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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

RICHARD ARJUN KAUL, MD

v.

FEDERATION OF STATE MEDICAL BOARDS ET AL.

Civil Case:

Complaint

3-21CV0060-S

I, the Propria Persona Plaintiff, Richard Arjun Kaul, of full age do hereby submit this Complaint on January 4, 2021 seeking the within referenced relief.

Dated: January 3, 2021

Richard Arjun Kaul, MD

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

RICHARD ARJUN KAUL, MD

Plaintiff

v.

FEDERATION OF STATE MEDICAL BOARDS, ET AL.

Defendants

Civil Case

CERTIFICATE OF SERVICE ON ALL DEFENDANTS

I, Richard Arjun Kaul, MD, do hereby certify the following:

1. I have submitted an application for IFP status, and respectfully request that the U.S.M.S. do serve the Summons/Complaint on the Defendants.

2. In order to save the Court's resources, I did, on January 7, 2021 request that by January 12, 2021 the Defendants sign Form AO 399 (WAIVER OF THE SERVICE OF SUMMONS).

I do certify that on January 13, 2021, I will submit to the Court a list of those Defendants who have refused to waive service, and respectfully repeat my request that service be effectuated by the U.S.M.S. and the Defendants be penalized with the associated costs/sanctions.

Dated: January 7, 2021

Richard Arjun Kaul, MD

cc: All Defendants

Jurisdiction + Venue

U.S.C. section 1331 because Plaintiff's claims arise under federal law, and under 18 U.S.C. section 1964(c) because this action alleges violations of RICO, 18 U.S.C. section 1962. This Court has subject matter jurisdiction pursuant to 28 U.S.C. section 1337 because this action alleges violations of an Act of Congress regulating commerce or protecting trade and commerce against restraints and monopolies. This Court also has subject matter jurisdiction over this action pursuant to 28 U.S.C. section 1332(d)(2)(A)(4) because Plaintiff is a citizen of a different state to the Defendants and the aggregate amount in controversy exceeds seventy-five thousand ($75,000) dollars. This Court also has jurisdiction because the District of New Jersey is both a defendant, and an adversary in the United States Court of Appeals for the Third Circuit.

Personal Jurisdiction: This Court has personal jurisdiction over each Defendant. Each Defendant has transacted business, maintained substantial contacts and or committed overt acts using the US mail/wires in furtherance of the illegal scheme and conspiracy throughout the United States, including this district. This Court also has personal jurisdiction over all Defendants pursuant to Fed. R. Civ. P. 4(k)(1)(A) because they would be subject to the jurisdiction of a court of general jurisdiction in the Northern District of Texas.

Venue: Venue is appropriate in this District for Plaintiff's claims under 28 U.S.C. section 1391)b)(2), 18 U.S.C. section 1965(a) and 29 U.S.C. section 1132(e)(2), because Defendant Federation of State Medical Boards controls/directs/participates in the alleged conspiracies and is domiciled in the State of Texas.

Preliminary Statement

This case involves the following Defendants whom the evidence proves have committed the stated crimes:

The Defendants:
(1) FSMB; **(2)** Humuyan Choudry, MD; **(3)** Pennsylvania Medical Board; **(4)** Mark Woodland, MD; **(5)** New Jersey Board of Medical Examiners; **(6)** Scott Metzger, MD; **(7)** State of New Jersey; **(8)** Steven Sweeney; **(9)** United States District Court for the District of New Jersey (Newark); **(10)** Daniel Stolz, Esq: **(11)** Andrew Gregory Kaufman, MD; **(12)** Doreen Annette Hafner, Esq; **(13)** Ellen Wachs Kaufman; **(14)** Robert Francis Heary; **(15)** Jay Howard Solomon: **(16)** Cory Booker; **(17)** Charles Schumer; **(18)** Allstate Insurance Company; **(19)** Richard Crist; **(20)** Geico Insurance Company; **(21)** John Robertelli; **(22)** General Medical Council of the UK: **(23)** University of Pittsburgh.

The Crimes:
(1) Racketeering; **(2)** Perjury; **(3)** Fraud; **(4)** Evidence/Witness Tampering; **(5)** Obstruction of Justice; **(6)** Public Corruption; **(7)** Judicial Corruption; **(8)** Bribery; **(9)** Kickbacks; **(10)** Manslaughter; **(11)** Conspiracy.

This case (K11-1) is brought to expose and dismantle the Defendants' decades long scheme of criminal violations of Kaul's basic human/constitutional rights, that have occurred in both the UK and US. The scheme extends from 2002 to 2021, and from 2012 has involved egregious and knowing breaches of Kaul's fundamental human rights, that include prolonged and ongoing rackets of obstruction of justice. The Defendants commission of crimes against Kaul commenced in 2002. Kaul initiated legal action against the Defendants in 2016 and from 2017 to 2020, his efforts to obtain a medical license in Pennsylvania, have his illegally revoked (March 24, 2014) NJ license reinstated and prosecute The Kaul Cases have been willfully, knowingly and illegally obstructed by the Defendants. The purpose of the Defendants obstruction is to 'cover-up' their crimes, as they know that Kaul's prosecution of The Kaul Cases will accelerate with monies earned from Kaul's future medical practice. The accelerated prosecution will expose their crimes and subject them to criminal prosecution and incarceration. The Defendants are fighting for their lives, albeit a losing battle. The question of their demise is now not **"if"** but simply **"when"**.

Victory in this case will save lives, as it will publicly expose massive long standing schemes of corruption of certain sections/individuals of the American body politic, judiciary and state medical boards. The corruption of these fundamental pillars of

democratic society by ruthless for-profit corporations is responsible for the excessive COVID-19 related mortality/morbidity in the United States, as compared to other westernized democracies. This case brings together the worlds of medicine, business, law and politics at a historic moment in man's history. The main purpose of this case is to cause a **"Reformation of American Medical Boards"** (**"RAMBO"**). This case is one of The Kaul Cases, a series of legal interventions that officially commenced on February 22, 2016, but in actuality commenced on February 2, 1999 in the UK. These cases are of immense public interest, as their public prosecution will, through legal dissection, lay bare the pathological anatomy of the cancer of corruption that has America/Americans in its lethal grip. This exposition is the prelude to its surgical excision and chemical castration. The Kaul Cases are being watched by over two million (2,000,000) global citizens, the majority being lawyers, physicians, politicians, business executives and journalists. Thus far, they have witnessed political/judicial corruption more commonly observed in dictatorships, like China and Russia, but Kaul respectfully asserts that the spirit of America has not been extinguished by these malevolent forces. The intersection of The Kaul Cases, the COVID-19 pandemic and the so called **"Opiate Epidemic"**, two of the most devastating plagues in the history of modern America, represents a confluence of events at a specific point in time, the outcome of which has the potential to change the world, for the better. The Defendants have attempted to suppress the truth, as the truth will decimate their economic standing, reputations and cause them to become incarcerated. In fighting for their lives, they continue to sacrifice the lives of the American people. The tragedy they now face is of their own making, and it is with their maker that they should make their peace, as the remainder of their lives will be subsumed by the penalties of their sins. Kaul has dismantled all of the Defendants' purported defenses and the legal theories on which these flawed defenses were submitted. Thus, the Defendants are now absolutely and totally defenseless. Kaul's claims are evidentially substantiated, and motions for summary judgment will be submitted shortly after January 26, 2021. On this date, the Defendants, much to their horror, will be forced to disclose their evidence to Kaul, the Court and most importantly, the public, whom Defendants NJBME/PMB/FSMB profess to want to **"protect"**. The truth is the greatest protector.

K11-1 is a case about the truth of the Defendants' massive criminal schemes, many of which have been conducted while 'flying the flag' of the state. This case will expose the tyranny that is hidden from the public by the fragile film of civility covering the cesspool of corruption that is the State of New Jersey. Defendant State of NJ is not a place in which individuals and or corporations should invest.

Parties

Plaintiff:

Richard Arjun Kaul, MD - 440c Somerset Drive, Pearl River NY 10965
862 881 9703 - drrichardkaul@gmail.com

Defendants:

1. Federation of State Medical Boards - 400 Fuller Wiser Rd, Suite 300, Euless, TX 76039
2. Humuyan Choudry, MD - 400 Fuller Wiser Rd, Suite 300, Euless, TX 76039
3. Pennsylvania Medical Board - 124 Pine Street, Harrisburg, PA 17101
4. Mark Woodland, MD - 301 S 7th Avenue, Suite 245, West Reading, PA 19611
5. New Jersey Board of Medical Examiners - 140 E Front Street, Trenton, NJ 08608
6. Scott Metzger, MD - 160 Avenue at the Commons, Shrewsbury, NJ 07702
7. State of New Jersey - 25 Market Street, Trenton, NJ 08611
8. Steven Sweeney - 935 Kings Highway, Thorofare, NJ 08086
9. United States District Court for the District of New Jersey (Newark) - 50 Walnut Street, Newark, NJ 07102
10. Daniel Stolz, Esq - 110 Allen Road #304, Basking Ridge, NJ
11. Andrew Gregory Kaufman, MD - 16 Sierra Court, Hillsdale, NJ 07642
12. Doreen Annette Hafner, Esq - 49 Seminole Drive, Ringwood, NJ 07456
13. Ellen Wachs Kaufman - 16 Sierra Court, Hillsdale, NJ 07642
14. Robert Francis Heary, MD - 68 Blackburn Road, Summit, NJ 07901
15. Jay Howard Solomon, Esq - 25 Market Street, Trenton, NJ 08608
16. Cory Booker - 2 Riverside Drive, Camden NJ 08103
17. Charles Schumer - 322 Hart Senate Office Building, Washington, DC 20510
18. Allstate Insurance Company - Attention Thomas Wilson, 2775 Sanders Road, Northbrook, Illinois, 60062
19. Richard Crist - 2400 W Chew Street, Allentown, PA 18104
20. Geico Insurance Company - 5260 Western Avenue, Chevy Chase, MD 20815
21. John Robertelli, Esq - 25 Main Street, Court Plaza North, Hackensack, NJ 07601
22. General Medical Council of the UK - 350 Euston Rd, London NW1 3JN, UK
23. University of Pittsburgh - 4200 Fifth Avenue, Pittsburgh, PA 15260

Statement of Fact

The Evidence:

The conclusive evidence and undisputed facts in support of the K11-1 claims is contained within the court dockets of The Kaul Cases and within submissions filed in the District of Columbia (October 1, 2019 to December 10, 2020) that were diverted from the docket. The majority of this evidence will be submitted on January 24, 2021 with the First Amended Complaint. However, submitted with this complaint are thirty-three (33) pieces of evidence that prove directly/indirectly various elements of the Defendants' crimes. Kaul respectfully requests this Court note that in addition to the Defendants being utterly defenseless, they are also utterly panicked. This is evidenced by the desperation betrayed by their clinging to a few words of the fraudulent opinion of Defendant Solomon (December 13, 2013)(**Exhibit 26**), in the drowning hope that it will distract the court's mind from their unbridled felonious conduct. The DC court/Defendants included in their final opinion (K5) verbiage from a submission made by Defendant California Medical Board (**Exhibit 19**) that contained the opinion of Defendant Solomon, which the evidence of Defendant NJ proves is a massive fraud (**Exhibit 7**). The Defendants, despite having been provided multiple opportunities, have failed to rebut/contest/refute/address this evidence, which is their evidence, the evidence they used to illegally revoke Kaul's license (March 24, 2014). The Defendants are defenseless and will have no defense to Kaul's to be filed motions for summary judgment. It is noteworthy that the DC court, despite finding that the motion of Defendant California Medical Board was moot (**Exhibit 19**), permitted this false legal instrument to remain on the docket, for the purpose of prejudicing the mind of the DC Appeals Court. Regardless, the evidence is:

1. June 26, 2012: Letter from Kaul patient to Defendant NJBME - Kaul competency in minimally invasive spine surgery.
2. February 22, 2016: K1-D.E. 1 - Kaul education/training/qualifications in minimally invasive spine surgery.
3. February 22, 2016: K1-D.E. 1 - Kaul possession of NJ license to practice medicine and surgery.
4. February 22, 2016: K1-D.E. 1 - Defendant GMC violation in 2002 of the European Data Protection Act/HIPAA.
5. June 8, 2016: K1-D.E. 57-1 - Kaul superior competency in minimally invasive spine surgery.
6. April 19, 2017: K1-D.E. 179 - Kaul competency in minimally invasive spine surgery.

7. August 10, 2017: K1-D.E. 204-9 - Kaul competency in minimally invasive spine surgery.
8. August 21, 2017: K1-D.E. 205-1 - Defendants commission of crimes.
9. January 17, 2018: K1-D.E. 225 - Defendants commission of crimes.
10. February 5, 2018: K10-D.E. 226 - Defendants commission of crimes.
11. September 27, 2018: K2-D.E. 53 - Defendants commission of crimes.
12. February 8, 2019: K1-Filed but Defendant DNJ failed to publish to docket - Defendants commission of crimes.
13. February 11, 2019: K1-D.E. 299-12 - Defendants commission of crimes.
14. July 23, 2019: K2-D.E. 80-1 - Defendants commission of crimes.
15. July 31, 2019: K1-D.E. 387 - Defendants commission of crimes.
16. August 19, 2019: K1-D.E. 393 - Defendants commission of crimes.
17. August 19, 2019: K1-D.E. 393 - Defendants commission of crimes.
18. October 1, 2019: K5-D.E. 1- Defendants commission of crimes.
19. February 5, 2020: K5-D.E. 69-4 - Defendants commission of crimes (By submitting a knowingly false legal instrument, that of the December 13, 2013 opinion of Defendant Solomon, the Defendants committed a Fraud on the Court.). The evidence of 'The Solomon Critique' (Exhibit 9-K1-D.E. 225) + 'The Solomon Critique 2' (Exhibit 12-K1-D.E. 299-18).
20. July 17, 2020: K1-D.E. 434-13 - Defendants commission of crimes.
21. September 22, 2020: K5-D.E. 148 - Defendants commission of crimes.
22. November 17, 2020-K1-D.E. 450 - Defendants commission of crimes.
23. November 17, 2020-K1-D.E. 450 - Defendants commission of crimes.
24. November 17, 2020-K1-D.E. 450 - Defendants commission of crimes.
25. November 17, 2020-K1-D.E. 450 - Defendants commission of crimes.
26. December 1, 2020-K5-D.E. 150 - Defendants commission of crimes (By submitting a knowingly false legal instrument, that of the December 13, 2013 opinion of Defendant Solomon, the Defendants committed a Fraud on the Court.). The evidence of 'The Solomon Critique' (Exhibit 9-K1-D.E. 225) + 'The Solomon Critique 2' (Exhibit 12-K1-D.E. 299-18).
27. December 2, 2020-K11-1 - Defendants commission of crimes.
28. December 11, 2020-K1-D.E. 452 - Defendants commission of crimes.
29. December 14, 2020-The Kaul Cases - Defendants commission of crimes.
30. December 16, 2020-K5-D.E. 155 - Evidence of truthfulness of Kaul's claims.
31. December 19, 2020-K5-Filed but Defendants blocked publication to docket - Defendants commission of crimes.
32. December 29, 2020-K5-D.E. 176 - Defendants commission of crimes.
33. December 30, 2020-K5-Filed but not published to docket - Defendants commission of crimes.

Legal Claims

RICO 1
Racketeering charge against Defendants FSMB/PMB/NJBME

In a period from September 2017 to the present Defendant FSMB did knowingly, willfully and in the knowledge of illegality, did conspire with Defendant PMB to obstruct Kaul's application for medical licensure in the State of Pennsylvania.

Defendants FSMB/Choudry was motivated by money and an unwritten policy of protecting its member state and Defendant NJBME from Kaul's prosecution of the claims asserted in The Kaul Cases.

Defendant FSMB is cognizant of the fact that a successful prosecution by Kaul would expose evidence of their commission of the crimes, and would subject them and their members to criminal prosecution.

Defendant FSMB is cognizant of the fact that Kaul, in the possession of a Pennsylvania license, would generate money for an increasingly aggressive prosecution of The Kaul Cases.

Defendant FSMB is cognizant of the fact that Kaul's prosecution would force its member and Defendant NJBME to disclose highly incriminating evidence of Defendants FSMB/NJBME corruption of state/federal politicians/judges.

Defendant FSMB is cognizant of the fact that Kaul's prosecution would force its member and Defendant NJBME to disclose highly incriminating evidence of their involvement in decades long schemes of bribery perpetrated by Defendants Allstate and Geico, and other for profit healthcare corporations, such as Purdue and the American Hospital Association.

In the relevant period Defendant FSMB conspired with Defendants PMB/NJBME and others to obstruct Kaul's application for licensure in the State of Pennsylvania, by using the US mail and wires on multiple occasions to perpetrate and further a knowingly illegal scheme in violation of RICO.

The conspiracy was conducted from and perpetrated through Defendant FSMB's headquarters in Texas.

On December 16, 2020 the US Senate issued a report that assigns responsibility for the so called **"opiate epidemic"** to Defendant FSMB. Defendant FSMB accepted bribes from for-profit healthcare corporations, as part of a quid pro quo scheme to further the economic agenda of the corporations through the exploitation of the American system of physician regulation. This illegal scheme caused the deaths of millions of innocent Americans. Defendants FSMB/Choudry continue to participate in a multitude of illegal profiteering schemes at the expense of the lives of the American people and medical profession.

RICO 2

Racketeering charge against Defendants NJ/NJBME/Booker/Sweeney

In a period commencing in approximately 2008, Defendant State of New Jersey, under the control of the then governor and K2/K5 Defendant Christopher J. Christie began conspiring with Defendants Kaufman, Heary, Sweeney, Allstate, Crist and Robertelli to have Kaul's license revoked, destroy his economic standing/professional reputation and attempt to cause him to be jailed, deported and or die (hereinafter "destroy Kaul").

One purpose of the conspiracy was to eliminate the economic threat that Kaul's increasingly successful minimally invasive spine surgery practice presented to their economic agendas.

Another purpose of the conspiracy was to manufacture an excuse to illegally eradicate a debt of $45 million owed principally by Defendants Allstate/Geico to Kaul's corporations for clinical services he had rendered to their injured patients.

Defendants Allstate/Geico/Kaufman/Heary engaged in multiple acts of bribery and public corruption in which they funelled bribes to Defendants Christie/Sweeney/NJBME/Solomon as part of a series of quid pro schemes, purposed to attempt to destroy Kaul.

Defendants Allstate/Geico/Kaufman/Heary knew that their schemes of public/judicial corruption constituted criminal violations of RICO.

Defendants Allstate/Geico/Kaufman/Heary trafficked the bribes through an elaborate network of lawyers, law firms and so called public relation companies, for the purpose of concocting a cover for the commission of their crimes. A percentage of the bribes were deposited into off-shore banks/trusts and Defendants Christie/Sweeney/NJBME paid no taxes on these monies.

In a period from 2017 to the present, Defendants Heary/Kaufman/Allstate/Geico bribed Defendants Booker/Schumer as a part of a series of quid pro quo schemes purposed to obstruct Kaul's prosecution of The Kaul Cases.

The bribes were funneled through law firms/public relation firms/off-shore trusts and bank accounts in an attempt to conceal the Defendants crimes from the scrutiny of the public and shareholders in Defendants Allstate/Geico.

Defendant Sweeney, in addition to having bribes trafficked using the aforementioned methods, did receive bribes under cover of so called 'political campaign donations'. The Defendant bribers (Allstate/Geico/Kaufman/Heary) and the Defendants bribed (Sweeney/Booker/NJBME) willfully and knowingly committed violations of criminal RICO, all purposed to attempt to destroy Kaul.

Defendants Sweeney/Booker/Christie converted Defendant NJ into a racketeering enterprise, through which they willfully committed/aided and abetted the predicate acts of mail fraud, wire fraud, subornation of perjury, bribery and obstruction of justice.

RICO 3
Racketeering charge against Defendants
Hafner/Kaufman/Heary/Przybylski/NJBME/Solomon

In a period commencing in 2006, Defendants Kaufman/Heary commenced conspiring with Defendants Hafner/Przybylski/NJBME to attempt to destroy Kaul. The conspiracy was perpetrated using the US mail and wires.

The Defendants scheme and **"pattern of racketeering"** is evidenced in the thousands of emails and texts that were exchanged between them and hundreds of Third Party Witnesses (physicians/lawyers/hospital executives/insurance executives) within the United States. The Defendants converted Defendant NJ and its agencies into racketeering enterprises.

Defendant Hafner's role in the criminal enterprise consisted of encouraging Kaul's patients to commit perjury during the hearing (April 9 to June 28, 2013) in the NJ Office of Administrative Law, an illegally conducted proceeding that was adjudicated by Defendant Solomon.

In a period commencing in approximately 2013 and concluding in late 2014 Defendant Solomon received bribes from Defendants Allstate/Geico, as part of a quid pro quo scheme, in which Defendants Allstate/Geico committed judicial corruption to have

Defendant Solomon enter an order to revoke Kaul's NJ license. The purpose of the scheme was to attempt to destroy Kaul.

Defendant Hafner willfully and knowingly converted the NJ OAL into a racketeering enterprise by accepting bribes from Defendants Allstate/Geico in return for conspiring with Defendants Solomon/Kaufman/Przybylski/NJBME to have multiple NJ physicians (Kenneth Rieger/Arash Emami/Albert Steinberger/George Naseef) commit perjury in the NJ OAL hearing.

RICO 4

Racketeering charges against Defendants Allstate/Geico/Stolz/Robertelli

Contained within the thousands of email/text exchanges between Defendants Allstate/Geico/Stolz/Robertelli (2012 to present) is evidence of their corruption/bribing of judges within Defendant DNJ. These schemes of judicial corruption have been in existence since at least 2000 and involve, amongst other things, the funnelling of bribes to district court judges by paying monies disguised as 'legal fees' to law firms from which district judges/family members to the third-degree are financial beneficiaries.

Through these massive schemes of judicial corruption Defendants Allstate/Geico and other for-profit healthcare corporations (Defendant Hackensack University Medical Center/Atlantic Health System/University Hospital-Rutgers) have perverted the course of justice in New Jersey. The opinions/orders of these corrupted cases have been incorporated into cases across the United States, thus Defendant DNJ has committed an unprecedented 'Fraud on the Court' and violated the right of every American court to do justice. Every case since 2000 that has involved Defendants Allstate/Geico in Defendant DNJ must be independently examined for judicial corruption, in order to remedy injuries to the victims and in the interests of American justice.

In a period from July 21, 2014 to late 2019, Defendant Stolz was counsel to the trustee of a bankruptcy proceeding in the United States Bankruptcy Court for the District of New Jersey, a related element of which appeared in late 2018 in Defendant DNJ.

In a period from approximately 2013 to late 2019, Defendants Allstate/Geico bribed Defendant Stolz to not have collected the $45 million owed principally by Defendants Allstate/Geico to Kaul's corporations.

Defendants Allstate/Geico/NJ in the commission of the crimes against Kaul did cause the unlawful deaths of two elderly ethnic minority physicians that worked with and for

Kaul. Dr. Rodolpho Narag died in 2016 on January 11, 2016 and Dr. Dong Kwak died in late 2017. Kaul promised his colleagues' families that he would **"not rest"** till those responsible had been incarcerated and or suffered the same fate.

In a period from approximately 2013 to late 2019 Defendants Allstate/Geico/Stolz/Robertelli in conspiracy and collusion with bankruptcy judge, John Sherwood, converted the court into a racketeering enterprise, through the commission of the predicate acts of mail fraud, wire fraud and bribery.

The Defendants used the cover of a bankruptcy proceeding in an effort to conceal their crimes from public and prosecutorial scrutiny, in the knowledge that exposure would result in their incarceration, revocation of law licenses and decimation of Defendants Allstate/Geico share value on the NYSE.

In February 2020, the Defendants conspired with Sherwood to have him enter a knowingly illegal order purposed to attempt to restrain Kaul's prosecution of the crimes of Defendant Stolz.

RICO 5

Racketeering charges against Defendants PMB/NJBME/Metzger/Woodland/Hafner

On May 28, 2020 the State of Pennsylvania granted Kaul's application for medical licensure.

In a period from late 2017 to the present Defendants PMB/NJBME/Metzger/Woodland/Hafner have conspired to obstruct the issuance of a licensing number, in order to prevent Kaul from commencing clinical practice.

Defendants NJBME/Hafner/Metzger are motivated to engage in obstruction of justice in an increasingly futile attempt to 'cover-up' their commission of the crimes.

Defendant PMB is an active member of the **"one unit"** (FSMB/SMB), from which it and its other members receive bribes from multiple for-profit corporations including Defendants Allstate/Geico and others such as the American Hospital Association. All of these corporations were economically threatened when in February 2005 Kaul proved that lumbar spinal fusions could be safely/effectively performed on an outpatient basis. Kaul's procedure revolutionized spine surgery, and this procedure has now become the global standard of care.

Defendants PMB/Woodland recognize that they would be effectively eliminated from the **"one unit"** and deprived of the economic benefit of bribes from for-profit corporations if they deviated from Defendant FSMB's illegal scheme of racketeering and monopolization of the business of so called physician regulation.

Defendants NJBME/Metzger/Hafner did conspire to obstruct Kaul's application in 2018 for reinstatement of his illegally revoked NJ license (March 24, 2014). The motivation for the obstruction was part of a rapidly failing effort to 'cover-up' the commission of their crimes.

Defendants PMB/NJBME/Metzger/Woodland/Hafner did, in a period from late 2017 to the present, collude and conspire with Defendants FSMB/Allstate/Geico to obstruct justice by: (i) illegally denying Kaul's application for reinstatement of his NJ license (ii) knowingly and willfully failing to follow the law and an order of the State of Pennsylvania and issue Kaul a Pennsylvania license number.

RICO 6

Racketeering charges against Defendants Crist/Sweeney/Booker/Schumer

In a period from 2012 to the present Defendants Crist/Sweeney/Booker/Schumer converted the NJ OAL and Defendants NJBME/DNJ into racketeering enterprises through the commission of the crimes and a "pattern of racketeering". The motivation for the crimes was money and a quest for political power. Defendants Sweeney/Booker/Schumer required vast sums of cash to fund their political campaigns to hold onto the reigns of political power, in order to embezzle as many millions of dollars before leaving public office.

Defendant Crist in collusion and conspiracy with Defendants Sweeney/Booker/Schumer engaged in schemes of bribery/public corruption purposed to obstruct Kaul's prosecution of The Kaul Cases in Defendant DNJ, through the perpetration of corruption of federal judges in Defendant DNJ. The motivation for the obstruction was an attempt to both 'cover-up' their crimes (2006 to the present) and to prevent Kaul from obtaining email/text/written/oral evidence of their commission of the crimes and evidence implicating hundreds of Third Party Witnesses (physicians/lawyers/state judges/federal judges/state politicians/federal politicians).

Defendant Crist, now the Chairman at Muhlenberg College in Pennsylvania, recognizes the immense liability his crimes have, through the doctrine of vicarious liability, conferred on the college.

Defendant Crist was motivated to commit the crimes because he holds substantial shares in Defendants Allstate/Geico and recognized that by corrupting Defendants Schumer/Sweeney/Booker, he controlled state/federal legislatures. With this power Defendant Crist had enacted unconstitutional/illegal laws (IFPA) that improperly advanced the economic agenda of Defendants Allstate/Geico at the expense of the liberty/life/property of the American public and medical profession.

Defendants Crist/Schumer/Booker/Sweeney in collusion and conspiracy with Defendants Allstate/Geico corrupted Defendants FSMB/NJBME/PMB to eliminate (license revocation/incarceration/suicide) physicians to whom they owed monies for the provision of clinical services.

The scheme perpetrated by Defendants Crist/Schumer/Booker/Sweeney did corrupt Defendant DNJ and other NJ state courts. The purpose of this corruption was to ensure that these courts/judges perverted the course of justice by tampering with evidence/witnesses and causing a subornation of perjury in order to have prevail every case filed by Defendants Allstate/Geico against physicians to whom these Defendants owed monies.

The scheme against certain members of the medical profession involved corrupt physicians/ politicians/lawyers/judges, all of whom were motivated to knowingly commit these crimes in the pursuit of power and money.

RICO 7

Racketeering charges against Defendants GMC/PMB/NJBME/Hafner/NJ

In 2002 Defendant GMC with knowledge and malice violated Kaul's legal rights pursuant to the European Data Protection Act and HIPAA in illegally providing Kaul's highly confidential health information to Defendant NJBME. This criminal breach caused immense and ongoing damage to Kaul's professional reputation and career.

From 2002 to the present Defendants NJBME/Hafner have with malice and a willful violation of the law disseminated this information to hundreds of individuals using the US mail and wires. The purpose of these criminal acts was an attempt to destroy Kaul.

From 2017 to the present Defendant PMB conspired with Defendant GMC to willfully, knowingly and with malice violate the law and Kaul's legal rights by using the US mail and wires to illegally transmit Kaul's highly confidential health information. The purpose of these criminal acts was an attempt to destroy Kaul.

In a period from 2017 to the present Defendant PMB in collusion and conspiracy with Defendants FSMB/NJBME/Allstate/Geico did willfully and knowingly convert the State of Pennsylvania into a racketeering enterprise by aiding/abetting the perpetuation/furtherance of the crimes committed against Kaul by Defendants NJBME/Hafner/Solomon/Kaufman/Przybylski (April 9 to June 28, 2013) in the NJ OAL. These crimes caused the illegal revocation of Kaul's NJ license (March 24, 2014).

In a period from 2017 to the present Defendants PMB/Woodland have abused the power of the State of Pennsylvania with the tacit consent of Governor Thomas Wolf/AG Joshua Shapiro. Third-Party Witnesses Wolf/Shapiro are motivated to perpetuate the crimes as they have received bribes and other favors of a tangible/intangible nature from Defendants Allstate/Geico and the American Hospital Association.

(These corporations have bribed Defendant Schumer. On November 15, 2020 President Trump issued an executive order that forces hospitals/insurers to disclose their private price deals, an order that provides the public with knowledge about the cost of healthcare. The order to reduce price-gouging was opposed by the insurance/hospital-industrial complex. The certification by Governor Wolf of the Pennsylvania 2020 vote was perverted by these for-profit healthcare corporations, of which Defendant University of Pittsburgh is a member. Governor Wolf spoke with Defendant Schumer just prior to certifying the vote. Prior to November 3, 2020, President Trump had refused to advance policies of these corporations that exploited the American public, so they resorted to manipulation/interpretation of the electoral machinery by politicians on their payroll.)

Text and email/metadata evidence is contained within the servers of the ISP of hundreds of Third-Party Witnesses.

Commencing on February 22, 2016, many Defendants in The Kaul Cases have willfully and in knowledge of its illegality, tampered with evidence, by deleting emails and destroying computers/servers which they used to facilitate commission of the crimes. However, multiple Third-Party Witnesses within the United States and United Kingdom have copies of these emails in their possession.

The Defendants were instructed by their lawyers and members of the Office of the New Jersey Attorney General to destroy evidence of their crimes.

In a period from 2002 to the present Defendant NJ has aided and abetted the Defendants' violations of RICO and deprived Kaul of his constitutionally protected right to due process under the color of state, pursuant to section 1983 of the 1964 Civil

Rights Act. The motivation of this nineteen (19) year-long state-orchestrated criminal scheme was an attempt to destroy Kaul.

Defendant NJ in collusion and conspiracy with Defendants DNJ/Allstate/Geico did perpetrate and continue to perpetrate an illegal scheme to obstruct Kaul's prosecution of The Kaul Cases, in an attempt to 'cover-up' their decades-long commission of the crimes.

Defendant Hafner, principally for reasons of professional advancement and serious character flaws, has aided/abetted the Defendants crimes by abusing the power of public office to file knowingly false claims against physicians owed monies by Defendants Allstate/Geico, many of whom are of Indian or Middle-Eastern origin. Defendant Hafner has prosecuted these claims in furtherance of Defendant NJ/Allstate/Geico's policy of racially profiling physicians belonging to ethnic minorities.

The Defendants corruption of Defendants NJBME/PMB/FSMB is responsible for the highest per capita COVID-19 mortality/morbidity rate amongst westernized democracies. Corrupt state medical boards violated state medical practices acts and were derelict in their statutory duty to **"protect the public"** by willfully failing to detect the threat of COVID-19 and forewarn the public. The immense civil disorder/disturbance and societal fracture is directly related to the Defendants crimes.

RICO 8

Racketeering charges against Defendants Kaufman/E-Kaufman/NJ

In a period from 2010 to the present Defendant Ellen Wachs Kaufman has aided and continues to aid and abet the Defendants crimes.

Defendant E-Kaufman is in possession of knowledge and evidence (emails/texts) of the Defendants crimes, but has violated the law in not reporting these crimes to the FBI.

Defendant E-Kaufman continues to engage in a **"pattern of racketeering"** with Defendants Kaufman/NJ as part of a knowingly unlawful scheme to conceal the crimes of her husband and the other Defendants.

Defendant E-Kaufman is motivated to participate and perpetuate the Defendants crimes as she is economically intertwined with Defendant Kaufman and continues to benefit from the profits of his crimes.

Defendant's E-Kaufman recognizes that the crimes of her husband, Defendant Kaufman, will cause him to be incarcerated and might expose her to criminal prosecution pursuant to the doctrine of vicarious liability as set forth in RICO.

Defendant E-Kaufman recognizes that pursuant to the doctrine of vicarious liability as set forth in RICO, that her adult children remain the beneficiaries of Defendant Kaufman's criminal profits, are Third-Party Witnesses and are liable to prosecution. The same point holds true for Cynthia Crist, the wife of Defendant Crist.

Defendant E-Kaufman, in providing material support to Defendant Kaufman, in the commission of the crimes, is liable for his crimes, pursuant to RICO.

Relief

Plaintiff Kaul continues to seek the relief sought on February 22, 2016 (K1-D.E. 1 Page ID 200) (enclosed in **Exhibit 33**.)

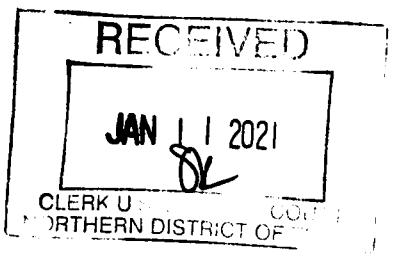
I, Richard Arjun Kaul, MD, do hereby certify and swear under penalty of perjury that the above evidence/facts/statements/claims are true and accurate to the best of my knowledge, and that is it is proved I knowingly and willfully misrepresented the facts, then I will be subject to punishment.

Dated: January 3, 2021

Richard Arjun Kaul, MD

www.drrichardkaul.com

January 3, 2021



Clerk of the Court
United States District Court
Northern District of Texas

Re: Richard Arjun Kaul, MD v Federation of State Medical Boards et al.
Complaint

Dear Sir/Madam,

Please find submitted an original of the Complaint w/supporting evidence in the above matter.

Please find submitted an application to proceed IFP.

Yours sincerely

R. K.

Richard Arjun Kaul, MD

cc: All Counsel of record in The Kaul Cases

JS 44 (Rev. 10/20) - TXND (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

RICHARD ARJUNN KAUL, MD

(b) County of Residence of First Listed Plaintiff NEW YORK STATE
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
PROPRIA PERSONA
440c SOMERSET DRIVE, PEARL RIVER, NY 10965

DEFENDANTS

FEDERATION OF STATE MEDICAL BOARDS

County of Residence of First Listed Defendant TARRANT COUNTY
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

FILED
JAN 11 2020
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TX

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☒ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☒ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT

Brief description of cause:
PERPETRATION OF RACKETEERING CONSPIRACY TO OBSTRUCTION JUSTICE IN DISTRICT OF NEW JERSEY

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $ SEE COMPLAINT

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

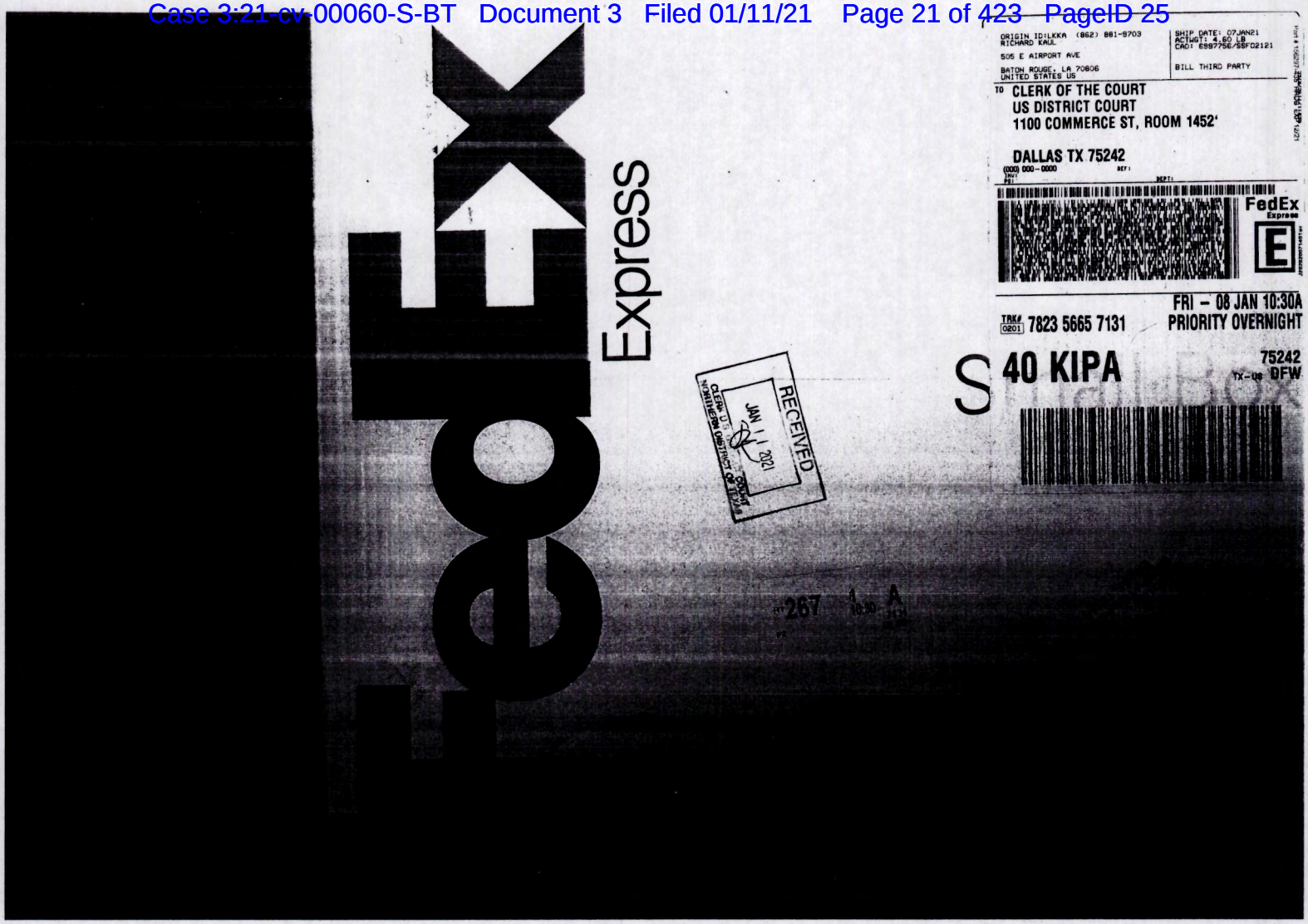
VIII. RELATED CASE(S) IF ANY *(See instructions)*: JUDGE PLEASE SEE COMPLAINT DOCKET NUMBER

DATE
JANUARY 7, 2021

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE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505 E AIRPORT AVE
BATON ROUGE, LA 70806
UNITED STATES US
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US DISTRICT COURT
1100 COMMERCE ST, ROOM 1452
DALLAS TX 75242
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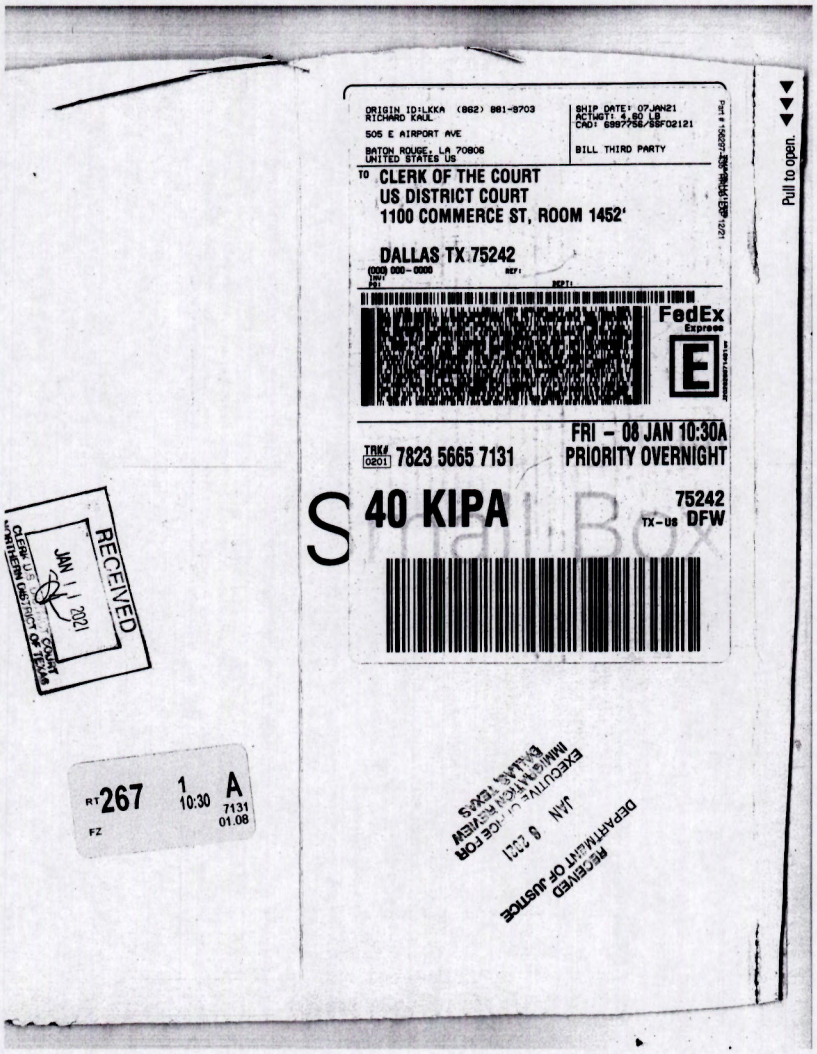
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
267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BATON ROUGE, LA 70806
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TO CLERK OF THE COURT
US DISTRICT COURT
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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
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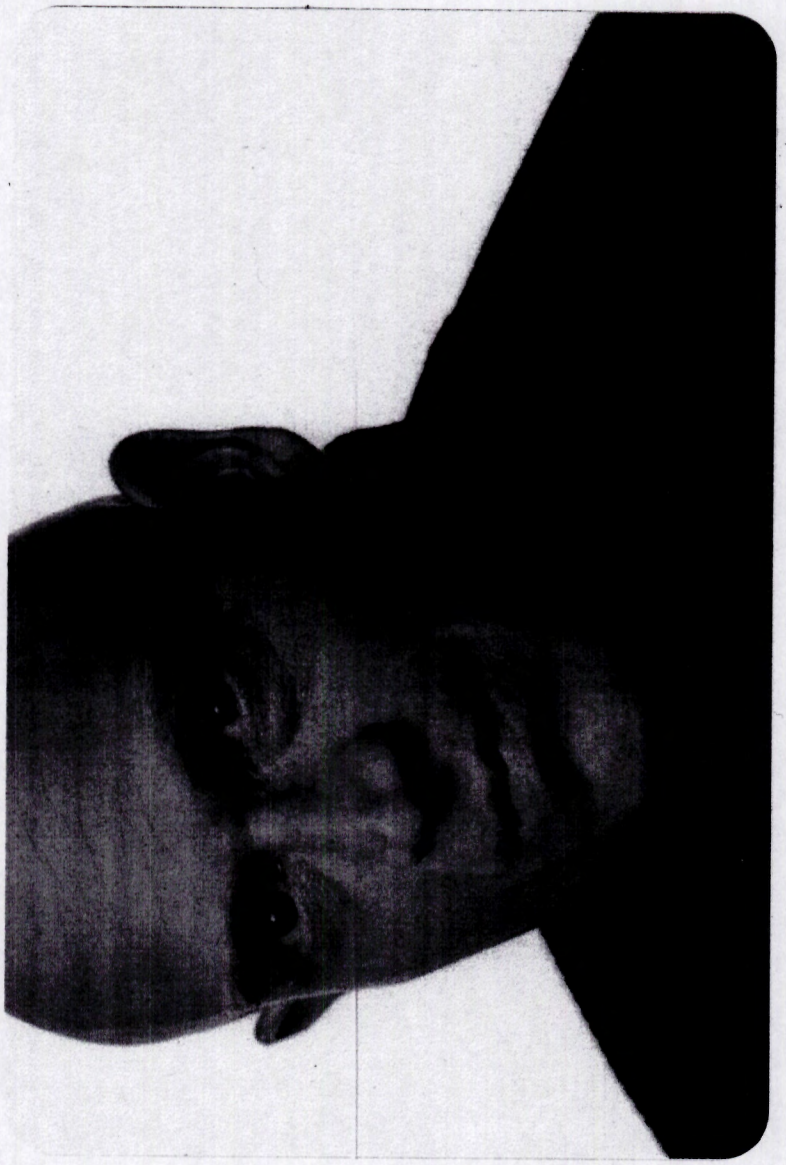
DEPARTMENT OF JUSTICE
JAN 8 2021
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW



Case 3:21-cv-00060-S-BT Document 3 Filed 01/11/21 Page 24 of 423 PageID 28

AN IMPOSSIBLE VICTORY: KAUL v. CHRISTIE

A true story of resilience + truth + justice;
of how to convert "Adversity Into Advantage"

E-BOOK ON AMAZON
AUDIO BOOK ON SCRIBD

WWW.DRRICHARDKAUL.COM

Exhibit 1

6/26/12.

When I sat down to write this letter about Dr. Kaul, I had no idea where to start but then I began thinking and a million things popped into my head and then It hit me; I am sitting in a hard chair, sitting straight with good posture and most importantly I dont have a single pain in my back. But to start from the beginning I will have to rewind back to the start. As of now I am 17 years old and ready to start cheerleading for my highschool football team, but two years ago I was the kid walking off the volleyball court putting ice packs on my back. It was December of my freshman year in high school. I was 14 years old and thought I had just usual back pain from the sports I played. But then It began to get worse. I couldnt walk down my school hallway without shooting pains and my legs giving out. After a busy weekend I couldnt even bend down to

comfortable than sitting in a hospital bed with strangers walking around and other patients by me. His facility seemed more like a home and not a doctors office or hospital.

When I got home I was not able to tell if the surgery had worked yet but I knew Dr. Kaul did it right because I was able to walk out of the recovery room in his facility and out to the car. I didnt need a wheel chair even though it was offered to me, I had enough strength to walk out to the car even after I got screws into my bones a few hours earlier. I was able to get off the couch and got to the bathroom with minimum assistance after a week from my surgery. If I went through a different type of procedure then I would probably still be in a hospital with minimum mobility. Dr. Kaul pioneered in the minimally invasive surgery that was in favor of the patients health because it was a faster recovery with a very little chance of infection. After six months from my surgery, I was already jumping and flipping on my trampoline. Now it has

and I wouldn't have to go through a rehabilitation or physical therapy center. This gave me a positive mindset to a fast road to recovery.

I remember my surgery as if it was yesterday. I got into Dr. Kaul's facility early in the morning on March 25th, 2011. I was welcomed in and was comfortable. By the way Dr. Kaul spoke to me as if I was not just a patient that needed surgery but a human being that wanted to recover and feel normal again. Dr. Kaul treated me as if I was an important person and not just another person he was going to perform surgery on, he comforted me and used his positive mindset to convince me that in the end everything was going to be okay and that in less than one year I would be a new person again. My surgery wasn't too long and I was able to leave his surgical center at around four in the afternoon on the same day. The reason I liked his surgical center was because Dr. Kaul and his staff made me feel at home and I was treated with care. I was glad that I could leave the same day because sitting home would be more

set up a meeting with my mom and I. Dr. Kaul took away his own time to meet with my mom and I at a doctors office and gave us details about my condition of spondylolisthesis. Afterwards we set up a date for my surgery.

I didn't feel comfortable around my doctors because they always seemed one step behind, but Dr. Kaul was on top of everything and knew exactly what to do with confidence. His confidence and positive outlook rubbed off onto me and made me feel safe and like I was making the right decision to trust him.

Dr. Kaul had a very different approach to surgery than other doctors. Past doctors that I went to told me I would need a spinal fusion that would be an open back surgery and they would have to cut through all of my layers of skin, muscle, and tissue. Dr. Kaul had a different style of a minimally invasive surgery which would have a small scar, much faster recovery, and not have to go through layers in my body because it was done percutaneously. My recovery would be less than one year

been about one year and three months after my surgery and I am running, swimming, and starting cheerleading too. But the most important thing is not that I can play sports and that I am healthy now, the important thing is that I couldn't have done it and I wouldn't be right here now if it wasn't for Dr. Kaul. I used to have days prior to my surgery where I felt that there was nothing doctors could do and that I would be stuck this way, but Dr. Kaul gave me hope and gave me a reason to persevere and to never give up. He showed me not to quit and to keep pushing forward because things are always better in the end, and even if I have a small pain or large pain, its not the end yet because I need to carry on because things are always better in the end.

I had news men calling my house and reporters asking questions about my pain prior to the surgery and how I dealt with things. Almost every question I was asked was about me, but no one ever bothered to ask me about Dr. Kaul. If someone asked me to describe Dr. Kaul in one way then my answer would be: life changing.

Dr. Kaul is the reason why I am active this way now. If it wasn't for him then I would still be sitting home in pain and not outside running and playing the sports I love. The main focus was always about me and how I felt but the main focus should really be on the person who made all of this happen for me and that is Dr. Kaul. Dr. Kaul genuinely changed my life and after my surgery I wanted to do the same thing for at least one other person. I wanted to carry on the goodness of changing another persons life. I recommended Dr. Kaul to others with back pain and I remember walking into Dr. Kaul's office and patients in the waiting room looked up and recognized me from one of Dr. Kauls testimonials, they told me that I had changed their life from seeing my video and they told me that they had back pain for years and saw my video and came straight to Dr. Kaul to finally be fixed and taken care of. And in that moment it didn't matter to me that I was healthy and painless, what mattered was that I helped another person become painless, happy, and healthy.

But it all traces back to Dr. Kaul. I wouldn't have been able to change others if it wasn't for Dr. Kaul to change my life. Dr. Kaul isn't just a doctor, he is a real person with a heart. he made me feel as if he didnt care about the money from doing surgeries, he didnt care about his reputation, he cares about his patients and how he can help them and change them from the goodness of his heart. And for that, I thank him!

Sincerely,

Amanda Mraz

Amanda Mraz

Exhibit 2

As and one B in the national examination he took in 1983.

81. Dr. Kaul's parents separated when he was eleven. His mother died of cancer aged forty-three, when he was fourteen, allegedly due to the fact her GP incorrectly ascribed her symptoms to anxiety. She passed away at St. Thomas's Hospital in London on March 23rd 1979. His father's health deteriorated rapidly after his mother's death and he collapsed on the street and died two years later. He was never able to recover economically. Dr. Kaul continued to live in the council (the US equivalent is referred to as project housing) house in Dartford, Kent on his own and refused to comply with the social services that wanted to place him in a foster home. He was able to persuade them to allow him to live on his own and agreed to have a social worker check on his progress weekly. During this period he worked part-time stacking the freezer section of Sainsbury's Supermarket in Dartford in order to make some money. The school provided him with free lunches. **(Exhibit 2)**

82. From 1983-1988 Dr. Kaul attended the Royal Free Hospital School of Medicine in London. He graduated aged 23 in July 1988 with a Bachelor of Medicine and a Bachelor of Surgery (M.B, B.S).

PROFESSIONAL BACKGROUND-PART ONE

CURRICULUM VITAE

1988-2016

EDUCATION:

83. 1983-1988: The Royal Free Hospital School of Medicine, London University, London, England.

84. 1988-1989: Surgical House Officer, Lister Hospital, Stevenage, Hertfordshire, England.

85. 1989-1989: Medical House Officer, Academic Unit of Medicine, Royal Free Hospital, London, England.

86. 1989-1990: Surgical Intern, Catholic Medical Center, Queens, New York.

87. 1990-1991: Surgical Intern, Nassau County Medical Center, East Meadow, New York.

88. 1991-1992: PGY-2 Surgery Resident, Booth Memorial Medical Center, Queens, New York.

89. 1992-1995: Anesthesiology Residency, Albert Einstein- Montefiore Medical Center, Bronx, New York.

90. 1995-1996: Pain Fellowship, Department of Anesthetics, Bristol Royal Infirmary, Bristol, United Kingdom

PROFESSIONAL APPOINTMENTS:

91. December 2008-Present-President, The Spine Africa Project

92. March 2007 – June 2012: Private Practitioner, New Jersey Spine & Rehabilitation, Pompton Lakes, New Jersey.

93. April 2010 – February 2011: Attending in Interventional Pain and Minimally Invasive Spine, North Jersey Surgery Center, Englewood Cliffs, New Jersey.

94. April 2007 – October 2010: Director of Outpatient Spine Surgery, The Bergen Passaic Ambulatory Surgery Center, Clifton, New Jersey.

95. May 2007 – December 2007: Attending in Interventional Pain and Minimally Invasive Spine, Pain & Surgery Ambulatory Center, Wyckoff, New Jersey.

96. November 2006 – March 2007: Medical Director of The North Jersey Center for Surgery, Newton, New Jersey.

97. September 2004 – March 2007: Medical Director of Market Street Surgical Center, Saddle Brook, New Jersey.

98. June 2004 – May 2007: Attending in Interventional Pain and Minimally Invasive Spine, The North Jersey Center for Surgery, Newton, New Jersey.

99. June 2004 – March 2007: Private Practitioner in Interventional Pain and Minimally Invasive Spine, Saddle Brook, New Jersey.

100. October 2002 – December 2003: Attending, Pain Management Center, St. Clare's Hospital, Denville and Dover, New Jersey.

101. February 2002 – August 2002: Attending Anesthesiologist and Director of Pain Services, Columbus Hospital, Newark, New Jersey.

102. October 2001 – December 2001: Attending Anesthesiologist, Hackensack University Medical Center, Hackensack, New Jersey.

103. January 1997 –February 2001: Attending, The Regency Clinic, London, England. (Contact 27 Welbeck Street, London W1M 7PG, England

104. September 1996 – December 1996: Attending in charge of pain clinic, Macclesfield General Hospital, Macclesfield, Chesire, England.

CERTICATION/LICENSURE:

105. 2006 Member of The American Society of Interventional Pain Physicians.

106. 2004 Completion of visiting fellowship in Minimally Invasive Spine Surgery, Wooridul Spine Hospital, Seoul, Korea.

107. 2004 Member of The American Academy of Minimally Invasive Spinal Medicine and Surgery.

108. 2004 Diplomate of the American Board of Interventional Pain Management.

109. 1996 Diplomate of American Board of Anesthesiology.

110. 1996 Medical License, State of New Jersey: MA 63281.

111. 1993 F.L.E.X

112. 1989 E.C.F.M.G.

113. 1988 MB.BS (London University).

CREDENTIALS AND CERTIFICATES: (Exhibit 3)

114. North American Spine Society – Evaluation & Treatment of Adult Spinal Deformity: Hands-On Course. March 16 – 17, 2012. Burr Ridge, IL. Certificate of Participation.

115. Beckers ASC 18th Annual Ambulatory Surgery Centers Conference. Improving Profitability and Business and Legal Issues. Featured Speaker: Orthopedics and Spine in ASC's – Key Trends and Ideas. October 28, 2011. Chicago, IL.

116. The Philipinno-American Medical Conference – The Future of Outpatient Spine Surgery. Featured
Speaker. September 24, 2011. Atlantic City, NJ.

117. AOSpine Live Tissue Training – The Prevention and Management of Complications in Spine Access Surgery. September 17, 2011. Strasbourg, France. Certificate of Participation and Completion.

118. SI-Bone – iFuse Implant System Surgeon Training Program. May 21, 2011. Jamesburg, NJ. Certificate of Completion.

119. LDR – Anterior Stand-alone Clinical Solutions utilizing VerteBRIDGE Technology. A hands-on cadaver skills lab. May 13, 2011. Las Vegas, NV.

120. The 3rd Annual ASC Review Seminar. April 27, 2011. Somerset, NJ.
Utilizing Urine Drug Screens Appropriately sponsored by Avee Laboratories. March 15, 2011. East Hanover, NJ. Certificate of Attendance.

121. Spine Arthoplasty Society. The Second Annual Meeting of the International Society for the Advancement of Spine Surgery – Middle East Chapter (SASME). February 3 – 5, 2011. Movenpick Dead Sea, Jordan.

122. 20th Annual Dr. Tom Lowe Spine Symposium: The Surgical Management of Spinal Disorders. January 14 – 17, 2011. Beaver Creek, CO. Certificate of Participation.

123. Weill Cornell Medical College. Indications and Controversies: Minimally Invasive Spinal Surgery and Navigation. Hands-on Symposium. December 2 – 4, 2010. New York, NY. Certificate of Participation.

124. 2010 Annual Meeting of the Society for Minimally Invasive Spine Surgery. November 5 – 7, 2010. Miami, FL. Certificate of Participation.

125. Informed - Cultural Competency Update for the Physician. October 12, 2010. Certificate of Completion.

126. X-Spine - Advances in Interspinous and Transfacet Fixation: A Hands-On Cadaver Course. August 27, 2010. Henderson, NV.

127. American Society of Interventional Pain Physicians Webinar – Urine Drug Screen Testing Compliance conducted on July 15, 2010.

128. Columbia University College of Physicians & Surgeons – 19th Annual Course & Symposium, Basic & Advanced Techniques in Electrodiagnostic Medicine. June 16 – 17, 2010. New York, NY. Certificate of Participation.

129. Dubai Spine Masters: Interventional and Pain Management Techniques. May 26 – 27, 2010. Dubai, UAE. Certificate of Participation.

130. Dubai Spine Masters: Minimally Invasive Surgical Strategies. May 23 – 25, 2010. Dubai, UAE. Certificate of Participation.

131. 10th Annual Global Symposium on Motion Preservation Technology. April 27 – 30, 2010. New Orleans, LA. Certificate of Participation.

132. American Society of Interventional Pain Physicians Webinar – Evidence-Based Interventional Techniques: An Algorithmic Approach To Keeping It Simple, Safe and Successful conducted on March 30, 2010. Certificate of Participation.

133. Spine Arthroplasty Society. February 18, 2010. Certificate of Membership.

134. North American Spine Society – 24th Annual Meeting. November 11 – 14, 2009. San Francisco, CA. Certificate of Completion.

135. North American Spine Society – 24th Annual Meeting Technique Workshop: Interbody Fusion Technologies. November 10, 2009. San Francisco, CA. Certificate of Completion.

136. 2009 Annual Meeting of the Society for Minimally Invasive Spine Surgery. Oct. 9 – 12, 2009. Las Vegas, NV. Certificate of Participation.

137. North American Spine Society - Spine Across The Sea 2009. July 26 – 30, 2009. Maui, Hawaii. Certificate of Completion.

138. 21st Annual International Bethesda Spine Workshop: Thoraco-Lumbar Course. April 19-20, 2009. Certificate of Participation.

139. 13th Annual International Argospine Symposium. January 29-30, 2009. Paris, France. Certificate of Attendance.

140. SRH Klinikum Karlsbad-Langensteinbach gGmbH. Akademisches Lehrkrankenhaus der Universität Heidelberg. Guttmannstrasse 1, 76307 Karlsbad, Germany. January 26-28, 2009. Visiting doctor, rounds with Dr. Robert Melcher.

141. University of California, San Diego School of Medicine. 2008 Annual Meeting of the Society for Minimally Invasive Spine Surgery. November 13-15, 2008. Henderson, NV. Physician Certificate of Credit.

142. North American Spine Society – 23rd Annual Meeting. October 14-18, 2008. Toronto, Canada. Certificate of Completion.

143. North American Spine Society – 23rd Annual Meeting Technique Workshop: Interbody Fusion Technologies. October 14, 2008. Toronto, Canada. Certificate of Completion.

144. Cleveland Clinic Foundation Center for Continuing Education – Spine Review – July 16-22, 2008. Cleveland, OH. Certification of Participation.

145. Columbia University College of Physicians & Surgeons – Basic & Advanced Techniques in Electrodiagnostic Medicine. June 11-12, 2008. New York, NY. Certificate of Participation.

146. North American Spine Society – Minimally Invasive Spine Surgery: A Hands-on Course. June 6-7, 2008. Spine Masters Institute. Burr Ridge, IL. Certificate of Participation.

147. Interventional Spine. PERPOS Surgical Training Program. February 15, 2008. Clifton, NJ. Certificate of Recognition.

148. Spineology Physician Instructor at Bergen Passaic Ambulatory Surgery Center. Didactic and Hands-on Cadaver Implantation of OptiMesh Surgical Mesh System. February 15, 2008. Clifton, NJ.

149. Cedar-Sinai Institute for Spinal Disorders - 7th Annual Symposium on Current Concepts in Spinal Disorders. February 1-2, 2008. Las Vegas, NV. Certificate of Participation.

150. Saint Louis University School of Medicine – The 1st CSRS Hands-On Cadaver Course. Cervical Spine Decompression & Stabilization Techniques. January 18-19, 2008. Certificate of Participation.

151. Saint Louis University School of Medicine - The 1st CSRS Cervical Spine Decompression & Stabilization. January 18-19, 2008. Certificate of Attendance.

152. Medtronic Midas Rex Institute – Instruction in advanced high speed instrumentation for surgeons. St. Louis, MO. January 17, 2008. Certificate of Attendance.

153. Spine Conference Case Presenter – Lenox Hill Hospital, NY. December 13, 2007.
Weill Cornell Medical College, NY – Minimally Invasive Spinal Surgery and Navigation. November 30 – December 1, 2007. Certificate of Attendance.

154. University of California, San Diego School of Medicine – Minimally Invasive Surgery of the Spine 2007. November 16-17, 2007. Physician Certificate of Credit.

155. North American Spine Society – 22nd Annual Meeting. Austin, TX. October 23-27, 2007. Certificate of Completion.

156. North American Spine Society – Interbody Fusion Technologies. Austin, TX. October 23, 2007. Certificate of Completion.

157. North American Spine Society - Motion Stabilization: A Hands-On Course. May 18-19, 2007. Spine Masters Institute. Burr Ridge, IL. Certificate of Participation.

158. 19th Annual International Bethesda Spine Workshop: Thoraco-Lumbar Course. May 6-7, 2007. Certificate of Participation.

159. 19th Annual International Bethesda Spine Workshop: Cervical Course. May 4-5, 2007. Certificate of Participation.

160. AOSpine North America Challenges and Complications in Complex Spine Surgery Symposium. San Francisco, CA. April 28-29, 2007. Certificate of Participation.

161. North American Spine Society – NASS Spring Break 2007: Back to the Future: Straight Spines, Straight Talk. March 14-17, 2007. Certificate of Attendance.

162. MinSurg Biomechanical Innovations – TruFUSE Surgical Training. February 17, 2007. Certificate of Completion.

163. Surgeon Training Program for Atavi Minimally Invasive Posterior Cervical & Upper Thoracic Surgery conducted by Endius, Inc. September 9, 2006. Certificate of Attendance.

164. Zimmer Spine – Dynesys Dynamic-Stabilization Workshop at St. John's Health Center – Santa Monica, CA. July 21-22, 2006. Certificate of Attendance.

146. Zimmer Spine – Center of Excellence Program at St. Mary's Hospital – West Palm Beach, FL. June 1-2, 2006. Certificate of Attendance.

165. University of South Florida – Preservation of Motion in the Spine. April 5-8, 2006. Certificate of Completion.

166. North American Spine Society – NASS Spring Break: Back to the Evidence. March 8-11, 2006. Certificate of Completion.

167. The Royal College of Physicians & Surgeons of the United States of America. 5th Global Congress of Minimally Invasive Spinal Specialists. Laser Assisted Spinal Endoscopy, Nucleoplasty & Coblation, Percutaneous Cervical Discectomy, Vertebral Augmentation, Foraminal Decompression, Laser Facet Rhizotomy, Laser Sympathectomy, Epiduroscopy. December 15-18, 2005. Certificate of Attendance. 18th Annual Meeting of the International

168. Intradiscal Therapy Society (IITS). May 25-28, 2005. Certificate of Participation.

169. Spineology Physician Instructor at Market Street Surgical Center. Didactic and Hands-on Cadaver Implantation of OptiMesh Surgical Mesh System. Saddle Brook, NJ. May 7, 2005.

170. National University of Health Sciences – Lincoln College of Postprofessional, Graduate & Continuing Education. Manipulation Under Anesthesia. April 4, 2005. Certificate of Proficiency.

171. University of South Florida – Preservation of Motion in the Lumbar Spine. March 17-20, 2005. Certificate of Completion.

172. University of South Florida – Preservation of Motion in the Lumbar Spine Labs. March 18, 2005. Certificate of Completion.

173. North American Spine Society – Advanced Lumbar Spine Surgery: Minimally Invasive Surgery and Motion Preservation: A Hands-On Course. March 4-5, 2005. Certificate of Completion.

174. North American Spine Society – Cervical Fixation: A Hands-On Course. January 21-22, 2005. Certificate of Completion.

175. North American Spine Society – 19th Annual Meeting. October 27-30, 2004. Certificate of Attendance.

176. North American Spine Society – NASS 19th Annual Meeting Techniques Workshop: Minimally Invasive Spine Surgery: Decompression & Fusion/Implants. October 26, 2004. Certificate of Completion.

177. North American Spine Society – NASS 19th Annual Meeting Techniques Workshop: Percutaneous Vertebral Augmentation. October 26, 2004. Certificate of Completion.

178. The 11th Congress of the International Musculoskeletal Laser Society. May 12-15, 2004 in Seoul Korea. Certificate of Attendance.

179. Continuing Education, Inc. – Minimally Invasive Spine Update 2004. March 26-28, 2004. Certificate of Participation.

180. Continuing Education, Inc. – Fourth Global Congress: Minimally Invasive Spinal Surgery and Medicine. November 19-22, 2003. Certificate of Participation.

181. American Association of Medical Foot Specialists. Attended course: Problems in Wound Management. November 2, 2003.

182. American Society of Interventional Pain Physicians – Active Member since March 2002.

ABSTRACTS:

183. Kaul R. Percutaneous Lumbar Fusions in the Outpatient Surgical Practice. 2nd Annual Meeting of the International Society for the Advancement of Spine Surgery Middle East Chapter (SASME). Feb. 4, 2011. Movenpick, Dead Sea, Jordan.

184. Datta S., Kaul R., Manchikanti L. Letter to Editor: Is there really a cause-effect relationship between steroid dose, pain management practices, joint injected (sacroiliac joint), and infection? Reg Anesth Pain Med. 2011 Jul-Aug; 36(4):410.

185. Datta S., Kaul R. Outpatient Thoracic Endoscopic Discectomy (PETD) for Herniated Thoracic Disc with Thecal Sac Adhesions: Case Report and Review of Literature.

PROCTORSHIPS:

186. Amendia Education/Certification Proctorship. December 3, 2011. Pompton Lakes, NJ.

187. Amendia Education/Certification Proctorship. October 8, 2011. Pompton Lakes, NJ.

188. Disc-FX Education/Certification Proctorship. September 10, 2011. Baldwin, NY.

189. Disc-FX Education/Certification Proctorship. July 23, 2011. Newport Beach, CA.

190. Disc-FX Education/Certification Proctorship. June 11, 2011. Dallas, TX.

191. Disc-FX Education/Certification Proctorship. April 30, 2011. Pompton Lakes, NJ.

WEBINAR HOST/CASE PRESENTATIONS:

192. Motion Sparing Devises as an Alternative to Fusion. Webinar Host. September 27, 2011.

193. Grade 1/2 Spondylolisthesis. Case Presentation. September 27, 2011.

194. Lumbar Herniated Disc and Junctional Syndrome. Case Presentation. September 27, 2011

195. Advanced Medical Techniques Designed to Compliment Chiropractic Care. Webinar Host. September 20, 2011.

196. Discography and the Silent MRI. Webinar Host. August 2, 2011.

PHILANTHROPY:

197. The Spine Africa ProjectFounded in August 2008. The mission of The Spine Africa Project focuses on three objectives: the treatment of those afflicted with spinal conditions, the education of local medical personnel, and social change.

198. Jason Sendwe Hospital-Lubumbashi, Democratic Republic of Congo. December 1 – 5, 2008.

199. MyungSung Christian Medical Center-Addis Ababa, Ethiopia. December 11 – 15, 2010.

200. Panzi Hospital-Bukavu, Democratic Republic of Congo. August 20 – 25, 2011.

201. Panzi Hospital-Bukavu, Democratic Republic of Congo. February 5 – 10, 2012

PROFESSIONAL BACKGROUND-PART 2

1996-2016

202. In September 1996 Dr.Kaul obtained his post-graduate degree from the American Board of Anesthesiology after having completed six years of residency training in general surgery and anesthesiology. The examination process involved a one day written exam that was taken in new York in 1995, and a one day oral exam that was taken in San Francisco in 1996. Thirty percent of graduates fail the examination process on their initial attempt.

Exhibit 3

203. In August 1996 Dr.Kaul was given a plenary medical license by the state of New Jersey. The license was awarded based upon his five years of medical school, eight years of clinical post-graduate training, the passing of both the FMGEMS and FLEX examination processes and multiple letters of recommendation from his professors and physician colleagues.

204. The plenary license given to Dr.Kaul gave him the right to practice both medicine and surgery and is the same license under which he performed minimally invasive spine surgery between 2003-2012

205. In July 1988 after completing medical school Dr.Kaul took and passed part 1 of the FMGEMS given by the ECFMG in preparation for his relocation to the United States and in July 1989 he passed part 2 of the examination.

206. In July 1993 Dr.Kaul took and passed both parts of the Federal Licensing Examination (FLEX) that was administered in Pittsburgh.

207. In July 1995 after completing his anesthesiology residency at the Montefiore Medical Center/Albert Einstein Hospital in the Bronx Dr.Kaul returned to Great Britain. He had trained in the US on a J-1 visa, a condition of which was that the holder had to return to their country of origin for two years, before they would be eligible to re-enter the US on a work visa.

208. From September 1995-September 1996 Dr.Kaul completed a fellowship in interventional pain at the Bristol Royal Infirmary. It was his intention to then spend the following year at The University of Sydney in Australia undergoing a further years training in interventional pain, but for personal reasons chose to remain in the UK.

209. Dr.Kaul's decision to remain in the UK prompted the head of the anesthetic department at the BRI, Professor Sir Cedric Prys-Roberts, to advise Dr.Kaul that he should make an application to the Specialist Training Authority to have his name included on the specialist register. The inclusion would have enabled Dr.Kaul to apply for National Health Service (NHS) consultant positions.

210. Professor Sir Cedric Prys-Roberts was the 1994-1997 president of the Royal College of Anesthetists and one of the highest ranking physicians in the UK.

211. In September 1996 after having successfully completed his fellowship Dr.Kaul returned to London and entered private practice.

Exhibit 4

attend AA meetings.

275. The day after Dr. Kaul left Sunrise House he received notification from the NJBME that they had commenced legal proceedings to revoke his medical license based upon the UK case and an allegation that he had intentionally withheld information about the matter, when he completed the biennial license application. Later the same week he met with Anthony LaBue at the law firm of Decottis, Fitzpatrick and Cole. The firm demanded a $25,000 retainer to commence work on the matter which Dr. Kaul was able to pay out of the money he was owed and ultimately paid by the anesthesia group at HUMC. The inpatient stint at Sunrise House had cost him $10,000.

276. The deputy attorney general assigned to the case was Alan Niedz who when he was allegedly in London in December as a tourist, decided to visit the offices of the General Medical Council. A more believable explanation is that he was sent by the state to London to specifically gather information on the UK case. Regardless, the GMC gave him Dr. Kaul's entire file which included confidential medical information protected under the European Data Protection Act. Neither Neidz nor any of his superiors ever produced any official documents to demonstrate what information they gave to the GMC to encourage them to violate a European statute. The possibility of fraud on the part of the state of New Jersey might explain why the GMC subsequently refused to cooperate with Doreen Hafner in the 2012 case, that is one of the foundational elements of this complaint. It could also explain a comment made by Dr.Kaul's solicitor, Ian Barker, during a phone call in May 2012 when Barker expressed his sorrow at what had happened to Dr. Kaul. The purpose of the phone call was a request made by Dr. Kaul for the expert report of the mobile phone engineer, David Bristowe, which proved Dr. Kaul had not been on his mobile phone when Isatu Bangura suffered a cardiac arrest.

277. The unauthorized disclosure of Dr. Kaul's 'confidential' medical information, most likely based on a fraudulent application, added a dimension to the case that obligated Dr. Kaul to subject himself to clinical evaluations of his psychological status. The relevance of this serious violation of privacy is that it attacked the basis of confidentiality on which Dr. Kaul sought assistance, and from a public health policy it communicates a message that an individual's right to protect highly sensitive health

Exhibit 5

the plaintiff that was disguised as a 'fine'. The defendant is familiar with the average financial penalty levied on physicians and knows that the amount the plaintiff was 'fined' was disproportionate to the nature of the case. The defendant breached his duty to the plaintiff when he failed to expose the motivation for the cruel and unusual punishment that the defendant medical board levied on the plaintiff. The case against the plaintiff involved no deaths, no life threatening complications, no insurance fraud, no sexual impropriety and the plaintiff demonstrated that he had complied with all state and federal laws and regulations pertaining to the practice of medicine. The plaintiff had been credentialed by the federal government, AAAHC and multiple state licensed surgical centers to perform minimally invasive spine surgery. The plaintiff's clinical outcomes were 90-95% good to very good and his complication rate was 0.1%. The reported average in the medical literature is 65-70% good to very good outcomes and a complication rate of 5-15%. The plaintiff's surgical reported a 0% infection rate in 2011 compared to that reported in hospitals of 3%. The defendant was complicit in violating the plaintiff's Eight Amendment Constitutional Right to not be subjected to cruel and unusual punishment.

145. **North Jersey Media, Inc** violated 18 U.S.C. § 1951 because it obstructed commerce by conspiring with the defendant governor, defendant state and defendant medical board to unlawfully obtain the plaintiff's property, deprive the plaintiff of his Constitutional right to due process, and conduct itself in a pattern of behavior that had violent intent and physical consequences for the plaintiff. The effect of the violation was to reduce tax revenue and increase unemployment. The defendant's business was increased as a consequence of its collusion with the aforementioned defendants.

146. **Lindy Washburn** violated 18 U.S.C. § 1951 when it conspired with the defendant governor, defendant state and defendant medical board to unlawfully obtain the plaintiff's property, deprive him of his Constitutional right to due process and deprive him of the the intangible right of honest services, the effect of which was to obstruct commerce. The revocation of the plaintiff's license caused a reduction in both federal and state tax revenue and a loss of jobs. The majority of the staff employed by the plaintiff were single mothers. The timing of the publication of the defendant's story had malicious intent. It was released on the same day that the plaintiff had organized a professional society meeting, that was intended to commence the process of establishing educational standards for minimally

Exhibit 6

HOWARD B. YEON, M.D., J.D.
SPINAL SURGERY
51 JUNIPER TERRACE
TUXEDO PARK, NY 10987

BOARD OF MEDICAL EXAMINERS
STATE OF NEW JERSEY
P.O. BOX 45022
NEWARK, NEW JERSEY 07101

Dear Board Members:

I am an orthopaedic surgeon, fellowship trained in spine and scoliosis surgery. I am writing to you with information that I consider relevant to your proceedings involving Richard A. Kaul, M.D. I was recently informed that Dr. Kaul's care for one of his patients was under your review. Dr. Kaul is a well-regarded practitioner in the pain and spine community serving the northern New Jersey and southern New York area. At his request, I reviewed medical records including the patient history, radiographs and operative notes for the case being considered by the Board. The records provided were redacted for patient identifiable information in compliance with HIPAA requirements.

