

1 and until at least the date of this Complaint, in the Central District of California and elsewhere, the
*2 RICO Defendants each knowingly and intentionally combined, conspired, and agreed together and with
3 each other, and with other persons known and unknown, to commit offenses in violation of Title 18,
4 United States Code, Sections 1956 and 1957, namely: (a) to knowingly conduct and attempt to conduct
5 financial transactions affecting interstate and foreign commerce, which in fact involved the proceeds of
6 the specified unlawful, including activity of criminal copyright infringement, with the intent to promote
7 the carrying on of the specified unlawful activity, and that while conducting and attempting to conduct
8 such financial transactions knew that the property involved in the financial transactions represented the
9 proceeds of some form of unlawful activity in violation of Title 18, United States Code, Section
10 1956(a)(1)(A)(i); (b) to transport, transmit, and transfer and attempt to transport, transmit, and transfer a
11 monetary instrument and funds from places in the United States through places outside the United
12 States, and to places in the United States from or through places outside the United States, with the
13 intent to promote the carrying on of the specified unlawful activity, including criminal copyright
14 infringement, in violation of Title 18, United States Code, Section 1956(a)(2)(A); and (c) to knowingly
15 engage and attempt to engage in monetary transactions in criminally derived property of a value greater
16 than \$10,000 that is derived from the specified unlawful activity of criminal copyright infringement, in
17 violation of Title 18, United States Code, Section 1957

21 380. The evidence in this case contains persuasive proof of money laundering offense. For
22 example, the default judgment – and renewal of judgment – takes the position that Leonard Cohen is the
23 alter ego of Traditional Holdings, LLC and LC Investments, LLC. The Expense Ledger, used to support
24 the fraudulent default judgment, contains no information whatsoever with respect to Blue Mist Touring
25 Company, Inc. or commissions due and owing Kelley Lynch. These properties, without any evidence to
26 support the language in the default, were merely alleged to be Leonard Cohen’s property. With respect
27 to Leonard Cohen personally and LC Investments, LLC, the evidence submitted to Los Angeles Superior
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1 Court (with respect to the judgement and expense ledger) is proof that – while the intellectual property
2 assets are owned by Blue Mist Touring Company, Inc., Leonard Cohen and his wholly owned entity, LC
3 Investments, LLC, have concluded that they are entitled to embezzle royalty income and launder this
4 income through Cohen’s personal accounts and LC Investments, LLC’s corporate accounts.
5 Furthermore, the default judgment and support documents are silent as to Old Ideas, LLC. This entity
6 was not registered to do business in California until 2011.
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8 **Ways, Manner, and Means of the Conspiracy**

9 381. In furtherance of the Conspiracy, defendants and others known and unknown employed,
10 among others, the following manner and means:

11 382. It was part of the Conspiracy that members of the Conspiracy willfully reproduced and
12 distributed, in the Central District of California and elsewhere, infringing copies of copyrighted
13 phonorecords and literary works, with the purpose of private financial gain; such conduct is a “specified
14 unlawful activity” under Title 18 of the United States Code, Section 1956(c)(7)(D).
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16 383. It was further part of the Conspiracy that infringing copies of copyrighted phonorecords
17 and literary works were controlled by the Conspiracy; such conduct occurred at least in part in the United
18 States, under Title 18 of the United States Code, Section 1956(f)(1).
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20 384. It was further part of the Conspiracy that a transaction or series of transactions
21 conducted by members of the Conspiracy involved funds or monetary instruments of a value exceeding
22 \$10,000, under Title 18 of the United States Code, Section 1956(f)(2).
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24 385. It was further part of the Conspiracy that members of the Conspiracy intended to
25 promote the carrying on of unlawful activity, including criminal copyright infringement, using multiple
26 financial transactions affecting interstate and foreign commerce, which involved the proceeds of criminal
27 copyright infringement, and that, while conducting and attempting to conduct such financial transactions,
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1 members of the Conspiracy knew that the property involved in the transactions represented the proceeds
2 of unlawful activity including criminal copyright infringement.

3 386. It was further part of the Conspiracy that members of the Conspiracy intended to
4 promote the carrying on of unlawful activity, including criminal copyright infringement, using multiple
5 transfers involving monetary instruments and funds from places in the United States to and
6 internationally.
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8 387. It was further part of the Conspiracy that members of the Conspiracy knowingly engaged
9 in multiple monetary transactions in criminally derived property of a value greater than \$10,000 that was
10 derived primarily from criminal copyright infringement. One such transaction involves the multi-million
11 fraudulent default judgment that wrongfully transferred and/or converted Lynch's property to Leonard
12 Cohen or his wholly owned LLC, LC Investments, LLC. The intellectual property assets, worth millions
13 of dollars, were not valued and therefore there is no way to know the amount of "damages" Cohen
14 actually received. The commissions Cohen withheld from Lynch were not valued and therefore there is
15 no way to know the amount of "damages" Cohen actually received.
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17 338. It was further part of the Conspiracy that transfers totaling hundreds of thousands if not
18 millions of dollars, which involved proceeds of criminal copyright infringement in the Central District of
19 California and elsewhere were clearly made, the specifics of which can be detailed following discovery,
20 and the transfers would more than likely have been directed to RICO Defendant Leonard Cohen or one
21 of his related entities.
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23 **G. INTERSTATE TRANSPORTATION OF STOLEN PROPERTY IN**
24 **VIOLATION OF 18 U.S.C. SECTION 2314**

25 339. The RICO Defendants devised and intended to devise a scheme or artifice to defraud
26 and obtain Lynch's money and property by false pretenses, representations or promises and transported,
27 caused to be transported, monetary property in interstate commerce in the execution or concealment of
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1 the scheme or artifice to defraud in violation of 18 U.S.C. § 2314.

2 340. In particular, the RICO Defendants caused to be transported in interstate commerce the
3 U.S. District Court of Colorado's U.S. Treasury check in the sum of \$\$169,007.25. The U.S. Treasury
4 check transmitted to Leonard Cohen c/o Michelle Rice, Law Office of Robert Kory had a value in excess
5 of \$5,000. These funds belong to Traditional Holdings, LLC. Cohen had a .5% ownership interest in
6 that entity; Lynch had a 99.% ownership interest in that entity; and this is reflected not only in the
7 corporate books and records but the 2001, 2002, and 2003 federal Traditional Holdings, LLC tax returns
8 as well. It is beyond any doubt whatsoever that Leonard Cohen and his representatives, Richard Westin
9 and Neal Greenberg, intentionally and fraudulently induced Lynch into entering into the Traditional
10 Holdings, LLC agreements, caused her to rely on what were clearly fraudulent tax returns and K-1s
11 transmitted to Lynch and Internal Revenue Service, failed to file state tax returns in Kentucky and
12 possibly California, and further caused her to rely on this information which she used to prepare and file
13 her 2001, 2002, and 2003 federal and state tax returns. This also caused Lynch to pay substantial taxes,
14 based on fraudulent misrepresentations and tax documents, and may have injured her further with
15 respect to phantom income shifted to her but not distributed, distributions made in accordance with the
16 books and records, Cohen and his representatives' failure to "recharacterize" the nature of all alleged
17 "shareholder loans," and may have injured Lynch in ways she is unaware of at this time due to the fact
18 that the RICO Defendants willfully and knowingly refuse to provide her with any evidence of
19 information whatsoever. As of this date, based on Cohen's 2012 Trial Testimony, Lynch is merely aware
20 of the fact that he testified that he and Westin "rectified" a "mistake" in her ownership interest in this
21 entity. Exhibit IIII: Copy of U.S. Treasury Check, attached hereto and made a part hereof.

22 341. These funds were wrongfully removed from the Traditional Holdings, LLC accounts with
23 Natural Wealth and the related Greenberg accounts. The funds should have been distributed in
24 accordance with the parties' equitable ownership interests. All parties, including Natural Wealth and the
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1 RICO Defendants were in possession of the corporate books, records, agreements, stock certificates, and
2 federal tax returns related to this entity. There was no reason whatsoever to place these funds before the
3 U.S. District Court in Colorado, request a determination as to the ownership interest of the entity and
4 assets, willfully disregard all evidence supporting the legal equity holders, and then obtain a fraudulent
5 default judgment the Los Angeles Litigation matter other than to engage in willful fraud upon the court,
6 retaliate against Lynch for exposing the RICO Defendants scheme to defraud Neal Greenberg (and
7 others), ensure that Lynch was absolutely destroyed economically and in a position to lose her home, and
8 to embark on a Tax Fraud Scheme that is inter-related to the scheme to defraud, discredit, and destroy
9 Lynch. The U.S. District Court in Colorado place the U.S. Treasury check, related to the inter-pleaded
10 funds, in the U.S. mail on September 11, 2008. The check was made payable to Leonard Cohen c/o Law
11 Offices of Robert Kory. The Law Offices of Robert Kory is now a partnership known as Kory & Rice,
12 LLP. On January 2, 2016, eight years after this check was transmitted to Leonard Cohen, Michelle Rice
13 posted a copy on her Scribd account, confirmed receipt of the check, and noted that a copy of it hangs
14 on the wall of her office. It is relevant to note that both Michelle Rice and Robert Kory have legal
15 backgrounds in the field of intellectual property.
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18 342. The interstate transportation of stolen funds is a violation of the National Stolen Property
19 Act. A violation of Section 2314 occurs when anyone “transports, transmits, or transfers” in interstate
20 commerce any “goods, wares, merchandise, securities or money” worth more than \$5,000, knowing that
21 they have been “stolen, converted or taken by fraud.” If the Section 2314 claim is based on a theory that
22 the goods or funds were obtained through fraud, then the fraud must be pled with specificity to comply
23 with Federal Rule 9(b).⁷⁵ To violate Section 2314, the defendant need not participate in the underlying
24 unlawful scheme to defraud; the defendant must simply cause the transportation of the funds, goods, or
25 securities, knowing that they were procured by fraud. The flip-side of Section 2314 is Section 2315,
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1 which applies to those who receive the goods or funds knowing they were procured by fraud. The
2 Treasury check, made payable to Leonard Cohen, was received by Kory & Rice.

3 **H. OBSTRUCTION OF JUSTICE IN VIOLATION OF U.S.C. SECTION 1503**
4 **(Obstruction of Judicial Proceedings)**

5 343. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
6 of this Complaint as if set forth in full.

7 344. Obstruction of justice is the impediment of governmental activities. There are a host of
8 federal criminal laws that prohibit obstructions of justice. The six most general outlaw obstruction of
9 judicial proceedings (18 U.S.C. 1503), witness tampering (18 U.S.C. 1512), witness retaliation (18 U.S.C.
10 1513), obstruction of congressional or administrative proceedings (18 U.S.C. 1505), conspiracy to
11 defraud the United States (18 U.S.C. 371), and contempt (a creature of statute, rule and common law).
12 The laws that supplement, and sometimes mirror, the basic six tend to proscribe a particular means of
13 obstruction. Some, like the perjury and false statement statutes, condemn obstruction by lies and
14 deception. Others, like the bribery, mail fraud, and wire fraud statutes, prohibit obstruction by corruption
15 of public employees or officials. Some outlaw the use of violence as a means of obstruction. Still others
16 ban the destruction of evidence.

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19 **The Elements of Obstruction of Justice**

20 345. Criminal Code 18 U.S.C. § 1503 provides that “whoever . . . corruptly or by threats or
21 force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to
22 influence, obstruct, or impede, the due administration of justice” is guilty of an obstruction of justice.
23 “[T]he [plaintiff] must establish (1) that there is a pending judicial . . . proceeding constituting the
24 administration of justice, (2) that the defendant knew or had notice of the proceeding, and (3) that the
25 defendant acted with the wrongful intent or improper purpose to influence the judicial . . . proceeding,
26 whether or not the defendant is successful in doing so.” United States v. Quattrone, 441 F.3d 153, 170
27 (2d Cir. 2006). ~~“A defendant does not need to know with certainty that his conduct would affect judicial~~
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1 proceedings . . . instead, the defendant’s conduct must only have the natural and probable effect of
2 interfering with the due administration of justice.” United States v. Kumar, 617 F.3d 612, 620-21 (2d Cir.
3 2010) (noting that courts afford Section 1503 “a generally non-restrictive reading”) (internal quotations
4 omitted); see also United States v. Aguilar, 515 U.S. 593, 598 (1995) (noting that “the ‘Omnibus Clause’
5 serves as a catchall, prohibiting persons from endeavoring to influence, obstruct, or impede the due
6 administration of justice”). Section 1503 requires also proof of “a connection between the defendant’s
7 intentional acts and the likelihood of potentially affecting the administration of justice.” *Quattrone*, 441
8 F.3d at 170. That is, “the act must have a relationship in time, causation, or logic with the judicial
9 proceedings.” *Id.* (quoting *Aguilar*, 515 U.S. at 599). Obstruction of justice is a predicate act under
10 RICO in cases where, as here, a defendant’s efforts were “designed to prevent detection and prosecution
11 of the organization’s illegal activities [and] were part of a consistent pattern that was likely to continue for
12 the indefinite future, absent outside intervention.” United States v. Coiro, 922 F.2d 1008, 1017 (2d Cir.
13 1991).

