

EXHIBIT A**OFFICE OF THE DISTRICT ATTORNEY**Fourth Judicial District
105 East Vermijo
Colorado Springs, CO 80903JEANNE M. SMITH
MAY
District AttorneyCRIMINAL DIVISION
(719) 520-6000 \ FAX (719) 520-6185DANIEL H.
Assistant District Attorney

January 25, 2000

Mr. Peter Lamont, Esq.
Canadian Justice DepartmentRe: People v. Harmon Wilfred, 98 CR 215

Dear Mr. Lamont:

I am Robert B. Harward, Deputy District Attorney in Colorado Springs, Colorado, U.S.A. I am prosecuting the above case, in which the Defendant's extradition from Canada is pending. I write to confirm our telephone conversation earlier today.

Mr. Wilfred's attorney in Colorado has approached me to present evidence which is supposed to support a legal defense, or at least a colorable defense, to the Colorado charges. To that end, we have scheduled witness interviews for Friday, January 28. The attorney here has already furnished some documentation in support of the defense.

I concur with the defense assertion that there is some reasonable expectation that the case might be resolved by agreement of the parties, and that the extradition issues might become moot. The defense suggests that the extradition might be dropped altogether; but I think, at this point, a disposition in which the defendant agrees to return to Colorado is more likely. In any event, I have no objection to a brief delay in the proceedings in Canada to explore the possibility of settlement. I doubt that a final resolution will occur on January 28, but some agreement in Colorado, if it is to occur, should happen within a few weeks of that date.

Very truly yours,

Robert B. Harward
Deputy District Attorney

EXHIBIT B



OFFICE OF THE DISTRICT ATTORNEY

Fourth Judicial District
105 East Vermijo
Colorado Springs, CO 80903



JEANNE M. SMITH
District Attorney

CRIMINAL DIVISION
(719) 520-6000 FAX (719) 520-6185

DANIEL H. MAY
Assistant District Attorney

January 28, 2000

Honorable Jeffrey Bullwinkel
Office of International Affairs
U.S. Justice Department
1301 New York Avenue, NW
Washington, DC 20005

VIA FAX 202-514-0080

Dear Mr. Bullwinkel:

I am currently the Chief Trial Deputy in the Office of the District Attorney, Fourth Judicial District, Colorado Springs, Colorado, and I have supervisory responsibility with respect to my office's prosecution of Harmon Lynn Wilfred.

On behalf of my office, the United States, through its Departments of Justice and State, forwarded a request to the Government of Canada for the extradition of Mr. Wilfred, who is wanted in the State of Colorado to face charges of Criminal Extortion and Violation of Custody, both felony charges. I understand that in the last several weeks there have been various communications among representatives of my office, counsel for Mr. Wilfred, and representatives of the Canadian Justice Department concerning this case. The purpose of this letter is to resolve any confusion that may have resulted from those communications.

First, I am aware that Mr. Wilfred has always enjoyed the right to return to the United States on a voluntary basis to face the charges against him (as well as to present any information relevant to his defense), but instead he has steadfastly contested extradition.

Second, I understand Mr. Wilfred has been found extraditable and currently is challenging his return to the United States through an appeal filed in the Ontario Court of Appeal. Further, I have been informed that a hearing on that appeal had been scheduled for January 27, 2000, but has been temporarily adjourned, largely due to representations by Mr. Wilfred's attorney that my office might withdraw our extradition request in light of information (not yet presented) that might be relevant to Mr. Wilfred's defense to our underlying prosecution.

Please be advised that, at this stage, our office has no intention of withdrawing the pending charges against Mr. Wilfred, or abandoning our request for his extradition. Nor

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Page 2
Jeffrey Bullwinkel

do we wish to further delay the ultimate resolution of the extradition proceedings in Canada. Of course, Mr. Wilfred will have every opportunity to present information relevant to his defense once he returns to the United States (whether he chooses to return voluntarily or pursuant to a final order of extradition).

Accordingly, I ask that you convey to the appropriate officials in Canada our hope that the extradition proceedings against Mr. Wilfred will be resolved expeditiously, as well as our gratitude for their efforts in this case thus far.