Briefly, the patient is a 48 year old clerk / typist who complained of low back, leg and neck pain after a motor vehicle accident in January, 2006. She was a restrained driver of a car struck by a truck. The patient had a complex pain history including a diagnosis of fibromyalgia, and she had experienced low back pain prior to the motor vehicle accident. The patient also had a history of prior low back surgery, having undergone a laminotomy and microdiskectomy procedure in 1997. After the patient's motor vehicle accident, she had a low back pain exacerbation, and this pain did not respond to prolonged non-operative measures. She subsequently underwent a lumbar laminectomy and instrumented spine fusion at L3-L4 and L4-L5 in 2007.

The patient did not experience acceptable relief of her back or leg pain after this surgery, and she was referred to Dr. Kaul in April, 2008. After reviewing the patient's history, performing a physical examination and reviewing the patient's radiographs including those dated prior to her fusion surgery, Dr. Kaul recommended that the patient proceed with a diagnostic discography to determine whether painful disk degeneration was a significant component of her persistent pain. This diagnostic approach is evidence-based and concordant with established spine literature holding that the motion segment adjacent to spine fusion is likely to become degenerative and painful. Numerous studies have further established that discogenic pain may persist at a spinal segment where a posterolateral instrumented fusion has previously been performed. The patient agreed with the plan for diagnostic discography, and this diagnostic test was performed on April 19, 2008; concordant (8/10) pain was evoked at L2-L3 and L3-L4. Subsequent CT scan of the lumbar spine further revealed moderate to severe canal stenosis at L2-L3, a 2mm retrolisthesis at L2-L3, and disk bulging at L3-L4, L4-L5 and L5-S1.

After reviewing these findings with the patient, Dr. Kaul and the patient discussed her treatment options. As the patient's pain level was not acceptable, she opted for further surgery. Dr. Kaul documented his discussion regarding his surgical plan, which would consist of unilateral removal of hardware, interbody fusion at L2-L3, L3-L4 and L4-L5 and instrumented fusion at L2-L3, L3-L4 and L4-L5. This procedure was appropriate to address the discogenic pain described by the patient and confirmed by the previous diagnostic discography. The surgery would result in a circumferential fusion – the most widely accepted surgical treatment for discogenic low back pain.

The patient underwent this procedure on 7/28/08. Intraoperative and postoperative radiographs show that Dr. Kaul accomplished his surgical goals. The hardware was removed unilaterally, the fusion was extended to include L2-L3, and interbody implants were seated in appropriate position at L2-L3 and L3-L4 and L4-L5. Immediately after the procedure, the patient had a stable neurologic examination without sensory or motor deficit, and she did report some improvement in her pain. Subsequently, she continued to do well postoperatively with a significant improvement in low back pain and in her posture. The patient did complain of left leg dysesthesia, and she had a small wound seroma. To address this, Dr.

Kaul performed percutaneous drainage of the wound seroma and selective L2 nerve block on 8/20/08. The patient did well after these minor procedures, and her leg pain and the seroma drainage both improved significantly. As a result of the pain relief she experienced from the L2 nerve block, the patient elected to proceed with additional transforaminal injections.

The injections had decreasing symptomatic benefit. To further localize and characterize the patient's pain, Dr. Kaul referred her for an electromyography and nerve conduction study. This study found a chronic left L4-L5 radiculopathy. A later CT Myelogram showed that the surgical hardware was in appropriate position. The patient ultimately became disheartened and transferred her care to another physician.

This case unfortunately highlights many of the limitations of spine fusion procedures. Dr. Kaul appropriately addressed the patient's discogenic back pain, but the patient was left with residual low back pain and left leg pain. Especially in a patient who had two prior low back surgeries including an extensive fusion prior to Dr. Kaul's interventions, the success of further surgery, even a procedure with appropriate indications, is not reliable. Possible reasons for the patient's postoperative pain include her underlying fibromyalgia, epidural fibrosis, persistent stenosis at L5-S1 and more generally the "failed back syndrome".

Though orthopaedic surgeons were once the only physicians to implant spinal hardware, other physicians including neurosurgeons and pain physicians now regularly perform spinal fusion. Specific to this case, the transforaminal approach that Dr. Kaul utilized to access the disk space to perform the interbody fusion is identical to the approach ubiquitously used by anesthesiologists and pain physicians to perform other routine procedures including endoscopic microdiskectomy and transforaminal epidural steroid injection. Nationwide, physiatrists, anesthesiologists, neurosurgeons and orthopaedic spine surgeons all perform vertebroplasty or kyphoplasty – a procedure that requires radiographically-guided cannulation of the pedicle. So, the surgical procedures performed by Dr. Kaul in this case are commonly and ubiquitously peformed by anesthesiologists, physiatrists, neurosurgeons and orthopaedic surgeons. Further, we have the benefit of two and three-dimensional imaging studies taken after Dr. Kaul's procedure that show that the hardware he implanted was appropriately positioned and deployed.

It is my opinion that Dr. Kaul provided appropriate medical care and fulfilled his duty of care in the case that the Board is reviewing. I would welcome the opportunity to discuss further my opinions in this matter with the Board.

Sincerely,

Howard B. Yeon, M.D., J.D.

HOWARD B. YEON
51 Juniper Terrace
Tuxedo Park, New York 10987
e-mail: howard_yeon@hotmail.com

EDUCATION

A.B. **HARVARD COLLEGE**, *magna cum laude*
Cambridge, MA. June 1994

M.D. **HARVARD MEDICAL SCHOOL, MIT – DIVISION OF HEALTH SCIENCES AND TECHNOLOGY**
Boston, MA. June 2002

J.D. **HARVARD LAW SCHOOL**
Cambridge, MA. June 1999

PROFESSIONAL APPOINTMENTS

HOSPITAL FOR SPECIAL SURGERY SPINE FELLOWSHIP
New York, NY. August 2007 and ongoing.

HARVARD COMBINED ORTHOPAEDIC SURGERY RESIDENCY
Boston, MA. July 2003 – July 2007.

BETH ISRAEL DEACONNESS MEDICAL CENTER
Boston, MA. 2002-2003. General Surgery Internship.

SIMPSON THACHER & BARTLETT, LLP
New York, NY. 1999 – 2000.

LICENSURE AND CERTIFICATION

NEW YORK STATE MEDICAL LICENSE
July 2007 through current
Advanced Trauma Life Support, 2002
Advanced Cardiac Life Support, 2007

ADMITTED TO NEW YORK STATE & COMMONWEALTH OF MASSACHUSETTS BAR
September 2001 through current.

HONORS AND AWARDS

1993 Harvard College Scholarship
1997 Howard Hughes Medical Institute Summer Research Fellowship
1996 Rhone-Poulenc Rorer Research Fellowship in Health Sciences and Technology
2007 *Orthopaedic Surgery Administrative Chief Resident* – Brigham and Women's Hospital – Harvard Combined Orthopaedic Surgery Residency
2007 American Board of Orthopaedic Surgery – National Board Examination Part I – 99th percentile

PROFESSIONAL EXPERIENCE

1993-1997 **HOWARD HUGHES MEDICAL INSTITUTE**, Harvard Medical School, Boston
- Led project that successfully localized the genetic mutation responsible for an autosomal dominant inflammatory arthritis – acne syndrome.
- Participated in the project that successfully localized the genetic mutation responsible for an autosomal dominant complex bilateral polysyndactyly.

1999-2000 **SIMPSON THACHER & BARTLETT**, New York
Associate Attorney, Intellectual Property Litigation.

2003-2007 **HARVARD COMBINED ORTHOPAEDIC SURGERY RESIDENCY**,
- Massachusetts General Hospital, Brigham and Women's Hospital, Beth Israel Deaconness Medical Center, Boston Children's Hospital.
- *Administrative Chief Resident* – Brigham and Women's Hospital 2007
- Spine CORE Lecture Series Coordinator
- Biostatistics / Research Lecture Series Coordinator
- Medicolegal CORE Lecture Series Coordinator

2007-2008 **HOSPITAL FOR SPECIAL SURGERY, SPINE FELLOW**, New York

2008-2010 **CRYSTAL RUN HEALTHCARE**, Middletown, New York
Orthopaedic Spine Surgeon

PROFESSIONAL SOCIETIES

National Association of Spine Surgeons
Massachusetts Bar Association
New York State Bar Association

PUBLICATIONS

Chromosome mapping of the gene responsible for familial Pyoderma gangrenosum-Acne-Arthritis. **HB Yeon**, NM Lindor, CE Seidman, JG Seidman. American Journal of Human Genetics, 66: 1443-1448, 2000.

A complex bilateral polysyndactyly disease locus maps to chromosome 7q36. O Tsukurov, A Boehmer, J Flynn, JP Nicolai, BC Hamel, S Traill, D Zaleske, HJ Mankin, **HB Yeon**, C Ho, CE Seidman JG Seidman. Nature Genetics, 6(3): 282-6, 1994.

Paradoxical Cerebral Embolism Following Cemented Knee Arthroplasty: A Report of Two Cases and Treatment Plan for Subsequent Arthroplasty. **HB Yeon**, A Ramappa, TS Thornhill. Journal of Arthroplasty, January 2003.

Cloning and mutation screening of human myosin binding protein-C in kindreds with familial hypertrophic cardiomyopathy. H Nimura, **HB Yeon**, CE Seidman, JG Seidman. Circulation, 1996 (*Abstract*).

Molecular genetics of macular dystrophies. K Zhang, **HB Yeon**, M Han, LA Donoso. British Journal of Ophthalmology, 80: 1018-1022, 1996.

Pharmaceutical Litigation, H Choi, **HB Yeon**. In: PRINCIPLES AND PRACTICE OF PHARMACEUTICAL MEDICINE, A Fletcher, L Edwards, A Fox, R Bell, P Stonier eds. John Wiley & Sons, 2002.

Primary Total Hip Arthroplasty with a Proximally Porous Coated Hip Stem. RK Sinha, DS Dungy, **HB Yeon**. Journal of Bone and Joint Surgery (Am), 86-A(6):1254-61, 2004 Jun.

"Doctor, was this surgery done wrong?": Ethical issues in providing second opinions. T Bhattacharyya, **HB Yeon**. Journal of Bone and Joint Surgery (Am), 87-A(1): 223-225, 2005 Jan.

Functional outcome of knee articular cartilage repair in adolescent athletes. K Mithoefer, T Minas, L Peterson, **HB Yeon**, L Micheli. Am J Sports Med, 33: 1147-1153, 2005.

The Orthopaedic Medical Record. BJ Levin, **HB Yeon**. In: MEDICAL-LEGAL ASPECTS OF MEDICAL RECORDS ANALYSIS, New York, NY: Lawyers and Judges Publishing Company.

Pharmaceutical Litigation, H Choi, **HB Yeon**. In: PRINCIPLES AND PRACTICE OF PHARMACEUTICAL MEDICINE, 2nd ed. A Fletcher, L Edwards, A Fox, R Bell, P Stonier eds. John Wiley & Sons (Second Edition)

Severe Kyphoscoliosis and Ankylosing Spondylitis, A case report. **HB Yeon**, E Spayde, KB Wood. (Accepted for Publication -- *Spine*)

The Medical-Legal Aspects of Informed Consent in Orthopaedic Surgery. T Bhattacharyya, **HB Yeon**, MB Harris. JBJS(Am), 87(11): 2395-400, 2005.

The Use of Allograft as a Bone Graft Substitute for Congenital Spine Deformities. DJ Hedequist, **HB Yeon**, JB Emans. (SRS Abstract)

Physician Discipline. **HB Yeon**, D Zurakowski, D Lovett, J Herndon. JBJS (Am), *88*(9):2091-6, 2006.

Focal Nodular Heterotopic Ossification: A New Syndrome. **HB Yeon**, FS Kaplan, EM Shore, JB Jupiter. JBJS (Am), 89(6), 2007.

The Knee. **HB Yeon**, J Wright. In: RHEUMATOLOGY, Hochberg MC, Silman AJ, Smolen JS, Weinblatt ME, Weisman MH, eds. 4th Ed. New York, NY: Mosby Publishing. (In press, awaiting printing date).

Exhibit 7

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD Plaintiff, v. CHRISTOPHER J. CHRISTIE, ESQ, et al., Defendants	CIVIL ACTION NO. 2:16-cv-02364-KM-SCM CERTIFICATION OF KENNETH SABO

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
201 989 2299

Kenneth Sabo hereby certifies to the Court as follows:

1. I am (insert age), a United States citizen, a US Veteran, and was a patient of Dr. Kaul from August 23, 2010 to June 1, 2012.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. On --- I initially consulted with Dr. Kaul, after having witnessed a segment on Channel 12 News, in which he and a sixteen-year-old gymnast, whose spinal deformity he corrected, were both interviewed. I was impressed with what I saw, and made an appointment to see Dr. Kaul.
4. I initially consulted with Dr. Kaul on August 23, 2010, and he ordered a series of tests to diagnose the cause of the pain in my neck and lower back. Based on the results of these

tests, he implemented a series of spinal injections, which provided temporary pain relief. However, due to the persistence of the pain, he performed minimally invasive spine surgery on my neck and lower back. The surgeries were successful in reducing my pain, and improving my ability to carry out my normal activities of daily living. I was treated with compassion, respect and received excellent care, from Dr. Kaul and his staff. The facility at which the operations were performed was modern, efficient, well organized and professionally operated, and on the days that I was at the NJSR Surgical Center, I often heard other patients express high opinions of Dr. Kaul. Both his patients and his staff expressed immense respect for his abilities, and this was evident to me from the professional, yet friendly environment, that I experienced while under the care of Dr. Kaul.

5. On --- I came to learn that his New Jersey medical license had been suspended, and that I would no longer be able to treat with him. This caused me great disappointment, and since then, I have been unable to find a physician that provides the high level care I received from Dr. Kaul

6. On — I received a phone call from an individual, who identified herself as Doreen Hafner, a New Jersey deputy attorney general. Ms. Hafner explained that she was investigating Dr. Kaul and that she wanted to interview me, because Dr. Kaul had performed procedures on my spine. I agreed to an interview, and on — Ms. Hafner and – of her associates came to my house.

7. The interview lasted approximately forty-five minutes and during the interview the following exchanges occurred:

(a) Ms. Hafner requested that I testify against Dr. Kaul – I refused, and explained to her that I held Dr. Kaul in the highest regard, that he had reduced my pain, and improved the quality of my life. I told her that I believed his surgery had been successful, and that I was very disappointed when he left.

(b) Ms. Hafner attempted to characterize Dr. Kaul as dishonest, by stating that on his website he described himself as a board certified minimally invasive spine surgeon, and that he was not – I explained that I decided to consult with Dr. Kaul after having seen his

interview with Dr. Derek DaSilva on Channel 12 News, and was very impressed with how he had helped a sixteen-year old gymnast return to gymnastics. I told her that I found Dr. Kaul to be very forthright, an opinion that I heard from many of his patients.

(c) Ms. Hafner asked me if I knew that Dr. Kaul had been arrested in London and charged with manslaughter, and she described in detail the events that had occurred in a dental clinic – I explained that although I didn't know these details, it did not change the fact that I was treated well by Dr. Kaul, and that his procedures reduced my pain, and improved my quality of life. I told her that everybody I spoke to about Dr. Kaul, described him as phenomenal.

(d) Ms. Hafner stated that the attorney general wanted to revoke Dr. Kaul's license. I asked why they would want to do such a thing, and I suggested that it should just be suspended for six months, as he had dedicated his whole life to his career. Ms. Hafner's response were words to the effect that suspension was not an option, and "what if he hurts someone". I told her that I had heard nothing but good things from other patients about Dr. Kaul

8. After the interview Ms. Hafner telephoned me approximately six times, and on each occasion attempted to have me testify against Dr. Kaul, and on each occasion I refused.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: July 12, 2017

Kenneth (place middle initial) Sabo

Exhibit 8

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD Plaintiff, v. CHRISTOPHER J. CHRISTIE, ESQ, et al., Defendants	CIVIL ACTION NO. 2:16-cv-02364-KM-SCM **CERTIFICATION OF JOHN ZERBINI**

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
201 989 2299

John Zerbini hereby certifies to the Court as follows:

1. I am forty-three (43) years old, a United States citizen and was a patient of Dr. Kaul from November 24, 2010 to July 21, 2011.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. In late July 2017 I spoke with Dr. Richard Kaul several times regarding various issues that pertain to the above matter. The following represents the essence of what was discussed. The information contained in this statement is a representation of the conversations that took place between March 2012 to late 2013, between myself, Dr. Kaufman and Deputy Attorney General, Doreen Hafner. Where the conversation is quoted verbatim it is marked in "". I have examined this record and signed it as

representative of what was said in the conversations. I have organized the conversations into 5 sections for ease of interpretation:

(a) **Report of conversations between Dr. Kaufman and myself**

I had several conversations with Dr. Kaufman in which he expressed his opinion of Dr. Kaul and also his intention to destroy Dr. Kaul's medical career. Dr. Kaufman frequently directed these opinions to me, in front of the nurses who assisted him and usually after he had performed procedures on my spine.

Dr. Kaufman was not interested in the care I had received from Dr. Kaul, but was more preoccupied with how he was planning to have Dr. Kaul's license revoked. It was obvious to me that he had no concern for my welfare, as all of the time we spent together from March 2012 to November 2012, he devoted to telling me and others how he was going to destroy Dr. Kaul. It was, to say the least, extremely unprofessional and rather disturbing.

These conversations occurred mainly in a curtained consulting room in the pain management lab, at Overlook Hospital New Jersey. The curtains of my cubicle were not always drawn, and the area was an open space, in which at any one time, there were a least fourteen other people, comprised of patients and staff. I would always sit in a cardiac chair, and Dr. Kaufman's comments were loud enough for all patients and nurses to have clearly heard what was being said.

Dr. Kaufman 'ranted' about Dr. Kaul, on numerous occasions. I felt that Dr. Kaufman was bragging about his actions towards Dr. Kaul. He made it clear that he had instigated proceedings against Dr. Kaul and said that he and "a few other doctors" were going after Dr. Kaul. I was not aware of the names of the other doctors.

The first time that Dr. Kaufman discussed these things with me was in April 2012.

Dr. Kaufman seemed to have some kind of vendetta against Dr. Kaul, and made comments to the effect that he was going to destroy Dr. Kaul's medical career, his reputation, and make sure he never worked again as a doctor. He stated that he was going to make sure Dr. Kaul was ostracized, and that he and a group of five other doctors had been working together since at least 2011, to make sure Dr. Kaul's medical license was revoked. He mentioned that they were

going to have articles and stories published, that caused permanent damage to Dr. Kaul's reputation, so that he would never be able to find work. Dr. Kaufman told me, "Dr. Kaul is a criminal", and that he [Kaufman] had instigated the plan to have Dr. Kaul's license revoked. His venomous conduct led me to believe that that he would not stop until he had achieved those ends.

I recall that Kaufman said that he had found something about Dr. Kaul that really pissed him off which is why he acted in this way. Kaufman said, "Dr. Kaul has no business being a doctor" and "he has no business practicing medicine". He told me that he would make sure Dr. Kaul never practiced medicine again.

During my conversations with Dr. Kaul I told him that I could not understand why Dr. Kaufman had such hatred towards him. I had never witnessed such venom, and he [Kaufman] seemed to have the small man angry syndrome. Kaufman is about five foot six inches, and one hundred and forty pounds.

Dr. Kaufman ranted about Dr. Kaul, in this way, at about two thirds of our consultations. I consulted with Dr. Kaufman every six weeks over period of one year, from March 2012 to late 2012.

The comments that Kaufman made about Dr. Kaul were made directly to me, and frequently in the presence of other staff and patients. My recollection of these comments was so vivid that I even remember the clothes I was wearing at each consultation, and on one occasion it involved a particularly bright stripped collared shirt.

In my opinion there was clear evidence for defamation of character, as when Dr. Kaufman was ranting, there were approximately 14 other people within earshot.

I told Dr. Kaul, during our conversations, that Dr. Kaufman "went after you (Dr. Kaul) like fury". "he was on fire."

I recounted how, in my earlier conversations with Dr. Kaufman, he said, "Check up on this guy (Dr. Kaul) on the internet and you will see that I and five other doctors have already taken action against him". When I went home I checked the internet and found what Dr. Kaufman had said, as well as the name of several other doctors who were involved.

During one of my conversations with Dr. Kaul, I told him, "I left Kaufman but I think he would tell you that he left me". I described to Dr. Kaul how Dr. Kaufman would not return my calls, when I telephoned his office, because my pain pump was not working, and I was in severe pain. This happened on multiple occasions. On one occasion, as a result of not having received a response from Dr. Kaufman after one week, and being in severe pain, I went to see my family physician. I subsequently told Dr. Kaufman that I had consulted with another doctor, and initially he said "no problem". However, 3 months later he became angry and told me that I had "violated his trust" and that he would no longer treat me. He started screaming at me, and I felt humiliated and began to cry. I pleaded with him not to suddenly stop prescribing my medications, but he didn't seem to care, and became very cold and callous. This was in November 2012. In fact, his uncaring attitude had caused me on several prior occasions to ask him, with tears in my eyes, "Why do you hate me?". It seemed to me, that his hostility, was a consequence of the fact that I had been under the care of Dr. Kaul, as I noticed he had a different attitude with other patients. I told Dr. Kaufman that I had never been spoken to by any of my treating physicians, in the derogatory manner in which he publicly berated me. After having been abandoned by Dr. Kaufman, I attempted to find another physician to manage my pain. However, it proved very difficult, because of the complicated nature of my medical conditions. However, Kaufman threatened to contact my internal medicine doctor, and any future pain management doctor, and tell them I had violated an agreement with him. Dr. Kaufman would then call me and berate me on the phone for "violating his trust". I eventually went to see Dr. Sukdeb Datta.

(b) **My comments regarding my perception of the relationship between Dr. Kaufman and Deputy Attorney General, Doreen Hafner**

During my conversation with Dr. Kaul I commented that "he [Kaufman] was "very chummy with that prosecutor". I observed that Dr. Kaufman's relationship with Doreen Hafner was "weirdly close" and that "It was really weird, moochy coochy, strange." I noted that Dr. Kaufman called the Deputy Attorney General by her first name, and on one occasion he told me that was meeting her for lunch. I observed that Dr. Kaufman was oddly "chummy" with Hafner, in a manner that seemed strange for a physician and deputy attorney general.

(c) **My recollections of my meetings with Doreen Hafner**

I recollect Dr. Kaufman saying on several occasions, "I'm going to see her [Hafner] later today or to have lunch with her".

I recollect at my first meeting with Hafner, she had two female investigators with her. The meeting occurred at my attorney's office. They inspected my back and how well I was able to walk. After this first meeting, Hafner contacted me directly, and our communications from that point did not involve my attorney. She told me in the first interview that "they were going to take make sure that we who were hurt will be taken care of". However, Hafner honored none of the promises she made, and after I testified took no further interest in my welfare. Both my wife and I felt that she exploited me, and lied to me to get me to testify against Dr. Kaul.

I believe that Hafner told me that Dr. Kaul had a "$14 million condo in New York", and that she said she was going to take it. She told me Dr. Kaul had two Aston Martins, and that she was going to take them as well.

Hafner stated that Dr. Kaul had committed Medicaid and Medicare fraud, and asked me what insurance company had paid him for the procedure he performed on me. I told her that I had no insurance, and that Dr. Kaul had provided his services and that of his facility for free. I told her that he never asked me for a dime. I also told her that he had been able to get the device company, Medtronic, to provide the spinal cord stimulator free of charge. I asked Hafner that if Dr. Kaul had committed the crime she described, whether his passport had been confiscated. She responded, "I can't comment on that". I thought it was bizarre that Hafner was readily telling me about crimes Dr. Kaul was supposed to have committed, but then refused to answer a simple question about the information she so willingly divulged. I believe she was trying to manipulate and exploit me, in order to have me testify against Dr. Kaul.

I believe that Hafner went into great detail about a case in London that occurred in 1999, in which a patient suffered a cardiac arrest at the end of a dental procedure. She told me that Dr. Kaul fled the country before the authorities had completed their investigation, and had been a fugitive. I asked her that if this was the case, then why had he not been extradited back to

England. Again, her response was, "I can't comment on that", which I found to be as equally bizarre as her previous response. I asked her again why they had not confiscated his passport, and she once again responded with, "I can't comment on that". At this point in the proceedings, we communicated directly, without any involvement from my attorney, and Hafner would contact me directly. The things that Hafner was telling me about Dr. Kaul did not make any sense. I said to her, "If he is a criminal here from England and still on the streets, why wouldn't you arrest him?". Again her response was, "I can't comment on that".

I believe it was Hafner who told me that Dr. Kaul had been paid $300,000 by Medtronic to find volunteers, for the use of spinal cord stimulators in the treatment of angina. This, as I found out from Dr. Kaul during one of our conversations, was a lie. I explained to Hafner that I could not believe Dr. Kaul had committed Medicare fraud. I told her that he used his own money to establish a charity that helped people in Africa, and she told me that the charity was just a front, and that Dr. Kaul was "trying to line his pockets".

I believe that Hafner lied to me about Dr. Kaul, and about wanting to help me with my lawsuit, to make sure that I testified against Dr. Kaul. She told me that if I testified against Dr. Kaul, it would help me with my lawsuit, "especially if Dr. Kaul had been stripped of his license to practice medicine". Hafner also told me that because Dr. Kaufman was a pain management expert for the state, it would help my case. I feel that Hafner exploited my situation to serve her own purpose, which was to take away Dr. Kaul's livelihood, and destroy his reputation.

(d) <u>My opinion regarding the professional competence of Dr. Kaufman</u>

My opinion of Dr. Kaufman is that he is an extremely unprofessional individual, a terrible doctor, and a man that seems to have nothing but hatred in his heart. He could not contain his anger towards Dr. Kaul, and I have never witnessed the outrageous public displays of unprofessionalism, that I had the misfortune to do so, with him. On one occasion he became so angry, his face turned red. I told Dr. Kaul, "He [Dr. Kaufman] screwed me up so badly that I wanted to sue him". Dr. Kaufman had installed a pain pump which did not work, and despite me repeatedly telling him that I was not getting any pain relief, he kept telling me the pump was working. He did not know to program the pump, and always had a representative from

Medtronic to do it for him. On a number of occasions, he had to stab me thirteen times in the stomach to find the entry point in the pump. He did this to me without any local anesthesia, which was extremely painful. He never checked to see if there were any blockages in the catheter in my spine. The pain kept on increasing, and Dr. Kaufman did nothing, and never returned my calls. When I did see him the only thing he did was to increase the infusion rate of the medication, which did not reduce the pain. Eventually I went to another doctor, who used fluoroscopy and intravenous hydration, and was able to diagnose that the catheter tip was crushed. This was the reason that the medication was not getting into my spine. Dr. Kaufman failed to perform this simple test, which caused me to remain in agony from May 2012 to August 2013, at which point the intrathecal pump was re-inserted by another physician. I told Dr. Kaul that Dr. Kaufman, "thinks he is hot shit but he didn't ever check what was wrong". Throughout the months of excruciating pain, Dr. Kaufman was very bad at responding to my calls, and on multiple occasions, because the pain was so severe, I was rushed to Overlook Hospital. I was experiencing such extreme pain and was shaking uncontrollably, with profuse sweating, all of which exacerbated my angina. I thought I was going to have a stroke or massive heart attack, as I was already in heart failure. When I was admitted to the hospital on each occasion, the staff were unable to contact Dr. Kaufman for several days. These was the episodes that caused me to find another doctor.

(e) **Comments made by Dr. Kaufman regarding Dr. Kaul, during the hearing in the office of administrative law, in April 2013.**

On or about April 17, 2013 I testified against Dr. Kaul in the proceedings in the office of administrative law. I was driven to the hearing by an armed female agent from the Attorney General's office, who made sure her badge was exposed. While I was sitting outside the hearing room, with the 'special' agent, who did not leave my side for one moment, Dr. Kaufman came out of the hearing room. He looked very agitated and made the following comments:

(1) "Kaul is sitting there, pretending he cannot afford to hire an attorney"

(2) "Kaul is wearing a suit that is worn out with trousers that are frayed at the bottom as if he is poor and no money to buy a decent suit".

(3) "Kaul is trying to pretend that he has no money"

The 'special' agent and the court security guard heard Kaufman's outburst.

I feel like I was exploited by Doreen Hafner and Dr. Kaufman, with lies that were intended to have me testify against Dr. Kaul. My clinical care with Dr. Kaufman was terrible, and he is a despicable human being.

I support Dr. Kaul in his quest for justice, and I hope, as do many of his patients, that he returns to the practice of medicine, and that those who caused him harm are severely punished.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: August 6, 2017

_____

John Zerbini

I feel like I was exploited by Doreen Hafner and Dr. Kaufman, with lies that were intended to have me testify against Dr. Kaul. My clinical care with Dr. Kaufman was terrible, and he is a despicable human being.

I support Dr. Kaul in his quest for justice, and I hope, as do many of his patients, that he returns to the practice of medicine, and that those who caused him harm are severely punished.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Dated: August 6, 2017

John Zerbini

Exhibit 9

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2018 JAN 17 P 2:54

www.drrichardkaul.com

January 16, 2018

Honorable Steven C. Mannion
United States Magistrate Judge
District of New Jersey
UNITED STATES DISTRICT COURT

Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364
The Solomon Critique

Dear Judge Mannion,

Please find submitted two (2) copies of the completed analysis of the trial transcript in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY. The analysis, which is contained in the enclosed document entitled, 'The Solomon Critique', is referenced in ¶ 170 of the revised Second Amended Complaint that was filed with the Court on October 27, 2017. At that point in time, forty-four (44) instances of misconduct had been identified. However, on January 11, 2018, the date the analysis was completed, that number had risen to two hundred and seventy-eight (278) separate acts of misrepresentation, evidential omission, gross mischaracterization and perjury, collectively committed by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq and Defendants, Gregory Przybylski, MD and Andrew Kaufman, MD.

This case commenced on February 22, 2016, at which time I was not in possession of any witness certifications or evidential analyses. On November 23, 2016, the Defendants filed a motion to dismiss the Amended Complaint (noted in my briefs as the 'First Amended Complaint'), in which they relied principally on Solomon's fraudulent opinion. Despite being aware that the proceedings had been corrupted the defendants cited a paragraph in the board's FINAL ORDER of March 12, 2014, which characterized as, ***"disturbing"***, my refusal to accept their illegal act of license revocation. However, in light of the certification of John Zerbini, filed with the Court on August 9, 2017 and now The Solomon Critique, I would suggest that it is ***"disturbing"*** that the defendants were so willfully misrepresenting the truth in order to achieve their own ends. What is particularly troubling is the fact that the medical board continued these lies when they stated in their FINAL ORDER:

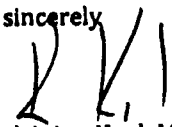
"As indicated herein, based upon our review of the record, the Initial Decision, Exceptions and responses filed thereafter and consideration of oral argument of counsel, we have concluded that cause exists to adopt in their entirety all findings of fact and conclusions of law of the ALJ as amplified below. Based upon our independent review of the record and the evidence presented regarding sanctions, we herein modify the penalty recommendation to additionally include a $300,000.00 monetary penalty."

The evidence now before this Court proves this statement to be nothing, but a bare faced lie, intended to provide cover for their misconduct, and further the conspiracy described in John Zerbini's certification. The medical board knew that their actions were illegal, and despite having received a letter from me, dated February 6, 2014, in which I alerted them to the malfeasant conduct of their expert, Andrew Kaufman and senior medical board member, Steven Lomazow, they continued with their fraud.

The Defendants knew that their invocation of the Noerr-Pennington doctrine was improper, because they knew that they had behaved illegally in the administrative proceedings, and that Noerr-Pennington is no defense to acts of criminality. This however, did not stop them from deceiving this Court, in the same dishonest manner that the medical board rendered its 'cover-up' on March 12, 2014.

I hope that this submission is of assistance to the Court, in its determination of this case.

Yours sincerely



Richard Arjun Kaul, MD

cc: Judge Kevin McNulty
All Counsel via e-mail

www.drrichardkaul.com

January 16, 2018

Honorable Kevin McNulty
United States District Judge
District of New Jersey
UNITED STATES DISTRICT JUDGE

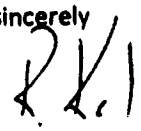
Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364
The Solomon Critique

Dear Judge McNulty,

Please find submitted a copy of the completed analysis of the trial transcript in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY. The analysis, which is contained in the enclosed document entitled, 'The Solomon Critique', is referenced in ¶ 170 of the revised Second Amended Complaint that was filed with the Court on October 27, 2017.

The document is necessarily detailed, and its length reflects that of the one hundred and five (105) -page opinion issued on December 13, 2013 by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq.

Yours sincerely



Richard Arjun Kaul, MD

cc: Judge Steven C. Mannion
All Counsel via e-mail

The Solomon Critique

A critical analysis of the trial transcript and evidence of the proceeding in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY

Richard Arjun Kaul, MD

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
Tel: (201) 989 2299

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD Plaintiff, CHRISTOPHER J. CHRISTIE, ESQ, et al., Defendants	Civil Action No. 16-cv-02364 CERTIFICATION OF PLAINTIFF

Richard Arjun Kaul, of full age, certifies and says:

I am the Propria Persona Plaintiff

I make this certification in support of the Plaintiff's submission of 'The Solomon Critique'.

I certify that the italicized text in 'The Solomon Critique' is a true and accurate copy of the text of the opinion issued on December 13, 2013, by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: January 16, 2018

Richard Arjun Kaul, MD

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THE SOLOMON CRITIQUE

A critical analysis of the trial transcript of the proceeding in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY

INITIAL DECISION

OAL DKT. NO. BDS 08959-12
IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D., TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY.

Doreen Hafner, Deputy Attorney General, for complainant Attorney General of the State of New Jersey (John J. Hoffman, Acting Attorney General of New Jersey, attorney)

Charles Shaw, Esq., for respondent Richard A. Kaul, M.D. (Law Offices of Charles Shaw, Esq., attorneys)

Record Closed: October 31, 2013

Decided: December 13, 2013

BEFORE **J. HOWARD SOLOMON,** ALJ t/a:

Preface

This document is a detailed analysis of the trial transcript of the hearing in the MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, M.D. TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY – OAL DOCKET NO. BDS 08959-12. The document demonstrates the enormous volume of willful misrepresentation, perjury, critical evidential omission and gross mischaracterization that were commited by Jay Howard Solomon, Esq, Gregory Przybylski, MD and Andrew Kaufman, MD, during the proceeding.

On April 2, 2012 the New Jersey Board of Medical Examiners initiated an administrative action to revoke the medical license of Dr. Richard Arjun Kaul. The matter was transferred to the New Jersey Office of Administrative Law in late May 2012 and on April 9, 2013 a contested hearing commenced, which concluded on June 28, 2013. It was adjudicated without a jury by Administrative Law Judge, Jay Howard Solomon, who came out of retirement just for the case, and returned to retirement after it concluded. It consisted of twenty-three (23) days of witness testimony during which twenty-six thousand, one hundred lines (26,100) of trial transcript were generated and thousands of pages of evidence were submitted. On the opening day of the proceeding the Deputy Attorney General had approximately fifty- (50) boxes, of what appeared to be evidence, stacked against both walls of the room. Dr. Kaul attended every day of the hearing.

In early September 2013 it was brought to Dr. Kaul's attention that evidence had been tampered with. He sent a letter to Solomon, dated September 12, 2013, that requested the issue be investigated, but received no response.

On December 13, 2013 Solomon issued his opinion that recommended Dr. Kaul's license be revoked. It was a one hundred and five-- (105) page document that bore little resemblance to the testimonial evidence. Dr. Kaul sent Solomon a letter dated December 26, 2013, in which he expressed his opinion regarding the evidential disparity between his opinion and the trial testimony.

On March 24, 2014 the medical board adopted Solomon's opinion, and imposed a fine of four hundred and fifty thousand dollars ($450,000.00).

On February 22, 2016 Dr. Kaul filed a lawsuit in the United States District Court, District of New Jersey, against Solomon and a number of other defendants that include the physicians who had conspired against Dr. Kaul. The action claimed, amongst other things,

violations of RICO and Section 1983. However, on June 30, 2017, the Court dismissed Solomon from the matter based on his defense of absolute immunity.

In late 2017 Dr. Kaul eventually obtained a copy of the entire trial transcript, which he began cross-referencing with Solomon's opinion. The analysis started in or around early September 2017 and concluded on January 11, 2018. Dr. Kaul's analysis provides evidence that Jay Howard Solomon, Esq, Gregory Przybylski, MD and Andrew Kaufman, MD, the latter two the experts for the state, had committed two hundred and seventy-eight (278) wrongful acts. These consisted of misrepresentations, perjury, evidential omissions and gross mischaracterizations of the trial record.

The following indicates the distribution of these violations:

Jay Howard Solomon, Esq:

Misrepresentations – Forty-seven (47)
Evidential omissions – One hundred and sixty-nine (169)
Gross mischaracterizations – Sixty-two (62)

Gregory Przybylski, MD:

Perjury – Thirty (30)
Misrepresentations – Fourteen (14)
Mischaracterizations – Three (3)
Evidential omissions – Five (5)

Andrew Kaufman, MD:

Perjury – One (1)
Misrepresentations – Two (2)
Evidential omissions – Two (2)

These numbers suggest that the evidence provided was flawed and dishonest and that the interpretation of evidence was selective and prejudiced. The analysis proves that two of the defendants in Kaul v Christie provided misinformation and that they committed perjury. The extent of the corruption of information that was committed suggests the need for a criminal investigation into the reasons why Jay Howard Solomon would violate the law in such a concerted manner.

This detailed analysis of the trial record proves that the proceedings initiated against Dr. Kaul in

April 2012 were conducted in a biased and illegal manner and contain evidence that is plainly false, meaning that the revocation of Dr. Kaul's license was illegal.

The analysis is irrefutable proof of the criminal abuse of power and dishonesty that polluted the proceedings against Dr. Kaul, a conspiracy that caused the economic collapse of six medium sized corporations, the loss of jobs and tax revenues. The depths of dishonesty to which Solomon, Przybylski and Kaufman descended are abundantly evident in the forensic detail of the analysis and needs to be prosecuted appropriately.

I suggest that the manner in which the revocation of Dr. Kaul's license was conducted provides clear evidence that there is an urgent need for an independent review of the practice and conduct of the New Jersey Board of Medical Examiners.

Exhibit 10

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD Plaintiff, v. CHRISTOPHER J. CHRISTIE, ESQ, et al., Defendants	CIVIL ACTION NO. 2:16-cv-02364-KM-SCM **CERTIFICATION OF KATHLEEN CALABRESE**

Richard Arjun Kaul, MD
Propria Persona
120 Temple Terrace
Palisades Park, NJ 07650
201 989 2299

Kathleen Calabrese hereby certifies to the Court as follows:

1. I am 66) a United States citizen and was patient of Dr. Kaul from 2003 to 2012.
2. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.
3. In April 2012, when Dr. Kaul's medical license was suspended, it caused immense hardship to me, my family and many of Dr. Kaul's patients, with whom I had become acquainted since 2003.
4. I had several conversations with Dr. Kaul shortly after the widely publicized suspension, as to real reason for the action taken against his license, and it was during one of these conversations that I offered to make some enquiries.

5. I ascertained that a group of doctors and politicians conspired and colluded to have Dr. Kaul's license revoked. I had witnessed on a number of occasions, while waiting in Dr. Kaul's office reception area, conversations between other patients, in which they described how other physicians regularly slandered Dr. Kaul.
6. I explained the situation to my brother, who subsequently spoke with an acquaintance of his, who had knowledge about the circumstances surrounding the suspension. This individual talked with my brother on the condition of anonymity, due to his concerns about possible retaliation from the Christie administration.
7. In approximately May/June 2012 my brother related to me a conversation he had with his acquaintance, during which the acquaintance made the following comment in regards to the suspension of Dr. Kaul's license:

"I think it is terrible what they are doing to Dr. Kaul"

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 21, 2017

Kathleen Calabrese
Kathleen Calabrese

Nanette M Leggett
Nanette M Leggett

NANETTE M. LEGGETT
MY COMMISSION # GG 065047
EXPIRES: April 21, 2021
Bonded Thru Notary Public Underwriters

9/21/2017

Exhibit 11

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P 5:23

RICHARD ARJUN KAUL, MD
440c SOMERSET DRIVE
PEARL RIVER,NY 10965
201 989 2299

RICHARD ARJUN KAUL, MD

v.

CHRISTOPHER J. CHRISTIE, ESQ et als.,

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KAUL v CHRISTIE: 18-CV-08086

NOTICE TO TAKE ORAL DEPOSITION

TO: All Counsel of Record/Parties:

PLEASE TAKE NOTICE THAT pursuant to F.R.C.P. 30(a)(1), the testimony of Third Party Witness, Arnold Erwin Feldman, MD, will be taken by deposition upon oral examination before Plaintiff Kaul, a person authorized pursuant to F.R.C.P 30(a)(1) to obtain such information:

DATE: October 18, 2018

TIME: 10:00 a.m.

PLACE: 1860 Beach Boulevard
Biloxi, Mississippi 39531

DEPONENT: Arnold Erwin Feldman, MD

By: RK-I
Richard Arjun Kaul, MD

Dated: September 21, 2018

cc: All Parties via e-mail + ECF.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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RICHARD ARJUN KAUL, MD Plaintiff, v. CHRISTOPHER J. CHRISTIE, ESQ, et al., Defendants	CIVIL ACTION NO. 2:16-CV-02364-KM-SCM CERTIFICATION OF ARNOLD E. FELDMAN

RICHARD ARJUN KAUL, MD
PROPRIA PERSONA
440c SOMERSET DRIVE
PEARL RIVER, NY 10965

Arnold Feldman, MD, hereby certifies to the Court as follows:

1. I am 63 years of age, a United States citizen and am a board-certified anesthesiologist with subspecialty training in interventional pain and minimally invasive spine surgery.

2. I graduated from the Medical College of Pennsylvania in June 1980, and underwent residency training at Thomas Jefferson University Hospital University Hospital (June 1980-June 1981) and Harvard Medical School, Department of Anesthesia (July 1982-July 1983).

3. From 1984 to 2016 I undertook over one hundred and twenty (120) CME hands-on cadaver training courses and eighteen (18) mini-fellowships in minimally invasive spine surgery.

4. From 1999 to 2016 I performed approximately on thousand (1000) minimally invasive spine surgeries.

COURT
JERSEY
P 5:23

5. I make this statement in support of the claims that Dr. Richard Arjun Kaul has filed against the Defendants in the above matter.

6. In late October 2017 I commenced a series of discourses with Dr. Kaul during which we exchanged information relevant to the facts and circumstances of the events, surrounding the revocation of Dr. Kaul's New Jersey medical license. The following is a summary of the pertinent points of our conversations:

Incident in Arizona + Commencement of Conspiracy

In 2006 I attended a minimally invasive spine surgery conference in Phoenix, Arizona, which to the best of my recollection, was also attended by Dr. Kaul. There were approximately five hundred (500) attendees at the meeting, and one of the course directors was Dr. Anthony Yeung, a general orthopedic surgeon who began performing endoscopic discectomies in 2002. Dr. Yeung is the owner and medical director of the Desert Institute and Spine Center, an outpatient facility in Phoenix, at which he and his associates perform minimally invasive discectomies and fusions. It was at this meeting that I first met Dr. Kaul, and to the best of my recollection it was his presence that prompted Dr. Yeung to make the following statement to a group of approximately five (5) physicians:

"There is a doctor in New Jersey, Richard Kaul, who is performing fusions, but they are going to get him."

I clearly remember that I was standing slightly behind and to the left of Dr. Yeung, because just after he made this comment, he invited the five physicians to his house, and then turned around and saw me, at which point he said, "You can come too Arnold". My wife and I attended the event, at which we did not see Dr. Kaul, but we observed Dr. Yeung promoting his surgical skills to his guests, and inviting physicians, a number of whom were interventional pain practitioners, to attend endoscopic spine workshops at his outpatient facility. At that time, Dr. Yeung seemed very enthusiastic about training interventional pain physicians, and did indeed train many. However, in approximately 2008 he stopped training interventional pain physicians unless they were accompanied by a neurosurgeon or orthopedic surgeon. I believe he came under pressure from neurosurgical/orthopedic members of the North American Spine Society. I know that Dr. Gabriel Jasper, a New Jersey physician, was one of the individuals he trained Dr. Jasper, himself, then became an instructor for Joimax, a German company that specializes in endoscopic spine surgery, and to the best of my knowledge has trained many physicians at his outpatient facility in Toms River, New Jersey.

I received my initial training in the technique from orthopedic surgeon, Dr. Joseph Rauchwerk, who also trained Dr. Kaul. In addition I attended approximately --- hands-on cadaver training courses in the US and Europe, at which I met many trainee neurosurgeons and orthopedic surgeons.

I do not believe that Dr. Yeung was involved in the scheme to sabotage Dr. Kaul's practice, but he seemed particularly informed about the situation in New Jersey.

Incident in Illinois + Spine Turf Wars

In 2017 I was contacted by the owner of an outpatient surgical center in Chicago, Illinois, who informed me that he had just purchased equipment to perform minimally invasive spine surgery, and requested that I teach the technique to an interventional pain physician on staff at his center. I agreed and spent two days at the facility, during which I educated the nurses, surgical technicians and the physician on how to prepare the equipment and perform the procedure. The physician successfully performed two (2) cases under my guidance. Approximately three (3) months later the owner requested my assistance with another case, and when I attended the center I met with an orthopedic surgeon who wanted to learn the technique. The owner instructed me not to inform the orthopedic surgeon that I had trained the interventional pain physician. I believe this owner was aware of the professional ***'turf wars'*** that existed in minimally invasive spine surgery, and was probably concerned that if the orthopedic surgeon knew about the interventional pain physician, he would stop operating at the facility. I also believe that because of the pressure applied by the neurosurgical/orthopedic members of the North American Spine Society, the issue of the ***'turf wars'*** had become well known within the non-physician health care community.

Incident in Louisiana + Neurosurgical Racketeers

In approximately 2002 I established an interventional pain and minimally invasive spine surgery practice in Louisiana, and in 2006 I opened an outpatient surgical center, which became one of the busiest facilities in the region. A number of my local competitors, one of whom was the president of the medical board, began attacking my practice in approximately 2012, through slanderous comments to patients and other physicians. The president of the medical board, John Burdine, MD, also happened to be the president of the Louisiana chapter of the American Society of Interventional Pain, and had several offices within a ten-mile radius of my surgical

center. We competed within the same patient community, and I believe that he spearheaded the scheme that resulted in the suspension of my license in 2016.

As a consequence of the suspension, I hired a local neurosurgeon to continue providing care to my patients, and it was through my interactions with this individual that I came to know that a number of neurosurgeons had conspired with Burdine, to destroy my career and livelihood. I specifically remember that this individual told me, ***"You think Burdine is your main enemy. I am telling you that the neurosurgeons are behind this"*** She also described how many of the deaths and complications caused by the neurosurgeons were covered up, and never made known to the public. All of the deaths had occurred at hospitals.

However, due to personal commitments the female neurosurgeon became unable to continue providing care, and I hired a male neurosurgeon from Mississippi. In late 2016 this individual performed a minimally invasive laminectomy. The case proceeded without event and the patient was discharged, but several days later she went to the ER because she was experiencing some pain. The ER doctor called the local neurosurgeons who operated on the patient in the absence of any clinical indication, and found nothing to explain the patient's symptoms. These individuals filed a complaint with the medical board against the Mississippi surgeon, who is originally from Maine, and the board initiated an investigation, which caused him to stop working with me.

Incident in Germany + Market Manipulation + Extortion by North American Spine Society (NASS) of Global Spine Market + German Medical Device Company.

On January 5, 2018 I contacted a surgical representative from Joimax, to enquire whether his company would be interested in purchasing my minimally invasive spine surgery equipment. During our conversation I asked him how his business was developing in the United States, and if the company was still training interventional pain physicians. He informed me that in early 2017 certain members of NASS had told Joimax that they wanted the company to stop training interventional pain physicians anywhere in the world. The company perceived this as a commercial threat, in that if they did not appear to comply, then NASS would instruct its neurosurgical/orthopedic members not to use the Joimax system. As a consequence the company divided its educational corporation into two departments, in which the interventional pain physicians were trained separately from the neurosurgeons/orthopedic surgeons. The company was also forced to restructure its website, to conceal the fact that it had reorganized its corporate educational configuration. The communications from these NASS members were unofficial ones, that were 'off the record', but were made at a time (2016 to 2017) that I understand coincided with their Defendant status in this matter.

The American Society of Interventional Pain Physicians is currently training its members how to perform minimally invasive spine surgery, and one of the teachers is Dr. Frank Falco, a past president of the society. It is my understanding that in 2012, Dr. Falco spent several days observing Dr. Kaul perform minimally invasive cervical and lumbar fusions at his surgical center in Pompton Lakes, New Jersey.

Conclusion

Dr. Kaul, like myself, was one of the first physicians to become involved in the development of minimally invasive spine surgery in the United States. I have read some of his legal submissions, in which he accurately describes the critical role of Fluoroscopic Guidance and Interpretation (FGI) in the evolution and practice of the minimally invasive technique. The skills required for FGI are the skills that interventional pain physicians acquire through their early training in the use of the fluoroscope for the delivery of intra-spinal medications, and it is this expertise that explains why they are more competent than neurosurgeons/orthopedic surgeons, in performing minimally invasive spine surgery.

Dr. Kaul, like myself, was a victim of professional jealousy, that manifested itself through a corrupt medical board, that like many in the United States, flagrantly violate the due process rights of physicians.

I believe that this case will cause a fundamental, and long over-due reconfiguration of the mechanism of physician regulation, which will actually benefit the public and the profession of medicine. No evidence exists that the current system has ever protected or indeed protects the public. The medical board system in America has unfortunately operated for too long (1960 to 2018) without supervision, and has become a collection of 'rogue' and decidedly despotic agencies that do not protect the public, but covet and abuse their regulatory power, for personal, economic and political reasons. These agencies must either be dismantled or placed under a federal supervision program, that is transparent to the public, and reports annually to the federal government, the medical profession and most importantly the PUBLIC.

I hope this certification, and my opinion regarding physician regulation, provide the Court with information that it deems helpful in its evaluation of the above case.

I thank you for your consideration.

Dated: September 22, 2018

Arnold E. Feldman, MD

Exhibit 12

www.drrichardkaul.com

February 8, 2019

Honorable Kevin McNulty
United States District Judge
District of New Jersey
UNITED STATES DISTRICT COURT

Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364
Motion for Summary Judgment against Defendant Allstate New Jersey Insurance Company

Dear Judge McNulty,

Please find submitted a motion for summary judgment against Defendant Allstate New Jersey Insurance Company. The application is based principally on the argument that the defendant's defenses, rested on the illegal revocation (March 12, 2014) of my license to practice medicine and surgery in the State of New Jersey. The revocation has been irrefutably proven, with the State's own evidence, to be illegal and a consequence of a massive fraud, perpetrated through and by K2 defendant, NJBME, and the New Jersey Office of Administrative Law.

A substantial portion of the submission consists of a document entitled 'The Solomon Critique 2', a comparative analysis of the trial transcript and evidence, focused entirely on the testimony of K1/K2 defendant Gregory Prybylski, MD, the individual, whose 'expert' testimony provided the basis for the illegal revocation of my license. As this Court is aware, Defendant Przybylski was found guilty on April 21, 2017 by the American Association of Neurological Surgeons for having provided knowingly false testimony, in his capacity as an 'expert' witness in a medical malpractice case.

I believe it is relevant for this Court to know that in the license revocation case brought against me by the State of New Jersey, there was filed almost twenty-two thousand (22,000) pages of documents, and in the administrative proceeding there was generated approximately twenty-seven thousand lines (27,000) of legal transcript.

The administrative law judge, and now K2 defendant, Jay Howard Solomon commented on vastness of the case submitted on behalf of the state by K2 defendant Doreen Hafner. ***"...and I asked you yesterday or directed you that you would provide those documents in those vast exhibits that are meaningful to your case***." (copy attached to this cover letter).

It is therefore rather ironic that the defendants now bemoan the supposedly "***vast***" nature of this case. It was them that dived into the deep end of the pool, instead of simply and with civility, accepting my logical offer to have my practice independently monitored.

I would also like to bring to the Court's attention a document that is contained within Exhibit 18, which is an article published on September 20, 2013 by NPR Now, entitled ,"***How many Die From Medical Mistakes in U.S. Hospitals?***" (copy attached to this cover letter). The answer is **440,000/year**. I do not believe that in the U.S. there are 440,000 prosecutions annually against physicians for 'medical manslaughter'. Hospitals are dangerous places.

Regardless, however, of the alleged vastness of this case, and as detailed in the motion, the defendant is defenseless, the claims are proved, and summary judgment is thus warranted.

I thank you for your consideration.

Yours sincerely

RK-1

Richard Arjun Kaul, MD
cc: Judge Steven C. Mannion
All Counsel via e-mail
Clerk of the Court

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I don't want to go into it in great detail, but for example, for RB, it says I reviewed the medical records. On December 3, 2004, Dr. Kaul initially evaluated RB, and this is what he found. On the following day, there was a follow-up. On January 10, 2005, this is what he found, and he goes throughout the entire patient record saying what date the examination was on and what was found and why that is important to his opinion.

Yes, he does not reference RB and the Bates number, but he specifically references each date and each examination that he --

JUDGE SOLOMON: Well, I'm going to hear about that through testimony. Aren't you going to direct him to answer certain questions about what he reviewed and what he based his decision on?

MS. HAFNER: Yes, Your Honor. I will do that for every patient, and I will do that overall if Your Honor wants that also.

JUDGE SOLOMON: Now getting back, Ms. Hafner, to the issue -- there is no need to keep the doctor waiting in the hallway. I'm going to allow him to testify.

MS. HAFNER: Thank you.

JUDGE SOLOMON: So why don't you call

Page 23

him in, and then I want to address something else with you.

MS. HAFNER: Okay.

JUDGE SOLOMON: All right.

Doctor, you can have a seat there for a moment. I didn't want to leave you alone in the hallway.

DR. PRZYBYLSKI: Fair enough; thank you.

JUDGE SOLOMON: Ms. Hafner.

MS. HAFNER: Yes.

JUDGE SOLOMON: Of great concern to me yesterday was one of the issues Mr. Shaw just raised, although it has nothing to do with your expert's testimony, concerns the volumes. I didn't count them. Accepting his representation, you may agree, 20,000 pages, and I think you said yesterday something to the effect that the Board loves whole records.

MS. HAFNER: That is correct, Your Honor.

JUDGE SOLOMON: That may or may not satisfy me. I would like to get right to the chase. I like to see what the issue is instead of reading extraneous material just because it's part of the

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patient chart, for example, and I asked you yesterday or directed you that you would provide those documents in those vast exhibits that are meaningful to your case.

MS. HAFNER: That is correct.

JUDGE SOLOMON: And I don't know if you have had a chance to do that yet, but that is something I'm looking forward to.

MS. HAFNER: As to each patient, Your Honor, I have begun the process of doing that, and I expect as Dr. Przybylski testifies as to each patient I will have a package of documents for Mr. Shaw and yourself, as well as Dr. Przybylski that he can go through them and explain them to you as those being the relevant documents in the case.

JUDGE SOLOMON: And when would you expect to do that for this doctor anyway?

MS. HAFNER: For this doctor, as he goes through the patients, Your Honor.

For example, if he is going to talk about RB today -- we are going in alphabetical order.

JUDGE SOLOMON: All right. Do you have R -- B or V?

MS. HAFNER: B as in boy.

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JUDGE SOLOMON: Do you have RB's records that you really need to be focused upon ready for this doctor?

MS. HAFNER: I do.

JUDGE SOLOMON: You do?

MS. HAFNER: Yes.

JUDGE SOLOMON: Okay.

Are they in a separate binder of sorts?

MS. HAFNER: They are, Your Honor. Would you like to see them? I can give them to you.

JUDGE SOLOMON: No.

Is that what you are looking at in front of you?

MS. HAFNER: No. In front of us, Your Honor, is -- I have Dr. Przybylski's CV, which I will hand out separately. I have his expert reports.

JUDGE SOLOMON: Well, where is the compilation of the --

MS. HAFNER: Of RB?

JUDGE SOLOMON: Of RB.

MS. HAFNER: Your Honor, it's here. I have four copies of it.

JUDGE SOLOMON: Okay.

[redacted]NOW
WFUV On-Air: Music Discovery Starts Here

shots

TREATMENTS

How Many Die From Medical Mistakes In U.S. Hospitals?

September 20, 2013 · 4:52 PM ET

440,000 / YR.

MARSHALL ALLEN, PROPUBLICA

Sometimes the care that's supposed to help winds up hurting instead.

iStockphoto.com

It seems that every time researchers estimate how often a medical mistake contributes to a hospital patient's death, the numbers come out worse.

In 1999, the Institute of Medicine published the famous "To Err Is Human" report, which dropped a bombshell on the medical community by reporting that up to 98,000 people a year die because of mistakes in hospitals. The number was initially disputed, but is now widely accepted by doctors and hospital officials — and quoted ubiquitously in the media.

KAVL 05822222

In 2010, the Office of Inspector General for the Department of Health and Human Services said that bad hospital care contributed to the deaths of 180,000 patients in Medicare alone in a given year.

Now comes a study in the current issue of the *Journal of Patient Safety* that says the numbers may be much higher — between 210,000 and 440,000 patients each year who go to the hospital for care suffer some type of preventable harm that contributes to their death.

That would make medical errors the third-leading cause of death in America, behind heart disease, which is the first, and cancer, which is second.

SHOTS - HEALTH NEWS

Outpatient Medical Errors May Surpass Those In Hospitals

The new estimates were developed by John T. James, a toxicologist at NASA's space center in Houston who runs an advocacy organization called Patient Safety America. James has also written a book about the death of his 19-year-old son after what James maintains was negligent hospital care.

SHOTS - HEALTH NEWS

Top Medicare Prescribers Rake In Speaking Fees From Drugmakers

Asked about the higher estimates, a spokesman for the American Hospital Association said the group has more confidence in the IOM's estimate of 98,000 deaths. ProPublica asked three prominent patient safety researchers to review James' study, however, and all said his methods and findings were credible.

What's the right number? Nobody knows for sure. There's never been an actual count of how many patients experience preventable harm. So we're left with approximations, which are imperfect in part because of inaccuracies in medical records and the reluctance of some providers to report mistakes.

Patient safety experts say measuring the problem is nonetheless important because estimates bring awareness and research dollars to a major public health problem that persists despite decades of improvement efforts.

"We need to get a sense of the magnitude of this," James said in an interview.

James based his estimates on the findings of four recent studies that identified preventable harm suffered by patients — known as "adverse events" in the medical vernacular — using use a screening method called the Global Trigger Tool, which

KAVL 058 999999

guides reviewers through medical records, searching for signs of infection, injury or error. Medical records flagged during the initial screening are reviewed by a doctor, who determines the extent of the harm.

In the four studies, which examined records of more than 4,200 patients hospitalized between 2002 and 2008, researchers found serious adverse events in as many as 21 percent of cases reviewed and rates of lethal adverse events as high as 1.4 percent of cases.

By combining the findings and extrapolating across 34 million hospitalizations in 2007, James concluded that preventable errors contribute to the deaths of 210,000 hospital patients annually.

That is the baseline. The actual number more than doubles, James reasoned, because the trigger tool doesn't catch errors in which treatment should have been provided but wasn't, because it's known that medical records are missing some evidence of harm, and because diagnostic errors aren't captured.

An estimate of 440,000 deaths from care in hospitals "is roughly one-sixth of all deaths that occur in the United States each year," James wrote in his study. He also cited other research that's shown hospital reporting systems and peer-review capture only a fraction of patient harm or negligent care.

"Perhaps it is time for a national patient bill of rights for hospitalized patients," James wrote. "All evidence points to the need for much more patient involvement in identifying harmful events and participating in rigorous follow-up investigations to identify root causes."

Dr. Lucian Leape, a Harvard pediatrician who is referred to the "father of patient safety," was on the committee that wrote the "To Err Is Human" report. He told ProPublica that he has confidence in the four studies and the estimate by James.

Members of the Institute of Medicine committee knew at the time that their estimate of medical errors was low, he said. "It was based on a rather crude method compared to what we do now," Leape said. Plus, medicine has become much more complex in recent decades, which leads to more mistakes, he said.

Dr. David Classen, one of the leading developers of the Global Trigger Tool, said the James study is a sound use of the tool and a "great contribution." He said it's important to update the numbers from the "To Err Is Human" report because in addition to the obvious suffering, preventable harm leads to enormous financial costs.

Dr. Marty Makary, a surgeon at Johns Hopkins Hospital whose book *Unaccountable* calls for greater transparency in health care, said the James estimate shows that eliminating medical errors must become a national priority. He said it's also important to increase the awareness of the potential of unintended consequences when doctors

perform procedure and tests. The risk of harm needs to be factored into conversations with patients, he said.

Leape, Classen and Makary all said it's time to stop citing the 98,000 number.

Still, hospital association spokesman Akin Demehin said the group is sticking with the Institute of Medicine's estimate. Demehin said the IOM figure is based on a larger sampling of medical charts and that there's no consensus the Global Trigger Tool can be used to make a nationwide estimate. He said the tool is better suited for use in individual hospitals.

The AHA is not attempting to come up with its own estimate, Demehin said.

Dr. David Mayer, vice president of quality and safety at Maryland-based MedStar Health, said people can make arguments about how many patient deaths are hastened by poor hospital care, but that's not really the point. All the estimates, even on the low end, expose a crisis, he said.

"Way too many people are being harmed by unintentional medical error," Mayer said, "and it needs to be corrected."

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'The Solomon Critique 2'

PDF page 1 to 949

Analysis: PDF page 1-161

Exhibits: PDF page 162-949

'The Solomon Critique 2'

Part 1

Analysis

PDF page 1-161

Summary of the analytical process of the production of 'The Solomon Critique 2', and the fraudulent Strategies + Acts + Omissions of state actors involved in the illegally conducted administrative proceedings.

A critical analysis based on the following evidence:

1. The opinion of K2 defendant, Solomon, regarding the testimony of K1/K2 defendant Przybylski.

2. The trial transcript of K1/K2 defendant, Przybylski, regarding his testimony about the clinical notes evidence, the standard of care pertaining to minimally invasive spine surgery (April 10 + 15 + 16 + 17 + May 6, 2013), and his verbal exchanges with K2 defendant and NJ deputy attorney, Doreen Hafner + K2 defendant and NJ administrative law judge, Jay Howard Solomon.

From April 9, 2013 to June 28, 2013, there was conducted a hearing in the New Jersey Office of Administrative Law, the purpose of which was to illegally revoke Kaul's medical license. The proceeding was a massive fraud, orchestrated with criminal intent by K2 defendant Christopher J. Christie. The proceeding was polluted with perjury + evidential omissions + misrepresentations + falsifications + gross mischaracterizations. On January 17, 2918, Kaul submitted a document entitled 'The Solomon Critique' (16-CV-02364: D.E.225), in which he proved that in a period from April 9 to December 13 2013, K2 defendants Solomon + K1/K2 defendants Przybylski + Kaufman collectively committed two hundred and seventy-eight (278) separate instances of perjury + evidential omissions + misrepresentations + gross mischaracterizations. However, in response to a sur-reply filed on December 6, 2018 by Defendant Heary (Kaul v Christie: 16-CV-02364: D.E. 290 Page ID6774), in which he mischaracterizes 'The Solomon Critique' as **"Plaintiff's own commentary on the legal proceedings."**, Kaul performed an in-depth comparative analysis of the trial transcript and clinical evidence with the opinion of K2 defendant Solomon (December 13, 2013). This analysis focused on witness Przybylski + and state actors, and K2 defendants, Hafner + Solomon, and irrefutably and unequivocally proves the pervasiveness of the perjury + evidential omissions + falsifications + misrepresentations that occurred in the administrative board proceedings. K2 defendant Solomon, in his fraudulent opinion had found all of Kaul's fifteen (15) witnesses to be

not-credible, but found all of Hafner's witnesses to be credible. This analysis, 'The Solomon Critique 2', focuses entirely on Defendant Przybylski and it proves that he, in conjunction with K2 defendants Hafner + Solomon **collectively committed two hundred and twenty-two (222) separate instances of perjury + evidential omissions + falsifications + misrepresentations**. K2 defendant Solomon based his opinion on a record that Kaul has since proven to be one replete with perjury + evidential omissions + fabrications + falsifications + misrepresentations. A massive fraud. 'The Solomon Critique 2' is based on the evidence of the State of New Jersey, and is conclusive proof of the claims asserted in K1 + K2. The defendants know the seriousness of their crimes, and they know they have no defense against this evidence, which is why their only defense has been the "**commentary**" defense. The defendants know they are in a lot of trouble.

The administrative board proceeding involved testimony from twenty-eight (28) witnesses, and Kaul has identified how K2 defendants Hafner + Solomon committed the same illegal pattern of Evidence Tampering with the testimony of all of the witnesses, including Przybylski. The overarching purpose of the fraud was to ensure Solomon's opinion excluded evidence that undermined Hafner's fraudulent case, included evidence that undermined Kaul's case, excluded evidence that supported Kaul's case and included evidence that supported Hafner's case. In many instances Przybylsi perjured himself to manufacture evidence that supported Hafner's case, and undermined Kaul's case, and in other instances Solomon fabricated evidence when none existed to support Hafner's case.

Fraudulent Strategies + Acts + Omissions

The overall strategy utilized by the defendants and the patients was to misrepresent and or omit testimony that either undermined the case of K2 Defendant, Hafner, or supported that of Plaintiff Kaul. The four main tactics used were: **(I)** omission of evidence harmful to Hafner, but helpful to Kaul; **(II)** fabrication/falsification of evidence by K2 Defendant Solomon, that undermined Kaul's case and supported Hafner's case; **(III)** misrepresentation of trial testimony and submitted evidence; **(Iv)** witness perjury and the facilitation of perjury by defendants Hafner + Solomon.

Below are defined the illegal premeditated acts committed between K2 defendants Hafner + Solomon and K1/K2 defendant Przybylski , and the tactics + predicate acts that they used to convert the New Jersey Office of Administrative Law into a racketeering enterprise, in

furtherance of their scheme to have Kaul's license illegally revoked.

1. K2 defendant Hafner encouraged patients to **lie** under oath about their symptoms, and fabricate phantom symptoms, in order to buttress her fraudulent case. She provided them with specific examples of what to say about the care they received from Kaul. For example she told them to **lie** that Kaul had not informed of the risks associated with the procedures. She told them to **fabricate** symptoms of pain and disability. Hafner told the patients that if they lied about their symptoms, Kaul's license would be revoked, which in conjunction with all of the negative publicity, would result in them receiving large sums of money from his insurance carrier. Many of these patients and their lawyers, did in fact receive monies consequent to their fraudulent claims. These lies are detailed in 'The Solomon Critique' (16-CV-02364: D.E. 225).

2. K2 defendant Hafner conspired and colluded with K1/K2 defendant Przybylski to **omit** testifying about information in the clinical notes evidence that supported Kaul's case and undermined Hafner's case: 59a(3) + 59a(5) + 59a(7) + 59a(9) + 94a + 99a + 109a + 110a(4) + 123a + 130a + 135a

3. K2 defendant Hafner conspired and colluded with K1/K2 defendant Przybylski to commit **perjury** and **lie** that Kaul had "**grossly deviated**" from a supposed standard of care: 110b(1) + 110b(2)

4. K2 defendant Solomon **omitted** Przybylski's testimony + clinical notes evidence that undermined Hafner's fraudulent case: 23a + 24a + 26a + 28a + 33a + 36a + 37a + 39a + 41a + 42a(2) + 43a + 44a + 49a + 50a + 52a(1) + 52a(3) + 53a + 56a+ 57a(4) + 57a(5) + 57a(6) + 57a(7) + 59a(1) + 59a(3) + 59a(5) + 59a(7) + 59a(8) + 59a(9) + 68a + 69a + 70a + 72a + 73a + 75a + 77a + 79a + 81a + 81c + 82a(1) + 82a(2) + 82a(3) + 83a(2) + 83a(3) + 86a + 90a + 91a + 92a(1) + 93a + 94a + 95a + 96a + 97a + 98a + 101a + 102a + 109a + 110a(4) + 110b(2) + 111b + 116a + 116b + 117a + 118a + 119a + 123a + 128a + 133a + 134a + 139a + 140a + 142a + 143a + 147a + 147b + 149b + 149c + 149d + 149e + 149f + 149g + 149h + 149i + 149j + 149k + 149l + 149m + 149n + 149o + 149p + 149q + 150a + 151a + 151b + 151c + 151d

5. K2 defendant Solomon **misrepresented** Przybylski's testimony + clinical notes evidence that undermined Hafner's fraudulent case: 9a + 10a + 15a + 36a + 40a + 42a(3) + 52a(1) + 58a + 61a + 63a + 66a + 67a + 68a + 74a + 81c + 82a + 83a(2) + 83a(3) + 88a

+ 92a + 92a(1) + 92a(2) + 93a + 96a + 99a + 102a + 110a(1) + 110a(3) + 110b + 127a + 134a + 138a + 139a + 147a

6. K2 defendant Solomon **falsified** Przybylski's testimony, in order to fabricate evidence in support of Hafner's fraudulent case: 96a + 149q

7. K1/K2 defendant Przybylski committed **perjury** about the clinical notes evidence and the standard of care: 15a + 22a + 24a + 25a + 33a + 37a + 40a + 52a(1) + 57a(4) + 62a + 79a + 79c + 81c + 82a(3) + 83a(3) + 86a + 90a + 91a + 92a(1) + 96a + 103a + 105a + 109a + 110a(3) + 110a(4) + 110b(2) + 115a + 118a + 121a(1) + 125a + 126a + 134a + 136a + 137a + 140a + 146a + 149q + 151a + 151b + 151d

8. K1/K2 defendant Przybylski **omitted** clinical notes evidence that supported Kaul's case and undermined Hafner's fraudulent case: 41a + 42a + 43a + 49a + 50 + 52a(1) + 53a + 56a + 59a(3) + 59a(5) + 59a(7) + 59a(9) + 69a + 77a + 90a + 94a + 99a + 101a + 109a + 110a(4) + 111a + 113a + 115a + 116a + 117a + 118a + 119a + 121a(2) + 123a + 126a + 130a + 132a + 133a + 135a + 136a + 140a + 143a + 146a

Exhibit 13

www.drrichardkaul.com

January 15, 2019

Honorable Steven C. Mannion
UNITED STATES DISTRICT COURT
District of New Jersey
50 walnut Street
Newark, NJ 07102

Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364
Defendant Allstate 'Fraud on the Court' + legal nullification of illegally procured state court judgments in the matter of Allstate v Kaul – UNN-L-15

For reference purposes:
Kaul v Christie: 16-CV-02364 – K1
Kaul v Christie: 18-CV-08086 – K2

Dear Judge Mannion,

I ("Kaul") write this letter to inform the Court that on January 8, 2019, Defendant Allstate, in the above refenced state case, filed a motion for default judgment in the Union County Court of the New Jersey Superior Court system. The matter was submitted before Mark. P. Ciarrocca, a lawyer affiliated with the New Jersey Republican Party, who was appointed to the bench by K2 defendant, Christopher J. Christie. The conflict of interest is obvious. Kaul would like to advise the Court that any judgment entered by Ciarrocca, will be the product of a 'Fraud on the Court', and will have no legal validity in either K1 or K2. Kaul will be moving the New Jersey Supreme Court to invalidate all orders entered by Judge Kenneth Grispin (now retired), and stay all proceedings in the Union County Court, based on the aforementioned doctrine. Allstate, an company of insurance salesmen that exploits and commercializes risk, has corrupted this court and bribed these presiding judges. These matters, when they are publicized, which will happen in due course, will cause Ciarrocca to be removed from the bench, and expose both Grispin and Ciarrocca to criminal prosecution. Criminals have no immunity, even if garbed in a black robe.

The issue of judicial corruption, as it pertains to Grsipin and Ciarrocca, is evident within the K2 pleadings (D.E. 38 Page ID 1037 to 1053 + D.E. 38 Page ID 1031 to 1035).

The following documents, organized chronologically, evidence the confluence, and the genocidal consequences of that confluence, of criminally corrupt New Jersey judges, politicians and businessmen, who abuse the power of public and corporate office:

1. January 31, 2015 – Allstate v Kaul – UNN-L-322-15: Defendant Allstate issued a press release/article published in defendant NJMG and written by defendant Washburn, that announced their fraudulent + frivolous lawsuit (**Exhibit 1**). In response to an enquiry from Defendant Washburn, Kaul stated:

"Doctors in this state feel that they're being bullied, intimidated, harassed and denied payment by companies like Allstate who feel they can do anything that want without any recourse" he said. The insurance companies in this state need to be under investigation ... Kaul said he was in the process of filing a lawsuit against Allstate in federal court for bad faith business dealings with him, but would not name the attorney who would represent him."

2. March 18, 2016 – Kaul v Christie – 16-CV-02364: Kaul sent a letter to Andrew Calamari, the Regional Director of the United States Securities + Exchange Commission, that alerted him to the fact that three companies traded on the NYSE, had been named as defendants in this matter (**Exhibit 2**). Kaul stated:

"The gravity of the allegations and the substantial economic damages demanded is information that should be disclosed to the public, to afford them the opportunity to purchase policies from alternative carriers with a lower risk profile and therefore a lower likelihood of rate increases."

None of the corporate defendants disclosed the information to the shareholders or the New York Stock Exchange (NSYE), in violation SEC regulations and the law. The lack of disclosure caused an illegal rise in their share prices, and deprived their market competitors of their right to honest competition and constitutes Honest Services Fraud, a crime defined in 18 U.S.C. § 1346 (the federal mail and wire fraud statute). On November 22, 2018 Kaul brought the lawsuit to the attention of Allstate's top ten corporate shareholders, one of which communicated to Kaul that it has commenced an investigation.

3. May 11, 2017 – Allstate v Kaul – UNN-L-322-15: Kaul sent a letter to special discovery master, Ross Anzaldi, in support of his application for summary judgment against Allstate (**Exhibit 3**). It details how K2 defendant, Stolz, obstructed Kaul's access to justice, by conspiring with K1/K2 defendant, Allstate, to refuse Kaul access to the servers, which contained information that Kaul required to in order to answer Allstate's interrogatories:

"In summary, in late 2016, Allstate procured an order to suppress answers, by misrepresenting to the court that they were not in default of discovery. They were and still are. One of the central issues in this dispute is the fact that the information necessary to provide answers to Allstate's interrogatories, is not in Kaul's possession, but is located on the NJSR servers that were seized by the trustee in July 2014 ... Kaul informed Grispin that he had attempted to obtain the information from the trustee ...the trustee refused to accept the letter, and returned it to Kul (exhibit 1). The trustee's attorney, Daniel Stolz, has misrepresented to the court in Santos v Kaul that "To my knowledge, Dr. Kaul has not

requested any information from us with regard to this matter" (exhibit 2)."The evidence proves otherwise."

4. May 30, 2017 – Allstate v Kaul – UNN-L-322-15: Kaul sent a letter to Anzaldi that requested a stay in the proceedings, pending the outcome of Kaul's interlocutory appeal, regarding Anzaldi's order that Kaul's answers to Allstate's interrogatories were "**non-responsive**" (**Exhibit 4**). The motion was denied, as was every other motion filed by Kaul. Grispin + Ciarrocca + Anzaldi were the recipients of bribes from defendant Allstate. In the letter Kaul stated:

"The Allstate and Santos May 12, 2017 orders pertain to the information on the NJSR Servers, which the trustee [defendant Stolz], an individual whose firm receives legal work from Allstate, has refused to provide Kaul. Allstate is a defendant in Kaul v Christie. The trustee recognizes that his effort to obstruct Kaul's access to the information on the NJSR Servers, impedes Kaul's ability to defend his interests in pending state actions ... Allstate and their co-conspirators have searched for five years for evidence to prove their frivolous claims. They have found nothing. Allstate owes Kaul $4,000,000.00 (exhibit 16). Allstate is a defendant in a federal racketeering suit, with liabilities in excess of $9 billion (exhibit 17) ... Kaul also wants to remind this court of the advice given on June 13, 2012 by Kaul's attorney (now deceased), Robert Conroy, Esq, to the medical board, just before they were about to rescind a consent order they had signed with Kaul on May 9, 2012, "*As a practical matter, you will be sewing the seeds of absolute and utter chaos, and you'll reap the whirlwind as a result. As a practical matter, take a lesson from what the courts do. They would never permit this, for good reason. Don't let yourselves be used now in this manner, in this fashion*." (exhibit 18). That chaos is here, and those responsible for the crimes that caused the chaos, will be prosecuted and penalized to the fullest extent of the law."