16 346. As detailed herein, Leonard Cohen, and his lawyers, Robert Kory, Michelle Rice, and
17 their law firms, submitted deliberately fraudulent and misleading legal pleadings (Los Angeles Litigation,
18 Natural Wealth Lawsuit, and in other matters), together with fabricated evidence, in order to obtain the
19 fraudulent default judgment used to tamper with the administration of justice in the Natural Wealth
20 Lawsuit before the U.S. District Court in Colorado. The RICO Defendants also submitted their
21 fraudulent legal pleadings to the U.S. District Court in Colorado and then to many other courts
22 throughout the country, including this Court. This Complaint addresses the fraud upon these courts.
23 The RICO Defendants submitted perjured and misleading declarations to the U.S. Court in Colorado
24 and used the perjured and misleading declarations of Leonard Cohen and Kevin Prins to support the
25 fraudulently obtained default judgment (Los Angeles Superior Court, Case No. BC338322).
26 Furthermore, the declaration of Joel Feuer, submitted to the U.S. District Courts in Colorado and
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1 Central California attaches and incorporates many documents that are replete with fraudulent
2 misrepresentations. That would include, but is not limited to the, Case Statement. Leonard Cohen is the
3 individual who primarily led, directed, and financed the conduct of the RICO enterprise. He personally
4 hired Robert Kory, Michelle Rice, and their respective law firms. Michelle Rice is the lawyer responsible
5 for drafting the Los Angeles Litigation Complaint, numerous declarations on behalf of Leonard Cohen,
6 and was co-counsel in the Natural Wealth and Los Angeles Litigation matters. Robert Kory, pursuant to
7 his January 4, 2014 declaration oversaw the preparation and creation of the fraudulent Expense Ledger,
8 handles Cohen's personal and corporate tax matters, and serves as Cohen's general counsel, personal and
9 business manager, and witness.
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11 347. In addition to the fraud upon numerous U.S. District Courts, there is fraud upon
12 numerous state courts. That would include, but is not limited to, Los Angeles Superior Court and the
13 Boulder Combined Court. Lynch's motion for terminating sanctions, filed with LA Superior Court on
14 March 15, 2017 addressed the fraud upon that court with respect to the RICO Defendants' responses to
15 Lynch's motion to vacate, ongoing lies and fraudulent misrepresentations with respect to effecting
16 service of the summons and complaint upon Lynch, and the perjured statements in the declarations they
17 each signed on January 4, 2014 and submitted to the court. Lynch also filed a Petition with U.S. Tax
18 Court, and other documents, that attempted to address the fraud upon that court with respect to a
19 Petition Cohen previously filed. Exhibits EEEE: Tax Court documents. Please refer to
20 racketeeringact.wordpress.com, an evidence blog created for this Complaint, incorporated herein and
21 made a part here. The documents may be located through the blog index and the first exhibit, in
22 alphabetical order, would be the first posted document.
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25 348. With respect to the fraudulent default judgments, Michelle Rice and Robert assisted
26 Leonard Cohen with the preparation of the Verified Motion, submitted to the Boulder Combined Court
27 on August 19, 2008, traveled with Cohen (by private jet evidently) to file the Verified Motion, and
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1 participate in an ex parte hearing Lynch was excluded from, and flew into Colorado once again to attend,
2 as witnesses, the September 2, 2008 hearing. It was at that hearing that Lynch requested the court to
3 make the order permanent, noted that the parties were insane, and raised serious concerns about the use
4 of perjury and fraud – elements unknown to her at the time – in connection with the granting of the
5 temporary order. Leonard Cohen, Robert Kory and Michelle Rice, the RICO Defendants, worked
6 together to register the Colorado sister state order. Rice willfully and knowingly transmitted a February
7 14, 2011 email to Lynch fraudulently informing her (IRS, FBI, Treasury, Ron Burkle, Dennis Riordan
8 and others) that the Colorado order was registered in California on or before February 14, 2011. This
9 was blatantly false material information. On or about May 25, 2011, after allegedly spending months
10 researching the issue, Michelle Rice personally fraudulently registered Leonard Cohen’s Colorado
11 restraining order as a “domestic violence order” with Los Angeles Superior Court. This created a new
12 order that required new findings of fact with respect to the statutory required relationship and domestic
13 violence element as well. Lynch was not served or notified of this order. From approximately January
14 2010, after receiving advice on how to approach vacating the Colorado order as Lynch was no longer a
15 resident, she contacted the Boulder Combined Court and, since that time, she and others have been
16 continually informed that the Boulder Combined Court’s permanent order expired on February 15, 2009.
17 The Court employees additionally informed Lynch, and others, that Lynch’s motion to dismiss was
18 entered on January 12, 2009 and the temporary order was vacated on September 2, 2008. On April 10,
19 2014, after diligently attempting to obtain this written information since approximately the winter of
20 2012 when LA Superior Court informed Lynch that the California order was a domestic violence order,
21 she received the Colorado Combined Court’s email, evidence, and statements confirming the fact that
22 the Boulder Combined Court order was not a domestic violence order, Cohen did not check the
23 domestic violence box on the Verified Motion, and providing further evidence that explained the Court’s
24 confirmation with respect to the following information in their database: an order expired on February
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1 15, 2009, a motion to dismiss was entered on January 12, 2009, and the temporary order (which should
2 have been limited to a 14 day order) was vacated on September 2, 2008.

3 349. This Complaint hereinabove specifically addresses the RICO Defendants blatant
4 obstruction of judicial proceedings, witness tampering, witness retaliation, and, a separate but related Tax
5 Fraud Scheme that involved a conspiracy to defraud the United States and other authorities. And, while
6 not technically predicate acts, the RICO Defendants have advanced their scheme to defraud and discredit
7 Lynch through the use of perjury and false statements, lies, deception, and by committing egregious
8 fraud upon numerous courts. The RICO Defendants have blatantly attempted to bribe and/or coerce
9 Lynch into providing false testimony and threatened, if she did not agree to settle with Leonard Cohen,
10 that her life as she knew it would be destroyed. The RICO Defendants have used the mail and wires as
11 elements of their overall scheme to defraud and discredit Lynch. Finally, the RICO Defendants
12 retaliated against Lynch, and continue to retaliate against her, for reporting the allegations that Leonard
13 Cohen committed criminal tax fraud to Internal Revenue Service, State of Kentucky's Revenue Cabinet,
14 Franchise Tax Board, and other authorities. Many obstruction offenses provide the basis for
15 racketeering and money laundering claims, and provide the basis for criminal prosecution of anyone who
16 aids and abets in or conspires for their commission.
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19 **Obstructing Federal Courts (18 U.S.C. 1503)**

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21 350. Section 1503, which contains the "omnibus" obstruction provision, broadly prohibits
22 obstruction of "the due administration of justice," either "corruptly, or by threats of force, or by any
23 threatening letter or communication.

24 351. The Omnibus Provision, Section 1503, condemns obstructing pending judicial
25 proceedings by means of any of four methods. Three explicitly address interfering with federal jurors or
26 court officials; the fourth, the so-called omnibus provision, speaks to interfering with the "due
27 administration of justice." The omnibus provision states: I. Whoever II. A. corruptly or B. by threats or
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1 force, or C. by any threatening letter or communication, III. A. influences, B. obstructs, or C. impedes, or
2 D. endeavors to 1. influence, 2. obstruct, or 3. impede, IV. the due administration of justice, shall be
3 punished as provided in subsection (b). 18 U.S.C. 1503(a).

4 353. The RICO Defendants, once served with the Natural Wealth Lawsuit, understood that
5 there was a pending judicial proceeding before the United States District Court in Colorado. The
6 Natural Wealth Lawsuit detailed the fact that Lynch, through her communications with and evidence
7 provided to Boies Schiller, had exposed the RICO Defendants scheme with respect to Neal Greenberg
8 and others. The RICO Defendants then corruptly endeavored to influence, obstruct, and impede the
9 due administration of justice by retaliating against Lynch, filing a baseless lawsuit against her, and using
10 fabricated evidence and a fraudulent Expense Ledger to obtain a Default Judgment in the Los Angeles
11 Superior Court Litigation. The RICO Defendants further influenced, obstructed, and impeded the due
12 administration of justice by filing a writ of possession and unlawfully seizing corporate records that both
13 Lynch and Natural Wealth believed were relevant and material to the Natural Wealth Lawsuit. See
14 United States v. Monus, 128 F.3d 376, 387 (6th Cir. 1997); see also United States v. Erickson, 561 F.3d
15 1150, 1159 (10th Cir. 2009); United States v. Macari, 545 F.3d 517, 522-23 (7th Cir. 2008); United States
16 v. Richardson, 676 F.3d 491, 502 (5th Cir. 2012); United States v. Brenson, 104 F.3d 1267, 1275 (11th
17 Cir. 1997). The evidence the RICO Defendants seized, not part of Los Angeles Superior Court's writ of
18 possession, were material to the matters before the United States District Court of Colorado. See United
19 States v. Sussman, 709 F.3d 155, 168 (3d Cir. 2013) ("Under 18 U.S.C. §1503(a), the elements of a prima
20 facie case of obstruction of justice are: (1) the existence of a judicial proceeding; (2) knowledge or notice
21 of the pending proceeding; (3) acting corruptly with the intent of influencing, obstructing, or impeding
22 the proceeding in the due administration of justice; and (4) the action had the natural and probable effect
23 of interfering with the due administration of justice"); United States v. Thomas, 612 F.3d 1107, 1128-129
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1 (9th Cir. 2010). Furthermore, the RICO Defendants are the parties who filed the Petition with the
2 Central District of California using the same fraudulent operative facts.

3 354. In order to “corruptly endeavor” to obstruct the due administration of justice, “the action
4 taken by the accused must be with an intent to influence judicial or grand jury proceedings.... Some
5 courts have phrased this showing as a nexus requirement—that the act must have a relationship in time,
6 causation, or logic with the judicial proceedings. In other words, the endeavor must have the natural and
7 probable effect of interfering with the due administration of justice.” See United States v. Aguilar, 515
8 U.S. 593, 599 (1995), citing United States v. Wood, 6 F.3d 692, 696 (10th Cir. 1993), and United States v.
9 Walasek, 527 F.2d 676, 679 (3d Cir. 1975); see also United States v. Bonds, 730 F.3d 890, 897 (9th Cir.
10 2013); United States v. Ashqar, 582 F.3d 819, 823 (7th Cir. 2009); United States v. Johnson, 485 F.3d
11 1264, 1270 (11th Cir. 2007); United States v. Quattrone, 441 F.3d 153, 170-71 (2d Cir. 2006); United
12 States v. Joiner, 418 F.3d 863, 868 (8th Cir. 2005).

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15 355. The RICO Defendants have interfered with the due administration of justice as set forth
16 in Section 1503 and have also engaged in witness tampering, retaliation, and intimidation which are more
17 fully addressed in the claims related to Sections 1512 and 1513.

