

May 26, 2020 (Final Draft: due to near-instant response mandates and a Monday holiday it is essential I send this directly to all defendants and attorneys for your review and input prior to hearing.)

Hon. Judge Ann Aiken
United States District Court of Oregon
405 E. 8th Avenue - Eugene, OR 97401

Dear Judge Aiken:

This is a cover letter to Plaintiff's Briefing in Opposition. Thank you for granting a hearing of my civil complaint 20-00253. Please take a moment to review my credentials, it is the final page of the briefing. I am competent with subject matter. My civil complaint is necessary.

The court (and the defendants) should feel comfortable denying all defendant motions prior to hearing based entirely upon the docket. Please examine plaintiff's unheard, bypassed LR-7 filings reporting the situation to the court and the unheard Motion for Judicial Conference per FRCP 16. Defendants refuse to participate in discovery in clear violation of FRCP 37.

My complaint contains a factual pleading per FRCP 9(b). It sounds fancy but it is nothing more than a simple account of what defendants inflicted upon me, supported by large amounts of quality evidence. I am not asking defendants to provide any 'discovery' so their claims of being 'vexed' can't really apply. I am only asking them to discuss the facts and evidence with me so I may demonstrate to them a factual basis that supports claims.

At Hearing: please have ready my complaint, my LR-7 filings, and the unheard Motion for Judicial Conference. I should only require 10-15 minutes to demonstrate the quality of my case presentation and factual basis. The docket will show defendants feigned a response and refused all discussion. It will show defendants seeking orders/sanction based self-generated ad hominem attacks. Defendants will be shown to be in violation of Court's Scheduling Orders with purpose and intent of concealing the facts and evidence.

Judge Aiken, it may help if you privately contacted a few defendants (who are all attorneys and agents of the court). They appear boxed in by "The Martha Mitchell Effect" and do not know how to get out. There is no shame or fault implied by changing the road defendants are on. I will welcome each and all as if we were always friends and colleagues. I look forward to that mutual opportunity.

Thank you and please contact me 24/7 via telephone as needed. 541.510.3915 and as backup 541.513.6991 (ask for Andy).

Respectfully yours,

Andrew Clark, plaintiff pro se.
3270 Stoney Ridge Rd. - Eugene, OR 97405
OperationSunriseLaw@gmail.com

Plaintiff's Briefing to Deny Defendant's Motion for Protective Order and Motion to Declare Plaintiff a Vexatious Litigant [62] and Motion for Order to Show Cause [86] is set for 6/2/2020 at 02:30PM in Eugene by telephone before Judge Ann L. Aiken. ORDER: All defendants who have appeared shall attend this hearing or file briefing on whether 1) plaintiff should be held in contempt, 2) whether dismissal would be an appropriate sanction, and 3) whether the Court should enter a pre filing order against plaintiff. Brief is due by 5/29/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 5/20/2020.) (ck)

Plaintiff Briefing in Opposition to Defendant's Motions per Order

Plaintiff included a statement of credentials and experience. It is the last page but should be read first. It demonstrates that Plaintiff has credentials and experience to accurately plead the subject matter. Plaintiff's complaint is accurate, well-evidenced, and necessary. It pleads issues of significant public importance.

Civil Complaint 20-00253-AA provides a detailed account of what was inflicted on me and concealed by defendants. It includes a good sample of my evidence base. My complaint accurately describes and evidences a "RICO Enterprise that committed physical crimes against me for purposes of committing and/or concealing federal witness tampering". My complaint presented excellent, abundant evidence of "RICO crimes" permitted by rampant, deep public corruption. PACER is a perfect record of how Defendants used (and are now attempting to use) the court as a method of concealing their activity. Defendants' activity exactly meets the definition of a racketeering enterprise and it continues as shown with their Motion for Hearing and Sanctions.

Private relief provisions of Clayton ATA allow claims under Sherman ATA, et seq. It is not unreasonable that corporate use or sponsorship of a racketeering enterprise would be a valid reason to apply the Sherman ATA to the corporate entities of the lawsuit. Credence to those claims are provided by the well-publicized 'government freeze' on Wells Fargo growth due to related concerns. Ample facts and evidence support all claims.