5. June 6, 2017 – National Endowment for Democracy – Judge Mark Wolf, Chief Judge of the United States District Court for the District of Massachusetts: Judge Wolf, The Chair of Integrity Initiatives International, discussed the importance of the creation of an International Anti-Corruption Court (**Exhibit 5**). The Q&A session with Melisa Aten of the International Forum for Democratic Studies, focused on the issues of grand corruption, kleptocracies, and abuses of the power of public office by elected officials. Judge Wolf, in arguing for the establishment of such a court, cited to the fact that domestic authorities/courts are, for political and other reasons, often reluctant to prosecute those in power. In the penultimate paragraph he provides clarification on his proposal that RICO be used to prosecute criminals masquerading under color of state:

"Q. In previous discussions, you have mentioned the possibility of using organized crime statutes, including the RICO Act, to prosecute crimes related to transnational kleptocracy. Can you expand on this idea" A. It is important to recognize that kleptocrats are not bad actors; they are criminals comparable to the heads of organized crime, racketeering and mafia-type organizations. In the United States, a RICO case can be brought against an organized enterprise that conducts its business through a pattern of certain illegal acts. The right way to

look at grand corruption or kleptocracy is to recognize that in countries rules by kleptocrats, corruption is not aberrant behavior; it is the primary reason people seek power, and the government is rum as an organized enterprise designed to criminally enrich the leaders and their associates rather than serve its citizens. We know what to do with criminals; we investigate, prosecute and punish them, and that's what we should be doing with kleptocrats."

6. February 28, 2018 – Allstate v Kaul – UNN-L-322-15: Allstate obtained a false certification from Michael McKee, MD, an individual of Mexican descent and one belonging to an ethnic minority (**Exhibit 6**). Kaul drafted a response (**Exhibit 7**). McKee first met Kaul in 1990, during the first year of Kaul's residency in general surgery, and became one of Kaul's physician employees in 2010 at the NJSR Surgical Center, a Medicare Certified, AAAHC accredited state-of-the-art surgical center in Pompton Lakes, New Jersey. McKee provided clinical services to patients under the care of NJSR and Kaul, while simultaneously being trained by Kaul in minimally invasive spine surgery. McKee was initially named as a defendant, but after Allstate had threatened to have K2 defendants NJBME and Hafner move to suspend/revoke his New Jersey medical license, he agreed to provided false witness against Kaul. On February 13, 2015, defendant Allstate filed a one hundred and eleven (111) page, seventeen (17) count, three hundred and sixty-four (364) paragraph complaint against Kaul and Drs. Nasr Shahid + Michael McKee + Sukdeb Datta + Rodolpho Narag + Sean Lager + Dong Kwak + Joseph Pena. Shahid + McKee + Datta + Lager were dismissed from the case. Dr. Narag died on January 11, 2016 from cancer consequent to the stress of the lawsuit, the same issue that in late 2017, caused the death of Dr. Kwak from a heart attack. Allstate have submitted no evidence in support of any of their knowingly frivolous claims. McKee, an easily intimated ethnic minority physician, whose grasp of the English language is to say the least, shaky, filed a fraudulent certification, that is the product of an illegal collusion between his lawyer and those employed by defendant Allstate. McKee falsely certified that he did not sign his operative reports, a lie that Kaul exposed in his written response:

"16. **Proof reading all reports or other correspondence within three (3) working days. Responding to office emails within one working day. All test interpretations and written reports will be reviewed on the same day that the tests are either received or taken."**

Kaul never requested McKee provide a stamp of his signature. It was McKee that suggested the stamp of his signature be provided, as he understood that he would only be in New Jersey on a part-time basis. McKee, however, knew that he was responsible for proof reading the reports that he knew he dictated to the medical assistants. McKee kept a list of these dictated reports on his personal laptop, and the NJSR billing staff did not send a bill until authorized by McKee. McKee admits to dictating the report, kept a list of all dictated reports and signed a contract in which he knew he was responsible for proof reading the report. Only after McKee authorized the NJSR billing staff, was a bill transmitted."

7. June 20, 2018 – Allstate v Kaul – UNN-L-322-15 + Allstate v Casatelli – UNN-L-1762-12: Kaul sent a letter to Grispin indicating his intent to have Grispin disqualified from the referenced cases, and an assertion that Grispin had been bribed by Allstate (**Exhibit 8**).

"It is my position that you and members of your family have received material favors from the Plaintiff and or its agents, in the form of free insurance, 'no-show' jobs and monies paid into off-shore and domestic accounts. It is also my position that you might have been promised an employment or consultancy position with the Plaintiff, upon your departure from the bench."

Grispin did not deny that monies had been transferred into his domestic bank accounts by defendant Allstate. Grispin + Ciarrocca + Anzaldi have all received bribes from defendant Allstate, whose corruption of the judiciary is beyond criminal, and will result in a fragmentation of the publicly traded company, when the story goes public.

8. August 12, 2018 - Re: Allstate v Casatelli – UNN-L-1762-11 + Allstate v Kaul – UNN-L-322-15 + Santos v Kaul – UNN-L-3322-15: Kaul sent a letter to Ciarrocca that brought his attention to the fact that he had been appointed a state court judge by K2 defendant, Christie, and that when Kaul raised the issue of political corruption in regards to the illegal revocation of his medical license, Ciarrocca's demeanor changed from one of overt aggression to outright submission (**Exhibit 9**).

"This Court's demeanor appeared to change when I raised the issue of political corruption and the names of Christie and Chiesa, which I believe caused this Court to state that an opinion would be issued in two (2) weeks. This was in contrast to Court's response to the disqualification motions, in which it read onto the record a prepared opinion. I have no reason to believe that an opinion was not prepared for the default judgment motion, but I think the Court did not expect my oral argument to focus on the issue of political corruption within the Christie administration, and it therefore delayed the issuance of an opinion, in order to amend it, to mitigate the issue."

Kaul also raised the fact that this section of oral argument had been deleted from the court's audio recording, as had a section of oral argument from July 6, 2018, when Grispin, under pressure from Kaul as to his receipt of bribes, lost his composure and referred to an e-mail that Kaul had sent to Grispin's law clerk, in which Kaul thanked the clerk for informing him of a motion date:

"Evidence Tampering

On August 9, 2018 upon conclusion of argument, I proceeded to the records and transcript office in order to obtain an audio file of the hearing. The process involves a copy + paste from the Court server onto a CD, and on previous occasions when I have requested the file in person, it has taken no longer than ten (10) minutes. However, on August 9, 2018 it took almost one (1) hour from the time I made the request to the moment I received the CD.

On August 11, 2018 I discovered that the audio file had been truncated, and that it stopped at a point just before the commencement of argument regarding Allstate's motion for default judgment, this being the segment in which I raised the issue of political corruption in the Christie administration.

Within this section I also want to bring to the Court's attention further evidence in support of the charge of Evidence Tampering. On July 6, 2018 during oral argument on a motion in Santos v Kaul, Judge Kenneth Grispin characterized as *"queer"* my e-mail response of *"Thank you"* to an e-mail from his law clerk, Katherine Diccicco. I specifically remember thinking it was an inappropriate term, but one that I considered to be evidence of the bias held towards me by Judge Grispin, and evidence that would be relevant to a complaint of judicial misconduct. However, when I listened to the audio file this term had been deleted."

These matters, as Kaul indicated in his letter, constitute part of a motion that Kaul will be filing in the New Jersey Supreme Court, and submitting to Allstate's top ten shareholders. Investing is a company that has bribed + corrupted and extorted almost all members of the New Jersey State Government is not a wise investment. The law firm of Pringle + Quinn + Anzano is central to this "**pattern of racketeering**", and Anzano, as they say in mafia circles, has been the 'bag-man', who spends his days walking the corridors of the state government in Trenton, delivering his clients' bribes to the almost all state politicians + legislators. Their servers and those of the corrupt politicians whom they have co-opted into their grand corruption, contain the forensic metadata that will send K2 defendant Crist and his cohort to jail.

9. November 22, 2018 – Kaul v Christie: 16-CV-02364 + Kaul v Christie: 18-CV-08086: Kaul sent letters to Allstate's the top ten corporate shareholders, that informed them of the referenced lawsuits, in which defendant Allstate was accused, amongst other things a having engaged in a "**pattern of racketeering**" (**Exhibit 10**). Kaul informed the CEOs that the damages in the case exceeded $28,000 trillion. Kaul enclosed a flash drive that contained a copy of the ICC File and stated:

"ICC File: A series of communications with the International Criminal Court, that detail events in which Defendant Allstate has become vicariously liable, consequent to having bribed Governor Christie. This issue is referenced in K1 at: D.E. 179 Page 2351 + D.E. 179 Page 2945 + 180-2 Page ID 3328 + 192-1 Page ID 3572 + D.E. 204-11 Page ID 4256 + 209-12 Page ID 4640 + D.E. 281-2 Page ID 6611."

One of these companies communicated to Kaul that they have commenced an investigation into the matter.

10. December 1, 2018 – International Criminal Court: Kaul sent a letter to Jared Kushner that alerted him to the fact that K2 defendant stood accused in the ICC of trafficking chemical weapon precursors to Syrian rebel forces in a period from 2012 to 2013, with a recommendation that K2 defendant Christie be rejected for the position of President Trump's

Chief of Staff (**Exhibit 11**). The letter was received at the White House on December 11, 2018 and on December 14, 2018, K2 defendant Christie withdrew from the position. Kaul stated:

"K2 Defendant Christie has presidential ambitions, and it is my opinion that if he is appointed the Attorney General, he will use that position to undermine the authority of your father-in-law, move to marginalize your involvement in White House affairs, with a view to having you and your wife excluded as official representatives of President Trump's Administration. I would imagine that you already know this is the modus operandi of K2 Defendant, Christie, a self-professed disciple of Machiavelli's '*The Prince*'. You succeeded in keeping this individual and his cohort from insinuating themselves into the initial administration, and you must maintain that vigilance, and not forget the gratuitous agony caused to you and your family by K2 Defendant, Christie. Your father sat in a concrete/iron cage for over two years. Let K2 Defendant sit in a similar cage and let his family know the anguish that your family lived, and lives with."

11. January 4, 2019 – International Criminal Court: Kaul drafted letters that will be sent to the nine (9) Justices of the United States Supreme Court, and to the twenty-two (22) judges on the Third Circuit Federal Court of Appeals, that request they refer K2 defendant, Christopher J. Christie, to the International Criminal Court (**Exhibit 12**). Kaul states:

"There are two RICO cases pending in the United States District Court, District of New Jersey, in which Christie's involvement in the predicate act of chemical weapon trafficking has been raised. They are:

1. **Kaul v Christie, et al: 16-CV-02364 – K1.**
2. **Kaul v Christie, et al: 18-CV-08086 – K2.**

These matters will facilitate a crystallization of the specific detail and the depth of Christie's involvement in the genocide, a story that will be told, and one that history will record. The narrative will identify the courage of those, such as Mark P. Dillon and Senator Richard Black, who assisted in exposing these heinous crimes, and will similarly expose those who either did nothing or conspired in the 'cover-up'. The truth will emerge, and when it does, the record will reflect those who caused its emergence, and those that attempted to suppress it. The post Second World War trial in Nuremberg laid bare the complicity of state actors in the commission of the Nazi's crimes against humanity."

12. January 8, 2019 – Allstate v Kaul – UNN-L-322-15: Kaul sent an e-mail to Allstate and all parties of interest, after having received a copy of their motion for default judgment, in which he states (**Exhibit 13**):

"However, as you are aware, I will be moving in the New Jersey Supreme Court, to have made null + void every order entered on behalf of your client by Kenneth Grispin and Mark. P. Ciarroccaa, based on a 'Fraud on the Court' ... Please also be informed that I intend on serving

Information subpoenas on Kenneth Grispin + Mark. P. Ciarrocca and requests for informal interviews on all members of the New Jersey State Government, regarding any and all communications pertaining to the subject matter of your case. I would advise you not to engage in any acts constituting Obstruction of Justice."

13. January 11, 2019 – Kaul v Christie: 18-CV-08086: Kaul sent an e-mail to the student body at Muhlenberg College in Pennsylvania, the facility at which K2 defendant is the Chairman of Board, to which was attached a copy of the lawsuit (**Exhibit 14**). Defendant Allstate pressured McKee into making the below statement in his certification, dated February 28, 2018:

"In late 2011, shortly before I stopped working for Dr. Kaul (McKee stopped working in late 2012), I learned that he had been convicted of manslaughter in England after a patient that he was treating died under his care ... Dr. Kaul did not disclose any of the facts in paragraph 28 to me when I began working for him and at NJSR in early 2011. Had he done so, I would not have associated with him or his companies."

The student body at Muhlenberg College now knows that its Chairman and defendant Crist is a racketeer. However, they do not yet know that he bribed a politician, K2 defendant Christie, who stands accused in the International Criminal Court of genocide and crimes against humanity. K2 defendant, nor his legions of lawyers, have ever denied this charge. This information will be provided in due course, and then the public can decide if genocide trumps medical 'manslaughter'. Attached for the purposes of the public's education is an article which highlights the legal infirmity of medical 'manslaughter' convictions in the UK (**Exhibit 15**). The law underpinning these 'convictions' is close to being scrubbed from the British law books, unlike that of genocide + racketeering + bribery + kickbacks + evidence tampering + obstruction of justice + grand corruption, offenses endemic in the polluted halls of the New Jersey State Government. Allstate's continued reference to this aspect of Kaul's professional history, an event from 1999, reflects the desperation of their defenses in K1 and K2. They know they have committed some serious crimes, that Kaul has exposed, and for which they and their ex-CEO, K2 defendant + Muhlenberg College Chairman Crist, will be severely punished.

Conclusion

Defendant Allstate's motion in a corrupted New Jersey state court will result in judgments that have no legal validity. Kaul, therefore, moves this Court, in the interests of justice and based on the doctrine of 'Fraud on the Court' to recognize as null + void any such judgments.

Yours sincerely

Exhibit 14

obtained by the Plaintiff and similarly trained physicians. From the mid 1990s onwards, the video-endoscopic technology and fluoroscopic technologies continued to evolve, as did anesthetic techniques that permitted rapid post-operative recoveries: https://www.youtube.com/watch?v=oxaV5IJuZ7c&t=9s

39. When the Plaintiff performed the first outpatient lumbar interbody fusion, he used an expandable interbody device to place bone graft in the intervertebral space. This was performed through an 8mm incision, and did not require any destruction of the muscles, bones or ligaments in the patient's back. The device was inserted in a collapsed format and was then expanded when in the correct position. This specific part of the procedure revolutionized the spine industry and has led to the development of numerous other expandable devices. This technique has become the standard of care for the treatment of degenerative spinal disorders.

40. The Plaintiff's work caused immense professional jealousy that caused the physician Defendants to engage in conduct that was unethical, unprofessional and illegal (**D.E. 2 Page ID 139**). Their racketeering schemes commenced in approximately 2007/8, and incorporated multi-pronged strategies that involved encouraging patients to file lawsuits and medical board complaints against the Plaintiff, threatening to withdraw business from spinal device representatives unless they stopped supplying the Plaintiff, conspiring to prevent the Plaintiff from obtaining hospital privileges, and issuing reports for insurance companies that denied the Plaintiff reimbursement for procedure he performed.

41. However, when it became apparent that none of the aforementioned tactics had worked, the Defendants conspired to bribe and did bribe Defendant Christie, to have him order Defendant NJBME to revoke the Plaintiff's license (**D.E. 2 Page ID 142**). The proceedings to revoke the Plaintiff's license were conducted criminally and the resultant revocation was illegal. The Plaintiff was subjected to political corruption and judgments that were summary in nature, that deprived him of his livelihood and his ability to support his family. The proceedings in the New Jersey Office of Administrative Law were a massive fraud **(Reference: IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF RICHARD A. KAUL, MD TO PRACTICE MEDICINE AND SURGERY IN NEW JERSEY – OAL DOCKET NO.: BDS 08959-2012N),** in which Defendants Solomon, Przybylski and Kaufman collectively committed two hundred and seventy-eight (278) separate instances of perjury and evidential omission, misrepresentation and gross mischaracterization **(16-CV-02364 – D.E. 225 + 225-1 + 225-2; Page ID 4940 to 5273).**

Exhibit 15

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 JUL 31 P 3:26

www.drrichardkaul.com

August 1, 2019

The Honorable Brian R. Martinotti
District Judge
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Kaul v Christie, et al.
Docket No. 16-CV-02364
Request for admission or denial of statements pertaining to the transmission/exchange of information/monies between Judge Martinotti and the defendants.

For reference purposes:
K1-Kaul v Christie: 16-CV-02364
K2-Kaul v Christie: 18-CV-08086
K3-Kaul v Schumer: 19-CV-13477
K4-Kaul v Stolz: 19-CV-01489 + Appeal: 18-CV-16485
P1-Patel v Allstate: 19-CV-08946
P2-Patel v Allstate: 19-CV-09232

PLEASE POST TO THE DOCKETS IN ALL OF THE ABOVE CASES

Dear Judge Martinotti,

I ("Kaul") write this letter to provide you an opportunity to deny or confirm the following statements:

1. I have knowledge that on July 29, 2019 at 1:55 pm EST Kaul sent via e-mail a copy of a motion (copy enclosed) requesting that I certify Kaul's application for interlocutory review of the order ("application") I entered on June 26, 2019.
2. At some point in time between 1:55 pm EST on July 29, 2019 and 10:33 am EST on July 30, 2019, I became aware of the application.
3. At some point in time between 1:55 pm EST on July 29, 2019 and 10:33 am EST on July 30, 2019, there did occur communications (e-mail, text, phone, face-to-face, hand written notes) ("communications") between myself and or agents acting on my behalf, and the defendants and or agents acting on their behalf.

4. The communications informed me that Kaul was intending to file the application.
5. Upon becoming aware of the application, I and or agents acting on behalf inquired of the Clerk's Office, as to whether the application had been filed with the Court.
6. Upon becoming aware that the application had not been filed with the Clerk's Office, it became my intention to file an order that dismissed K1, and to order the court docket closed.
7. It was my intention to close the court docket in order to prevent the application from being entered onto the record.
8. My purpose in preventing the entry of the application onto the court record, was to intentionally exclude it from appellate review.
9. I understood that by excluding the application from appellate review, it would lessen the possibility of reversal of my order of dismissal.
10. I understand that the communications between myself and or agents acting on my behalf, and the defendants and or agents acting on their behalf constitute improper and illegal ex-parte interactions.
11. I understand that these improper ex-parte communications are part of a wider series of schemes ("schemes") of bribery and corruption within the United States District Court for the District of New Jersey ("court")
12. I have knowledge and have participated in the schemes.
13. I have knowledge that other judges currently within the court have participated, and do participate, in the schemes.
14. I have knowledge that ex-chief judge, Jose Linares ("Linares") participated in the schemes.
15. I have knowledge that Linares retired on May 16, 2019, because of a letter he received from Kaul and Patel, in which they demanded he disclose his financial holdings and conflicts of interest (copy enclosed).
16. I have knowledge that on May 16, 2019 Linares was made a partner at a New Jersey law firm by the name of McCarter and English.
17. I have knowledge that the law firm of McCarter and English provided the partnership to Linares as part of the scheme, and in return for having provided partial judgments in cases that involved this New Jersey law business.
18. My appointment to the federal bench was sponsored by Senators Robert Menendez and Cory Booker ("senators").
19. I have discussed the above cases with the senators.
20. I have knowledge that the senators have received political campaign donations from some of the defendants in the above cases.
21. I have knowledge that the senators have been promised future political campaign donations from some of the defendants, based on dismissals of the above cases.
22. I have knowledge that defendants Allstate and Geico bribed the senators, as part of a series of quid pro quo schemes purposed to have the cases dismissed.
23. I and or members of my family to the third-degree, have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.

24. I have knowledge that certain judges within the Third Circuit Federal Court of Appeals have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.
25. I did consult and collaborate with Judge Kevin McNulty before I issued my opinion and order dismissing K1.
26. I never had any intention of issuing an opinion that diverged with that issued by Judge McNulty, regardless of the law and facts.
27. I knew that my representations in court on June 26, 2019, were intended to deceive Kaul into thinking that I might not dismiss K1, and to dishonestly impart to the record an appearance of impartiality, for the purposes of appellate review.

I respectfully request that by August 8, 2019, you confirm or deny the above statements. If no responses are produced by this date, your non-response will cause the above statements to be admitted, and I will move accordingly.
I would also respectfully request that you submit to the record in above cases, a copy of form AO 10A, as requested in a letter submitted on July 1, 2019 (copy enclosed).

A copy of this letter, and a letter pertaining to the above matters, as they relate to all judges within the United States District Court for the District of New Jersey, will be sent within the next week.

Thank you in advance for your attention to this matter.

Yours sincerely

Richard Arjun Kaul, MD
cc: All Counsel via e-mail
Judge Joseph Dickson
Clerk of the Court

www.drrichardkaul.com

July 1, 2019

The Honorable Brian R. Martinotti
District Judge
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Kaul v Christie, et al.
Docket No. 16-CV-02364
Submission of Form AO 10A

For reference purposes:
K1- Kaul v Christie: 16-CV-02364
K2-Kaul v Christie: 18-CV-08086
K3-Kaul v Schumer: 19-CV-13477
K4-Kaul v Stolz: 19-CV-01489 + Appeal: 2:18-CV-16485

Dear Judge Martinotti,

I write this letter in response to that submitted on June 28, 2019 by the defendants (D.E. 382 Page ID 9290).

However, before I specifically address the defendants' letter, I believe it is important for this record to be appraised of the following substantive and procedural irregularities that occurred in your courtroom on Wednesday June 26, 2019, between approximately 12:15 pm EST and 1:00 pm EST:

1. The court commenced the proceeding by asserting that the case had been dismissed by Judge McNulty.

2. The court then encouraged the defendants to bolster this position, and for approximately ten minutes, counsel for defendant Geico, Barry Levy, advocated, without a hint of equivocality, that the case had indeed been dismissed.

3. The court then turned its ostensibly prejudicial attention to me, in order that I might respond to the defendants' misstatement of the case. My respectful suggestion to

summarize the relevant chronology, in order to disprove the defendants falsehood, was curtly and without good cause, obstructed by the court. I was forced to provide a truncated version of the procedural events that occurred subsequent to Judge McNulty's **"rushed reaction to Kaul's motion for summary judgment against Defendant Allstate New Jersey Insurance Company, a fact that explains it's multiple errors of fact and law."** (D.E. 313-1 Page 8422 Para. 97).

4. Despite what appeared to me, and other independent observers of the proceeding to be an effort to hinder my response to the defendants, I brought to the court's attention the fact that the case was not dismissed, but was in fact open. The defendants knew this, and accepted this unrebutted fact, a fact that they could have contested by seeking leave of court to contest, pursuant to Local Rule 7.1(d)(3) (D.E. 341 Page ID 8677). The defendants did not rebut this fact, because they knew the case was and is open: **"The moment Judge McNulty permitted the defendants to respond to 'The McNulty Analysis', was the moment the claims became undismissed, and thus pending ... The Court confirmed this position in its order of April 1, 2019: "This order should not be taken as confirmation that there is a final appealable decision" ... It is within sixty (60) days from this point, that discovery commences. This is supported in law (D.E. 313 Page ID 8381)..."** (D.E. 341 Page ID 8704).

5. Having argued that the case was open, the court, evidently not having verified this critical detail pre-proceeding, instructed the court clerk to ascertain its status on the court's computer network. This one-minute search confirmed that the case was open, but the court failed to require the defendants explain their misrepresentation.

6. Having established that the case was open, Kaul requested the court grant the twenty-two (22) motions for summary judgment, and or grant discovery and the right to amend the Second Amended Complaint. All of these requests were denied, further and continuing evidence of the defendants'/Court's obstruction of Kaul's prosecution of the case. Kaul has argued since April 2016 that he would not receive **"substantive justice"** in New Jersey and that the case must be transferred out of the District of New Jersey: **"Thus, if Judge McNulty chooses not to disqualify himself, the Court must transfer the case to the S.D.N.Y., and even if he does, the Court must still transfer the case, because it is conflicted and corrupted."** (D.E. 341 Page ID 8705).

7. Kaul requested the court provide reasons for the denials of discovery, summary judgment and amendment, but none were forthcoming. The decisions appeared arbitrary, but Kaul respectfully asserts they were consistent with, and in furtherance of the court's corrupted position and pre-determined strategy to dismiss Kaul's claims. This might explain the not so well concealed, 'the fix is in', joviality displayed by certain members of the defendants' defense team. Regardless, the case was open and the court should have adjudicated Kaul's motions for summary judgment.

8. However, the court administratively terminated Kaul's summary judgment motions, but erroneously requested the defendants provide a list of the documents, upon which it wanted the court to determine what Judge McNulty framed as Kaul's "**motion for reconsideration**", aka, 'The McNulty Analysis' (D.E. 313-1 Page ID 8384). 'The McNulty Analysis' is not a motion for reconsideration (D.E. 313-1 Page ID 8385).
9. On June 28, 2019 the defendants submitted a letter, the contents of which further prove that 'The McNulty Analysis' was and is not a "**motion for reconsideration**". A motion for reconsideration permits only the aggrieved party to submit opposition papers to the order in question. It does not permit any other parties to submit any other documents, and if the court permits such conduct, then the case remains open, and thus the court must timely adjudicate any subsequent or pending motions, in accordance with Rule 1 of the Federal Rules of Civil Procedure. The court in failing to adjudicate Kaul's motions dispositive motions for summary judgment has knowingly committed clear and convincing error. The court's view of Kaul's perceived ignorance of the law, manifested itself in its repeated and tonally derogatory statements regarding Kaul's comprehension of the proceedings. This is consistent with its intentional commission of error i.e. we think Kaul is too stupid to know we are perpetrating a scheme to have the case dismissed.

10. The **only** documents that the court can consider within the confines of a motion for reconsideration are: **(i)** Judge McNulty's opinions (D.E. 300 + 301 + 303 + 304); **(ii)** 'The McNulty Analysis' (D.E. 313-1 Page ID 8385). Judge McNulty, **"permitted the defendants to file opposition papers. The purpose of this was to attempt to improperly mitigate the risk of reversal on appeal, and to improperly mitigate the risk of reversal on appeal ... further evidence in support of Kaul's strenuously asserted argument that he would not receive "substantive justice" in New Jersey"**. This court continues the more than seven-year long violation of Kaul's basic human rights, his right to due process, and his right to justice, all of which have been denied in every administrative + state (civil + family) and federal court within the geographic boundaries of New Jersey. This is why K1 + K2 + K3 will be transferred out of this district court.

11. Finally, and unquestionably the most critical element of these proceedings is the as yet unfulfilled obligation of Judge Martinotti to disclose to the record, the Court and Kaul his financial holdings and conflicts of interest. The fact that this information was not placed on the record, in light of all the circumstances of this "**fantastical**" case, causes Judge Martinotti to remain without the proper authority to adjudicate this case. If Judge Martinotti is conflicted or his financial holdings connect him in any manner to any of the defendants or their agents, he must disqualify himself, and can have no further involvement in the case. The law demands that he follow the law in this regard, and submit Form AO 10A. On June 28, 2019 I submitted a letter that requested this information from every judge in the United States District Court for the District of New Jersey (copy enclosed). If this information is not provided by 5 pm EST on Monday July 1, 2019, then K1 + K2 + K3 must, in the interests of justice, be transferred out of the District of New Jersey.

I, therefore, respectfully request that until the above conditions are met, the interests of justice demands this case proceed no further.

I thank you in advance, for your prompt attention to this matter.

Yours sincerely

Richard Arjun Kaul, MD
cc: All Counsel via e-mail
Judge Joseph A. Dickson
Clerk of the Court

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 JUN 28 P 2:23

www.drrichardkaul.com

June 27, 2019

The Honorable Chief Judge Freda Wolfson
United States District Court
District of New Jersey
50 Walnut Street # 4015
Newark, NJ 07102

Re: K1 - Kaul v Christie: 16-CV-02364
K2 – Kaul v Christie: 18-CV-08086
P1 – Patel v Crist: 19-CV-08946
P2 – Patel v Allstate: 19-CV-09232
Submission to the dockets of form AO10 by Judges in the United States District Court for the District of New Jersey.

Dear Judge Wolfson,

I write this letter, lieu of a more formal brief, to request that you order Judges Linares and McNulty to immediately submit onto the court docket their AO 10A financial disclosure/conflict forms. It is my position that these jurists were bribed by the defendants in the above matters, as part of a series of quid pro quo schemes, in which Judges Linares and McNulty abused the authority of the United States District Court to obstruct my prosecution of the aforesaid cases.

On May 16, 2019, a letter addressed to ex-Chief Judge Linares, was filed onto the P1 court docket (P1-D.E. 44 Page 851 – copy enclosed), in which I and Plaintiff Patel requested Judge Linares disclose his financial holdings:

"We also request, with all due respect, that in light of your involvement in the cases, you disclose to us, the record and the Court, your financial disclosure statement and a complete and comprehensive list of any and all conflicts of interest, past or present, that involve you and any members of your family, to the third-degree."

Judge Linares failed to provide this information, but instead suddenly retired from the bench (P1-D.E. 52 Page 960 – copy enclosed):

"We requested that the information be provided by May 22, 2019, but Chief Judge Linares retired on May 16, 2019, after only two years in this position, and needless to say, he failed to submit the conflict and financial disclosure information."

On June 5, 2019 (K1-D.E. 366) the Court appointed Judge Brian Martinotti to the above cases. Judge Martinotti has not yet submitted his financial holdings and any conflicts of interest, and I would request that you order the immediate disclosure of this information.

I would like to re-iterate my position that **"Judges McNulty and Linares have engaged in prolonged patterns of judicial corruption, in which they used the power of the federal bench to improperly and illegally advance their personal commercial agendas ... It is also our position that Judge McNulty ought to be impeached and Judge Linares be subject to criminal investigation..."** (P1-D.E. 52 – copy enclosed).

In furtherance of my frequently repeated claim that I would not receive **"substantive justice"** (United States Court of Appeals for the 2nd Circuit: Case No. 16-1397 Page 4 of 170) in any court within the geographic boundaries of the State of New Jersey, I respectfully request that you order every judge in this court to disclose to the record his or her financial holdings and any conflicts of interest.

I respectfully inform the Court that if the above requested information is not provided by 5 pm EST on Monday July 1, 2019, I will move in the United States Court of Appeals for the Third Circuit for a writ of mandamus, a copy of which will be filed with the United States Supreme Court. I shall also bring this issue to the attention of the President of the United States of America.

A dishonest judiciary is inimical to the good order of society and I imagine its prevalence in the District of New Jersey, would be a political embarrassment to the presidential aspirations of the U.S. Senator from New Jersey, Cory Booker. I believe he and Senator Menendez sponsored the appointment of Judge Martinotti to the federal bench.
I look forward to receiving the above requested information, and I thank you in advance for your prompt attention to these very serious matters.

Yours sincerely

R Kaul

Richard Arjun Kaul, MD
cc: All Counsel via e-mail
Clerk of the Court
Judge Brian Martinotti

May 9, 2019

2019 MAY 10 P 4:20

DR. HARSHAD PATEL
3725 GEORGE BUSBEE PARKWAY
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732 319 3055
Harshadpatel0111@gmail.com

RICHARD ARJUN KAUL, MD
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201 989 2299
drrichardkaul@gmail.com

The Honorable Jose L. Linares
Chief Judge
United States District Court
District of New Jersey
50 walnut Street #4015
Newark, NJ 07102

Re: Patel v Crist, et al
Docket No. 19-CV-08946 – P1
Patel v Allstate , et al
Docket No. 19-CV-09232 – P1

For reference purposes:
Kaul v Christie: 16-CV-02364 – K1
Kaul v Christie: 18-CV-08086 – K2
Kaul v Schumer: 19-CV-3046 – K3

Dear Judge Linares,

We write this letter to bring to the Court's attention, that on May 8, 2019, a motion for the judicial disqualification of Judge Kevin McNulty was filed in K1 + K2, and that this therefore precludes Judge Kevin McNulty from any further involvement in the case, be it administrative, ministerial, or judicial.

It is also our position, as is similarly stated in 'The McNulty Disqualification', that Judge McNulty is conflicted, as he and his law firm, K3 defendant, Gibbons, PC, remain commercial beneficiaries of the defendants. We believe that this conflict is evidenced by the fact that the cases, after having been transferred on March 25, 2019 to the United States District Court for

the District of New Jersey (D.E. 22), and assigned to Judge Freda Wolfson, were then, on March 27, 2019, transferred to Judge Kevin McNulty. The Court provided no reason to justify this transfer, and we respectfully assert that the purpose is exactly that detailed in 'The McNulty Disqualification' i.e. judicial corruption + bribery.

Judge McNulty, since having the cases come under his remit, has not, as the law requires, disclosed to either us, the record or the Court his financial disclosure statement, or indeed his conflicts of interest, past or present. We consider this to be evidence that he is in fact conflicted, and is thus prohibited from any further involvement in the cases.

We also request, with all due respect, that in light of your involvement in the cases, you disclose to us, the record and the Court, your financial disclosure statement and a complete and comprehensive list of any and all conflicts of interest, past or present, that involve you and or any members of your family, to the third-degree. We believe it to be a conflict of interest that your son, Jose L. Linares, is employed by the law firm of Walsh + Pizzi + O'Really + Falanga, a law firm whose principal is married to the Clerk of the Court, William Walsh, and one that represents defendant Hackensack University Medical Center and Robert Garrett in K1 + K2.

We respectfully request that the aforementioned information be provided by May 22, 2019 by the close of business in your court.

In full recognition of your esteemed position within the judicial body of the United States of America, and of your purpose to do justice, we assert that because of the "politico-legal" nexus that undeniably connects the federal judiciary with the body politic, it would not serve the interests of justice to have any of the above cases litigated in any court, within the geographic boundaries of New Jersey. At the heart of these matters are located state actors, state agencies and the state itself, the interests of which are interminably intertwined with the interests of New Jersey lawyers + state judges + New Jersey based federal judges. Simply, as a point of historical interest, the untenability of such a situation was recognized in Spain, after the fall of Franco, when members of the Guarda Civil and Spanish federal judiciary were assigned to provinces in which they had no connections with the local community. This remains the case today, and for good reason, and it was because of this political impartiality that it was a Spanish Judge, Baltasar Garzon, who had General Augusto Pinochet arrested, in 1998, in London for his crimes against humanity. This is the standard to which all jurisprudence should compare itself.

With regards to crimes against humanity, K2 defendant, Christopher J. Christie is no stranger (D.E. 296-11 Page 6973).

It is thus therefore, proper and consistent with the interests justice to have the above cases adjudicated in district courts not within the geographic boundaries of New Jersey, and we would respectfully request that you transfer P1 + P2 back to the United States District for the Northern District of Georgia, no later than May 22, 2019.

We thank you for your attention to this matter.

Yours sincerely

Dr. Harshad Patel

R.Kaul

Richard Arjun Kaul, MD

cc: All Counsel of record
Clerk of the Court

DR. HARSHAD PATEL
3725 GEORGE BUSBEE PARKWAY
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732 319 3055
Harshadpatel0111@gmail.com
06-03-2019
RICHARD ARJUN KAUL, MD
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U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 JUN -3 P 2:47

The Honorable Chief Judge Freda Wolfson
United States District Court
District of New Jersey
50 Walnut Street #4015
Newark, NJ 07102

Re: Patel v Crist, et al
Docket No. 19-CV-08946 – P1
Patel v Allstate , et al
Docket No. 19-CV-09232 – P1

For reference purposes:
Kaul v Christie: 16-CV-02364 – K1
Kaul v Christie: 18-CV-08086 – K2
Kaul v Schumer: 19-CV-3046 – K3

Dear Judge Wolfson,

On May 9, 2019 we sent a letter (~~copy enclosed~~ Ex-1) to recently retired Chief Judge, Jose Linares, in which we requested that he provide to us, the record and the Court, a copy of his AO10 financial disclosure form, and a **"complete and comprehensive list of any and all conflicts of interest, past or present"** that involved either Judge Linares or any members of his family to a third degree. This letter was filed in the late drop box by Dr. Patel on May 10, 2019, but has still not appeared on the docket. We requested that the information be provided by May 22, 2019, but Chief Judge Linares retired on May 16, 2019, after only two years in this position, and needless to say, he failed to submit the conflict and financial disclosure information.

In this letter we also raised the issue that Judge McNulty, since taking assignment of K1 on April 19, 2016, had failed to disclose his conflicts of interest and financial holdings, and in the context

of the facts that underpin the disqualification of Judge McNulty, we interpret these omissions as evidence of his conflicted state.

On May 2, 2019 I electronically submitted a REQUEST FOR EXAMINATION OF REPORT FILED BY A JUDICIAL OFFICER OR JUDICIAL EMPLOYEE (~~copy enclosed~~), pertaining to Judge McNulty and ex-Chief Judge Linares. Ex-2

It is our position that Judges McNulty and Linares have engaged in prolonged patterns of judicial corruption, in which they used the power of the federal bench to improperly and illegally advance their personal commercial agendas. We suspect that this misconduct has been in existence for many years, and has involved many cases, and likely led to many injustices, in both civil and criminal cases. It is also our position that Judge McNulty ought to be impeached, and Judge Linares be subject to an independent criminal investigation, and we will ensure that these events come to pass. No one is above the law, particularly those to whom it is entrusted by society.

We would therefore respectfully request that by June 22, 2019, we be provided with a complete and comprehensive list of all of Judge McNulty and Linares' conflicts of interest and financial holdings, dating back to 2003 for Judge Linares and 2012 for Judge McNulty. We also respectfully request that we be provided with a complete list of all cases over which Judges McNulty and Linares have presided, for the same respective time periods.

We thank you for your consideration.

Yours sincerely

Dr. Vaughn Patel

R Kaul

Richard Arjun Kaul, MD

cc: All Counsel of record
Clerk of the Court
Judge Steven C. Mannion

Exhibit 1

May 9, 2019

DR. HARSHAD PATEL
3725 GEORGE BUSBEE PARKWAY
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732 319 3055
Harshadpatel0111@gmail.com

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U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 JUN -3 P 2:48

The Honorable Jose L. Linares
Chief Judge
United States District Court
District of New Jersey
50 walnut Street #4015
Newark, NJ 07102

Re: Patel v Crist, et al
Docket No. 19-CV-08946 – P1
Patel v Allstate , et al
Docket No. 19-CV-09232 – P1

For reference purposes:
Kaul v Christie: 16-CV-02364 – K1
Kaul v Christie: 18-CV-08086 – K2
Kaul v Schumer: 19-CV-3046 – K3

Dear Judge Linares,

We write this letter to bring to the Court's attention, that on May 8, 2019, a motion for the judicial disqualification of Judge Kevin McNulty was filed in K1 + K2, and that this therefore precludes Judge Kevin McNulty from any further involvement in the case, be it administrative, ministerial, or judicial.

It is also our position, as is similarly stated in 'The McNulty Disqualification', that Judge McNulty is conflicted, as he and his law firm, K3 defendant, Gibbons, PC, remain commercial beneficiaries of the defendants. We believe that this conflict is evidenced by the fact that the cases, after having been transferred on March 25, 2019 to the United States District Court for

the District of New Jersey (D.E. 22), and assigned to Judge Freda Wolfson, were then, on March 27, 2019, transferred to Judge Kevin McNulty. The Court provided no reason to justify this transfer, and we respectfully assert that the purpose is exactly that detailed in 'The McNulty Disqualification' i.e. judicial corruption + bribery.

Judge McNulty, since having the cases come under his remit, has not, as the law requires, disclosed to either us, the record or the Court his financial disclosure statement, or indeed his conflicts of interest, past or present. We consider this to be evidence that he is in fact conflicted, and is thus prohibited from any further involvement in the cases.

We also request, with all due respect, that in light of your involvement in the cases, you disclose to us, the record and the Court, your financial disclosure statement and a complete and comprehensive list of any and all conflicts of interest, past or present, that involve you and or any members of your family, to the third-degree. We believe it to be a conflict of interest that your son, Jose L. Linares, is employed by the law firm of Walsh + Pizzi + O'Really + Falanga, a law firm whose principal is married to the Clerk of the Court, William Walsh, and one that represents defendant Hackensack University Medical Center and Robert Garrett in K1 + K2.

We respectfully request that the aforementioned information be provided by May 22, 2019 by the close of business in your court.

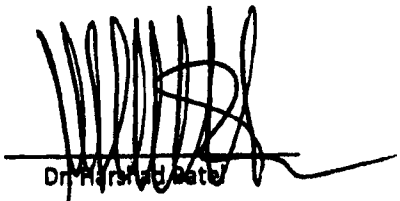
In full recognition of your esteemed position within the judicial body of the United States of America, and of your purpose to do justice, we assert that because of the **"politico-legal"** nexus that undeniably connects the federal judiciary with the body politic, it would not serve the interests of justice to have any of the above cases litigated in any court, within the geographic boundaries of New Jersey. At the heart of these matters are located state actors, state agencies and the state itself, the interests of which are interminably intertwined with the interests of New Jersey lawyers + state judges + New Jersey based federal judges. Simply, as a point of historical interest, the untenability of such a situation was recognized in Spain, after the fall of Franco, when members of the Guarda Civil and Spanish federal judiciary were assigned to provinces in which they had no connections with the local community. This remains the case today, and for good reason, and it was because of this political impartiality that it was a Spanish Judge, Baltasar Garzon, who had General Augusto Pinochet arrested, in 1998, in London for his crimes against humanity. This is the standard to which all jurisprudence should compare itself.

With regards to crimes against humanity, K2 defendant, Christopher J. Christie is no stranger (D.E. 296-11 Page 6973).

It is thus therefore, proper and consistent with the interests justice to have the above cases adjudicated in district courts not within the geographic boundaries of New Jersey, and we would respectfully request that you transfer P1 + P2 back to the United States District for the Northern District of Georgia, no later than May 22, 2019.

We thank you for your attention to this matter.

Yours sincerely



Dr Harshad Bater

R Kaul

Richard Arjun Kaul, MD

cc: All Counsel of record
Clerk of the Court

Exhibit 2

Gmail

Request for financial disclosure statements

Richard Kaul <drrichardkaul@gmail.com> Thu, May 2, 2019 at 6:25 PM
To: CommitteeonFinancialDisclosure@ao.uscourts.gov

Dear Sir/Madam,

Please find attached the following document:

1. Request for financial disclosure statements for:
a. Judge Kevin McNulty - United States District Judge for the District of New Jersey.
b. Chief Judge Jose Linares - United States Chief Judge for the District of New Jersey.

Thank you in advance

Regards,

Richard Arjun Kaul, MD

www.drrichardkaul.com

190502-Request Financial Disclosure-McNulty + Linares.pdf
569K

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 JUN -3 P 2:48

AO 10A (Rev. 03/17)

REQUEST FOR EXAMINATION OF REPORT FILED BY A JUDICIAL OFFICER OR JUDICIAL EMPLOYEE

In accordance with section 105 of the Ethics in Government Act of 1978, as amended, I request that the report of the following named Judicial Officers or Judicial Employees be sent to me in electronic form. By checking this box, I am requesting a paper copy rather than an electronic copy ☐ *(See instructions).*

	NAME	POSITION	YEAR(S) REQUESTED
NAMES OF INDIVIDUALS WHOSE DISCLOSURE REPORTS ARE REQUESTED	Kevin McNulty- District Judge	United States Court for the DNJ	2012-2019
	Joseph Linares - Chief Judge	United States Court for the DNJ	2002-2019

	NAME	ADDRESS
ORGANIZATIONS OR PERSONS ON WHOSE BEHALF THIS REQUEST IS MADE	Richard Arjun Kaul, MD	440c Somerset Drive, Pearl River, NY 10965

PROHIBITIONS

I understand that the statute makes it unlawful to obtain or use this or these reports for: any unlawful purpose; any commercial purpose other than by news and communication media for dissemination to the general public; determining or establishing of the credit rating of any individual; or use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose (5 U.S.C. App. 4 § 105(c)).

I understand that whoever, in any manner within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document, knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both (18 U.S.C. § 1001).

I am aware of the prohibitions on the obtaining and use of this information, as are stated above, and that this request for examination is a matter of public record.

PERSON MAKING REQUEST

Name:
Richard Arjun Kaul, MD

Occupation:
Currently unemployed

Phone Number:
201 989 2299

Email Address:
drrichardkaul@gmail.com

Mailing Address:
440c Somerset Drive, Pearl River, NY 10965

I certify under penalty of perjury that the foregoing is true and correct (28 U.S.C. § 1746).

RKJ
Signature

May 2, 2019
Date executed

Exhibit 16

www.drrichardkaul.com

August 1, 2019

The Honorable Joseph Dickson
District Judge
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Kaul v Christie, et al.
Docket No. 16-CV-02364
Request for admission or denial of statements pertaining to judicial corruption within the United States District Court for the District of New Jersey

For reference purposes:
K1-Kaul v Christie: 16-CV-02364
K2-Kaul v Christie: 18-CV-08086
K3-Kaul v Schumer: 19-CV-13477
K4-Kaul v Stolz: 19-CV-01489 + Appeal: 18-CV-16485
P1-Patel v Allstate: 19-CV-08946
P2-Patel v Allstate: 19-CV-09232

PLEASE POST TO THE DOCKETS IN ALL OF THE ABOVE CASES

Dear Judge Dickson,

I write this letter, with the utmost respect, and appreciation for the work of the federal judiciary, but with an immense disappointment in the fact that such a letter is even warranted

This letter, and the document that I filed yesterday in the United States District Court for the District of New Jersey (copy enclosed) pertain to judicial corruption in this Court.

The purpose of this letter is to provide you an opportunity to confirm or deny the following statements:

1. I understand that exist schemes ("schemes") of judicial bribery and corruption within the United States District Court for the District of New Jersey ("court").

2. I have knowledge and have participated in the schemes.
3. I have knowledge that other judges currently within the court have participated, and do participate, in the schemes.
4. I have knowledge that ex-chief judge, Jose Linares ("Linares") participated in the schemes.
5. I have knowledge that Linares retired on May 16, 2019, because of a letter he received from Kaul and Patel, in which they demanded he disclose his financial holdings and conflicts of interest (copy enclosed).
6. I have knowledge that on May 16, 2019 Linares was made a partner at a New Jersey law firm by the name of McCarter and English.
7. I have knowledge that the law firm of McCarter and English provided the partnership to Linares as part of the scheme, and in return for having provided partial judgments in cases that involved this New Jersey law business.
8. I know that the appointment to the federal bench of Judge Brian R. Martinotti was sponsored by Senators Robert Menendez and Cory Booker ("senators").
9. I have discussed the above cases with the senators.
10. I have knowledge that the senators have received political campaign donations from some of the defendants in the above cases.
11. I have knowledge that the senators have been promised future political campaign donations from some of the defendants, based on dismissals of the above cases.
12. I have knowledge that defendants Allstate and Geico bribed the senators, as part of a series of quid pro quo schemes purposed to have the cases dismissed.
13. I and or members of my family to the third-degree, have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.
14. I have knowledge that certain judges within the Third Circuit Federal Court of Appeals have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.

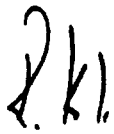
I respectfully request that by August 8, 2019, you confirm or deny the above statements. If no responses are produced by this date, your non-response will cause the above statements to be admitted, and I will move accordingly.

I would also respectfully request that you submit to the record in the above cases, a copy of form AO 10A, that details your financial holdings and any potential conflicts of interest that you would have if the above cases were placed in your judicial remit.

This letter has been sent to every judge within the United States District Court for the District of New Jersey.

Thank you for your prompt attention to this matter.

Yours sincerely



Richard Arjun Kaul, MD
cc: Clerk of the Court

Exhibit 17

www.drrichardkaul.com

August 1, 2019

The Honorable John Michael Vasquez
District Judge
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Kaul v Christie, et al.
Docket No. 16-CV-02364
Request for admission or denial of statements pertaining to judicial corruption within the United States District Court for the District of New Jersey

For reference purposes:
K1-Kaul v Christie: 16-CV-02364
K2-Kaul v Christie: 18-CV-08086
K3-Kaul v Schumer: 19-CV-13477
K4-Kaul v Stolz: 19-CV-01489 + Appeal: 18-CV-16485
P1-Patel v Allstate: 19-CV-08946
P2-Patel v Allstate: 19-CV-09232

PLEASE POST TO THE DOCKETS IN ALL OF THE ABOVE CASES

Dear Judge Vasquez,

I write this letter, with the utmost respect, and appreciation for the work of the federal judiciary, but with an immense disappointment in the fact that such a letter is even warranted

This letter, and the document that I filed yesterday in the United States District Court for the District of New Jersey (copy enclosed) pertain to judicial corruption in this Court.

The purpose of this letter is to provide you an opportunity to confirm or deny the following statements:

1. I understand that exist schemes ("schemes") of judicial bribery and corruption within the United States District Court for the District of New Jersey ("court").

2. I have knowledge and have participated in the schemes.
3. I have knowledge that other judges currently within the court have participated, and do participate, in the schemes.
4. I have knowledge that ex-chief judge, Jose Linares ("Linares") participated in the schemes.
5. I have knowledge that Linares retired on May 16, 2019, because of a letter he received from Kaul and Patel, in which they demanded he disclose his financial holdings and conflicts of interest (copy enclosed).
6. I have knowledge that on May 16, 2019 Linares was made a partner at a New Jersey law firm by the name of McCarter and English.
7. I have knowledge that the law firm of McCarter and English provided the partnership to Linares as part of the scheme, and in return for having provided partial judgments in cases that involved this New Jersey law business.
8. I know that the appointment to the federal bench of Judge Brian R. Martinotti was sponsored by Senators Robert Menendez and Cory Booker ("senators").
9. I have discussed the above cases with the senators.
10. I have knowledge that the senators have received political campaign donations from some of the defendants in the above cases.
11. I have knowledge that the senators have been promised future political campaign donations from some of the defendants, based on dismissals of the above cases.
12. I have knowledge that defendants Allstate and Geico bribed the senators, as part of a series of quid pro quo schemes purposed to have the cases dismissed.
13. I and or members of my family to the third-degree, have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.
14. I have knowledge that certain judges within the Third Circuit Federal Court of Appeals have received from the defendants, monies and or other benefits, of both a tangible and intangible nature.

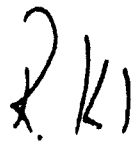
I respectfully request that by August 8, 2019, you confirm or deny the above statements. If no responses are produced by this date, your non-response will cause the above statements to be admitted, and I will move accordingly.

I would also respectfully request that you submit to the record in the above cases, a copy of form AO 10A, that details your financial holdings and any potential conflicts of interest that you would have if the above cases were placed in your judicial remit.

This letter has been sent to every judge within the United States District Court for the District of New Jersey.

Thank you for your prompt attention to this matter.

Yours sincerely



Richard Arjun Kaul, MD
cc: Clerk of the Court

Exhibit 18

made by them and would cease treating and engaging in healthcare commerce with the Plaintiff.

354. The CHC RICO Association-In-Fact Defendants engaged in this pattern of related and continuous predicate acts against the Plaintiff for eight years. The predicated acts constituted a variety of unlawful activities, each conducted with the common purpose of eliminating the Plaintiff from the practice of medicine, and thus eliminating the competition he presented, and increasing the CHC RICO Association-In-Fact Defendants revenues. The predicate acts were related and not isolated events.

355. During the CHC RICO Association-In-Fact Defendants' perpetration of their scheme, the true purpose of the fraudulent nature of their racket, to increase revenues through the elimination of the Plaintiff from the practice of medicine, was revealed to each of the CHC RICO Association-In-Fact Defendants. Nevertheless, in furtherance of their scheme, the CHC RICO Association-In-Fact Defendants continued to disseminate falsehoods that the Plaintiff was not qualified to perform minimally invasive spine surgery.

356. By reason of, and as a result of the misconduct of the CHC RICO Association-In-Fact Defendants, and in particular, their pattern of racketeering activity, Plaintiff has been injured in his medical practice and/or property in multiple ways, including but not limited to the loss of his medical license, the loss of his reputation, the loss of his livelihood, the loss of his children's home and the fracturing of his relationship with his children.

357. The CHC RICO Association-In-Fact Defendants' violations of 18 U.S.C. §1962(c) and (d) have directly and proximately caused injuries and damage to Plaintiff who is entitled to bring this action for three times its actual damage, as well as injunctive/equitable relief, costs, and reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c).

COUNT THREE
VIOLATIONS OF 18 U.S.C. § 1962(C)-(D)
THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, 18 U.S.C. § 1961, ET SEQ.
(By Plaintiff against Defendants Christie + GEICO + Allstate + TD + Stolz + DiOrio + Crist + Solomon + Hafner + Martinotti)
The CAD RICO Association-In -Fact-Enterprise

358. Plaintiff incorporates by reference each preceding paragraph as though fully set forth herein.

359. Plaintiff brings this Count against Defendants Christie + GEICO + Allstate + TD + Stolz + DiOrio + Crist + Solomon + Hafner (inclusively, for the purposes of this Count, the "CAD RICO Association-In-Fact Defendants").

360. At all relevant times the CAD RICO Association-In-Fact Defendants have been "persons" under 18 U.S.C. §1961(3) because they are capable of holding, and do hold, "a legal or beneficial interest in property." Section 1962(c) makes it "unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity." 18 U.S.C. § 1962(c).

361. Section 1962(d) makes it unlawful for "any person to conspire to violate" Section 1962(c), among other provisions. See 18 U.S.C. § 1962(d).

362. As explained in detail below, the CAD RICO Association-In-Fact Defendants sought, amongst other things, to eliminate the Plaintiff from the practice of medicine, destroy his reputation in the field of minimally invasive spine surgery and destroy his economic standing. The purpose of their scheme was to manufacture an excuse to avoid paying the Plaintiff's bills for the minimally invasive spine surgeries he had performed on customers of CAD RICO Association-In-Fact Defendants, Allstate and GEICO. The CAD RICO Association-In-Fact Defendants sought to achieve these ends, so that that the Plaintiff would leave the country, and not litigate the CAD RICO Association-In-Fact Defendants wrongful conduct.The CAD RICO Association-In-Fact Defendants pursued these ends through a fraudulent scheme of bribes and kickbacks to Defendant Christie, that were designed to secure increased revenues, an increased NYSE share price, increased political power over state legislators, increased market-share of the banking and insurance sector, and the manufacture of anticompetitive case law advantageous to their commercial agendas. As explained in detail below, the CAD RICO Association-In-Fact Defendants' years-long misconduct violated sections 1962(c) and (d).

363. Defendants Stolz and DiOrio benefitted from the illegal scheme through increased revenues from legal work from Defendants GEICO and Allstate. Stolz abused his position as the trustee of the Chapter 7 proceeding in refusing to file claims against Defendants Allstate and GEICO for the monies they owed the Plaintiff's corporations. Stolz has collected less than 0.1% of the approximately ten million dollars ($10,000,000.00) owed by Defendants Allstate and GEICO to the Plaintiff and his creditors.

364. Defendant DiOrio represented the Plaintiff in the Chapter 7 proceeding. Defendant DiOrio received legal work from Defendant GEICO in return for advising the Plaintiff to transfer the real estate title of his surgical center (NJSR Surgical Center) to the Chapter 7 estate. Defendant Stolz is the trustee of the Chapter 7 estate. Defendant Allstate is a client of Defendant Stolz and his law firm.

365. Defendant Crist was the CEO of Defendant Allstate. Defendant Crist is a major shareholder in Defendant Allstate. Defendant Crist reaped enormous profits from the four hundred percent (400%) increase in Defendant Allstate's share price that occurred between 2012 and 2016. This increase was a direct consequence of the monies that Defendant Allstate illegally obtained from not paying the Plaintiff the millions they owed him.

366. Defendants Allstate and GEICO used the revocation of the Plaintiff's license as an excuse to not pay hundreds of other minimally invasive spine surgeons the fees owed to them, and thus illegally diverted their clients' monies away from clinical care into executive compensation. As a consequence, their clients were deprived of pain-relieving procedures and many resorted to opiate painkillers. This is one of the causes of the opiate epidemic in New Jersey. The Defendants continue to increase the cost of insurance premiums, while denying care to patients and reducing fees to healthcare providers.

367. Defendant Solomon and members of his family received material favors from Defendants Allstate and GEICO, in exchange for issuing a fraudulent legal opinion and recommending the revocation of the Plaintiff's license. Defendant Solomon was brought out of retirement to adjudicate the case against the Plaintiff and returned to retirement immediately after the case.

368. Defendant Hafner knowingly cooperated with the other Defendants in a scheme that she understood was illegal, in both motive and means. Defendant Hafner played a central role in the drafting of Defendant Solomon's fraudulent opinion and knew that the document had been falsified. Defendant Hafner knew that she had a duty to report the crime to federal authorities, but willfully ignored that duty and did not report the crime to federal authorities. Defendant Hafner was a willing participant in the criminal conspiracy, and because of her cooperation is criminally liable.

Description of the CAD RICO Enterprise

369. RICO defines an enterprise as "any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity." 18 U.S.C. § 1961(4). An association-in-fact enterprise requires three structural features (1) a purpose; (2) relationships among those associated with the enterprise; and (3) longevity sufficient to permit those associates to pursue the enterprise's purpose.

370. The CAD RICO Association-In-Fact Defendants have, through the increased revenue generated through their decades old scheme of kickbacks and bribery, increased their control of the state government, its agencies, its legislature and certain

members of its judiciary. This permitted them to exert control over the mechanism of physician regulation in order to revoke the Plaintiff's medical license. The excuse given by the medical board to revoke the Plaintiff's license was that he had, according to Defendants Przybylski and Kaufman, deviated from a standard of care, a standard that they ultimately admitted did not exist. The real reason for the revocation was their desire to avoid their financial obligations to the Plaintiff. Discussions between the CAD RICO Association-In-Fact Defendants regarding the Plaintiff's invoices for minimally invasive spine surgery took place in complex closed-door meetings, during which the parties discussed the threat to their corporate profits, of the Plaintiff's expanding outpatient minimally invasive spine surgery practice.

371. In order to ensure that their corporate profits were not affected by the increasing commercial success of the Plaintiff's minimally invasive spine surgery practice, and the expanding number of minimally invasive spine surgeons being trained by the Plaintiff, the Defendant insurance carriers co-orchestrated a scheme, with the other CAD RICO Association-In-Fact Defendants to have the Plaintiff's medical license revoked. As part of the scheme the defendant insurance carriers disseminated false information within the medico-legal community, that the Plaintiff had committed insurance fraud. This was done in order to discredit the Plaintiff and isolate him from his colleagues and patients.

372. The illegal scheme to maintain and increase the profits of Defendants Allstate and GEICO through the elimination of the Plaintiff's practice, benefited the shareholders and Defendants Crist, Christie, Solomon, Stolz and DiOrio, all of whom are corrupted members of the political and legal establishment. The illegal scheme also benefitted political lobbyists and public relations personnel, the 'middle-men' through whom Defendants Allstate and GEICO funneled bribes.

373. At all relevant times the CAD RICO Association-In-Fact Defendants operated an ongoing association-in-fact enterprise. This association-in-fact enterprise was formed for the purpose of ensuring that their fraudulent scheme to have the Plaintiff's license revoked was perpetrated to its conclusion. A large majority of these meetings occurred behind closed doors in Newark and Trenton, many of which were attended by members of the Office of the New Jersey Attorney General, and most frequently by Defendant Hafner. The Defendants conducted a pattern of racketeering activityunder § 18 U.S.C. 1961(4).

374. Alternatively, each of the CAD RICO Association-In-Fact Defendants constitutes a single legal entity "enterprise" within the meaning of 18 U.S.C. § 1961(4), through which the other Defendants conducted their pattern of racketeering activity. The CAD RICO Association-In-Fact Defendants' separate legal statuses facilitated the fraudulent scheme and provided a hoped-for shield from liability for the other Defendants and their co-conspirators. The enterprises, alleged in this and the previous paragraph, are referred to collectively as the "CAD RICO Association-In-Fact Enterprise."

375. At all relevant times, the CAD RICO Association-In-Fact Enterprise constituted a single "enterprise" or multiple enterprises within the meaning of 18 U.S.C. § 1961(4), as legal entities, as well as individuals and legal entities associated –in-fact for the common purpose of engaging in the CAD RICO Association-In-Fact Defendants profit making scheme, and the fraudulent scheme to corrupt state agencies and actors to ensure the revocation of the Plaintiff's license.

376. The CAD RICO Association-In-Fact Enterprise consisted of the following entities and individuals: (a) Defendant Allstate New Jersey Insurance Company; (b) Defendant GEICO; (c) Defendant TD Bank; (d) Defendant Christie; (e) Defendant Stolz; (f) Defendant DiOrio; (g) Defendant Christie; (h) Defendant Crist; (i) Defendant Solomon; (j) Defendant Hafner. While each of the CAD RICO Association-In-Fact Defendants acquired, maintained control of, were associated with, and conducted or participated in the conduct of the CAD RICO Association-In-Fact Enterprise's affairs, at all relevant times, the CAD RICO Association-In-Fact Enterprise: (a) had an existence separate and distinct from each CAD Association-In-Fact Enterprise Defendant; (b) was separate and distinct from the pattern of racketeering in which the CAD RICO Association-In-Fact Defendants engaged; and (c) was an ongoing and continuing organization consisting of legal entities, including the CAD RICO Association-In-Fact Enterprise Defendants, along with other individuals and entities, including unknown third parties.

377. The CAD RICO Association-In-Fact Defendants and their co-conspirators, through their illegal CAD RICO Association-In-Fact Enterprise, engaged in a pattern of racketeering activity, which involved a fraudulent scheme to increase revenue for the CAD RICO Association-In-Fact Enterprise's activities by conspiring to have the Plaintiff's license illegally revoked, in order to manufacture an excuse to not pay the Plaintiff monies for the provision of minimally invasive spine surgery. Defendants Allstate and GEICO used the revocation of the Plaintiff's license as a basis to deny payment to other similarly trained minimally invasive spine surgeons.

378. Defendants Allstate and GEICO orchestrated the CAD RICO Association-In-Fact Enterprise's scheme, whereby they leveraged their control of Defendant NJBME to have the Plaintiff's medical license revoked. The purpose of the Scheme which was to eliminate the Plaintiff from the practice of medicine, and thus eradicate their debt and eliminate any future financial liability that would have developed had the Plaintiff continued to practice minimally invasive spine surgery. The CAD RICO Association-In-Fact Defendants knew that the Plaintiff planned to open a four-operating room state licensed surgical center in New Jersey and had plans to expand nationally.

379. Defendant Christie provided the CAD RICO Association-In-fact Enterprise with the use of state agencies (Defendant NJBME), personnel (Defendant Solomon + Defendant Hafner) and the resources (State Treasury) necessary to revoke the Plaintiff's license. Defendant Christie provided these services in return for bribes and monies

disguised as 'campaign donations'. The monies were part of a quid pro quo scheme, not protected by Noerr-Pennington, in which there was an explicit understanding that the bribes were payment for the revocation of the Plaintiff's license.

380. In furtherance of the scheme, the CAD RICO Association-In-Fact Defendants each affirmatively misrepresented or concealed from their shareholders and the public, the existence of bribes, and the fraudulent nature and purpose of the scheme to revoke the Plaintiff's license. Defendants Allstate and GEICO understood that if the shareholders had become aware of the scheme, they would have passed a vote against it, realizing the liability it would incur. Defendants Christie, Solomon and Hafner understood that if the public became aware of the illegal use of their taxes to fund the illegal scheme, they would have demanded an investigation and not voted for Defendant Christie in the 2013 New Jersey Gubenatorial election. Specifically, the CAD RICO Association-In-Fact Defendants claimed that the bribes paid were intended to assist them in their legislative efforts, when in fact they were quid pro quo payments to Defendant Christie, in order to have the Plaintiff's license revoked.

G6 **The CAD RICO Enterprise Sought to Fraudulently Increase Defendants' Profits and Revenues**

381. Each CAD RICO Association-In-Fact Defendant benefited financially from the CAD RICO Association-In-Fact Enterprise. Defendants Allstate and GEICO eliminated past debt, and future liability. Defendant TD was rewarded with regulatory favors not offered to their banking competitors. These favors led to increased profits, increased executive compensation and an increased NYSE share price. Defendant Christie in return acquired funds for his political campaigns.

382. As part of a quid pro quo that existed within the CAD RICO Association-In-Fact Enterprise, Defendant Christie discouraged the NJ Department of Banking and Insurance from enforcing regulatory violations against Defendant TD. This was in return for Defendant TD's (i) foreclosure in 2012 of the Plaintiff's business loans, (ii) their scheme in 2013 to prevent the sale of his Manhattan townhouse and (iii) the appointment in 2013 by a Morris County Court of a receiver who seized control of the Plaintiff's businesses. The latter event precipitated the filing by the Plaintiff on June 17, 2013, for Chapter 11 protection. This caused many of the Plaintiff's employees, a large percentage of whom were single mothers to become unemployed and lose their health insurance. This has resulted in vast profits for the CAD RICO Association-In-Fact Enterprise Defendants which would not have occurred, but for their involvement in quid pro quo schemes with Defendant Christie.

383. At all relevant times, the CAD RICO Association-In-Fact Enterprise: (a) had an existence separate and distinct from each of the CAD RICO Association-In-Fact Defendants; (b) was separate and distinct from the pattern of racketeering in which the

CAD RICO Association-In-Fact Enterprise Defendants engaged; and (c) was an ongoing and continuing organization consisting of legal entities, including the CAD RICO Association-In-Fact Defendants, along with other individuals and entities, including unknown third parties that operated an association-in-fact enterprise, which was formed for the purpose of bribing Defendant Christie. The purpose of the bribery was to have him order Defendant NJBME to revoke the Plaintiff's license. The revocation caused an increase in revenue to the CAD RICO Association-In-Fact Defendants. Defendants Allstate, GEICO and TD's increased profits and increased share prices, have not resulted in lower insurance and banking fees to the public.

384. The CAD RICO Association-In-Fact Defendants and their co-conspirators, through their illegal Enterprise, engaged in a pattern of racketeering activity, which involved a fraudulent scheme to increase revenue for the CAD RICO Association-In-Fact Defendants and other entities and individuals associated-in-fact with the Enterprise's activities. The CAD RICO Association-In-Fact Defendants illegal scheme to have the Plaintiff's license revoked, caused them to profit from the increased revenues that flowed from the eradication of past debt and the elimination of future liability. These illegal profits were distributed to Defendants Christie, Solomon, Crist, Stolz and DiOrio disguised as executive compensation, share dividends, legal fees, campaign donations and no-show jobs for family members. The CAGTK RICO Defendants, comprise a group of "persons" who simultaneously regulate and profit from the New Jersey Banking and Insurance Sector.

385. The CAD RICO Association-In-Fact Enterprise engaged in, and its activities affected, interstate and foreign commerce because it involved commercial activities across state boundaries, such as the commercialization of risk, the lending of capital and the sale of financial products, the consequences of which have generated enormous profits.

386. The CAD RICO Association-In-Fact Enterprise used their common communication network to promote false information that the Plaintiff was not qualified to perform minimally invasive spine surgery, had committed insurance fraud. Medicare fraud and bank fraud. The purpose of this propaganda campaign was to isolate the Plaintiff from the medico-legal community and any source of capital.

387. Defendant TD filed a complaint in 2013 with www.checksystems.com that prevented the Plaintiff access to banking services. Defendant TD's misconduct caused the Plaintiff to become homeless in 2013 and compromised his economic position, which temporarily hindered his ability to litigate pending legal matters, and collect monies owed by Defendants Allstate and GEICO.

388. Defendant GEICO filed a frivolous lawsuit against the Plaintiff on April 24, 2013. The falsity of its insurance fraud claims was proved when Defendant GEICO's lawsuit filed was dismissed with prejudice on December 8, 2014.

389. The network was used to disseminate the aforementioned falsehoods to the minimally invasive spine surgery community, in order to dissuade them from pursuing their accounts receivable. This permitted Defendants Allstate and GEICO to improperly profit from a scheme polluted with bribes, fraud, kickbacks, obstruction of justice, perjury and a criminally fraudulent opinion rendered by Defendant Solomon.

390. Each participant in the CAD RICO Association-In-Fact Enterprise had systematic linkages to each other through corporate ties, contractual relationships, financial ties, and a continuing coordination of activities. Through the CAD RICO Association-In-Fact Enterprise, the CAD RICO Association-In-Fact Defendants functioned as a continuing unit with the purpose of furthering the CAD RICO Association-In-Fact Scheme.

391. The CAD RICO Association-In-Fact Defendants participated in the operation and management of the CAD RICO Association-In-Fact Enterprise by directing its affairs, as described herein. While the CAD RICO Association-In-Fact Defendants participated in, and are members of, the enterprise, they have a separate existence from the enterprise, including distinct legal statuses, different offices and roles, bank accounts, officers, directors, employees, individual personhood, reporting requirements, and financial statements.

392. The CAD RICO Association-In-Fact Defendants exerted substantial control over the CAD RICO Association-In-Fact Enterprise, and participated in the affairs of the enterprise by: **(a)** deciding how monies were dispersed from the political action committees; **(b)** communicating directly with lawyers, public relation agents and political lobbyists with direct connections to Defendant Christie, and members of both state and federal governments; **(c)** developing policies, guidelines and fee schedules for clinical care, in which the Defendants Allstate and GEICO colluded with other New Jersey No-Fault Carriers to fix the prices of both auto insurance and the fees paid to healthcare providers; **(d)** procuring appointments to regulatory state agencies, which they abused to further their personal economic agendas; **(e)** writing healthcare related legislation; **(f)** funding state administered litigation against minimally invasive spine surgeons to whom they owed substantial monies; **(g)** misrepresenting and/or concealing from the public the true nature of the relationship and agreements between the members of the enterprise and the scheme to bribe Defendant Christie in order to revoke the Plaintiff's medical license; **(h)** otherwise misrepresenting and/or concealing the increased personal profits that inured to their benefit as a consequence of the illegal elimination of the Plaintiff from the practice of medicine; **(i)** ensuring that the other CAD RICO Association-In-Fact Defendants and unnamed co-conspirators complied with and concealed the fraudulent scheme.

393. Without each CAD RICO Association-In-Fact Defendants' willing participation, the CAD RICO Association-In-Fact scheme and common course of conduct would not have been successful. The CAD RICO Association-In-Fact Defendants directed and controlled

the ongoing organization necessary to implement the scheme at meetings and through communications of which Plaintiff cannot fully know at present, because such information lies in the Defendants' and others' hands.

Predicate Acts: Mail and Wire Fraud

394. To carry out, or attempt to carry out, the scheme to defraud, the CAD RICO Association-In-Fact Defendants, each of whom is a person associated-in-fact with the CAD RICO Association-In-Fact Enterprise, did knowingly, conduct or participate, directly or indirectly, in the affairs of the CAD RICO Association-In-Fact Enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961(1), 1961(5) and 1962(c), and employed the use of the mail and wire facilities, in violation of 18 U.S.C. § 1341 (mail fraud) and § 1343 (wire fraud).

395. Specifically, the CAD RICO Association-In-fact Defendants have committed, conspired to commit, and/or aided and abetted in the commission of, at least two predicate acts of racketeering activity (i.e. violations of 18 U.S.C. §§ 1341 and 1343), within the past ten years.

396. The multiple acts of racketeering activity which the CAD RICO Defendants committed, or aided or abetted in the commission of, were related to each other, posed a threat of continued racketeering activity, and therefore constitute a "pattern of racketeering activity." The racketeering activity was made possible by the CAD RICO Defendants' regular use of the facilities, services, distribution channels, and employees of the CAD RICO Enterprise. The CAD RICO Association-In-Fact Defendants participated in the scheme to defraud by using mail, telephone, and the Internet to transmit mailing and wires in interstate or foreign commerce.

397. The CAD RICO Association-In-Fact Defendants used, directed the use of, and/or caused to be used, thousands of interstate mail and wire communications in service of their scheme through virtually uniform misrepresentations, concealments, and material omissions.

398. In devising and executing the illegal scheme, the CAD RICO Association-In-Fact Defendants devised and knowingly carried out a material scheme and/or artifice to defraud the Plaintiff of the property rights of his reputation, medical license and healthcare business, by communicating to the public, the Plaintiff's patients and his professional colleagues, that the Plaintiff was not qualified to perform minimally invasive spine surgery and had committed insurance and bank fraud, materially false representations. For the purpose of executing the illegal scheme, the CAD RICO Association-In-Fact Defendants committed these racketeering acts, which number in the thousands, intentionally and knowingly with the specific intent to advance the illegal scheme.

From paragraph 316 to 387 Kaul has pled with particularity, fact specific to each element, of each claim, against each defendant, in a separate and distinct manner:

399. **Defendant Christie + Defendant GEICO:**
Date range: 2008 to 2019.
Conduits of Communication + Bribery to Christie: Public relations firm (Mercury Public Relations + Princeton Public Relations + Law Firm (Brach Eichler + Wolf Samson) + Through state government intermediary + Directly + Political campaign fundraisers + Political campaign donations.
Mode of communication: E-mail + face to face
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States + Scheme to use the bankruptcy proceedings to defraud Kaul of his assets, his real estate holdings and $ 45 million owed to him by insurance companies, including defendants Allstate + Geico + Scheme to conceal from Kaul the defendants' pattern of racketeering in the United States Bankruptcy Court for the District of New Jersey.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to send false information to New Jersey politicians, encouraging them, with the promise of political campaign 'donations' to coerce Defendant NJBME and the New Jersey Attorney General to have Kaul's license revoked + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of law and public relation firms to funnel bribes to Christie as part of quid pro quo schemes to revoke Kaul's license, destroy his reputation and cause him to leave the United States + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CHC RICO (or appropriate name) Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit

information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Governor's office in Trenton + Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ

400. **Defendant Christie + Defendant Allstate:**
See above. As with Defendant Christie + Defendant GEICO.
Location: Governor's office in Trenton + Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + Law offices of Meyner Landis, Newark + NJ Office of the New Jersey Attorney General + Allstate corporate offices.

401. **Defendant Christie + Defendant TD:**
See above. As with Defendant Christie + Defendant GEICO
Location: Governor's office in Trenton + Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + TD corporate offices

402. **Defendant Christie + Defendant Stolz:**
Date range: 2014 to 2019
Conduits of Communication + Bribery to Christie: See above. As with Defendant Christie + Defendant GEICO
Mode of communication: See above. As with Defendant Christie + Defendant GEICO.
Substance of communications: See above. As with Defendant Christie + Defendant GEICO.
Tactics employed: Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CHC RICO (or appropriate name) Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the

revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CHC RICO (or appropriate name) Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ.

403. **Defendant Christie + Defendant Diiorio:**
Date range: See above. As with Defendant Christie + Defendant Stolz.
Mode of communication: US mail + E-mail + Voice message + SMS (text) + Face to face.
Substance of communications: See above. As with Defendant Christie + Defendant Stolz.
Tactics employed: Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CHC RICO (or appropriate name) Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CHC RICO (or appropriate name) Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in

furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Shapiro Croland, Hackensack, NJ

404. **Defendant Christie + Defendant Crist:**
Date range: 2009 to 2019
Conduits of Communication + Bribery to Christie: See above. As with Defendant Christie + Defendant Allstate.
Mode of communication: See above. As with Defendant Christie + Defendant Dilorio.
Substance of communications: See above. As with Defendant Christie + Defendant Allstate.
Tactics employed: See above. As with Defendant Christie + Defendant Allstate.
Location: See above. As with Defendant Christie + Defendant Allstate.