18 356. The specific kinds of misconduct which will provide the basis for a prosecution under the
19 omnibus clause of §1503 vary considerably. See United States v. Richardson, 676 F.3d 491, 502 (5th Cir.
20 2012)(internal citations omitted)(The omnibus clause was “drafted with an eye to the variety of corrupt
21 methods by which the proper administration of justice may be impeded or thwarted, a variety limited
22 only by the imagination of the criminally inclined”); see e.g., United States v. Bonds, 730 F.3d 890, 894-
23 95 (9th Cir. 2013)(evasive and misleading testimony before the grand jury); United States v. Sussman, 709
24 F.3d 155, 168 (3d Cir. 2013)(violation of court order freezing assets); United States v. Macari, 453 F.3d
25 926, 936 (7th Cir. 2006)(directing a witness to lie before the grand jury); United States v. Quattrone, 441
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1 F.3d 153, 169-73 (2d Cir. 2006)(destruction of documents sought under a grand jury subpoena); United
2 States v. Joiner, 418 F.3d 863, 865- 66 (8th Cir. 2005) (retaliatory economic harassment of federal judge
3 and prosecutors responsible for the defendant's earlier conviction); United States v. Weber, 320 F.3d
4 1047, 1051 (9th Cir. 2003) (threatening to kill the judge presiding over the defendant's supervised release
5 revocation hearing); United States v. Novak, 217 F.3d 566, 569-72 (8th Cir. 2000)(submission of false
6 financial reports in violation of court order governing supervised release); United States v. Fleming, 215
7 F.3d 930, 933-34 (9th Cir. 2000)(filing false liens against the property of a federal judge in an effort to
8 influence the judge's handling of a civil action); United States v. Layne, 192 F.3d 556, 572 (6th Cir.
9 1999)(attempt to influence the testimony of a criminal trial witness); United States v. Muhammad, 120
10 F.3d 688 (7th Cir. 1997)(civil trial juror's solicitation of a bribe); United States v. Atkin, 107 F.3d 1213
11 (6th Cir. 1997) (promising to bribe a trial judge).

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14 357. The RICO Defendants' conduct with respect to the fraudulent misrepresentations in the
15 legal pleadings, perjured statements in declarations submitted to numerous courts, was obstruction of
16 justice. Many of the documents and declarations (submitted to the Los Angeles Superior Court, Case No.
17 BC338322), as specifically addressed herein, were drafted while the Natural Wealth proceedings, before
18 the U.S. District Court in Colorado, was pending. That case ran from approximately June 2005 through
19 September 2008. The RICO Defendants were accurately aware of that fact. The RICO Defendants used
20 the fabricated Los Angeles Litigation complaint, fabricated and fraudulent expense ledger (supported by
21 declarations) to interfere with, corruptly influence, and impede the due administration of justice. That
22 falls squarely within the federal obstruction of justice statute. 18 U.S.C. § 1503; see also United States v.
23 Ruggiero, 934 F.2d 440, 445 (2d Cir. 1991). The RICO Defendants knowingly and willfully concealed,
24 altered and/or destroyed evidence, concocted the fraudulent allegations, statements, and assertions in
25 their legal pleadings, influenced their expert witness, Kevin Prins, CPA, with respect to the creation and
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1 preparation of the fraudulent Expense Ledger, and submitted the language – attached to the default
2 judgment of May 2006 – in the Proposed Judgment addendum.

3 **I. WITNESS TAMPERING & INTIMIDATION IN VIOLATION OF 18 U.S.C.**
4 **SECTION 1512**

5 358. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
6 of this Complaint as if set forth in full.

7 359. Section 1512, witness tampering, applies to the obstruction of federal proceedings—
8 judicial, congressional, or executive. 18 U.S.C. 1515(a)(1) (“As used in sections 1512 and 1513 of this
9 title and in this section—(1) the term “official proceeding” means—(A) a proceeding before a judge or
10 court of the United States, a United States magistrate judge, a bankruptcy judge, a judge of the United
11 States Tax Court, a special trial judge of the Tax Court, a judge of the United States Court of Federal
12 Claims, or a Federal grand jury; (B) a proceeding before the Congress; (C) a proceeding before a Federal
13 Government agency which is authorized by law; or (D) a proceeding involving the business of insurance
14 whose activities affect interstate commerce before any insurance regulatory official or agency or any
15 agent or examiner appointed by such official or agency to examine the affairs of any person engaged in
16 the business of insurance whose activities affect interstate commerce”). Federal prosecutions for
17 obstructing state insurance proceedings appear to have been infrequent. For additional discussion of 18
18 U.S.C. 1512 see Twenty-Eighth Survey of White Collar Crime: Obstruction of Justice, 50 American
19 Criminal Law Review (2013).

20 360. This section consists of four somewhat overlapping crimes: use of force or the threat of
21 the use of force to prevent the production of evidence (18 U.S.C. 1512(a)); use of deception or
22 corruption or intimidation to prevent the production of evidence (18 U.S.C. 1512(b)); destruction or
23 concealment of evidence or attempts to do so (18 U.S.C. 1512(c)); and witness harassment to prevent the
24 production of evidence (18 U.S.C. 1512(d)). The offenses have similar, but not identical, objectives and
25 distinctive elements of knowledge and intent.
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1 361. The second group of offenses within §1512, Obstruction by Intimidation, Threats,
2 Persuasion, or Deception (18 U.S.C. 1512(b), outlaw obstruction of federal congressional, judicial, or
3 administrative activities by intimidation, threat, corrupt persuasion, or deception, 18 U.S.C. 1512(b).
4 Subsection 1512(b) provides that: I. Whoever II. knowingly A. uses intimidation B. threatens, or C.
5 corruptly persuades another person, or D. attempts to do so, or E. 1. engages in misleading conduct⁶⁰ 2.
6 toward another person, III. with intent to A. 1. a. influence, b. delay, or c. prevent 2. the testimony of any
7 person 3. in an official proceeding,⁶¹ or B. cause or induce any person to 1. a. i. withhold testimony, or
8 ii. withhold a (I) record, (II) document, or (III) other object, b. from an official proceeding, or 2. a. i.
9 alter, ii. destroy, iii. mutilate, or iv. conceal b. an object c. with intent to impair d. the object's i. integrity
10 or ii. availability for use e. in an official proceeding, or 3. a. evade b. legal process c. summoning that
11 person i. to appear as a witness, or ii. to produce a (I) record, (II) document, or (III) other object, iii. in
12 an official proceeding, i.e., a (I) federal court proceeding, (II) federal grand jury proceeding, (III)
13 Congressional proceeding, (IV) federal agency proceeding, or (V) proceeding involving the insurance
14 business; or 4. a. be absent b. from an official proceeding, c. to which such person has been summoned
15 by legal process; or C. 1. a. hinder, b. delay, or c. prevent 2. the communication to a a. federal judge or b.
16 federal law enforcement officer⁶² 3. of information relating to the a. commission or b. possible
17 commission of a 4. a. federal offense or b. [a] violation of conditions of i. probation, ii. supervisor
18 release, iii. parole, or iv. release pending judicial proceedings; shall be fined under this title or imprisoned
19 not more than 20 years, or both.

23 362. In more general terms, subsection 1512(b) bans (1) knowingly, (2) using one of the
24 prohibited forms of persuasion (intimidation, threat, misleading or corrupt persuasion), (3)(a) with the
25 intent to prevent a witness's testimony or physical evidence from being truthfully presented at official
26 federal proceedings or (b) with the intent to prevent a witness from cooperating with authorities in a
27 matter relating to a federal offense. See See e.g., United States v. Victor, 973 F.2d 975, 978 (1st Cir.
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1 1992); United States v. Thompson, 76 F.3d 442, 452-53 (2d Cir. 1996); United States v. Holt, 460 F.3d
2 934, 938 (7th Cir. 2006); United States v. Gurr, 471 F.3d 144, 154 (D.C. Cir. 2007); United States v.
3 Tampas, 493 F.3d 1291, 1300 (11th Cir. 2007); United States v. Carson, 560 F.3d 566, 580 (6th Cir.
4 2009); United States v. Eads, 729 F.3d 769, 779 (7th Cir. 2013).

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6 363. Subsection 1512(b) also bans any attempt to so intimidate, threaten, or corruptly
7 persuade. 18 U.S.C. 1512(b). The term “corruptly” in the phrase “corruptly persuades,” as it appears in
8 subsection 1512(b), has been found to refer to the manner of persuasion, [See United States v. LaShay,
9 417 F.3d 715, 718 (7th Cir. 2005)(“corrupt persuasion occurs where a defendant tells a potential witness
10 a false story as if the story were true, intending that the witness believe the story and testify to it”)(very
11 much like the offenses elsewhere in subsection 1512(b) of “knowingly ... engag[ing] in misconduct
12 toward another person” with obstructive intent); United States v. Farrell, 126 F.3d 484, 488 (3d Cir.
13 1997)(emphasis in the original)(“Thus, we are confident that both attempting to bribe someone to
14 withhold information and attempting to persuade someone to provide false information to federal
15 investigators constitute ‘corrupt persuasion’ under §1512(b)”)], the motive for persuasion [See United
16 States v. Gotti, 459 F.3d 296, 343 (2d Cir. 2006)(“This Circuit has defined ‘corrupt persuasion’ as
17 persuasion that is ‘motivated by an improper purpose.’ United States v. Thompson, 76 F.3d 442, 452 (2d
18 Cir. 1996). We have also specifically stated that the Obstruction of Justice Act can be violated by
19 corruptly influencing a witness to invoke the Fifth Amendment privilege in his grand jury testimony. See
20 United States v. Cioffi, 493 F.2d 111, 1118 (2d Cir. 1974”); United States v. Khatami, 280 F.3d 907, 911-
21 12 (9th Cir. 2002)(“Synthesizing these various definitions of “corrupt” and “persuade,” we note the
22 statute strongly suggests that one who attempts to “corruptly persuade” another is, given the pejorative
23 plain meaning of the root adjective “corrupt,” motivated by an inappropriate or improper purpose to
24 convince another to engage in a course of behavior-such as impeding an ongoing criminal
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1 investigation”); United States v. Shotts, 145 F.3d 1289, 1301 (11th Cir. 1998)(“It is reasonable to attribute
2 to the ‘corruptly persuade’ language in Section 1512(b), the same well-established meaning already
3 attributed by the courts to the comparable language in Section 1503(a), i.e., motivated by an improper
4 purpose”)], and the manner of obstruction. [See United States v. Baldrige, 559 F.3d 1126, 1143 (10th
5 Cir. 2009)(“[T]he ‘corruptly persuades’ element requires the government to prove a defendant’s action
6 was done voluntarily and intentionally to bring about false or misleading testimony or to prevent
7 testimony with the hope or expectation of some benefit to the defendant or another person”); United
8 States v. Hull, 456 F.3d 133, 142 (3d Cir. 2006)(“[T]here was ample evidence from which the jury could
9 conclude that Hull knowingly attempted to corruptly persuade Rusch, with the intent to change her
10 testimony. See United States v. Farrell, 126 F.3d 484, 488 (3d Cir. 1997)(holding that ‘corrupt persuasion’
11 includes ‘attempting to persuade someone to provide false information to federal investigators’”);
12 United States v. Cruzado-Laureano, 404 F.3d 470, 487 (1st Cir. 2005)(“Trying to persuade a witness to
13 give false testimony counts as ‘corruptly persuading’ under §1512(b)”); United States v. Burns, 298 F.3d
14 523, 540 (6th Cir. 2002)(“Burns attempted to ‘corruptly persuade’ Walker by urging him to lie about the
15 basis of their relationship, to deny that Walker knew Burns as a drug dealer, and to disclaim that Burns
16 was Walter’s source of crack cocaine”); United States v. Pennington, 168 F.3d 1060, 1066 (8th Cir.
17 1999)(“After carefully examining this amendment and its legislative history, the Third Circuit concluded
18 that the ambiguous term ‘corruptly persuades’ includes ‘attempting to persuade someone to provide false
19 information to federal investigators.’ United States v. Farrell, 126 F.3d 484, 488 (3d Cir. 1997) (emphasis
20 in the original). We agree”].]

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24 364. Subsection 1512(b)(2) requires proof that the defendant intended to obstruct a particular
25 proceeding. Even though the statute, 18 U.S.C. 1512(f), provides that the obstructed proceedings need
26 be neither ongoing nor pending at the time of the obstruction, it is “one thing to say that a proceeding
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1 need not be pending or about to be instituted at the time of the offense, and quite another to say a
2 proceeding need not even be foreseen. A knowingly ... corrupt persuader cannot be someone who
3 persuades others to shred documents under a comment retention policy when he does not have in
4 contemplation any particular official proceeding in which those documents might be material,” Arthur
5 Andersen LLP v. United States, 544 U.S. 696, 707-8 (2005); United States v. Tyler, 732 F.3d 241, 248 (3d
6 Cir. 2013)(“The government must prove that the defendant sought to interfere with evidence or a
7 witness and acted in contemplation of a particular official proceeding. If the defendant lacks knowledge
8 that his actions are likely to affect the official proceeding, then he lacks the requisite intent to obstruct”);
9 United States v. Mislal-Aldarondo, 478 F.3d 52, 69 (1st Cir. 2007).