Sincerely,



David A. Gilbert
Chief Trial Deputy
4th Judicial District of Colorado

cc: Robert Harward
Lisa Marie Penny

JAN 31 '00 10:12 P.2 NO.762

JAN 28 2000 4:31 PM
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** TOTAL PAGE.004 **

October 4, 2000

EXHIBIT C

Mr. Michael Horowitz
Chief of Staff, Criminal Division, US Department of Justice
950 Pennsylvania Ave. NW, Washington, DC 20530

Regarding: Attached Case History and **Urgent Request For a Federal Investigation**

Dear Mr. Horowitz,

The Colorado El Paso County District Attorney's office would like you to believe that my criminal case is about charges filed against me as a result of a domestic/marital dispute involving my violation of a custody order to attend a hearing, and extortion alleged during mediation. In truth, the primary dispute involves my ex-wife's abuse of our two minor children documented by witnesses, sworn affidavits and direct report to Colorado Social Services by a licensed Colorado Social Worker (see Index #15 and # 21).

In fact, the charges came as a convenient diversion created by the DA in order to destroy my credibility as a whistle blower to the District Attorney, John Suthers' and his associate's participation in a cover-up of a *conspiracy* to embezzle money from the El Paso County Pension Fund from 1993 to 1995. In the process, the DA has also used this case to influence the State Court System into abandoning my children to their abusive mother by default, by not permitting disclosure of *any* of the evidence of child abuse.

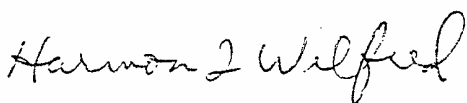
Since my arrest in February of 1998, the El Paso County DA has systematically attacked my personal and business credibility by reporting me to the US SEC, the FBI and filing a criminal investigation on my international business activities in repeated failed attempts to generate additional charges. (See Index #6, Gregory Craig Summary). They have also involved Arapahoe County and the US Attorney in Colorado in three clear violations of the Extradition Treaty between Canada and the US by arresting and subsequently releasing me each time I have returned to Colorado in good faith to challenge the original charges.

With full knowledge of having placed my children at continued risk of abuse and habitually breaking the law, they are now avoiding even the possibility of a public hearing on the original charges by the filing of four continuances. Their latest threat is to revoke my \$10,000 bail upon my return from Canada for the next hearing if I fail to pay extradition expenses accrued by the County; *another* violation of the Treaty.

I have not seen my children nor have had so much as a report on their whereabouts or well being since February of 1998 by an order of the State District Court; a clear violation of my parental rights. I have been warned by a former member of the DA's office that "If I report these issues to the US Justice Department for an investigation, I will never see my children again" (See Index #6, Gregory Craig Summary). This letter only touches on a fraction of the politically motivated extortion and violation of my civil rights committed by the Colorado Justice System as described in the attached Case History.

I hereby request a federal investigation for political corruption on the part of the El Paso County DA and their State and Federal conspirators as shown in the attached evidence. I am due in Colorado for my next attempt at a preliminary hearing on October 20, 2000. Thank you for your *prompt attention* to this matter.

Sincerely,



Harmon L. Wilfred

CC: Alan Gold, Esq.
Bill Moffitt, Esq.
Lowell Bergman

Harmon L. Wilfred

Suite 344 • 356 Ontario Street • Stratford • ON • Canada • N5A 7X6
TEL (519) 275-2928 • FAX (519) 275-2943

EXHIBIT D *

CONFIDENTIAL FAX TRANSMISSION

October 26, 2000

To: **Alan Gold**
Company: Gold & Fuerst
Tel: (800) 263-1726
Fax: (416) 368-6811
From: Harmon L. Wilfred
Regarding: **Attached Brief**
Number of Pages 2

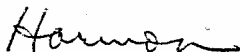
Dear Alan,

Attached is the executed Memo to Michael Horowitz regarding the El Paso County Pension Fund embezzlement incident as it relates to my case. Please note in the last paragraph that Judge Kane was not only in conflict by residing over the first custody hearing in October of 1997 through his firms representation of the "extortion" agreement I was forced to sign, but he also was the presiding Judge in the civil suit I filed pro se against the Pension Fund, Witty and contractors for the non-payment of my fees in 1996. Judge Kane was forced to recuse himself from that case at my request because his firm was also the opposing counsel.

The other interesting fact is Judge Kane exited the domestic case after making his damning determination against me in the temporary orders hearing that spawned the criminal charges. If my brief were not limited to one page, I would have included this information as well. You may wish to include these facts in a cover letter to Mr. Horowitz, or simply include this cover letter as part of the Memo.

Thank you for delivering the attached Memo to Michael Horowitz and keeping me abreast of any further news.