405. **Defendant Christie + Defendant Solomon:**
Date range: 2013 to 2019
Conduits of Communication + Bribery to Christie: Directly + Political campaign fundraisers + Political campaign donations.
Mode of communication: See above. As with Defendant Christie + Defendant Dilorio.
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States.
Tactics employed: Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have

Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Christie/Republican political fund raisers + New Jersey Office of Administrative Law

406. **Defendant Christie + Defendant Hafner:**
Date range: 2009 to 2019.
Conduits of Communication + Bribery to Christie: Law Firm (Brach Eichler + Wolf Samson) + Through state government intermediary + Directly + Political campaign fundraisers.
Mode of communication: See above. As with Defendant Christie + Defendant Diiorio.
Substance of communications: See above. As with Defendant Christie + Defendant Crist.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's

global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.

407. Defendant GEICO + Defendant Christie:
See above. As with Defendant Christie + Defendant GEICO.

408. Defendant GEICO + Defendant Allstate:
Date range: 2006 to 2019
Mode of communication: US mail + E-mail + Voice message + SMS (text) + Face to face - 5
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States + Scheme to use the bankruptcy proceedings to defraud Kaul of his assets, his real estate holdings and $ 45 million owed to him by insurance companies, including defendants Allstate + Geico + Scheme to conceal from Kaul the defendants' pattern of racketeering in the United States Bankruptcy Court for the District of New Jersey.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to send false information to New Jersey politicians, encouraging them, with the promise of political campaign 'donations' to coerce Defendant NJBME and the New Jersey Attorney General to have Kaul's license revoked + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of law and public relation firms to funnel bribes to Christie as part of quid pro quo schemes to revoke Kaul's license, destroy his reputation and cause him to leave the United States + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to

organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery – 9 Use of the US mails and wires to transmit letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ + Law offices of Pringle + Quinn + Anzano, Belmar, NJ + Law offices of Rivkin Radler, Hackensack, NJ + Law offices of Shapiro Croland, Hackensack, NJ + New Jersey Office of Administrative Law + Allstate corporate offices + Geico corporate offices.

409. **Defendant GEICO + Defendant TD:**
Date range: 2010 to 2019
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: See above. As with Defendant GEICO + Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ + Law offices of Meyner Landis, Newark, NJ + Geico corporate offices.

410. **Defendant GEICO + Defendant Stolz:**

Date range: 2014 to 2019.
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: See above. As with Defendant GEICO + Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ + Law offices of Rivkin Radler, Hackensack, NJ + Geico corporate offices.

411. **Defendant GEICO + Defendant Dilorio:**
Date range: 2014 to 2019.
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: See above. As with Defendant GEICO + Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ + Law offices of Shapiro Croland, Hackensack, NJ + Geico corporate offices

412. **Defendant GEICO + Defendant Crist:**
Date range: 2011 to 2019.
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: As above. As with Defendant GEICO + Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + Law offices of Rivkin Radler, Hackensack, NJ + New Jersey Office of Administrative Law + Geico corporate offices

413. **Defendant GEICO + Defendant Solomon:**
Date range: 2011 to 2019.
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ + New Jersey Office of Administrative Law + Geico corporate offices

414. **Defendant GEICO + Defendant Hafner:**
Date range: 2010 to 2019
Mode of communication: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: See above. As with Defendant GEICO + Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ + New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + Geico corporate offices.

415. **Defendant Allstate + Defendant Christie:**
Date range: See above. As with Defendant Christie + Defendant Allstate.
Conduits of Communication + Bribery to Christie:
Mode of communications: See above. As with Defendant Christie + Defendant Allstate.
Substance of communications: See above. As with Defendant Christie + Defendant Allstate.
Tactics employed: See above. As with Defendant Christie + Defendant Allstate.
Location: See above. As with Defendant Christie + Defendant Allstate.

416. **Defendant Allstate + Defendant GEICO:**
Date range: See above. A with Defendant GEICO + Defendant Allstate.
Mode of communications: See above. As with Defendant GEICO + Defendant Allstate.
Substance of communications: See above. As with Defendant GEICO+ Defendant Allstate.
Tactics employed: See above. As with Defendant GEICO + Defendant Allstate.
Location: See above. As with Defendant GEICO + Defendant Allstate.

417. **Defendant Allstate + Defendant TD:**
Date range: See above. As with Defendant GEICO + Defendant TD.
Mode of communications: See above. As with Defendant GEICO + Defendant TD.
Substance of communications: See above. As with Defendant GEICO+ Defendant TD.
Tactics employed: See above. As with Defendant GEICO + Defendant TD.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Rivkin Radler, Hackensack, NJ + Law offices of Meyner Landis, Newark, NJ + Allstate corporate offices.

418. **Defendant Allstate + Defendant Stolz:**
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Stolz.
Substance of communications: See above. As with Defendant GEICO + Defendant Stolz.
Tactics employed: See above. As with Defendant GEICO + Defendant Stolz.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ + Law offices of Meyner Landis, Newark + NJ Office of the New Jersey Attorney General + Allstate corporate offices.

419. **Defendant Allstate + Defendant Dilorio:**
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Dilorio.
Substance of communications: See above. As with Defendant GEICO + Defendant Dilorio.
Tactics employed: See above. As with Defendant GEICO + Defendant Dilorio.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Law offices of Shapiro Croland, Hackensack, NJ + Office of the New Jersey Attorney General + Allstate corporate offices.

420. Defendant Allstate + Defendant Crist:
Date range: 2006 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Crist.
Substance of communications: See above. As with Defendant GEICO + Defendant Crist.
Tactics employed: See above. As with Defendant GEICO + Defendant Crist.
Location: United States Bankruptcy Court for the District of New Jersey Law offices of Pringle /Quinn/Anzano, Belmar + NJ Law offices of Meyner Landis, Newark, NJ + Office of the New Jersey Attorney General + Allstate corporate offices.

421. Defendant Allstate + Defendant Solomon:
Date range: 2011 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Solomon.
Substance of communications: See above. As with Defendant GEICO + Defendant Solomon
Tactics employed: See above. As with Defendant GEICO + Defendant Solomon.
Location: United States Bankruptcy Court for the District of New Jersey Law offices of Pringle /Quinn/Anzano, Belmar + NJ Law offices of Meyner Landis, Newark + NJ New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + Allstate corporate offices.

422. Defendant Allstate + Defendant Hafner:
Date range: 2010 to 2019
Mode of communications: See above. As with Defendant GEICO + Defendant Hafner.
Substance of communications: See above. As with Defendant GEICO + Defendant Hafner.
Tactics employed: See above. As with Defendant GEICO + Defendant Hafner.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + Law offices of Meyner Landis, Newark, NJ + Office of the New Jersey Attorney General + Allstate corporate offices.

423. Defendant Allstate + Defendant Martinotti:
Date range: 2019
Mode of communications: See above. As with Defendant GEICO + Defendant Hafner.
Substance of communications: See above. As with Defendant GEICO + Defendant Hafner.
Tactics employed: See above. As with Defendant GEICO + Defendant Hafner.
Location: United States District Court for the District of New Jersey + Office of the New Jersey Attorney General + Allstate corporate offices + Offices of US Senators Cory Booker and Robert Menendez.

424. Defendant TD + Defendant Christie:
Date range: 2011 to 2019.
Conduit of Communication + Bribery to Christie: See above. As with Defendant Christie + Defendant TD.
Mode of communications: See above. As with Defendant Christie + Defendant TD.
Substance of communications: See above. As with Defendant Christie + Defendant TD.
Tactics employed: See above. As with Defendant Christie + Defendant TD.

Location: Governor's office in Trenton + Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + TD corporate offices

425. **Defendant TD + Defendant GEICO**:
Date range: 2011 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant TD.
Substance of communications: See above. As with Defendant GEICO + Defendant TD.
Tactics employed: See above. As with Defendant GEICO + Defendant TD.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + Office of the New Jersey Attorney General + Allstate corporate offices + TD corporate offices.

426. **Defendant TD + Defendant Allstate**:
Date range: 2011 to 2019.
Mode of communications: See above. As with Defendant Allstate + Defendant TD.
Substance of communications: See above. As with Defendant Allstate + Defendant TD.
Tactics employed: See above. As with Defendant Allstate + Defendant TD.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + Office of the New Jersey Attorney General + Allstate corporate offices + TD corporate offices.

427. **Defendant TD + Defendant Stolz**:
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Stolz.
Substance of communications: See above. As with Defendant GEICO + Defendant Stolz.
Tactics employed: See above. As with Defendant GEICO + Defendant Stolz.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Law offices of Meyner Landis, Newark, NJ + TD corporate offices.

428. **Defendant TD + Defendant Dilorio**:
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Dilorio.
Substance of communications: See above. As with Defendant GEICO + Defendant Dilorio
Tactics employed: See above. As with Defendant GEICO + Defendant Dilorio.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + Law offices of Shapiro Croland, Hackensack, NJ + TD corporate offices

429. **Defendant TD + Defendant Crist**:
Date range: 2011 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Crist.
Substance of communications: See above. As with Defendant GEICO + Defendant Crist.

Tactics employed: See above. As with Defendant GEICO + Defendant Crist.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Pringle + Quinn + Anzano, Belmar + NJ Law offices of Meyner Landis, Newark + NJ Office of the New Jersey Attorney General + Allstate corporate offices + TD corporate offices.

430. **Defendant TD + Defendant Solomon**:
Date range: 2011 to 2019.
Mode of communications: See above. As with Defendant GEICO + Defendant Solomon.
Substance of communications: See above. As with Defendant GEICO + Defendant Solomon.
Tactics employed: See above. As with Defendant GEICO + Defendant Solomon.
Location: Law offices of Meyner Landis, Newark, NJ New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + TD corporate offices.

431. **Defendant TD + Defendant Hafner**: (i) Date range: 2010 to 2019; (ii) Mode of communications: See above. As with Defendant GEICO + Defendant Hafner: (iii) Substance of communications: See above. As with Defendant GEICO + Defendant Hafner: (iv) Tactics employed: See above. As with Defendant GEICO + Defendant Hafner: (v) Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Meyner Landis, Newark, NJ + Office of the New Jersey Attorney General + TD corporate offices.

432. **Defendant Stolz + Defendant Christie:**
See above. As with Defendant Christie + Defendant Stolz.

433. **Defendant Stolz + Defendant GEICO:**
See above. As with Defendant GEICO + Defendant Stolz.

434. **Defendant Stolz + Defendant Allstate:**
See above. As with Defendant Allstate + Defendant Stolz.

435. **Defendant Stolz + Defendant TD:**
See above. As with Defendant TD + Defendant Stolz.

436. **Defendant Stolz + Defendant Dilorio:**
Date range: 2014 to 2019
Mode of communications: See above. As with Defendant Allstate + Defendant Dilorio.
Substance of communications: See above. As with Defendant Allstate + Defendant Dilorio
Tactics employed: See above. As with Defendant Allstate + Defendant Dilorio
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Law offices of Shapiro Croland, Hackensack, NJ + New Jersey Office of Administrative Law + Office of the New Jersey Attorney General.

437. **Defendant Stolz + Defendant Crist:**
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant Allstate + Defendant Crist.
Substance of communications: See above. As with Defendant Allstate + Defendant Crist.
Tactics employed: See above. As with Defendant Allstate + Defendant Crist.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + Office of the New Jersey Attorney General + Allstate corporate offices.

438. **Defendant Stolz + Defendant Solomon:**
Date range: 2014 to 2019.
Mode of communication: See above. As with Defendant Allstate + Defendant Solomon.
Substance of communications: See above. As with Defendant Allstate + Solomon.
Tactics employed: See above. As with Defendant Allstate + Solomon.
Location: Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + New Jersey Office of Administrative Law + Office of the New Jersey Attorney General.

439. **Defendant Stolz + Defendant Hafner:**
Date range: 2014 to 2019.
Mode of communication: See above. As with Defendant Allstate + Defendant Hafner.
Substance of communications: See above. As with Defendant Allstate + Defendant Hafner.
Tactics employed: See above. As with Defendant Allstate + Defendant Hafner.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Office of the New Jersey Attorney General + Allstate corporate offices.

440. **Defendant Dilorio + Defendant Christie:**
See above. As with Defendant Christie + Defendant Dilorio.

441. **Defendant Dilorio + Defendant GEICO:**
See above. As with Defendant GEICO + Defendant Dilorio.

442. **Defendant Dilorio + Defendant Allstate**
See above. As with Defendant Allstate + Defendant Dilorio

443. **Defendant Dilorio + Defendant TD:**
See above. As with Defendant TD + Defendant Dilorio.

444. **Defendant Dilorio + Defendant Stolz:**
See above. As with Defendant Stolz + Defendant Dilorio.

445. **Defendant Dilorio + Defendant Crist:**
Date range: 2014 to 2019.

Mode of communications: See above. As with Defendant Allstate + Defendant Dilorio.
Substance of communications: See above. As with Defendant Allstate + Defendant Dilorio.
Tactics employed: See above. As with Defendant Allstate + Defendant Dilorio.
Location: See above. As with Defendant Allstate + Defendant Dilorio,

446. **Defendant Dilorio + Defendant Solomon:**
Date range: 2014 to 2019
Mode of communications: US mail + E-mail + Voice message + SMS (text) + Face to face - 5
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States + Scheme to use the bankruptcy proceedings to defraud Kaul of his assets, his real estate holdings and $ 45 million owed to him by insurance companies, including defendants Allstate + Geico + Scheme to conceal from Kaul the defendants' pattern of racketeering in the United States Bankruptcy Court for the District of New Jersey - 7
Tactics employed: Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Law offices of Wasserman + Jurista + Stolz, Basking Ridge, NJ New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + Allstate corporate offices - 17

Geico corporate offices.

447. **Defendant Dilorio + Defendant Hafner:**
Date range: 2014 to 2019.
Mode of communications: See above. As with Defendant Dilorio + Defendant Solomon.
Substance of communications: See above. As with Defendant Dilorio + Defendant Solomon.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license+ Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Office of the New Jersey Attorney General + Allstate corporate offices + Geico corporate offices.

448. **Defendant Crist + Defendant Christie:**
See above. As with Defendant Christie + Defendant Crist.

449. **Defendant Crist + Defendant GEICO:**
See above. As with Defendant GEICO + Crist.

450. Defendant Crist + Defendant Allstate:
See above. As with Defendant Allstate + Defendant Crist.

451. Defendant Crist + Defendant TD:
See above. As with Defendant TD + Defendant Crist.

452. Defendant Crist + Defendant Stolz:
See above. As with Defendant Stolz + Defendant Crist.

453. Defendant Crist + Defendant Dilorio:
See above. As with Defendant Dilorio + Defendant Crist.

454. Defendant Crist + Defendant Solomon:
Date range: 2011 to 2019
Mode of communications: See above. As with Defendant Dilorio + Defendant Solomon.
Substance of communications: See above. As with Defendant Allstate + Defendant Solomon.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to send false information to New Jersey politicians, encouraging them, with the promise of political campaign 'donations' to coerce Defendant NJBME and the New Jersey Attorney General to have Kaul's license revoked + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of law and public relation firms to funnel bribes to Christie as part of quid pro quo schemes to revoke Kaul's license, destroy his reputation and cause him to leave the United States + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had instructed their members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have

Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: United States Bankruptcy Court for the District of New Jersey + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + New Jersey Office of Administrative Law Office of the New Jersey Attorney General + Allstate corporate offices.

455. Defendant Crist + Defendant Hafner:
Date range: 2010 to 2019.
Mode of communications: US mail + E-mail + Voice message + SMS (text) + Face to face.
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States + Scheme to use the bankruptcy proceedings to defraud Kaul of his assets, his real estate holdings and $ 45 million owed to him by insurance companies, including defendants Allstate + Geico + Scheme to conceal from Kaul the defendants' pattern of racketeering in the United States Bankruptcy Court for the District of New Jersey.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud + Use of the US mail and wires to send false information to New Jersey politicians, encouraging them, with the promise of political campaign 'donations' to coerce Defendant NJBME and the New Jersey Attorney General to have Kaul's license revoked + Use of the US mail and wires to organize and further schemes to bribe Defendant Christie, in order to have him order Defendant NJBME to revoke Kaul's license + Use of law and public relation firms to funnel bribes to Christie as part of quid pro quo schemes to revoke Kaul's license, destroy his reputation and cause him to leave the United States + Use of the US mail and wires to further scheme to have Kaul's license revoked by having Defendant Lomazow use his authority on Defendant NJBME to initiate an investigation against Kaul, in order to have his license revoked + Use of the US mail and wires to organize and further orders from Christie to revoke Kaul's license, in furtherance of quid pro quo schemes of bribery + Use of the US mails and wires to transmit letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had instructed their

members not to support the Plaintiff in any litigation + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to bill and collect the increased revenues that flowed from the illegal elimination of Kaul from the practice of medicine + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.
Location: Christie/Republican political fund raisers + United States Bankruptcy Court for the District of New Jersey + Law offices of Wasserman/Jurista/Stolz, Basking Ridge, NJ + Law offices of Pringle/Quinn/Anzano, Belmar, NJ + New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + Allstate corporate offices.

456. Defendant Solomon + Defendant Christie:
See above. As with Defendant Christie + Defendant Solomon.

457. Defendant Solomon + Defendant GEICO:
See above. As with Defendant GEICO + Defendant Solomon

458. Defendant Solomon + Defendant Allstate:
See above. As with Defendant Allstate + Defendant Solomon.

459. Defendant Solomon + Defendant TD:
See above. As with Defendant TD + Defendant Solomon.

460. Defendant Solomon + Defendant Stolz:
See above. As with Defendant Stolz + Defendant Stolz.

461. Defendant Solomon + Defendant Dilorio:
See above. As with Defendant Dilorio + Defendant Solomon.

462. Defendant Solomon + Defendant Crist:
See above. As with Defendant Crist + Defendant Solomon.

463. Defendant Solomon + Defendant Hafner:
Date range: 2013 to 2019.
Mode of communications: US mail + E-mail + Voice message + SMS (text) + Face to face.
Substance of communications: Scheme to revoke Kaul's license + Scheme to destroy Kaul's reputation + Scheme to destroy Kaul's economic standing + Scheme to have Kaul ostracized + Scheme to have Kaul leave the United States.
Tactics employed: Use of US mail and wires to file false complaints against him with Defendant NJBME + Use of US mail and wires to send patients letters encouraging them to file frivolous lawsuits against Kaul + Use of the US mail and wires to communicate false information to patients, that he was not qualified to perform minimally invasive spine surgery + Use of the US mail and wires to send false information to personal injury lawyers that Kaul was not qualified to perform minimally invasive spine surgery and had committed insurance fraud – 4 Use of the US mails and wires to transmit written, telephone, or electronic communications regarding the knowingly fraudulent events surrounding the revocation of the Plaintiff's license + Use of the US mails and wires to transmit written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the illegal scheme to revoke Kaul's license + Use of the US mails and wires to globally transmit the knowingly illegal revocation of Kaul's license to national and international healthcare related agencies (Federation of State Medical Boards + American Board of Anesthesiology + General Medical Council of the UK) and regulatory bodies, in furtherance of the illegal scheme to destroy Kaul's global reputation and livelihood, with the intention of causing his death + Use of the US mails and wires to transmit information in furtherance of Christie's scheme to illegally have his attorney general and acting director of the division of consumer affairs have Defendant NJBME revoke Kaul's license + Use of the US mails and wires to transmit information in furtherance of their scheme of converting the United States Bankruptcy Court into a racketeering enterprise + Use of the US mails and wires to transmit false information that Kaul has committed insurance fraud, was not qualified to perform minimally invasive spine surgery, had committed bank fraud and was going to be criminally indicted for Medicare fraud + Obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') + Use of the US mail and wires to transmit the illegal consequences of the obstruction of justice and evidence tampering ('The Solomon Critique' + 'The Solomon Critique 2') to the public, national (state + federal) and international healthcare agencies and regulatory bodies, in furtherance of the defendants scheme to destroy Kaul's reputation globally, his livelihood, his economic standing and prevent him from obtaining a medical license anywhere in the world, or indeed any form of employment.

Location: New Jersey Office of Administrative Law + Office of the New Jersey Attorney General + Allstate corporate offices + Geico corporate offices.

464. Defendant Hafner + Defendant Christie:
See above. As with Defendant Christie + Defendant Hafner.

465. Defendant Hafner + Defendant GEICO:
See above. As with Defendant GEICO + Defendant Hafner.

466. Defendant Hafner + Defendant Allstate:
See above. As with Defendant Allstate + Defendant Hafner.

467. Defendant Hafner + Defendant TD:
See above. As with Defendant TD + Defendant Hafner.

468. Defendant Hafner + Defendant Stolz:
See above. As with Defendant Stolz + Defendant Hafner.

469. Defendant Hafner + Defendant Dilorio:
See above. As with Defendant Dilorio + Defendant Hafner

470. Defendant Hafner + Defendant Crist:
See above. As with Defendant Crist + Defendant Hafner.

471. Defendant Hafner + Defendant Solomon:
See above. As with Defendant Solomon + Defendant Hafner.

446. The CAD RICO Association-In-Fact Defendants' predicate acts of racketeering (18 U.S.C. § 1961(1) include, but are not limited to:
(a) Mail Fraud: The CAD RICO Association-In-Fact Defendants violated 18 U.S.C. § 1341 by sending or receiving, or causing to be sent and /or received, materials via U.S. mail or commercial interstate carriers for the purpose of executing the unlawful scheme of bribes and kickbacks, to have the Plaintiff's license improperly revoked, his reputation destroyed, eradicate debt, eliminate future financial liability and prevent other minimally invasive spine surgeons from collecting monies that they were owed. These ends were pursued by means of false representations and omissions.
(b) Wire Fraud: The CAGTK RICO Defendants violated 18 U.S.C. § 1343 by transmitting and/or receiving, or by causing to be received, materials by wire for the purpose of executing the unlawful scheme to defraud the Plaintiff of monies he was owed for the provision of minimally invasive spine surgery, based on false pretenses, misrepresentations that the Plaintiff was not qualified to perform minimally invasive spine surgery, and had committed insurance and bank fraud.
(c) The CAD RICO Association-In-Fact Defendants' use of the mails and wires include, but are not limited to: **(i)** the transmission of letters, e-mails and other materials

regarding the price fixing of auto insurance policies and physician fee schedules; (ii) the transmission of letters, emails and other materials indicating that the CAD RICO Association-In-Fact Defendants had advised the medico-legal community not to support the Plaintiff in any litigation; (iii) written, telephone, or electronic communications regarding the events surrounding the revocation of the Plaintiff's license; (iv) written, telephone, or electronic communications instructing the medico-legal community not to support the Plaintiff in any litigation; (v) written, telephone, or electronic communications regarding discussions between the CAD RICO Association-In-Fact Defendants and state and federal politicians about the scheme to revoke the Plaintiff's license; (vi) the use of the mails or wires to further schemes to eradicate the CAD RICO Association-In-Fact Defendants' debt to the Plaintiff, and eliminate future liability; (vii) the use of the mails and wires to instruct the Chapter 7 trustee not to pursue the monies owed to the Plaintiff's corporations, and creditors.

447. The CAD RICO Association-In-Fact Defendants also communicated by U.S. mail, by interstate facsimile, and by interstate electronic mail with every American state licensing board, the Federation of State Medical Boards, the American Board of Anesthesiology, the General Medical Council of the United Kingdom, and other healthcare related third-party entities in furtherance of the scheme, the purpose of which was to harm the Plaintiff's economic and reputational standing. The mail and wire transmissions described herein were made in furtherance of Defendants' scheme and common course of conduct designed to increase the revenues that flowed from the elimination of the debt owed to the Plaintiff, and the eradication of future financial liability. Many of the precise dates of the fraudulent uses of the mail and interstate wire facilities have been deliberately hidden and cannot be alleged without access to the Defendants' servers and digital records. However, Plaintiff has described the types of, and in some instances, occasions on which the predicate acts of mail and/or wire fraud occurred. They include thousands of communications to perpetuate and maintain the scheme, including the things and documents described above.

448. The CAD RICO Association-In-Fact Defendants have not undertaken the practices described herein in isolation, but as part of a common scheme and conspiracy. In violation of 18 U.S.C. § 1962(d), the CAD RICO Defendants conspired to violate 18 U.S.C. § 1962(c), as described herein. Various other persons, firms, and corporations, including third-party entities and individuals not named as defendants in this Complaint, have participated as co-conspirators with the CAD RICO Association-In-Fact Defendants in these offenses and have performed acts in furtherance of the conspiracy to increase revenues, increase market share, and or minimize losses for the Defendants and their unnamed co-conspirators throughout the illegal scheme and common course of conduct.

449. The CAD RICO Association-In-Fact Defendants aided and abetted others in violation of the above laws. To achieve their common goals, the CAD RICO Association-In-Fact Defendants encouraged their clients to file lawsuits against the Plaintiff, filed

complaints with state and federal healthcare regulatory authorities, instructed their members to discontinue communications with the Plaintiff and encouraged the media to publish defamatory articles. The CAD RICO Association-In-Fact Defendants and each member of the conspiracy, with knowledge and intent, agreed to the overall objectives of the conspiracy and participated in the common course of conduct. Indeed, for the conspiracy to succeed, each of the CAD RICO Association-In-Fact Defendants and their co-conspirators had to agree to conceal the fraudulent intent of the scheme, and its illegal tactics.

450. The CAD RICO Association-In-Fact Defendants knew, and intended that Plaintiff's patients and business network, would cease communicating and engaging in healthcare commerce with the Plaintiff, consequent to the material misrepresentations and omissions made by them. Indeed, the Defendants knew that their only chance of eradicating their debt, and eliminating any future financial liability was to professionally and economically isolate the Plaintiff, with the expectation that he would leave the country.

451. The CAD RICO Association-In-Fact Defendants engaged in a pattern of related and continuous predicate acts for eight (8) years. The predicate acts constituted a variety of unlawful activities, each conducted with the common purpose of eliminating the Plaintiff from the practice of medicine, and thus for (i) Defendants Allstate and GEICO eradicating their debt and increasing their revenues, executive compensation and NYSE share price and thus for (ii) Defendant Christie increasing political donations into his political campaign and bribes into off-shore bank accounts and trusts, and thus for (iii) Defendant Solomon bribes into off-shore bank accounts and trusts and no-show jobs for family members, and thus for (iv) Defendant Crist increasing executive compensation and share dividends, and thus for (v) Defendants Stolz and DiOrio increasing legal fees, and thus for (vi) Defendant Hafner bribes funneled into off-shore accounts and trusts.

452. The predicate acts also had the same or similar results, participants and methods of commission.

453. During the CAD RICO Association-In-Fact Defendants' perpetration of their scheme the true purpose of the fraudulent racket was revealed to the CAD RICO Association-In-Fact Defendant, TD. Nevertheless, in furtherance of their scheme, Defendants TD continued to disseminate falsehoods that the Plaintiff had committed insurance fraud, Medicare fraud, bank fraud and was not qualified to perform minimally invasive spine surgery.

454. By reason of, and as a result of the conduct of the CAD RICO Defendants, and in particular, their pattern of racketeering activity, Plaintiff has been injured in his business and/or property in multiple ways, including but not limited to the loss of his medical

license, the loss of his reputation, the loss of his livelihood, the loss of monies earned, and the loss of future earnings.

455. The CAD RICO Association-In-Fact Defendants violations of 18 U.S.C. §1962(c) and (d) have directly and proximately caused injuries and damage to Plaintiff who is entitled to bring this action for three times its actual damage, as well as injunctive/equitable relief, costs, and reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c)

COUNT FOUR
VIOLATIONS OF 18 U.S.C. § 1962(C)-(D)
THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, 18 U.S.C. § 1961, ET SEQ.
(By Plaintiff against Defendants Christie + HUMC + AHS + Garrett + Hafner + Stein + NJBME + Kanefsky)
The CAS RICO Association-in -Fact Enterprise

456. Plaintiff incorporates by reference each preceding paragraph as though fully set forth herein.

457. Plaintiff brings this Count against Defendants Christie + HUMC + AHS + Garrett + Hafner + Stein + NJBME (inclusively, for the purposes of this Count, the "CAS RICO Association-In-Fact Defendants"). At all relevant times the CAS RICO Association-In-Fact Defendants have been "persons" under 18 U.S.C. § 1961(3) because they are capable of holding, and do hold, "a legal or beneficial interest in property." Section 1962(c) makes it "unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity." 18 U.S.C. § 1962(c).

458. Section 1962(d) makes it unlawful for "any person to conspire to violate" Section 1962(c), among other provisions. See 18 U.S.C. § 1962(d).

459. As explained in detail below, the CAS RICO Association-In-Fact Defendants sought, amongst other things, to eliminate the Plaintiff from the practice of medicine, eliminate the competition he and his surgical center presented, destroy his reputation in the field of minimally invasive spine surgery and destroy his economic standing. The purpose of their scheme was to divert patients requiring minimally invasive spine surgery away from the Plaintiff's surgical center, and towards their facilities and physicians. As explained in detail below, the CAS RICO Defendants' years-long misconduct violated sections 1962(c) and (d).

Exhibit 19

7. He failed to carry medical malpractice insurance from June 10, 2004, to June 10, 2007 that covered spinal surgeries.

8. He did not have hospital or alternative privileges.

9. He used allograft bone in patients who were smokers.

10. He failed to advise patients who were smokers of the risks associated with smoking and allograft bone.

11. He misrepresented his qualifications, not only on his website, but also in discussions with his patients.

12. None of his certifications were recognized by the American Board of Medical Specialties, with the exception of his board-certification in anesthesiology. Non-recognition included his certification by the American Board of Interventional Pain Management.

LEGAL ANALYSIS AND CONCLUSION

Pursuant to the Medical Practices Act, N.J.S.A. 45:9-1 to -19, the Board possesses broad authority to regulate the practice of medicine in the state of New Jersey. In re License Issued to Zahl, 186 N.J. 341 (2006). Its supervision of the medical field is critical to the State's fulfillment of its "paramount obligation to protect the general health of the public." Id. at 352 (citation omitted). Companion legislation, entitled the Uniform Enforcement Act, N.J.S.A. 45:1-14 to -27, creates uniform standards "for license revocation, suspension and other disciplinary proceedings" by "professional and occupational boards." N.J.S.A. 45:1-14.

In addition to safeguarding the public from harmful medical practices, the Board upholds the reputation of the profession by punishing those whose conduct "lowers the standing of the medical profession in the public's eyes." In re Fanelli License Revocation, 174 N.J. 165, 179 (2002) (citation omitted).

Recognizing the specialized expertise of the Board, the Legislature has not defined with particularity what acts would constitute unprofessional conduct. In re Polk License Revocation, 90 N.J. 550, 574 (1982). Rather, substantial deference must be afforded to the Board's expert knowledge of what misconduct should constitute unfitness to practice medicine. Cf. Zahl, supra, 186 N.J. at 353 (citation omitted) ("Deference is appropriate because of the 'expertise and superior knowledge' of agencies in their specialized fields").

The right to an administrative hearing before any action can be taken that adversely affects a physician's medical license has "long been imbedded in our jurisprudence," Fanelli, supra, 174 N.J. at 173 (citation omitted), and is expressly guaranteed under the Administrative Procedure Act, N.J.S.A. 52:14B-11. At such hearing, the Attorney General must prove the elements of the case by a preponderance of the substantial credible evidence, which means that more likely than not, the charges are true. Polk, supra, 90 N.J. 550.

N.J.S.A. 45:1-21, which authorizes the Board to suspend or revoke a physician's license, provides, in part:

> A board may refuse to admit a person to an examination or may refuse to issue or may suspend or revoke any certificate, registration or license issued by the board upon proof that the applicant or holder of such certificate, registration or license:
>
> a. Has obtained a certificate, registration, license or authorization to sit for an examination, as the case may be, through fraud, deception, or misrepresentation;
>
> b. Has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense;
>
> c. Has engaged in gross negligence, gross malpractice or gross incompetence which damaged or endangered the life, health, welfare, safety or property of any person;

d. Has engaged in repeated acts of negligence, malpractice or incompetence;

e. Has engaged in professional or occupational misconduct as may be determined by the board;

Gross negligence, gross malpractice, or gross incompetence, as those terms are used in the licensing act, require something much greater than ordinary negligence, malpractice or incompetence in a civil suit for personal injury.

In a civil suit for medical malpractice, the injured party must demonstrate that the doctor deviated from an accepted practice standard and that such deviation caused harm to the party. Germann v. Matriss, 55 N.J. 193 (1970). However, malpractice alone is not a basis for the Board to interfere with a physician's license to practice. Accordingly, an administrative sanction for the suspension or revocation of the license must be brought within a statutory basis. State Bd. of Med. Exam'rs v. Weiner, 68 N.J. Super. 468, 483 (App. Div. 1961).

Such statutory bases are gross negligence, malpractice, and incompetence, which require a showing of misconduct so "egregious" or "flagrant" as to implicate a much higher magnitude of wrongdoing. Polk, supra, 90 N.J. at 565. "Gross neglect" has also been equated with "wanton or reckless disregard of the safety of others" or willful misconduct amounting to "heedlessness or reckless[ness]." In re Kerlin License Suspension or Revocation, 151 N.J. Super. 179, 185–86 (App. Div. 1977) (citations omitted). Therefore, to prove professional misconduct, the Attorney General must prove that a physician's act was so egregious as to constitute misconduct in the magnitude of gross malpractice. Polk, supra, 90 N.J. at 565; see In re Rodriguera, 93 N.J.A.R.2d (BDS) 33, where a medical doctor exposed patients to numerous unnecessary procedures, maintained misleading records, and committed forty-two violations of the Medical Practices Act. In Rodriguera, the Board appropriately ordered the revocation of the doctor's license, together with the payment of penalties and costs.

It is difficult to precisely define "gross negligence" because of the absence of guidelines to assist "in marking out the division between ordinary and gross negligence

on the scale of ascending or descending degrees of care." Kerlin, supra, 151 N.J. Super. at 186 (citation omitted). It is not enough to show a simple deviation from accepted medical standards, even if it produced a significant untoward result. Ultimately, the term refers to conduct beyond ordinary neglect or malpractice, "how far beyond [being] left to the judgment of the Board, subject, of course, to judicial review." Ibid.

A person who violates laws governing the practice of medicine and/or surgery in New Jersey may be sanctioned, assessed a civil penalty "of not more than $10,000 for the first violation and not more than $20,000 for the second and each subsequent violation," N.J.S.A. 45:1-25(a); may be submitted to supervision, monitoring or limitation on his or her practice as the Board may determine is necessary, N.J.S.A. 45:1-22(h); and may be ordered to pay costs incurred by the State, such as costs of investigation, expert witness fees and costs, attorney fees and costs, and transcript costs, N.J.S.A. 45:1-25(d).

Based upon the facts adduced and the legal principles cited above, respondent performed spinal surgeries for which he was not adequately educated and trained. His surgeries were done posteriorly through incision, implanting hardware, such as screws, rods, and purported structural support devices. This was far beyond his training as an anesthesiologist, who was allowed to perform needle-based procedures for pain management, such as epidural and facet injections for the alleviation of pain or discograms for the purpose of diagnostic testing. There was nothing in his education or training that provided him with the experience necessary to perform spinal surgeries, either minimally invasive or open. In fact, the first time he ever inserted a pedicle screw on a live patient was at a surgery center when he was on his own. There was no one to monitor the surgery or assess his skill level. Nor had he previously performed fusions under the critical eye of a monitor. Clearly none of his CME courses provided the experience he needed, most of which, if "hands-on" training were provided, was done on cadavers, not live patients.

One such example, and most certainly not by way of limitation, of his gross negligence and incompetence was his treatment of patient T.Z., a forty-year-old woman

who was so traumatized by his surgery that she has been essentially relegated to a recliner. In her instance, respondent improperly inserted pedicle screws directly into her spinal canal, which not only caused her extreme pain and other maladies from which she still suffers, but also necessitated a revision surgery by an orthopedic surgeon to undo his neglect. The surgeon found that the right and left L-3 screws were in the canal and that the right S-1 screw was grossly malpositioned and in the canal. When he removed the right S-1 screw, nerve function immediately returned to the patient's leg. The revisionist surgeon's post-operative diagnosis included the malposition of hardware and painful hardware, and bilateral lower extremity radiculopathy. Of the five screws respondent inserted, only one was positioned correctly. This speaks volumes about respondent's incompetency and lack of training.

Respondent's negligence far exceeded ordinary negligence. His lack of education and training precluded him from even attempting spinal surgery in any form, whether it is called minimally invasive or open. This was not the case of a trained and certified spinal surgeon who may have been careless in a given instance, giving rise to ordinary negligence. This was about a doctor who operated on patients without sufficient training, skills and competence. I, therefore, **CONCLUDE** that respondent engaged in gross negligence, gross malpractice and gross incompetence, which damaged or endangered the life, health, welfare, safety or property of his patients, in violation of N.J.S.A. 45:1-21(c).

Respondent argued that there were no standards in place governing minimally invasive surgery and, therefore, he could not have deviated from such standards. This argument is without merit. At a fundamental level, all physicians, including respondent, are required to exercise "the degree of care, knowledge and skill ordinarily possessed and exercised in similar situations by the average member of the profession practicing in his field." Schueler v. Strelinger, 43 N.J. 330, 344 (1964). Dr. Przybylski opined as to the standard of care applicable to the practice of minimally invasive spinal surgery and respondent's deviation from that standard, relying upon the set of guidelines contained in the compendium of articles and his own professional training and experience. The combination of his expert testimony and the documentary evidence is sufficient to identify the standard of care applicable to the treatment rendered by respondent.

Petitioner's specific allegations included respondent's deviation from the standard of care by improperly placing screws during spinal fusions, placing allograph bone in patients who smoked, performing multi-level fusions in a patient with degenerative disease, performing a staged fusion, improperly diagnosing various patients, improperly using and placing OptiMesh, and failing to obtain proper patient consent. The standard of care for each of these allegations can be broadly articulated as "the degree of care, knowledge and skill ordinarily possessed and exercised in similar situations by the average member of the profession practicing in his field." Ibid. Accordingly, the argument that no standard governs the practice of minimally invasive spinal surgery is rejected. Instead, Dr. Przybylski's testimony on the standard of care applicable to these allegations must be considered in its entirety and weighed against any contrary testimony from respondent or his experts (their testimony, as discussed above, was given little, if any, weight) to determine what degree of care, knowledge and skill is ordinarily possessed and exercised by the average member of the profession performing these procedures.

For the same reasons, I **CONCLUDE** that respondent engaged in repeated acts of negligence, malpractice or incompetence, in violation of N.J.S.A. 45:1-21(d). Several of the patients who testified told of their experiences following respondent's surgeries. Many had to undergo a revision surgery to relieve their suffering and to correct, if possible, the damage caused by respondent.

I also **CONCLUDE** that respondent engaged in dishonesty, fraud, deception, misrepresentation, false promise or false pretense, in violation of N.J.S.A. 45:1-21, which provides, in part:

> A board may refuse to admit a person to an examination or may refuse to issue or may suspend or revoke any certificate, registration or license issued by the board upon proof that the applicant or holder of such certificate, registration or license:
>
> . . . .

> b. Has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense.

On his website, respondent claimed that he was a minimally invasive spine specialist (P-119 at NJSR001), clearly implying that he had the necessary skills and training to perform minimally invasive spinal surgeries. His website also represented that a small incision was made at the surgical point (Id. at NJSR003 and NJSR005), and that his medical training was "as extensive as it is impressive" (Id. at NJSR0036). He also reiterated his skills when he personally met with patients. For the reasons expressed above, these representations proved to be false. Not only did he misrepresent his skill level, but when he met with some of his patients, T.Z. for example and others, he also misrepresented the extent and breadth of the surgery. For example, he told T.Z. that he was going to insert two screws (which he was unqualified to do), and that the surgery itself would be of a short duration. Instead, he inserted five screws during a surgery that lasted several hours, leaving her with a scar that measured about eight inches. He also told her that her recuperative period would be short, only a few days, which would have complied with the express statements made by T.Z. prior to surgery where she expected a minimal procedure followed by a short recuperative period, and nothing more. Instead, the surgery far exceeded her expectations, her understanding and the limitations she expressly stated.

I also **CONCLUDE** that respondent failed to maintain medical malpractice insurance insuring spinal surgeries and/or a letter of credit, in violation of N.J.S.A. 45:9-19.7 and/or N.J.A.C. 13:35-6.18(b) and (d). N.J.S.A. 45:9-19.7(a) specifically requires a physician to list on the license renewal form, among other information, the name and address of the practitioner's medical malpractice insurer. In addition, N.J.A.C. 13:35-6.18(b) specifically provides that

> [a]ll physicians and podiatrists licensed to practice in this State who maintain a professional practice and have responsibility for patient care shall be covered by medical malpractice insurance or, if medical malpractice insurance is not available, shall secure and maintain a letter of credit at least in the sum of $ 500,000 or more.

Furthermore, N.J.A.C. 13:35-6.18(d) requires that physicians "who are not covered by medical malpractice insurance shall present to the Board a true copy of the letter of credit required pursuant to (b) above." A "letter of credit" is a

> a non-assignable, non-transferable, unexpired, continuous irrevocable obligation, liability bond or other instrument issued by a bank or saving association authorized to do business in this State, payable to the physician or podiatrist as the beneficiary within 30 days after a demand for payment and the presentation of a final judgment or settlement in a medical malpractice action.
>
> [N.J.A.C. 13:35-6.18(a).]

At no time during these proceedings did respondent ever present a letter of credit that had been presented to and approved by the Board. His mere assertion that he maintained such letter of credit, without corroborative proof, was not considered.

In addition, his failure to maintain liability insurance coverage or a letter of credit in accordance with the above statutes and regulations constituted professional misconduct within the meaning of N.J.S.A. 45:1-21(e). N.J.A.C. 13:35-6.18(e).

I also **CONCLUDE** that respondent failed to obtain hospital privileges or alternative privileges, in violation of N.J.A.C. 13:35-4A.6, which provides in part:

> (a) A practitioner who performs surgery (other than minor surgery) or special procedures in an office shall be privileged to perform that surgery or special procedure by a hospital. If a practitioner is not privileged but wishes to perform surgery or special procedures in an office, the practitioner shall apply to the Board pursuant to N.J.A.C. 13:35-4A.12 to seek Board-approved privileging.
>
> (b) Before any practitioner may perform surgery (other than minor surgery), or special procedures, the practitioner shall have:
>
> 1. A written transfer agreement with a licensed hospital with acute care capabilities which can be reached within 20 minutes during all hours in which

> surgery or special procedures are performed in the office, if the hospital where the practitioner is privileged is not reachable within 20 minutes or if the practitioner is privileged by the Board; and
>
> 2. A written policy for handling emergency transport to a hospital at which the practitioner is privileged through 9-1-1 call or a written transfer agreement with a licensed ambulance service which assures immediate transport of patients experiencing complications to the hospital which the practitioner has established a transfer agreement. The written transfer agreement shall be posted in the office and all health care personnel in the office shall specifically be informed of the procedure to be followed.

In order to determine whether respondent was required to have hospital privileges or Board-approved privileges, it is necessary to define certain terms contained in the above regulation. Firstly, the term "surgery" is defined as a

> manual or operative procedure, including the use of lasers, performed upon the body for the purpose of preserving health, diagnosing or treating disease, repairing injury, correcting deformity or defects, prolonging life or relieving suffering. Surgery includes, but is not limited to: incision or curettage of tissue or an organ; suture or other repair of tissue or an organ; a closed or open reduction of a fracture or extraction of tissue from the uterus.
>
> [N.J.A.C. 13:35-4A.3.]

It was clear from the proofs presented that respondent engaged in the use of manual or operative procedures upon the body in the performance of minimally invasive surgeries, which included incisions (ranging up to eight inches in size).

Next, the term "special procedure," as contained in N.J.A.C. 13:35-4A.6, is defined as "patient care which requires anesthesia services because it involves entering the body with instruments in a potentially painful manner, or requires the patient to be immobile, for a diagnostic or therapeutic procedure. Examples of special procedures include . . . utilizing conscious sedation or general anesthesia." N.J.A.C. 13:35-4A.3. "Anesthesia services" are the " . . . administration of any anesthetic agent with the

purpose of creating conscious sedation, regional anesthesia or general anesthesia." Ibid.

Therefore, it was clear from the proofs presented that respondent, through another anesthesiologist, utilized anesthesia in the performance of minimally invasive techniques for which he was required to have either hospital privileges or Board-approved privileges. He had neither. While he and his witnesses claimed that the application for privileges on the Board's website was somewhat confusing, the regulations were clear in requiring privileges for what respondent intended to perform at his one-room surgical center. He failed to present any proofs that he had such privileges. I, therefore, **CONCLUDE** that respondent failed to obtain hospital privileges or Board-approved privileges, in violation of N.J.A.C. 13:35-4A.6.

For all of the above reasons, I also **CONCLUDE** that respondent committed professional misconduct, in violation of N.J.S.A. 45:1-21(e) and (h), which states that a board may suspend or revoke a

> certificate, registration or license issued by the board upon proof that the applicant or holder of such certificate, registration or license:
>
> . . . .
>
> e. Has engaged in professional or occupational misconduct as may be determined by the board;
>
> . . . .
>
> h. Has violated or failed to comply with the provisions of any act or regulation administered by the board.

Respondent was also charged with the failure to maintain good moral character, in violation of N.J.S.A. 45:9-6. Good moral character has been the "historic unquestioned prerequisite of fitness." In re Application of Matthews for Admission to the Bar of New Jersey, 94 N.J. 59, 76 (1983) (citation omitted). It includes an individual's penchant for honesty, fairness, and respect for the rights of others and for the laws of the state and nation. It also underscores the critical importance of integrity, truthfulness

and candor. Ibid.

According to the Final Decision and Order (the Order) of the Board filed on May 14, 2003, (P-114) respondent became licensed in New Jersey in 1996 after completing his residency at the Albert Einstein College of Medicine, Montefiore Medical Center, in anesthesiology, for which he acquired board certification. Thereafter, he returned to England. On March 9, 1999, a patient I.B. went to a dental office in London for the purpose of having a tooth extracted and other dental work. Respondent was the anesthesiologist. Shortly after the dental procedures were performed, the patient went into cardiac arrest. After her transfer to a hospital, she died on March 15, 1999, never having regained consciousness. The police began an inquiry into the circumstances of her death, and on October 15, 1999, arrested respondent and charged him with gross negligence/manslaughter. Thereafter, the Interim Orders Committee (Committee) of the General Medical Council (the GMC is equivalent to the Board) imposed restrictions on respondent's registration in the practice of anesthesiology. The criminal trial lasted fourteen days, resulting in his conviction of manslaughter on February 22, 2001. On March 1, 2001, the GMC entered an order of interim suspension.

Thereafter, on April 8, 2001, respondent submitted an application for privileges to Hackensack University Medical Center. A question on the application asked if respondent was ever convicted of any criminal offense, which he answered in the negative. The application also asked if his license to practice medicine in any jurisdiction had been voluntarily or involuntarily suspended, revoked or subject to restrictions. Respondent, once again, answered in the negative, when, in fact, at the time of his answer, his license had been suspended in England and had already been subject to restrictions for almost a year.

On September 9, 2000, respondent submitted a biennial renewal form to the Board. On the form, respondent was asked if there were any criminal charges pending against him, which he again answered in the negative.

On May 30, 2002, the Committee in England "erased" respondent's registration and prohibited any reapplication for a period of five years.

In light of these circumstances, the Board, on May 14, 2003, after a hearing, entered and filed an Order suspending respondent's license for a period of two years, with the first six months as an active suspension. The balance consisted of a probationary period. In arriving at its decision, the Board took into consideration: his conviction of manslaughter; the erasure of his license; his multiple misrepresentations; and the underlying gross malpractice in the death of I.B., which the GMC determined was a hypoxic brain injury and cardiac arrest caused by respondent in his failure to adequately monitor her blood oxygen level, which had fallen during treatment. (P-114 at 16.)

In its Order, the Board stated:

> The Board has eschewed a more stringent penalty with the hope and expectation that respondent will resolve to practice with the vigilance that he has promised. He must also resolve to deal forthrightly and honestly with this Board, his employers and hospital and insurers. Future transgressions will not be deserving of leniency. Our expectations for the strictest of compliance with standard of care and the ethical tenets of the profession will be at the highest level.
>
> [Id. at 39–40.]

In light of the foregoing, I **CONCLUDE** that respondent failed to maintain good moral character.

Petitioner also charged respondent with his failure to maintain proper patient records, in violation of N.J.A.C. 13:35-6.5. The proofs offered by petitioner revealed that certain patient consent forms were unsigned. These documents were necessary to ensure the patient's understanding of the risks associated with the procedures planned. Accordingly, I **CONCLUDE** that he violated N.J.A.C. 13:35-6.5.

Petitioner also charged respondent with the failure to properly bill for his services, in violation of N.J.S.A. 45:1-21(b). No proofs were offered, and, accordingly, this charge is dismissed.

Similarly, petitioner charged respondent with failure to comply with subpoenas for patient records, in violation of N.J.S.A. 45:1-18, and for failure to cooperate with the Board, in violation of N.J.A.C. 13:45C-1.2 and -1.3(a)(5). No proofs were offered, and, accordingly, these charges are dismissed.

Based upon the facts adduced and the legal principles cited above, it has been proven, well beyond a preponderance of the credible evidence, that respondent not only poses a danger to the public, but has violated several statutes and regulations governing the practice of medicine and surgery in this state.

He never should have performed any spinal surgeries, whether they were called minimally invasive or open, given his lack of education and training. The fact that he performed such surgeries, without the requisite education and training, and in disregard for the safety of several of the patients who testified on behalf of petitioner, his disregard of the above statutes and regulations governing the practice of medicine and surgery in this state, and his prior involvement with the Board, warrant nothing less than the revocation of his medical license.

ORDER

Based upon the foregoing, it is **ORDERED** that the license issued to respondent to practice medicine and surgery in the state of New Jersey be and is hereby **REVOKED**. It is **FURTHER ORDERED** that, pursuant to N.J.S.A. 45:1-25, respondent reimburse petitioner all costs incurred in this matter, including, but not limited to, costs of investigation, expert witness fees and costs, attorney fees and costs, and transcript costs.

I hereby **FILE** my initial decision with the **BOARD OF MEDICAL EXAMINERS** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF MEDICAL EXAMINERS**, which by law is authorized to make a final

decision in this matter. If the Board of Medical Examiners does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **EXECUTIVE DIRECTOR OF THE BOARD OF MEDICAL EXAMINERS, 140 East Front Street, 2nd Floor, Trenton, New Jersey 08608**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

December 13, 2013

DATE

J. HOWARD SOLOMON, ALJ t/a

Date Received at Agency:

Date Mailed to Parties:

db

Exhibit 20

UNITED STATES DISTRICT
FOR THE DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD	CIVIL ACTION NO.: 16-CV-02364-MJV-JAD
Plaintiff,	
v.	ADMISSIONS BY DEFENDANT ROBERT HEARY OF UNDISPUTED FACTS
CHRISTOPHER J. CHRISTIE, ET AL.	
Defendants.	

Defendant ROBERT HEARY (HEREINAFTER "HEARY") has caused to be admitted the following undisputed facts.

I have no defense to the arguments submitted by Kaul in his motions for the entry of summary judgment: (1) Defendant HEARY defenses are based entirely on the evidence of the revocation of Kaul's license, evidence that has been disproved/negated by the evidence contained in 'The Solomon Critique' + 'The Solomon Critique 2' (D.E 99 Page ID 7033) (2) Kaul has dismantled the entire body of evidence, upon which Defendant HEARY fabricated its knowingly false defenses (D.E 99 Page ID 7035); (3) Kaul has submitted evidence in proof of all claim elements, and has satisfied the summary judgment standard that there exists no genuine issue of material fact (D.E 99 Page ID 7042; (4) and thus I have no defense to Kaul's legally sufficient claims; (5) and I unreservedly accept that he has proved his case.

1. COUNT ONE: VIOLATIONS OF EIGHTEEN U.S.C. 1962(C)-(D) – THE RACKETEER AND CORRUPT INFLUENCED ORGANIZATIONS ACT, EIGHTEEN U.S.C. 1961, ET SEQ:

   (a) culpable person who willfully or knowingly:

   I admit culpability for having willfully and knowingly engaged with other defendants in a pattern of racketeering, in a period that commenced in approximately 2006 and continued into 2019.

I admit that I engaged in a pattern of racketeering with other defendants in a period that commenced in approximately 2006, continued into 2019 and occurred in multiple locations in the US, and across the US mail and wires.

I willfully and knowingly violated the law, when I engaged in a pattern of racketeering with other defendants, in which I abused the authority of state agencies and power by committing and or facilitating bribery, fraud, kickbacks, extortion, perjury, evidential falsification and witness tampering.

I admit that I knew the purpose of having engaged in a pattern of racketeering was to destroy the economic standing, reputation and livelihood of Plaintiff Kaul.

I do not refute/contest/rebut/deny the evidence contained within the following documents: (1) The Waldman E-mail (D.E 99 Page ID 7047); (2) The Zerbini Certification (D.E 99 Page ID 7047); (3) The Sabo Certification (D.E 99 Page 7053); (4) The Solomon Critique (D.E 99 Page ID 7053); (5) The Solomon Critique (D.E 99 Page ID 7054); (6) The Calabrese Certification (D.E 99 Page ID 7054); (7) The Przybylski Disciplinary Notice (D.E 99 Page ID 7056); (8) The Feldman Certification (D.E 99 Page ID 7057); (9) The Yeung E-mail (D.E 99 Page ID 7059); (10) The Union County Court proceedings (D.E 99 Page ID 7060); (11) The Ciarrocca Complaint (D.E 99 Page ID 7062); (12) The Federal Trade Commission Guidelines (D.E 99 Page ID 7063).

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (a).

(b) commits or conspires to the commission of "racketeering activity":

In a period from 2006 to 2019, I conspired with other defendants in the commission of racketeering activity by using email, telephone and in person meetings to organize a knowingly illegal scheme that abused the authority of state to agencies and power to destroy the economic standing, reputation and livelihood of Plaintiff Kaul.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (b).

(c) through a "pattern"

In a period from 2006 to 2019 I admit that I engaged in a repeated pattern of corruption of administrative, state and federal courts within the geographic boundaries of New Jersey, the purpose of which was to deprive Plaintiff Kaul of any access to justice, strip him of his medical license, his property, his reputation, his material assets, deprive him of banking services and have him jailed, deported and or die.

I admit that the evidence submitted in D.E. 299 is further proof of the undisputed facts as stated in this section (/c).

(d) involving a separate "enterprise" or "association in fact"

In a period from 2006 to 2019, I admit that I, in concert and conspiracy with other defendants, knowingly, willfully and illegally converted administrative, state and federal courts within the geographic boundaries of New Jersey into racketeering enterprises, to further the scheme to destroy the economic standing, reputation and livelihood of Plaintiff Kaul.

I admit that the evidence submitted in D.E. 299 is further proof of the undisputed facts as stated in this section (/d).

(e) an effect on interstate or foreign commerce

I admit that I and other defendants knew that the license revocation and destruction of the economic standing, reputation and livelihood of Plaintiff Kaul would prevent him from working anywhere in the world in any capacity, a trade restriction that would have a detrimental effect on interstate and or foreign commerce, and reduce federal tax revenues.

After the revocation of Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we celebrated the destruction of Kaul's economic standing, reputation and inability to find employment.

After the revocation of Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we predicted and celebrated the imminent descent of Kaul and his family into poverty.

I admit that the evidence submitted in D.E. 299 is further proof of the undisputed facts as stated in this section (/e).

(f) "purpose"

In approximately 2006, I in concert and conspiracy with other defendants commenced engaging in schemes of bribery, fraud, evidential tampering, witness tampering, public corruption and kickbacks conducted through and facilitated by state actors, agencies and administrative, state and federal courts within the geographic boundaries of New Jersey. I knew that the purpose of these schemes was

to destroy the economic standing, reputation and livelihood of Plaintiff Kaul, and that the schemes were illegal.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (1f).

2. COUNT FIVE: FOR DECLATORY AND INJUNCTIVE RELIEF UNDER SECTION 16 OF THE CLAYTON ACT FOR DEFENDANTS VIOLATION OF SECTIONS 1 AND 2 OF THE SHERMAN ACT:

(a) conspiracy or agreement.

Commencing in 2006 and continuing into 2019, I engaged in thousands of email, telephone and in person communications with other defendants, at multiple locations within the US, and across the US mail and wires. I admit that these communications were part of a conspiracy to destroy the economic standing, reputation and livelihood of Plaintiff Kaul, and that the schemes and agreements were illegal.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (2a).

(b) knowingly joining the conspiracy

I admit that in 2006 I knowingly joined the conspiracy with other defendants and was fully cognizant of its illegality. I admit that upon joining the conspiracy I did not believe that Kaul would expose my crimes and that I would be subjected to civil suit, and the threat of criminal prosecution.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (2b).

(c) per se rule

I knew that when I, in conspiracy and collusion with other defendants, began abusing the authority and power of administrative, state and federal courts within the geographic boundaries of New Jersey to eliminate Kaul from the practice of medicine and minimally invasive spine surgery, it was illegal and a violation of the per se rule of the antitrust law.

I knew that when I, in conspiracy and collusion with other defendants, began abusing the authority and power of administrative, state and federal courts within the geographic boundaries of New Jersey to eliminate Kaul from the practice of

medicine and minimally invasive spine surgery, it was illegal and would reduce the provision and increase the cost of minimally invasive spine surgery to the public.

I admit that when I violated antitrust law by conspiring and colluding with other defendants to eliminate Kaul from the practice of medicine and minimally invasive spine surgery I knew that: (1) it was illegal and; (2) would reduce the provision and increase the cost of minimally invasive spine surgery to the public; (3) but that I possessed a criminal state of mind and believed Kaul would not expose my crimes.

I admit that the evidence submitted in D.E. 99 is further proof of the undisputed facts as stated in this section (2c).

(d) interstate or foreign trade and commerce

I admit that I and other defendants knew that the license revocation and destruction of the economic standing, reputation and livelihood of Plaintiff Kaul would prevent him from working anywhere in the world in any capacity, a trade restriction that would have a detrimental effect on interstate and or foreign commerce, and reduce federal tax revenues.

After the revocation of Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we celebrated the destruction of Kaul's economic standing, reputation and inability to find employment.

After the revocation of Kaul's license on March 12, 2014, I participated with other defendants in hundreds of email, telephone and in person communications, in which we predicted and celebrated the imminent descent of Kaul and his family into poverty.

I admit that the evidence submitted in D.E. 99 is further proof of the undisputed facts as stated in this section (2d).

(e) possession of monopoly power in the relevant market

I admit: (1) that as a consequence of the bribes paid by myself and other defendants to Defendant Christie, the medical board revoked Kaul's license; (2) that the revocation was illegal; (3) that the prolonged publicity from 2012 to 2016 about Kaul was malicious and slanderous; (4) that this publicity intimidated other minimally invasive spine surgeons from performing minimally invasive spine surgery; (5) that the revocation, publicity and intimidation permitted me and other defendants to come into possession of monopoly power in the American minimally invasive spine surgery market.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (2e).

(f) Willful acquisition or maintenance of monopoly power as distinguished from growth due to superior product, business acumen or historic accident

I admit that my monopolization of the American minimally invasive spine surgery market was: (1) obtained illegally; (2) through bribing Defendant Christie; (3) to have the medical board revoke Kaul's license; (4) and was not a consequence of fairly competing in the American minimally invasive spine surgery market; (5) nor providing a superior clinical service; (5) nor a result of an unforeseen set of circumstances or historic accident.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (2f).

3. <u>COUNT SIX: FOR MONOPOLIZATION UNDER STATE LAW:</u>

(a) possession of monopoly power in the relevant market.

I admit: (1) that as a consequence of the bribes paid by myself and other defendants to Defendant Christie, the medical board revoked Kaul's license; (2) that the revocation was illegal; (3) that the prolonged publicity from 2012 to 2016 about Kaul was malicious and slanderous; (4) that this publicity intimidated other minimally invasive spine surgeons from performing minimally invasive spine surgery; (5) that the revocation, publicity and intimidation permitted me and other defendants to come into possession of monopoly power in the American minimally invasive spine surgery market.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (3a).

(b) Willful acquisition or maintenance of monopoly power as distinguished from growth due to superior product, business acumen

I admit that my monopolization of the American minimally invasive spine surgery market was: (1) obtained illegally; (2) through bribing Defendant Christie; (3) to have the medical board revoke Kaul's license; (4) and was not a consequence of fairly competing in the American minimally invasive spine surgery market; (5) nor providing a superior clinical service; (5) nor a result of an unforeseen set of circumstances or historic accident.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section 3b).

4. COUNT SEVEN: FOR CONSPIRACY TO MONOPOLIZE UNDER STATE LAW:

(a) conspiracy or agreement

In a period from 2006 to 2019 I conspired with other defendants: (1) in a knowingly illegal quid pro quo scheme; (2) in which I used email, telephone and country wide in person meetings to further the scheme; (3) which involved bribing Defendant Christie to have the medical board revoke Kaul's license; (4) in order to eliminate Kaul from the practice of medicine and minimally invasive spine surgery; (5) which permitted me and other defendants to begin monopolizing the American minimally invasive spine surgery market in 2012.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (4a).

(b) knowingly joining the conspiracy

I admit that: (1) in a period commencing in or about 2006 I willfully joined and participated in a knowingly illegal conspiracy and; (2) quid pro scheme; (3) to have Kaul's license revoked; (4) in order to eliminate Kaul from the practice of medicine and minimally invasive spine surgery; (5) which permitted me and other defendants to begin monopolizing the American minimally invasive spine surgery market in 2012.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (4b).

(c) per se rule

I knew that: (1) when I, in conspiracy and collusion with other defendants, began abusing the authority and power of administrative, state and federal courts within the geographic boundaries of New Jersey to eliminate Kaul from the practice of medicine and minimally invasive spine surgery; (2) it was illegal and a violation of the per se rule of the antitrust law.

I knew that: (1) when I, in conspiracy and collusion with other defendants, began abusing the authority and power of administrative, state and federal courts within the geographic boundaries of New Jersey to eliminate Kaul from the practice of medicine and minimally invasive spine surgery: (2) it was illegal and would reduce the provision and increase the cost of minimally invasive spine surgery to the public.

I admit that: (1) when I violated antitrust law by conspiring and colluding with other defendants to eliminate Kaul from the practice of medicine and minimally invasive spine surgery I knew that: (2) it was illegal and; (3) would reduce the provision and increase the cost of minimally invasive spine surgery to the public; (4) but that I possessed a criminal state of mind and believed Kaul would not expose my crimes.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (4c).

(d) interstate or foreign trade and commerce

I admit that: (1) I and other defendants knew that the license revocation and destruction of the economic standing, reputation and livelihood of Plaintiff Kaul would prevent him from working anywhere in the world in any capacity; (2) a trade restriction that would have a detrimental effect on interstate and or foreign commerce; (3) and would reduce federal tax revenues.

After the revocation of Kaul's license on March 12, 2014: (1) I participated with other defendants in hundreds of email, telephone and in person communications; (2) in which we celebrated the destruction of Kaul's economic standing, reputation and inability to find employment.

After the revocation of Kaul's license on March 12, 2014: (1) I participated with other defendants in hundreds of email, telephone and in person communications; (2) in which we predicted and celebrated the imminent descent of Kaul and his family into poverty.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (4d).

(e) single versus multiple conspiracies

I admit that: (1) in or about 2006 I began participating in a conspiracy with other defendants; (2) in a knowingly illegal quid pro quo scheme; (3) in which I used email, telephone and country wide in person meetings to further the scheme; (4) which involved bribing Defendant Christie to have the medical board revoke Kaul's license; (5) in order to eliminate Kaul from the practice of medicine and minimally invasive spine surgery; (6) which permitted me and other defendants to begin monopolizing the American minimally invasive spine surgery market in 2012.

I admit that: (1) in or about 2006 I began to acquire knowledge that other defendants were participating in multiple conspiracies; (2) purposed to have Kaul's license revoked; (3) in order to eliminate him from the practice of medicine and

minimally invasive spine surgery; (4) and that these schemes involved bribery, fraud, kickbacks, extortion, perjury, evidential falsification and witness tampering.

I admit that: (1) in or about 2006 to 2019 I commenced engaging in a repeated pattern of corruption of administrative, state and federal courts within the geographic boundaries of New Jersey; (2) the purpose of which was to deprive Kaul of any access to justice; (3) strip him of his medical license; (4) his property; (5) his reputation; (6) his material assets; (7) deprive him of banking services and have him jailed, deported and or die.

I admit that: (1) in or about 2006 I began to acquire knowledge that other defendants were participating in multiple conspiracies; (2) purposed to have Kaul's license revoked; (3) in order to eliminate him from the practice of medicine and minimally invasive spine surgery; (4) and that these schemes involved bribery, fraud, kickbacks, extortion, perjury, evidential falsification and witness tampering.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (4e).

5. COUNT EIGHT: FOR CONSPIRACY AND COMBINATION IN RESTRAINT OF TRADE UNDER STATE LAW:

(a) combination or conspiracy between or among the Defendants to allocate the market for minimally invasive spine surgery

I admit that I and other defendants: (1) through thousands of email, telephone and country wide in person communications; (2) in a knowingly illegal scheme did conspire to artificially divide the American minimally invasive spine surgery market; (3) by allocating minimally invasive fusions to hospitals and neurosurgeons; (4) and agreeing to only perform minimally invasive discectomies; (5) and did implement policies of not granting hospital privileges to minimally invasive spine surgeons.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section 5a).

(b) that such combination or conspiracy constituted an "unreasonable" restraint on interstate commerce as hereafter

I admit that in approximately 2006 I knew: (1) that my participation in the scheme to revoke Kaul's license was illegal; (2) that it constituted and caused an unreasonable and arbitrary restraint on interstate commerce; (3) that it would artificially restrict access of the American public to life-saving minimally invasive spine surgery; (4) that

it would cause an increase in the use of opiates; (5) and opiate related overdose deaths.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section 5b).

(c) that the Defendants business activities had a substantial effect on interstate commerce and the Defendants challenged activities involve a substantial amount of interstate commerce

I admit that my participation in: (1) schemes of bribery and public corruption: (2) to have Kaul's license revoked; (3) would and did cause a substantial reduction on interstate commerce; (4) a consequence that I knew would occur because; (5) I knew Kaul had plans to expand his minimally invasive spine surgery business across the US; (6) and that the illegal revocation of his New Jersey license would prevent him from obtaining a medical license anywhere in the world.
I admit that I knew; (1) my scheme to prevent Kaul from working anywhere in the world; (2) was premediated and criminal; (3) and would reduce tax revenues to the federal government; (4) but I did not believe that Kaul would expose my crimes; (5) and that even if he did, he would be unable to bring me to justice; (6) because I was convinced Defendant Christie would become the 2016 American President; (7) and Kaul is not a lawyer; (8) and would be either bankrupt, jailed, deported or dead.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section 5c).

(d) that the plaintiff suffered in its business or property as a proximate result of the combination or conspiracy

I admit I knew: (1) that my participation with other defendants in the conspiracy to; (2) destroy Kaul's reputation, economic standing, livelihood and ability to support his family; (3) would cause substantial injury to Kaul's business and or property; (4) and that this injury was premediated and criminal; (5) conducted through schemes of bribery, fraud, evidential tampering, witness tampering, public corruption and kickbacks; (6) and purposed to eliminate him from the practice of medicine and minimally invasive spine surgery; (7) in order to permit me and other defendants to monopolize the American minimally invasive spine surgery market; (8) and reap unjust profits and illegal enrichment at the expense of Kaul and the American public.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section 5d).

6. <u>COUNT NINE: FOR UNFAIR AND DECEPTIVE TRADE PRACTICES UNDER STATE LAW:</u>

(a) defendant engaged in an act or practice that was materially deceptive:

(b) the challenged act or practice:

I admit that in a period commencing in 2006, I in conspiracy and collusion with other defendants: (1) participated in a massive scheme of deception and unfair trade practices, conducted through thousands of emails, telephone and country wide in person communications; (2) that involved imparting knowingly dishonest information to the public, patients, physicians, juries and judges, that Kaul was not qualified to perform minimally invasive spine surgery; (3) that Kaul had committed insurance fraud; (4) that Kaul had committed Medicare fraud; (5) that Kaul was going to be indicted; (6) that Kaul had been found guilty by a grand jury; (7) and that the purpose of these acts of deception was to destroy Kaul's reputation and livelihood.

I admit that the evidence submitted in D.E. 299 is further proof of the undisputed facts as stated in this section (6a + b).

(c) the consumer suffered an injury because of the deceptive act or practice:

I intended that my acts of deception would injure Kaul by destroying: (1) his ability to earn a living and support his family; (2) his personal reputation; (3) his professional reputation; (4) his material assets; (4) and causing him to become ostracized, homeless, fall into a state of poverty and be jailed.

I admit that the evidence submitted in D.E. 299 is further proof of the undisputed facts as stated in this section 6 c).

7. <u>COUNT TEN: UNJUST ENRICHMENT:</u>

(a) defendant benefitted

(b) defendant benefitted at plaintiff's expense

Consequent to the revocation of Kaul's license in 2014 I was unjustly enriched at his expense, because: (1) his patients were diverted to my practice and my annual revenues increased; (2) the provision of minimally invasive spine surgery became restricted to hospitals and neurosurgeons consequent to legislation signed by Defendant Christie, who received bribes from me and other defendants, as part of a series of quid pro quo schemes; (3) other minimally invasive spine surgeons became intimidated to perform outpatient percutaneous fusions after the widely publicized revocation of Kaul's license; (4) other minimally invasive spine surgeons were denied

privileges for minimally invasive spine surgery at hospitals because of the neurosurgeons influence in the hospital, a consequence of the enormous monies they generate for hospitals; (5) my political standing within the medical community increased after I had participated in the scheme to revoke Kaul's license, and my referral rate increased.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (7a + b).

(c) that equity and good conscience require restitution

I admit that because I was unjustly enriched at the expense of Kaul I must, in a sense of equity and good conscience, pay him restitution to the full extent of his demands for monetary compensation.

I admit that the evidence submitted in D.E 99 is further proof of the undisputed facts as stated in this section (7c).

8. COUNT TWELVE: COMMERCIAL DISPRAGEMENT:

(a) a statement by defendant/s about plaintiff that

(b) was made public

(c) was false

(d) caused damage

(e) caused economic loss

Commencing in approximately 2006: (1) I in concert with other defendants have made hundreds of knowingly false public statements about Kaul; (2) that were purposed and indeed caused damage and total economic loss to Kaul because he lost; (3) all his material assets, including his home, the house in which his children lived, his surgical center, a license to build another surgical center, his medical corporations, his accounts receivable, his medical license, his livelihood, his reputation, his ability to earn a living; (4) and because he is now unable to find work anywhere in the world, has become homeless, was forced into a state of poverty and is even unable to claim welfare.

I admit that I and other defendants made knowingly false public statements about Kaul with the intention of causing these severe economic and reputational injuries.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (a + b + c + d + e).

9. COUNT THIRTEEN: INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE:

(a) economic relationship between plaintiff and some third party with the probability of future economic benefit

(b) defendants knowledge of the relationship

(c) intentional acts on the part of the defendant/s designed to disrupt the relationship

(d) actual disruption of the relationship

(e) economic harm to plaintiff proximately caused by the acts of the defendant/s

In 2006 I knew that when I started conspiring and colluding with other defendants to: (1) have Kaul's license revoked; (2) destroy his reputation; (3) destroy his economic standing; (4) destroy his livelihood; (5) destroy his ability to support his children; (6) and cause him to lose all his material assets; (7) that there existed economic relationships between Kaul, his patients and their insurance carriers, that promised future economic benefit. It was my intention and that of other defendants to disrupt these relationships, and I admit that our crimes against Kaul did cause actual disruption, irreparable economic harm and almost caused him to lose his life in July 2015, when he sustained two severe life-threatening seizures. I admit that our crimes were the proximate cause of these injuries to Kaul's economic standing, health and welfare.

I admit that the evidence submitted in D.E 299 is further proof of the undisputed facts as stated in this section (a + b + c + d + e).

10. COUNT FOURTEEN: AID IN THE COMMISSION OF TORT:

(a) combination of two or more persons

(b) a real agreement or confederation with a common design

(c) the existence of an unlawful purpose, or of a lawful purpose to be achieved by unlawful means

(d) proof of special damages

I admit that I conspired with other defendants to create an actual agreement with a purpose of having Kaul's license revoked through knowingly unlawful means, that included: (1) bribery; (2) public corruption; (3) judicial corruption; (4) fraud; (5) kickbacks; (6) racketeering; (7) perjury; (8) evidential falsification; (9) witness tampering; (10) and extortion; (11) and I am aware that legal records prove the damage caused to the economic standing and reputation of Kaul by crimes committed by myself and other defendants.

I admit that the evidence submitted in D.E. 39 is further proof of the undisputed facts as stated in this section (a + b + c + d).

Dated: July 7, 20.

Defendant ROBERT HEARY has caused to be admitted the above undisputed facts.

Defendant ROBERT HEARY certifies that the above information is true and accurate to the best of his knowledge, and that if it is proved that the above facts are willfully misrepresented, then he will be subject to punishment.

Exhibit 21

Leave to File **GRANTED.**
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Received on 3/13/2020
/s/ Tanya S. Chutkan 9/22/2020

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

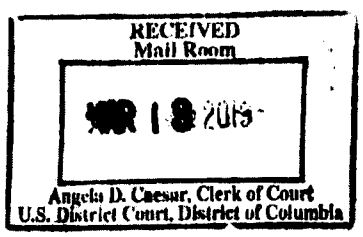
RICHARD ARJUN KAUL, MD ET AL.,

CIVIL ACTION NO.
19-CV-3050-TSC

v.

FEDERATION OF STATE MEDICAL BOARDS

OPPOSITION TO THE APPLICATION OF DEFENDANT CALIFORNIA MEDICAL BOARD TO HAVE THE COURT TAKE JUDICIAL NOTICE AND OR CONSIDER THE SUBMITTED FACTS IN ITS DETERMINATION OF DEFENDANTS 12(b)(6) MOTION



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The law prohibits the use of the legal consequences of a 'Fraud on the Court' in any other legal matter. The application of Defendant California Medical Board for this Court to take judicial notice of the illegal actions of Defendants Louisiana Medical Board and New Jersey Board of Medical Examiners is thus illegitimate, and must be denied.

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Authorities

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Argument

The law prohibits the use of the legal consequences of a 'Fraud on the Court' in any other legal matter. The application of Defendant California Medical Board for this Court to take judicial notice of the illegal actions of Defendants Louisiana Medical Board and New Jersey Board of Medical Examiners is thus illegitimate, and must be denied.

