20Wide%20Inquiry.pdf>

Unfortunately Assistant US Attorney Shannon Ross who signed the criminal subpoenas was found dead on the day of the US Senate Hearing:

“The investigation wasn’t helped when two federal prosecutors involved in the case died weeks apart from each other. Thelma Colbert, who headed a civil litigation unit of the Fort Worth DOJ office that prosecuted companies involved in defrauding government-funded programs, drowned in her swimming pool in July 2004. The Tarrant County medical examiner’s office determined the death was accidental. Then, on Sept. 13, 2004, Shannon Ross, the criminal chief for the U.S. Attorney’s office in Dallas, who reportedly had signed the GPO subpoenas, was found dead in her Rowlett home. In that case, the Dallas County medical examiner ruled the death to have been from natural causes.”

Hijacking at the Hospital Purchasing groups created to hold down health costs seem to be holding up patients instead. By PABLO LASTRA FW Weekly <http://archive.fweekly.com/content.asp?article=3419>