Sincerely,



Harmon L. Wilfred

EXHIBIT D

October 25, 2000

Memo To: Mr. Michael Horowitz, Chief of Staff, Criminal Division, US Department of Justice
Regarding: The El Paso County Pension Fund Embezzlement Cover-up (Case History, Sec #6, Draft Affidavit)

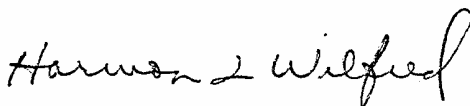
The following is a *brief* of my knowledge of the events from June, 1993 through the Spring of 1996 surrounding the embezzlement of funds from the El Paso County Pension Fund in El Paso County, Colorado:

In June of 1993, I was employed in Colorado Springs, Colorado, by ReMax Commercial Properties Inc. and three other related business entities owned by Douglas A. Dragoo, Russell Roehrkasse, and Edwin Hume to provide commercial property services on behalf of the El Paso County Pension Fund ("Fund"). In the summer of 1994, I was given a contract to list, lease, provide construction and property management services and sell a Fund property called "The Landing Shopping Center". In August of 1994, I discovered \$95,000 of construction funds belonging to the Fund were missing from the operating account. Upon further investigation of the books and records involving all the transactions I was authorised to access, I discovered that large amounts of money were being removed from these accounts at specific intervals and replaced at later dates, as well as commissions and fees billed to the Fund were double, triple, and in some cases quadruple the amounts being represented.

I immediately reported the missing and co-mingled funds to Mr. Michael Witty, Fund administrator and the El Paso County DA's office with no result. I then took all my information to Pam Zubeck, a business news reporter at the Gazette Telegraph. Ms. Zubeck contacted the DA and within 24 hours, the DA's office publicly announced a criminal investigation. In November of 1994, the DA's office reported that the contracting entities in question, along with Michael Witty, were cleared of any wrongdoing. My contract for services was cancelled without payment of the then owing \$75,000 in back fees. Thereafter, Pam Zubeck and I launched our own investigation and discovered that Witty, Dragoo, Roehrkasse and Hume were "partners" in a secret profit-sharing plan embezzling hundreds of thousands of dollars in Fund money to transact illegal personal loans, fraudulent deals and pay themselves grossly inflated fees charged to the Fund properties.

Between June 29 and November 8, 1995 I met with the Colorado State Attorney General's Office and was ultimately referred to the FBI through the US Office of Congressional Affairs. In January, 1996, after reporting to the FBI, a "new" investigation was announced by the El Paso County DA resulting in findings that were identical to my information given to DA Suthers in September of 1994 with the exception of a total omission of the illegal activity of Mr. Witty's *now wealthy* contractor accomplices. Michael Witty pleaded guilty to embezzlement, and several Fund board members and County Treasurer Shipley were fired and fined.

On January 30, 1996, I was forced under duress to sign an "extortion" agreement (See Sec #6, Exhibit E) by three law firms, including Kane & Donley, and Suthers' firm of Sparks and Dix (representing County Treasurer Shipley, Witty, and Witty's "contractor partners") requiring that I keep my mouth shut or suffer a penalty of \$50,000 per event. On October 17, 1997, Judge Kane of Kane and Donley presided over my ex-wife's "emergency" temporary orders hearing where he awarded her custody of our two minor children after refusing to hear testimony about or consider her recorded history of child abuse. The current criminal charges fabricated against me as retribution for having blown the whistle on John Suthers and the El Paso County District Attorney's office were justified as a direct result of Judge Kane's decision.



Harmon L. Wilfred

CC: Alan Gold, Esq.
Bill Moffitt, Esq.
Lowell Bergman



U.S. Department of Justice

RECEIVED

Criminal Division

JAN 24 2001

EXHIBIT E

Assistant Attorney General

Washington, DC 20530-0001

January 17, 2001

Alan D. Gold, Esq.
Gold & Fuerst
20 Adelaide Street East
Suite 210
Toronto, Ontario
M5C 2T6
Canada

Dear Mr. Gold:

I apologize for not responding to your inquiries sooner.

As you have been forwarding materials to me concerning Mr. Wilfred, I have sent them to the Criminal Division's Public Integrity Section. The Section will review the matter to determine whether it has investigative and/or prosecutive merit, and they will advise you of the decision.

In the meantime, please be aware that due to the change of administration, I will soon cease to work for the Department of Justice. I recommend that you forward any additional materials you have to the attention of our Public Integrity Section.

Sincerely,

Michael E. Horowitz
Chief of Staff