The controlling legal authority in regards to the submission of facts pursuant to judicial notice is Rule 201 of the F.R.C.P., which states in part: **"201(b) Kind of Facts That May be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned."** At the heart of this case is the general illegality of the national mechanism of physician regulation (D.E. 1 Page 24 to 25 of 184) and specific acts of illegality committed by Defendant California Medical Board ("CMB") in summarily revoking Plaintiff Feldman's California medical license, based upon the illegal action of Defendant Louisiana Medical Board (D.E. 1 Page 69 of 184). The facts submitted by Defendant CMB are "**subject to reasonable**

dispute" as has been plausibly pled by Plaintiffs Kaul and Feldman. The thrust of the Complaint is that respectively, the Louisiana and New Jersey licenses of Plaintiffs Feldman and Kaul were illegally suspended and revoked, and that the subsequent opinions were a direct consequence of these acts of illegality (See D.E. 1 Page 39 of 184 and 56 of 184). Defendant LMB committed a 'Fraud on the Court', the product of which Defendant CMB used to commit another 'Fraud on the Court' against Plaintiff Feldman. This is the physician licensing equivalent of money laundering. The proceeds of a crime are themselves a crime, and any use of these illegal instruments constitutes a further crime. The relevant law is: In Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated, **"Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."** In Hazel-Atlas Glass Co. v. Hartford Empire Co. 322 U.S. 238 (1944) Justice Black stated, **"... tampering with the administration of justice as indisputably shown here involves far more than injury to single litigant. It is a wrong against the institutions set up to protect and safe-guard the public, institutions in which fraud cannot complacently be tolerated consistent with the good order of society."** In Dausel v.Dausel, 195 F.2d. 774 (D.C. Cir. 1952), the Court held, **"A court may at anytime set aside a judgment for after discovered fraud upon the court. Hazel-Atlas Glass v. Hartford ... Rule 60(b) ... expressly does not**

limit the power of a court to entertain an action for that purpose." In United States v Throckmorton 98 U.S. 61 (1878) Mr. Justice Miller stated in part, **"... Where the unsuccessful party has been prevented from exhibiting fully his case by fraud or deception practised on him by his opponent, as keeping him away from court ... these and similar cases, which show that there has never been a real contest in the trial or hearing of the case, are reasons for which a new suit may be sustained to set aside and annul the former judgment or decree and open the case for a new and fair hearing ..."**

Conclusion

The argument of Defendant CMB fails because it has submitted fact that is subject to "**reasonable dispute**" and thus the Court should neither take judicial notice, nor consider the submitted fact in its determination of Defendant CMB's 12(b)(6) motion. Specifically, none of the New Jersey Defendants have contested/rebutted/refuted/addressed the massive fraud detailed in 'The Solomon Critique' (Kaul v Christie: 16-CV-02364 - D.E. 225) nor the 'The Solomon Critique 2' (Kaul v Christie: 16-CV-02364 - D.E. 299-18). In none of the cases cited to by Defendant CMB were there raised any issues of "**reasonable dispute**". Thus the facts of this case, and the law argue against judicial notice or consideration of the facts submitted by Defendant CMB.

Dated: March 12, 2020

Richard Arjun Kaul, MD

Arnold Erwin Feldman, MD

All parties copied via e -mail on Thursday March 12, 2020.

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Exhibit 22

www.drrichardkaul.com

September 5, 2020

Steven Sweeney
Senate President
New Jersey State Government
935 Kings Highway
Suite 400
West Deptford, NJ 08086

Re: The Kaul Cases
Admissions of fact

Dear Mr. Sweeney,

Please find below a series of statements regarding your participation in the illegal scheme that caused the suspension/revocation of my New Jersey medical license on April 2, 2012/March 12, 2014:

1. **I admit that in a period commencing in or about 2008, I did knowingly/willfully abuse the power of public office and did conspire with the individuals named below, to have the New Jersey Board of Medical Examiners manufacture a false case against Richard Arjun Kaul, MD, the purpose of which was to: (a) have his medical license revoked; (b) destroy his economic standing; (c) destroy his reputation; (d) force him into a state of poverty so that he had no money to mount a legal defense; (e) cause him and his corporations to file for bankruptcy; (f) to force him and his family into a state of poverty; (g) cause him and his family to become homeless; (h) cause him to leave the country; (i) prevent him from ever finding employment anywhere in the world by attempting to destroy his online reputation; (j) eliminate the competition he presented to physicians who practiced in the minimally invasive spine surgery sector, from whom I received bribes; (k) eliminate the $ 45 million debt owed to him principally by Allstate Insurance Company + GEICO; (l) obstruct his efforts at having his license reinstated in 2014 by demanding he first pay $ 450,000; (m) threatening to suspend/revoke the licenses of any physicians who associated/worked/assisted or had any personal/professional relationship with Richard Arjun Kaul, MD; (n) harassing and intimidating every person that did work with Richard Arjun Kaul by having state employees making unannounced/threatening visits to their homes/offices/other places of work, during which they would interrogate these individuals; (o) increase the profits of Allstate Insurance Company + GEICO by creating an environment of fear/paranoia in which**

physicians did not practice medicine and thus did not submit professional invoices; (p) cause Richard Arjun Kaul to be jailed on false charges of insurance fraud; (q) cause Richard Arjun Kaul to become the subject of over forty-four (44) lawsuits from patients + insurance companies; (r) encourage/coerce/direct former patients to file frivolous lawsuits against Richard Arjun Kaul, with the promise of profit and the purpose of attempting to persecute him into a state of psychological despair.

2. I admit that in a period commencing in or about 2008, I did consciously/willfully/maliciously violate the law and legal rights of Richard Arjun Kaul in perpetrating the illegal scheme detailed above, to which I have admitted.

3. I admit that in a period commencing in or about 2008, I did engage in hundreds of in person meetings/email exchanges/text exchanges/cell phone conversations/landline conversations with the individuals named below, to perpetrate the scheme detailed above, to which I have admitted:

Christopher J. Christie, Esq – Ex-governor of the State of New Jersey (2009-2017) and failed 2016 US Presidential candidate.
Philip Murphy – New Jersey Governor (2017 – Present).
Jeffrey Chiesa, Esq – 2012 Attorney General for the State of New Jersey + Partner of Chiesa + Shahinian + Giantomasi (Christie lackey).
Eric Kanefsky, Esq – 2012 Director of the New Jersey Division of Consumer Affairs + Partner of Kanefsky + Calcagno (Christie lackey).
Doreen Hafner, Esq – Deputy Attorney General.
Andrew Gregory Kaufman, MD – Medical expert for the State of New Jersey.
Gregory Przybylsky, MD – 2011 President of the North American Spine Society.
Robert Francis Heary, MD – Director of the Rutgers Neurosurgical Institute.
Marc Cohen, MD – Orthopedic Spine Surgeon.
Peter Staats, MD – President of American Society of Interventional Pain Physicians.
Lewis Stein, Esq – Now deceased partner at Nussbaum Stein Goldstein Bronstein.
Jay Howard Solomon, Esq – New Jersey Judge.
Kenneth Hollenbeck, Esq – Partner at Scarinci + Hollenbeck.
Kenneth Pringle, Esq – Partner at Pringle + Quinn + Anzano.
Jeffrey Quinn, Esq – Partner at Pringle + Quinn + Anzano.
David Saiber, Esq – Partner at Saiber Law Firm.
Geri Albin, Esq – Partner at Saiber Law Firm.
Stuart Rabin, Esq – New Jersey Supreme Court Justice.
Barry Albin, Esq – New Jersey Supreme Court Justice.
Joseph Vitale – New Jersey State Senator.
Michael J. Doherty – New Jersey State Senator.
Nelida Pou – New Jersey State Senator.
Nilsa Cruz-Perez – New Jersey State Senator.
Ronald Rice – New Jersey State Senator.
Sheila Oliver – Lieutenant Governor State of New Jersey (2017 - Present).

Gurbir Grewal – Attorney General for the State of New Jersey (2017 – Present).
Jeffrey Posta – Deputy Attorney General for the State of New Jersey.
Benjamin Hickey – Employee of Allstate Insurance Company.
John Robertelli – Partner at Rivkin + Radler.
Nicholas P. Scutari – New Jersey State Senator.
Thomas Kean, Jr – New Jersey State Senator.
Nicholas J. Sacco – New Jersey State Senator.
Kenneth J. Grispin – New Jersey State Judge.
John Sheridan – Judge on Bankruptcy Court for the District of New Jersey.
Dennis Carey – New Jersey State Court Judge (retired).
Kevin McNulty – Federal Judge on the United States District Court for the District of New Jersey.
Brian Martinotti - Federal Judge on the United States District Court for the District of New Jersey.
Robert Smith – New Jersey State Senator.
Lawyers for Defendants in "The Kaul Cases" (please see below).

4. I admit that my admissions of corruption of the administrative/judicial/political processes/bodies in the State of New Jersey for the purposes of illegal political/economic gain have irreparably damaged the reputation of the State of New Jersey.

5. I admit that damage to the reputation of the State of New Jersey has rendered it a place in which American/Foreign businesses are reluctant to conduct commerce.

6. I admit that damage to the reputation of the State of New Jersey has rendered it a place in which American/Foreign businesses should not conduct commerce.

7. I admit that because of my corruption of the administrative/judicial/political processes/bodies in the State of New Jersey, I have deprived the public of their right to honest services from public servants.

8. I admit that I have embezzled monies/services from the State Tax Revenue/State which I have illegally/knowingly/willfully used for personal reasons, and not in the service of the public.

9. I acknowledge that my corruption of the administrative/judicial/political processes/bodies in the State of New Jersey will be publicized by Richard Arjun Kaul in his "An Impossible Victory" series of books/documentaries/movies/public speaking engagements, that commenced on April 15, 2020 and will continue for the remainder of his life (approximately 39 years).

10. I acknowledge that in my capacity as the president of the New Jersey senate, I have discussed you, your case and your application in 2018 for reinstatement of your license, with Governor Murphy.

11. I acknowledge that during these discussions I informed Governor Murphy that he should order the NJBME NOT to reinstate your license, as if he did, Allstate/Geico had threatened to expose the fact that I, along with many other state politicians/governors had engaged in a decades long scheme of public corruption/tax evasion.

12. I acknowledge that these bribes were transferred into off-shore trusts and bank accounts and that neither I nor any other state politicians paid taxes on this illegal income.

13. I acknowledge that I have read the Complaints (K1 + K2 + K3 + K4 + K5 + K6 + K7 + P1 + P2) and agree with ALL of the within allegations.

14. I acknowledge that I would be willing to testify in court as to the truthfulness of the allegations, as I have first-hand knowledge of the facts upon which they are based.

15. I acknowledge that I have read the twenty-two (22) motions for summary judgment filed in K1, and can verify the truthfulness/irrefutability of the evidence upon which they are based.

16. I acknowledge that I would be willing to testify in court as to the truthfulness of the evidence, as I have first-hand knowledge of its veracity.

17. I acknowledge that in my discussions with Governor Murphy regarding you, your case and your application for reinstatement of your license, he informed me that he had received a letter you dated March 24, 2020.

18. I acknowledge that in the letter you stated: **"Dear Governor Murphy – I write this letter to respectfully request that in the interests of public safety and that of saving lives, you immediately issue an executive order to the New Jersey Board of Medical Examiners to reinstate my medical license ... In short I have the ability to help save lives ... I write this letter with the utmost respect for the position of the governor's office, and in the sincerest hope that you put politics aside, put the people first ..."**

19. I acknowledge that Governor Murphy was advised by myself and others not to respond to your letter due to the political risk that Allstate/Geico would expose the decades long schemes of public corruption/tax evasion, in which I along with many other state politicians/governors had engaged.

20. I acknowledge that political corruption of the NJBME by myself/other state politicians/Allstate/Geico was/is directly responsible for the COVID-19 pandemic related mortality/morbidity of the New Jersey public.

21. I acknowledge that had the New Jersey state government/NJBME/state politicians not permitted themselves to become corrupted by Allstate/Geico, then the NJBME would have detected the COVID-19 threat and forewarned the public.

22. I acknowledge that had the public been forewarned, thousands of lives would have been saved.

23. I acknowledge that Governor Murphy has used and is exploiting the COVID-19 pandemic for political gain, in that he capitulated to Allstate/Geico in ignoring your letter and ordering them NOT to reinstate your license in 2018, despite your expertise and despite the fact that the State of New Jersey desperately needed doctors to save lives.

24. I acknowledge that Governor Murphy has used and is exploiting the COVID-19 pandemic for political gain, in that on September 1, 2020, he signed into law Bill 2455, a bill that allows illegal immigrants to obtain licenses to practice medicine and surgery.

25. In my capacity as the senate president, a controlling member of the New Jersey democratic party and an individual who communicates daily with Governor Murphy, I acknowledge that his motivation for entering into law of Bill 2455 was to secure the vote of this sector of the New Jersey public for his 2021 campaign, in order to try and get re-elected to the office of the governor.

26. I acknowledge that Governor Murphy knows that Bill 2455 violates federal immigration law and that the United States Department of Justice has expressed its opposition to this illegal/politically motivated piece of legislation.

27. I acknowledge that Governor Murphy and members of his political team have manipulated the COVID-19 death related statistics, in order to give the false impression to the public that his policies have contained the pandemic. I know they have not, and that many people are still dying from lack of medical care, lack of adequate nutrition and lack of access to critical social services.

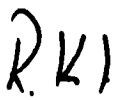
28. I acknowledge that if I fail to oppose in writing any the above admitted facts, they will become part of the public record as evidence in "**The Kaul Cases**" and the "**An Impossible Victory**" series of books/documentaries/movies/public speaking engagements. The latter material will be incorporated into "**Kaul Media**".

29. I acknowledge that my admission of the above facts provide the basis for: (I) the public to demand my immediate resignation from public office; (II) the public to demand I publicly disclose the details of all bribes I received from Allstate/Geico/"**The Kaul Cases**"

Defendants for the entirety of my tenure as a public servant; (iii) the public to demand an investigation of corruption within the NJBME, the cause of COVID-19 mortalities; (iv) the public to demand that the NJBME be reformed, in order to bring it into compliance with the constitutions of the State of New Jersey and that of the United States; (v) the public to NOT vote for Governor Murphy in November 2021; (vi) the public to boycott Allstate/Geico in order to stop their corruption of administrative/political/legislative/legal bodies in New Jersey; (vii) the public to demand the SEC conduct an investigation of Allstate/Geico for manipulation of the global trading/equities market; (viii) the public to sell their shares in Allstate/Geico; (ix) the public to demand that all members of the administrative/legislative/judicial/political bodies in New Jersey deny/admit onto the public record whether within the last two decades they have received any bribes from Allstate/Geico; (x) the public to demand Governor Murphy explain why despite excessive profits, Allstate/Geico now charge the public excessive insurance premiums; (xi) the public to demand that Governor Murphy issue an executive order that permanently bars Allstate/Geico from conducting any further business in the State of New Jersey, and immediately revokes any/all of their business licenses, as they clearly constitute a lethal and "imminent threat" to the health and welfare of the New Jersey public.

This statement of admitted fact will be circulated to every state assemblymen/senator, and if by September 19, 2020, you fail to contest/rebut/refute/address in writing any of the above facts, they will become part of the legal/public record of "**The Kaul Cases**" and the public record of "**Kaul Media**".

Yours sincerely



Richard Arjun Kaul, MD

cc: New Jersey Assemblymen
New Jersey Senators

The Kaul Cases:

1. **K1 - Kaul v Christie: 16-CV-02364.**
2. **K2 – Kaul v Christie: 18-CV-08086.**
3. **K3 – Kaul v Schumer: 19-CV-13477.**
4. **K4 – Kaul v Stolz: 18-CV-01489.**
5. **K5 – Kaul v Federation: 19-CV-3050.**
6. **K6 – Kaul v Kaufman: State Criminal Indictment.**
7. **K7 – Kaul v Federation: 20-CV-01612.**
8. **P1 – Patel/Kaul v Allstate: 19-CV-08946.**
9. **P2 – Patel/Kaul v Crist: 19-CV-09232.**

These cases can be viewed on www.pacer.gov

Kaul Media:

"AIV: Kaul v Christie" – Audiobook/E-Book – Found on Scribd.
"AIV: Kaul v Allstate" – Release date: November 5, 2020.
"AIV: Kaul v Federation" – Release date: March 22, 2021.

"AIV: Kaul v. Christie – The Story Within The Story: A Documentary Film" – Found on YouTube.

Public speaking engagements:

"AIV: Adversity into Advantage" - November 22, 2020 + March 22, 2021 + July 22, 2021+ November 22, 2021.

Exhibit 23

www.drrichardkaul.com

October 8, 2020

Attention:
Defendant Christopher J. Christie
Patient #
Morristown Memorial Medical Center
Morristown, NJ, USA.

Residence:
47 Corey Lane
Mendham, NJ 07945

Re: "The Kaul Cases" (US) + International Criminal Court (Europe) + Central Criminal Court (UK)

Dear Defendant Christie,

This legal notice is being served on you personally, while you are resident at Morristown Memorial Hospital, Morristown, New Jersey in the United States Of America. It is my understanding that you are infected with the COVID-19 virus and have been held in hospital for the last five days. It is also my understanding that due to severe co-morbidities of asthma and obesity, you are at an exceptionally high risk of dying or suffering serious respiratory/neurological sequela.

As a Defendant you have a legal obligation to the court to tell the truth, and as a lawyer/ex-federal prosecutor you know your duty is to see justice done. Thus, please find below a series of admissions of fact:

1. **I confirm that at this point in time I am compos mentis.**
2. **I have read and understand the claims filed against me by Plaintiff Kaul in the above referenced cases.**
3. **I confirm with complete certainty that the claims are true and admit my guilt in K1 + K2 + K5.**

4. Having initiated and coordinated the racketeering schemes detailed within K1 + K2 + 5, I confirm with complete certainty that the claims against all Defendants are true.
5. I confirm that since the commencement of Plaintiff Kaul's prosecution of K1 + K2 + K5 on February 22, 2016, I conspired with members of the Office of the New Jersey Attorney General to obstruct his prosecution of the cases.
6. I confirm that this obstruction involved, amongst other things: (i) filing a knowingly false criminal indictment against Kaul in May 2016, in retaliation against Plaintiff Kaul for initiating the prosecution; (ii) conspiring with the ex-wife of Plaintiff Kaul to have him arrested/jailed on September 21, 2016 for unpaid child support; (iii) conspiring with US Senator, Charles Schumer, the brother-in-law of United States District Court judge, Kevin McNulty, to obstruct Plaintiff Kaul's prosecution of K1 + K2 + K3; (iv) conspiring in a period from 2011 to 2014, with Defendant Allstate/Geico, the FBI and the United States Department of Justice, to bring **false** criminal charges against Plaintiff Kaul for healthcare fraud, the purpose being to jail Plaintiff Kaul for over two decades; (v) tampering with witnesses, who have knowledge of my guilt and that of the Defendants; (vi) destruction of evidence of my guilt; (vii) threatening and or bribing the families of third-party witnesses/defendants with physical/economic/reputational harm, in order to suppress their testimony; (viii) in 2020, threatening and or bribing ACX/Amazon to not publish Plaintiff Kaul's audio-book "**An Impossible Victory: Kaul v Christie**"; (ix) conspiring with the Defendants to obstruct Plaintiff Kaul's application for medical licensure in the State of Pennsylvania + attempt to co-opt all state medical boards (2017 to the present) to deny Plaintiff Kaul a license, should he apply.
7. I confirm that in the event I die, my wife/children/estate will assume full unconditional liability for the claims/damages/exculpation of evidence.
8. I confirm that in my capacity as a federal prosecutor, I did wrongfully and for political purposes prosecute and convict in 2005, Hemant Lakhani, a seventy-year (70) old British based Indian salesman.
9. I confirm that I abused the resources of the American People/Government to conspire with Pakistani criminals and organized Russian crime syndicates to entrap Lakhani in a sting operation, that culminated in his false arrest in 2005 in a hotel at the Newark International Airport in New Jersey.
10. I confirm that Lakhani died in jail in 2013, as a consequence of the stress associated with his incarceration.
11. I confirm that Lakhani was interviewed in 2005 while in jail, by radio show: "**This American Life**" - https://www.thisamericanlife.org/292/the-arms-trader/act-one-0.
12. I confirm that I was involved in the trafficking of chemical weapon components to Syrian rebel forces in a period from 2012 to 2013.

13. I confirm that I knew these chemicals would be used to kill children + women + men in the Syrian civil war.
14. I confirm that I knew and know these chemicals did actually kill hundreds of children + women + men in the Syrian civil war, through asphyxiation and chemical burns to the lining of the lungs.
15. I confirm that I knew and know that the deaths of these innocent children + women + men was excruciatingly tortuous and painful.
16. I confirm the truth of the facts asserted by Plaintiff Kaul in the letter ("ICC Letter") he sent to the Chief Prosecutor at the International Criminal Court, dated November 11, 2015.
17. I confirm that I have read and understood the letter, a copy of which is attached to this admissions statement.
18. I confirm that I first read and understood this letter in late 2015, when Plaintiff Kaul publicized it.
19. I confirm that the reason neither I nor any of the parties referenced in the letter initiated legal action against Plaintiff Kaul, is because the asserted facts are true.
20. I confirm that I conspired with American state/federal politicians/judges to obstruct the efforts (2017 to present) of Plaintiff Kaul to have my crimes investigated.
21. I confirm that Plaintiff Kaul's dissemination in late 2015 of the "ICC Letter" to voters in Iowa + New Hampshire, contributed to the destruction of my political career.
22. I confirm that in approximately 2009 I abused the power of the Office of the New Jersey Governor to engineer the so called "**opiate epidemic**", in order to profit from companies that manufacture so called "**anti-opiate**" medications.
23. I confirm that I am on the board of a company called Pacira, a sham position for which I have received to date at least $1,000,000.
24. I confirm that Pacira is a purported pharmaceutical company based in Parsippany, New Jersey.
25. I confirm that Pacira bribed me to improperly influence corrupted individuals within the United States Department of Health and Human Services to publish a Medicare billing code for the so called "**anti-opiate**" medication.
26. I confirm that I hold business interests in multiple drug rehabilitation companies and that I profit from the housing of citizens in these facilities, many of whom are not drug addicts, but have been ordered to these facilities by corrupted state courts/judges.
27. I confirm that the "**opiate epidemic**" is responsible for the deaths of thousands of chronic pain patients, who have been forced to resort to street-grade heroin in order to manage their severe pain.
28. I confirm that in a period from 2009 to at least 2014, I profited from for-profit juvenile detention centers and knew that the appalling conditions in the facilities were unlawful.

29. I confirm that because of these appalling conditions many young boys died, and that I obstructed claims brought by their bereaved families.
30. I confirm that I have received opiates to mitigate the hypoxia related pain I am now experiencing from COVID-19 induced respiratory inflammation and scarring.
31. I confirm that I believe this pain is substantially less than the pain experienced by the children + women + men murdered with chemical weapons in the Syrian Civil War.
32. I do submit myself to the jurisdiction of the International Civil Court for the crimes specified in the "ICC Letter" and will cooperate with any investigation.
33. I do submit that there exists sufficient evidence to convict me of murder/manslaughter/crimes against humanity in courts of both the United States and foreign jurisdictions. I do submit that I have knowledge that would exonerate Julian Assange and would testify in the proceedings at the Central Criminal Court, London, UK ("Old Bailey"), if subpoenaed by his legal advocates.

Please be advised that if by October 15, 2020 you have not denied these admissions of fact, they will be deemed admitted and submitted into: (i) The United States District Court (DNJ + DC + Third Circuit + DC Appellate Court + SCOTUS); (ii) The International Criminal Court; (iii) The Central Criminal Court; (iv) The Indian High Court, as evidence of the truthfulness of the claims of Plaintiff Kaul + your guilt + probative value to pending legal proceedings.

Dated: October 8, 2020

Christopher J. Christie

cc: Jennifer Robinson – Barrister-at-law (Assange)
Doughty Street Chambers
J.robinson@doughtystreet.co.uk.
54 Doughty Street
Holborn, London WC1N 2LS
U.K.
+44 20 7404 1313

R.K.I

4 RICHARD ARJUN KAUL, MD
October 8, 2020

Exhibit 24

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

RICHARD ARJUN KAUL, MD Plaintiff v. FEDERATION OF STATE MEDICAL BOARDS, ET AL Defendants.	CIVIL ACTION: 20-CV-01612-TSC CERTIFICATION OF DINA M. KAUL

RICHARD ARJUN KAUL, MD
440 c SOMERSET DRIVE
PEARL RIVER, NY 10965
862 881 9703
drrichardkaul@gmail.com

Dina M. Kaul hereby certifies to the Court as follows:

I am fifty-one (51) years of age, a United States citizen and the mother of the children of Richard Arjun Kaul, MD (**"Plaintiff"**).

I submit this affidavit in support of the claims and damages sought in the following cases:

K1-Kaul v Christie: 16-CV-02364
K2-Kaul v Christie: 18-CV-08086
K3-Kaul v Schumer: 19-CV-13477
K4-Kaul v Stolz: 18-CV-01489

K5-Kaul v Federation: 19-CV-3050

K6- State criminal indictment v Defendant Kaufman

K7-Kaul v Federation: 20-CV-01612

P1-Kaul/Patel v Allstate: 19-CV-08946

P2-Kaul/Patel v State of New Jersey/Crist: 19-CV-09232

A copy of this affidavit has been submitted into each of the above cases ("**The Kaul Cases**")

On October 9, 2020 I spoke with Richard Arjun Kaul regarding various issues that pertain to the above cases. The following represents this telephone conversation, which lasted approximately one hour,. The conversation has been organized into six (6) sections to facilitate interpretation.

Section index:

A. Defendants' malicious violation of my maternal rights.

B. Foreclosure of home + Deprivation of child support.

C. Lawsuits + Bankruptcy.

D. Defendants burglaries of Bernardsville home + Attack on Plaintiff's Surgical Center.

E. Sheriffs.

F. Claim Evidence.

A. Defendants' malicious violation of my maternal rights

1. I am the mother of two children, a boy and a girl, aged 18 and 15.

2. Both my children and I have suffered immensely, and continue to suffer because of the Defendants criminal scheme, as described in the above cases.

3. Our pain has been emotional, psychological and physical and is ongoing.

4. I submit this affidavit as a single mother and a woman who has desperately struggled since 2012 to raise two young children in the face of the Defendants malicious, relentless vendetta to destroy the life and reputation of my ex-husband, the Plaintiff.

5. The Plaintiff and I separated in 2005 and became divorced in 2009. He faithfully fulfilled all of his legal obligations under a property settlement agreement that we signed in 2005.

6. I find it incomprehensible that the Defendants attacked my children and I in the most vicious manner, in a period that commenced in 2012.

7. I also find it morally repugnant and reprehensible that the Defendants so perverted the process of justice, ethics and standards of basic human decency, in order to destroy my life, my children's lives and that of my ex-husband.

8. I have the utmost respect and admiration for the Plaintiff in the manner in which he has prosecuted the Defendants in his pursuit of justice.

9. To illustrate the character of the Defendants, mostly white privileged males, I make reference to the fact that I have worked as an administrator in the construction industry for twenty (20) years, and have never witnessed criminal conduct to the extent evident in the above cases.

10. I have dealt with teams of construction workers, mostly working class men, who are honest and would never do anything to intentionally harm women or children.

11. On several occasions I described the Defendants' crimes and their malicious scheme to intimidate, harass and attempt to destroy my life and that of my children.

12. On several occasion, these men described the Defendants misconduct as "**appalling**" and on one occasion, one individual described these men as "**heartless scumbags**". He then went on to describe the manner in which he would have dealt with these individuals if they had attacked his family and children.

13. The Defendants violated my maternal rights, in that because of their relentless and vicious scheme, I was forced to fight just to survive, and was therefore deprived of time with my children. This is time that was so cruelly taken away from my children and I, time that I can NEVER get back.

14. To this day I cannot even begin to comprehend why these Defendants conspired to attack, and did attack my children and I. Even hardened criminals and members of the mafia have a code of conduct with regards to women and children.

15. The Defendants have stolen my sense of security and my children's sense of security. They do not feel safe at home or at school, because of the emotional, psychological and physical trauma that the Defendants have caused them. These individuals, wealthy, white and in positions of power, have stolen my children's childhood. Sometimes, when I think about the heinous crimes committed by the Defendants I want them to suffer, but I wish no harm on their wives or children, in the way that they did on my children and I.

16. To this day, I cannot fathom the evil that possessed the Defendants to commit the crimes they committed. I find it incomprehensible that it all stemmed from professional jealousy. If that is in fact the case, then the Defendants will need psychiatric help in jail.

17. I have read the affidavit of John Zerbini (K1-D.E. 205), and it sickens me, to know that Defendant Doreen Hafner, a deputy attorney general for the State of New Jersey, maliciously intended to destroy the lives and my children and I (copy attached). I don't have the words to express how much pain she has caused me and

my innocent children, but I know justice will punish her and the other Defendants for the evil they perpetrated. I hope they rot in jail, so that no other mother and no more children will ever be subjected to the torture that my children and I have endured since 2012.

18. The facts detailed in this affidavit are just the 'tip of the iceberg'. There is so much more, but it is very painful at this time for me to talk about these atrocities, let alone write about them. It has taken me many years to develop the courage to submit this affidavit. I wanted to leave everything in the past, and not think about the agony to which my children and I were subjected by the Defendants, but the Plaintiff, the father of my our children, told me, "**that I must face the past, in order to find the future**".

19. The Plaintiff is a brilliant and courageous man. The Defendants are greedy bullies, cowards and abusers of innocent women and children. These individuals are despicable.

20. I am extremely angry about the immense and permanent injuries the Defendants have caused to my children and I, and for what. Because they were jealous of the Plaintiff's professional success. The Defendants have tormented my children and I since 2012, because they wanted to destroy him and everyone in his life. I imagine that these individuals sat down in a room, on many occasions, and planned every detail of their illegal scheme, including rackets intended to abuse the legal system in order to exact an inhumane degree of psychological pressure on the Plaintiff. The purpose of these rackets was to have the Plaintiff die, be jailed or flee the country. The Plaintiff has enormous mental fortitude, a profound hate of injustice, an indomitable will and an undying love for his children. He is a hero, who has publicly exposed the Defendants' as bullies, cowards and in all truth, individuals that deserve to be eliminated from society.

B. Foreclosure of home + Deprivation of child support

21. In December 2003, the Plaintiff and I jointly purchased a home in Bernardsville, New Jersey, in which I invested the entirety of monies derived from the sale of my studio apartment in Manhattan.

22. From December 2003 to August 2016, I lived in the house with my two young children, who were aged thirteen (13) and nine (9) when we were evicted due to bank foreclosure.

23. The foreclosure of the Bernardsville house was a direct consequence of the Plaintiff's sudden inability to provide child and pay the mortgage These were a consequence of the immense economic hardship caused to the Plaintiff by the widely publicized suspension/revocation (2012/2014) of his New Jersey medical license.

24. As a consequence of the license suspension, I stopped receiving child support in March 2013.

25. As a consequence of the license suspension, the Plaintiff stopped paying the mortgage in April 2013.

26. As a consequence of the suspension, my children's education was abruptly interrupted and they were forced to leave the school in which they had studied since the ages of seven (7) and five (5). This event was extremely traumatic for them.

27. As a consequence of the foreclosure proceedings, and my lack of child support, I was forced to sell all possessions in the house. This sale occurred in June 2016, and resulted in the total loss of my possessions, my children's possessions and those possessions in the house that belonged to the Plaintiff.

28. As a consequence of not having received child support/alimony since March 2013, I was forced into a state of poverty, which caused me to file for personal bankruptcy on May 13, 2015.

29. As a consequence of my filing for personal bankruptcy, my financial credit score was reduced to less than 550, and upon the eviction of my children and I from our home, I was unable to secure a rental property. My children and I were forced into a state of homelessness and poverty.

30. As a consequence of the foreclosure and deprivation of child support, my children have suffered immense psychological, emotional and physical injuries that are ongoing.

C. Lawsuits + Bankruptcy

31. On May 13, 2015, I was forced to file for personal bankruptcy due to multiple liens and judgments levied against my name.

32. The judgments and liens were a direct consequence of lawsuits filed against me and the Plaintiff by amongst others, Defendant Stein.

33. In March 2014, Defendant Stein attempted to have me and my two children evicted from our home.

34. I was forced to retain a lawyer, but because I had not received any child support/alimony since March 2013, I had no money and my retired parents used their pension to pay the legal fees.

35. In December 2003, the Plaintiff and I jointly purchased the house, and it remained in both of our names after our divorce in May 2011.

36. It is my understanding that in approximately late 2013, Defendant Stein misrepresented to the Morris County Court that the Plaintiff retained sole title of the house, in order to have the court enter an order of eviction.

37. Had an order of eviction been entered in 2014, my children and I would have been left destitute and homeless.

38. As a consequence of the suspension/revocation the Plaintiff, in late 2012, became unable to pay the school fees for our children.

39. In late 2012 the Plaintiff and I met with the school administrators to discuss our situation, in the hope that our children's departure from the school would not be sudden. To this effect my parents used monies from their pension.

40. However, in mid 2014, the school filed a lawsuit against the Plaintiff and I, in which it made false claims that we owed it money.

41. Neither the Plaintiff nor I had the money to defend the claims, and consequently, a default judgment was entered against both him and I.

42. It is my understanding that the school (Far Hills Country Day School) also filed a claim in the Chapter 11 bankruptcy proceedings (13-23366-DNJ) initiated by the Plaintiff's corporations on June 17, 2013. I have no knowledge as to whether the claim was paid.

43. It is my understanding that the school, consequent to the widely publicized suspension of the Plaintiffs license on June 13, 2012, entered into a series of communications with members of the administration of Defendant Christie/New Jersey Attorney General.

44. In the aforesaid communications the school administrators were informed that the FBI were investigating the Plaintiff, and that he would be indicted and convicted.

45. It is my understanding that as a consequence of these communications, the school decided to file a lawsuit, in the belief that the Plaintiff would either die, be jailed or leave the country.

46. It is my understanding that the school colluded and conspired with the aforesaid parties to file a lawsuit, with the intent and purpose of facilitating the illegal schemes the Plaintiff has detailed in his federal lawsuits ("**The Kaul Cases**").

47. It is my understanding that the conspiracy was purposed to destroy the Plaintiff's livelihood and reputation.

48. From April 2012 to late 2016, insurance companies (Allstate/Geico), banks and ex-patients named me as a defendant in multiple lawsuits they filed against the Plaintiff.

49. I had no money to defend the aforesaid claims and as a consequence multiple default judgments were entered against me. These detrimentally affected my credit score and made it impossible for my children and I to secure a rental property upon eviction, in 2016, from their childhood home.

50. As a consequence of the aforesaid judgments/liens/levies I was forced to file for chapter 7 bankruptcy on May 13, 2015.

51. As a consequence of the aforesaid judgments/liens/levies my personal bank account was 'frozen'.

52. On June 26, 2015 I attended a creditors meeting in Trenton, at which the trustee, Daniel M. Straffi, interviewed me.

53. I specifically remember that the majority of the questions pertained to personal and professional matters regarding the Plaintiff. Straffi repeatedly asked me why I had agreed to the terms of the Property Settlement Agreement that the Plaintiff and I signed in 2005.

54. It is my understanding that Defendant Stein, members of the administration of Defendant Christie and Office of the New Jersey Attorney General had conspired/colluded with Steffi to focus his questions on the property settlement agreement.

55. Straffi initially objected to my application to file for chapter 7 bankruptcy

56. It is my understanding that the purpose of these particular questions was an attempt to improperly facilitate the effort of Defendant Stein to have me and my children evicted from our home.

57. When I informed my lawyer as to what I believed was a bizarre line of questioning from Straffi, he failed to disclose that he too had been co-opted by members of the Office of the New Jersey Attorney General and the administration of Defendant Christie.

58. I was separated from the Plaintiff in 2005 and divorced in 2009.

59. I now believe that there existed from 2012 to 2016 a conspiracy by the Defendants to have the Plaintiff die, be jailed, deported and or destroy his reputation and livelihood.

D. Defendants burglaries of Bernardsville home + attack on Plaintiff's surgical center

60. It is my understanding that in 2006 the Defendants commenced their scheme to have the Plaintiff's license revoked, and that on February 3 2010 Defendant New Jersey Board of Medical Examiners interviewed him about his practice of minimally invasive spine surgery.

61. In October 2010 my home was burgled, while my children and I were away from the house.

62. Upon returning to the house, I immediately noticed that the entire front door had been destroyed, that there were footprints throughout the house and that every room, including my children's bedrooms, had been ransacked. Cupboards had been emptied, draws flung to the floor, rugs pulled up and it was apparent that the intruders had attempted to access my computer. I filed a police report.

63. The burglary terrified my children, who at the time were aged eight (8) and six (6). My son began having difficulty sleeping at night and experienced frequent nightmares, from which he would wake in a state of panic. He also had difficulty concentrating at school and on his homework, as he believed there would another burglary.

64. In June 2013 there was indeed another burglary, that was conducted in the same manner as the previous one. However, on this occasion my computer was left abandoned in the hallway, and I believe that the intruders were in the house as I entered the cul-de-sac on which it was located. I filed a report with the police.

65. It is my understanding that this burglary coincided with an attack on the building in which the Plaintiff's surgical center was located, at 111 Wanaque Avenue, Pompton Lakes New Jersey. This was the NJSR Surgical Center.

66. It is my understanding that the building sustained enormous water damage from a fractured pipe. This occurred in June 2013, at a time when the Plaintiff was attending the medical license hearing in the New Jersey Office of Administrative Law (April 9, 2013 to June 28, 2013).

E. Sheriffs

67. From April 2012 to mid 2016, just after the Plaintiff filed a RICO claim against the Defendants, armed Sheriffs officers frequently appeared at my home, to serve legal papers for the Plaintiff. This occurred on a monthly basis.

68. On each and every occasion I informed these individuals that the Plaintiff had not lived at the house since 2005, and almost every time the person insisted that he did.

69. On multiple occasions the individual screamed at me, while my children stood behind me in a state of utter panic. On a number of occasions my son asked me if I and or the Plaintiff, their father, were going to jail.

70. On a number of occasions the individual threw the papers into the hallway of my home. My children witnessed these acts.

71. These events stopped shortly after the Plaintiff commenced legal action against the Defendants.

F. Claim Evidence

72. A family member of mine involved in the New Jersey healthcare sector, an individual with direct knowledge of the Defendants' crimes, has confirmed to me the truthfulness of the Plaintiff's claims.

73. The Defendants crimes have had an enormous impact on the lives of my children, that continues to this day, and I believe they should be held accountable for their malicious and criminal wrongdoing.

I certify that the above statements made by me are true. I am aware that if any of the above statements are willfully false, I will be subject to punishment.

Dated: November 9, 2020

Dina M. Kaul

Exhibit 25

www.drrichardkaul.com

September 25, 2020

Anantha Shekhar, MD, PhD
Senior Vice Chancellor
University of Pittsburgh
S530 Scaife Hall
3550 Terrace Street
Pittsburgh, PA 15261

Re: Notice of litigation

Dear Dr. Shekhar,

I write this letter to bring to your attention the fact that your hospital system has incurred legal liability consequent to the unlawful misconduct of Dr. Donald M. Yealy, an individual who engaged in an illegal conspiracy on the premises of your hospital, to obstruct my application for medical licensure in Pennsylvania. These offenses commenced in September 2017, are ongoing and constitute a "pattern of racketeering", for which your institution is vicariously liable. Please find enclosed a flash drive, which contains evidence relevant to this matter.

I would like to advise you that if by November 5, 2020 I am not in possession of an unrestricted plenary license to practice medicine and surgery in the State of Pennsylvania, I will without further notice file a RICO claim against you, the institution and all individual members of the Pennsylvania medical board. Should this occur, I will judicially notice the United States District Court for the District of Columbia, and will employ my digital platform to publicize the action in Pennsylvania. I do hope this course of action can be averted.

Yours sincerely

RKJ

Richard Arjun Kaul, MD

cc: Governor Thomas Wolf.

Exhibit 26

(Compl. ¶ 21.) Kaul's New Jersey medical license was revoked in 2014 for performing spine surgery on eleven patients without "proper training and experience," which "constituted gross and repeated malpractice, negligence, and incompetence." *Kaul v. Christie* ("*Kaul I*"), No. 2:16-cv-2364, 2017 WL 2953680, at *1 (D.N.J. June 30, 2017). Kaul alleges that Defendants have engaged in a massive conspiracy to "permanently eliminate [him] from the practice of medicine anywhere in the world." (Compl. at 19.) He brings five claims independently and three with Feldman.

In Count II, Kaul alleges that ten Defendants revoked his license in a conspiracy intended to increase their revenues, market share, and political power. (Compl. ¶ 272.) His allegations implicate former New Jersey Governor Christopher J. Christie, Dr. Andrew Kaufman (who testified against Kaul), the American Society of Interventional Pain Physicians and its former president, Dr. Peter Staats, Dr. Steven Lomazow (a business competitor), Doreen Hafner (Deputy Attorney General of New Jersey), Dr. Marc Cohen (a business competitor), the Congress of Neurological Surgeons and its president, Dr. Gregory Przybylski, and Dr. Robert Heary (attending physician at Atlantic Health System and Hackensack University Medical Center). (Compl. ¶ 269.)

In Count III, Kaul claims that several Defendants conspired to destroy his reputation and medical practice so insurance companies could avoid paying him for services rendered to patients. (Compl. ¶ 362.) The allegations in Count III are directed at former Governor Christie, the GEICO Defendants,[5] Allstate New Jersey Insurance Company ("Allstate"), TD Bank, NA, Daniel Stolz (an attorney whose firm served as Chapter 7 trustee for Kaul's business' bankruptcy

[5] Plaintiffs refer to defendants Government Employees Insurance Co., GEICO Indemnity, GEICO General Insurance Company, and GEICO Casualty as GEICO. (Compl. ¶ 34.)

Exhibit 27

No_____

In The
Supreme Court of the Commonwealth of Pennsylvania

In re Richard Arjun Kaul, MD

Petitioner

On Petition for a Writ of Mandamus to the Pennsylvania Medical Board (**"PMB"**) (Case No. 19-49-007483)

EMERGENCY PETITION FOR WRIT OF MANDAMUS

Richard Arjun Kaul, MD
Propria Persona
440c Somerset Drive
Pearl River, NY 10965

drrichardkaul@gmail.com

Dated: December 2, 2020.

The following cases (hereinafter "**The Kaul Cases**") are related to the instant matter, and are referenced within the petition according to the below key:

K1 - Kaul v Christie: 16-CV-02364
K2 - Kaul v Christie: 18-CV-08086
K3 - Kaul v Schumer: 19-CV-13477
K4 - Kaul v Stolz: 18-CV-01489
K5 - Kaul v Federation: 19-CV-3050
K6 - State criminal indictment v. Defendant Kaufman
K7 - Kaul v Federation: 20-CV-01612
K11-1 - Kaul v Pennsylvania Medical Board: Docket Number Pending
P1 - Kaul/Patel v Allstate: 19-CV-08946
P2 - Kaul/Patel v State of New Jersey/Crist: 19-CV-09232

For reference purposes:

"NJ Defendants" - Defendants identified in K1 to K7 + P1 + P2.
"PA Defendants" - Defendants identified in K11-1

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Parties To The Proceeding

Petitioner: Richard Arjun Kaul, MD (**"Kaul"**)
Respondent: Pennsylvania Medical Board (**"PMB"**)

Relief Sought

Petitioner Richard Arjun Kaul, MD (**"Kaul"**) respectfully requests that this Court grant Kaul's petition for a writ of mandamus and direct the Pennsylvania Medical Board to: **(i)** immediately issue an order/opinion regarding the May 28, 2020 PROPOSED ADJUDICATION AND ORDER of Hearing Examiner, David M. Green (**Appendix 1: 001**); **(ii)** immediately provide Kaul his requested discovery (**Appendix 2: 27**); **(iii)** promptly submit to the executive and legislative branches of state government a proposed corrective plan of action that brings Defendant PMB into compliance with the mandates of North Carolina Dental Board v FTC 13-534 (2015), the due process clauses of the constitutions of the State of Pennsylvania and the United States; **(iv)** promptly submit to the executive and legislative branches of state government a proposed policy for the future detection of global microbial threats.

Petitioner also respectfully moves this Court to: **(i)** enter a declaratory judgment based on the May 28, 2020 ORDER of David M. Green, that Kaul will be licensed to practice medicine and surgery in the State of Pennsylvania after having completed the state mandated remediation course; **(ii)** enter an order that prohibits under threat of criminal prosecution Defendant PMB/agents/lawyers from using the legal/political apparatus of the State of Pennsylvania to obstruct in any manner Kaul's practice of medicine and surgery in the State of Pennsylvania; **(iii)** order that members of Defendant PMB/Office

of the PA AG/Office of the Governor disclose monies/material favors/any tangible or intangible instrument of any value received by either them or any members of their family to the third degree, from any of the NJ Defendants within the last decade.

Issues Presented + Reasons for Granting The Writ

That a grant of the petition: **(i)** is warranted because Kaul has a clear legal right to be provided a license as the State of Pennsylvania has already granted his application and the law finds that grant final; **(ii)** is warranted because Defendant PMB has a duty to comply with orders issued by the State of Pennsylvania; **(iii)** is warranted because Kaul has no other appropriate and adequate remedy; **(iv)** will initiate a "**Reformation of American Medical Boards**" (**"RAMBO"**); **(v)** that a **RAMBO** will mitigate the mortality/morbidity threat of any future COVID-19 like pandemics; **(vi)** that a **RAMBO** will eliminate state medical board corruption, reduce healthcare costs and increase public access to life-saving care; **(vii)** will enforce the principles/reasoning of this Court in C. Elder v. BPOA, State Board of Medicine, 66 C.D. 2018 (Pa. Commw. Ct. 2019) ; **(viii)** will hold liable under threat of professional sanction, individuals who have violated the principles/legal reasoning of this Court in C. Elder v. BPOA, State Board of Medicine, 66 C.D. 2018 (Pa. Commw. Ct. 2019); **(ix)** will remedy the injury caused to the state treasury consequent to its deprivation for three (3) years of tax revenue that Kaul would have paid if Defendant PMB had not schemed to obstruct his application for licensure; **(x)** will mitigate the liability of the State of Pennsylvania incurred consequent to the illegal conspiracy of Defendant PMB to knowingly perpetuate Defendant NJBME's Fraud on the Court; **(xi)** will mitigate the liability of the State of Pennsylvania

incurred consequent to Defendant PMB's vicarious liability for the gross negligence of the failure of Defendant NJBME to **"protect the public"** from the COVID-19 pandemic; **(xii)** will mitigate the liability of the State of Pennsylvania incurred consequent to Defendant PMB's vicarious liability of Defendant NJBME's violation of Supreme Court jurisprudence as set forth in Timbs v Indiana-17-1091; **(xiii)** will establish for the first time in American jurisprudence a basis for the state legislature to codify/quantify the due process clauses of the state constitution regarding the time permitted for an adjudication of an application for medical licensure; **(xiv)** is warranted because Defendant PMB has a duty to comply with orders issued by the State of Pennsylvania.

Legal Standard

The common law writ of mandamus lies to compel the performance of a ministerial act or mandatory duty. Chesapeake Appalachia, LLC v. Golden, 35 A.3d 1277 (Pa. Cmwlth. 2012). **"The burden of proof falls upon the party seeking this extraordinary remedy to establish his legal right to such relief."** Section 16.57 of the Pennsylvania Code establishes this right, the duty of the respondent and the lack of any other adequate and appropriate instrument of enforcement.

Statement/Facts/Argument Necessary To Understand Petition

Statements

1. This petition is the product of litigation that officially commenced on February 3, 2010 in the State of New Jersey with a politically/economically prejudiced

preliminary evaluation committee of Defendant New Jersey Board of Medical Examiners. However, like a California forest fire, it has over the last decade spread to involve the: **(1)** New Jersey Office of Administrative Law; **(2)** New Jersey Superior Court; **(3)** United States Bankruptcy Court for the District of New Jersey; **(4)** United States District Court for the District of New Jersey; **(5)** United States District Court for the S.D.N.Y; **(6)** United States District Court for the Northern District of Georgia; **(7)** United States District Court for the District of Columbia; **(8)** United States Court of Appeals for the Second Circuit; **(9)** United States Court of Appeals for the Third Circuit; **(10)** United States Court of Appeals for the Eleventh Circuit; **(11)** The Supreme Court of the United States; **(12)** The General Medical Council of the United Kingdom; **(13)** The DEA; **(14)** The FDA; **(15)** The FBI; **(16)** All state medical boards/medical councils in the world; **(17)** The New York Stock Exchange; **(18)** The American political establishment.

2. The decade of litigation in the US has its origins in a challenge made by Kaul on February 2/3 1999 to the British Government to recognize American residency training and board certification as being equivalent to that in the UK (**Appendix 3: 047**).
3. This Court has the power to commence a concluding of the litigation while causing to be effectuated the initiation of a reform of state medical boards/unconstitutional configuration of the mechanism of physician regulation (**Appendix 4: 051**).

Fact/Argument

The below facts substantiate the above fourteen (14) reasons/issues for a grant of Kaul's petition for a writ of mandamus. They are organized chronologically:

1. May 22, 2012 - Email from Kaul's lawyer, Robert Conroy (now deceased) to K2/K5 Defendant and then NJ deputy attorney general, Doreen Hafner (**Appendix 5: 068**):

   Defendant PMB, by continuing to cover up the crimes of the NJ Defendants, are respectively perpetuating, aiding and abetting both their own crimes and those of the NJ Defendants. Consequently, Defendant PMB has caused the State of Pennsylvania to incur the liability of these crimes, ones that commenced in 2006.This Court has the power to mitigate that liability:

   "I must also warn them [NJ AG-Jeffrey Chiesa + Director of Division of Consumer Affairs-Eric Kanefsky] about engaging in any efforts to obstruct our client's attempt to receive a fair hearing or cover up their previous involvement ... I can assure them that this will ultimately not be judged their finest hour."

2. September 18, 2017 - Letter from Kaul to Defendant PMB (**Appendix 6: 069**):

   Defendant PMB was forewarned of its liability pursuant to RICO:

   "... eight-year campaign of racketeering ... It was against this background, and the fact that my case had been a high profile matter, that many attorneys filed frivolous actions against me, hoping that I would settle, and not want to have the details of the UK case rehashed."

   Defendant PMB violated Kaul's rights by illegally taking possession of highly confidential information from the file of UK Defendant General Medical Council

(**Appendix 7: 072**). Defendant GMC will cross sue Defendant PMB in K11-1 to protect its interests in American and European courts. The cost and public exposure to the State of Pennsylvania will dissuade domestic and foreign investment. This Court has the power to mitigate that liability:

3. March 19, 2018 - Letter from Kaul to Defendant PMB (**Appendix 8: 069**):

   Kaul provided Defendant PMB fair notice that he would hold it accountable for conspiring with the NJ Defendants to obstruct justice. Such notice deprives Defendant PMB of submitting any argument regarding liability mitigation, as it was forewarned about its criminal conduct but yet persisted in its perpetration. Its liability falls on the State of Pennsylvania. This Court has the power to mitigate that liability and prevent the State of Pennsylvania from being named in The Kaul Cases.

   " ... I hope that the post-dated request is not a consequence of interference from the Office of the New Jersey Attorney General or the New Jersey Board of Medical Examiners ... The revocation of my medical license in New Jersey, as detailed in 'The Solomon Critique' was an illegal act, that is now the subject of a federal lawsuit ..."

4. April 18, 2018 - Letter from Kaul to Defendant PMB (**Appendix 9: 099**):

   The crimes of the NJ Defendants became the crimes of the PA Defendants when the latter failed to report them to state/federal authorities and or based their denials of Kaul's applications (2017/2019) for licensure in the State of Pennsylvania, on the illegal revocation of Kaul's license in New Jersey (2014). Defendant PMB increased its liability by using the unconstitutional, politically

motivated 'conviction' in the UK (2001), as an additional basis for denial. Defendant PMB committed a massive 'Fraud on the Court', and has rendered itself defenseless against the claims in K11-1. This Court, however, has the power to mitigate the liability of the State of Pennsylvania:

"Referenced in the aforementioned letter was my intention to notify the United States Supreme Court of the criminal transgressions collectively committed by New Jersey Administrative Law Judge, Jay Howard Solomon and New Jersey physicians, Gregory Przybylski, MD and Andrew Kaufman, MD."

5. May 9, 2018 - Letter from Kaul to PA AG, Joshua Shapiro (**Appendix 10: 105**): Defendant PMB is a signatory to an illegal legal instrument entitled the **"Interstate Agreement"** (**Appendix 11: 109**). This contract with Defendant Federation of State Medical Boards (**"FSMB"**) violates the Commerce and Compact Clauses of the US Constitution, a fact of which Defendant PMB was and is cognizant. The liability of this violation extends to the treasury of the State of Pennsylvania. Similarly, the continuation of this violation deprives Defendant PMB/Members of any defense of sovereign/qualified immunity. Defendant PMB, in collusion/conspiracy with Defendant NJBME, willfully/consciously ignored the conclusive evidence that the revocation of Kaul's New Jersey license was illegal. In fact, Defendant PMB incorporated that crime and used the name/authority of the State of Pennsylvania to issue a knowingly illegal legal instrument (**Appendix 12: 113**). Defendant PMB then disseminated this illegal legal instrument to every

state/federal healthcare related agency/authority by using the US mail and wires, in furtherance of the schemes detailed in The Kaul Cases. This Court has the power to mitigate the liability of the State of Pennsylvania for permitting itself to be converted into a **"racketeering enterprise"** through the commission of the RICO predicate acts of mail and wire fraud by Defendant PMB:

"I write this letter to bring your attention to my belief that the New Jersey Board of Medical Examiners has subjected and illegally coerced the Pennsylvania Medical Board ("PMB"), into an agreement that is in violation of the Compact Clause of the United States Constitution, and in the process has denied me my Constitutionally protected right to use my trade to earn a living ... two hundred and seventy-eight (278) separate instances of perjury and evidential omissions, misrepresentations and gross mischaracterizations" (**Appendix 10: 105**).

6. July 17, 2018 - Letter from Kaul to Defendant PMB (**Appendix 13: 119**):

This Court has the power to mitigate the liability of the State of Pennsylvania for the crimes of Defendant PMB:

"I believe these documents to be further evidence that the revocation of my New Jersey medical license on March 12, 2014, was a consequence of improper conduct, and I hope they are of some assistance to the board in its determination, on July 24, 2018 of my application for medical licensure."

7. July 27, 2018 - Letter from Kaul to U.S.M.J. Mannion (**Appendix 14: 122**):

This letter was circulated by Defendant NJBME to Defendant PMB shortly after it was published to the federal court docket. Kaul commenced his application for

licensure in the State of Pennsylvania in September 2017. Defendant PMB were forewarned of the vicarious liability of their crimes, but were coerced by Defendants Allstate/Geico to persist in their **"pattern of racketeering"** under threat of economic sanction to the State of Pennsylvania:

"The Ongoing NJBME Enterprise + Vicarious Liability - discovery of all communications ... The PA Board and Defendant NJBME ... The Office of the New Jersey Attorney General and the Office of the Pennsylvania Attorney General."

8. August 11, 2018 - Letter from Kaul to Governor Thomas Wolf (**Appendix 15: 126**):

This Court has the power to mitigate the liability of the State of Pennsylvania for the crimes of Defendant PMB:

"Alert you the potential liability caused to the Pennsylvania Medical Board and State, consequent to the crimes of mail and wire fraud committed by the New Jersey Board of Medical Examiners ("NJBME")."

9. September 25, 2018 - Letter from Kaul to U.S.M.J. Mannion (**Appendix 16: 134**):

This Court has the power to mitigate the liability of the State of Pennsylvania for the below referenced crimes of Defendant PMB:

"Dear Justice Albin ... that the Supreme Court of New Jersey immediately enter an Order that stays ... massive Fraud on the Court ... Public Corruption ... defrauding its shareholders, the NYSE and the global equities market ... criminal prosecution ... the letter does NOT have the authority of the Pennsylvania Medical Act ... Defendant Crist [Currently

Chairman-Muhlenberg College, Pennsylvania + ex-CEO Defendant Allstate-currently major stock holder] having used his political and economic influence in Pennsylvania to obstruct my application for a medical license ... Two doctors are dead ..."

10. October 18, 2018 - Letter from Kaul to Wesley Rish (**Appendix 2: 004**):

This Court has the power to mitigate the liability of the State of Pennsylvania for the crimes/unlawful conduct of Defendants PMB and GMC, the latter for having used the US mail and wires to illegally transmit documents to Defendant PMB in violation of the European Data Protection Act and the former for having violated US state/federal (HIPAA) statutes pertaining to confidential health information. Defendant PMB also caused the State of Pennsylvania to incur liability consequent to its willful/knowing perpetuation of the crimes of the NJ Defendants and the derogation of its legal duty pursuant to the Pennsylvania Medical Act: **"The PMB had no intention of ever issuing Kaul a license. The PMB erected knowingly insurmountable obstacles by requesting in March 2018, that Kaul have the General Medical Council and the [sic] K2 defendant, NJBME submit *"letters of good standing"* ... are crimes that the Pennsylvania Medical Board/Counsel have perpetuated ... PMB and counsel failed to consider the evidence ... violation of Kaul's rights to due process pursuant to the pertinent clauses of ... the Constitution of the State of Pennsylvania and the due process requirement implicit in the Pennsylvania Medical Act."**

11. October 20, 2018 - Letter from Kaul to Wesley Rish (**Appendix 17: 156**):

On May 2, 2018 a landmark bill (SB286) that sought to provide physicians the right to due process in medical board proceedings was advanced out of the Louisiana Senate by 36-0. At the public hearing, Lisa Robbins, a business executive from Defendant Federation of State Medical Boards (for profit corporation) testified against, quite predictably, the introduction of the bill:

https://www.youtube.com/watch?v=z5f5RaDQ3aE&feature=youtu.be

At time segment 22:32 Andrew Schlafly, General Counsel for the American Association of Physicians and Surgeons (established 1943) testified:

"This is an excellent bill ... This could be in a textbook."

Kaul emailed a copy of this bill to Rish. His response:

" ... the Louisiana legislation setting forth a physician's bill of rights. However, such legislation has no legal effect in Pennsylvania." (**Appendix 17: 166**). Defendant PMB would refuse to recognize state law that protects the rights of physicians but yet gave full faith and credit to the crimes committed against Kaul by the NJ Defendants because it is a one of the **"families"** of the "**Medical Mafia**". Kaul will move to have an equivalent bill enacted into law in all American states, including the State of Pennsylvania. Kaul forewarned Rish/Defendant PMB that he would initiate legal action:

" ... to illustrate that the said application was administered by the Pennsylvania Medical Board in a manner akin to a "sham", that had no intention of granting me a license ... Pennsylvania Medical Board be subjected to racketeering charges in the United States Federal Court."

(**Appendix 17: 157**). On October 1, 2019, Kaul filed K5. In December 2019, Kaul's then lawyer, Jenni Chavis told him NOT to serve Defendant PMB.

12. April 11, 2019 - Letter from Kaul to Defendant PMB (**Appendix 18: 167**):

This Court has the power to mitigate the liability of the State of Pennsylvania for that incurred by Defendant PMB consequent to it having conspired with the NJ Defendants to obstruct justice by predicating the processing of Kaul's license application on the issuance a **"Letter of Good Standing"** from Defendant NJBME. The Pennsylvania Medical Practices Act provides no authority for such a request, as the legislature recognized that to maintain the sovereignty of the state/immunity, the State of Pennsylvania could not permit Defendant PMB to premise licensing decisions on the actions of other states/countries. This would be an admission of the federalization of physician regulation, which would deprive Defendant PMB of sovereign immunity and summarily compel compliance with federal law and grant summary judgment for non-compliance. **" ... CERTIFICATION OF ARNOLD E. FELDMAN, MD ... detailed a conversation between some of the physicians who conspired to have my license revoked."** The public health rationale underpinning this independence of license adjudication pertains to the issue of the specific healthcare needs of the local market. In the early 1980s Defendant FSMB in collusion/conspiracy with the insurance industry commenced its scheme to initially monopolize the trillion dollar American healthcare market. In furtherance of this scheme of grand corruption, which now extends **globally**, Defendant FSMB bribed federal legislators to have passed in 1986 the deceptively named 'Healthcare Quality Improvement Act', a

piece of law touted as being necessary to supposedly **"protect the public"** from doctors labelled with any of their laundry list of defamatory but meaningless terms **"imminent threat ... grossly incompetent ... moral turpitude ... grossly deviated ..."**, all intended to mislead and inflame the public. Defendant FSMB circulated this verbiage to all state medical boards, with specific instructions of how to target physicians whose clinical practices threatened the economic agendas of healthcare corporations and insurance companies that funneled bribes to Defendant FSMB. Participating state medical boards/members/lawyers were rewarded with monies for compliance (**Appendix 11: 112**), while monies were withheld from those that did not or failed to comply as exactly ordered by Defendant FSMB. Gangsters in suits. Dr/Counsellor Don Corleone.

https://www.youtube.com/watch?v=0ioA0A-gvZ4&feature=emb_logo

In 2020, a lethal consequence of this grand scheme of corruption/racketeering is the exceptionally high death rate of American patients with COVID-19, a fact partly accounted for by the callous, economically motivated recalcitrance of state medical boards to issue/reinstate physicians' licenses (200905). Fewer doctors equates to greater profits for the insurance industry, the trough from which the lawyer/doctor/politician/businessmen 'hogs' have fattened/gorged themselves since 1986 at the expense of the American people. Orchestrating this scheme of genocidal corporate greed is Defendant FSMB and the insurance industry. Evil exists. The HCQIA is as the evidence now proves a massive fraud that must be repealed, in order to avoid another catastrophic shortage of doctors. On October

8, 2020 Kaul sent letters to every state medical board (except Defendants PMB/NJBME) enquiring as to whether he would be granted a license in the relevant state. Within the last four months he has received responses from approximately eighteen (18) boards encouraging him to apply for a license. At this point in time Kaul has information that Defendants PMB/NJBME have conspired with certain state medical boards/Defendant FSMB to have them provide Kaul a charade of due process by encouraging him to apply for a license, in the knowledge that they will not grant one. Upon receipt of the letter on or about October 11, 2020, the recipient boards telephoned lawyers/executives at Defendant FSMB/PMB/NJBME, with whom they coordinated a scheme as to which boards would respond and which ones would not. The majority of these boards avoided the use of email due to its discoverability. This constitutes evidence in support of Kaul's claims against Defendants FSMB/NJBME/PMB in K5/K7/K11-1. These include RICO/Antitrust/Section 1983.

13. July 4, 2019 - Letter from Kaul to Kerry E. Maloney (**Appendix 12: 117**):

"The legal error of the board's decision is apparent in its failure to refute/contest/rebut/address the conclusive evidence of 'The Solomon Critique' + 'The Solomon Critique 2' ..."

Less than one year on from the admonition of Defendant PMB by this Court in the Elder case, Defendant PMB continued its criminal conduct in the Kaul case, assuming that Kaul would not come to know of the Elder matter. Defendant PMB adopted the position that because its members are on the payroll of the insurance industry, the Supreme Court of Pennsylvania is powerless to enforce

its law against these offenders. On December 1, 2020, at approximately 7 pm EST, PA AG, Joshua Shapiro was quoted in The Philadelphia Inquirer as saying: **"No one is above the law"** in regards to the case of ex-Penn State University president, Graham B. Spanier. However at 4 am EST on December 2, 2020, that quote had been removed and replaced with the more sober: **"We will seek the enforcement of Spanier's sentence at the first opportunity allowable under the law."** The reason for the change. The NJ Defendants are tracking Kaul digitally, have hacked into the wix platform hosting his website (www.drrichardkaul.com) and know that the Shapiro story appeared on his newsfeed. The Defendants must know that in the digital universe one cannot conduct surveillance without being surveilled. Just ask Julian Assange. The Defendants also know Kaul's propensity for exposing the hypocrisy of the privileged and those in power. For Shapiro to claim **"No one is above the law"** in the Spanier case, but yet not follow the law himself in the Kaul case, is further evidence of the tyrannical/lawless state-of-mind of those that occupy state medical boards/offices of attorney generals. Shapiro will interpret/apply the law to suit the political/economic agendas of himself, his political masters and those from whom he/his masters receive bribes, such as Defendant Allstate. The State of Pennsylvania ranks as the fifth (5th) highest state for the sale of insurance policies sold by Allstate. In 2017, it sold 558,000. The average home/car policy is $2,000. That equates to $1.116 billion. Ninety percent (90%) is diverted to shareholders, while ten percent (10%) is used to pay healthcare providers. This Court has the power to turn the tide of the economic war that has been waged by

corporations against the American people over the last four decades. This has caused immense poverty/deprivation of healthcare in Pennsylvania. As of December 1, 2020 there have been 10,563 COVID-19 related deaths. Many of these deaths occurred because of the gross underfunding (diversion of 90% health premiums to shareholders/executives) of the American healthcare system by the insurance industry. The COVID-19 related death rate in Germany is the lowest in the world, while that of the US is the highest. American citizens pay the highest health insurance premiums in the world. However, their access to care has been severely restricted by the insurance industry/corrupted state governments who use corrupted medical boards to eliminate physicians from the healthcare market. This is one of their many illegal tactics. Others include blanket denials of healthcare to many of their injured clients/patients. The list is endless and Kaul could fill a library on this epidemic/plague of corporate corruption. The **SOLUTION**, however, is what matters and this case, this state and this Court can eradicate this plague. The first step involves a **"RAMBO"**, which will commence in the State of Pennsylvania with the enactment of a physician's bill of rights. "**The Kaul Act**". Kaul's journey for physician justice officially began in 1998 in the UK, but unofficially in 1985 when he campaigned against the British government to have junior doctors working hours reduced from 120 hours/week. In 1998 his challenge to the British Government/Specialist Training Authority/Royal College of Anesthetists to have American medical training/board certification recognized in the UK as being equivalent to British training/Fellowship of the Royal College was referenced in news articles/books:

The London Independent - "Doctor to challenge medical hierarchy":

https://www.independent.co.uk/news/doctor-to-challenge-medical-hierarchy-1168576.html

The Shaping of the Medical Profession: The History of the Royal College of Physicians and Surgeons:

https://www.amazon.com/Shaping-Medical-Profession-Physicians-Surgeons/dp/1852851872

This Court has the power to mitigate the liability incurred by the State of Pennsylvania consequent to the conspiracy of Defendant PMB with the NJ Defendants/Defendant GMC to perpetuate their crimes (commenced in 2006) using the funds, authority and legal apparatus of the State of Pennsylvania.

14. July 30, 2019 - Letter from Kaul to Maloney (**Appendix 19: 170**):

Defendant PMB in full knowledge of the law and its legal obligations regarding the issuance of medical licenses, continued to violate the law and willfully abrogate its legal duty:

"Dr. Elder's case is legally identical to mine, and there now exists precedent that unequivocally supports my application for medical licensure in the Commonwealth of Pennsylvania."

Kaul reminded Defendant PMB of an admonition it received from the Pennsylvania Supreme Court on November 13, 2018 regarding its abuse of discretion and legal error in violating the right to a livelihood of Dr. Christopher Elder:

"We hold that the Board erred and abused its discretion by using Elder's ten-year-old conviction to evaluate his present moral character ..."

"regardless" (**Appendix 19: 199** verbatim: Suzanne Zerbe on July 8, 2020)

Defendant PMB has continued its lawless conduct. Only a criminal indictment will convince Zerbe and Defendant PMB that they must follow the law. It is this admitted lawlessness that Defendant NJBME accepts is responsible for the COVID-19 pandemic (**Appendix 20: 244**). Defendants PMB and NJBME are constituent parts of the **"one unit"** (**Appendix 21: 247**) and are thus each liable for the wrongdoing/crimes of the other parts. **"The crime of one becomes the crime of all."**

15. August 1, 2019 - Kaul v Federation: 19-CV-3050 - Admissions of Fact by Defendant PMB (**Appendix 11: 111**):

"Your medical board is configured and operates in violation of the due process clauses of the United States Constitution ... Your medical board is not in compliance with the antitrust purposed FTC supervision regulations, as referenced above in point 5 ... The medical board is a signatory to the interstate agreement, and shares confidential licensee information within the F.S.M.B."

The only remedy to the lethal lawlessness (COVID-19 morbidity/mortality) of Defendant PMB and thus by reason of the **"one unit"**, all American state medical boards, is to hold Defendant PMB in contempt of court and indict Zerbe and Defendant PMB president, Defendant Dr. Mark B. Woodland. This will establish precedent that the law will exact within the entire US, an enforcement

that will cause a **"RAMBO"** and thus mitigate the death rate of any future microbial threats. Over the last four decades, consequent to corporate corruption, the entire system of physician regulation in America has become interminably corrupted and is an ongoing and **"imminent threat"** to the American public. The **"Corporate-Soylent Machine"**.

16. October 1, 2019 - Kaul v Federation; 19-CV-3050 (**Appendix 4; 051**):

The Admissions of Fact of Defendant PMB constitute evidence in the above matter sufficient for summary judgment in K5, K11-1 and for a claim against the State of Pennsylvania for derogating its duty in permitting Defendant PMB to violate the law and for failing to enforce the law. This Court has the power to mitigate the liability of the State of Pennsylvania. Defendant PMB came into possession of this Complaint immediately after it was filed (October 1, 2019) in the United States District Court for the District of Columbia, but yet it continued to collude/conspire with the NJ Defendants in its **"pattern of racketeering"**. **"The current internal procedures of state medical boards violate the ... due process clauses of the United States Constitution ..."**

17. March 9, 2020 - Email from Elder to Kaul (**Appendix 22; 251**):

The email and attached letter evidence a **"pattern"** of misconduct that violates the cruel and unusual clause of the Constitution. This talks to the gross psycho-pathology invariably found in physicians/lawyers/administrators that parasitize the physician licensing arm of the American healthcare sector. Defendant Lomazow typifies these miscreants:

https://www.youtube.com/watch?v=sFtE8EvEMsU&t=1s

Further compelling evidence of why it is in the public interest for there to be an urgent **"RAMBO".**

18. May 28, 2020 - COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF STATE, GOVERNOR'S OFFICE OF GENERAL COUNSEL - PROPOSED ADJUDICATION AND ORDER (**Appendix 1: 001**):

Defendant PMB has taken an illegal position against the law and the State of Pennsylvania, and has thus caused it to incur immense financial/legal liability, that this Court has the power to mitigate:

"AND NOW, this 28th day of May 2020, in accordance with the foregoing findings of fact, conclusions of law and discussion, it is hereby ORDERED that the Application to Practice Medicine and Surgery of Richard Arjun Kaul, M.D. ("Applicant") is GRANTED ..."

19. June 18, 2020 - Kaul v Federation: 20-CV-01612 (**Appendix 20: 244**):

By reason of the **"one unit"** Defendant PMB has assumed culpability for COVID-19 related mortality and morbidity.

"As a consequence of Defendants gross negligence, Plaintiff Kaul has suffered further and ongoing economic injury, because his application for licensure in Pennsylvania has been delayed as a result of the COVID-19 pandemic ... The Defendants perversion is directly responsible for the COVID-19 related mortality and morbidity. Had the Defendants fulfilled their duty of care to the public, the viral genocide would either not have occurred or been substantially mitigated."

20. June 24, 2020 - Kaul v Christie; 16-CV-02364 - Third Circuit Case Number: 19-3113 (**Appendix 23: 255**):

This Court, The Kaul Cases and this petition are positioned in an unprecedented way to change American healthcare for the greater good of the people. The historic import of this petition was predicted by Kaul's lawyer, Robert Conroy (now deceased but looking down), when on June 13, 2012 he told Defendant NJBME:

"Seldom do there come cases in which the very fundamental nature of the board is at issue. Seldom. This is one of them. This will be a case that we'll be cited for many propositions, many times in the future, regardless of how it comes out. It will be an important case, a case so important that you should think long and hard before you vote to reconsider that which you've done already because you got it right the first time." (Appendix 23: 258).

This Court has the attention of the United States Court of Appeals for the Third Circuit, the Supreme Court of the United States and the American medical profession:

"... the outcome of the above cases will have consequences for thousands of members of the American medical profession, who have been victims of medical board corruption." (Appendix 23: 264).

The executive director of Defendant NJBME, William Roeder, became Defendant Roeder on June 18, 2020 (200618). Suzanne Zerbe, his opposite number in the State of Pennsylvania, has admitted to unlawful conduct (Appendix 11: 111) and

thus the law would grant summary judgment to claims founded on these violations.

21. July 8, 2020 - Defendant PMB Notice of Intent to Review (NIR) PROPOSED ADJUDICATION AND ORDER of the decision of the COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF STATE (Copied to Department of State Counsel, Adam Morris and Kaul counsel, Jenni Chavis) - (**Appendix 19: 199**): Defendant PMB submitted an untimely NIR (deadline was June 17, 2020). **"AND NOW, this 8th day of July, 2020, the State Board of Medicine ("Board"), in accordance with the Board's regulation found at 49 Pa. Code Section 16.57, hereby gives notice of its intent to review the hearing examiner's Proposed Adjudication and Order issued on May 28, 2020 ... ".** Kaul first came into possession of this document on October 1, 2020, after he instructed his counsel to withdraw from the case and requested a copy of his file. The piece of law cited to by Defendant PMB did not and does not authorize Defendant PMB to review the decision of the State of Pennsylvania: **"Section 16.57 - Appeal from the hearing examiner's decision (a) Unless otherwise ordered by the Board, the decision of the hearing examiner becomes final 20 days after its issuance."** The law therefore finds that the May 28, 2020 decision of hearing officer David M. Green is final and thus Kaul will be in possession of a medical license in the State of Pennsylvania after completion of remedial course. Kaul achieved this despite a premeditated scheme orchestrated by Defendants Allstate/Geico/FSMB/State of New Jersey to obstruct justice and hinder/delay and attempt to deny Kaul's application for medical licensure in

Pennsylvania (a "**battleground state**") (**Appendix 23: 264**). Defendants Allstate/Geico/FSMB/State of New Jersey in perpetrating the scheme converted the administrative/political/judicial bodies of the states of Pennsylvania/New Jersey into an association-in-fact racketeering enterprise. **BELOW IS A SERIES OF EMAILS** (**Appendix 24: 273**) that further evidence this irrefutable fact and the fact that Kaul's counsel, Jenni Chavis, did become a co-conspirator in this enterprise purposed to, and that did, obstruct justice (September 2017 to 2020) and **"flagrantly"** (word of K2/K5 Defendant/NJ DAG, Doreen Hafner on June 13, 2012-Lies + Willful Deception + Fraud on the Court) (**Appendix 23: 256**) violate Kaul's constitutionally protected right to due process. Until recently, Chavis provided counsel to Defendant PMB. Defendant Hafner's knowingly illegal/malicious misconduct (2012 to the present) **"shocks the conscience"** of the public and is indeed an **"imminent threat to the public"**. This supposed officer of the court has knowingly/willfully/maliciously violated the law. On June 13, 2012 Defendant Hafner committed perjury on a massive scale. She stood in front of almost sixty (60) politicians/lawyers/physicians/journalists in the Richard J. Hughes Justice Complex in Trenton, NJ (opposite the point at which in 1776 Washington crossed the Delaware River and turned the tide of the Revolutionary War) and **lied** for more than nine (9) hours. Her motivation was the promise of professional advancement. Her method was to pervert the course of justice and her purpose was to destroy the economic standing/reputation/career of Plaintiff Kaul: **"... I felt that she [Hafner] exploited me, and lied to me to get me to testify against Dr. Kaul ... I believe that Hafner lied to me about Dr. Kaul ...**

Hafner exploited my situation to serve her own purpose, which was to take away Dr. Kaul's livelihood, and destroy his reputation." (**Appendix 25: 305**). Kaul filed an ethics complaint against Hafner on September 16, 2013 (**Appendix 26: 315**). However long it takes, Kaul will ensure that Defendant Hafner loses her law license, as he will with ensuring her co-conspirator Defendant Kaufman loses his medical license/becomes incarcerated. The misconduct of Walter and Chavis has perpetuated the massive crimes/conspiracy against Kaul that the Defendants commenced in 2006 in, through and with the State of New Jersey/state government and all administrative/judicial bodies within the geographic boundaries of New Jersey, crimes in which Defendant Hafner played a critical and career-ending role. Walter and Chavis, consequent to their proven malfeasance, have incurred the exact same professional liability as Defendant Hafner. Defendants Allstate/Geico/TD Bank conspired with the State of New Jersey/local federal authorities to destroy the economic standing/professional reputation/livelihood and life of Kaul, be it through incarceration/sucide/deportation. The Kaul Cases, which will expand to include any **"new racketeering injuries"** claims that will be filed by Kaul in district courts in states that deny him a license based on the illegal revocation (NJ) or any of its sequelae (lawsuits/time out of practice). These claims will continue to drive down the market capitalization of Defendants Allstate/Geico-Berkshire Hathaway/TD. Within the last three months, Defendants Allstate/Geico-Berkshire Hathaway have engaged in market manipulation to illegally and artificially elevate their share price and market capitalization. Kaul will publicize these facts. The

financial health of the pension fund of the State of Pennsylvania is linked to these market indices.