11 365. Prosecution for obstructing the flow of information to law enforcement officials under
12 subsection 1512(b)(3), on the other hand apparently requires no such nexus. See, United States v.
13 Carson, 560 F.3d 566, 580 (6th Cir. 2009)(“For violation of §1512(b)(3), it is sufficient if the misleading
14 information is likely to be transferred to a federal agent”); United States v. Ronda, 455 F.3d 1273, 1288
15 (11th Cir. 2006)(“Arthur Andersen interpreted and applied only §1512(b)(2), which explicitly requires
16 that the acts of obstruction relate to an official proceeding. Unlike §1512(b)(2), §1512(B)(3) makes no
17 mention of an official proceeding and does not require that a defendant’s misleading conduct relate in
18 any way either to an official proceeding or even to a particular ongoing investigation.... There is simply
19 no reason to believe that the Supreme Court’s holding in Arthur Andersen requires that we graft onto
20 §1512(b)(3) an official proceeding requirement based on statutory language in §1512(b)(2) that does not
21 appear in §1512(b)(3). As addressed in United States v. Veal, 153 F.3d 1233 (11th Cir. 1998)], the federal
22 nexus required under §1512(b)(2) is distinct from that required under §1512(b)(3). Unlike the stricter
23 official proceeding requirement that appears in §1512(b)(2), §1512(b)(3) requires only that a defendant
24 intended to hinder, delay, or prevent communication to any law enforcement officer or judge of the
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1 United States. Id. at 1248. This distinction was critical to our decision in *Veal* that §1512(b)(3) requires
2 only the possible existence of a federal crime and a defendant’s intention to thwart an inquire into that
3 crime. *Veal*, 153 F.3d at 11250. As wexplained in *Veal*, §1512(b)(3) criminalizes the transfer of misleading
4 information which actually relates to a potential federal offense ... *Veal*, 153 F.3d at 1252 (emphasis in the
5 original”); cf., *United States v. Byrne*, 435 F.3d 16, 25 (1st Cir. 2006)(“If the defendant’s contention is
6 that the government must prove the possible existence of a federal crime and a defendant’s intention to
7 thwart an inquiry into that crime by officials who happen to be federal, we continue to agree. If the
8 defendant suggests that Arthur Andersen requires a heightened showing of a nexus in a §1512(b)(3)
9 prosecution, between the intent to hinder communications and a particular law enforcement agency, we
10 express our doubts but defer any final judgment for a future case that requires resolution of that issue”).

11
12 366. A subsection 1512(b)(3) investigation obstruction offense, however, does require proof
13 that the defendant believed it reasonably likely that the witness, absent tampering, might communicate
14 with federal authorities. See *United States v. Williams*, 825 F.Supp.2d 128, 134-38 (D.C.Cir. 2011); cf.,
15 *United States v. Tyler*, 732 F.3d 241, 249-52 (3d Cir. 2013). The defendant’s belief that a witness is
16 reasonably likely to confer with federal authorities can be inferred from the nature of the offense and
17 “additional appropriate evidence.” See *United States v. Guadalupe*, 402 F.3d 409, 412 (3d Cir.
18 2005)(This last element may be inferred from the fact the offense was federal in nature, plus ‘additional
19 appropriate evidence.’ An example of this ‘additional appropriate evidence’ is that the defendant had
20 actual knowledge of the federal nature of the offense”); cf., *United States v. Lopez*, 372 F.3d 86, 91-92
21 (2d Cir. 2004)(citing examples of additional appropriate evidence necessary in law enforcement
22 obstruction element in the context of a subsection 1512(a) prosecution (obstruction through murder or
23 physical force)).
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26 367. The attributes common to §1512 as a whole, apply to subsection 1512(b); some of which
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1 may fit more comfortably in a subsection 1512(b) corrupt persuasion setting than they do in a 1512(a)
2 violence prosecution. The affirmative defenses in subsections 1512(e) and 1515(d) are prime examples.
3 Subsection 1512(e) removes by way of an affirmative defense good faith encouragements of a witness to
4 speak or testify truthfully, although it does not excuse urging a witness to present fabrications as the
5 truth. See United States v. Eads, 729 F.3d 769, 780 (7th Cir. 2013); United States v. Cruzado-Laureano,
6 404 F.3d 470 (1st Cir. 2005) (“Cruzado did ask that they tell the truth; however, his version of ‘the truth’
7 that he urged upon them was anything but the truth”).

8
9 368. For a period of approximately ten years, the RICO Defendants, together with their co-
10 conspirators have engaged in an egregious pattern of obstruction of justice, witness intimidation, and
11 witness retaliation. The RICO Defendants, together with their co-conspirators have knowingly used
12 forms of persuasion (intimidation, threats, misleading and/or corrupt persuasion) with the intent to
13 prevent a witness’s testimony from being truthfully presented at federal proceedings, with respect to IRS
14 and federal tax related matters, because a particular witness supports Lynch, and due to the fact that
15 these parties have employed intimidation tactics, slanderous allegations, and other means to isolate Lynch
16 and frighten her family, friends, colleagues and others. The RICO Defendants, together with their co-
17 conspirators, have attempted to obstruct the flow of information to law enforcement officials through
18 misleading, extraneous, and blatantly false statements.
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21 369. The RICO Defendants, including through their co-conspirators, have caused three
22 witnesses to advise Lynch that they refuse to submit declarations due to the fact that they have been
23 harassed and/or retaliated against and do not want to expose themselves to further retaliation or
24 harassment. Lynch would be willing to submit information under seal to the Court with respect to these
25 individuals.
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27 370. The RICO Defendants, including through their co-conspirators, have caused at least one
28 additional Plaintiff to inform Lynch that, due to fear of further harassment and retaliation, at this time

1 the individual refuses to have their name publicly inserted into the Complaint. Lynch would be willing to
2 submit information under seal to the Court with respect to this individual who has further informed
3 Lynch that he/she would be willing to respond to any request on the part of the Court to address this
4 situation directly with the individual.

5
6 371. Other individuals continue to be or have been relentlessly harassed, stalked, threatene,d
7 intimidated, retaliated against, or defamed. In fact, due to the conduct of the RICO Defendants, and
8 their co-conspirators, many people have been terrorized by this situation. Lynch believes the Court
9 should personally address this situation so that these individuals do not have to further expose
10 themselves to this conduct. Lynch has forwarded a great deal of evidence supporting these allegations to
11 IRS, FBI, DOJ, Treasury, and others.

12
13 372. The Los Angeles Superior Court Litigation, a baseless, retaliatory, and meritless suit, was
14 used to threaten Lynch, discredit her, and potentially dissuade her from testifying against Leonard Cohen
15 in connection with the Tax Fraud Scheme and others matters. That would include, but is not limited to,
16 the Natural Wealth Lawsuit. Lynch's sham 2012 Trial was a blatant attempt to intimidate her with
17 respect to the issues involved in that matter – including federal and state tax matters and controversies -
18 and the parties affiliated with it. That would also include, but is not limited to, former District Attorney
19 Steve Cooley and the Phil Spector case. The related Los Angeles Litigation case, BC321120, was used as
20 a means to illegally seize corporate evidence and property the RICO Defendants were not entitled to.
21 The corporations were not named in the writ of possession and the writ extended to property that
22 belonged to Leonard Cohen personally. The RICO Defendants have done everything in their power to
23 intimidate Lynch with respect to her communications directed to IRS, FBI, DOJ, Treasury, and other
24 government agencies. The RICO Defendants, and their co-conspirators, have continuously transmitted
25 fraudulent information, false statements, and blatant lies to these government agencies about Lynch.
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27 More seriously, however, in Lynch's mind is the ongoing attempts to terrorize her sons who have been
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1 relentlessly victimized, stalked, harassed, threatened, and maliciously abused by the RICO Defendants
2 and their co-conspirators.

3 373. As at least two courts of appeals have recognized, threats of litigation against potential
4 victims or witnesses in a criminal case discourage and dissuade them from testifying. United States v.
5 Lewis, 411 F.3d 838, 843 (7th Cir. 2005) (affirming judgment ordering the defendant in a criminal case to
6 refrain from harassing or otherwise proceeding against a witness in any court for matters arising out of
7 the crime of which the defendant was accused); United States v. Tison, 780 F.2d 1569, 1573 (11th Cir.
8 1986) ("Filing a civil lawsuit to avoid the restrictions on criminal discovery and thereby obtain documents
9 that a defendant would not ordinarily be entitled to for use in [her] criminal case, while at the same time
10 attempting to intimidate a witness from providing accurate information to federal law officials is exactly
11 the kind of harassment [§ 1514(a)] was designed to eliminate."). Those courts have also found that filing
12 civil cases in pursuit of discovery to which the defendant would never be entitled in the criminal case is
13 not a legitimate purpose. Id.

16 **The Elements of Witness Tampering**

17 374. The federal witness tampering statute, 18 U.S.C. § 1512, prohibits knowing attempts to
18 inter alia "hinder, delay, or prevent the communication to a . . . judge of the United States information
19 relating to the commission or possible commission of a Federal offense." Id. § 1512(b)(3). "The section
20 was written broadly to encompass non-coercive efforts to tamper with a witness." United States v.
21 Amato, 86 F. App'x 447, 450 (2d Cir. 2004) (finding evidence sufficient to support conviction for witness
22 tampering where defendant, "concerned [witness] would testify against him . . . directed intermediaries . . .
23 . to reach out to [witness] and deliver a message" despite absence of evidence of intent behind or effect
24 of message). Thus, one violates Section 1512 if one is "motivated by an improper purpose." United
25 States v. Thompson, 76 F.3d 442, 452 (2d Cir. 1996). Improper purposes include causing a witness to
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1 withhold relevant facts about a defendant's wrongful acts, United States v. Price, 443 F. App'x 576, 582
2 (2d Cir. 2011), or to provide false testimony to the court. *Thompson*, 76 F.3d at 453.

3 375. Section 1512(c) prohibits "obstructing, influencing, or impeding any official
4 proceeding, or attempting to do so." Section 1514(d) prohibits "intentionally harassing another person
5 and thereby hindering, delaying, preventing, or dissuading any person from attending or testifying in an
6 official proceeding." As indicated above, there are reasonable grounds to believe that the Neble case is an
7 attempt to obstruct this criminal action in two ways: (1) by circumventing the Federal Rules of Criminal
8 Procedure to seek discovery to which she is not entitled in this criminal case, in violation of § 1512(c);
9 and (2) attempting to intimidate witnesses by suing them in separate civil actions, in violation of §
10 1512(d)(1). The same reasoning applies to any additional cases she may file against Government
11 witnesses, agents, or investigators involved in her criminal case.
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14 **J. OBSTRUCTION BY DESTRUCTION OF EVIDENCE IN VIOLATION OF 18**
15 **U.S.C. 1512(c) and 1519**

16 376. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
17
18 of this Complaint as if set forth in full.