Nothing about my claims is unreasonable. My experience and credentials allow me to reasonably identify and document it. All has been seen before, mostly back east in government prosecution of organized crime. "Mob" use of tricked or corrupted police as enforcers has happened. And that is exactly how I reported it first...as hard, cold crime and to local FBI. The act of very early reporting to the Alter of Truth, in person down at the local FBI is important but first...

To assure the court, I made ZERO discovery demands for information. A 'vexatious litigant' burdens an organization with unreasonable or frivolous demands for information in hopes of justifying their lawsuit. *The Defendants self-generated the illusion of some sort of vexation. They did it before; it appears to be the basis of employment law in America as mentioned in the Complaint. They attempt to restrict and ignore communication then self-declare violations using hominem attacks.*

*Wells Fargo stands with one foot in the grave and the other on thin ice -
Enter the Graveman.*

All defendants refused to discuss any and all of it. Defendants did not properly respond to Plaintiff's complaint. Docket will show that Plaintiff reported the specific deficiencies via LR-7 filings. Defendants did not respond to those. Docket will show Plaintiff's unheard Plaintiff Motion for Judicial Conference Per FRCP 16 goes into specific detail showing how defendant responses violated most requirements of FRCP 8. Worse: most of what defendants call "vexation" is me trying to get them to respond to anything, or reporting attorney conduct to Wells Fargo. The court has thus discovered what the general public already knows: Wells Fargo Just Does Not Care. As evidenced in Docket, that is the opposite of what I long held as Truth. I came to feel sorry for defendant attorneys. No apologies are offered or asked for. We are all victims. Now back to FBI...a great authority.

Taking it over the top: advance FBI crime reporting. As described in complaint pursuant to employment at Wells Fargo, I *reported in person to local FBI, mostly in 2011-2014 seeking criminal prosecution. Agent Ken Jamison met with me, found 'suspicions' but told me to pursue civil redress which was derailed by Defendants. I once again involved FBI in 2020 in this situation and 'pushed hard' (i.e. frequently contacted and vexed people at FBI and US Attorney's Office) to obtain the attached letter from FBI on May 21, 2020. It is an essential detail:*

1. The letter documents that FBI did not detect criminal activity they would prosecute based only on the March 26, 2020 crime report and other material provided mostly pre-2014.
2. The letter documents that my allegations had enough merit to review.
3. The letter references past reporting to FBI. That demonstrates to the court I actually did file with FBI. I am aware many claim it....almost nobody does it.
4. The letter encourages me to report further if needed.

FBI gave us the "**Goldilocks Letter**," one that is just right: The letter shows allegations suspicious enough to review but not investigate for criminal prosecution. I would have been required to defer my litigation to any government action. However: had the FBI said words to the effect of 'do not send more flying saucer reports' that would suggest an improper civil action. The FBI letter puts cement galoshes on all defendants motions, which are now shown to be an organized attempt to avoid the facts and evidence. It is also very helpful to Wells Fargo as it allows civil settlement.

In Closing of Plaintiff Opposition of Motions: a very honest state attorney who represents **FIVE** defendants called to tell me State is asking for directed verdict based upon "Immunity". She was very kind to me, one of the only to then ask me to explain how her clients conduct justified the lawsuit. She will not deny to the court that we spent perhaps 1/2 hour on the telephone last week. I 'told the story' then thought to ask her "all that and more is in my civil complaint, perhaps you missed it?"

The answer of that one honest state attorney is to be rewarded and encouraged but I wager it was not. “I did not read the complaint because my clients have immunity”.

She responded to the court in behalf of five state workers without reading the complaint. How is that possible? My complaint alleges criminal activity that if found to be true would pierce any and all immunity and negate defendants' standard obstructive pleadings to Res Judicata or time-bars. Moreover: it demonstrates a nation-ending problem, right here in District Court of Oregon in Eugene. Few even read the complaint, none wanted to discuss a single detail. And they ask for sanctions.

The court may ponder upon that as it denies all defendant motions and instead considers a directed verdict against Defendant Wells Fargo in favor of Plaintiff as allowed under provisions of FRCP 37: failure to make or cooperate in discovery. We all discovered what most seem to know already. Wells Fargo does not care and they do not want to hear or talk about it. That's the way they like it, so let's all give it to them.