Evidence of Obstruction of Justice + Racketeering (Mail Fraud + Wire Fraud):

July 8, 2020 - Notice of Intent to Review ("NIR") (**Appendix 19: 199**):

"**AND NOW, this 8th day of July, 2020 ... 49 Pa. Code Section 16.57 ... regardless of whether exceptions are filed to the hearing examiner's proposed report and order.**" Walter cites 49 Pa. Code Section 16.57 as the legal authority on which she files the **"Notice of Intent to Review"** but then undermines that foundation by violating its central due process related tenet, i.e. that after **20 days** the decision of the hearing examiner becomes **final**. The NIR was and is illegal, a fact known to both Walter and Chavis. However, Walter used the US mail and wires to transmit a knowingly false legal instrument in furtherance of Defendant PMB's **"pattern of racketeering"** and Chavis, in the knowledge that the NIR was fraudulent, consented to and did accept it, an offense no different to money laundering. Chavis became explicitly complicit in the crimes of Defendant PMB. Chavis did not provide Kaul this document until October 1, 2020. The complicitness of Chavis explains why in September 2020 she vehemently resisted Kaul's request to send a letter to Walter enquiring as to when Defendant PMB would issue its decision. The crime followed by the cover-up. The following emails - August 3, 2020 (Page 29) to October 1, 2020 (Page 39) - are found in (**Appendix 24: 273**):

August 3, 2020 - Email-Kaul-Chavis:

7:12 AM - Kaul - **"With the board having considered my application on Tuesday July 28, 2020, within what time does the law obligate them to issue their decision?"**

11:54 AM - Chavis - **"There isn't a specific time that they must issue their decision ... Of course, you cannot find a more vague term than "timely manner"."**

Chavis, in the knowledge that the NIR of Defendant PMB was illegal, failed to inform Kaul of this fact, because she was in conspiracy with Defendant PMB against Kaul. This constitutes a violation of her professional code of conduct (Rules 1.4 + 1.7), in addition to substantiating a civil claim.

August 17, 2020 - Email-Kaul-Chavis:

8:26 AM - Kaul - **"Is it unlawful for the medical board to impose any "costs" on any physician who applies for licensure in the State of Pennsylvania?"**

8:39 AM - Chavis - **"When I mentioned costs I was thinking generally about tactics board use as barriers to licensure. Typically, adding costs is an issue for disciplinary cases."**

Defendant PMB/Walter had discussed using the illegal imposition of costs with Chavis in order to obstruct justice and attempt to prevent Kaul from obtaining a license in Pennsylvania. Defendant NJBME employed this **"tactic"** on March 24, 2014 when it imposed an illegal/unconstitutional 'fine' of $475,000 on Kaul in addition to illegally revoking his license. It then used this 'fine-crime' to deny Kaul's applications for license reinstatement in June 2015 and August 2019. Defendant NJBME is named in K2/K5/K7. This **"tactic"**, one of imposing

excessive fines, has now been adopted by many state medical boards. The imposition of excessive fines is illegal as it violates individuals Eighth Amendment rights, as set forth in Timbs v Indiana by Justice Ginsburg.

August 18, 2020 - Email-Kaul-Chavis:

Chavis failed to inform Kaul that under the law he would be in possession of a license after completing the remediation course and that the NIR filed by Defendant PMB/Walter was fraudulent. Chavis also failed to notice Walter on June 17, 2020 that pursuant to **49 Pa. Code Section 16.57** the decision of David M. Green was final and Kaul would become licensed in the State of Pennsylvania. In fact, on June 4, 2020 Kaul commenced his application for remediation program at LifeGuard/The Medical Foundation of the Pennsylvania Medical Society. The program accepted him, a $400 down payment was made, but Chavis told him to refrain. Chavis did not tell Kaul that if Defendant PMB did not object by June 17, 2020, the opinion of the State of Pennsylvania would be final. Chavis was conspiring with the PMB Defendants against Kaul.

10:31 AM - Kaul - **"Please could you inform the medical board in writing that if they do not issue my license without any modification, then I will have them/members served in K5 and I will file a [petition for a] writ of mandamus in the state court system ... Please also inform them that the hospitals at which they work will be named in K5, as it is my position that they conducted their "pattern of racketeering" on the premises of these facilities, and thus conferred liability on the hospitals ... If I am obligated to move in the state court system, I will be requesting that the State of**

Pennsylvania mandate a monitoring system for the board ... Please also inform the medical board in writing that if I am not in possession of a license by August 31, 2020, I will aggressively pursue legal recourse to vindicate my rights."

9:33 PM - Chavis - **"There are no state courts that have jurisdiction over administrative issues except Commonwealth Court and that court will not direct the board to issue decision [sic] based on a writ of mandamus."**

September 8, 2020 - Email-Kaul-Youtz (LifeGuard Program/Pennsylvania Medical Society-$10,000- mandated by David M. Green as precondition for licensure in addition to five (5) years of monitoring paid for by Kaul):

Youtz had become aware of the crimes Defendant PMB was committing against Kaul and was seeking to permanently delete any evidence relating to the matter, in order to avoid becoming a Third-Party Witness to their wrongdoing.

2:19 PM - Youtz - **"Our last communications with your attorney, Ms. Chavis on July 22nd stated you had a hearing scheduled on July 28th and we were to hold your application & proposal until after ... not heard back regarding your status ... will delete all information related to your application."**

Kaul - **"I was informed by Ms. Chavis that the medical board is convening in the early part of this month to render its decision."**

3:35 PM - Kaul - **"I understand that you spoke with my attorney, Jenni Chavis, about four weeks ago ... I was informed by Ms. Chavis that the medical board is convening in the early part of this month to render its decision. In fact, earlier today I sent an email to Ms. Chavis to enquire as to**

the date. Can you please maintain my file until I hear from the medical board."

September 8 - October 1, 2020-Email-Kaul-Chavis-Walter-Youtz:

The below email exchange evidences a perpetuation by the PA Defendants of the crimes of the New Jersey Defendants. Walter/Chavis conspired to attempt to deceive Kaul into thinking that Defendant PMB **"deliberated"** on his case on September 2, 2020 and to obstruct Kaul from inquiring of Defendant PMB, the date his case would be **"deliberated"**. Defendant Walter lied to Chavis. Chavis knew it was a lie, but she was part of the conspiracy, which explains why she refused to send an inquiry letter to Defendant PMB as requested by Kaul. Kaul confirmed with Sargents, the transcription agency used by Defendant PMB, that his matter had never been on the agenda for September 2, 2020. When Kaul presented this information to Chavis, her response was: **"That's odd. Even when I reached out to board counsel she indicated it was deliberated at the last board meeting. I took that to mean September 2 rather than July 28th"** (September 15, 2020 - 10:02 AM). Chavis failed to inform Kaul that the NIR was a fraud (omission) and instead of simply sending Walter an inquiry letter, she falsely claimed surprise (commission). Chavis, a lawyer, well versed in deceit, was a co-conspirator of Defendant PMB/Walter, but a lawyer who had been paid $8,500 to represent Kaul. Thus she had to avoid placing Defendant PMB/Walter under scrutiny, which an inquiry letter would have done, while simultaneously concealing the crimes of the PA Defendants and deceiving Kaul into thinking she was representing his interests. Chavis had received instructions from the

Defendants (PA + NJ) to provide Kaul with intentionally misleading and false information, and to not inform him that the NIR was fraudulent.

Chavis failed to inform Kaul that the NIR was fraudulent. Walter and Chavis conspired to ensure Kaul received this supposedly confidential email (September 9, 2020 - 3:51 PM) from Walter to Chavis, in order to deceive him into thinking Defendant PMB had **"deliberated"** on his application, although Chavis/Walter/Defendant PMB knew the law provided no authority to **"deliberate"** and pursuant to Pa. Code Section 16.57 the May 28, 2020 decision was final and Kaul was already in possession of a license in Pennsylvania. This conduct constitutes the predicate acts of mail fraud/wire fraud/conspiracy, a **"pattern of racketeering"**, in which the PA Defendants have converted the State of Pennsylvania into a **"racketeering enterprise"**, purposed to, amongst other things, conceal the crimes committed against Kaul (2006 to 2020) by the NJ Defendants. Walter lied about the September 2, 2020 **"deliberations"**, as Kaul confirmed on September 23, 2020: **"Dear Ms. Chavis: The minutes of the meeting from September 2, 2020 indicated that my case was NOT heard."** (September 23, 2020 - 11:58 AM). Chavis conspired with Walter to use the US mail and wire to perpetuate this lie, in an attempt to continue to conceal the massive crimes of the NJ Defendants. Pursuant to RICO and doctrines of vicarious liability the PA Defendants have become liable for the crimes of the NJ Defendants and vice versa. **"The crime of one becomes the crime of all."** Walter/Defendant PMB conspired with the NJ Defendants to propagate this lie across the US mail and wires as part of an association-in-fact racketeering

enterprise purposed to obstruct justice and 'cover-up' the crimes of the NJ Defendants. This scheme of grand corruption was orchestrated by Defendants Allstate/Berkshire Hathaway-Geico/TD Bank. The corporate puppet-masters of the States of Pennsylvania and New Jersey. The Defendants (PA + NJ) immense desperation betrays the immensity of their crimes and their immense ever increasing fear of economic ruin, public humiliation and incarceration. In 2006 they believed they could 'pull-off' the 'crime of the century'. In 2020, they are the 'crime of the century' and that crime is one against humanity; the COVID-19 pandemic. Callous, ruthless corporate profiteering that continues to kill innocent Americans. Eisenhower warned of the military-industrial complex. Kaul warns of the **"Corporate-Soylent Machine"** (ala. "**Soylent Green**").

Chavis: **(i)** continued to fail to inform Kaul that Defendant PMB had issued a fraudulent NIR; **(ii)** knew from her communications with Walter that Kaul's case had not been heard on September 2, 2020; **(iii)** continued to render willful misrepresentations to Kaul in an attempt to conceal the crimes being committed against him by Defendant PMB, and to prevent him from obtaining a license in Pennsylvania. Chavis, consequent to her communications with Walter, who had communicated with the NJ Defendants, understood that if Kaul obtained a license in Pennsylvania it would further undermine the Defendants' defenses in The Kaul Cases and would add an economic thrust to Kaul's prosecution of the Defendants. The corruption in these cases is deep and involves 'The Foundation of the Pennsylvania Medical Society/LifeGuard Program' whose directors sought to permanently eliminate from their servers any evidence related to Kaul or the

within referenced matters, in an attempt to negate their status as a Third-Party Witness to the crimes of the Defendants (NJ + PA). Individuals at the Pennsylvania Medical Society have knowledge of these crimes.

September 8, 2020-1:42 PM - Kaul - **"Dear Ms. Chavis ... Do you know on what date my application will be heard by the medical board?"**

September 8, 2020-2:19 PM - Youtz (LifeGuard Program) - **"Our last communication with your attorney, Ms. Chavis on July 22nd stated you had a hearing scheduled on July 28th ... To date we have not heard back ... closing your file and will delete all information related to your application."**

September 8, 2020-3:35 PM - Kaul - **"I was informed by Ms. Chavis that the medical board is convening in the early part of this month to render its decision ... please maintain my file until I hear from the medical board."**

September 9, 2020-6:55 AM - Chavis - **"I didn't see your case on the September 2nd agenda."**

September 9, 2020-7:31 AM - Kaul - **"What is the reason for the excessive delay in adjudicating the opinion of David Green, an opinion that was issued on May 27, 2020 ... At what point in time would you recommend I seek relief from the state/federal court systems, if no board decision is issued? ... Can you please send a letter to the Pennsylvania Medical Board that requests: 1. They confirm in writing the date that my application for licensure will be adjudicated. 2. They provide an explanation as to why there has been an excessive delay in adjudicating the opinion of David Green. 3. The Pennsylvania Attorney General, Josh Shapiro, provides an**

exact legal definition/case law of the term: "timely manner". 4. The reason as to why they did not adopt the opinion of the hearing officer, David Green. Please ... email me a copy ...

September 9, 2020-7:33 AM - Kaul - "If you are busy, I can draft the letter. Please let me know before 5 pm EST today."

September 9, 2020-9:16 AM - Kaul - " ... please also tell me when the agenda for October 27th, 2020 will be issued and confirm if my name is on the agenda."

September 9, 2020-3:51 PM - Walter - "The Board deliberated on this matter directed counsel to draft a Final Adjudication and Order, which will be issued in due course. I cannot tell you at this time whether it will be on the October agenda or the following agenda."

September 9, 2020-6:02 PM - Chavis - "As you can see, they provided a vague response. While there is no statute that dictates when they must issue a response ... "in due course" = as quickly as possible."

September 9, 2020-6:07 PM - Chavis - "All matters that will be added are typically sent in 2 weeks in advance of the meeting. I will have to confirm when they actually issue the agenda to the public and let you know ... I am not certain I know to which letter you are referring."

September 9, 2020-6:11 PM - Kaul - "Dear Ms. Chavis: Where is the transcript of their deliberations retained?"

September 9, 2020-6:18 PM - Kaul - "The letter requesting they: 1. confirm in writing the date my application will be adjudicated; 2. Provide a definition

of the term "timely manner". The latter point is a pure legal question that the courts should address."

September 11, 2020-8:45 AM - Kaul - **"Could you please inform me as to where the transcript of the September 2, 2020 medical board hearing is retained."**

September 11, 2020-9:01 AM - Chavis - **" ... I don't know if they just recorded the meetings via the platform they use or supplement the recording with the transcript. Either way, Sargent's should be able to tell you.**

September 14, 2020-2:34 PM - Kaul - **"I just had a conversation with an individual at Sargents. She cannot find any record of my name on the board agenda of September 2, 2020, but she said she will ascertain if there was an oversight."**

September 15, 2020-10:02 AM - Chavis - **"That's odd. Even when I reached out to board counsel she indicated it was deliberated at the last board meeting. I took that to mean September 2 rather than July 28th."**

September 16, 2020-10:36 AM - Kaul to Chavis - **"The name of the person with whom I spoke on September 14, 2020 is "Kim". They [Sargents] had the transcript from February 7, 2020, but she said there was no transcript from September 2, only minutes of the meeting, on which she did not see my name ... Could you please send the board a letter asking for clarification of this."**

September 16, 2020-10:48 AM - Kaul - **"Could you please send the board a letter asking for clarification of this point and direct me to the public forum**

on which the minutes are published ... I will wait for the minutes, but if my application was not addressed I will commence legal action. The delay is illegal, as is the fact that there exists no statute re: "timely manner". The board/members can raise their defenses in court."

September 18, 2020-6:58 AM - Kaul to Chavis - **"Could you please inform me as to whether you will send a letter to the board re: clarification of whether my case was discussed on September 2, 2020 ... liability of the state viz. a viz the Compact Clause. The State of Pennsylvania has not, and cannot now refute the within facts."**

September 21, 2020-2:32 PM - Kaul to Kaul re: Chavis conversation - **"Chavis stated that she did not want to send a letter to board counsel re: date of issue of its decision, because she believed it would antagonize the board against me ... Chavis did not explain why a letter would harm my application ... I told Chavis that the board's "prevaricating" was illegal and would give me no option but to sue them."**

September 23, 2020-11:58 AM - Kaul to Chavis - **"The minutes of the meeting from September 2, 2020 indicate that my case was NOT heard. Could you please send a copy of your file and send a letter to board counsel seeking clarification on the discrepancy between her communication to you that the matter was on the agenda and the fact that it was not."**

September 25, 2020-2:38 PM - Kaul to Chavis - **"I would like to ascertain if there has been any willful misrepresentation or fraud by state actors, before I commence legal action, in order to provide these individuals an**

opportunity to tell the truth. I also do not want to burden the courts with lawsuits unless these individuals force me to do so."

September 28, 2020-9:39 AM - Chavis to Kaul - **"Perhaps your case was heard on July 28th ... Does the Kim you spoke to work for the board or the court reporting company?**

October 1, 2020-7:52 AM - Youtz to Kaul - **" ... we will be closing and deleting your application and related documents from our system and refunding your application fee."**

October 1, 2020-8:31 AM - Kaul to Youtz - **"Please accept this email as legal notice NOT to delete your file regarding my application, as I will be initiating legal action v. the PA medical board/members."**

22. September 5, 2020 - Admissions statement of NJ Senate President, Steven Sweeney (**Appendix 27** ---):

By reason of the **"one unit"** of American state medical boards, Defendant PMB is liable for the crimes of Defendant NJBME. The corruption of the **"one unit"** by Defendants Allstate/Geico is the direct and proximate cause of COVID-19 related mortality/morbidity and is the **"racketeering enterprise"** in which these Defendants conspired with Defendant PMB to hinder/obstruct/delay/deny Kaul's application for licensure in Pennsylvania. Defendants Allstate/Geico occupy more than fifty percent (50%) of the auto insurance market in the States of Pennsylvania/New Jersey. On September 19, 2020 Sweeney, a recipient of bribes from Defendants Allstate/Geico admitted:

"I admit that in a period commencing in or about 2008, I did knowingly/willfully abuse the power of public office and did conspire with the individuals named below to have the New Jersey Board of Medical Examiners manufacture a false case against Richard Arjun Kaul, MD, the purpose of which was to .... increase the profits of Allstate Insurance Company + GEICO by creating an environment of fear/paranoia in which physicians did not practice medicine and thus did not submit professional invoices ... I acknowledge that had the New Jersey state government/NJBME/state politicians not permitted themselves to become corrupted by Allstate/Geico, then the NJBME would have detected the COVID-19 threat and forewarned the public."

23. September 23, 2020 - Admissions of Fact by PA AG Joshua Shapiro (**Appendix 28** ---):

Defendant PMB has admitted to violations of RICO and thus there neither exists, nor can exist, any dispute as to any material fact pertinent to RICO/Sherman/Clayton claims against Defendant PMB/members. Defendant PMB has admitted to the claims charged in K5 and is thus subject to summary judgment.

"In my capacity as the Attorney General for the State of Pennsylvania, and as a public servant who has direct first-hand knowledge of evidence relevant to the within claims, arguments and issues, I attest that the claims asserted by Plaintiffs Kaul + Feldman are true ... The PMB and its counsel have violated their code of professional conduct, Pennsylvania state law

and federal law by failing to report the crimes of K2 defendants to the Fraud + Public Corruption Unit of the United States Department of Justice, and in failing to do so have aided and abetted their racketeering and antitrust violations ... I hope that the PMB is able to recognize the crimes that were committed against me, my family and my patients, when my ability to make a living and provide care to patients was so wrongly and illegally confiscated. I hope that you are able to persuade the PMB to take action that is consistent with the law and to admit or deny that the NJBME has interfered with my application."

24. September 25, 2020 - Notice of litigation from Kaul to PA hospital systems (**Appendix 29: 325**):

The unlawful conduct of Defendants Woodland/Valigorsky/Domen/Yealy, a consequence of amongst other things, their conspiracy with the New Jersey Defendants, has caused the four largest hospital systems in the State of Pennsylvania to incur liability in excess of $9 billion. The economic injury to the state treasury in conjunction with the indefinite and unrelenting COVID-19 related financial pressures has the potential to negatively impact employment rates. Defendants Allstate/Geico will profit from these consequences as less patient care will be provided and thus in excess of ninety (90) cents of every health dollar will be diverted to obscene shareholder and corporate profit.

" ... your hospital has incurred legal liability consequent to the unlawful misconduct of Dr. Mark B. Woodland ... Dr. Paul J. Valigorsky ... Dr. Ronald Domen ... Dr. Donald M. Yealy ... illegal conspiracy ... obstruct my

application for medical licensure in Pennsylvania .... "pattern of racketeering" ... RICO claim ... I do hope this action can be averted."

25. October 8, 2020 - Admissions of Fact by Defendant Christie (**Appendix 30: 357**):

Defendant PMB is liable pursuant to RICO, doctrines of vicarious liability and by reason of the **"one unit"** for the admitted wrongdoing of the NJ Defendants, and is thus subject to summary judgment.

"I confirm that this obstruction involved, amongst other things: ... (ix) conspiring with the Defendants to obstruct Plaintiff Kaul's application for medical licensure in the State of Pennsylvania + attempt to co-opt all state medical boards (2017 to the present) to deny Plaintiff Kaul a license, should he apply."

26. November 3, 2020 - Kaul petition to SCOTUS for a writ of mandamus (**Appendix 31: 362**):

A **"RAMBO"** will save millions of lives. The American judiciary (administrative/state/federal) plays a critical role in American healthcare, and along with the executive and legislative branches its purpose is to serve the people. Kaul respectfully asserts, however, that it has for too long issued decisions that have given too much deference to state medical boards. The lack of accountability of state medical boards/members in conjunction with, Kaul respectfully asserts, misguided doctrines of immunity, has inadvertently facilitated the corruption of state medical boards by for-profit healthcare corporations. This corruption is directly responsible for COVID-19 related mortality/morbidity. Since 1974 American courts have had multiple opportunities

to stem this corporate corruption and compel state medical boards to come into compliance with the law. State legislatures take their cues from the courts and because the courts have given free reign to state medical boards, which in all truth are nothing more than trade associations, American healthcare and thus the American public have sustained massive ongoing injuries. This Court and this petition constitute a point in American legal history in a state not unfamiliar with revolutionary change, a point, one of inflection, from which there exists an opportunity to change the world for the better and reignite the moral arc on its journey to justice. This Court has that power. The power to save the American spirit.

"Kaul respectfully asserts that a grant of a writ will mitigate future threats of COVID-19 like microbial pandemics and is warranted because of the exceptional circumstances that exist in this case."

Kaul believes it will assist this Court to know the malevolent un-American, almost communist-like nature of physicians/lawyers that sit on state medical boards. The majority of these physicians/lawyers are sociopaths, as illustrated by this video of Defendant Steven Lomazow, MD:

https://www.youtube.com/watch?v=sFtE8EvEMsU&t=18s

It is also noteworthy that many of these physicians did not attend highly ranked medical schools and generally failed in clinical medicine. They have the same psycho-pathology as people who yearn for the wrong reasons to be police officers. This explains their morbid thirst for power over other physicians.

27. November 9, 2020 - Affidavit of Dina M. Kaul (**Appendix 32; 410**):

Defendant PMB is liable for the injuries detailed in the affidavit of Dina M. Kaul. Corporate corruption of state medical boards causes immense economic injuries to the public purse, but floods illegal profits (COVID-19 'blood money') into the ravenous pockets of corporate shareholders and executives. The horrors to which the PA/NJ Defendants have subjected Kaul's family are the same atrocities to which the families of thousands of other American physicians have been victims. Suicide, incarceration, divorce, drug/alcohol/domestic abuse are just a few of the life-ending/changing consequences of medical board/corporate corruption.

"Defendants' malicious violation of my maternal rights + Foreclosure of home + Deprivation of child support + Lawsuits + Bankruptcy + Defendants burglaries of Bernardsville home + Attack on Plaintiff's Surgical Center + Sheriffs + Claim Evidence ... Both my children and I have suffered immensely, and continue to suffer because of the Defendants criminal scheme, as described in the above cases."

28. November 12, 2020 - Kaul opposition to ORDER + OPINION of U.S.D.J. John Michael Vazquez (**Appendix 33: 424**):

The New Jersey Defendants have corrupted the United States Court for the District of New Jersey, a court in which justice and the good of the people has been subjugated to profit. The NJ Defendants have converted the court into a **"racketeering enterprise"** and on July 7, 2020 they admitted to the claims asserted in K1. Defendant PMB is vicariously liable for these admissions. On July 7, 2020 Kaul noticed the K1 Defendants as follows:

"The admitted facts/granted relief will be submitted into any and all pending and future legal actions in America [sic] state and federal courts."

The fall in market capitalization of Defendants Allstate/TD/Geico-Berkshire will detrimentally affect the fiscal health of the State of Pennsylvania, at a time when its resources have been strained by the COVID-19 pandemic. These cumulative injuries, consequent to corporate corruption, could force it into bankruptcy. An event that if it occurs, will be because of the greed/professional jealousy/political corruption/fraud of a wicked cabal of extremely wealthy and privileged white collar crooks/state medical boards.

"Corruption of state medical boards, as detailed in K7 (Exhibit 9) is responsible for the COVID-19 pandemic and the resultant deaths ... The massiveness of corruption/crimes committed by Defendants Allstate/TD/Geico-Berkshire Hathaway will be widely publicized by Kaul and brought to the attention of the global venture capital/hedge fund community and members of the S/P 500."

29. November 17, 2020 - Admissions of Fact by Defendant Woodland **(Appendix 34: 433)**

On November 30, 2020, the president of Defendant PMB, Defendant Woodland admitted to a series of facts conclusive of the K11-1 claims, facts that will be submitted to the Pennsylvania legislature. The American Revolution was born in Pennsylvania. The insurance industry, which began on the back of the slaving industry, remains controlled by the British (Lloyd's of London) and still pulls the world's economic strings. American state medical boards are just some of the

puppets and remain enslaved by this industry. This Court/PA Legislature has the power to unshackle the puppets through a **"RAMBO"**, a change that will bring state medical boards into legal compliance, increase public transparency and eliminate insurance ordered 'Star Chamber' like professional executions. A **"RAMBO"** will free state medical boards from the insurance yoke and this case, this Court and the PA Legislature can achieve this. Defendant Woodland admitted:

"I have knowledge that Dr. Paul Joseph Valigorsky conspired/colluded with Defendants ASIPP/Kaufman/Staats to delay/deny the application of Plaintiff Kaul for medical license in the State of Pennsylvania."

30. November 21, 2020 - Notice of litigation from Kaul to the UK General Medical Council **(Appendix 7: 072)**

History has once again placed the State of Pennsylvania at the heart of a revolution that has the potential to dismantle the tyranny of corporate/medical board corruption (read British Crown), and re-elevate that 'shining city on the hill'. It is a revolution that will return America and its citizens to their egalitarian roots, to a society not wracked with economic insecurity, drug addictions and decimated by a biblical plague. The fabric of this case involves an interweaving of the worlds of medicine/business/law/politics and an exposing of the control of the State of Pennsylvania by the British dominated global insurance industry:

" ... the British Government, the Crown Prosecution Service and the Office of the New Jersey Attorney General ... Defendant GMC has incurred legal liability in the United States .... conspiring with ... the Pennsylvania Medical

Board, in an "open-ended" association-in-fact racketeering enterprise ... This seed of evil lies at the heart of corporate conducted/caused genocides, such as the COVID-19 global pandemic. The British Crown received kickbacks from the slaving profiteers, while American state/federal politicians/judges receive kickbacks from the corporate profiteers. History is a deceivingly simple pattern of repetition ... You're not a man who takes away somebody's livelihood, and he does so, but he doesn't know any better ... As a practical matter, you will be sewing [sic] the seeds of absolute and utter chaos, and you'll reap the whirlwind as a result ... but there comes a time when you have to ask what's reasonable ... Is his mere existence a risk?"

31. November 24, 2020 - Johnson v Kaufman; ESX-L-6164-20 - Request for oral examination of Defendant Kaufman by Court re: hacking of hospital server (**Appendix 35; 440**):

In 2006 the NJ Defendants began conspiring, a conspiracy that in 2020 involves amongst many others, the State of Pennsylvania, Defendant PMB and Defendants Allstate Insurance Company and Kaufman. On August 12, 2020 a lawsuit (ESX-L-6164-20) was filed against Defendant Kaufman by Corey Lamont Johnson in the NJ Superior Court. It details how Defendant Kaufman's willful negligence has left Johnson permanently diasbled and in severe pain. Johnson also alleges civil rights violations that amount to a criminal offense. On February 26, 2010 Defendant Kaufman screamed at Plaintiff Johnson:**"He's black, it doesn't matter and he can't do anything because he's poor."**. Johnson was

crying in the recovery room of Defendant University Hospital (Newark, NJ), after having been verbally abused by Defendant Kaufman, while he was lying face down on an operating room table about to have Defendant Kaufman thrust a ten inch needle into his painful spine. The seriousness of Johnson's claims in conjunction with those asserted in The Kaul Cases have exposed the NJ and PA Defendants to immense civil and criminal liability. The recognition of this liability caused the NJ Defendants to 'hack' into the hospital servers of Defendant University Hospital. This illegal entry occurred on September 10, 2020:

"UH took immediate, aggressive steps to contain the incident and investigate the cause and extent of the event with the assistance of leading privacy experts and law enforcement."

On November 24, 2020, Johnson moved the New Jersey Superior Court to compel Defendant Kaufman to testify under oath as to his knowledge/involvement in the episode:

"The illegal entry ("hacking") occurred approximately one month after the release and two days before I filed the lawsuit, and it is my position that its purpose was to destroy evidence of Defendant Kaufman's guilt ... I respectfully request that an examination under oath of Defendant Kaufman will expose his co-conspirators ... orchestrate access to the servers of the largest state hospital ... I suspect it might be an insurance company such as Allstate."

As of December 1, 2020, the primary concern of Defendants Allstate/TD/Berkshire Hathaway-Geico is that the public exposure of these

crimes will decimate their market capitalization. Consequent to The Kaul Cases, the market capitalization of these Defendants decreased substantially (Allstate-$5 billion + TD-$17 billion + Berkshire Hathaway-Geico-$50 billion). Within the last three (3) months Defendants Allstate/Berkshire Hathaway/Geico have manipulated the market, using tactics such as shareholder buybacks. The CEO/CFO for these Defendants have also submitted knowingly false 13K forms, in order to conceal the liability of the aforementioned crimes. In the words of Robert Conroy (June 13, 2012 in the matter of State of New Jersey v Richard Arjun Kaul):

"But as ... Richard Nixon and any number of other people found out, it's always the cover up that gets you ... The only risk is to a politician's [Defendant Christie] career ... cover up ... somebody doing something rather impulsively."

Kaul dismantled the political career of Defendant Christie (**Appendix 30: 357**). This Court ought not to allow the PA Defendants to exhaust the public purse in yet another, but increasingly futile cover up of their crimes and those of the NJ Defendants. The PA Defendants have vicariously incurred the serious criminal liability of illegally hacking into servers belonging to the State of New Jersey.

32. November 30, 2020 - Johnson v Kaufman; ESX-L-6164-20 - Request pursuant to FOIA (**Appendix 36: 449**):

Pursuant to RICO the funds (mutual/hedge) that substantiate the market value of Defendants Allstate/Berkshire Hathaway-Geico/TD have incurred the liability proven by the evidence of this breach. Similarly, the NYSE, the trading platform

on which these Defendants conduct business, has assumed their liability. The economic viability of the State of Pennsylvania is determined by market indices, which are themselves determined by investor confidence. The uncertainty of the COVID-19 pandemic/vaccine in conjunction with the liability of the breach have decimated investor confidence. This decimation will continue to detrimentally affect the economic viability of the State of Pennsylvania and will be further exacerbated as more evidence of the Defendants manipulation of the market emerges. This Court is positioned to mitigate the economic decimation that will ensue with the prosecution of K11-1:

"Please accept this letter as a request pursuant to the Freedom of Information Act (FOIA) for the production of all documents/communications/information pertaining/relating in any manner to the unauthorized entry of my file on September 10, 2020."

Conclusion

Kaul respectfully moves this Court to grant the relief sought in this petition, as the above referenced facts satisfy the requisite elements for the grant of a writ of mandamus. A grant of the petition will serve the public interest for the above asserted facts and reasons.

I certify that the above statements are true and accurate to the best of my knowledge and that if it is proved that I knowingly and willfully misrepresented the facts, then I am subject to punishment.

Dated: December 2, 2020 _____

Richard Arjun Kaul, MD

Exhibit 28

www.drrichardkaul.com

December 9, 2020

Honorable D. Brooks-Smith
Chief Judge
United States Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1790

Re: Kaul v Christie: 16-CV-02364 - K1
Notice re: preservation of right to appeal

Dear Chief Judge Brooks-Smith,

I submit the enclosed Notice of Appeal in order to preserve my right of appeal. I am not at this time filing an actual appeal as there remain active claims in the case. Therefore the fee for an appeal has NOT been submitted.

On November 9, 2020 the court dismissed with prejudice the claims against Defendant Heary, but denied the dismissal motion of Defendant Mitchell, thus rendering the case unappealable at this time. Judge Vazquez provided no rationale as to why he engineered the posture of the case in this manner, but I take the position that it was intended to obstruct appellate justice.

The Defendants have corrupted this district court and thus any and all orders pertaining to any pending cases are null and void. These orders constitute a 'Fraud on the Court' and will have no preclusive effect on either the prosecution of K5 and K7 in the United States District Court for the District of Columbia, or any future claims pertaining to **"new racketeering injuries"**.

On December 14, 2020 I will be moving to commence discovery on Defendant Mitchell.

2020 DEC 11 P 1:54

RKK

Yours sincerely

Richard Arjun Kaul, MD

Exhibit 29

www.drrichardkaul.com

December 14, 2020

Honorable Freda Wolfson
Chief Judge
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

The Kaul Cases:

K1 - Kaul v Christie: 16-CV-02364
K2 - Kaul v Christie: 18-CV-08086
K3 - Kaul v Schumer: 19-CV-13477
K4 - Kaul v Stolz: 18-CV-01489
K5 - Kaul v Federation: 19-CV-3050
K6 - State criminal indictment - Kaul v Kaufman
K7 - Kaul v Federation: 20-CV-01612
P1 - Kaul/Patel v Allstate: 19-CV-08946
P2 - Kaul/Patel v State of New Jersey/Crist: 19-CV-09232

Re: K1/K2/K3/K4/P1/P2
Declaratory judgment re: nullity of all orders/judgments.

Dear Chief Judge Wolfson,

Please find submitted the below ORDER and substantiating evidence.

Preliminary Statement

The evidence in The Kaul Cases provides a prosecutor a summary basis on which to criminally indict the Defendants and the proof exceeds the burden required for a criminal conviction. Admitted evidence of judicial corruption renders null and void all orders entered in The Kaul Cases and subjects the defendants to both impeachment and criminal prosecution. This application by either commission or omission will render a declaratory judgment consistent with the evidence. That judgment will rule that the Defendants and district judges Martinotti, McNulty and Vazquez conspired to engage, did engage and are engaging in **"open-ended patterns of racketeering"** that involve schemes of bribery, kickbacks, extortion and the commission of thousands of the RICO predicate acts of mail and wire fraud. This declaratory judgement will prohibit any further litigation of The Kaul Cases in the United States District Court for the District of New Jersey and of any cases in which Defendants Allstate/Geico are suing other healthcare providers. This judgment draws a line in the metaphorical sand and establishes a path to restitution for parties injured by civil or criminal judgments in the District of New Jersey. This judgment will assist law enforcement in their investigations of this court and certain corrupted judges. Those judges who knew of the bribery but failed to report it remain liable for aiding and abetting a crime.

The ORDER will be automatically enacted by December 22, 2020 if this Court omits/neglects/violates its duty under the law.

Law

The relevant legal authority is that of the doctrine of Fraud on the Court, whereby upon the production of evidence that simply brings an order/judgment into question, that order/judgment is vacated and made null and void, in furtherance of the interests of justice. Fraud on the Court is where the **"...impartial functions of the court have been directly corrupted."** Robinson v. Audi Aktiengesellschaft, 56 F.3d 1259, 1266 (10th Cir. 1995). In Hazel-Atlas Glass Co. v. Hartford-Empire Co. the Court held: **" ... tampering with the administration of justice in the manner indisputably shown here involves far more than an injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public ... "** In Lockwood v. Bowles, 46 F.R.D. 625, 634 (D.D.C. 1969): **"[T]he law favors discovery and correction of corruption of the judicial process even more than it requires an end to lawsuits."** In Universal Oil, 328 U.S.: **"The power to unearth such fraud is the power to unearth it effectively. Accordingly, a federal court may bring before it by appropriate means all those who may be affected by the outcome of the investigation."** The law determines that a 'Fraud on the Court' is committed when a

party has initiated some unconscionable scheme calculated to interfere with the judicial system's ability to impartially adjudicate a matter by improperly influencing the trier or unfairly hampering the presentation of the opposing party's claim or defense." See Aoude v. Mobil Oil Corp., 892 F.2d 1115, 1118 (1st Cir. 1989); Pfizer Inc. v. Int'l Rectifier Corp., 538 F.2d 180, 195 (8th Cir. 1976). In Rozier v. Ford Motor Co., 573 F.2d 1332, 1338 (5th Cir. 1978): " **... misconduct, such as bribery of a judge ... fabrication of evidence ... constitute a fraud on the court.**" The Third Circuit in Herring v. United States, 424 F.3d 384, 386-87 (3d. Cir. 2005) set forth a test: "(1) an intentional fraud; (2) by an officer of the court; (3) which is directed at the court itself; and (4) in fact deceives the court.

Statement of Fact

March 20, 2019 - K1 - Complaint of judicial misconduct by Kaul against district judge Kevin McNulty (**Exhibit 1**): **"Judge McNulty is the brother-in-law of US Senator, Charles Schumer. From the commencement of the case on February 22, 2016 to its improper dismissal on February 25, 2019, Senator Schumer has received substantial 'political campaign' donations from defendants Allstate New Jersey Insurance Company and Geico (Exhibit 5). These monies were 'donated' to Senator Schumer, in order that he exploit his relationship with his brother-in-law in order to pervert the course of justice, and influence the outcome of the case. On March 7, 2019 Kaul sent a letter to Senator Schumer, that requested he confirm or deny if he or his agents had engaged in any communications with any of the defendants or their agents, pertaining to K1 + K2 (Exhibit 6)."** - These facts were admitted.

May 6, 2019 - K1/K2/K3/P1/P2 - Motion for judicial disqualification of Judge McNulty (**Exhibit 2**): **"The defendants in their desperation to avoid economic/reputational obliteration, calculated that the legal risk of corrupting a federal judge/US Senator, was outweighed by the risk of losing the case."** - Disqualification occurred on May 22, 2019 and the law requires that his judgments be made null and void.

May 9, 2019 - K1/K2/K3/P1/P2 - Letter from Kaul/Patel to Chief Judge Jose Linares (**Exhibit 3**): **"We also request, with all due respect, that in light of your involvement in the cases, you disclose to us, the record and the Court, your financial disclosure statement ..."** - On May 16, 2019 Linares suddenly retired from the bench and became a partner at the New Jersey law firm of English and McCarter. Linares failed to disclose his financial holdings and thus admitted that he had received bribes from the Defendants. The law requires that his judgments be made null and void.

May 21, 2019 - K1 - Kaul response to Defendants' opposition to Kaul's motion for disqualification of McNulty (**Exhibit 4**): **"The sequence of events that evidence the collusion and conspiracy of the defendants with Judge McNulty ... by manufacturing case law to buttress their criminal enterprise."** - The law fortifies this fact as a mandate to make the orders/judgments of Judge McNulty null and void.

June 3, 2019 - K1/K2/K3/P1/P2 - Letter from Kaul/Patel to Chief Judge Wolfson (**Exhibit 5**): **" ... recently retired Chief Judge, Jose Linares, in which we requested that he provide to us, the record and the Court, a copy of his AO10 financial disclosure form ... Judges McNulty and Linares have engaged in prolonged patterns of judicial corruption ... in both civil and criminal cases ... ought to be impeached ... criminal investigation ..."** - The information has still not been provided. Linares and McNulty have admitted to receiving bribes from the Defendants. The law demands that their judgments be made null and void.

June 7, 2019 to October 16, 2019 - Admissions of Fact/Letters (**Exhibits 6 to 14**): Evidence of judicial corruption/bribery that obstructed and perverted the course of justice, and perpetrated a massive and ongoing Fraud on the Court. The law makes null and void all orders/judgments.

Conclusion

The relevant law as applied to the proven facts and unrefuted evidence of this case do conclude that all within orders/judgements are null and void.

The law also finds that the District Court or any judges now sitting or have sat since 2012 are forever prohibited from any personal or professional participation in any legal matters that involve Kaul and any of the Defendants named in The Kaul Cases.

Respectfully submitted

Dated: December 14, 2020

Richard Arjun Kaul, MD

ORDER

IT IS HEREBY IMMEDIATELY ORDERED/ADJUDICATED that:

1. Judges in the District of New Jersey have admitted to receiving bribes from the Defendants identified in The Kaul Cases.

2. The bribes were part of a series of quid pro quo schemes purposed to obstruct Kaul's prosecution of K1/K2/K3/K4/P1/P2.

3. All orders/judgments in K1/K2/K3/K4/P1/P2 are null and void.

4. The United States District Court for the District of New Jersey is forever prohibited from adjudicating any cases or legal matters that involve Kaul and any of the Defendants named in The Kaul Cases

5. All magistrate and district judges sitting or that have sat since 2012 are forever prohibited from adjudicating any cases or legal matters that involve Kaul and any of the Defendants names in The Kaul Cases.

6. This matter will be referred to the Federal Bureau of Investigation in Washington, D.C., with a request that its director Christopher Wray, have no involvement in the investigation (Mr. Wray was recommended to President Trump by Defendant Christie).

7. Defendants Allstate/Geico/TD Bank must immediately provide a copy of this ORDER to counsel of all member corporations from which the S/P 500 index is derived, and must certify compliance with the court by December 27, 2020.

Dated: December 22, 2020

Exhibit 1

AO 310 (Rev 03/16)

Judicial Council of the THIRD Circuit

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on www.uscourts.gov.

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: RICHARD ARJUN KAUL, MD
   Contact Address: 440c SOMERSET DRIVE, PEARL RIVER, NEW YORK, 10965

   Daytime telephone: (201) 989-2299

2. Name(s) of Judge(s): KEVIN McNULTY
   Court: DISTRICT OF NEW JERSEY

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

   ☑ Yes ☐ No

   If "yes," give the following information about each lawsuit:

   Court: DISTRICT OF NEW JERSEY

   Case Number: 16-CV-02364

   Docket number of any appeal to the Circuit:

   Are (were) you a party or lawyer in the lawsuit?

   ☑ Party ☐ Lawyer ☐ Neither

   If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

   I WAS A PROPRIA PERSONAL PLAINTIFF

AO 310 (Rev 03/16)

Judicial Council of the THIRD Circuit

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: P.K.I Date: 03/19/2019

RICHARD ARJUN KAUL, MD
440c SOMERSET DRIVE
PEARL RIVER
NY 10965
TEL 201 989 2299
drrichardkaul@gmail.com

ATTENTION:
CIRCUIT EXECUTIVE
UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
22409 U.S. COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

For reference:
Kaul v Christie: 16-CV-02364 – K1

Re: Judicial Misconduct Complaint v. Judge Kevin McNulty

Dear Sir/Madam,

I ("Kaul") would like to file a formal disciplinary complaint against Judge Kevin McNulty, of the District of New Jersey, for his commission of multiple acts of judicial misconduct, in a period that commenced on April 19, 2016 and concluded on February 25, 2019. The sections of judicial code violated are:

1. ARTICLE II. MISCONDUCT AND DISABILITY
   4. Misconduct and Disability Definitions:
   (a)(1)(A) – using the judge's office to obtain special treatment for friends or relatives
   (a)(1)(B) – accepting bribes, gifts, or other personal favors related to the judicial office
   (a)(1)(C) – engaging in improper ex parte communications with parties or counsel for one side in a case
   (a)(1)(D) – engaging in partisan political activity or making inappropriately partisan statements
   (a)(1)(F) – violating rules or standards pertaining to restrictions on outside income or knowingly violating requirements for financial disclosure

The facts of the alleged misconduct are detailed below:

1. From approximately 2006 to 2012, Judge McNulty was the director of Gibbons, P.C., a prominent New Jersey based law firm.

2. In 2012 Judge McNulty was appointed to the federal bench upon a recommendation from now deceased US Senator Frank Lautenberg (D-NJ), who made the recommendation at the behest of US Senator Charles Schumer (D-NY). Judge McNulty is the brother-in-law of Senator Schumer, to whose sister he is married.

3. Upon appointment to the federal bench, Judge McNulty did not divest himself or his family of his assets or income from his law firm, and has continued to remain an indirect beneficiary of the revenues from Gibbons, P.C. law firm. These facts can be verified by communicating with Thomas J. Cafferty, Esq, the current director of Gibbons P.C. law firm: tcafferty@ gibbonslaw.com + Tel: 973 596 4500 + One Gateway Center, Newark, New Jersey 07102-5310

4. Judge McNulty was assigned to K1 in or around April 19, 2016.

5. Upon assignment, Judge McNulty became aware that he had represented two of the defendants in a state court related matter (**Exhibit 1 + Exhibit 2**), but he failed to either recuse himself or bring this matter to the attention of Kaul or the Court. The motive for his failure of disclosure, was that these two defendants have remained fee-paying clients of his law firm.

6. From the commencement of the case, Judge McNulty became aware that his law firm was representing two of the defendants, Lindy Washburn and the North Jersey Media Group, buy yet he failed to recuse himself or disclose this fact to the Court. The motive for his failure of disclosure, was that these two defendants were fee-paying clients of his law firm, from which he has continued to remain a beneficiary since his appointment to the federal bench.

7. For the entirety of the case, a period of three (3) years, Judge McNulty improperly obstructed Kaul's prosecution of the case by arbitrarily denying him discovery. The motive for the obstruction of justice, was that Judge McNulty remained the beneficiary of revenues from his law firm, a firm of which two of the defendants (Heary + University Hospital) continued to remain fee-paying clients, and of which another two of the defendants (Washburn + North Jersey Media Group) became current fee-paying clients.

8. Judge McNulty's deliberate delay of the case was also motivated by his effort to dissuade Kaul from prosecuting the case (**Exhibit 3**), a case in which he and or his law firm either represented defendants in K1 or a case in which some of the defendants had been represented by Judge McNulty, when he practiced law. These latter individuals remained fee-paying clients of his law firm.

9. On multiple occasions throughout the case, Judge McNulty engaged in improper ex parte communications with defendants' counsel (**Exhibit 4**).

10. Judge McNulty is the brother-in-law of US Senator, Charles Schumer. From the commencement of the case on February 22, 2016 to its improper dismissal on February 25, 2019, Senator Schumer has received substantial 'political campaign' donations from defendants Allstate New Jersey Insurance Company and Geico (**Exhibit 5**). These monies were 'donated' to Senator Schumer, in order that he exploit his relationship with his brother-in-law in order to pervert the course of justice, and influence the outcome of the case. On March 7, 2019 Kaul sent a letter to Senator Schumer, that requested he confirm or deny if he or his agents had engaged in any communications with any of the defendants or their agents, pertaining to K1 + K2 (**Exhibit 6**).

I believe Judge McNulty has committed misconduct as defined in the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351-364, and that this misconduct is deserving of further investigation (**Exhibit 7**).

I certify, under penalty of perjury, that the above statements are true and accurate to the best of my knowledge, and that if it is proved that I willfully and knowingly misrepresented the facts, then I am subject to punishment.

I thank you for your consideration

Yours sincerely

R Kaul

Richard Arjun Kaul, MD

Exhibit 2

www.drrichardkaul.com

May 6, 2019

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED
2019 MAY -8 P 12:55

Honorable Kevin McNulty
United States District Judge
District of New Jersey
UNITED STATES DISTRICT COURT

Re: Kaul v Christie, et al.,
Docket No. 16-CV-02364 – K1
Docket No. 18-CV-08086 – K2
Motion for judicial disqualification of Judge Kevin McNulty + Transfer of cases to the United States District Court for the Southern District of New York

Dear Judge McNulty,

Please find submitted papers in support of the above application.

Yours sincerely

R.Kaul R.K.I.

Richard Arjun Kaul, MD
cc: The Third Circuit Federal Court of Appeals
The United States Supreme Court
All counsel of record

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RICHARD ARJUN KAUL, MD

Plaintiff

v.

CHRISTOPHER J. CHRISTIE, ESQ ET ALS.,

Defendants

Case No. 16-CV-02364

AFFIDAVIT AND MOTION IN SUPPORT OF APPLICATION FOR JUDICIAL DISQUALIFICATION OF UNITED STATES DISTRICT COURT JUDGE KEVIN McNULTY PURSUANT TO 28 U.S.C. § 144 AND 28 U.S.C. § 455

I, Richard Arjun Kaul, MD, do hereby swear under oath and penalty of perjury that the facts, reasons and statements submitted in support of this application are true and accurate to the best of my knowledge.

Dated: May 6, 2019

R. Kaul

Richard Arjun Kaul, MD

For reference purposes:
K1: Kaul v Christie: 16-CV-02364
K2: Kaul v Christie: 18-CV-08086
K3: Kaul v Schumer: 19-CV-3046

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28 U.S.C. § 455 states: 16

A. **455(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.** 18
B. **455(b)(1) He shall also disqualify himself in the following circumstances: Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.** 25
C. **455(b)(2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it.** 28
D. **28 U.S.C. § 455 (b)(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.** 29
E. **28 U.S.C. § 455 (e) Waiver of Disqualification.** 31

28 U.S.C. § 144 states. 32

F. **28 U.S.C. § 144 Whenever a party to a proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.** 32
The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith. 32

G. **Kaul's application for disqualification is timely.** 33

Conclusion + Relief Sought 35

Authorities

Cases:

Apple v. Jewish Hosp. & Med. Ctr., 829 F.2d 326, 333 (2d Cir. 1987) 34
Berger v. United States, 255 U.S. 22 (1921) 32
Diamondstone v. Macaluso, 148 F.3d 113, 121 (2d Cir. 1998) 20
Impeachment of G. Thomas Porteus, Jr., Judge of the United States District Court for the Eastern District of Louisiana and H.Res. 1031, 111th Cong. 2d Sess (Mar. 11, 2010 23
Edgar v. K.L., 93 F.3d 256 (7th Cir. 1996) 28
Hook v McDade, 89 F.3d 350, 355 (7th Cir. 1996) 26
In re Allied-Signal Inc., 891 F.2d 967, 970 (1st Cir. 1989) 19
In Cheney v. United States District Court for the District of Columbia, 541 U.S. 913 (2004) 21
In re Drexel Burnham Lambert Inc., 861 F.2d 1307, 1313 (2d Cir. 1988) 20
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In re Kensington Int'l Ltd., 368 F.3d 289 (3d Cir. 2004) 34
In re Mason, 916 F.2d 384, 386 (7th Cir. 1990) 19
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United States v Murphy, 768 F.2d 1518 (7th Cir. 1985) 23
United States v. Toohey, 448 F.3d 542 (2d Cir. 2006) 21

Statutes:

28 U.S.C. § 455 16
28 U.S.C § 144 32

Relevant Facts

1. From approximately 2006 to 2012, Judge McNulty was the director of Gibbons, P.C., a prominent New Jersey based law firm.

2. In 2012 Judge McNulty was appointed to the federal bench upon a recommendation from now deceased US Senator Frank Lautenberg (D-NJ), who made the recommendation at the behest of US Senator Charles Schumer (D-NY). Judge McNulty is the brother-in-law of Senator Schumer, to whose sister he is married.

3. Upon appointment to the federal bench, Judge McNulty did not divest himself or his family of his assets or income from his law firm and has continued to remain an indirect beneficiary of the revenues from Gibbons, P.C. law firm.

4. Judge McNulty was assigned to K1 in or around April 19, 2016.

5. Upon assignment, Judge McNulty became aware that he had represented two of the defendants in a state court related matter (D.E. 305-2 Page ID 8305), but he failed to either recuse himself or bring this matter to the attention of Kaul or the Court. The motive for his failure of disclosure, was that these two defendants have remained fee-paying clients of his law firm.

6. From the commencement of the case, Judge McNulty became aware that his law firm was representing two of the defendants, Lindy Washburn and the North Jersey Media Group, buy yet he failed to recuse himself or disclose this fact to Kaul or the Court. The motive for his failure of disclosure, was that these two defendants were fee-paying clients of his law firm, from which he has continued to remain a beneficiary since his appointment to the federal bench.

7. For the entirety of the case, a period of three (3) years, Judge McNulty improperly obstructed Kaul's prosecution of the case by arbitrarily denying him discovery. The motive for the obstruction of justice, was that Judge McNulty remained the beneficiary of revenues from his law firm, a firm of which two of the defendants (Heary + University Hospital) continued to remain fee-paying clients, and of which another two of the defendants (Washburn + North Jersey Media Group) became current fee-paying clients.

8. Judge McNulty's deliberate delay of the case was also motivated by his effort to dissuade Kaul from prosecuting the case (D.E. 313-1 Page ID 8447), a case in which he and or his law firm either represented defendants in K1 or a case in which some of the defendants had been represented by Judge McNulty, when he practiced law. These latter individuals have remained fee-paying clients of his law firm.

9. On multiple occasions throughout the case, Judge McNulty engaged in improper ex parte communications with defendants' counsel (D.E. 313-1 Page ID 8397).

10. Judge McNulty is the brother-in-law of US Senator, Charles Schumer. From the commencement of the case on February 22, 2016 to its improper dismissal on February 25, 2019, Senator Schumer has received substantial 'political campaign' donations from defendants Allstate New Jersey Insurance Company and Geico (D.E. 313-1 Page ID 8418). These monies were 'donated' to Senator Schumer, in order that he exploit his relationship with his brother-in-law in order to pervert the course of justice and influence the outcome of the case. On March 7, 2019 Kaul sent a letter to Senator Schumer, that requested he confirm or deny if he or his agents had engaged in any communications with any of the defendants or their agents, pertaining to K1 + K2.

11. On February 22, 2019 Judge McNulty entered an opinion/order that he knew did not truthfully reflect the law, the facts or evidence of the case, an opinion/order that he knew was false (D.E. 300). The knowing falsity of Judge McNulty's opinion/order evidences his biased/prejudicial state-of-mind against Kaul.

12. On April 4, 2019 Kaul filed suit against Senator Charles E. Schumer in the United States District Court for the Southern District of New York (19-CV-3046 – K3) (copy enclosed).

13. Judge McNulty has profited from the case, as a consequence of the fact that he has, since his appointment to the federal bench in 2012, remained a commercial beneficiary of K3 defendant, Gibbons, PC, a law firm of which he was the director. K3 defendant Gibbons, PC, represents K1/K2 defendants Washburn + North Jersey Media Group. Judge McNulty's biased/prejudiced state-of-mind is partly a consequence of this profiteering, a scheme in which Judge McNulty has converted his bench into a racketeering enterprise.

14. Judge McNulty is the brother-in-law of US Senator, Charles E. Schumer, a senior figure in the American Democratic party, and an individual who received bribes from defendants Allstate Insurance Company + Geico + TD Bank, NA, as part of a series of quid pro schemes, purposed to obstruct Kaul's prosecution of K1. Senator Schumer conspired with Judge McNulty to obstruct Kaul's prosecution of K1, and to cause its dismissal with prejudice on February 22, 2019.

15. Judge McNulty conspired with his brother-in-law, Senator Charles E. Schumer, to pervert the course of justice and prevent Kaul from presenting evidence to the public of crimes committed by K1/K2 defendants. These acts evidence Judge McNulty's biased/prejudiced state-of-mind, and the exercise of this state-of-mind in order to pervert the course of justice.

16. Judge McNulty's participation in the SCHUMER RICO Enterprise, as alleged in K3, was a consequence of, an act in furtherance of, and evidence of his bias/prejudicial state-of-mind and appearance of partiality against Kaul.

17. Judge McNulty's participation in the SCHUMER RICO Enterprise, as alleged in K3, involved him in the commission of following acts, all of which evidence his bias/prejudicial state-of-mind: (i) obstruct Kaul's prosecution of the case; (ii) quash all of Kaul's information subpoenas; (iii) deny all of Kaul's discovery requests; (iv) deny all of Kaul's motions; (v) dismiss with prejudice all of Kaul's federal-law claims; (vi) dismiss without prejudice of all Kaul's state-law claims. A "**reasonable man**" looking at such malfeasance/misconduct might say to himself, "**the judge has been corrupted**".

18. Judge McNulty's knowing and willful participation in the scheme to deceive Kaul by orchestrating a charade of due process, evidences his biased/prejudicial state-of-mind. It is this state-of-mind that has caused Judge McNulty to violate his legal oath to uphold the Constitution and remain loyal to the law. Judge McNulty's willful ignorance and derision ("**sea of grievances**" D.E. 200 Page ID 3755) of the gross injustices committed against Kaul and his children (2006 to 2019), can only emanate from a heart and mind that has been thoroughly corrupted by money. Where is the principle, integrity or honor, or is it all just about money?

19. Judge McNulty's biased/prejudicial state-of-mind and conduct prohibit him from any further involvement in the case, a case in which he knowingly obstructed Kaul's efforts at evidence gathering, in the knowledge that it would permit the defendants and third-party witnesses to delete /destroy/spoil evidence.

20. Judge McNulty's biased/prejudicial state-of -mind and conduct are evidenced in the fact that he willingly and with full knowledge participated in a scheme, in which there existed a corrupt intent to pervert the course of justice, and a scheme in which he did in fact pervert the course of justice, with the instrument of a federal court and its attendant authority.

21. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced in the fact that he willingly and with full knowledge used the US wires in furtherance of a scheme that he knew was illegal. A cause + consequence of his bias/prejudice was money. The defendants in their desperation to avoid economic/reputational obliteration, calculated that the legal risk of corrupting a federal judge/US Senator, was outweighed by the risk of losing the case. Their calculation, as with every other calculation they have made, was wrong. Obstruction of justice leads to lengthier jail terms, than does perjury + evidential falsification.

22. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced in the fact that he knew the purpose of the defendants' scheme, as detailed in K3, was to cause him to obstruct Kaul's prosecution of K1, by denying his motions, denying him discovery, quashing his subpoenas and dismissing with prejudice his federal-law claims. In essence, denying Kaul access to substantive justice and willfully and knowingly violating his constitutionally protected right to due process.

23. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he, in collusion and conspiracy with his brother-in-law, converted the United States District Court for the District of New Jersey into a racketeering enterprise, the purpose of which was to

profit from the case and obstruct Kaul's prosecution of the matter. Judge McNulty and K3 defendant Schumer, participated in a series of multiple quid pro quo schemes with the defendants, in which the **"quid"** were bribes paid by defendants to Judge McNulty and K3 defendant Schumer, and the **"quo"** was the perversion/obstruction of the course of justice. The irony in this is that the 'home' of justice became the 'hell' of justice, that prelude to democratic dissolution.

24. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew that by obstructing Kaul's prosecution of K1, he would prevent him from disclosing to the public evidence of the crimes committed by the K1/K2 defendants in the administrative board proceedings (April 9, 2013 to December 13, 2013). Judge McNulty's aiding and abetting the defendants' cover-up' of their crimes is consistent with his bias/prejudice against Kaul, which is partly a product of bribery.

25. Judge McNulty's biased/prejudicial state-of-mind and conduct are partly the product of his and the Court's improper internet searches of Kaul. In today's digital world, those digitally seeking others, expose themselves and their digital profiles to identification. Secrets are no more.

26. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced by his involvement in the racketeering schemes, as alleged in K3, and particularly by his knowledge that one of the scheme's goals, was an attempt to deceive Kaul into thinking that justice was being served. Judge McNulty played a central role in the perpetration of this charade of due process, an abuse and knowingly false use of the authority of the United States District Court for the District of New Jersey.

27. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew that Kaul had raised many objections and arguments as to the fact that he would not receive **"substantive justice"** in New Jersey, but yet still used the power of the court to obstruct Kaul's prosecution of the case. It would appear that Judge McNulty has proven Kaul to be right.

28. Judge McNulty's biased/prejudicial state-of-mind and conduct are evidenced by the fact that he knew the defendants had flagrantly violated Kaul's right to due process in the administrative board proceedings, but yet on June 30, 2017, he dismissed with prejudice the most culpable 'state' defendants with the intention of weakening Kaul's case.

29. Judge McNulty's biased/prejudicial state-of-mind and conduct against Kaul are evidenced in his opinions. On June 30, 2017, Judge McNulty, without specific knowledge of the political and clinical events that surrounded the cardiac arrest and death, of a patient treated by Kaul on March 9, 1999 in the UK, characterized it as **"tragic"** (D.E. 200 Page 3713). However, Judge McNulty expressed no opinion as to the surgical catastrophe caused in 1999 by Defendant Heary to patient Joseph Howard, a thirty-five (35) year old otherwise healthy male,

who was left quadriplegic after having been operated on by defendant Heary at Defendant University Hospital (D.E. 180-3 Page ID 3420).

30. Judge McNulty's biased/prejudicial state-of-mind and conduct is consistent with the fact that he represented two of the defendants in the Heary/Howard case, a case that resulted in a $5.2 million verdict, and found its way to the New Jersey Supreme Court. The Court admonished Heary for lying to the patient about his credentials. Heary had misled Howard into believing he was qualified to perform a cervical vertebrectomy. He was not. Defendant Heary, of all people, should have just kept his mouth shut about other physicians. Kaul does not believe that Defendant Heary feels so bold these days. The **"coward"**. Defendant Kaufman is a close second.

31. In his written opinions/orders Judge McNulty has conveyed a lack of impartiality, that would be evident to the mind of a **"reasonable man"**, and would make him question Judge McNulty's ability to impartially adjudicate the matter.

32. Based on a **"reasonable man's"** observations of Judge McNulty's lack of **"appearance"** of impartiality, as evidenced in his written opinions/orders, Judge McNulty must be disqualified in order to maintain the public's confidence in the judiciary.

33. Judge McNulty's bias/prejudice/appearance of partiality against Kaul is found in his opinions/orders and other parts of the case file:

a. **Joseph Howard + "tragic"**: On June 30, 2017, Judge McNulty, without specific knowledge of the political + clinical + legal events that surrounded the cardiac arrest and death of a patient to whom Kaul had provided anesthetic care on March 9, 1999 in a British National Health Dental Clinic (government funded clinic), described the case as **"tragic"** (D.E. 200 Page 3713) – In contrast, and evidencing his **"appearance"** of partiality, Judge McNulty neither referenced nor described the surgical catastrophe that was caused by defendant Heary + University Hospital in late 1999, when an otherwise thirty-five year old male, Joseph Howard, was caused to become a quadriplegic after Defendant Heary had operated on his neck, and severed his spinal cord. (D.E. 180-3 Page 3420). The subsequent malpractice case resulted in $5.2 million-dollar verdict, and found its way to the New Jersey Supreme Court, who admonished Defendant Heary for lying to the patient about his qualifications to perform a cervical corpectomy. Judge McNulty represented two of the K1 defendants in this matter (D.E. 305-2 Page ID 8305), a fact he never disclosed to Kaul, the record or the Court. In neither his opinion of June 30, 2017 (D.E. 200 Page ID 3698 to Page ID 3766) nor his opinion of February 22, 2019 (D.E. 300 Page ID 8171 to Page ID 8217) did Judge McNulty reference, let alone describe, this case as **"tragic"**. It was completely ignored, and Kaul asserts that if this case were to ever be tried before Judge McNulty, which it will not, this evidence would be excluded.
b. **Ignoring the evidence**: On June 30, 2017, Judge McNulty issued a sixty-six (66) page opinion (D.E. 200 Page ID 3698 to Page ID 3766), in which he devoted six (6) pages

(D.E. 200 Page ID 3707 to Page ID 3712) to a recitation of patient testimony and legal conclusions, that resulted in the issuance of an opinion on December 13, 2013, by K2 defendant and ex-administrative law judge, Jay Howard Solomon. On January 17, 2018, Kaul submitted onto the docket a document entitled 'The Solomon Critique' (D.E. 225). It is the product of Kaul having cross-referenced almost twenty-seven thousand (27,000) lines of legal transcript, with the one hundred and five (105) page opinion of K2 defendant Solomon. Kaul did not come into possession of the entire transcript until September 2017. 'The Solomon Critique' proves with the state's own evidence, that in a period from April 9, 2013 to December 13, 2013, K1/K2 defendants, Gregory Przybylski, MD, + Andrew Kaufman, MD + Jay Howard Solomon, Esq, **collectively committed two hundred and seventy-eight (278) separate instances of periury + evidential omissions + misrepresentations + gross mischaracterizations** in the administrative board proceedings that resulted in the illegal revocation of Kaul's license on March 12, 2014. Further, on February 11, 2019, as **Exhibit 18** of his motion for summary judgment against Defendant Allstate New Jersey Insurance Company, Kaul submitted a document entitled 'The Solomon Critique 2' (D.E. 299-18 Page ID 7201 to D.E. 299-26 Page ID 8170). This document is a focused analysis on the testimony of Defendant Przbylski, the state's 'star expert', upon whose fraudulent testimony Kaul's license was illegally revoked. This document proves that in a period from April 9, 2013 to December 13, 2013, Defendant Przybylski in conjunction with K2 defendants Hafner + Solomon **collectively committed two hundred and twenty-two (222) separate instances of periury + evidential omissions + falsifications + misrepresentations.** (D.E. 299-18 Page ID 7203). In addition to the submission of this evidence, Kaul submitted further evidence in the form of affidavits and e-mails (D.E. 299 Page ID 7044 to Page ID 7065) that, as detailed in his motion for summary judgment against Defendant Allstate New Jersey Insurance Company (D.E. 299 Page ID 7017 to Page ID 8170), are conclusive of his claims and disprove the defendants' defenses. Contained within this submission was an article entitled, '**How Many Die From Medical Mistakes in US Hospitals?**'. The answer is **440,000 annually**. Also contained within this submission is a document entitled 'The Przybylski Disciplinary Notice' (D.E. 299-22 Page ID 7502 to Page ID 7505), which contains notice of an official public disciplinary proceeding/finding against Defendant Przybylski by the American Association of Neurological Surgeons (AANS), on April 21, 2017, in which they concluded that Defendant Przybylski had provided knowingly false testimony in a medical malpractice case against another physician. The AANS stated: "**The Board of Directors also concluded that Dr. Przybylski violated Section A.4 by misrepresenting the standard of care when he testified that antibiotic treatment for six weeks after an esophageal tear closure, monitoring ESR and CRP and personal review of esophageal swallow studies are all required during treatment of a pharyngeal tear.**" (D.E.299-22 Page ID 7505).

c. **Ignoring the evidence**: On February 22, 2019, in response to Kaul's motion for summary judgment against Defendant Allstate New Jersey Insurance Company, hurriedly and in a 'knee-jerk' manner consistent with having been given an order by

the defendants, Judge McNulty entered an opinion/order (D.E. 300 Page ID 8171 to Page ID 8217), that was factually and legally flawed, and is further evidence of both his bias/prejudicial state-of-mind and his **"appearance"** of partiality against Kaul. Judge McNulty's opinion, once again, contains a five to six-page recitation of patient testimony and legal conclusions from the one hundred and five (105) page opinion of K2 defendant Solomon. However, and as irrefutable evidence of his bias/prejudice/appearance of partiality against Kaul, he completely ignores the evidence submitted by Kaul in support of his motion for summary judgment against Defendant Allstate New Jersey Insurance Company (D.E. 299 Page ID 7017 to Page ID 8170). Specifically, he ignores the evidence of 'The Solomon Critique' (D.E. 225) + 'The Solomon Critique 2' (D.E. 299-18 Page ID 7201 to D.E. 299-26 Page ID 8170), evidence that unequivocally, irrefutably and undeniably prove that the administrative board proceedings (April 9, 2013 to December 13, 2013) were a massive fraud perpetrated by both state and private actors, who, under direction from K2 defendant Christie, converted the State of New Jersey and its agencies into racketeering enterprises, through which state and private actors conducted multiple patterns of racketeering, through the commission of the predicate acts of mail fraud + wire fraud + bribery + obstruction of justice + kickbacks + perjury. The common purpose of these schemes, as understood and facilitated by the defendants was to illegally revoke Kaul's license, and eradicate the debt of certain defendants, and eliminate the threat of competition that his practice posed. Judge McNulty's complete silence on Kaul's evidence is evidence of his biased/prejudicial/appearance of partiality against Kaul, which demands that he be disqualified from the case, and his orders become subject to vacatur.

d. **440,000 deaths**: In his opinion of February 22, 2019 (D.E. 300), Judge McNulty, in stark contrast to his "tragic" opinion regarding the UK case, a case about which he knew little, neither referenced not offered any opinion as to the fact that every year in the United States, 440,000 people die consequent to medical mistakes. Judge McNulty's silence on this issue evidences his bias/prejudicial/appearance of partiality against Kaul and is further evidence as to why Judge McNulty must be disqualified, and his orders become subject to vacatur.

e. **"Meritless"**: On June 30, 2017, Judge McNulty entered an opinion/order in which he described Kaul's claims of evidence tampering in the administrative board proceedings as **"meritless"** (D.E. 200 Page ID 3759). 'The Solomon Critique' (D.E. 225) + 'The Solomon Critique 2' (D.E. 299-18 Page ID 7201 to D.E. 299-26 Page ID 8170) prove otherwise. However, despite this 'mountain' of evidence, Judge McNulty, consistent with his bias/prejudice/appearance or partiality, failed to state that his previous **"meritless"** mischaracterization was false, and that the evidence submitted by Kaul proved that the administrative board proceedings were a massive fraud. In fact, not only did Judge McNulty not recognize his mistake/error/malevolent mischaracterization, but he repeated the term **"meritless"** in his AMENDED OPINION (amending D.E. 200) (D.E. 303 Page ID 8282), despite the fact that he knew, and the evidence proved that Kaul's claims were valid and merit-full. This evidences Judge McNulty's bias/prejudice/appearance of

partiality against Kaul and provide further evidence as to why Judge McNulty must be disqualified from the case, and his orders become subject to vacatur.

f. **Stein**: Defendant Stein was named in the Original Complaint, filed on February 22, 2016, but has failed to answer or otherwise plead. On December 22, 2016, Kaul filed a motion and affidavit for entry of default judgment against Defendant Stein (D.E. 149 Page ID 1977). The Court ignored Kaul's motion, and on February 8, 2017, Kaul submitted a letter to the Court, in which he inquired as to if and when the Court would enter default judgment against Defendant Stein (D.E. 159 Page ID 2045). Kaul received no response from the Court, and on June 13, 2017 re-submitted his motion for entry of default judgment against defendant Stein (D.E. 192-1 Page ID 3569 to D.E. 192-5 Page ID 3611). On July 7, 2017, as part of his opinion/order of dismissal (D.E. 202 Page 3767) Judge McNulty denied Kaul's motion and provided the following reason: **"The recipient [Stein] might well have been confused, however, by the attachment of a caption indicating that the defendant is being sued in the Southern District of New York..."** (D.E. 202 Page 3767). Judge McNulty's implausible theory as to why Defendant Stein failed to respond, is evidence of his bias/prejudice/appearance of partiality against Kaul and is further evidence in support of his disqualification from the case, and a vacatur of his orders. On September 26, 2017, Defendant Stein was named as a defendant in the Second Amended Complaint (D.E. 209 Page ID 4291), and on November 10, 2017 he was served with a copy of the summons and complaint. Stein, once again, failed to answer or otherwise plead, and on December 22, 2017, Kaul submitted a motion for entry of default (D.E. 218 Page ID 4856 to Page ID 4858). The Court ignored Kaul's motion and on February 5, 2018, Kaul submitted a letter that sought the following relief: **"(1) The Court enters Default against Defendant Stein; (2) The Court enters Default against the remaining twenty-three (23) Defendants, or in the alternate, orders the Defendants to submit their defenses to the claims asserted in the Second Amended Complaint; (3) The Court vacates its stay on the issuance of subpoenas"** (D.E. 227 Page ID 5278 to Page ID 5280). On June 4, 2018, Kaul's fifth submission of the Second Amended Complaint was filed (D.E. 241 Page ID 5720), and it included Defendant Stein, who continued his failure to answer or otherwise plead. On November 13, 2018, Kaul submitted a motion for entry of default and default judgment against Defendant Stein (D.E. 278 Page ID 6596). On November 29, 2018, Kaul submitted a letter (D.E. 305-1 Page ID 8294) in response to a letter filed by Defendant Stein on November 26, 2018 (D.E. 282 Page ID 6634). However, the Court failed to post this letter to the court docket, but on February 22, 2019, once again, the Court denied Kaul's motion for default judgment against Stein, and provided the following reason: **"I cannot find that Stein's failure to appear and defend was willful ... The motion for default judgment is therefore denied..."** (D.E. 300 Page 8200). Judge McNulty's denial of Kaul's motion for default judgment against Stein was consistent with his overall strategy to obstruct Kaul's prosecution of the case, a consequence of his bias/prejudice/appearance of partiality against Kaul. Judge McNulty's denial of Kaul's motion has no basis in law or fact, and is further evidence as to why Judge McNulty, must be disqualified from the case. On February 22, 2017

(D.E. 305 Page ID 8290), Kaul submitted a letter (D.E. 305 Page ID 8290) to Judge McNulty, in which he requested that Judge McNulty render a decision regarding his motion for default judgment against Defendant Stein. This letter was submitted before Judge McNulty entered his order of dismissal, with an alleged date stamp of February 22, 2019. In this letter, Kaul once again raised the issue that he had been denied discovery since the commencement of the case, further evidence of Judge McNulty's continued obstruction of Kaul's prosecution of the case. The letter that Kaul filed on or about November 28, 2018 was eventually posted to the docket on February 26, 2019 (D.E. 305-1 Page ID 8294), and it was in this letter that Kaul identified the fact that Defendant Stein had lied to the Court about his continued practice of law. Kaul stated: **"I would ask that the Court refer Defendant Stein to the Ethics Committee of the New Jersey Supreme Court. He has been less than honest in these proceedings..."** Judge McNulty, despite the evidence of Defendant Stein's lies, failed to refer Stein to the Ethics Committee of the New Jersey Supreme Court. This is further evidence of Judge McNulty's bias/prejudice/appearance of partiality against Kaul and towards the defendants, which is why he must be disqualified and vacatur implemented. On March 18, 2019, Kaul submitted 'The McNulty Analysis' (D.E. 313-1) and on Page ID 8404 states: **"Judge McNulty's failure to enter default judgment against Defendant Stein violates the law, and sends out a dangerous message, that if you are politically/professionally/socially connected with the judge, you are not subject to the law, i.e an out-law."** Judge McNulty has repeatedly violated Kaul's constitutional right to due process, a consequence of his bias/prejudice/appearance of partiality, itself a consequence of having received bribes, all of which mandate his disqualification and implementation of vacatur.

g. **Joseph Howard + Quadriplegia**: Attached as **Exhibit 2** to Kaul's letter dated February 22, 2019 (D.E. 305 Page ID 8290) is a copy of the opinion of the New Jersey Supreme Court in the case of Joseph Howard, the thirty-five-year-old man, who was left quadriplegic after Defendant Heary had performed surgery on his neck. Judge McNulty represented University Physician Associates, the medical group with which defendants University Hospital, Heary and Kaufman are associated, a fact that he failed to disclose to Kaul at the commencement of the case, and a fact, one of many, that he knows causes a conflict of interest, and mandates his disqualification from the case. This is yet further evidence of Judge McNulty's bias/prejudice/appearance of partiality, and why he must be disqualified from the matter and vacatur implemented.

h. **Lack of "substantive justice"**: On July 14, 2016, Kaul filed an interlocutory appeal in the 2nd Circuit Federal Court of Appeals, in which he argued that he would not receive **"substantive justice"** in New Jersey, because of the **"politico-legal nexus"** that existed between the judiciary, the body politic and the legal community. Kaul states, amongst other things, **"18) The District of New Jersey will be strained to deliver impartial justice because of the politico-legal nexus between its judiciary and the defendant-appellees."** (D.E. 305-3 Page ID 8316). Judge McNulty, aware of Kaul's arguments, failed to transfer the matter back to the Southern District of New York, because he recognized the case presented him and his brother-in-law with an

economic opportunity, as is alleged in K3. This financial motivation caused Judge McNulty to become biased/prejudiced against Kaul, which explains why, for three (3) years, he has obstructed Kaul's prosecution of K1. This is further evidence of why Judge McNulty must be disqualified from the matter, and vacatur implemented. Judge McNulty knew that Kaul would not receive "**substantive justice**", and he has made sure of that. The evidence proves that Judge McNulty would appear to a "**reasonable man**", to have both the "**appearance**" of partiality against Kaul and be actually biased/prejudiced against Kaul.

i. **'The McNulty Analysis'**: (D.E. 313 Page ID 8384 to Page ID 8448). Kaul submitted this document on March 18, 2019 in response to Judge McNulty's opinions/orders (D.E. 300 + 301 + 303 + 304). The document details the facts of why Judge McNulty is conflicted + biased + prejudiced against Kaul (D.E. 313-1 Page ID 8386 + Page ID 8399 + Page ID 8403 + Page Id 8432 + Page ID 8436 + Page ID 8447). The evidence within this document, separate and apart from the above stated evidence, requires, under the law (section 455 + section 144), that Judge McNulty be disqualified and that vacatur be implemented. To permit any further involvement in this case by Judge McNulty, would constitute a grave miscarriage of justice, would be contrary to the interests of justice, would be violative of every legal oath to which Judge McNulty has sworn, and would constitute a continuance of the violation of Kaul's constitutionally protected right to due process, a violation that commenced on April 2012 with K2 defendant, NJBME, and is ongoing in May 2019. K1 + K2 must and will be transferred back to the United States District Court for the Southern District of New York.