19 377. This Complaint has addressed the unlawful seizure of corporate property, the co-
20 conspirators attempts to force third parties to transmit Lynch's property and evidence to Cohen, Kory &
21 Rice, the use of Los Angeles Superior Court to seal and conceal corporate evidence and evidence related
22 to probable criminal conduct, and Lynch's son has been publicly threatened online with prison for
23 storing property and evidence. This conduct, all meant to benefit the RICO Defendants, was done with
24 the specific intent to subvert, impede, and obstruct judicial proceedings and criminal investigations. That
25 would include, but is not limited to, evidence the U.S. Treasury agents advised Lynch to submit to Agent
26 Luis Tejada.
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1 378. After the RICO Defendants filed the writ of possession, Los Angeles Superior Court
2 Case No. BC341120, and LASD wrongfully seized property belonging to the corporations at issue as well
3 as others, Natural Wealth filed an intervention attempting to preserve the evidence for the U.S. District
4 Court in Colorado. Los Angeles Superior Court, based upon the RICO Defendants legal arguments,
5 refused to preserve the seized property.
6

7 379. On or about May 28, 2015, the RICO Defendants filed an Ex Parte Application which
8 ultimately led to Los Angeles Superior Court sealing evidence relevant and material to this case which
9 was also transmitted to Internal Revenue Service as part of Lynch's March 1, 2015 declaration. The
10 documents under seal are corporate records, corporate tax returns, other relevant materials, and
11 documents Lynch purchased on Pacer, documents available through the Southern District of New York,
12 exhibits attached to the Natural Wealth Lawsuit, and corporate records available through the State of
13 Kentucky's website and elsewhere.
14

15 380. The obstruction by destruction of evidence offense found in subsection 1512(c) is the
16 creation of the Sarbanes-Oxley Act and proscribes obstruction of federal administrative, judicial, or
17 congressional proceedings by destruction of evidence. 18 U.S.C. 1512(c); 1515(a)(1). Section 1512(c)
18 covers obstructions committed or attempted with "corrupt" intent. Here, the courts have said that
19 "corruptly" means "acting with an improper purpose and to engage in conduct knowingly and
20 dishonestly with the specific intent to subvert, impede, or obstruct the proceeding" [United States v.
21 Gordon, 710 F.3d 1124, 1151 (10th Cir. 2013)], that it means "acting with consciousness of wrongdoing"
22 [United States v. Mann, 701 F.3d 274, 305-306 (8th Cir. 2012)]. It does not mean that the obstruction
23 must be done with wicked or evil intent [United States v. Watters, 717 F.3d 733, 734-36 (9th Cir.
24 2013)](finding it unnecessary to decide what "corruptly" means, but suggesting that "consciousness of
25 wrongdoing"—the Arthur Anderson interpretation of "knowingly corruptly"—places too heavy a
26 burden on the government)].
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1 381. Where subsection 1512(c) condemns obstruction of federal proceedings by destruction of
2 evidence, §1519 outlaws obstruction of federal investigations or bankruptcy proceedings by such means.
3 It declares: Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false
4 entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the
5 investigation or proper administration of any matter within the jurisdiction of any department or agency
6 of the United States or any case filed under Title 11, or in relation to or contemplation of any such
7 matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

9 382. At one time, the general federal false statement statute forbid false statements in “any
10 matter within the jurisdiction of any department or agency of the United States,” 18 U.S.C. 1001 (1994
11 ed.). There, the phrase “any department or agency of the United States” referred only to executive
12 branch entities, the Supreme Court said; it did not refer to judicial entities nor by implication to
13 congressional entities. Congress then amended §1001 to cover false statements “in any matter within the
14 jurisdiction of the executive, legislative, or judicial branches of the Government of the United States,” a
15 turn of phrase Congress elected not to use in §1519.

17 382. More specifically, subsection 1512(c) provides that: I. Whoever II. corruptly III.
18 A.1.alters, 2. destroys, 3. mutilates, or 4. conceals B. 1. a record, 2. document, or 3. other object, or C.
19 attempts to do so, D. with the intent to impair the object’s 1. integrity, or 2. availability for use E. in an
20 official proceeding, or IV. otherwise A. 1. obstructs, 2. influences, or 3. impedes B. an official
21 proceeding, or C. attempts to do so shall be fined under this title or imprisoned not more than 20 years,
22 or both. 18 U.S.C. 1512(c); e.g., United States v. Freeman, 741 F.3d 426, 437-38 (4th Cir. 2014).

24 383. As is generally true of attempts to commit a federal offense, attempt to violate subsection
25 1512(c) requires an intent to violate the subsection and a substantial step toward the accomplishment of
26 that goal. See United States v. Lucas, 499 F.3d 769, 781 (8th Cir. 2007); United States v. Gordon, 710
27 F.3d 1124, 1150 (10th Cir. 2013)(“Thus, [for attempt] the government was required to prove beyond a
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1 reasonable doubt (1) that Mr. Gordon intended to ‘corruptly’ obstruct an official proceeding ... and (2)
2 that he committed a substantial step toward the commission of the intended obstruction”).

3 384. Like subsection 1512(a) and 1512(b) offenses, subsection 1512(c) offenses are RICO and
4 money laundering predicate offenses, 18 U.S.C. 1961, 1956(c)(7)(A), and may provide the foundation for
5 criminal liability as a principal, accessory after the fact, conspirator, or one guilty of misprision. See 18
6 U.S.C. 2, 3, 371, 1512(k), 4; see e.g., United States v. Mann, 685 F.3d 714, 722 (8th Cir. 2012)(conspiracy
7 and aiding and abetting).
8

9 **K. OBSTRUCTION BY HARASSMENT IN VIOLATION OF 18 U.S.C. SECTION**
10 **1512(d)**

11 385. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
12 of this Complaint as if set forth in full.

13 386. The RICO Defendants, together with their co-conspirators have engaged in a ten year
14 course of conduct intentionally designed to harass, hinder, delay, and dissuade Lynch from attending,
15 testifying or participating in numerous litigation matters described herein. This activity has also been
16
17 used in an attempt to silence Lynch with respect to her communications to IRS, FBI, DOJ, Treasury, and
18 other government agencies. Furthermore, Lynch was arrested for what LAPD’s TMU concluded were
19 generally requests for tax information and essentially placed on trial for federal tax matters before Los
20 Angeles Superior Court. The RICO Defendants, and others, conspired to cause Lynch to cause Lynch
21 to face a probation revocation proceeding. The reason for this was due to the fact that co-conspirator
22 Stephen Gianelli and Susanne Walsh, at times with Michelle Rice copied in, relentlessly transmitted false
23 statements, blatant lies, and inflammatory information to prosecutor Sandra Jo Streeter. The
24 communications with Streeter began on or about November 20, 2012 and continued for over a year.
25 Lynch’s sons, sister, Paulette Brandt, and others were harassed and distressed by those communications.
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1 This particular situation will be more fully addressed in Lynch’s RICO suit against the City and County
2 of Los Angeles.

3 387. The obstruction by harassment prohibition in subsection 1512(d) existed as subsection
4 1512(c) until redesignated by Sarbanes-Oxley in 2002. Section 1102, P.L. 107-204, 116 Stat. 807 (2002).
5 Subsection 1512(d) declares: I. Whoever, II. intentionally, III. harasses another person, and thereby IV.
6 A. hinders, B. delays, C. prevents, or D. dissuades, V. any person from A. 1. attending or 2. testifying in
7 3. an official proceeding, or B. reporting 1. a. to a law enforcement officer, or b. judge c. of the United
8 States, 2. a. the commission, or b. possible commission, of 3. a. a federal offense, or b. a violation of the
9 conditions of i. probation, ii. supervised release, iii. parole, or iv. release pending judicial proceedings, or
10 C. 1. arresting, or 2. seeking to arrest 3. another person 4. in connection with a federal offense, or D.
11 causing 1. a. a criminal prosecution, or b. a parole revocation proceeding, or c. a probation revocation
12 proceeding 2. a. to be sought, or b. instituted, or 3. assisting in such prosecution or proceeding, or VI.
13 attempts to do so shall be fined under this title or imprisoned not more than 3 years, or both. 18 U.S.C.
14 1512(d).

15 388. Subsection 1512(d) harassment offenses are RICO and money laundering predicate
16 offenses. 18 U.S.C. 1961, 1956(c)(7)(A). The provisions of law relating to principals, accessories after the
17 fact, misprision, and conspiracy apply with equal force to offenses under subsection 1512(d), 18 U.S.C. 2,
18 3, 4, 371, 1512(k), as do the provisions elsewhere in §1512 relating to extraterritorial application, and
19 abolition of the need to show pendency or knowledge of the federal character of the obstructed
20 proceedings or investigation. 18 U.S.C. 1512(f), (g).

24 **Summary of the Pattern of Racketeering Alleged Against the RICO Defendants**

25 389. The RICO Defendants, including through the actions of their agents and representatives,
26 has committed numerous predicate acts, including mail and wire fraud, money laundering, obstruction of
27 justice, criminal copyright infringement, and extortion. The racketeering activity involves at least two
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1 predicate acts which have occurred over the span of ten years (excluding the seven months or so when
2 Lynch was falsely imprisoned). There is a threat of continuing activity. The RICO Defendants ongoing
3 activity has the same or similar purposes, results, participants, victims, methods, and are interrelated by
4 distinguishing characteristics. The activities are not isolated events. The RICO Defendants are
5 associated in fact. The enterprise and pattern of racketeering are separate elements. Each RICO
6 Defendant joined with the other members in an agreement to conduct or participate in the affairs of the
7 enterprise through a pattern of racketeering activity.

9 390. Defendant Leonard Cohen has committed the predicate acts addressed hereinabove. (1)
10 Obstruction of Justice in Violation of 18 U.S.C. Section 1503 (obstruction of judicial proceedings); (2)
11 Witness Tampering & Intimidation in violation of 18 U.S.C. Section 1512; (3) Obstruction by
12 Destruction of Evidence in Violation of 18 U.S.C. 1512(c) and 1519; (4) Obstruction by Harassment in
13 Violation of 18 U.S.C. Section 1512(d); (5) Extortion in Violation of Hobbs Act, 18 U.S.C. Section
14 1512(d); (6) Extortion in Violation of California Penal Code Section 518; (7) Mail & Wire Fraud in
15 Violation of 18 U.S.C. Sections 1341, 1343; (8) Criminal Copyright Infringement in Violation of 17
16 U.S.C. Section 506 and 18 U.S.C. Section 2319; (9) Money Laundering in Violation of 18 U.S.C. Sections
17 1956(a)(2)(a); and, (10) Interstate Transportation of Stolen Property in Violation of 18 U.S.C. Section
18 2314. These acts include numerous mail and wire fraud violations, as identified in Appendix A in which
19 Cohen used or caused to be used the mail or wires in furtherance of the RICO Defendants' scheme to
20 defraud. The scheme, which was discovered over the past four years, also rendered fraudulent certain
21 corporate tax returns and tax documents (such as K-1 partnership documents), also identified in
22 Appendix A, to be transmitted to IRS and relied on by Lynch. Lynch was continuously advised by
23 Leonard Cohen that his representatives were handling the corporate, tax, accounting, and other relevant
24 matters legally, validly, and in accordance with the laws of the United States and other jurisdictions.
25 Cohen has also engaged in extortion of Lynch and fraudulent conduct through numerous acts, including
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1 by participating in a campaign of public attacks based on false and misleading statements about Lynch
2 and the Los Angeles Litigation (Case No. BC338322 and Case No. BC341120); the Natural Wealth
3 Lawsuit; and, in connection with Lynch's wrongful prosecution for violating a restraining order. The
4 RICO Defendants' co-conspirators have routinely transmitted false statements about Lynch and these
5 matters to Senate Judiciary, IRS, FBI, DOJ, U.S. Treasury, ICE, FTB, District Attorney of Los Angeles,
6 City Attorney of Los Angeles, U.S. District Courts, other courts in the United States, law enforcement,
7 and to other third parties. With respect to Lynch's criminal prosecution, Detective Viramontes, LAPD's
8 Threat Management Unit, informed her that Leonard Cohen did not feel "comfortable" with her
9 "requests for tax information." Lynch intends to have a subpoena issued to Detective Viramontes at the
10 appropriate stage of the legal proceedings as her arrest involved federal tax matters. Leonard Cohen's
11 fraudulent and false statements extended to the manufactured evidence in the form of the Expense
12 Ledger, procuring baseless criminal charges against Lynch, ensuring a negative outcome of the Los
13 Angeles Superior Court litigation matters, and threatening and causing threats to be made to Lynch
14 directly, members of her family, and the harassment of Lynch, her sons, and many others. In addition,
15 Cohen engaged in obstruction of justice by filing and/or causing to be filed in numerous U.S. courts, and
16 other courts, documents -- including declarations sworn under penalty of perjury -- falsely representing
17 many facts including with respect to the fabricated Expense Ledger and misrepresenting Lynch's
18 ownership interests in certain corporations (and distributions made to her in connection with those
19 interests) as overpayments with respect to her commissions for services rendered. Cohen has committed
20 wire fraud, engaged in money laundering and copyright infringement, knowingly caused funds to be
21 transported, transmitted, or transferred from the United States, and elsewhere, to himself and other
22 unknown parties or entities and used the funds to fund the RICO Defendants' criminal activity. Cohen
23 has engaged in witness tampering by knowingly engaging in intimidation, threats, misleading conduct,
24 and corrupt persuasion with respect to Lynch and others with the specific intent to influence, delay, and
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1 prevent Lynch's testimony in the U.S. District Court in Colorado, U.S. District Court for the Central
2 District of California, and in numerous litigation proceedings before Los Angeles Superior Court. Cohen
3 has also tampered with the testimony of Kevin Prins, who prepared the Expense Ledger, by paying him
4 for his Declaration and "analysis" and concealing Lynch's legitimate ownership interests in numerous
5 corporate entities. Lynch has addressed Leonard Cohen's conduct with specificity throughout this
6 Complaint.
7