Signed and Respectfully Submitted,

**Andrew Clark, Plaintiff pro se
3270 Stoney Ridge Rd.
Eugene, OR 97405 541.510.3915**

**1 page FBI letter referenced in briefing follows
Statement of Experience and Credentials on last page**



Operation SunriseLAW <operationsunriselaw@gmail.com>

Federal complaint

2 messages

PD Eugene <Eugene.PD@fbi.gov>

Thu, May 21, 2020 at 5:55 PM

To: "operationsunriselaw@gmail.com" <operationsunriselaw@gmail.com>

Mr. Clark,


We were notified by the U.S. Attorney's Office, District of Oregon, that you contacted them regarding allegations of criminal activity. As I am sure they informed you, the U.S. Attorney's Office does not investigate crimes. To report crimes you are encouraged to contact a law enforcement agency such as the FBI.

The FBI is in possession of the two items you emailed to the U.S. Attorney's Office (attached) as well as additional documentation you have provided to various FBI offices over the past several years. We take all allegations of criminal activity seriously. After review of this material, however, we have determined the conduct described does not constitute a federal crime under the jurisdiction of the FBI.

We appreciate your willingness to report suspected criminal activity. Should you have additional evidence please send it to this email address and we will reassess the allegations. Should you feel you are in immediate danger, you should contact local emergency services immediately.

Thank you,

FBI Eugene


2 attachments **Mar26motfact.pdf**
2160K **2020frcp16_optimize.pdf**
2461K

Operation SunriseLAW <operationsunriselaw@gmail.com>

Sat, May 23, 2020 at 12:18 AM

To: operationsunriselaw@gmail.com

[Quoted text hidden]

2 attachments **Mar26motfact.pdf**
2160K **2020frcp16_optimize.pdf**
2461K

Statement of Credentials and Experience of Andrew Clark, Plaintiff

June 2, 2020 Telephone Hearing, Civil Case 20-00253

Thank you for providing court time to hear Defendant's motions to 'dismiss and sanction'...in discovery. Substantive briefings are shown first. I hope everyone reads this first. I have the credentials and experience plead to subject matter. I present facts, evidence, and with legal standing. Please take a moment to *'know the person behind the complaint' to evaluate its quality, especially considering Defendants ad hominem attacks and bad-faith filings.*

I am Plaintiff pro se Andrew (Andy) Clark. I worked in the financial industry for almost 30 years. I passed the certified public accounting examination on first sitting in 1985. I started my career at Fannie Mae in Washington DC in 1983 and worked there over 12 years. Among duties was analyzing and reporting on computer system interfaces that caused unexpected results, usually due to simple mistakes by low-level staff. I entered mortgage lending in 1995, not long after moving my family of three children to the Eugene area. I specialized in FHA, VA, and full-documentation conventional loans. I enjoyed the fruit of tireless work and an excellent reputation among clients and Realtors. I earned a lot of money working long hours doing the 'good loans'. In 2009 the 'financial collapse' sent me from the small local firms to Wells Fargo which gave rise to this lawsuit.

A Blast from the Past: My father and mother are still living on their farm near Cottage Grove. I visit a couple times a week to help them and am always available. My father is 93 and is currently the youngest still- surviving American POW of WW-2. He met my mother at RAND Corp. in Santa Monica CA where both held top-level security clearance doing early computer system work. I was raised at the knee of the Mother and Father of Obfuscation Using Computer Systems. I learned all about it at the dinner table as they feared nuclear war caused by human error or fraud in low-level threat identification systems that caused an unbridled "progressive response" with no time for human intervention. Yes, we had a stocked underground bomb shelter and moved to Eugene in 1968.

Special Note to All- Some years back, my father wrote his war memoirs. He did not think it special as there were millions like him then and his title reflects it. It also ended up reflecting he is among the last.
www.TheEugeneBlairProject.com/NeverFirstNeverLast.pdf (URL are case sensitive after first /)

My mother and father had to witness me being fitted with an ankle bracelet in the Lane County Jail where I was subjected to inhumane conditions in maximum security. Bail was \$600,000 for 10 identical counts of 'stalking' Ogletree Deakins... a corporation. They added in Leah Lively at the end to give the appearance of a human victim. They used 10 faxes and Defendant Erik Hasselman is shown on his own letters arranging it with Ogletree Deakins and Steven Seymour. They used a forged and fraudulent search/seizure order to take my computer equipment for 4 years right after I filed my 2013 lawsuit in this court against them. **They are hiding the unimaginable.** Thank you again. Respectfully yours,

Andrew Clark, 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
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