34. Exparte communications + extrajudicial source: Judge McNulty, from the commencement of the case has engaged in multiple and improper exparte communications with defendants' counsel and members of the Office of the New Jersey Attorney General, of which Kaul was neither informed of, nor privy to. Justice conducted in secrecy is not justice. The English Star Chamber was ultimately forced to recognize this fact. This extrajudicial source, in conjunction with Judge McNulty's commercial conflicts of interest i.e Gibbons, PC, account for, in large part, his "**appearance**" of partiality and his actual bias/prejudice. Judge McNulty evidenced these exparte communications in his opinion of February 22, 2019, in which he made a statement that has no basis in the record, about a subject which is known principally to K2 defendant Hafner: "**Dr. Kaul points out none of the defendants are board-certified by this latter organization; neither, apparently, is he. (See id. ¶¶ 75-76)**". (D.E. 300 Page ID 8182 to Page ID 8183). Kaul pointed to this as evidence of these improper exparte communications in 'The McNulty Analysis': "**If Judge McNulty's statement has any truth, then it is the product of improper ex-parte communications with K2 defendant Hafner and or her agents.**" (D.E. 313-1 Page ID 8397 Para. 9). Another extrajudicial source of Judge McNulty's bias/prejudice has been the Court and Judge McNulty's improper Google searches of Kaul. Judge McNulty, in his opinion of February 22, 2019, admitted that he has used the internet to research Kaul, evidence to which Kaul has pointed in 'The McNulty Analysis' (D.E. 313-1 Page ID 8396 Para. 8).

Legal Argument

Preface

35. Democracy and the peaceful order of society, cease to exist when the judiciary is morally bent, perverted from fact and willfully blind to the law. When partiality, personal bias and or conflicts of interest pollute the administration of justice, the public loses confidence in the system of justice, and lawlessness displaces lawfulness. When the public lose faith in their judges, they lose faith in the law. Central to this understanding of societal order is the concept of judicial impartiality, a function of democracy in which a judge has no commercial/political/personal interest in a case, other than to ensure that justice is served with dispassion and a certain disinterestedness. The impartial disinterested judge must not only "**do justice**" but must "**appear**" to do so. The judiciary is rightly held to exacting standards, and sections 455 and 144 of the United States Code, in conjunction with the Code of Conduct for United States Judges, are constructed to ensure that any deviations from these standards are rectified in favor of evidence of judicial misconduct. The law recognizes that judges, more than any other sector of society, know the rules, and know how to skirt those rules for self-serving ends, and thus the law demands that judges be their own and most vehement critics. This honest state-of-mind is reflected in the actions of a judge who stands accused of bias/partiality/appearance of partiality. This judge will, without question, step aside, for he has no special interest in the case, and will not want to compromise the public's faith in the system of justice. The dishonest or conflicted judge will fight and or obstruct any credible, evidentially supported application for disqualification, for this judge is interested in the case, is interested in its outcome, and yet knows that his continuance in the case will corrupt the case and will diminish the public's faith in the integrity of the judiciary. Dishonest judges undermine the principles of democracy, and if unchecked, they will continue to use their benches and judicial power for self-serving reasons, contrary to the peaceful order of society. When a question arises about a judge's impartiality, the law and the public demand that the judge remove himself from the proceedings, in order to protect the due process rights of litigants.

36. Kaul brings this application on 28 U.S.C. § 455 and 28 U.S.C. § 144, seeking to ensure his right to impartial justice.

28 U.S.C. § 455 states:

(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
(b) He shall also disqualify himself in the following circumstances:
  (1) Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
  (2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a

lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

(3) Where he has served in governmental employment and in such capacity as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

(5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

(i) Is a party to the proceeding, or an officer, director, or trustee of a party;

(ii) Is acting as a lawyer in the proceeding;

(iii) Is known by the judge to have an interest that could substantially affected by the outcome of the proceeding

(iv) Is to the judge's knowledge likely to be a material witness in the proceeding.

(c) A judge should inform himself about his personal and fiduciary financial interests, and make reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household

(d) For the purposes of this section the following words or phrases shall have the meaning indicated:

(1) "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;

(2) the degree of relationship is calculated according to the civil law system;

(3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;

(4) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:

(i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund;

(ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;

(iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;

(iv) Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the

ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate judge, or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

A. 455(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned:

37. The facts, as asserted above, and as viewed from and through the perspective of a **"reasonable man"** do say, that the impartiality of Judge McNulty **"might reasonably be questioned"**. The law in support of this proposition, is as follows:

38. Liteky v. United States, 510 U.S. 540, 553 (1994): The exacting standards to which the federal judiciary are held reflect its desire to maintain the public's confidence in its integrity and impartiality. If a judge's impartiality **"might reasonably be questioned"** then it is proper for him to be disqualified. The Liteky Court, in rejecting the petitioner's argument that sought to have the Court interpret the district judge's **"appearance"** of impartiality in the context of the **"extrajudicial source"** doctrine, established that an **"appearance"** of impartiality, without more, was a sufficient basis for disqualification: **"Partiality" does not refer to all favoritism, but only to such as is, for some reason, wrongful or inappropriate. Impartiality is not gullibility. Moreover, even if the pejorative connation of "partiality" were enough to import the "extrajudicial source" doctrine into § 455(a0, the "reasonableness" limitation (recusal is required only if the judge's impartiality "might *reasonably* be questioned") would have the same effect. To demand the sort of "child-like innocence" that elimination of the "extrajudicial source" limitation would require is not reasonable."** at 552. The Liteky Court then went on to describe intra-judicial sources of evidence that prove the judge's partiality against a particular party: **"Judicial remarks ... support a bias or partiality challenge ... will do so if they reveal such a high degree of favoritism or antagonism as to make fair judgment impossible."** at 555. Judge McNulty's denial of all of Kaul's motions, his denial of his requests for discovery, his derogatory and exclusively prejudiced characterizations of Kaul, his failure to disclose his multiple conflicts of interest and his profiteering from the case, evidence **"such a high degree favoritism or antagonism as to make fair judgment impossible."** This is why Kaul argued that he would not receive **"substantive justice"** in New Jersey, and which is why Judge McNulty must be disqualified and K1 + K2 transferred back to the S.D.N.Y.

39. United States v Bayless, 201 F.3d 116, 126 (2d Cir. 2000): **"We have stated the standard for recusal under § 455(a) as follows: [A] court of appeals must ask the following question: Would a reasonable person, knowing all the facts, conclude that the trial judges' impartiality could reasonably be questioned? Or phrased differently, would an objective, disinterested observer fully informed of the underlying facts, entertain significant doubt that justice would be done absent recusal."** at 126. If the above stated facts were 'plugged' into the mind of a **"reasonable man"**, then he would **"entertain significant doubt that justice would be done absent recusal."** and thus as a truly **"disinterested"** party, the **"reasonable man"** would demand the disqualification of Judge McNulty and would likely state words to the effect that this case is not a **"close case"**.

40. United States v DeTemple, 162 F.3d 279, 286 (4th Cir. 1998): It is the combination of the mind of the **"reasonable man"** and the facts that determine a disqualification: **"... a reasonable observer is not a person unduly suspicious or concerned about a trivial risk that a judge may be biased. There is always some risk of bias; to constitute grounds for disqualification, the probability that a judge will decide a case on a basis other than the merits must be more than "trivial." In the Matter of Mason, 916 F.2d 384, 386 (7th Cir. 1990)."** at 287. Judge McNulty has proven that his adjudication of this case is not based on the merits. He, as with all of the defendants, has failed to address/rebut/refute/contest the 'mountain' of evidence (D.E. 299) that proves Kaul's claims and dismantles the defendants' defenses. This aversion/avoidance of the truth is substantial and quite sinister, is not **"trivial"**, and thus Judge McNulty must be disqualified.

41. In re Mason, 916 F.2d 384, 386 (7th Cir. 1990): The importance of the objective standard of the mind of the **"reasonable man"** is that a judge cannot judge himself. An honest judge has no interest or motivation to sit in any case, for his sole purpose is to serve justice, and that requires no specific attachment to any case. On the contrary, a dishonest judge, of which there appear to be many in New Jersey, will use the power of his bench to serve his own economic/political/personal interests, and is more inclined, not because of concerns as to reputation, to refuse to disqualify himself. The law recognizes these factors, which is why it does not, for a finding of an **"appearance"** of partiality, require proof of "actual" partiality: **"Yet drawing all inferences favorable to the honesty and car of the judge whos conduct has been questioned could collapse the appearance of impropriety standard under § 455(a) into a demand for proof of actual impropriety."** at 386. Kaul, however, has submitted fact in support of both the **"appearance"** and "actual" standards, and thus the law demands that Judge McNulty be disqualified.

42. In re Allied-Signal Inc., 891 F.2d 967, 970 (1st Cir. 1989): The **"reasonable man"** in this case, is not permitted under the law to be arbitrary, but is in fact a **"thoughtful"** and **"well-informed"** individual. See Mason 916 F.2d at 386. See also Jordan, 49 F.3d at 156; O'Regan, 246 F.3d at 988. The standard of his consideration is that: **"[W]hen considering disqualification, the district court is not to use the standard of "Cesar's wife," the standard of mere suspicion. That is because the disqualification decision must reflect not only the need to secure public confidence through proceedings that appear impartial, but also the need to prevent parties**

from too easily obtaining the disqualification of a judge, thereby potentially manipulating the system for strategic reasons, perhaps to obtain a judge more to their liking." at 970. The **"reasonable man"**, in this case, will ask himself why Judge McNulty has denied Kaul discovery for over three (3) years, in violation of the first rule of civil procedure. He will ask himself why Judge McNulty has not appeared once on the bench in front of Kaul, and why the defendants now ascribe Judge McNulty's decisions to Judge Mannion. He will ask himself why Judge McNulty did not disqualify himself upon coming to know that he had represented two of the defendants in a prior state action, and that his law firm currently represents two of the defendants. He will ask himself why Judge McNulty has denied all of Kaul's motions for summary judgment and default judgment. He will ask himself why it was necessary for Kaul to file a writ of mandamus with the Third Circuit Federal Court of Appeals, in order to cause Judge McNulty to enter a decision on Kaul's motion for summary judgement against Defendant Allstate New Jersey Insurance Company. He will ask himself why Judge McNulty, with the knowledge that Kaul had created a lengthy record as to his argument that he would not receive **"substantive justice"** in New Jersey, would then prove this argument, by committing all of the aforementioned acts, all of which are contrary to both the spirit and letter of the law. The **"reasonable man"** would conclude that Judge McNulty is partial/biased/prejudiced against Kaul, that he must be disqualified, and that he, as with all of the defendants, believed that Kaul, a non-lawyer with no money, no home, no car, no driving license, and quite often no food, would **"pack his bags and leave"**. A **"reasonable man"** would conclude that the defendants are indeed not **"reasonable"**, but moreover are distinctly stupid, in that they keep on underestimating Kaul, an individual with an **"upper-crust British accent"** a **"frayed wallet"** and **"lace-less shoes"**, and a man who challenged the British Government, under Tony Blair, into recognizing that American medical training was at least equivalent to that in Britain. The British believe their medicine and their doctors are the best in the world, and still, unfortunately, view Americans and America as their colonial underlings/property. The global insurance industry is controlled through Lloyd's of London, that bastion of human enslavement, and British autocracy.

43. Diamondstone v. Macaluso, 148 F.3d 113, 121 (2d Cir. 1998): The law requires that the facts upon which a disqualification application is submitted, are ones that a **"reasonable man"** would not consider **"trivial"**: The Diamondstone Court held that **"A disinterested observer could not reasonably question Judge Murtha's impartiality based upon his alleged failure to return the plaintiff's greetings."** at 121. There can be no question that failing to return a greeting is anything other than trivial, a fact that stands in stark contrast to those asserted above, in which Judge McNulty has proved both his **"appearance"** of partiality against Kaul, and his **"actual"** bias/prejudice. The facts in Diamondstone are the 'polar opposite' of those in this case, the facts of which would cause a **"reasonable man"** to conclude that Judge McNulty must be disqualified.

44. In re Drexel Burnham Lambert Inc., 861 F.2d 1307, 1313 (2d Cir. 1988): The judicial disqualification process is a consequence of, and founded on, an analysis of the facts within the record: **"... whether a judge should be disqualified requires a careful examination of those relevant facts and circumstances to determine whether the charges reasonably bring into**

question a judge's impartiality." at 1309. The facts in this case would prove in the mind of a **"reasonable man"** that Judge McNulty has both the **"appearance"** of impartiality and is **"actually"** biased/prejudiced, and thus must be disqualified.

45. United States v. Toohey, 448 F.3d 542 (2d Cir. 2006): Disqualification is warranted when there exists a prior relationship, which in the mind of a **"reasonable man"** would raise a question of judicial impartiality and or bias/prejudice. Judge McNulty's long professional history with K3 defendant, Gibbons, PC, and its current director, Thomas Cafferty, Esq, is such a relationship, particularly in light of the fact that Judge McNulty remains a commercial beneficiary of the firm, and the firm represents two of the defendants. In this same vein, the fact that Judge McNulty represented the professional corporation of two of the defendants, would without question cause the **"reasonable man"** to question his impartiality. The legal **"whirlwind"** (D.E. 179-1 Page ID 2607) that has ironically descended upon these proceedings was both predicted, but yet was entirely avoidable. It would have better served the interests of justice and the long-term interests of the defendants, had K1 remained in the United States District Court for the Southern District of New York. In fact, Kaul on multiple occasions brought to the attention of the courts (S.D.N.Y + D.N.J. + 2nd Circuit Federal Court of Appeals), advice he had received from his prior attorney, Robert Conroy (now deceased) as to the partiality of the District of New Jersey to state-related defendants: **"The federal court for this district has proven itself to be most sympathetic to the state government."** (D.E. 199 Page ID 3671). In the Toohey Court, the district judge after having ignored, on multiple occasions, the sentencing suggestions from the 2nd Circuit, was disqualified from the case, and admitted that a **"past professional relationship and friendship with Toohey had directly influenced both of his earlier decisions – which we ordered vacated on appeal..."** at 546. Neither Judge McNulty nor the defendants have any standing to argue against disqualification and transfer of K1 + K2 back to the S.D.N.Y. Had they not objected to Kaul's application to the 2nd Circuit to keep the case in the S.D.N.Y., and had they in fact argued for it to be litigated in the S.D.N.Y., then the case might in fact have been properly resolved, and the defendants would not be where they are now, i.e. in the middle of a **"whirlwind"**, and looking down the 'barrel' of insurmountable legal fees, with lawyers ready and willing to 'pull that trigger'. Or maybe the defendants just regret ever having crossed swords with Kaul, and for what. Because he was the first physician to perform an outpatient minimally invasive spinal fusion. Because he used his own money to establish The Spine Africa Project. Because he never interfered in anyone else's business. Because he had an **"upper crust British accent"**. Because he carried a **"frayed wallet"**. Because he wore **"lace-less shoes"**. Because the defendants considered Kaul's peaceful and pleasant demeanor to be a sign of weakness. The **"brute is but a coward"**. The defendants, who once laughed and mocked Kaul behind his back, laugh no more, for it will be Kaul that will have the last and longest laugh. It will be his legacy that will define that of the defendants, and it will be they and their children, who will come to know the true measure of Kaul's spirit.

46. In Cheney v. United States District Court for the District of Columbia, 541 U.S. 913 (2004): On April 4, 2019, Kaul filed suit in the United States District Court for the Southern District of New York against Senator Charles Schumer + Allstate Insurance Company + GEICO + TD Bank, NA + Gibbons, PC + Gannett Co., Inc (Kaul v Schumer: 19-CV-3046). Judge McNulty is

the brother-in-law of Senator Schumer, who has been sued in his personal capacity, which thus requires Judge McNulty be disqualified: "**[W[hile friendship is a ground for recusal of justice where the personal fortune or the personal freedom of the friend is at issue, it has traditionally *not* been a ground for recusal where *official action* is at issue, no matter how important the official action was to the ambitions or the reputation of the Government officer.**" at 916.

47. United States v. Bobo, 323 F. Supp. 2d 1238 (N.D. Ala. 2004): When Judge McNulty was the director at K3 defendant, Gibbons, PC, the firm under his direction made 'political' donations to K2 defendant, and ex-New Jersey governor, Christopher J. Christie. These 'donations' to a Republican politician, were not made for any ideological/principled purposes, but simply to ensure the firm continued to receive legal work from the State of New Jersey, if and when K2 defendant Christie was elected governor. K3 defendant Gibbons, PC, of which Judge McNulty remains a commercial beneficiary, generates a substantial part of its revenue from state related work, which is why Judge McNulty, on June 30, 2017, dismissed with prejudice all of the state related defendants (D.E. 200). K3 defendant Gibbons, PC and the State of New Jersey are commercially entwined. In the Bobo Court, Judge Smith disqualified himself from the case, after having disclosed his connections to the Alabama political establishment, and despite the fact that he made no political 'donations' to Governor Riley. The US Attorney moved for disqualification, arguing that the outcome of the case would have consequences for Governor Riley. Judge Smith disqualified himself citing generally to the importance of maintaining the public's confidence in the integrity of the judiciary: "**... is the essence of the restraint required of Article III judges ... sustaining public confidence in the integrity and impartiality of the judicial branch.**" at 1243. In stark contrast, Judge McNulty has not disclosed to Kaul or the record that while he was the director of K3 defendant, Gibbons, PC, monies were given to K2 defendant, Christopher J. Christie, and neither has he disclosed that his law firm continues to receive revenue from the State of New Jersey. Judge McNulty knows that the outcome of K1 will have consequences for the state defendants and Christie in K2. Judge McNulty continues to remain a commercial beneficiary of K3 defendant Gibbons, PC, and the volume of the benefit is related to good relations with the State of New Jersey, which Judge McNulty recognizes will suffer if he does not dismiss them from K2, an event that is inextricably intertwined to the outcome of K1. The "**politico-legal nexus**" would cause the mind of a "**reasonable man**" to conclude that Judge McNulty, has at the very least, the "**appearance**" of, if not an "**actual**", partiality/bias/prejudice. Ultimately, if Kaul prevails in K1 + K2, then the defendants who participated directly in the illegal administrative board proceedings (Hafner + Solomon + Przybylski + Kaufman) will become subject to criminal prosecution, based on the evidence of perjury + evidential omissions + fabrications + falsifications, contained within 'The Solomon Critique' (D.E. 225) + 'The Solomon Critique 2' (D.E. 299-18). The exposure of these crimes will expose the state to immense liability and will expose the details of what indeed was a "**vast**" conspiracy. All of this exposure will negatively impact Judge McNulty's commercial beneficiary status, which will cause him and his firm to sustain substantial economic and reputational losses. These facts would cause the mind of a "**reasonable man**" to conclude that Judge McNulty is conflicted and must be disqualified.

48. United States v Murphy, 768 F.2d 1518 (7th Cir. 1985): The 7th Circuit reversed a district judge's refusal to disqualify, based on a personal proximity to the prosecutor. The case stemmed from a fourteen (14) year-long scheme of judicial corruption + bribery in the Cook County Court System in the State of Illinois. The scheme was exposed by the federal government in Operation Greylord, which involved undercover FBI agents posing as corrupt lawyers, who funneled bribes to the state judge, John Murphy, in order to prevent the incarceration of their clients. This was some case. The states of Illinois and New Jersey should be sued for their monopoly on corruption. The lawyers became "**hustlers**" at the court's entrance, diverting incoming criminal defendants into their scheme, who would give cash to the "**hustlers**", and the cash would then, every day, find its way, through court sheriffs to Murphy. The federal prosecution was placed before Judge Kocoras, who failed to disclose to Murphy or the record his personal relationship with the prosecutor, Daniel K. Webb. The 7th Circuit held: "**... Yet the statute places on the judge a personal duty to disclose on the record any circumstances that may give rise to a reasonable question about his impartiality. Although a judge may accept a waiver of disqualification under § 455(a), the "waiver may be accepted [only if] it is preceded by a full disclosure on the record of the basis of the disqualification." 28 U.S.C. § 455(e)**"" at 1537. Judge McNulty has made no such disclosure, and thus neither he, nor the defendants can, nor could they, argue that Kaul has waived his right for disqualification. The Murphy Court identified the standard by which the disqualification application ought to be considered: "**The test for an appearance of partiality in this circuit is "whether an objective, disinterested observer fully informed of the facts underlying the grounds on which recusal was sought would entertain a significant doubt that justice would be done in the case**" See PepsiCo v. McMillen, 764 F.2d 458 (1985) at 460. The facts of the instant matter would cause the mind of a "**reasonable man**", informed of all the relevant facts and circumstances, to conclude that Judge McNulty must be disqualified.

49. Impeachment of G. Thomas Porteus, Jr., Judge of the United States District Court for the Eastern District of Louisiana and H.Res. 1031, 111th Cong. 2d Sess (Mar. 11, 2010): The impeachment of Judge Porteous followed on from his refusal to disqualify himself, subsequent to allegations that he had accepted bribes from lawyers, in exchange for court-appointed "**curatorships**", monies that he used to settle his gambling debts. Judicial corruption in Louisiana is in an 'in-your-face' version, of the more surreptitious and sinister politico-legal schemes that operate within the courts, law firms and body politic, within the geographic boundaries of the State of New Jersey.

50. Patterson v. Mobile Oil Corp., 335 F.3d 476 (5th Cir. 2003): This case provides a perspective from which the mind of a "**reasonable man**" would conclude that Judge McNulty be disqualified. Although the 5th Circuit concluded that disqualification was not warranted, it did so on the basis of the fact that the district judge had terminated his relationship, thirty (30) years prior, with a law firm that was representing the defendants. Judge McNulty joined the federal bench in 2012, only seven (7) years ago, and Kaul asserts that if this fact, in conjunction with those stated above, were placed before the 5th Circuit, it would have concluded that disqualification was indicated.

51. United States v Microsoft, 56 F.3d 1448 (D.C. Cir. 1995): Judge McNulty has conducted multiple exparte communications with the defendants, as evidenced by his reference in his opinion of February 22, 2019 to Kaul's qualification with the American Academy of Minimally Invasive Spinal Medicine. Kaul references this point in 'The McNulty Analysis' (D.E. 313-1 Page ID 8397 Para. 9). Exparte communications, of which Kaul had no knowledge when they occurred, and obviously from which he was excluded, would cause the mind a of a **"reasonable man"** to conclude that Judge McNulty is partial against Kaul, otherwise why would he have conducted meetings about the case with other defendants in secrecy: **"The combined effect of the foregoing [exparte communications with doe companies] is to cause a reasonable observer to question whether Judge Sporkin "would have difficulty putting his previous views and findings aside"** at 1465. The Court assigned the case to a different judge. Judge McNulty must be disqualified, and K1 + K2 transferred back to the S.D.N.Y.

52. The facts, as asserted above, do leave Judge McNulty without any option but to disqualify himself. This case is not a close one, and the law, in balancing a judge's **"duty to sit"** versus his or her duty to disqualify, finds that if there reasonably exists, a question of partiality, then the duty to disqualify prevails. The law in support of this proposition, is as follows:

53. Republic of Pan. V. Am. Tobacco Co., 217 F.3d 343, 347 (5th Cir. 2000): The calculation of whether a **"reasonable man"**, well informed of the facts and circumstances of the disqualification application, is a calculation based on as objective an analysis of the facts that one would imagine achievable by the mind of the **"reasonable man"**: **"In order to determine whether a court's impartiality is reasonably in question, the objective inquiry is whether a well-informed, thoughtful and objective observer would question the court's impartiality." Trust Co. v. N.N.P., 104 F.3d 1478, 1491 (5th Cir. 1997) (citing United States v Jordan, 49 F.3d 152, 155-58 (5th Cir. 1995). The review of a recusal order under § 455(a) is "extremely fact intensive and fact bound," thus close recitation of the factual basis for the appellants recusal motion is necessary"** at 346. Judge McNulty's prior representation of two of the defendants, the current representation by his law firm of two of the defendants, his blanket denials of Kaul's motions and requests for discovery, his failure to address Kaul's 'mountain' of conclusive evidence (D.E. 299) and his **"commercial beneficiary"** status as to K3 defendant Gibbons, PC, law firm, are facts, that if plugged into the mind of a **"reasonable man"** would cause that man to conclude that Judge McNulty is partial against Kaul, is conflicted and must, in the interests of justice, disqualify himself. Although the instant matter is not a close one, as was the case in the Republic Court, the Court made it a point to state that if there is any question as to impartiality, it must be decided in favor of disqualification: **"However, we have previously held that if the question of whether § 455(a) requires disqualification is a close one the balance tips in favor of recusal. In Re: Chevron, 121 F.3d 163 (5th Cir. 1997)."** at 347

54. Judge McNulty's asserted appearance of partiality mandates disqualification regardless of the fact that Kaul has requested a jury trial. As is evident from his pre-trial involvement, in which he has conducted a blanket policy of denying Kaul discovery, denying Kaul's motions for default judgment, denying Kaul's motion for summary judgment, and if the case were ever to be tried by Judge McNulty, he would exclude witnesses, testimony and evidence that support

Kaul's case. These facts demand disqualification, regardless of whether the case is tried with a jury. The law in support of this proposition is:

55. In re Sch. Asbestos Litig., 977 F.2d 764, 782 (3d Cir. 1992): **"Section 455 properly makes no distinction between jury and nonjury trials. The district judge is a jury trial must still make numerous pretrial rulings, including crucial summary judgment rulings, and will doubtless be called on to make numerous rulings on the qualification of witnesses and on evidentiary matters, not to mention post-trial motions."** at 782. As did occur in the administrative board proceedings (April 9, 2013 to June 28, 2013: Opinion issued: December 13, 2013), and as evidenced in 'The Solomon Critique' (225) + 'The Solomon Critique 2' (D.E. 299-18), so too in these proceedings would there be further acts, constituting obstruction of justice and violations of Kaul's constitutionally protected right to due process. Since April 2012, Kaul has the victim of a seven (7) year campaign of fraud + perjury + obstruction of justice + bribery + kickbacks + extortion. Judge McNulty's disqualification will signal the beginning of the end of this shameful episode in the history of the State of New Jersey and will finally permit the truth to be publicly and properly told, absent judicial obstruction and the defendants ever more desperate defenses. Kaul assures the defendants that their crimes will receive the same, if not more publicity, than that they so maliciously manufactured around Kaul from 2012 to 2015. The filing on February 22, 2016 of the complaint silenced the defendants' 'baying'. When 'small' men come under pressure, it is remarkable how rapidly they retreat into their psychological 'holes'.

B. 455(b)(1) He shall also disqualify himself in the following circumstances: Where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding:

56. The facts as asserted above do prove that Judge McNulty has a "**personal bias and prejudice" against Kaul"** and has "**personal knowledge of disputed evidentiary facts concerning the proceeding"**, and thus, in conjunction with violations of section 455 (a) and section 144, he must be disqualified. The law in support of this proposition is:

57. United States v. Balistrieri, 779 F.2d 1191, 1202 (7th Cir. 1985): Judge McNulty has a direct and commercial interest in the outcome of K1 + K2, that has, as stated above, been engineered through K3 defendant Gibbons, PC, a law firm of which he was the director, until his appointment to the bench in 2011. This law firm currently represents two of the defendants and was the law firm through which Judge McNulty represented the professional entity of two of the defendants in 2002, in a state matter that went to the New Jersey Supreme Court. The case involved defendant Heary, University Hospital and a thirty-five-year old otherwise health male, Joseph Howard, who spinal cord was inadvertently severed by Defendant Heary, during a cervical corpectomy. Part of the case involved a charge of battery, consequent to the fact that Defendant Heary lied to the patient about his ability/training to perform the procedure. There was a $5.2 million verdict, and the NJ Supreme Court found that Defendant Heary had lied to the patient. Defendant University Hospital is the state hospital of Rutgers which was UMDNJ,

and had, as with many other state agencies, been a client of K3 defendant, Gibbons, PC. Judge McNulty, with the knowledge that he and his law firm, provided legal services and received revenue from the State of New Jersey, ought to have disclosed this information to Kaul and to the record, in light of the fact that the initial complaint contained numerous state entities and the state itself. K2 contains state actors and agencies, but Judge McNulty has failed to file any financial disclosures or conflicts of interest in this matter. Money is funneled from the State of New Jersey to K3 defendant Gibbons, PC to Judge Kevin McNulty. The Balistrieri Court held: **"The negative bias or prejudice from which the law of recusal protects a party must be grounded in some personal animus or malice that the judge harbors against him, of a kind that a fair-minded person could not entirely set aside when judging certain persons or causes. See United States v. Conforte, 624 F.2d 869, 881 (9th Cir.). cert. denied, 449 U.S. 1012, 101 S.Ct. 568, 66 L.Ed.2d 470 (1980). Satisfactory evidence of bias or prejudice must show this element of personal animus or malice. See footnote 9: "of course, if the party claims that the judge is biased because of some personal interest in the case or favoritism to other parties, then animus need not be shown."**" at 1201.

58. Hook v McDade, 89 F.3d 350, 355 (7th Cir. 1996): In answering the question of whether a judge harbors **"personal bias or prejudice"** against a particular party, the applicable standard is that of the mind of a **"reasonable man"**, who in possession of all of the relevant facts and circumstances, is in the optimum position to answer the question: **"In determining whether a judge must disqualify himself under 29 U.S.C. § 455(b)(1), "the question is whether a reasonable person would be convinced the judge was biased."** Lac du Flambeau Indians v. Stop Treaty Abuse-Wis., 991 F.2d 1249, 1255 (7th Cir. 1993) (citing Taylor, 888 F.2d at 1201; Balistrieri, 779 F.2d at 1202). The above stated facts, if thoughtfully and carefully considered by a **"reasonable man"** would cause that individual to conclude that Judge McNulty has a **"personal bias or prejudice"** against Kaul. In fact, Kaul has on many occasions, within the last six (6) months, presented all of the above facts to impartial, and disinterestedness parties, in order to procure their opinions as to the question of prejudice/bias. In all instances, the parties have concluded that the only explanation for the lack of discovery, the denial of all motions and the derogatory characterizations of Kaul, is that Judge McNulty, for the reasons Kaul has painstakingly set forth since the commencement of the case, is hopelessly conflicted as a consequence of his entanglement in the New Jersey **"politico-legal nexus"** D.E. 57 Page ID 535 + D.E. 57 Page ID 545 + D.E. 166 Page ID 2107 + D.E. 166 Page ID 2118 + D.E. 166 Page ID 2119 + D.E. 166 Page ID 2120 + D.E. 166 Page ID 2121 + D.E. 167-1 Page ID 2127 + D.E. 167-1 Page ID 2130 + D.E. 167-1 Page ID 2133 + D.E. 305-3 Page ID 8316 + D.E. 305-3 Page ID 8340 + D.E. 305-3 Page ID 8347 + D.E. 305-3 Page ID 8354 + D.E. 305-3 Page ID 8357 + D.E. 305-3 Page ID 8360 + D.E. 305-3 Page ID 8361 + D.E. 313-1 Page ID 8419). It would have been much simpler, and in the interests of justice to have the case litigated in the S.D.N.Y. or alternatively have a judge assigned from a district in the middle of America. The reason underpinning international civil and criminal courts, pertains to these exact conflicts of interest, that act to suppress justice. Kaul's lawyer, Robert Conroy, requested on June 7, 2012, the appointment of a special prosecutor and ad hoc board to oversee the litigation surrounding the suspension/revocation of Kaul's medical license. His requests were denied, and almost seven (7) years later, Kaul's right to due process continues to be violated by courts/judges within the geographic boundaries of

New Jersey. That 'pressure cooker of truth' is not a place where the defendants' budgets can last too much longer. Time permits Kaul the opportunity to practice and perfect his legal skills, against which the defendants will be required to expend increasing resources, with decreasing returns.

59. In re Faulkner, 856 F.2d 716, 721 (5th Cir. 1988): Judge McNulty, as evident from the above facts, engaged in extensive and improper exparte communications with defendants' counsel, during which he obtained information relevant to the subject matter of the dispute. Kaul pointed to this as evidence of these improper exparte communications in 'The McNulty Analysis': **"If Judge McNulty's statement has any truth, then it is the product of improper ex-parte communications with K2 defendant Hafner and or her agents."** (D.E. 313-1 Page ID 8397 Para. 9). The 5th Circuit in Faulkner, reminded the federal judiciary of the exacting standards to which the United States Supreme Court holds its members: **"Under the Supreme Court's compelling standard, we conclude that Judge Fish must stand down from this case, despite the total absence of any showing of actual bias. Under the facts presented, it is patent that "his partiality might reasonably be questioned" by a reasonable observer. This disqualifies him under section 455(a). Even were this not so, he has, at least through his personal conversations with Mrs. Pick, "personal knowledge of disputed evidentiary facts concerning the proceeding" sufficient to disqualify him, under section 455(b)(1), from presiding further over this case"** at 721.

60. United States v Alabama, 828 F.2d 1532 (11th Cir. 1987): The bias created when a judge has aligned his interests with that of the state, its agencies or actors, was the reason the 11th Circuit disqualified the district judge in United States v Alabama. Judge McNulty, as evident from the above stated facts, was and is aligned with the State of New Jersey, its actors and agencies, consequent to his law firm and K3 defendant, Gibbons, PC, having received and continuing to receive legal work and revenue from the state. Judge McNulty remains a commercial beneficiary of his law firm, and of these monies. The 11th Circuit in Alabama, in arriving at its conclusion for disqualification, considered the fact that the district judge, in his capacity as a **"private lawyer"** had **"involved him in the disputed evidentiary facts of this case. Judge Clemon served as an attorney of record for individual plaintiffs in the school desegregation case ... many of the same institutions of higher learning as appear here."** at 1545. Judge McNulty, in the Joseph Howard case, represented two of the defendants (see above 32g), and many of the issues + parties + facts + **"institutions"** that constitute the subject matter of K1 + K2, were present in the Joseph Howard case, in which Judge McNulty, in his capacity as a **"private lawyer"** was intimately involved. The Howard case involved state agencies and actors, and the reason that Judge McNulty and his law firm were retained, was because of their legal/commercial relationship with the State of New Jersey. This is one of the reasons why Judge McNulty, on June 30, 2017, dismissed with prejudice all state related defendants. The other was to intentionally disempower the political corruption thrust of the case. These are some of the reasons why Kaul argued he would not receive **"substantive justice"** in New Jersey, and why K1 + K2 will be transferred back to the S.D.N.Y.

61. Edgar v. K.L., 93 F.3d 256 (7th Cir. 1996): The question of whether off-the -record exparte communications, constitute "**extrajudicial**" information, and thus "**personal**" knowledge was answered by the 7th Circuit in the affirmative, and thus provided a basis for judicial disqualification. Judge McNulty, as evidenced by the above facts, engaged in multiple and improper exparte communications with counsel for the defendants. The Edgar Court reaffirmed the high standard to which the federal judiciary holds its members, by holding that even if it is only a possibility that there exists a question of partiality, then the law demands that that question be explored: "**Thus all we have are possibilities. But these possibilities justify a request for emergency relief. See United States v. Balistreri, 779 F.2d 1191, 1204-05 (7th Cir. 1985); Pepsico, Inc. v. McMillen, 764 F.2d 458, 460 (7th Cir. 1985).**" at 258. Judge McNulty, as proved by the evidence above, has betrayed his off the record communications with defendants' counsel, and has not placed on the record any official denial of such communications, despite Kaul having raised the issue in 'The McNulty Analysis' (D.E. 313-1 Page ID 8397 Para. 9). These facts are anything other than "**possibilities**", and thus under the Edgar standard, disqualification is warranted.

C. 455(b)(2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it:

62. The facts as asserted above do prove that Judge McNulty has violated section (b)(2) of U.S.C. 455, and thus, in conjunction with violations of section 455 (a) and section 144, he must be disqualified. The law in support of this proposition is:

63. The corollary to § 455(b)(2) in the Code of Conduct for the United States Judges is Canon 3C(1)(b). Judge McNulty is thus obligated under both the law and his code of judicial conduct to disqualify himself, and arguably to move for transfer of K1 + K2 back to the S.D.N.Y.

64. In re Rodgers, 537 F.2d 1196 (4th Cir. 1976): The 4th Circuit held: "**the actual case before the court consists of more than the charges brought by the government. It also includes the defense asserted by the accused. Here, this defense, in part at least, will consist of matters in which the judge's former partner served as lawyer.**" The central matter common to all of the administrative + state + federal proceedings that commenced on April 2, 2012 and are ongoing, is the question of qualifications as to spinal procedures. According to Defendant Heary, which physician is qualified to perform a particular procedure: " **...depends upon who is being asked the question**" (D.E. 180-3 Page ID 3409). Defendant Heary, after having made this comment in 1998, then went on, in 1999, to cause any otherwise healthy thirty-five (35) year old male, Joseph Howard, to become a quadriplegic. In approximately 2001 Judge McNulty, willingly joined in the defense of state related entities, as the case found its way to the New Jersey Supreme Court. Judge McNulty did not consider the case too "**tragic**" to refuse to be part of it, nor did he consider the fact that Defendant Heary was not qualified to perform a cervical corpectomy and had indeed lied to the patient about his qualifications (D.E. 305-2 Page ID 8305), as facts militating against his involvement. One of the central themes of this entire legal debacle (2012 to present) has been the violation of Kaul's rights pursuant to the Equal

Protection clause of the Constitution. Kaul has been subjected to medical + legal standards, to which none of the K1 + K2 defendants have either held themselves or been held to. Defendant Heary can lie and paralyze patients but is rewarded with a state funded salary of $3.1 million, while K2 defendants Hafner + Solomon can falsify and fabricate legal evidence (D.E. 225 + D.E. 299-18) but are not to held to account. Defendant Heary, as part of his defense, has raised **"matters"** (D.E. 259-1 Page ID 6235), in which Judge McNulty himself, not just his **"former partner"** has participated (D.E. 305-2 Page ID 8305), and thus the law demands that Judge McNulty be disqualified.

65. Preston v. United States, 923 F.2d 731, 734-35 (9th Cir. 1991): In determining disqualification, courts analyze the nature and extent of the nexus between the judge, the proceeding, the lawyers, the previous proceedings, the facts and the evidence that may cause bias in the judge. This is a fact-sensitive analysis, that errs on the side of caution, in order to maintain the public's confidence in the integrity of the judicial process. The 9th Circuit held that disqualification was required because the judge's law firm had represented a non-party that faced an indemnification claim if the government were found liable. Applying this standard to the current facts, in which Judge McNulty's law firm not only represents two of the current defendants, but that he himself represented two of the defendants, would without question mandate disqualification.

D. 28 U.S.C. § 455 (b)(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.

66. The facts, as asserted above, and as viewed from and through the perspective of a **"reasonable man"** do say, that the fiduciary interests of Judge McNulty and his family are aligned with those of the defendants and or their representatives, and thus Judge McNulty is conflicted, and that conflict of interest will substantially affect the outcome of the case. The facts as asserted above do also prove that Judge McNulty has violated section (b)(4) of U.S.C. 455, and thus, in conjunction with violations of section 455 (a) + (b)(1) + (b)(2) and section 144, he must be disqualified. The law in support of this proposition is as follows:

67. The corollary to § 455(b)(4) in the Code of Conduct for the United States Judges is canon 3C(1)(c).

68. It is significant that from the commencement of the case, only two (2) of the non-governmental corporate defendants have filed corporate disclosure statements.

69. In re New Mexico Natural Gas Antitrust Litig., 620 F.2d 794, 796 (10th Cir. 1980): The 10th Circuit considered disqualification necessary if an **"other interest that would be substantially affected by the outcome of the proceeding"** at 795. This holding was consistent with the principle of proximity elements of 'remoteness' and 'contingency', which the 10th Circuit used

to reverse the judge's sua ponte disqualification, but in which it stressed the need for disqualification if an "**other interest**" were affected by the outcome of the case. And thus, in accordance with the above facts and the law, Judge McNulty must be disqualified, as the outcome of the case will affect his "**other interests**" i.e reputation of his law firm, and K3 defendant, Gibbons, PC, and the volume of his commercial benefit from his law firm.

70. United States v Arena, 180 F.3d 380 (2d Cir. 1999): The defendant's application for disqualification was rejected based on the 'remoteness' and 'contingent' aspects of the purported factual configuration of interest. The only connection was a charitable donation made by the judge's wife to the abortion clinic, which itself, although an alleged victim of the defendant' scheme, was not a party to the case. The court found that the charitable donation did not constitute a financial intertest in the abortion clinic. In stark contrast, however, Judge McNulty remains a commercial beneficiary of his law firm, and the outcome of this case will have a direct impact on the volume of that benefit, which is one of the reasons why he must be disqualified.

71. Liljeberg v. Health Servs. Acquisition Corp., 486 U.S. 847, 860 n.8 (1988): Section (b) of 455 pertains to the existence of an actual bias/prejudice, and this case articulates the connection between the judge's knowledge of his conflict of interest and the remedy of vacatur: "**Moreover, as the Court of Appeals correctly noted, Judge Collins' failure to disqualify himself on March 24, 1982, also constituted a violation of § 455(b)(4) ... This separate violation of § 455 further compels the conclusion that vacatur was an appropriate remedy; by his silence, Judge Collins deprived respondent of a basis for making a timely motion for a new trial and also deprived it of an issue on direct appeal.**" at 867. Judge McNulty's orders/judgments regarding discovery and dismissal of defendants must be vacated. Judge McNulty has remained silent with regards to Kaul's motion for summary judgment against defendant Allstate New Jersey Insurance Company (D.E. 299). This caused Kaul to file a writ of mandamus on April 23, 2019 (D.E. 330). Kaul has also been the subject of the 'silent' treatment by District Judge, Madeline Cox Arleo, in the matter of Kaul v Stolz (Appeal of dismissal of Adversarial Action 13-23366/18-1489 by the United States Bankruptcy Court – Docket Number 2:18-CV-16485 MCA). On April 10, 2019, Kaul submitted a letter that requested the Court enter an Order/Opinion on a matter that Kaul was informed had been considered by Judge Cox Arleo on January 22, 2019 (D.E. 8). In the letter Kaul states: "**It has been seventy-seven (77) days since the appeal was meant to have been adjudicated, and there still remains no order/opinion. In the meantime, Defendant Stolz and the non-defendant parties referenced in Kaul v Stolz, continue to commit crimes in the United States Bankruptcy Court, as alleged in the Adversarial Action.** "(D.E. 8 Page ID 440). This is further evidence that the entire court for the District of New Jersey is conflicted and corrupted, which is why both K1 + K2 must and will be transferred back to the United States District Court for the Southern District of New York. It would have been far simpler and more sensible to have permitted K1 + K2 to remain in the S.D.N.Y., and as Kaul has vehemently and consistently argued, he knew he would not receive "**substantive justice**" in New Jersey because of the "**politico-legal nexus**". If Judge McNulty were to now object to either disqualification or transfer back to the S.D.N.Y., after having witnessed and participated in a what has turned out to be a seven (7) scheme of

obstruction of justice and criminal violations of Kaul's right to due process, it would irrefutably prove Kaul's charges that not only does Judge McNulty have the "appearance" of partiality, but that he is actually biased/prejudiced against Kaul, and thus must be disqualified. It would prove that he is a party who is highly "interested" in the outcome of the case, for the reasons and facts identified above. It is of note that since the commencement of the case, Judge McNulty has not placed on the record that he has no conflict of interest, nor has he, nor indeed any judge in his court disclosed their annual AO 10A report (judicial financial disclosure). Because of the parties involved in K1 + K2, it is highly likely that there exist many conflicts of interest within the District of New Jersey, which is why K1 + K2 must be transferred back to the S.D.N.Y.
The Court in furtherance of its opinion regarding the remedy of vacatur held: **"Moreover providing relief in such cases as this will not produce injustice in other cases; to the contrary, the Court of Appeals' willingness to enforce § 455 may prevent a substantive injustice in some future case by encouraging a judge or litigant to more carefully examine possible grounds for disqualification and to promptly disclose them when discovered. It is therefore appropriate to vacate the judgment unless it can be said that respondent did not make a timely request for relief, or that it would otherwise be unfair to deprive the prevailing party of its judgment."** at 868. Judge McNulty's orders of dismissal, denials of Kaul's motions and requests for discovery must all be vacated, as he knew from the beginning (April 19, 2016) that he was conflicted, that he failed to disclose these conflicts, and thus was legally prohibited from any involvement in the case.
The defendants, in light of all of the facts now presented, cannot argue that transfer of K1 + K2 to the S.D.N.Y. will in any way inconvenience them, for this scenario is of their making, but the only relevant consideration now is that justice be done: **"If we focus on fairness to the particular litigants ... greater risk of unfairness in upholding the judgment in favor of Liljeberg ... "The guiding consideration is that the administration of justice should reasonably appear to be disinterested as well as be so in fact." Public Utilities Comm'n of D.D. v. Pollak, 343 U.S. 451, 466-467 (1952)** at 870. There is no one to blame for this situation except Judge McNulty + the K1/K2 defendants, whose kickback and bribery schemes have turned the United States District Court for the District of New Jersey into a racketeering enterprise.

E. 28 U.S.C. § 455 (e) Waiver of Disqualification:

72. Kaul has provided no waiver of disqualification, nor could he, because Judge McNulty has not entered onto the record his financial disclosure statement and his conflicts of interest, past or present.

73. The corollary to § 455(e) in the Code of Conduct for the United States Judges is Canon 3D.

28 U.S.C. § 144 states:

F. **28 U.S.C. § 144 Whenever a party to a proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding. The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith.**

74. The facts of personal bias and prejudice, as asserted in the attached affidavit are specific in time + place + character, are "**substantial and formidable**" and thus mandate that Judge McNulty, "**shall proceed no further in the case**". The affidavit is timely submitted and contains certain statements that are made upon information and belief. The law in support of this section 144 application is:

75. Berger v. United States, 255 U.S. 22 (1921): The Court's multiple holdings as to the questions of sufficiency of affidavit and the key question of who adjudicates the application are found at:
Id 34 – "**Of course the reasons and facts for the belief the litigant entertains are an essential part of the affidavit and must give fair support to the charge of a bent of mind that may prevent or impede impartiality of judgment ... The facts and reasons it states are not frivolous or fanciful but substantial and formidable...**"
Kaul's affidavit contains fact that proves the partiality against Kaul, of Judge McNulty's biased/prejudicial state-of-mind.
Id 35 – "**And there is no serious detriment to the administration of justice nor inconvenience worthy of mention, for of what concern is it to a judge to preside in a particular case; of what concern to other parties to have him so preside.**"
Kaul's affidavit and the accompanying section 455 motion, are based on fact that prove a partiality of Judge McNulty's mind against Kaul, a partiality that is in part a consequence of his commercial interest in the outcome of the case. Judge McNulty is not a disinterested party to the case, nor is he in possession of the "**disinterestedness**", that impartiality requires. If Kaul were to win the case, Judge McNulty's political/economic/professional standing within the New Jersey legal community would diminish, and if Kaul were to lose the case or have it dismissed, his standing would be enhanced. This is because of the "**politico-legal nexus**" (D.E. 57 Page ID 535 + D.E. 57 Page ID 545 + D.E. 166 Page ID 2107 + D.E. 166 Page ID 2118 + D.E. 166 Page ID 2119 + D.E. 166 Page ID 2120 + D.E. 166 Page ID 2121 + D.E. 167-1 Page ID 2127 + D.E. 167-1 Page ID 2130 + D.E. 167-1 Page ID 2133 + D.E. 305-3 Page ID 8316 + D.E. 305-3 Page ID 8340 + D.E. 305-3 Page ID 8347 + D.E. 305-3 Page ID 8354 + D.E. 305-3 Page ID 8357 + D.E. 305-3 Page ID 8360 + D.E. 305-3 Page ID 8361 + D.E. 313-1 Page ID 8419) that connects the facts, events and parties involved in the illegal revocation of Kaul's license (April 9, 2013 to March 12,

2014) to the facts, events and parties identified in K1 and K2. A victory for Kaul in K1 + K2 would unquestionably invalidate the illegal revocation and cause those state/private actors central to the scheme to become subject to criminal prosecution by the federal authorities. Evidence tampering + Obstruction of Justice are felonies., but many of the state defendants, including K2 defendants Solomon + Hafner, knew this before and while they were committing the crimes. The have no defense of ignorance.

Id at 36 – **"... tribunals of the country shall not only be impartial in the controversies submitted to them but shall give assurance that they are impartial ... from any "bias or prejudice" that might disturb the normal course of impartial judgment ... To commit to the judge a decision upon the truth of the facts gives chance for the evil against which the section is directed. The remedy by appeal is inadequate. It comes after the trial and, if prejudice exist, it has worked its evil and a judgment of it in a reviewing tribunal is precarious. It goes there fortified by presumptions, and nothing can be more elusive of estimate or decision than a disposition of a mind in which there is a personal ingredient."**

Since at least April 2, 2012, Kaul has been the victim of a non-stop series of violations of his constitutionally protected right to due process, that commenced with K2 defendant, NJBME, and continued through the administrative board proceedings (April 9, 2013 to December 13, 2013), the New Jersey Superior Court system, the United States Bankruptcy Court for the District of New Jersey and the United States District Court for the District of New Jersey, into the present. Massive state orchestrated crimes were committed against Kaul by members of the political + legal + medical + business communities within the geographic boundaries of New Jersey. The injustices to which Kaul has been subjected were referenced by his lawyer in the administrative board proceeding: **"So now what they want you to do is they want to say, look, here you go, TZ here you go, consider this. And let him testify outside his report without a hearsay exception as a business record because, by the way, we're in the OAL office and it's very liberal and carefree. Absolutely not, Judge. It's fundamentally unfair. I already as part of my cross this doctor testified about things he didn't even opine about in his reports. So we got to cut it off somewhere. Somewhere there has to be some level of fairness."** (D.E. 299-22 Page 7511). A **"reasonable man"** looking at the facts of the last seven (7) years might say to himself in regard to the defendants: **"lay down your defenses, for you are defeated, but your defeat is of your own making"**. Kaul asserts that he would have willingly trained the defendant physicians, had they simply asked. The reason they did not, was their arrogance and misguided calculation about Kaul, an individual whom the defendants assumed would **"pack his bags and leave"**. Before you pick a fight with a man, you should know in what fights that man has participated. Win or lose, the experience of conflict, as is the case with Kaul, is a strengthening life victory.

G. Kaul's application for disqualification is timely:

76. Kaul has submitted this application in a timely manner. On February 26, 2019 Kaul submitted a letter (D.E. 305 Page ID 8291), in which he raised Judge McNulty's conflict of interest, and re-referenced the **"politico-legal nexus"** as the reason as to why Kaul has not

received "**substantive justice**" in New Jersey. This application is submitted less than ten (10) weeks after this letter.

77. However, section 455 specifies no particular time within which the disqualification application be submitted, but the generally held opinion of the circuit courts is that it occurs "**at the earliest moment after knowledge of the facts demonstrating the basis for such disqualification.**" See Travelers Ins. Co. v. Liljeberg Enters., Inc., 38 F.3d 1404, 1410 (5th Cir. 1994). See also Apple v. Jewish Hosp. & Med. Ctr., 829 F.2d 326, 333 (2d Cir. 1987). In determining timeliness the 2nd Circuit has developed a four (4) part test: **(1)** whether the movant has participated in a substantial manner in trail or pretrial proceedings – the record reflects that Kaul is responsible for more than fifty percent (50%) of the court filings: **(2)** whether granting the motion would waste judicial resources – the case has not even entered discovery, and thus relatively minimal judicial resources have been expended. In fact, as detailed in 'The McNulty Analysis' it is Kaul who has been 'spinning his wheels' (D.E. 313-1 Page ID 8404); **(3)** whether the motion was made after judgment – Kaul filed this motion after Judge McNulty **rescinded** his order of dismissal with prejudice (D.E. 325 Page ID 8479); **(4)** whether the movant can show good cause for delay – There has been no delay, in that Kaul has filed this motion within ten (10) weeks of coming to know about the conflict of interest, and has filed it after the order of dismissal was rescinded.

78. However, of even more import is the fact that Judge McNulty has, from the commencement of the case, known that he was conflicted, had an "**appearance**" of partiality and ought to have disqualified himself. In In re Kensington Int'l Ltd., 368 F.3d 289 (3d Cir. 2004) the Third Circuit held that where a judge knew he or she was conflicted or had an "**appearance**" of partiality, the moving party could be not held responsible for whether a motion was filed in a timely manner. Kaul is a pro se litigant, and Judge McNulty had the responsibility of declaring his conflicted position, and not waiting for Kaul to 'pull back the curtain'. Kaul's seven (7) year journey through the legal swamps/dishonesty of New Jersey's medico-legal-political communities has been nothing short of "**fantastical**". It will be only when some of these defendants land in jail, that they will recognize and truly admit their crimes. K2 defendant Hafner described Kaul as "**arrogant**" (D.E. 179 Page ID 2365 + D.E. 299-22 Page ID 7516), because he refused to accept her false and illegal case against him. Defendant Hafner should look into her own wicked heart, before she points her finger at anyone else. Lest she not forget that she embarked on a relationship with K1/K2 defendant Kaufman, that was described by her witness, John Zerbini, as "**moochy-coochy**" (D.E. 299-22 Page 7524). Hafner allowed herself to be inserted into K2 defendant Christie's criminal enterprise, and will find, in due course, the same fate as have Bridget Kelly + Bill Baroni. Kaul warned Hafner on September 16, 2013, that Christie would have "**no concern for her professional welfare or reputation**" (D.E. 299-22 Page ID 7539).

Conclusion + Relief Sought

79. Kaul respectfully asserts that based on the above facts + reasons + arguments, Judge Kevin McNulty be disqualified from K1 + K2, and that all orders entered onto the dockets be immediately vacated.

80. Kaul respectfully asserts that based on the above facts + reasons + arguments, the Chief Judge of the Court, the Honorable Jose Linares immediately transfer both K1 + K2 to the United States District Court for the Southern District of New York.

81. Kaul respectfully asserts that Judge Kevin McNulty be required to make on the record a full financial disclosure, for the period from December 2011 to May 2019, in accordance with the rules and regulations of the Guide to Judiciary Policy, Volume 2D, Chapter 1 to Chapter 6, as revised on March 23, 2018.

82. Kaul respectfully asserts that Judge McNulty be required to disclose to Kaul and the record the full extent and substance of any and all exparte communications with **any** persons (e.g. lawyers + defendants + politicians) regarding K1 + K2 or Plaintiff, Richard Arjun Kaul, MD, that occurred in the period from February 22, 2016 to the present.

83. Kaul respectfully asserts that communications include any form of information exchange to include but not limited to: (i) texts; (ii) face to face conversations: (iii) e-mails; (iv) typed letters: (v) hand written letters; (vi) telephone conversations conducted via cellular phone or land line.

84. Kaul respectfully asserts that these communications be disclosed to the record by June 13, 2019 at the close of business.

Dated: May 6, 2019

R. Kaul

Richard Arjun Kaul, MD

Order

It is hereby ordered that on May 22, 2019, Judge Kevin McNulty is immediately disqualified from any further administrative, ministerial, legal or other involvement in either K1 or K2.

It is hereby ordered that on May 22, 2019, all orders entered in K1 + K2 by Judge Kevin McNulty and any magistrate judges acting under his authority, are immediately vacated.

It is hereby order that on May 22, 2019, both K1 + K2 are transferred out of the United States District Court for the District of New Jersey, and are transferred into the United States Court for the Southern District of New York.

It is hereby ordered that on May 22, 2019, unless the defendants, by June 13, 2019, rebut/refute/deny/contest the evidence submitted in support of Kaul's motion for summary judgment against Defendant Allstate New Jersey Insurance Company (D.E. 299), it will be deemed to have proven Kaul's case.

Dated: May 22, 2019

Judge Kevin McNulty
United States District Judge

Exhibit 1

RICHARD ARJUN KAUL, MD
PROPRIA PERSONA
440 c SOMERSET DRIVE
PEARL RIVER, NY 10965
201 989 2299
drrichardkaul@gmail.com

19 CV 3046

UNITED STATES DISTRICT
COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK

RICHARD ARJUN KAUL, MD Plaintiff v. SENATOR CHARLES E SCHUMER, ALLSTATE INSURANCE COMPANY, GEICO, TD BANK, NA GIBBONS, PC, GANNET CO., INC. Defendants	CIVIL ACTION COMPLAINT AND DEMAND FOR JURY TRIAL

For reference purposes:
K1: Kaul v Christie: 16-CV-02364
K2: Kaul v Christie: 18-CV-08086

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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

RICHARD ARJUN KAUL, MD Plaintiff v. SENATOR CHARLES E SCHUMER, ALLSTATE INSURANCE COMPANY, GEICO, TD BANK, NA GIBBONS, PC, GANNET CO., INC. Defendants	CIVIL ACTION CERTIFICATION OF PLAINTIFF

I, Richard Arjun Kaul, MD, of full age, certifies and says:

I am the Propria Persona Plaintiff

I make this certification in support of the Plaintiff's Complaint

Attached as Exhibit 1 is a true and accurate copy of the following document:

1. Exhibit 1 – E-mail from Robert Conroy, Esq to K2 Defendant Hafner

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: April 4, 2019

R. Kaul

Richard Arjun Kaul, MD

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Plaintiff Richard Arjun Kaul, MD ("Kaul") brings this action against Defendants: (1) Senator Charles E. Schumer ("**Schumer**"); (2) Allstate Insurance Company ("**Allstate**"); (3) GEICO ("**GEICO**"); (4) TD Bank, NA ("**TD**"); (5) Gibbons P.C. ("**Gibbons**"); (6) Gannett Co., Inc. ("**Gannett**") to redress Plaintiff's economic and reputational injuries due to the Defendants' illegal scheme to obstruct Kaul's prosecution of the matter of K1. Plaintiff's allegations are based on his own experiences and personal knowledge, his research, publicly available articles, studies, reports and other sources, a reasonable inquiry under the circumstances, and on information and belief. Plaintiff's allegations are likely to have further evidentiary support after a reasonable opportunity for further investigation and discovery.

I. PARTIES

1. Plaintiff, RICHARD ARJUN KAUL, MD, is a resident of the State of New York, and is the Plaintiff in the matter of K1. His address is 440 c Somerset Drive, Pearl River, New York 10965.

2. Defendant Senator CHARLES E. SCHUMER is an American politician serving as the senior United States Senator from New York, and is the brother-in-law of United States District Judge, Kevin McNulty. His address is 780 Third Avenue, Suite 2301, New York, New York 10017

3. Defendant ALLSTATE INSURANCE COMPANY is an American corporation traded on the New York Stock Exchange, that is alleged to have, as part of a quid pro quo scheme, funneled bribes to Defendant Schumer and Judge Kevin McNulty, disguised as 'political campaign donations' and 'legal fees'. It's corporate address is Northbrook, Illinois, and it trades on the New York Stock Exchange.

4. Defendant GEICO is an American corporation traded on the New York Stock Exchange, that is alleged to have, as part of a quid pro quo scheme, funneled bribes to Defendant Schumer and Judge Kevin McNulty, disguised as 'political campaign donations' and 'legal fees'. It's corporate address is Chevy Chase, Maryland and it trades on the New York Stock Exchange.

5. Defendant TD BANK, NA, is a Canadian bank, whose American headquarters are in Cherry Hill, New Jersey. It is a company that is publicly traded on the New York Stock Exchange, that is alleged to have, as part of a quid pro quo scheme, funneled bribes to Defendant Schumer and Judge Kevin McNulty, disguised as 'political campaign donations' and legal fees'.

6. Defendant GIBBONS P.C. is an American law firm with offices located in New York, Newark, Trenton, Philadelphia, Wilmington, Washington, DC, West Palm Beach, whose website indicates that "**Gibbons has been selected as the best law firm and as a top three lobbying firm in New Jersey.**" Judge McNulty remains a commercial beneficiary of the law firm. It's address is One Pennsylvania Plaza, 37th Floor, New York, New York 10119-3701

7. Defendant GANNETT CO., INC. is an American media conglomerate, that is publicly traded on the New York Stock Exchange, with a portfolio that includes USA today, and K1/K2 defendant North Jersey Media Group, currently known as "**Fourth Edition**". The corporation is a client of Defendant Gibbons. It's corporate address is Tysons Corner, Virginia.

II. JURISDICTION AND VENUE

8. U.S.C. § 1331 because Plaintiff's claims arise under federal law, and under 18 U.S.C. § 1964(c) because this action alleges violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1962. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1337 because this action alleges violations of an Act of Congress regulating commerce or protecting trade and commerce against restraints and monopolies. And 15 U.S.C. § 4 and § 16 confer subject matter jurisdiction on this Court over claims brought under the Sherman Act. This Court also has supplemental jurisdiction over the state law claims in this action pursuant to 28 U.S.C. § 1367. This Court also has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(d)(2)(A), (5), because Plaintiff is a citizen of a different state to certain Defendants, the aggregate amount in controversy exceeds seventy-thousand dollars.

9. Personal Jurisdiction. The Court has personal jurisdiction over each Defendant. Each Defendant has transacted business, maintained substantial contacts, and/or committed overt acts in furtherance of the illegal scheme and conspiracy throughout the United States, including in this district. The scheme and conspiracy have been directed at, and have had the intended effect of, causing injury to persons residing in, located in, or doing business throughout the United States, including this district. This Court also has personal jurisdiction over all Defendants pursuant to Fed. R. Civ. P. 4(k)(1)(A) because they would be subject to the jurisdiction of a court of general jurisdiction in New Jersey.

III. PRELIMINARY STATEMENT

Professional Jealousy + Political Corruption

10. This case is about political and judicial corruption within the American politico-legal establishment, with a central theme that pertains to bribery induced perversions of the course of justice. This case came into being from a series of medical innovations and legal events whose true genesis commenced in approximately 2005/2006. A conflagration of events ignited consequent to Kaul performing the first outpatient minimally invasive spinal fusion in approximately February/March 2005, an event that sparked the medical equivalent of the American Civil War, a fight between neurosurgeons and minimally invasive spine surgeons as to who was qualified to perform these procedures. The Spine Turf Wars, as they came to be known, expanded rapidly, and came to include senior American politicians in both state and federal government, into whose ravenous campaign coffers the neurosurgeons poured their bribes. These monies were part of a series of quid pro quo schemes intended to have the minimally invasive spine surgeons, like Kaul, eliminated from the practice of minimally invasive spine surgery. Like an out-of-control California forest fire, the professional battles began to involve members of the insurance sector, hospital corporations and the outpatient surgical community, in a fight over one of the most economically enhanced sectors of American healthcare.

Fraud + Obstruction of Justice

11. From 2005 onwards the STW was litigated in administrative + state + federal courts across the United States, against a backdrop of non-stop media coverage of the events surrounding the illegal suspension/revocation of Kaul's license in 2012/2014. The administrative legal proceedings that resulted in the revocation of Kaul's license were a massive fraud, that the State of New Jersey in conspiracy with the K1/K2 defendants, polluted with hundreds of separate events of perjury + evidential omissions + misrepresentations + tampering + fraud, that Kaul has proved. Kaul argued in 2012 for the appointment of a special prosecutor and ad hoc medical board, as he knew the case against him had been corrupted by the K1/K2 defendants, and that he would not receive substantive justice in New Jersey (Exhibit 1). On March 12, 2014 K2 defendant NJBME revoked Kaul's license, based on the fraudulent opinion of K2 defendant/administrative law judge, Jay Howard Solomon. On January 17, 2018 (MLK birthday) Kaul filed 'The Solomon Critique' a document that proves that in the administrative proceeding (April 9, 2013 to June 28, 2013), K1/K2 defendants Przybylski + Kaufman + Solomon collectively committed **two hundred and seventy-eight (278) separate instances of perjury + evidential omissions + misrepresentations + gross mischaracterizations.** On February 11, 2019, Kaul submitted a motion for summary judgment against Defendant

Allstate New Jersey Insurance Company, that over two trillion dollars in damages. On February 25, 2019 Judge McNulty entered an order that dismissed with prejudice Kaul's federal-law claims, and shortly thereafter, Kaul submitted a document entitled 'The McNulty Analysis', that shows the factual and legal inconsistencies Judge McNulty's opinion, in the context of his familial relationship with Defendant Senator Schumer, and that of his status as a commercial beneficiary of Defendant Gibbons PC, a law firm at which Judge McNulty had been the director since at least 2008.

12. This case makes the assertion/allegation/argument that the K1/K2 defendants bribed Defendant Schumer to use his influence with his brother-in-law, Judge McNulty, in order to obstruct Kaul's prosecution of the case and pervert the course of justice, with the intention of preventing Kaul from presenting to the public the evidence of the K1/K2 defendants' crimes.

13. The K1/K2/K3 defendants embarked on an ill-intended and ill-conceived illegal scheme in approximately 2006, that will result in their economic + professional + reputational obliteration, and for some will lead to periods of incarceration. The defendants had many opportunities to rectify their wrongdoing, but they chose the true path of the criminal, and continued their cover-up, in the hope that a US Senator and a United States District Judge would salvage their 'Titanic' from 'The Man of Steel', as Kaul was once described by a United States Magistrate Judge. One of the ironies, in all of this, is that on March 28, 2013, as Kaul's lawyer, Robert Levy, was substituting out of the administrative case, he stated to Kaul's incoming lawyer, Charles Shaw:

"Good luck, this is a sinking ship"

14. Little did Levy know, that K2 defendants, Solomon + Hafner would end-up at the bow of that ship.

IV. STATEMENT OF FACT

15. The facts underpinning the four (4) themes (Professional Jealousy + Political Corruption + Fraud + Obstruction of Justice) of this case have been detailed in K1, and can be found within the following submitted documents:

a. 'The Solomon Critique': D.E. 225 Page ID 5271 to 5270

b. Motion for Summary Judgment v. Allstate New Jersey Insurance Company: D.E. 299 Page ID 7017 to 8170.

c. Opinion of Judge McNulty: D.E. 300 Page ID 8171 to 8217

d. 'The McNulty Analysis': D.E. 313 Page ID 8381 to 8448.

V. CLAIMS FOR RELIEF

COUNT ONE

VIOLATIONS OF 18 U.S.C. COUNT ONE – VIOLATIONS OF 18 U.S.C. § 1962(C) - (D) THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT, 18 U.S.C. §1961, *ET SEQ* (Against all Defendants)

16. Plaintiff incorporates by reference each preceding paragraph as thought fully set forth herein.

17. Plaintiff brings this Count against Defendants Schumer + Allstate + Geico + TD + Gibbons + Gannett (inclusively, for the purpose of this count, the "SCHUMER RICO Defendants"). At all relevant times, in a period from in or around July 2016 to the present, each of the SCHUMER RICO Defendants has been a "person" pursuant to 18 U.S.C. § 1961(3), because each is capable of holding and does hold, "a legal or beneficiary interest in property." Section 1962© makes it "unlawful for any person employed by unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity." See 18 U.S.C. § 1962(c).

18. Section 1962(d) makes it unlawful for "any person to conspire to violate" Section 1962(c), among other provisions. See 18 U.S.C. § 1962(d).

19. As explained in detail below, the SCHUMER RICO Defendants obstructed the process of justice in the matter of K1, in order to pervert the course of justice and cause Judge Kevin McNulty of the United States District Court for the District of New Jersey, to deny Kaul his constitutionally protected right to due process, deny him discovery, deny all of his motions and violate his civil rights, by denying him access to the procedure and substance of justice.

20. The purpose of the SCHUMER RICO Defendants fraudulent scheme was to cause Kaul to cease his prosecution of K1, in order to cause a concealment of their criminal conduct, as is alleged in K1. The purpose of this concealment was to negate the incurrence of the economic and reputational damages, that would have ensued from Kaul's public prosecution of the case.

A. Description of the SCHUMER RICO Enterprise

21. RICO defines an enterprise as "any individual, partnership, corporation, association, or

other legal entity, and any union or group of individuals associated-in-fact although not a legal entity." 18 U.S.C. § 1961 (4). An association-in-fact enterprise requires three structural features: (1) a purpose; (2) relationship among those associated with the enterprise; and (3) longevity sufficient to permit those associates to pursue the enterprise's purpose.

22. The "purpose" of the SCHUMER RICO Enterprise is stated in ---.

23. The "relationships" between the SCHUMER RICO Defendants, in the context of the SCHUMER RICO Association-In-Fact Enterprise are detailed below in ¶ to ¶.

24. Defendant Allstate commenced its scheme of bribing Defendant Schumer in approximately 1998, in a series of quid pro quo schemes, the purpose of which was to facilitate the entry of legislation advantageous to its commercial agenda, that permitted it to arbitrarily raise its auto insurance premiums. These bribes have been disguised as 'political campaign' donations, and include monies deposited in off-shore banking accounts and trusts. Defendant Allstate has, for at least the last twenty-two (22) years, employed this particular strategy in bribing state/federal legislators/politicians/judges. This pattern continues to this day and is an "open-ended" pattern of racketeering continuity, that poses an ongoing threat.

25. Defendant Geico has the same relationship with Defendant Schumer, as does Defendant Allstate. Defendant Geico, like Defendant Allstate, profits from the sale of auto insurance policies in, amongst others, the states of New Jersey and New York. Both defendants Geico and Allstate are companies publicly traded on the New York Stock Exchange, share identical economic goals and strategies of commerce, an element of which includes the bribing of state/federal politicians/legislators/judges, in furtherance of their economic agendas. Defendant Schumer's political career has been built primarily on monies (bribes) derived from NYSE traded companies, that include defendants Allstate + Geico + TD + Gannett.

26. Defendants Allstate + Geico + TD have, since at least 2006, engaged in commerce with Defendants Gannet + Gibbons, in the procurement of advertising and media coverage, advantageous to their commercial agendas. The quid pro quo in these commercial arrangements involves the funneling of monies from defendants Allstate + Geico + TD to defendants Gannet and Gibbons, in return respectively for favorable media coverage, and the effective 'purchasing' of Judge Kevin McNulty, made possible by his remaining a commercial beneficiary of Defendant Gibbons, subsequent to his appointment to the federal bench in 2012.

27. Judge McNulty is the brother-in-law of Defendant Schumer.

28. Defendant Schumer has received monies (bribes) disguised as 'political campaign donations' from Defendant Gibbons, a law firm of which Judge McNulty was the director in a period from approximately 2006 to 2012.

29. Defendant Schumer, although the US Senator for New York, used his political influence with now deceased US Senator for New Jersey, Frank Lautenberg, to have Judge McNulty appointed to the federal bench in 2012.

30. Defendant TD has the same relationship with Defendant Schumer as do defendants Geico + Allstate.

31. All of the defendants were and continue to be engaged in commerce, and became an association-in-fact enterprise pursuant to RICO, in or around mid 2016, the purpose of which was to obstruct justice in K1, and pervert the course of justice in order that Kaul cease his prosecution of the case.

32. The defendants relationships commenced in at least 1998 and constitute an "open-ended" pattern of racketeering continuity, a consequence of which has been to obstruct Kaul's prosecution of K1. This "pattern of racketeering" has involved the flow of bribes from defendants Allstate + Geico + TD + Gannet through defendants Gibbons + Schumer, with whom Judge McNulty remains in-privity. This has been the typical pattern of public corruption, employed by the defendants, one that has involved the conversion of law firms, courts and the body politic into racketeering enterprises, through which quid pro quo schemes are orchestrated between public servants and private entities. These schemes are ongoing and possess the requisite longevity, pursuant to RICO, to achieve the purposes of the enterprise i.e. deny Kaul access to justice in order to provide 'cover' for the defendants' crimes as alleged in K1 + K2.

33. The defendants, in furtherance of their racketeering scheme, engaged in communications that commenced in or around mid 2016, and involved face to face meetings, e-mails and texts, the substance of which pertained to the scheme to obstruct Kaul's access to justice, by using the SCHUMER RICO Enterprise to influence Judge McNulty to pervert the course of justice, prevent Kaul from obtaining discovery, and then to dismiss the case with prejudice, when Kaul moved for summary judgment against Defendant Allstate New Jersey Insurance Company.

34. At all relevant times, in the period that commenced in or around mid 2016, the SCHUMER RICO Defendants operated an ongoing association-in-fact enterprise, manufactured

for the purpose of obstructing Kaul's prosecution of K1, and perverting the course of justice, while committing the crime of Honest Service Fraud, through bribery, kickbacks and self-dealing. The nexus that permitted the flow of bribes and the perpetration of the quid pro quo schemes from and between defendants Gannet + Allstate + Geico + TD and defendants Schumer + Gibbons, was hinged on the law firm of defendant Gibbons and the political and personal accounts/trusts of Defendant Schumer.

35. The defendants perpetrated these schemes with in-person meetings that commenced in or around mid 2016, in closed door settings in New York, New Jersey and Washington, D.C., and in doing so conducted a pattern of racketeering under § 18 U.S.C. 1961(4).

36. The defendants, in the knowledge that their activities constituted violations of RICO, configured the SCHUMER RICO association-in-fact enterprise in such a way as to provide 'cover' for their illicit scheme, and used their separate legal statuses to internally organize the SCHUMER RICO association-in-fact enterprise, to mitigate the vicarious liability of RICO. The defendants conspired in the construction of this fraudulent racketeering construct, because they believed their distinct legal statuses would hinder detection, and make opaque the true internal architecture of their criminal syndicate.

37. At all times from approximately 2016, the SCHUMNER RICO Enterprise constituted a single "enterprise" or multiple enterprises within the meaning of 18 U.S.C. § 1961(4), as legal entities, as well as individuals and legal entities associated-in-fact for the common purpose of engaging in the SCHUMER RICO Defendants fraudulent scheme to obstruct Kaul's prosecution of K1.

38. The SCHUMER RICO association-in-fact Enterprise consisted of the following entities and individuals: (a) Defendant Schumer; (b) Defendant Allstate; (c) Defendant Geico; (d) Defendant TD; (e) Gibbons; (f) Gannett.

39. While each of the SCHUMER RICO Defendants acquired, maintained control of, were associated with, and conducted or participated in the conduct of the SCHUMER RICO Enterprise's affairs, at all relevant times, the CAC RICO Enterprise: (a) had an existence separate and distinct from each CAC RICO Defendant; (b) was separate and distinct from the pattern of racketeering in which the CAC RICO Defendants engaged; and (c) was an ongoing and continuing organization consisting of legal entities, including the CAC RICO Defendants, along with other individuals and entities, including unknown third parties.

40. The SCHUMER RICO Defendants and their co-conspirators, through their illegal

SCHUMER RICO Enterprise, engaged in a pattern of racketeering activity, which involved a fraudulent scheme to obstruct Kaul's prosecution of K1 and pervert the course of justice, the purpose and result of which was respectively protection from economic obliteration and economic enrichment.

41. Defendant Schumer orchestrated the SCHUMER RICO Scheme, whereby he leveraged his familial relationship with Judge Kevin McNulty to obstruct Kaul's prosecution of the case, cause the illegal dismissal of K1, and prevent the public exposure of the judicial/political corruption in the case. Defendant Schumer was motivated to engage in this scheme because of money, as was Judge McNulty, who facilitated the scheme with a chilling indifference to the interests of justice.

42. The SCHUMER RICO Enterprise facilitated its fraudulent scheme of obstruction of justice + mail fraud + wire fraud + bribery + honest services fraud through a federal court, federal personnel and through entities connected to the political office of Defendant Schumer. The overarching purpose of the SCHUMER RICO Enterprise was to obstruct Kaul's prosecution of the case, pervert the course of justice and cause Judge Kevin McNulty to illegally dismiss the case, this being the 'quid' and the bribes being the 'pro'. These events commenced in mid 2016 and continued to the dismissal of the case in February, 2019. Defendants Allstate + Geico + TD + Gannett periodically funneled bribes into the campaign coffers of defendant Schumer, the accounts of Defendant Gibbons (bribes disguised as 'legal fees'), and made the payments in instalments to ensure Judge McNulty continued his obstruction of Kaul's case to dismissal.