8 391. Defendant Robert Kory has committed the predicate acts addressed hereinabove. (1)
9 Obstruction of Justice in Violation of 18 U.S.C. Section 1503 (obstruction of judicial proceedings); (2)
10 Witness Tampering & Intimidation in violation of 18 U.S.C. Section 1512; (3) Obstruction by
11 Destruction of Evidence in Violation of 18 U.S.C. 1512(c) and 1519; (4) Obstruction by Harassment in
12 Violation of 18 U.S.C. Section 1512(d); (5) Extortion in Violation of Hobbs Act, 18 U.S.C. Section
13 1512(d); (6) Extortion in Violation of California Penal Code Section 518; (7) Mail & Wire Fraud in
14 Violation of 18 U.S.C. Sections 1341, 1343; (8) Criminal Copyright Infringement in Violation of 17
15 U.S.C. Section 506 and 18 U.S.C. Section 2319; (9) Money Laundering in Violation of 18 U.S.C. Sections
16 1956(a)(2)(a); and, (10) Interstate Transportation of Stolen Property in Violation of 18 U.S.C. Section
17 2314. These acts include numerous mail and wire fraud violations, as identified in Appendix A in which
18 Kory, and his respective law firms or management company, used or caused to be used the mail or wires
19 in furtherance of the RICO Defendants' scheme to defraud. The scheme, which was discovered over the
20 past four years, also rendered fraudulent certain corporate tax returns and tax documents (such as K-1
21 partnership documents), also identified in Appendix A, to be transmitted to IRS and relied on by Lynch.
22 Kory has also engaged in extortion of Lynch and fraudulent conduct through numerous acts, including
23 by directing and participating in a campaign of public attacks based on false and misleading statements
24 about Lynch and the Los Angeles Litigation (Case No. BC338322 and Case No. BC341120); the Natural
25 Wealth Lawsuit; and, in connection with Lynch's wrongful prosecution for violating a restraining order.
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1 The RICO Defendants' co-conspirators have routinely transmitted false statements about Lynch and
2 these matters to Senate Judiciary, IRS, FBI, DOJ, U.S. Treasury, ICE, FTB, District Attorney of Los
3 Angeles, City Attorney of Los Angeles, U.S. District Courts, other courts in the United States, law
4 enforcement, and to other third parties. With respect to Lynch's criminal prosecution, Detective
5 Viramontes, LAPD's Threat Management Unit, informed her that Leonard Cohen did not feel
6 "comfortable" with her "requests for tax information." Lynch intends to have a subpoena issued to
7 Detective Viramontes at the appropriate stage of the legal proceedings as her arrest involved federal tax
8 matters. Leonard Cohen's fraudulent and false statements extended to the manufactured evidence in the
9 form of the Expense Ledger, procuring baseless criminal charges against Lynch, ensuring a negative
10 outcome of the Los Angeles Superior Court litigation matters, and threatening and/or causing threats to
11 be made to Lynch directly, members of her family, and the harassment of Lynch, her sons, and many
12 others. In addition, Kory engaged in obstruction of justice by filing and/or causing to be filed in
13 numerous U.S. courts, and other courts, documents – including declarations sworn under penalty of
14 perjury – falsely representing many facts including with respect to the fabricated Expense Ledger and
15 misrepresenting Lynch's ownership interests in certain corporations (and distributions made to her in
16 connection with those interests) as overpayments with respect to her commissions for services rendered.
17 Kory has committed wire fraud, engaged in money laundering and copyright infringement, knowingly
18 caused funds to be transported, transmitted, or transferred from the United States, and elsewhere, to
19 himself and/or other unknown parties or entities and has been paid commissions and other compensation
20 amounts through these funds which have furthered the RICO Defendants' criminal activity. That would
21 include, but is not limited to, Kory's work as Cohen's general counsel, personal manager, business
22 manager, and paid witness. Kory has engaged in witness tampering by knowingly engaging or causing
23 others to engage in intimidation, threats, misleading conduct, and corrupt persuasion with respect to
24 Lynch and others with the specific intent to influence, delay, and prevent Lynch's testimony in the U.S.

1 District Court in Colorado, U.S. District Court for the Central District of California, and in numerous
2 litigation proceedings before Los Angeles Superior Court. Kory has also tampered with the testimony of
3 Kevin Prins, who prepared the Expense Ledger, by directing him to create a fabricated “analysis” and
4 concealing Lynch’s legitimate ownership interests in numerous corporate entities. Lynch has addressed
5 Robert Kory’s conduct with specificity throughout this Complaint.
6

7 392. Defendant Michelle Rice has committed the predicate acts addressed hereinabove. (1)
8 Obstruction of Justice in Violation of 18 U.S.C. Section 1503 (obstruction of judicial proceedings); (2)
9 Witness Tampering & Intimidation in violation of 18 U.S.C. Section 1512; (3) Obstruction by
10 Destruction of Evidence in Violation of 18 U.S.C. 1512(c) and 1519; (4) Obstruction by Harassment in
11 Violation of 18 U.S.C. Section 1512(d); (5) Extortion in Violation of Hobbs Act, 18 U.S.C. Section
12 1512(d); (6) Extortion in Violation of California Penal Code Section 518; (7) Mail & Wire Fraud in
13 Violation of 18 U.S.C. Sections 1341, 1343; (8) Criminal Copyright Infringement in Violation of 17
14 U.S.C. Section 506 and 18 U.S.C. Section 2319; (9) Money Laundering in Violation of 18 U.S.C. Sections
15 1956(a)(2)(a); and, (10) Interstate Transportation of Stolen Property in Violation of 18 U.S.C. Section
16 2314. These acts include numerous mail and wire fraud violations, as identified in Appendix A in which
17 Rice, and her respective law firm, used or caused to be used the mail or wires in furtherance of the RICO
18 Defendants’ scheme to defraud. The scheme, which was discovered over the past four years, also
19 rendered fraudulent certain corporate tax returns and tax documents (such as K-1 partnership
20 documents), also identified in Appendix A, transmitted to IRS and relied on by Lynch. Rice has also
21 engaged in extortion of Lynch and fraudulent conduct through numerous acts, including by directing and
22 participating in the baseless litigation (researching and drafting pleadings and declarations), and the
23 related campaign of public attacks based on false and misleading statements about Lynch and the Los
24 Angeles Litigation (Case No. BC338322 and Case No. BC341120); the Natural Wealth Lawsuit; and, in
25 connection with Lynch’s wrongful prosecution for violating a restraining order. The RICO Defendants’
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1 co-conspirators have routinely transmitted false statements about Lynch and these matters to Senate
2 Judiciary, IRS, FBI, DOJ, U.S. Treasury, ICE, FTB, District Attorney of Los Angeles, City Attorney of
3 Los Angeles, U.S. District Courts, other courts in the United States, law enforcement, and to other third
4 parties. With respect to Lynch's criminal prosecution, Detective Viramontes, LAPD's Threat
5 Management Unit, informed her that Leonard Cohen did not feel "comfortable" with her "requests for
6 tax information." Lynch intends to have a subpoena issued to Detective Viramontes at the appropriate
7 stage of the legal proceedings as her arrest involved federal tax matters. Leonard Cohen's fraudulent and
8 false statements extended to the manufactured evidence in the form of the Expense Ledger, procuring
9 baseless criminal charges against Lynch, ensuring a negative outcome of the Los Angeles Superior Court
10 litigation matters, and threatening and/or causing threats to be made to Lynch directly, members of her
11 family, and the harassment of Lynch, her sons, and many others. In addition, Michelle Rice engaged in
12 obstruction of justice by filing and/or causing to be filed in numerous U.S. courts, and other courts,
13 documents – including declarations sworn under penalty of perjury – falsely representing many facts
14 including with respect to the fabricated Expense Ledger and misrepresenting Lynch's ownership interests
15 in certain corporations (and distributions made to her in connection with those interests) as
16 overpayments with respect to her commissions for services rendered. Rice has committed wire fraud,
17 engaged in money laundering and copyright infringement, knowingly caused funds to be transported,
18 transmitted, or transferred from the United States, and elsewhere, to herself and/or other unknown
19 parties or entities and has been paid commissions and other compensation amounts through these funds
20 which have furthered the RICO Defendants' criminal activity. That would include, but is not limited to,
21 Rice's work as Cohen's legal representative and paid witness. Rice has engaged in witness tampering by
22 knowingly engaging or causing others to engage in intimidation, threats, misleading conduct, and corrupt
23 persuasion with respect to Lynch and others with the specific intent to influence, delay, and prevent
24 Lynch's testimony in the U.S. District Court in Colorado, U.S. District Court for the Central District of
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1 California, and in numerous litigation proceedings before Los Angeles Superior Court. Rice has also
2 tampered with the testimony of Kevin Prins, who prepared the Expense Ledger, by participating in the
3 fraudulent conduct that led to the creation of a fabricated “analysis” and concealing Lynch’s legitimate
4 ownership interests in numerous corporate entities. Lynch has addressed Michelle Rice’s conduct with
5 specificity throughout this Complaint.
6

7 393. Each of the RICO Defendants has engaged in multiple predicate acts, as described
8 hereinabove and throughout this Complaint. The conduct of each of the RICO Defendants activity
9 constitutes a pattern of racketeering activity within the meaning of 18 U.S.C. Section 1961(5).

10 394. Lynch was injured in her business and property by reason of the RICO Defendants’
11 violations of 18 U.S.C. Section 1962(c). The injuries to Lynch caused by reason of the violations of 18
12 U.S.C. Section 1962(c) include but are not limited to damage to Lynch’s professional reputation and
13 good will; both of her businesses (Stranger Management and Amazing Card Company); the impairment
14 of Lynch’s interests in executed contracts (as more fully set forth in this Complaint); interference with
15 certain legal rights belonging to Lynch (including with respect to custody of her son, Ray Charles
16 Lindsey); Lynch’s inability to obtain proper legal representation; and the costs to defend herself in
17 objectively baseless, improperly motivated sham litigation in Los Angeles Superior Court (Case No.
18 BC338322 and BC341120) and in related litigation before U.S. District Courts, including the costs
19 associated with exposing the RICO Defendants’ pervasive fraud.
20
21

22 395. Further, these injuries to Lynch were a direct, proximate, and reasonably foreseeable
23 result of the violation of 18 U.S.C. Section 1962. Lynch is the ultimate victim of the RICO Defendants’
24 unlawful Enterprise. Lynch has been and will continue to be injured in her business and property in an
25 amount to be determined at trial.
26

27 396. Pursuant to 18 U.S.C. Section 1964(c), Lynch is entitled to recover treble damages plus
28 costs from the RICO Defendants.

1 directly or indirectly, in the conduct, management, or operation of the Enterprise's affairs through a
2 pattern of racketeering activity in violation of 18 U.S.C. Section 1962(c).

3 402. Each RICO Defendant knew about and agreed to facilitate the Enterprise's scheme to
4 obtain property from Lynch. It was part of the conspiracy that the RICO Defendants and their co-
5 conspirators would commit a pattern of racketeering activity in the conduct of the affairs of the
6 Enterprise, including the acts of racketeering set forth hereinabove.
7

8 403. As a direct and proximate result of the RICO Defendants' conspiracy, the acts of
9 racketeering activity of the Enterprise, the overt acts taken in furtherance of that conspiracy, and
10 violations of 18 U.S.C. Section 1962(d), Lynch has been injured in her business and property, including
11 damage to Lynch's professional reputation and goodwill as well as both of her businesses (Stranger
12 Management and Amazing Card Company, LLC); the impairment of Lynch's interest in executed
13 contracts; and the costs to defend herself in objectively baseless, improperly motivated sham litigation in
14 Los Angeles Superior Court (Case No. BC338322 and BC341120) and related litigation in numerous U.S.
15 District Courts, including the costs associated with exposing the RICO Defendants pervasive fraud.
16

17 404. Pursuant to 18 U.S.C. Section 1964(c), Lynch is entitled to recover treble damages plus
18 costs from the RICO Defendants.
19

20 405. Lynch is further entitled to, and should be awarded, a preliminary and permanent
21 injunction, or other relief, that enjoins Defendants, their assignees, anyone else acting in concert with
22 them – including third party law firms or other professionals, and third parties – including Internal
23 Revenue Service and Franchise Tax Board – from commencing, prosecuting, relying on, or advancing in
24 any way – directly or indirectly – any attempt to recognize or enforce the Los Angeles Superior Court
25 fraudulent default judgments (Case No. BC338322 and Case No. BC338322) and the July 13, 2015
26 renewal of the fraudulent default judgment (Case No. BC338322) in any court, tribunal, or administrative
27 agency in any jurisdiction, in the United States or abroad, including any attempt to attach or seize any of
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1 Lynch's property or assets, whether pre-judgment or otherwise, until this Court determines the merits and
2 enters judgment on Lynch's claims against the Defendants in this action.