B. The SCHUMER RICO Association-in-Fact Enterprise engaged in an "open-ended" continuity "pattern of racketeering" in which they converted a federal court and political party into a RICO enterprise, the sole purpose of which was to obstruct justice, through the commission of bribery + mail fraud + wire fraud.

43. All of the defendants became commercially enriched from their involvement in the SCHUMER RICO Enterprise and its fraudulent scheme of bribery + mail fraud + wire fraud + obstruction of justice. The illegal dismissal of Kaul's case was a "racketeering injury" that was a consequence of the defendants covert conversion of a federal court and political agency into an association-in-fact RICO enterprise. This enterprise provided legitimate 'cover' for the commission of multiple quid pro quo schemes, in which bribes were funneled from defendants Allstate + Geico + TD + Gannet to and through defendants Gibbons + Schumer.

44. At all times from approximately 2016, the SCHUMER RICO Association-In-Fact Enterprise: (a) had an existence separate and distinct from each SCHUMER RICO Defendant; (b)

was separate and distinct from the pattern of racketeering in which the SCHUMER RICO Defendants engaged; and (c) was an ongoing and continuing organization consisting of legal entities, including the SCHUMER RICO Defendants, along with other individuals and entities, including unknown third parties that operated an association-in-fact enterprise, which was formed for the purpose of obstructing Kaul's prosecution of the case, perverting the course of justice and causing the illegal dismissal of K1.

45. Defendants Allstate + Geico have a long and well-developed pattern of judicial/political corruption, that has been conducted through public relations firms, law firms and political lobbyists, with a 'revolving door' that connects the judiciary and body politic to these publicly held NYSE traded corporations.

46. The SCHUMER RICO Enterprise engaged in, and its activities affected, interstate and foreign commerce because it involved commercial activities across state boundaries. These activities included the sale of financial services + products + the trans-national commercialization of risk.

47. Within the SCHUMER RICO Enterprise, there existed a communication network, through which the defendants and co-conspirators disseminated information relevant to the perpetration of their fraudulent racketeering schemes, the purpose of which was to obstruct Kaul's prosecution of K1, pervert the course of justice and cause the illegal dismissal of K1. It was through this this network that the defendants coordinated their quid pro quo schemes.

48. Each defendant in the SCHUMER RICO Enterprise had systematic linkages to each other through familial ties, corporate ties, contractual relationships and a continuing coordination of activities. Through the SCHUMER RICO Association-In-Fact Enterprise, the SCHUMER RICO Defendants functioned as a continuing unit with the purpose of furthering the SCHUMER RICO Scheme. The SCHUMER RICO Defendants participated in the operation and management of the SCHUMER RICO Association-In-Fact Enterprise by directing its affairs, as described herein. While the SCHUMER RICO Defendants participated in, and are members of the enterprise, they have a separate existence from the enterprise, including distinct legal statuses, different offices and roles, bank accounts, officers, directors, employees, individual personhood, reporting requirements, and financial statements.

49. The SCHUMER RICO Defendants exerted substantial control over the SCHUMER RICO Enterprise, and participated in the affairs of the enterprise by: (a) deciding how and when bribes were dispersed; (b) communicating directly with lawyers, public relation agents and political lobbyists with direct connections to defendant Schumer and Judge McNulty; (c)

ensuring that the unnamed co-conspirators complied with and concealed the fraudulent scheme.

50. Without each SCHUMER RICO Defendants' willing participation, the SCHUMER RICO Scheme and common course of conduct would not have been successful. The SCHUMER RICO Defendants directed and controlled the ongoing enterprise necessary to implement the scheme. These meetings commenced in mid 2016 and continued into 2019 and consisted of discussions regarding the coordination of bribery with the progression of the case, to ensure that Judge McNulty continued to obstruct Kaul's prosecution of the case, quash subpoenas, deny discovery, deny Kaul's motions and pervert the course of justice to ensure Judge McNulty dismissed K1 with prejudice. A part of the defendants strategy was to encourage the Court provide Kaul with the charade of due process, in order to attempt to make the Court's dismissal appellate proof, in much the same deceptive manner that K2 defendants Hafner + Solomon conducted the charade of the administrative board proceedings that caused the illegal revocation of Kaul's license on March 12, 2014. Kaul has been subject to seven years of gross and criminally minded injustice in administrative + state + federal courts, within the geographic boundaries of New Jersey, which is one of the reasons why this case must and will be litigated in the SDNY.

C Predicate Acts: Mail Fraud (Section 1341) + Wire Fraud (Section 1343) + Bribery (Section 201) + Obstruction of Justice (Section 1503)

51. To carry out, or attempt to carry out, the scheme to defraud, the SCHUMER RICO Defendants, each of whom is a person associated-in-fact with the SCHUMER RICO Enterprise, did knowingly conduct or participate, directly or indirectly, in the affairs of the SCHUMER RICO Enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961(1), 1961(5) and 1962(c), employed the use of the mail and wire facilities, in violation of 18 U.S.C. § 1341 (mail fraud) and § 1343 (wire fraud), engaged in bribery in violation of 18 U.S.C. §201, and obstruction of justice in violation of 18 U.S.C. §§ 1501-1521. The SCHUMER RICO Defendants have committed, conspired to commit, and/or aided and abetted in the commission of at least two predicate acts of racketeering activity (i.e. violations of 18 U.S.C. §§ 1341 and 1343 + 18 U.S. C. §201 + 18 U.S.C. §§ 1501-1521) within the past ten years.

52. The multiple acts of racketeering activity which the SCHUMER RICO Defendants committed, or aided and abetted in the commission of, were related to each other, posed a threat of continued racketeering activity, and therefore constitute a **"pattern of racketeering activity."** The racketeering activity was made possible by the

SCHUMER RICO Defendants' regular use of the facilities, services, distribution channels, and employees of the SCHUMER RICO Enterprise. The SCHUMER RICO Defendants participated in the scheme to obstruct Kaul's prosecution of K1 by using mail, telephone, and the Internet to transmit mailing and wires in interstate or foreign commerce.

53. The CAC RICO Defendants used, directed the use of, and/or caused to be used the mail and wire communications in furtherance of their illegal scheme to obstruct Kaul's prosecution of K1, by colluding with Judge McNulty to deny Kaul discovery, deny his motions, delay his case in order to permit defendants and third-party witness the opportunity to delete and or cause the spoliation of evidence.

54. In devising and executing the illegal scheme, the SCHUMER RICO Defendants concocted and knowingly carried out a material scheme and/or artifice that deprived the Plaintiff of his constitutionally protected right to substantive due process. For the purpose of executing the illegal scheme, the SCHUMER RICO Defendants committed these racketeering acts intentionally and knowingly with the specific intent to obstruct Kaul's prosecution of K1, deny him discovery, deny his motions and illegally dismiss K1, with the expectation that it would exhaust his resources, frustrate his will and cause him to **"pack his bags and leave"**. They are wrong on all counts.

55. The CAC RICO Defendants' predicate acts of racketeering (18 U.S.C. § 1961(1) include, but are not limited to:

(a) Mail Fraud: The SCHUMER RICO Defendants violated 18 U.S.C. § 1341 by sending or receiving, or by causing to be sent and/or received, materials via U.S. mail or commercial interstate carriers for the purpose of executing the unlawful scheme to revoke the Plaintiff's medical license by means of misrepresentations and omissions.

(b) Wire Fraud: The SCHUMER RICO Defendants violated 18 U.S.C. § 1343 by transmitting and/or receiving, or by causing to be transmitted and/or received, materials by wire for the purpose of executing the unlawful scheme to defraud and obtain money on false pretenses, misrepresentations, promises, and omissions.

(c) Bribery: The SCHUMER RICO Defendants violated 18 U.S.C. §201 by bribing Defendant Schumer and causing him to violate sections (b)(2)(A)(B)(C), while themselves violating sections (b)(1)(A)(B)(C)

(d) Obstruction of Justice: The SCHUMER RICO Defendants violated 18 U.S.C. §§1501-1521 by conspiring and colluding with Defendant Schumer Judge

McNulty to obstruct Kaul's prosecution of K1, through the interference and influence of a pending federal judicial proceeding, of which the defendants had knowledge and of which they possessed a corrupt intent to interfere with or attempt to interfere with the proceeding. This evidence of this corrupt intent will be evident in the defendants digital and hand-written notes, those of third-party witnesses and the metadata of their digital profiles, the content of which can be reconstituted into arabaic format.

56. The SCHUMER RICO Defendants' use of the mails and wires include, but are not limited to: (a) the transmission of letters, e-mails and other materials purposed to obstruct Kaul's prosecution of K1; (b) the transmission of letters, emails and other materials indicating that the SCHUMER RICO Defendants had instructed their co-conspirators not to cease all communications with Kaul and not provide third-party affidavits; (c) written, telephone, or electronic communications regarding the bribery and obstruction of justice; (d) written, telephone, or electronic communications regarding discussions between the SCHUMER RICO Defendants and state and federal politicians about the scheme to have K1 dismissed and deny Kaul due process.

57. The SCHUMER RICO Defendants also communicated with each other, by U.S. mail, interstate facsimile, and interstate electronic mail in furtherance of their scheme to obstruct Kaul's prosecution of K1, and to cause its dismissal with prejudice on February 22, 2019. These communications occurred in a period that commenced in or around mid 2016, and were initiated by defendants Allstate + Geico, who through their political lobbyists + lawyers + public relation consultants contacted agents/representatives of Defendant Schumer. These initial communications were made in an 'arms-length' manner, but as the scheme progressed there did occur direct communications between the defendants. These direct communications occurred principally in the senate buildings in Washington, DC.

58. The SCHUMER RICO Defendants have not undertaken the practices described herein in isolation, but as part of a common scheme and conspiracy. In violation of 18 U.S.C. § 1962(d), the SCHUMER RICO Defendants conspired to violate 18 U.S.C. § 1962(c), as described herein. Various other persons, firms, and corporations, including third-party entities and individuals not named as defendants in this Complaint, have participated as co-conspirators with the CAC RICO Defendants in these offenses. They have performed acts in furtherance of the defendants' illegal scheme to obstruct Kaul's prosecution of K1. The SCHUMER RICO Defendants aided and abetted others in violation of the above laws.

59. To achieve their common goals, the SCHUMER RICO Defendants encouraged Judge

McNulty to deny Kaul discovery and deny his motions, in order to obstruct his prosecution of the case, and cause it to be dismissed with prejudice on February 22, 2019.

60. The SCHUMER RICO Defendants and each member of the conspiracy, with knowledge and intent, agreed to the overall objective of the conspiracy to obstruct Kaul's prosecution of K1. The defendants agreed to conceal the details, and limit their discussions of the scheme to communications with each other, their lawyers + public relation consultants + political lobbyists. However, information pertaining to the scheme was brought to Kaul's attention by third-party witnesses who belong to the New Jersey political/medical/legal communities.

61. The SCHUMER RICO Defendants engaged in a pattern of related and continuous predicateacts against the Plaintiff for three years. The predicated acts constituted a variety of unlawful activities, each conducted with the common purpose of obstructing Kaul's prosecution of K1. The predicate acts were related and not isolated events.

62. During the SCHUMER RICO Defendants' perpetration of their scheme, Kaul had multiple communications with third-party witnesses in or around January 2019, in which he was provided with information as to the fact that the scheme was initiated by defendant Allstate + Geico, who through their lawyers + political lobbyists + public relation consultants presented defendant Schumer with the promise of bribes, disguised as 'political donations', and the transfer of monies into off-shore accounts/trusts and certain 'charitable foundations', including that of the Clinton Foundation.

63. By reason of, and as a result of the misconduct of the SCHUMER RICO Defendants, and in particular, their pattern of racketeering activity, Kaul's prosecution of K1 has been obstructed, he has been denied discovery, his motions have been denied, and his case was dismissed with prejudice on February 22, 2019.

64. The SCHUMER RICO Defendants' violations of 18 U.S.C. §1962(c) and (d) have directly and proximately caused injuries and damage to Kaul, who is entitled to bring this action for three times its actual damage, as well as injunctive/equitable relief, costs, and reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c)

COUNT TWO

FOR DECLARATORY AND INJUNCTIVE RELIEF UNDER SECTIONS 16 OF THE CLAYTON ACT FOR DEFENDANTS' VIOLATION OF SECTIONS 1 AND 2 OF THE SHERMAN ACT (Against all Defendants)

65. The events, facts and circumstances that caused Kaul to file K1, and as pled in K1, were also responsible for wide-ranging ant-trust effects on the minimally invasive spine surgery market in America, one consequence of which was an increase in the abuse of opiate based medications, due to an artificial reduction in the availability of minimally invasive spine surgery. Kaul asserts that the prosecution of K1 would have exposed these anti-trust violations, and the unconstitutional configuration of the mechanism of physician regulation, and would have resulted in fundamental regulatory changes, that would have benefitted the public. The defendants illegal scheme to obstruct Kaul's prosecution of K1, has deprived the public of these benefits, and has furthered the anti-trust injuries alleged in K1.

66. There is no evidence to prove that the current system of physician regulation in the United States of America protects the public, but there does exist evidence to prove that many state medical boards operate in violation of the due process clauses of the United States Constitution. The medical boards/tribunals operate without oversight, frequently merge the functions of judge + jury + prosecutor, and often initiate actions against physicians for reasons of politics + economics + professional jealousy, reasons that are concealed from the public.

67. The illegality of these state administered systems would have been publicly exposed had Kaul been permitted to prosecute K1, and the SCHUMER RICO Defendants' obstruction of the case has perpetuated the existence of these illegal schemes, and their anti-trust injuries on the healthcare of the American public.

68. The SCHUMER RICO Defendants anti-competitive scheme, rooted in its obstruction of justice, violates both the Sherman + Clayton Acts. The SCHUMER RICO Defendants knew that their illegal scheme would cause further anti-competitive injuries to the minimally invasive spine surgery market in the America, but acted with reckless disregard and or willful ignorance as to the injuries that their misconduct would cause to the public.

69. The SCHUMER RICO Defendants , as part of their monopolistic scheme, a scheme rooted in the obstruction of Kaul's prosecution of K1, conspired to maintain monopoly power for themselves and their K1 co-conspirators and bribers, with regards to the minimally invasive spine surgery market in the United States. This was in violation of Section 2 of the Sherman Act.

70. The SCHUMER RICO Defendants obstruction of Kaul's prosecution of K1, has facilitated and furthered a monopolization of the minimally invasive spine surgery in America by the K1 defendants, that would not have occurred absent their obstruction of justice. This has caused further anti-trust injury to Kaul and similarly trained minimally invasive spine surgeons in the United States, and has further deprived the public of the benefits of competition, in violation of Section 1 of the Sherman Act.

71. Kaul's reputation and economic standing were furthered injured by the defendants anti-trust violations, which have continued to deprive Kaul of his ability to practice minimally invasive spine surgery. Such an injury of "exclusion", one that would have been rectified, but for the defendants obstruction of Kaul's prosecution of K1, is the type antitrust laws were designed to prevent, and which is a direct consequence of the defendants unlawful obstruction of justice.

72. Kaul continues to suffer and will continue to suffer in the future from being excluded from the minimally invasive spine surgery market, more than he would have absent the defendants anti-competitive obstruction of justice. If Kaul has been permitted to prosecute K1, the progression of these anti-competitive injuries would have been partially mitigated.

73. Defendants' anti-competitive obstruction of justice, pursued in the context of bribery, kickbacks and fraud is not entitled to Noeer-Pennington immunity.

74. Kaul, pursuant to Fed. R. Civ. P. 57 and U.S.C. § 2201(a) hereby seeks a declaratory judgment that Defendants' conduct in the obstruction of Kaul's prosecution of K1, has prevented Kaul's competition in the minimally invasive spine surgery market, in violation of Sections 1 and 2 of the Sherman Act

COUNT THREE

DEPRIVATION OF RIGHT UNDER COLOR OF LAW (Against all Defendants)

75. Plaintiff hereby repeats and incorporates by reference each and every one of the foregoing paragraphs as though fully set forth.

76. The defendants acted under color of state law, in depriving Kaul of his civil rights and constitutionally protected right to due process pursuant to the Fifth + Eight +

Fourteenth Amendments of the United States Constitution.

77. From the commencement of the case on February 22, 2016, the defendants and or their counsel/agents became intertwined with the counsel/agents of defendants related to Defendant State of New Jersey. These entities included: (i) CHRISTOPHER J. CHRISTIE; (ii) THE STATE OF NEW JERSEY; (iii) JEFFREY CHIESA, ESQ; (iv) STEVEN LOMAZOW; (v) GREGORY PRZYBYLSKI, MD; (vi) NEW JERSEY BOARD OF MEDICAL EXAMINERS; (vii) WILLIAM ROEDER.

78. There existed a sufficiently close nexus between the state/state actors, and the defendants, in that the political and economic motives were almost identical. The defendants, in the knowledge that Kaul's prosecution of K1 would expose the crimes committed by the state during the administrative board proceedings (April 9, 2013 to June 28, 2013), acted to obstruct the prosecution, cause Kaul to be denied discovery and cause the Court to deny all of Kaul's motions.

79. The State created the legal framework from which defendants Allstate + Geico exercised the power of the State to have Kaul's license revoked, in order to negate their financial obligations to Kaul. All of the defendants, except Defendant Schumer, made 'political donations' to CHRISTOPHER J.CHRISTIE, in a period from 2009 to 2016.

80. Subsequent to the first case management conference in May 2016, the Court configured the case in order to procedurally align the interests of the state and non-state defendants, in the knowledge that the events + facts + circumstances that caused Kaul to file K1, evidenced that there already existed a merger of public and private function between the State and non-state defendants. Defendant Christie had converted the state into a racketeering enterprise, in which he sold state functions/authority/information to defendants Allstate + Geico + TD + Gibbons + Gannett, in return for bribes disguised as 'political campaign donations'.

81. These defendants adopted the mantle of state authority, that they used in K1 to perpetuate the deprivation of Kaul's right to due process, a deprivation that commenced on April 2, 2012, and first became evident on My 22, 2012, when the acting director of the division of consumer affairs, Eric Kanefsky illegally suspended Kaul's CDS prescribing privileges. This pattern of due process violation next became evident on June 13, 2012 when K2 defendant NJBME illegally suspended Kaul's license, quashed witness subpoenas for Kanefksy + Attorney General, Jeffrey Chiesa, and the president of K2 defendant NJBME, Paul Jordan, MD. This pattern has continued for seven (7) years in

administrative + state + federal courts within the geographic boundaries of New Jersey.

82. The defendants scheme to obstruct Kaul's prosecution of K1 has been made under the color of and in conspiracy with state actors, who were defendants in K1, but all of whom, however, were dismissed with prejudice on June 30, 2017 (D. E. 200) by Judge Kevin McNulty. This was a calculated tactic designed to dampen the political corruption thrust of K1. Defendant Schumer, as with K1 defendant Christie, has for many years used the power of his political office in furtherance of schemes that enriched himself, his family and friends.

83. The defendants scheme to deprive Kaul of his right to due process and obstruct his prosecution of K1 was and is an intentional and highly coordinated scheme, that involved collusion and conspiracy between state actors/agencies and the defendants. Defendant Gibbons receives legal work from the state, and a percentage of these profits are directed to Judge Kevin McNulty. This is an illegal arrangement that violates the doctrine that underpins the fundamental separation of powers, a doctrine on which this country was founded.

84. The defendants knew that their scheme to deprive Kaul of his right to due process was illegal, but calculated that Kaul would never be able to expose their scheme.

85. The defendants illegal scheme to obstruct Kaul's prosecution of K1 has perpetuated the economic and reputational damages that commenced on April 2, 2012 and has caused further damage to these attributes and to Kaul's professional standing. The economic damages are detailed in the Original Complaint (D.E. 1-2 Page ID 198 to 200).

86. The defendants, in obstructing Kaul's prosecution of K1 and depriving him of his constitutionally protected right to due process, have conspired with each other and with actors/agents of the State of New Jersey. These state actors are motivated to want to suppress K1, in the knowledge that it will expose the crimes committed against Kaul during the administrative board proceedings that resulted in the illegal revocation of Kaul's license (April 9, 2013 to June 28, 2013). The politico-legal nexus that exists between the state and the administrative + state + federal courts within the geographic boundaries of New Jersey, has been used by the defendants to obstruct Kaul's prosecution of K1.

87. Kaul filed K1 on February 22, 2016 in the United States District Court for the

Southern District of New York. On April 3, 2019, Kaul's efforts at obtaining discovery have continued to be denied. This lack of "substantive" justice is exactly what Kaul predicted would occur (Kaul v Christie: United States Court of Appeals for the Second Circuit – 16-1397 -CV D.E. 41 Page 1 to 170). This is illegal, and is partly a consequence of the defendants deprivation, under color of state law, of Kaul's right to due process, a deprivation that was implemented in furtherance of the conspiracy that officially commenced on April 2, 2012.

VI. DEMAND FOR JUDGMENT

WHEREFORE, Plaintiff seeks judgment against the Defendants jointly and severally, as follows:

88. Compensatory damages from all defendants in their individual capacities.

89. Consequential damages from all defendants in their individual capacities.

90. Punitive damages from all defendants in their individual capacities.

91. Declaring that the defendants funneled bribes to Judge Kevin McNulty and Defendant Schumer through the law firm of Defendant Gibbons, and the political campaign funds of Defendant Schumer.

92. Declaring that the bribes were part of a quid pro quo scheme, the purpose of which was to obstruct Kaul's prosecution of K1.

93. Declaring that the conduct alleged herein is in violation of Sections 1 and 2 of the Sherman Act and of the other statutes set forth above.

94. Enjoining defendants from continuing the illegal activities alleged herein.

95. Granting Kaul equitable relief in the nature of disgorgement, restitution and the creation of a constructive trust to remedy defendants' unjust enrichment

96. Awarding Kaul treble, multiple, punitive and/or other damages in the amount

to be determined at trial or through settlement.

97. Awarding Kaul costs of suit, including reasonable attorneys' fees as provided by law.

98. Granting such other relief as is necessary to correct for the anti-competitive effects caused by the unlawful conduct of defendants, and as the Court deems just.

VII. JURY DEMAND

Kaul demands trial by jury on all issues so triable

VIII. DEMAND FOR INSURANCE

Demand is hereby made for all insurance policies, which may cover the damages alleged in this Complaint

Exhibit 1

Richard Kaul

From: Robert Conroy (RConroy@drlaw.com)
Sent: Tuesday, May 22, 2012 4:31 PM
To: Richard Kaul
Subject: FW: I/M/O Richard Kaul, M.D.

From: Robert Conroy
Sent: Tuesday, May 22, 2012 3:40 PM
To: 'Doreen Hafner' (Doreen.Hafner@dol.lps.state.nj.us)
Subject: I/M/O Richard Kaul, M.D.

Please share this email with the powers that be.

I am not accusing you of bad faith but I believe that the Attorney General and the Acting Director of the Division of Consumer Affairs have not only acted in extreme bad faith in seeking to summarily suspend my client's CDS privileges but that have done so as part of a cheap piece of political theater and have made a mockery of my client's Due Process Rights. We believe their actions to have so prejudiced the administrative process that Dr. Kaul is unable to obtain a fair hearing. I have raised the improper merger of the investigatory, prosecutorial and adjudicatory functions in the Office of Attorney General before as a clearly unconstitutional practice. Apparently, this will give us the factual basis to establish once and for all that the Office of Attorney General cannot be trusted to conduct itself fairly and within the confines of the Constitution. Insofar as the Attorney General and the Acting Director of the Division of Consumer Affairs have made statements to the media that clearly reveal their personal animus toward my client and their pre-judgment of this matter, we call upon them to immediately recuse themselves from any and all future deliberations, etc., involving Dr. Kaul, and make themselves available to testify as required by a subpoena I will be issuing to compel their attendance at the hearing on this latest summary suspension. I must also warn them about engaging in any efforts to obstruct our client's attempt to receive a fair hearing or cover up their previous involvement. Lastly, we are presently considering federal action. Might I remind the powers that be that we have been successful in the past in obtaining a sizeable attorneys' fee award against the state in a Board matter; indeed, we are the only party in the history of our Republic to ever have the US Marshall seize a state's general revenue fund. Apparently, they want to afford us another opportunity to do so.

If cooler heads prevail, please have them contact me. Otherwise, I can assure them that this will ultimately not be judged their finest hour.

Robert J. (Bob) Conroy
Kem Augustine
Conroy & Schoppmann, P.C.
1120 Route 22 East
Bridgewater, NJ 08807
tel: 908-704-8585
fax: 908-704-8899
email: conroy@drlaw.com or roberticonroy@post.harvard.edu
Admitted to practice law in: New York, New Jersey, California, Florida, Pennsylvania and the District of Columbia

6/16/2012

Exhibit 30

UNITED STATES DISTRICT COURT
for the District of New Jersey [LIVE
Camden, NJ

Richard Arjun Kaul, et al.

Plaintiff,

v.

Case No.:
1:20-cv-18853-NLH-AMD
Magistrate Judge Ann Marie Donic

FEDERATION OF STATE MEDICAL BOARDS, et al.

Defendant.

ORDER FOR SCHEDULING CONFERENCE

TO: All Counsel

IT IS on this Day December 16, 2020 ORDERED THAT:

(1) A Scheduling Conference shall be conducted before the undersigned at the Mitchell H. Cohen Building and U.S. Courthouse in Camden, Camden – Room 2010 on January 26, 2021 at 12:00 PM. See Fed. R. Civ. P. 16 and Local Civil Rule 16.1. The purpose of the conference is to focus counsel's attention on the issues actually in dispute and arrive at a schedule to manage discovery. The Court strives in all cases for a just, speedy and inexpensive determination of every action. Fed. R. Civ. P. 1. COUNSEL MUST BE PREPARED TO COMPLETE ALL DISCOVERY AND BE READY FOR TRIAL WITHIN SIX (6) TO EIGHT (8) MONTHS OF THE SCHEDULING CONFERENCE IN MOST CASES. The Scheduling Order will reflect these goals.

(2) The form and timing of the disclosure requirements in Fed. R. Civ. P. 26 (a)(1) and L. Civ. R. 26.1 shall be followed. COUNSEL SHOULD NOT FILE THEIR DISCLOSURE ON CM/ECF.

(3) At least twenty–one (21) days prior to the conference scheduled herein, counsel shall confer pursuant to Fed. R. Civ. P. 26 (f). The parties shall submit a Joint Discovery Plan to the undersigned using the attached form no later than the time period provided for in L.Civ.R. 26.1(b)(2). Prior to the Rule 26 (f) conference, counsel shall also comply with Local Civil Rule 26.1 (d) concerning discovery of digital information. The form to be used for the Joint Discovery Plan can be retrieved from: http://www.njd.uscourts.gov/sites/njd/files/R16DiscoveryPlanCamONLY.pdf.

(4) Counsel are further advised that unless the parties stipulate otherwise, and the Court concurs, the Rules limit the number of interrogatories (25) and depositions (10) which each party may seek. See Rules 26 (b), (d). Fed. R. Civ. P. 30 (d) (2) limits depositions to one day of seven hours. The Court may also regulate the conduct of depositions. See Hall v. Clifton Precision, 150 F.R.D. 525 (E.D. PA. 1993); Fed. R. Civ. P. 30(d) (1).

(5) At the conference with the Court, all parties who are not appearing pro se shall be

represented by counsel who shall be familiar with the file and shall have full authority to bind their clients in all pre-trial matters. Counsel shall also be prepared to discuss settlement. Clients or persons with authority over the matter shall be available by telephone. See Local Civil Rule 16.1 (a)(4);

(6) Counsel shall consult with their clients before the conference and be prepared to advise the Magistrate Judge whether the parties consent to trial before the Magistrate Judge. Local Civil Rule 73.1 (a).

(7) Counsel shall discuss with clients the Court's mediation program. L.Civ.R. 301.1 (see attached notice). The Court will discuss mediation and other ADR options at the Initial Scheduling Conference.

(8) Counsel for plaintiff(s) shall notify any party who hereafter enters an appearance, of the above conference and forward to that party a copy hereof, together with a copy of any Scheduling Order entered as a result of this conference.

(9) The parties shall advise the District Judge and Magistrate Judge immediately if this matter has been settled or terminated so that the above conference may be cancelled.

(10) Failure to comply with the terms hereof may result in the imposition of sanctions.

(11) Counsel are further advised that communications to the Court by FAX will be accepted. All communications to the Court shall be in writing or by telephone conference with prior approval.

Magistrate Judge Ann Marie Donio

ALTERNATIVE DISPUTE RESOLUTION
IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Mediation is the Alternative Dispute Resolution ("ADR") program in this Court. Mediation is governed by Local Civil Rule 301.1. The mediation program under this rule is supervised by a judicial officer (at present United States Magistrate Judge Madeline Cox–Arleo) who is available to answer any questions about the program.

Any district judge or magistrate judge may refer a civil action to mediation. This may be done without the consent of the parties. However, the Court encourages parties to confer among themselves and consent to mediation. Moreover, you are reminded that, when counsel confer pursuant to Rule 26 (f) of the Federal Rules of Civil Procedure and Local Civil Rule 26.1, one of the topics that must be addressed is the eligibility of a civil action for participation in ADR.

A civil action may be referred to mediation at any time. However, one of the advantages of mediation is that, if successful, it enables parties to avoid the time and expense of discovery and trial. Accordingly, the Court encourages parties to consent to mediation prior to or at the time that automatic disclosures are made pursuant to Rule 26 (a) (1) of the Federal Rules of Civil Procedure.

If parties consent to mediation, they may choose a mediator either from the list of certified mediators maintained by the Court or by the selection of a private mediator. If a civil action is referred to mediation without consent of the parties, the judicial officer responsible for supervision of the program will select the mediator.

Mediation is non–judgmental. The role of the mediator is to assist the parties in reaching a resolution of their dispute. The parties may confer with the mediator on an ex parte basis. Anything said to the mediator will be deemed to be confidential and will not be revealed to another party or to others without the party's consent. The mediator's hourly rate is $300.00, which is borne equally by the parties.

If you would like further information with regard to the mediation program please review the Guidelines for Mediation, which are available on the Court's Web Site www.njd.uscourts.gov and appear as Appendix Q to the Local Civil Rules. You may also make inquiries of the judicial officer responsible for supervision of the program.

Civil actions in which there are pro se parties (incarcerated or not) are not eligible for mediation.

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

Richard Arjun Kaul, et al.

Plaintiff,

v.

Case No.:
1:20-cv-18853-NLH-AMD
Magistrate Judge Ann Marie Donio

FEDERATION OF STATE MEDICAL BOARDS, et al.

Defendant.

JOINT PROPOSED DISCOVERY PLAN

A fillable copy of this form can be located at
http://www.njd.uscourts.gov/sites/njd/files/R16DiscoveryPlanCamONLY.pdf

1. Set forth the name of each attorney appearing, the firm name, address and telephone number and facsimile number of each, designating the party represented.

2. Set forth a brief description of the case, including the causes of action and defenses asserted.

3. Have settlement discussions taken place? Yes _____ No _____

(a) What was plaintiff's last demand?

(1) Monetary demand: $ _____
(2) Non-monetary demand: _____

(b) What was defendant's last offer?

(1) Monetary offer: $ _____
(2) Non-monetary offer: _____

4. The parties [have _____ have not _____] met pursuant to Fed. R. Civ. P. 26(f):

5. The parties [have _____ have not _____] exchanged the information required by Fed. R. Civ. P. 26(a)(1). If not, state the reason therefor.

6. Explain any problems in connection with completing the disclosures required by Fed. R. Civ. P. 26(a)(1)

7. The parties [have _____ have not _____] conducted discovery other than the above disclosures. If so, describe.

8. Proposed Joint Discovery Plan:

(a) Discovery is needed on the following subjects:

(b) Discovery [should _____ should not _____] be conducted in phases or be limited to particular issues. Explain.

(c) Proposed schedule:

(1) Fed. R. Civ. P. 26 Disclosures _____.

(2) E–Discovery conference pursuant to L. Civ. R. 26.1(d)_____.

(3) Service of initial written discovery _____.

(4) Maximum of _____ Interrogatories by each party to each other party.

(5) Maximum of _____ depositions to be taken by each party.

(6) Motions to amend or to add parties to be filed by _____.

(7) Factual discovery to be completed by _____.

(8) Plaintiff's expert report due on _____.

(9) Defendant's expert report due on _____.

(10) Expert depositions to be completed by _____.

(11) Dispositive motions to be filed by _____.

(d) Set forth any special discovery mechanism or procedure requested.

(e) A pretrial conference may take place on _____.

(f) Trial date: _____ (_____Jury Trial; _____ Non–Jury Trial).

9. Do you anticipate any special discovery needs (i.e., videotape/telephone depositions, problems with out–of–state witnesses or documents, etc)? Yes _____No_____.
If so, please explain.

10. Do you anticipate any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced?
Yes _____ No _____.

If so, how will electronic discovery or data be disclosed or produced? Describe any agreements reached by the parties regarding same, including costs of discovery, production, related software, licensing agreements, etc.

11. Do you anticipate entry of a Discovery Confidentiality Order? See L.Civ.R. 5.3(b) and Appendix S.
Yes _____ No _____.

12. Do you anticipate any discovery problem(s) not listed above? Describe.
Yes _____ No _____.

13. State whether this case is appropriate for voluntary arbitration (pursuant to Local Civil Rule 201.1 or otherwise) or mediation (pursuant to Local Civil Rule 301.1 or otherwise). If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of depositions, after

disposition or dispositive motions, etc.).

14. Is this case appropriate for bifurcation? Yes _____ No _____

15. An interim status/settlement conference (with clients in attendance), should be held in _____.

16. We [do _____ do not _____] consent to the trial being conducted by a Magistrate Judge.

17. Identify any other issues to address at the Rule 16 Scheduling Conference.

_____
Attorney(s) for Plaintiff(s) / Date

_____
Attorney(s) for Defendant(s) / Date

Other Events

1:20-cv-18853-NLH-AMD KAUL et al v. FEDERATION OF STATE MEDICAL BOARDS et al

PROSE

Paper recipients: 4 Mailing Labels

U.S. District Court

District of New Jersey [LIVE]

Notice of Electronic Filing

The following transaction was entered on 12/16/2020 at 8:50 AM EST and filed on 12/16/2020

Case Name: KAUL et al v. FEDERATION OF STATE MEDICAL BOARDS et al

Case Number: 1:20-cv-18853-NLH-AMD

Filer:

Document Number: 154

Docket Text:

Clerk's Letter: Attorneys are not admitted to the Federal Bar of New Jersey. Notice has been mailed to the attorneys' addresses. (dd,)

1:20-cv-18853-NLH-AMD Notice has been electronically mailed to:

Caroline E Oks coks@gibbonslaw.com

MICHAEL A. KOTULA michael.kotula@rivkin.com

ROBERT J. MCGUIRE robert.mcguire@dol.lps.state.nj.us, themcgs1@gmail.com, ef-judpros@dol.lps.state.nj.us

KENNETH M. BROWN kbrown@wglaw.com

DAVID FOSTER HERMAN dherman@atllp.com, david-herman-8332@ecf pacerpro.com, gconroy@armstrongteasdale.com

THOMAS JOSEPH CAFFERTY nlowy@gibbonslaw.com, tcafferty@gibbonslaw.com, ljames-weir@gibbonslaw.com, mkhoyan@gibbonslaw.com

1:20-cv-18853-NLH-AMD Notice has been sent by regular U.S. Mail:

Edward George Sponzilli (908) 722-0755
NOMI IRENE LOWY
SCARINCI HOLLENBECK
1100 VALLEY BROOK AVENUE
PO BOX 790
LYNDHURST NJ 07071

NOMI IRENE LOWY
SCARINCI HOLLENBECK
1100 VALLEY BROOK AVENUE
PO BOX 790
LYNDHURST NJ 07071

Richard Arjun Kaul
440 c Somerset Drive
Pearl River NJ 10965
US
ARNOLD ERWIN FELDMAN
2000 Cheney Highway
Suite 103, #273
Titusville FL 32780
US

UNITED STATES DISTRICT COURT
for the District of New Jersey [LIVE]
Camden, NJ

Richard Arjun Kaul, et al.

Plaintiff,

v.

Case No.:
1:20-cv-18853-NLH-AMD

FEDERATION OF STATE MEDICAL BOARDS, et al.

Defendant.

Dear Out of State Counsel:

Please be advised, our records show that you are not a member of the Federal Bar of New Jersey. Therefore, you are responsible for having a member of the Bar of this Court file an appearance in accordance with Local Civil Rule 101.1 on behalf of your client.

Very truly yours,

William T. Walsh, Clerk
By Deputy Clerk, dd

Other Orders/Judgments
1:20-cv-18853-NLH-AMD KAUL et al v. FEDERATION OF STATE MEDICAL BOARDS et al

PROSE

Paper recipients: 4 Mailing Labels

U.S. District Court

District of New Jersey [LIVE]

Notice of Electronic Filing

The following transaction was entered on 12/16/2020 at 9:03 AM EST and filed on 12/16/2020
Case Name: KAUL et al v. FEDERATION OF STATE MEDICAL BOARDS et al
Case Number: 1:20-cv-18853-NLH-AMD
Filer:
Document Number: 155

Docket Text:
Order Initial Conference set for 1/26/2021 12:00 PM in Camden - Room 2010 before Magistrate Judge Ann Marie Donio. Signed by Magistrate Judge Ann Marie Donio on 12/16/2020. (cry,)

1:20-cv-18853-NLH-AMD Notice has been electronically mailed to:

Caroline E Oks coks@gibbonslaw.com

MICHAEL A. KOTULA michael.kotula@rivkin.com

ROBERT J. MCGUIRE robert.mcguire@dol.lps.state.nj.us, themcgs1@gmail.com, ef-judpros@dol.lps.state.nj.us

KENNETH M. BROWN kbrown@wglaw.com

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1:20-cv-18853-NLH-AMD Notice has been sent by regular U.S. Mail:
Edward George Sponzilli (908) 722-0755
NOMI IRENE LOWY
SCARINCI HOLLENBECK
1100 VALLEY BROOK AVENUE
PO BOX 790
LYNDHURST NJ 07071

NOMI IRENE LOWY
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1100 VALLEY BROOK AVENUE
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Richard Arjun Kaul
440 c Somerset Drive
Pearl River NJ 10965
US
ARNOLD ERWIN FELDMAN
2000 Cheney Highway
Suite 103, #273
Titusville FL 32780
US

Exhibit 31

www.drrichardkaul.com

December 19, 2020

Chambers of Honorable Tanya Chutkan
United States District Court
District of Columbia
333 Constitution Avenue
Washington, DC 20001

Re: Kaul v Federation: 19-CV-3050 - K5
Kaul v Federation: 20-CV-01612 - K7
Admissions of Fact

Dear Judge Chutkan,

On December 15, 2020 a letter was served on you (**Exhibit 1**), which pursuant to your code of judicial conduct required you to disclose the within information. You were notified that if you failed to submit this information to the public record by December 18, 2020, an 'Admissions of Fact' would be served on you. You have not published the mandated information and thus if by December 25, 2020, you fail to publicly rebut/deny/contest/address the below facts by December 25, 2020, they will be deemed admitted.

The facts are:

1. I was appointed to the federal bench by President Obama in June 2014.
2. Prior to my appointment to the federal bench I was a partner at the law firm of Boise, Schiller and Flexner, LLP.
3. I know that on the home-page of this law firm's website is the slogan: "WE STAND WITH BOTH THOSE WHO HAVE BEEN DENIED JUSTICE AND THOSE WHO SEEK JUSTICE."
4. I know this law firm provides legal services to the banking, healthcare and insurance sectors.
5. I admit that I and members of my family to the third degree have remained beneficiaries of profits from this law firm, since I joined the federal bench.

6. I admit that the code and canons of judicial conduct require me to disclose any conflicts of interest to any and all parties in all cases in which I have any involvement.
7. I admit that I failed to disclose to the public record that I financially benefited from monies funneled to Boise, Schiller and Flexner, LLP by the Defendants.
8. I admit that these monies were bribes disguised as 'legal fees' that were paid by the Defendants to the law firm as part of a quid pro quo, purposed to have me obstruct justice and sever/transfer/dismiss the claims of Plaintiffs Kaul and Feldman.
9. I admit that one tactic of the scheme to obstruct justice was to not publish to the docket evidence, submitted by Kaul, of the Defendants' crimes and proof of his claims.
10. I admit that at least eight (8) of Kaul's submissions remain unpublished.
11. I admit that this scheme was concealed from staff in the Clerk's office.
12. I admit that the payment of these bribes began in late 2019.
13. I admit that the bribes were disguised as 'legal fees' in an attempt to conceal their true nature and purpose from public scrutiny.
14. I admit that upon payment of a percentage of the total amount agreed upon by the Defendants and the law firm, I commenced a scheme of obstruction of justice, in the knowledge that my misconduct was both illegal and violative of the code of judicial conduct.
15. I admit that this scheme commenced in late 2019 and is ongoing.
16. I admit that I have read and understand the terms of the letter served on me on December 15, 2020.
17. I admit that I have discussed the letter with amongst others: (i) judges within the United States District Court for the District of Columbia; (ii) judges within the United States District Court for the District of Columbia; (iii) judges within the United States Court of Appeals for the D.C. Circuit; (iv) counsel for the Defendants; (v) lawyers at Boise, Schiller and Flexner.
18. I admit that I was advised not to disclose the mandated information.
19. I admit that the reason I was advised not to disclose the mandated information, and the reason that I did not disclose it, is because it proves that I conspired with the Defendants to perpetrate a scheme of bribery and judicial corruption.
20. I admit that Boise, Schiller and Flexner continue to receive bribes from the Defendants in order to have K7 dismissed and or transferred to the United States District Court for the District of New Jersey.
21. I admit that my misconduct provides a basis for disqualification, disciplinary action by the Judicial Conference and an investigation by the Judiciary Committee of the United States Senate.

22. I admit that my misconduct constitutes a 'Fraud on the Court' and that all orders/judgments are null and void and will have no preclusive effect on any **"new racketeering injuries"** claims filed by Kaul or Feldman.
23. I admit that because of my misconduct I must immediately disqualify myself from K7.
24. I admit that I must report my misconduct to the Federal Bureau of Investigation.
25. I admit that I must report the misconduct of the Defendants to the Federal Bureau of Investigation.
26. I admit that I must report the misconduct of Boise, Schiller and Flexner to the Federal Bureau of Investigation.
27. I admit to knowledge that on December 16, 2020, Kaul sent a letter to Chief Judge Srinivasan of the U.S.C.A. for the District of Columbia (**Exhibit 2**). I have knowledge that on December 17, 2020 Kaul emailed this letter to all Defendants' counsel.
28. I admit that since the commencement of the case I have engaged in knowingly improper schemes of ex-parte communications with Defendants counsel.
29. I admit that I am aware of a report published on December 16, 2020 by the United States Senate, Committee on Finance (**Exhibit 3**).
30. I admit that this report identifies Defendant Federation of State Medical Boards (FSMB) as an entity that in a period from 2007 to 2012 received bribes from opiate manufacturers.
31. I admit that I have knowledge that the bribes were part of a quid pro quo scheme in which Defendant FSMB promulgated information to state medical boards to suspend and or revoke the licenses of physicians who chose not to prescribe opiates to chronic pain patients.
32. I admit that I have knowledge that the opiate racket of Defendant FSMB pushed billions of pills on an extremely vulnerable section of the American public.
33. I admit that I have knowledge that the drug distribution scheme of Defendant FSMB flooded America with billions of highly addictive opiates.
34. I admit that these billions of pills caused millions of Americans to become addicted to opiates.
35. I admit that I have knowledge that millions of Americans were killed from overdosing on these opiates.
36. I admit that Defendant FSMB is legally liable for these deaths.
37. I admit that I have knowledge that Defendant FSMB, upon becoming aware in 2012 of the Senate investigation, suddenly stopped taking bribes from opiate manufacturers.
38. I admit that Defendant FSMB operates like a criminal organization and has participated in massive schemes of bribery with multiple for-profit corporations in the healthcare sector, which include Defendants Allstate and Geico.

39. I admit that I obstructed Plaintiffs Kaul and Feldman from effectuating service on Defendant FSMB.
40. I admit that my obstruction of the Plaintiffs prosecution of Defendant FSMB was because Defendant FSMB had bribed Boise, Schiller and Flexner.
41. I admit that my obstruction of the Plaintiffs prosecution of Defendant FSMB was because Defendant FSMB had bribed multiple US Senators and Congressmen, a number of whom instructed me to obstruct the Plaintiffs prosecution.
42. I admit that the above admitted facts provide a basis on which the US Senate can commence an investigation into the Defendants corruption of the federal judiciary.
43. I admit that the above admitted facts will inform the Pennsylvania legislature of the urgent need for the enactment of **"The Kaul Act"**, the first legislative step towards a **"Reformation of American Medical Boards"**.
44. I admit that the December 16, 2020 report from the US Senate proves a **"pattern of racketeering"** of Defendant FSMB.
45. I admit that this report in conjunction with the ruling of SCOTUS in Tanzin v Tanvir (19-71) (December 10, 2020) and Defendants' 'Admissions of Fact' constitute irrefutable evidence sufficient for a grant of summary judgment in K7. I also admit that these admissions substantially increase the risk associated with investing in Defendants Allstate/Berkshire Hathaway-Geico/TD Bank as traded on the NYSE.

If by December 25, 2020 you fail to contest/rebut/refute/address the above facts, they will be deemed admitted and submitted into future legal proceedings against these Defendants/future Defendants in the US and foreign jurisdictions. Please be advised that K11-1 will be filed on January 3, 2021.

We thank you for your attention to this very serious matter.

Yours sincerely

Richard Arjun Kaul, MD

Arnold Erwin Feldman, MD

cc: All Counsel via email
All parties with a legal or other interest

U.S.C.A. for the Third Circuit
U.S.C.A. for the District of Columbia
Counsel for S/P 500 corporations
Global members of Boise, Schiller and Flexner

Exhibit 1

www.drrichardkaul.com

December 13, 2020

Chambers of Honorable Tanya Chutkan
United States District Court
District of Columbia
333 Constitution Avenue
Washington, DC 20001

Re: Kaul v Federation: 19-CV-3050 - K5
Kaul v Federation: 20-CV-01612 - K7
Conflicts of Interest + Fraud on the Court

Dear Judge Chutkan,

Pursuant to your duty to maintain compliance with the Code of Conduct for United States Judges (Vol. 2: Ethics and Judicial Conduct - Pt. A: Codes of Conduct) please disclose to the record the following information:

1. Any ex-parte communications with any parties regarding any aspect/s of The Kaul Cases.
2. Form AO10 for the last five (5) years.
3. Any stocks, shares or any financial instrument of any value (not disclosed on Form AO10) that either are or have been in your possession or that of members of your family to the third-degree, within the last five (5) years.
4. Any partner dividends/bonuses/payments or any financial instrument of any value that inures to either you or any member of your family to the third degree from the law firm of Boies, Schiller and Flexner LLP.
5. Any promised financial interest by any parties to either you, members of your family to the third degree and or any associates/partners/members of the law firm

of Boise, Schiller and Flexner LLP in the form of delivered and or promised legal work.

Definitions of above terms:

"Communications" - The transmission or exchange of information with any person in any format including but not limited to face-to-face meetings, phone conversations via cellular networks, terrestrial networks or the Internet, SMS messaging, text messaging, emails or hand-written notes.

"Parties" - Includes but is not limited to: (i) defendants in The Kaul Cases; (ii) counsel for defendants in The Kaul Cases; (iii) agents of defendants in The Kaul Cases; (iv) agents for counsel of defendants in The Kaul Cases; (v) persons with a relation to the third degree to any defendants in The Kaul Cases; (vi) persons with a relation to the third degree to any counsel for any defendants in The Kaul Cases; (vii) any current or past members of the law firm of Boise, Schiller and Flexner, LLP; (viii) any persons with a relation to the third degree to any current or past members of the law firm of Boise, Schiller and Flexner, LLP; (ix) any member of the United States Senate or Congress.

The purpose of these disclosures is codified in the COMMENTARY of Canon 1:

"Deference to the judgments and rulings of courts depend on public confidence in the integrity and independence (both political and economic). The integrity and independence of judges depend in turn on their acting without fear or favor. Although judges should be independent, they must comply with the law and should comply with this Code."

Facts relevant to Defendants/court's obstruction of justice

The law considers it to be an act of obstruction of justice when the adjudicating judge obstructs the submission onto the court record of evidence relevant to the case. On September 17, 2020 you threatened to **"impose sanctions"** on Kaul **"for failing to dismiss the claims against Stolz once Bankruptcy Judge Sherwood entered ..."**. You filed a FOX NEAL Order that advised Kaul to file a response by October 9, 2020.

You stated that if no response was filed the motion of Defendant Stolz would be conceded and that Kaul had to show cause as to why he should not be sanctioned (**Exhibit 1**).

On October 6, 2020 at 9:41 am Kaul's response (**Exhibit 2**) was received in the court and signed for by an A. Jones (**Exhibit 3**). Approximately eight (8) days later, and not having seen it published to the court docket, Kaul telephoned the court and was told that you were reviewing his response. This, Kaul understands has been the case with all of his submissions, at least eight of which are still absent from the docket. In fact, on July 27, 2020 Kaul had to email the court copies of documents that had been fedexed in April, 2020 (**Exhibit 4**). This act of not publishing Kaul's submissions has been a pattern from the commencement of the case. The submission contains the following statement:

"In desperation at wanting to 'cover-up' the massive criminal scheme committed by, amongst others, himself [Defendant Stolz] + Defendant TD + Defendant Allstate + Defendant Geico + "New Jersey Defendants", he procured a fraudulent/legally invalid order from a corrupted bankruptcy judge (Sherwood) ..."

Again, in mid to late October Kaul contacted the court regarding his submission and was told that you were still reviewing it. The clerk indicated that you would decide whether it would be published or not. You obviously decided not to publish Kaul's response. That response contains evidence that proves the willing falsity of your opinion (D.E. 149/150), one that contains multiple errors of fact and law, but more critically, an opinion based on a record you intentionally constricted in order to obstruct the prosecution of the case. There is little difference between the pattern of judicial misconduct and obstruction of justice between this case and K2, K3, K4, P1 and P2.

Your opinion is not only invalid but you have violated your code of judicial conduct. Your reasoning and conclusions constitute a 'Fraud on the Court', as you willfully and knowingly omitted highly probative evidence from the court docket in furtherance of the Defendants illegal scheme to have issued a false opinion. The provision of the above

information and or an Admission of Fact will establish the specifics of your motives and misconduct.

Until the publication of this evidence (**Exhibit 2**) and that contained in Kaul's approximately eight (8) not yet published submissions concealed in your chambers, your opinion (D.E. 149/150) will remain null and void. You not only obstructed the publication of critical pieces of evidence, but you failed to even attempt to render an explanation as to why the material was not published. Your misconduct demonstrates a callous lack of regard for the impartial administration of justice and brings into question the manner in which the Defendants have perverted your integrity in this case.

To illustrate this point I make reference to K7 (D.E. 6 + 7 + 8 + 9). On November 16, 2020 at 9:35 am EST the enclosed submission (**Exhibit 5**) was received in the court. The evidence contained within the submission is the foundation on which motions for summary judgment will be filed. However, as further evidence of the court's obstruction of justice it provided a knowingly false basis for not publishing the evidence:

"As the document is addressed to Judge Vazquez ... The relevance of this document to these pleadings is unclear ... There are no pending motions for summary judgment..."

The submission is addressed to the Clerk of this Court. One of the reasons you obstructed its publication is because it explains why you prohibited Kaul from prosecuting Defendant Heary:

"I have knowledge that defendants Allstate and Geico bribed the senators [Robert Menendez + Cory Booker], as part of a series of quid pro quo schemes purposed to have the cases dismissed ... I have discussed the above cases [The Kaul Cases] with the senators [Robert Menendez + Cory Booker]" - Admissions of Judge John Michael Vazquez on August 8, 2019.

You are aligned with the American Democratic Party and were appointed to the bench by President Obama. Booker and Mendedez are Democrats. The submission exposes the bribes ('protection money') paid by Defendant Heary to Booker as part of a quid pro quo, in which Booker abused his political power to have you prevent me from prosecuting Defendant Heary:

"Since the commencement of K1 on February 22, 2016, Booker received bribes from Defendant Heary as part of a quid pro quo, in which he abused the power of the Office of the US Senate to obstruct justice ... President Obama ... Defendant Heary has threatened to expose these US Senators unless they order the judges they supported to either dismiss Defendant Heary with prejudice from The Kaul Cases or prevent Kaul from prosecuting him ... Sweeney, as with Booker, has received bribes from the Defendants, including Defendant Heary. Sweeney has engaged in ex-parte communications with Judges McNulty/Martinotti/Vazquez purposed to obstruct Kaul's prosecution of The Kaul Cases. The dismissal of Defendant Heary with prejudice ... The massiveness of corruption/crimes committed by Defendants Allstate/TD/Geico-Berkshire Hathaway will be widely publicized by Kaul and brought to the attention of the global of the global venture capital/hedge fund community and members of the S/P 500."

This constitutes further evidence of the massive and ongoing 'Fraud on the Court' committed by the Defendants/NJ/DC courts and thus makes null and void all orders/judgments in both courts. The nullity deprives the Defendants of any right to raise preclusion defenses in K11-1 and the legal liability of Defendants Allstate/TD/Geico-Berkshire Hathaway viz-a-viz their shareholders, remains at a percentage of approximately $28,171,028 trillion, relative to their criminal culpability (**Exhibit 7**).

The law does not permit a judge to determine relevance/probity of evidence until the motion for summary judgement is submitted. The practice of law in America involves the submission/publication of evidence to the docket prior to motions for summary

judgment. This is standard practice. In obstructing the publication of this evidence this court has yet again obstructed Kaul's prosecution of K7. However, in K7 the court's issuance of a basis, albeit knowingly false, is juxtaposed to the lack of any basis in not publishing Kaul's response in K5 to the court's September 17, 2020 threat of sanctions. It also constitutes further compelling evidence of the Defendants/court's obstruction of Kaul/Feldman's prosecution of K5. This evidence highlights another tactic of the Defendants/court. That of frustrating/obstructing prosecution by falsely 'substantiating' decisions/actions on knowingly irrelevant points of fact that have no capability of legal substantiation. Just as with K1, it is a case of 'make it up' as you go along. The monies/material favors/bribes fueling this conglomeration of crime will be made evident. This court is perpetuating the ongoing crimes/**"pattern of racketeering"** committed by the so called/self-styled **"New Jersey Defendants"** (aka **"The Christie Crew"** - Kaul Media copyright) (2006 to the present).

The November 16, 2020 submission contains the following statement of fact:

"I have knowledge that defendants Allstate and Geico bribed the senators [Robert Menendez + Cory Booker], as part of a series of quid pro quo schemes purposed to have the cases dismissed."

"Defendant Schumer engaged in a "pattern" of racketeering, in which he converted the office of the US Senate, into a racketeering enterprise, through which he committed the predicate acts of obstruction of justice, bribery, mail fraud and wire fraud. The purpose of this scheme was to use his influence with his brother-in-law, Judge McNulty, to obstruct my prosecution of K1 + K2."

It is of note that you issued no sanctions against Kaul, and the reason was that you had read the entire incriminating submission and realized that your threat to **"sanction"** him was baseless and betrayed your prejudice towards Plaintiffs Kaul and Feldman, the **"pro se"** plaintiffs. Woven into this web of prejudice and judicial corruption was your propensity to ignore conclusive evidence that the March 24, 2014 revocation of Kaul's

New Jersey license was conducted illegally and is illegal (K1 - D.E. 225 - 'The Solomon Critique' + D.E., 299 - 'The Solomon Critique 2'):

"... two hundred and seventy-eight (278) separate acts of misrepresentation, evidential omission, gross mischaracterization and perjury, collectively committed by New Jersey Administrative Law Judge, Jay Howard Solomon, Esq and Defendants, Gregory Przybylski, MD and Andrew Kaufman, MD." (K1 - D.E. 225 Page ID 5271) - 'The Solomon Critique'

" ... focuses entirely on Defendant Przybylski and it proves that he, in conjunction with K2 defendants Hafner + Solomon collectively committed two hundred and twenty-two (222) separate instances of perjury + evidential omissions + falsifications + misrepresentations." (K1 - D.E. 299 Page ID 7203) - 'The Solomon Critique 2'

Similarly, you signed a knowingly false opinion, one co-drafted with Defendants' counsel, that ignores the irrefutable evidence in the record that all eleven (11) patients on whom Defendants State of New Jersey/NJBME brought their fraudulent case, improved after Kaul had operated on them. This is further evidence of the Defendants/court's scheme to attempt to suppress the truth. This suppression is one element of the overall scheme to obstruct and pervert the course of justice. You also fail to note that of the eleven (11) five (5) testified on my behalf (**Exhibit 6**). Professional jealousy in 2006 is responsible for economic decimation in 2020. The Defendants have become unable to pay their legal fees and will be unable to fund any legal defense of K11-1. The market capitalization of Defendants Allstate/TD/Geico-Berkshire Hathaway will continue to decrease as The Kaul Cases prosecution intensifies. It is the final charge of any battle that determines the outcome of war, and crafts the defining stroke on the victor's canvas of history.

"The patient has done very well after the interbody fusion ..." - George Housman (testified against me on May 3, 2013). Defendant/NJ deputy attorney general, Doreen

Hafner, conspired (June 22, 2012- May 3, 2013) with Housman/his lawyer to commit subornation of perjury. Kaul visited Housman at his NJ residence in August 2015.

Despite this unrefuted/irrefutable evidence you and the Defendants' lawyers drafted an opinion that opens with a statement that perpetuates a massive crime:

"... for performing spine surgery on eleven patients without "proper training and experience.." which constituted gross and repeated malpractice, negligence, and incompetence." (K5 - D.E. 150 Page 3 of 36).

Instead of citing to the evidence in this case of the Defendants crimes you state:

"Kaul alleges that Defendants have engaged in a massive conspiracy ..." (K5 - D.E. 150 Page 3 of 36).

The Kaul Cases are well past the point of proof, a fact seen by the public and one that will very soon be known by a court.

Your/Defendants opinion is devoid of any evidential references, is replete with willful omissions/commissions of erroneous law and falsities of fact. It is no different to that identified in 'The McNulty Analysis' (K1 - D.E. 313-1 Page ID 8384) and 'The Martinotti Misrepresentations' (K1 - D.E. 393 Page ID 9448).

The specifics of your motive for your involvement in the Defendants ongoing criminal scheme of mail and wire fraud, will become evident within the next two weeks and the judicial disciplinary committee/public can decide if you have a case to answer. In due course a full critical analysis of the 'opinion' (K5 - D.E. 149/150) will be conducted.

If by December 18, 2020 the information is not published to the record, then Kaul/Feldman will submit a 'Admissions of Fact' time-termed to December 25, 2020.

If the Defendants conspire with this court to have the case closed in an attempt to obstruct justice, then the 'Admissions of Fact' will immediately become admitted fact.

Kaul/Feldman reserve the right to submit the admitted fact into any and all future legal proceedings, be they domestic or foreign.

For the above stated reasons the law finds that D.E. 149 and 150 constitute a 'Fraud on the Court' and will remain legally invalid until all of the evidence submitted by Kaul is both published and considered. Thus the severance and transfer to the District of New Jersey is null and void. The Law and Plaintiffs Kaul/Feldman demand that all evidence submitted in this case be impartially adjudicated and the record in K5/K7 reflect that there exist no conflicts of interest nor judicial misconduct or ethical violations.

Plaintiffs Kaul and Feldman provide notice to this court of two (2) recent filings:

1. December 9, 2020 - K1-Third Circuit: Notice re: preservation of right to appeal (**Exhibit 8**).
2. December 14, 2020 - K1/K2/K3/K4/P1/P2: Declaratory judgment re: nullity of all orders/judgments (**Exhibit 9**).

"Haec est lex" ("This is the law").

Yours sincerely

Richard Arjun Kaul, MD

Arnold Erwin Feldman, MD

Cc: All Counsel via email
All parties with a legal or other interest
United States Court of Appeals for the Third Circuit
United States Court of Appeals for the D.C. Circuit

Exhibit 32

GIBBONS

Thomas J. Cafferty
Director

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December 29, 2020

Via ECF
Honorable Joseph A. Dickson, U.S.M.J.
U.S. District Court of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07171

Re: Richard Arjun Kaul, et al. v. Federation of State Medical Boards, et al.
Civil Action No: 2:20-cv-18853-JMV-JAD
Our File No: 110178-102541

Dear Judge Dickson:

I write on behalf of Defendants, Fourth Edition Inc. f/k/a/ North Jersey Media Group Inc. and Lindy Washburn, in the above-captioned matter. On November 30, 2020, the United States District Court for the District of Columbia entered an Order which granted, in relevant part, the motion of the New Jersey Defendants[1] to sever and transfer Plaintiff Richard Arjun Kaul's ("Kaul") claims against the New Jersey Defendants to the District of New Jersey. (ECF 149).[2] On December 14, 2020, a Certified Copy of the Transfer Order and docket were received by this Court and the matter assigned to Judge Noel L. Hillman and Magistrate Judge Ann Marie Donio (ECF 152). Thereafter, on December 22, 2020, a Text Order was entered reallocating and reassigning the case to Judge John Michael Vasquez and Your Honor. (ECF 173).

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[1] The New Jersey Defendants include: GEICO, GEICO Indemnity, GEICO General Ins. Co., GEICO Casualty, Fourth Edition Inc. f/k/a North Jersey Media Group Inc. (sued herein as North Jersey Media Group, Inc.), Lindy Washburn, Dr. Peter Staats, the American Society of Interventional Pain Physicians, the New Jersey Board of Medical Examiners, Christopher J. Christie, Esq., Dr. Andrew Kaufman, Doreen Hafner, Esq., Eric Kanefsky, Esq., Atlantic Health System, Dr. Robert F. Hear, Dr. Marc Cohen and John P. Di Orio.

[2] ECF references are to the Kaul matter and docket number identified in the paragraph in which the reference is made or as otherwise specifically designated. In this instance, the ECF reference refers to the within action.

Below is a brief procedural history of just some of the numerous actions initiated by Kaul, the central nexus of each being the 2014 revocation of Kaul's medical license by the New Jersey Board of Medical Examiners for performing spine surgery on eleven patients without "proper training and experience," which "constituted gross and repeated malpractice, negligence, and incompetence." Kaul v. Christie, No. 2:16- cv-2364, 2017 WL 2953680, at *1 (D. N.J. June 30, 2017). These actions assert multiple conspiracies consisting of various overlapping groups of individuals, including sitting federal judges, a New Jersey Governor, a sitting United States Senator, various government officials, as well as numerous private companies and individuals.

Kaul 1- Kaul v. Christie, 16-2364-KM-SCM

On February 22, 2016, Kaul filed suit in the United State District Court for the Southern District of New York against numerous government officials, private companies, and individuals alleging a vast conspiracy all purportedly aimed at depriving him of the ability to practice medicine ("Kaul 1"). (ECF 1). On April 19, 2016, an Order was entered directing the matter to be transferred to the District of New Jersey. (ECF 19).

On or about May 3, 2016, Kaul filed an appeal of the SDNY Order transferring the case to the District of New Jersey. (Court of Appeals, 2nd Circuit, Docket No. 16-1397, ECF 1). The Second Circuit dismissed the appeal on or about July 25, 2016. (ECF 45).

After numerous amended pleadings, Plaintiff's federal claims in Kaul 1 were ultimately dismissed with prejudice, and Plaintiff was granted 30 days to replead his state law claims, including properly establishing diversity jurisdiction. (ECF 300 and 301). Plaintiff chose not to re-plead and, instead, filed a motion for reconsideration, which was denied by Judge Brian Martinotti.

(ECF 385).

On or about September 23, 2019, Kaul filed an appeal of the Court's decision denying Plaintiff's Motion for Reconsideration of Judge McNulty's prior dismissal order, Kaul v. Christie, No. 19-3113 (3d Cir. 2019) ("First Appeal").[3] (Document 003113355265). On October 21, 2019, a Clerk's Order was entered providing that "[t]he appeal will be submitted to a panel...for determination under 28 U.S.C. § 1915(e)(2) as to whether the appeal will be dismissed as legally frivolous or whether summary affirmance under Third Circuit L.A.R. 27.4 and I.O.P. 10.6 is appropriate....[a]ppellant may submit argument, which should not exceed 5 pages, in support of the appeal. The document, with certificate of service, must be filed with the clerk within 21 days of the date of this order." (Document 003113380997). Kaul failed to file a submission in support of the appeal. On May 27, 2020 the U.S. Court of Appeals denied Plaintiff's appeal in Kaul 1. (ECF 58-1).

On December 16, 2020, Kaul filed in Kaul 1 a Notice of Appeal to the Third Circuit Court of Appeals, Kaul v. Stein, Docket No. 20-3522 ("Second Appeal"). (ECF 1). On December 18, 2020, a letter (ECF 9) from the Clerk's office was sent to Kaul, advising that the Court of Appeals may lack appellate jurisdiction for reasons stated in the letter, which appear to relate to Kaul's

[3] Kaul has actually filed one appeal to the Second Circuit, described above, and three appeals and two petitions for writs of mandamus to the Third Circuit; however, only two of the appeals to the Third Circuit are described herein for the purposes of this stay request. On June 20, 2019, the other appeal, filed on March 29, 2019, was dismissed by the Third Circuit on Kaul's motion, following an April 1, 2019 letter from the Clerk indicating that the appealed order was not final and therefore not appealable. See Kaul v. Christie, No. 19-1651 (3d Cir. 2019).

claims against Appellee/Defendant Dr. William Mitchell. On December 22, 2020, Stewart M. Leviss, on behalf of Appellee/Defendant Dr. William Mitchell, submitted a letter asserting that the Order from which Kaul appealed is a final order pursuant to 28 U.S.C. Section 1291. (ECF 15).

Kaul 2 - Kaul v. Christie, No. 2:18-cv-08086- JMV-JAD (D.N.J.)

Plaintiff commenced suit ("Kaul 2") in the Southern District of New York on or about April 9, 2018. (ECF 2). The Complaint in Kaul 2 is almost entirely duplicative of the Complaint in Kaul 1. Specifically, the Complaint contains the same exact causes of action against most of the same Defendants, is predicated on the revocation of Kaul's medical license, and involves a vast conspiracy to deprive Kaul of his ability to practice medicine. Id. On April 11, 2018, an Order was entered directing the matter to be transferred to the District of New Jersey. (ECF 3). On October 2, 2018 an Order for Stay and Administrative Termination was entered by Judge Steve Mannion. (ECF 58). That stay remains in effect.

Kaul 3 - Kaul v. Schumer, No. 2:19-cv-13477- JMV-JAD (D.N.J.)

Plaintiff commenced a lawsuit ("Kaul 3") in the Southern District of New York on or about April 4, 2019. (ECF 2) The Complaint in that action is also predicated on the revocation of Kaul's medical license and, additionally, asserts a vast conspiracy to corrupt the judicial process in Kaul 1, including the payment of bribes to Judge Kevin McNulty by various Defendants. On May 29, 2019, an Order was entered directing the matter to be transferred to the District of New Jersey. (ECF 3).

On August 5, 2020, this Court entered a Letter Order granting the application of various Defendants for a stay of Kaul 3 pending resolution of Plaintiff's First Appeal in Kaul 1. (ECF 48).

Defendants sought the stay asserting that because of the overlapping allegations contained in both Kaul 1 and Kaul 3 an affirmance of the District Court's decision in Kaul 1 would dispose of Plaintiff's claims in Kaul 3. While noting that the United States Court of Appeals for the Third Circuit denied Kaul's appeal in Kaul 1 on jurisdictional grounds subsequent to the filing of the motion for the stay, this Court determined that notwithstanding that action, the applications for a stay were not moot, viewing those applications "from a practical perspective" as "really requests to stay this matter while awaiting finality regarding the Hon. Kevin McNulty, U.S.D.J.'s rulings in Kaul 1." (ECF 48 at 2). In granting the stay, this Court noted the interrelationship between Kaul 1 and Kaul 3 observing that "if the District Court's decisions in Kaul 1 are ultimately affirmed on appeal, then Plaintiff's claims in Kaul 3 will almost certainly fail. Conversely, if the Court of Appeals reverses the District Court 's decisions and Plaintiff is given the opportunity to continue litigating Kaul 1, that would also significantly alter the landscape of Kaul 3." (Id. at 5).

In its Letter Order of August 5, 2020 this Court stated, in relevant part:

> **ORDERED** that this matter is hereby stayed pending further Order of the Court. Any party may file an application to reinstate this matter following the United States Court of Appeals decision on the merits of any forthcoming appeal in Kaul 1.

Id. at 6.

Kaul 4 - Patel v. Crist, No. 2:19-cv-08946- JMV-JAD (D.N.J.)

Plaintiff, along with additional pro se Plaintiff Harshad Patel, commenced litigation ("Kaul 4") in the Northern District of Georgia on or about February 5, 2019. Despite being filed in Georgia, the Complaint in Kaul 4 sought a declaration that the New Jersey Insurance Fraud Prevention Act is unconstitutional. Kaul 4 named as Defendants the State of New Jersey, Allstate

Insurance Company, and several government officials and private individuals.[4] On March 25, 2019, after asking Plaintiffs to show cause why the case should not be transferred, an Order was entered directing that the matter be transferred to the District of New Jersey. (ECF 22). Motions to dismiss the Complaint in Kaul 4 were filed by the State and Allstate Defendants. (ECF 46-48). The Court dismissed the Allstate Defendants without prejudice as it was decided that Kaul and Patel failed to state a claim under which relief could be granted pursuant to Rule 12(b)(6). The State Defendants were dismissed with prejudice from the Civil Rights claims under the theories of Sovereign and Judicial Immunity. (ECF 85).

Kaul 4A - Patel v. Crist, No. 2:19-cv-09232-JMV-JAD (D.N.J.)

Plaintiff, along with additional *pro se* Plaintiff Harshad Patel, commenced a suit ("Kaul 4A") in the Northern District of Georgia on or about February 12, 2019. The Complaint in Kaul 4A was filed approximately one week after the Complaint in Kaul 4 and named all the same Defendants. The causes of action in Kaul 4A were predicated on purported racial discrimination against "Indian physicians" by Allstate Insurance Company and the State of New Jersey. On April 2, 2019, after asking Plaintiffs to show cause why the case should not be transferred, an Order was entered directing the matter to be transferred to the District of New Jersey. (ECF 23). Motions to dismiss the Complaint in Kaul 4A were filed by the State and Allstate Defendants. (ECF 38-40). The Court dismissed the Plaintiffs' Complaint for lack of subject matter jurisdiction under Rule 12(b)(1). (ECF 81).

[4] Neither Fourth Edition Inc. nor Lindy Washburn were named as Defendants in Kaul 4 or 4A described herein.

Kaul 5 - Kaul v. Federation of State Medical Boards, Docket No. 2:20-cv-18853-JMV-JAD (This Action)

On October 1, 2019, Kaul and Arnold Feldman commenced the instant action ("Kaul 5") in the United States District Court for the District of Columbia. (ECF 1). Like Kaul's other complaints, this action is predicated on the revocation of his medical license, includes many of the Defendants named in the prior actions, and alleges a vast conspiracy to deprive Kaul of his medical license and to the corrupt the judicial process in Kaul 1, Kaul 2, and Kaul 3. Kaul 5 names as a defendant Judge Brian Martinotti, who denied Kaul's motion for reconsideration in Kaul 1 and accuses him of accepting bribes and other wrongdoings ("The malfeasance and judicial misconduct of Defendant Martinotti, was a continuation of that committed by district judge, Kevin McNulty, who became disqualified from the case on May 22, 2019 [citations omitted], subsequent to a disqualification motion filed by Kaul on May 8, 2019 [citations omitted]. Defendant Martinotti, as with Judge McNulty, accepted bribes from the defendants and converted the United States District Court for the District of New Jersey into a racketeering enterprise."). Id. As noted, the Kaul claims against the New Jersey Defendants were recently transferred from the District of Columbia to this Court.

Like Kaul 1 and Kaul 3, Kaul 5 Should Be Stayed

In light of the stays entered by the Court in Kaul 2 and Kaul 3, and the equally evident interrelationship among Kaul 1, Kaul 2, Kaul 3, and now Kaul 5, Defendants Fourth Edition Inc. f/k/a/ North Jersey Media Group Inc. and Lindy Washburn request that this Court likewise stay Kaul 5 pending a decision on the merits by the United States Court of Appeals for the Third Circuit of any pending and/or forthcoming appeal in Kaul 1.

GIBBONS P.C.

Thank you for your consideration.

Respectfully submitted,

/s/ *Thomas J. Cafferty*
Thomas J. Cafferty
Director

TJC/mlk

VIA ECF
All Counsel of Record

VIA EMAIL
Richard Arjun Kaul

Exhibit 33

www.drrichardkaul.com

December 30, 2020

District Judge John Michael Vazquez
Magistrate Judge Joseph Dickson
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07012

Re: Kaul v Federation: 20-CV-18853 - K5
Motion for judicial disqualification of U.S.D.J. Vazquez/U.S.M.J. Dickson

Dear Judges Vazquez/Dickson,

Please find submitted the above motion.

The law requires you to be immediately disqualified from the above case.

Yours sincerely

Richard Arjun Kaul, MD

Arnold Erwin Feldman, MD

cc: All Counsel via email
All parties with a legal or other interest
Clerk of the Court for the Third Circuit
Clerk of the Court for the District of Columbia
Clerk of the Court for SCOTUS

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RICHARD ARJUN KAUL, MD
ARNOLD ERWIN FELDMAN, MD

Plaintiffs

v.

FEDERATION OF STATE MEDICAL BOARDS
ET AL

Defendants

Case No. 20-CV-18853

AFFIDAVIT AND MOTION IN SUPPORT OF APPLICATION FOR JUDICIAL DISQUALIFICATION OF UNITED STATES DISTRICT JUDGE MICHAEL JOHN VAZQUEZ/U.S.M.J. DICKSON PURSUANT TO 28 AND 28 U.S.C. 455

We, Richard Arjun Kaul, MD, and Arnold Erwin Feldman, MD, do hereby swear under oath and penalty of perjury that the facts, reasons and statements submitted in support of this application are true and accurate to the best of our knowledge.

Dated: December 30, 2020

Richard Arjun Kaul, MD

Arnold Erwin Feldman, MD

Law + Legal Argument

This application is based on the law quoted/legal argument advanced in the successful motion for disqualification of district judge, Kevin McNulty (K1-D.E. 334) (**Exhibit 1**).

Facts

This application is based on the within admitted facts (**Exhibit 2**) and the fact that Plaintiff Kaul is in adversarial position with Judges Vazquez/Dickson pursuant to an appeal (Case No. 20-3522) pending in the United States Court of Appeals for the Third Circuit (**Exhibit 3**).

Conclusion + Relief Sought

1. Plaintiffs Kaul and Feldman assert that based on the above facts/reasons/arguments, U.S.D.J. Vazquez/U.S.M.J. Dickson be immediately disqualified from K5.

2. Plaintiffs Kaul and Feldman demand that U.S.D.J. Vazquez/U.S.M.J. Dickson immediately refer this motion to counsel for members of the S/P 500 and the board of the NYSE.

Order

1. It is hereby ordered that immediately effective U.S.D.J. John Michael Vazquez/U.S.M.J. Joseph Dickson are immediately disqualified from any administrative, ministerial, legal or other involvement in any of The Kaul Cases.

2. It is hereby ordered that immediately effective all orders entered in The Kaul Cases by U.S.D.J. Vazquez/U.S.M.J. Dickson be immediately vacated.

3. It is hereby ordered that on December 30, 2020 all Defendants disclose to the record any and all monies/bribes/ex-parte communications that have, since February 22, 2016, been exchanged between them, their agents and any American state/federal judges/politicians and or their agents.

4. It is hereby declared that the Defendants FSMB/SMB, Allstate and Geico-Berkshire Hathaway have perpetrated decades-long schemes of global judicial/political corruption.

5. It is hereby ordered that the SCHEDULING CONFERENCE on January 26, 2021 (D.E. 155) will proceed under the authority of U.S.D.J Hillman/U.S.M.J. Donio.

Dated: December 30, 2020

Chief Judge Wolfson