3 WHEREFORE, Lynch prays for judgment as set forth below.

4
5 **THIRD CLAIM FOR RELIEF**
6 **Breach of Fiduciary Duty**
7 **(Against Defendant Leonard Cohen)**

8 406.. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
9 of this Complaint as if set forth in full.

10 407. Leonard Cohen, due to his position as the individual who controlled the corporate
11 entities and Lynch herself, acted as Lynch's fiduciary at all times herein mentioned. Moreover, Cohen
12 utilized his professional and personal relationship (specifically a friendship) to cause Lynch to rely on his
13 promises, agreements, assertions, actions, and those of his representatives. Cohen utilized his position of
14 trust and confidence to deceive, mislead, and fraudulently misrepresent to Lynch that she had a valid,
15 legal ownership interest in Blue Mist Touring Company, Inc., Traditional Holdings, LLC, and Old Ideas,
16 LLC. Cohen also advised Lynch that, while it was agreed that he personally and LC Investments, LLC
17 would collect certain royalty income related to assets owned by Blue Mist Touring Company, Inc., Lynch
18 would be properly compensated for her 15% ownership interest in those assets and Cohen's
19 representatives would handle all matters related to the corporations, accountings, and tax matters.

20
21 408. Cohen owed fiduciary duties to Lynch and a fiduciary relationship existed between Cohen
22 and Lynch. In particular, Lynch was in a position of great disparity or inequality relative to Cohen. Cohen
23 knew that Lynch was relying upon him, and his representatives who worked directly for Leonard Cohen,
24 to act in her interests and to carry out her intentions. During Lynch's 2012 Trial, Leonard Cohen
25 personally testified that the corporate records and accountings were handled by his lawyer and those
26 under him. Cohen perjured himself when he testified that Lynch handled IRS matters or filings. Exhibit
27 JJJJ: Trial Transcripts RT 279-283. Please refer to racketeeringact.wordpress.com, an evidence blog
28

1 created for this Complaint, incorporated herein and made a part here. The documents may be located
2 through the blog index and the first exhibit, in alphabetical order, would be the first posted document.

3 409. Leonard Cohen has used the baseless, retaliatory litigation to convert Lynch's property to
4 himself, withhold commissions due her for services rendered, and control the intellectual property assets.
5 This in and of itself unequivocally prove that it was never Leoanrd Cohen's intention to honor any
6 agreements entered into with Lynch, by and for himself or on behalf of the corporations, the
7 transactions were nothing other than sham transactions, and the corporations were used as vehicles with
8 which to launder income and evade or defeat ordinary income taxes. Further, Leonard Cohen had the
9 responsibility to act in the best interest of Lynch and the corporations and not in a manner adverse to
10 Lynch's interests and to do honestly and without deception.
11

12 410. After establishing a trust and fiduciary relationship of the highest order with Lynch, he
13 negligently, intentionally, and willfully breached that duty performing the acts herein alleged which have
14 resulted in actual damaged being suffered by Lynch.
15

16 411. Lynch is informed and believes and based thereupon alleges that Leonard Cohen
17 breached and continues to breach the fiduciary duties to Lynch as herein above alleged.
18

19 412. Lynch is informed and believes and thereon alleges that Leonard Cohen concealed or
20 suppressed material facts he, as Lynch's fiduciary, was ethically and legally required to disclose as herein
21 above alleged.

22 413. Lynch is informed and believes and thereon alleges that as a proximate result of Cohen's
23 breach of his fiduciary duty to Lynch, she has suffered damages in an amount to be proven at trial.

24 414. To the extent that Cohen benefitted from the transactions with Lynch, Cohen bears the
25 burden to prove that these transactions were in accord with the duties he owed Lynch and were not the
26 result of fraud.
27

28 414. Lynch is entitled to monetary damages in excess of \$75,000 from Cohen to fairly and

1 adequately compensate her for the injuries and damages she sustained by reason of Cohen's breach of
2 fiduciary duties.

3 415. Lynch is informed and believes and thereon alleges that Cohen, in breaching his fiduciary
4 duty, acted willfully and maliciously and with oppression, fraud and malice, and with a conscious and
5 reckless disregard for the rights of Lynch and with intent to inflict emotional distress upon Lynch. As a
6 result of Cohen's willful and intentionally tortious conduct, Lynch is entitled to an aware of exemplary or
7 punitive damages in an amount sufficient to make an example of and punish Cohen for his wrongful
8 acts.

9
10 WHEREFORE, Lynch prays for judgment as set forth below.

11 **FOURTH CLAIM FOR RELIEF**
12 **Constructive Fraud**
13 **(Against Leonard Norman Cohen)**

14 416. Lynch realleges and incorporates herein by reference each and every foregoing
15 paragraph of this Complaint as if set forth in full.

16 417. Cohen owed fiduciary duties to Lynch and a fiduciary relationship existed between Lynch
17 and Cohen.

18 418. Cohen owed fiduciary duties to Lynch and a fiduciary relationship existed between Lynch
19 and Cohen.

20 419. Cohen failed to disclose to Lynch material information that Cohen owed a duty to
21 disclose to Lynch.

22 420. Lynch relied on Cohen's failures to disclose material information. In addition, or in the
23 alternative, Lynch's ability to act on her own behalf and/or protect her interests were thwarted by
24 Cohen's failures to disclose material information.
25

26 421. Lynch was directly injured by reason of Cohen's failures to disclose material information.
27

28 422. Lynch is entitled to damages in excess of \$75,000 from Cohen to failly and adequately

1 compensated her for the injuries and damages she sustained and will sustain by reason of Cohen's
2 failures to disclose material information.

3 WHEREFORE, Lynch prays for judgment as set forth below.

4 **FIFTH CLAIM FOR RELIEF**
5 **Fraud for**
6 **Fraudulent Misrepresentation & Non-Disclosure**
7 **(Against Leonard Norman Cohen)**

8 423. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
9 of this Complaint as if set forth in full.

10 424. Leonard Norman Cohen made false representations to Lynch, as set forth with specificity
11 in Appendix D: Fraudulent Misrepresentations Schedule, attached hereto and made a part hereof.

12 425. Cohen's misrepresentations and omissions were intended to defraud Lynch and made
13 with the intent that Lynch rely upon them.

14 426. Each statement or representation was known to Cohen to be false or untrue when they
15 were made to Lynch.

16
17
18 427. Lynch reasonably relied upon these misrepresentations made by Cohen.

19 428. Lynch has suffered losses in an amount to be proven at trial as a direct and proximate
20 result of the misrepresentations and omissions of Cohen.

21 429. The actions of Cohen were made with malice, fraud, or oppression justifying an award of
22 exemplary and punitive damages.

23
24 WHEREFORE, Lynch prays for judgment as set forth below.

25 **SIXTH CLAIM FOR RELIEF**
26 **BREACH OF**
27 **TRADITIONAL HOLDINGS, LLC**
28 **INDEMNITY AGREEMENT**
(Against Leonard Cohen)

~~430. Lynch realleges and incorporates herein by reference each and every foregoing paragraph~~

1 of this Complaint as if set forth in full.

2 431. Effective in or about January 8, 2001, Kelley Lynch, on the one hand, and on the other
3 Leonard Cohen, individually and on behalf of Traditional Holdings, LLC, entered into a written
4 indemnity agreement (the "Indemnity Agreement"), pursuant to which Cohen agreed to indemnify
5 Lynch with respect to all matters that arose from her investment in that entity through the promissory
6 note she was induced to execute. This agreement was concealed from Los Angeles Superior Court and
7 all other courts at issue in this case. It was prepared and transmitted to Lynch and Cohen, who both
8 executed the agreement, by Richard Westin at the direction of Leonard Cohen. Exhibit JJJJ: Kelley
9 Lynch Indemnity Agreement, attached hereto and made a part hereof.
10

11 432. Lynch performed all conditions, covenants and promises required on her part to be
12 performed under the Agreement, except those that Leonard Cohen, together with the RICO Defendants,
13 waived or that were rendered impossible to perform.
14

15 433. Defendant Leonard Cohen, with the assistance of his co-defendants, breached or caused
16 the breach of the Agreement by failing and refusing to uphold, perform, and/or indemnify Lynch and in
17 accordance with the terms of all agreements (including the "Annuity Agreement"), corporate books and
18 records, stock certificates, federal tax returns, and other relevant materials.
19

20 434. As a result of the breach of the Indemnity Agreement, Lynch has suffered damages in an
21 amount in excess of the \$4.7 million annuity obligation moved to the partners' capital account on the
22 2003 federal tax return. Lynch therefore requests this Court to refer this matter to the U.S. Attorney
23 and Internal Revenue Service for an investigation and audit. The audit should include an audit of all
24 Leonard Cohen's loans, advances, and expenditures from this entity as well as Neal Greenberg's monthly
25 financial statements. The statements were co-mingled, incoherent, and wholly unreliable. Lynch was
26 appointed Tax Matters Partner, by Cohen and his lawyer, Richard Westin, and hereby waives any and all
27 statute of limitations with respect to all 2001, 2002, and 2003 federal tax returns and tax documents
28

1 transmitted to Internal Revenue Service. Lynch had nothing whatsoever to do with tax preparation, tax
2 returns, tax matters, accounting, and so forth. Those matters were handled by Leonard Cohen and his
3 team of professional representatives.

4 WHEREFORE, Lynch prays for judgment as set forth below.

5
6 **SEVENTH CLAIM FOR RELIEF**
7 **QUANTUM MERUIT**
8 **(Against Leonard Cohen)**

9 435. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
10 of the Complaint as if set forth in full.

11 436. Within the past four years, on or around April 9, 2012, Leonard Cohen testified that he
12 and his personal corporate and tax lawyer "rectified" a "mistake" in Lynch's ownership in Traditional
13 Holdings, LLC. Lynch was wrongfully imprisoned from March 1, 2012 through approximately
14 September 12, 2012. In or around January 2013, Lynch received the transcripts of the trial but has been
15 unable to discern any further information about this "mistake" from Leonard Cohen. That would
16 include, but is not limited to, the inclusion of Lynch as a partner on the 2001, 2002, and 2003 Traditional
17 Holdings, LLC corporate tax returns..

18 PD: Okay. Now, you were aware that 99.5% of that company was owned by Ms. Lynch, correct?
19 Cohen: That was a mistake and it was rectified by the lawyer who drew up the papers. And in
20 arbitration a substantial sum of money was awarded me for his mistake. PD: And that lawyer's name?
21 Cohen: Richard Westin. PD: And you had arbitration with him? Cohen: That's correct. PD: And
22 when did you have that arbitration? Cohen: I don't remember the exact date. I think it was perhaps
23 2007. PD: Now, you learned in 2004 that your -- that the account -- that Traditional Holdings account,
24 the money -- that you were running low, correct? Cohen: It was running low -- PD: That funds in that
25 account, that Traditional Holdings account, they were running low, yes or no? Do you remember that?
26 Cohen: I - I discovered that they were being dissipated. PD: Okay. Now, you panicked correct?
27 Cohen: I was concerned, yes. PD: And in fact you had actually taken money from that account to buy
28 homes, correct? Cohen: Yes, I had. PD: You took money from that account to buy a house for your
son, correct? Cohen: That's correct. PD: To buy a house for your girlfriend? Cohen: Yes. Kelly:
Okay. So you -- it's fair to say that you did take money from that account? Cohen: That's correct, Sir.
PD: You were aware enough about that account to know that you could take money from that account?
Cohen: That's correct. PD: Now, isn't it true that -- well, before I go there, do you blame -- well, you
actually had a financial consultant who invested the money in that account, correct? Streeter: Objection;
relevance. Court: Let me see counsel at sidebar. Exhibit KKKK: Trial Transcript RT 285-288. Please
refer to racketeeringact.wordpress.com, an evidence blog created for this Complaint, incorporated herein

1 and made a part here. The documents may be located through the blog index and the first exhibit, in
2 alphabetical order, would be the first posted document.

3 437. The fair and reasonable value of the investment provided to Lynch for which Leonard
4 Cohen refuses to account is the value of the annuity obligation moved to the capital account on the 2003
5 federal tax returns, in the approximate amount of \$4.7 million, and the value of Leonard Cohen's
6 outstanding loans (including expenditures made by Traditional Holdings, LLC on his behalf) totaling in
7 excess of approximately \$7 million. .

8 WHEREFORE, Lynch prays for judgment as set forth below.

9
10 **EIGHTH CLAIM FOR RELIEF**
11 **ACCOUNTING**
12 **(Against Leonard Cohen)**

13 438. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
14 of this Complaint as if set forth in full.

15 439. Lynch is unaware of the exact amounts owed to her due to the wrongful conversion of
16 her interest in Traditional Holdings, LLC to Leonard Cohen and his wholly owned LLC, LC
17 Investments, LLC.

18
19 440. Lynch is also unaware of the exact amounts of monies owed to her by Leonard Cohen, or
20 whomever he directed to collect the actual income related to the assets owned by Blue Mist Touring
21 Company, Inc. and Old Ideas, LLC. Leonard Cohen, together with his co-defendants, has taken the
22 position that the entities themselves are shell entities, the transactions were shams, and all tax returns and
23 related tax documents were evidently fraudulent.

24
25 441. Leonard Cohen has also taken the position that Lynch is not entitled to commissions for
26 services rendered as Cohen's personal manager. Those commissions include, but are not limited to,
27 royalty income in perpetuity for all product created and/or released during the term of her agreement
28 with Leonard Cohen. ~~The commissions also include payment for services rendered in connection with~~

1 the third intellectual property deal Cohen was “examining.” Lynch’s services in this area fell outside the
2 scope of her personal management and other services. Cohen repeatedly assured Lynch that she would
3 be compensated for her work on these transactions and deals. Lynch is also entitled for services
4 rendered (and commissions on 15% gross income) in connection with the lithograph deal Cohen
5 pursued (Richard Goodall Gallery), “Book of Longing,” and other items that have as yet to be
6 discovered.
7

8 442. Accordingly Kelley Lynch seeks an accounting of the amounts and items detailed herein
9 and set forth more fully in the Prayer for Relief.

10 WHEREFORE, Lynch prays for judgment as set forth below.

11 **NINTH CLAIM FOR RELIEF**
12 **UNJUST ENRICHMENT**
13 **(Against Leonard Cohen)**

14 443. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
15 of this Complaint as if set forth in full.

16 444. Defendants Leonard Cohen has individually received a benefit and/or enrichment from
17 Lynch.

18 445. It would be unjust for Cohen to retain the benefit that he has received from Lynch.

19 456. The benefit retained by Cohen has been at the expense or impoverishment of Lynch.
20

21 457. There is a relationship between the enrichment of Cohen and the impoverishment of
22 Lynch.

23 458. Cohen’s unjust enrichment is not justified.

24 459. Defendant Leonard Cohen seeks to obtain millions of dollars, and has wrongfully
25 converted valuable property, from Lynch through a fraudulent default judgment in the Los Angeles
26 Superior Court Case No. BC338322. Cohen has and will continue to be unjustly enriched by benefits
27 obtained due to the fraud judgment and renewal of that judgment.
28

1 Cohen, and the corporate entities at issue herein. The Defendants are also aware of Lynch's Indemnity
2 Agreement with respect to Traditional Holdings, LLC. This agreement was willfully and knowingly
3 concealed from Los Angeles Superior Court, the U.S. District Court, and other relevant third parties.

4 466. Defendants have intentionally caused and continue to cause the willful breach of all
5 contracts entered into between Lynch, Cohen, and the corporations at issue. Defendant have, through
6 improper influence and the fabricated Expense Ledger, persuaded Los Angeles Superior Court (Case No.
7 BC338322) to deprive Lynch of her rightful, beneficial ownership interest in Blue Mist Touring
8 Company, Inc., Traditional Holdings, LLC, Old Ideas, LLC, and commissions due her for services
9 rendered as Cohen's personal manager and in other capacities. The fraudulent misrepresentations, and
10 fabricated Expense Ledger, caused Los Angeles Superior Court to improperly dictated that Lynch be
11 held liable in the Los Angeles Litigation (Case No. BC338322). This conduct also caused the U.S.
12 District Court in Colorado to rely on the fraudulent misrepresentations and fabricated evidence
13 presented to it in the form of the fraudulent default judgment.
14

15
16 467. The judgment from the Los Angeles Court (Case No. BC338322) and renewal of that
17 judgment constitute a severe and qualitative breach of every agreement, including the Traditional
18 Holdings, LLC Indemnity Agreement. Defendants have intentionally caused Los Angeles Superior
19 Court to take actions necessary to secure this fraudulent judgment.
20

21 468. The Defendants have interfered with prospective economic advantage as follows: (1)
22 Defendanats understood there was an economic relationship between Lynch and Cohen, as well as the
23 corporations at issue, with the probility of future economic benefit to Lynch; (2) Defendants had
24 knowledge of these relationships; (3) intentional acts, as set forth more fully herein, on the part of the
25 Defendants were designed to disrupt those relationships; (4) actual disruptions of the relationships
26 occurred (although Lynch does not have all specific facts and information with respect to those
27 disruptions); and, (5) the economic harm to Lynch was proximately caused by the acts of the Defendants
28

1 The Defendants' intentional acts of interference were independently wrongful and unlawful.

2 469. The torts of intentional interference with contract and intentional interference with
3 prospective economic advantage are distinct from one another but, in this case, inseparably related.

4 470. As a direct, proximate, and foreseeable result of these severe and qualitative breaches,
5 Lynch has been forced to defend herself against baseless claims that have caused significant pecuniary,
6 reputational, and other damages. These injuries include significant damage to her professional
7 reputation, two businesses (Stranger Management and Amazing Card Company, LLC) and costs to
8 defend herself against these claims in litigation where the Defendants have attempted to enforce the
9 fraudulent default judgment (Case No. BC338322) and renewal of that judgment.
10

11 471. Defendants have engaged in the malicious, willful, and fraudulent commission of
12 wrongful acts and, because of the reprehensible and outrageous nature of these acts, Lynch is entitled to,
13 and should be awarded, punitive damages against each of the Defendants.
14

15 472. Lynch is further entitled to, and should be awarded, a preliminary and permanent
16 injunction that enjoins Defendants, their assignees, and third parties -- such as Internal Revenue Service
17 and Franchise Tax Board -- from commencing, prosecuting, relying on, or advancing in any way --
18 directly or indirectly from any attempt to recognize or enforce the Los Angeles Superior Court
19 judgments in any court, tribunal, or administrative agency in the any jurisdiction, in the United States or
20 abroad, including any attempt to attach or seize any of Lynch's assets or property, whether pre-judgment
21 or otherwise, until this Court determines the merits and enters judgment on Lynch's claims against the
22 Defendants in this action.
23

24 WHEREFORE, Lynch prays for judgment as set forth below.

25 **ELEVENTH CLAIM FOR RELIEF**
26 **REQUEST FOR DECLARATORY JUDGMENT**
27 **THAT THE LOS ANGELES SUPERIOR COURT JUDGMENT**
28 **CASE NO. BC338322**
IS UNENFORCEABLE AND NON-RECOGNIZABLE
(Against All RICO Defendants)

1 473. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
2 of this Complaint as if set forth in full.
3

4 474. Lynch is entitled to declaratory judgment and/or other relief that the judgment from the
5 Los Angeles Superior Court, Case No. BC338322, is unenforceable and non-recognizable.

6 475. By this claim, Lynch seeks declaratory judgment that the Los Angeles judgment is
7 unenforceable and non-recognizable, including but not limited to under the United States Constitution,
8 federal common law, on among other grounds, of fraud, failure to afford procedures compatible with
9 due process, and lack of personal jurisdiction with respect to the court.
10

11 476. By reason of the fraudulent acts and fundamentally unfair proceedings described in this
12 Complaint that have given rise to the Los Angeles Superior Court judgment, an actual and justifiable
13 controversy has now arisen and exists between Lynch and the defendants as to whether the
14 judgment is unenforceable and non-recognizable and establishing that Lynch's assets and property are
15 safe from the defendants' fraudulent actions and racketeering activity. The actions of the defendants
16
17 have damaged and are threatening to continue damaging Lynch. Unless the controversy between the
18 parties is resolved, the defendants will continue to harm Lynch and seek recognition and enforcement of
19 the fraudulent judgment that they have obtained on behalf of Leonard Cohen and his wholly owned
20 LLC, LC Investments, LLC.
21

22 477. Lynch has no adequate remedy at law. A declaratory action is necessary and useful in
23 resolving and disposing of the question of whether the fraudulent Los Angeles Superior Court judgment
24 is enforceable and recognizable, and is the best and most effective remedy for finalizing the controversy
25 between the parties as to this issue and relieving Lynch from the expensive and damaging uncertainty
26 surrounding the pending enforcement and recognition of the fraudulent judgment. Lynch is entitled to
27
28 ~~have the question of whether the Los Angeles Superior Court judgment is enforceable and recognizable.~~

1 settled promptly so that she remains free of the threat of attachment, asset seizures, or other
2 enforcement actions arising from the massive fraudulent judgment.

3 478. Lynch is further entitled to, and should be awarded, a preliminary and permanent
4 injunctions against the defendants, their assignees, anyone acting in concert with them, and third parties
5 – including IRS and FTB – from commencing, prosecuting, relying upon, or advancing in any way –
6 directly or indirectly – any attempt to recognize or enforce the Los Angeles Superior Court judgment in
7 any Court, tribunal, or administrative agency in the any jurisdiction, in the United States or abroad,
8 including any attempt to attach or seize any of Lynch’s assets or property, whether pre-judgment or
9 otherwise, until this Court determines the merits and enters judgment on Lynch’s claims against the
10 defendants in this action. Thus, even though they are not named defendants in this Declaratory
11 Judgment claim, the defendants’ co-conspirators, including any law firm they have worked with in
12 matters related to Lynch, make themselves subject to any injunction issued by this Court to the extent
13 they act in concert with the defendants named in this claim – all named defendants in this case.
14
15

16 WHEREFORE, Lynch prays for judgment set forth below.

17
18
19 **TWELFTH CLAIM FOR RELIEF**
20 **REQUEST FOR DECLARATORY JUDGMENT**
21 **THAT THE LOS ANGELES SUPERIOR COURT JUDGMENT**
22 **CASE NO. BC341120**
23 **IS UNENFORCEABLE AND NON-RECOGNIZABLE**
24 **(Against All RICO Defendants)**

25 479. Lynch realleges and incorporates herein by reference each and every foregoing paragraph
26 of this Complaint as if set forth in full.

27 480. Lynch is entitled to declaratory judgment and/or other relief that the judgment from the
28 Los Angeles Superior Court, Case No. BC341120, is unenforceable and non-recognizable.

481. By this claim, Lynch seeks declaratory judgment that the Los Angeles judgment is
~~unenforceable and non-recognizable, including but not limited to under the United States Constitution,~~

1 federal common law, on among other grounds, of fraud, failure to afford procedures compatible with
2 due process, and lack of personal jurisdiction with respect to the court.

3 482. By reason of the fraudulent acts and fundamentally unfair proceedings described in this
4 Complaint that have given rise to the Los Angeles Superior Court judgment, an actual and justifiable
5 controversy has now arisen and exists between Lynch and the defendants as to whether the judgment is
6 unenforceable and non-recognizable and establishing that Lynch's assets and property are safe from the
7 defendants' fraudulent actions and racketeering activity. The actions of the defendants have damaged
8 and are threatening to continue damaging Lynch. Unless the controversy between the parties is resolved,
9 the defendants will continue to harm Lynch and seek recognition and enforcement of the fraudulent
10 judgment that they have obtained on behalf of Leonard Cohen and his wholly owned LLC, LC
11 Investments, LLC.
12

13
14 483. Lynch has no adequate remedy at law. A declaratory action is necessary and useful in
15 resolving and disposing of the question of whether the fraudulent Los Angeles Superior Court judgment
16
17 is enforceable and recognizable, and is the best and most effective remedy for finalizing the controversy
18 between the parties as to this issue and relieving Lynch from the expensive and damaging uncertainty
19 surrounding the pending enforcement and recognition of the fraudulent judgment. Lynch is entitled to
20 have the question of whether the Los Angeles Superior Court judgment is enforceable and recognizable
21 settled promptly so that she remains free of the threat of attachment, asset seizures, or other
22 enforcement actions arising from the massive fraudulent judgment.
23

24 484. Lynch is further entitled to, and should be awarded, a preliminary and permanent
25 injunctions against the defendants, their assignees, anyone acting in concert with them, and third parties
26 – including IRS and FTB – from commencing, prosecuting, relying upon, or advancing in any way –
27 directly or indirectly – any attempt to recognize or enforce the Los Angeles Superior Court judgment in
28