

CONFIDENTIAL FAX TRANSMISSION

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To: Alan Gold **CC: Bill Moffitt, Esq.**

Company: Gold & Fuerst
Tel: (800) 263-1726
Fax: (416) 368-6811
From: Harmon L. Wilfred

Regarding: Supplement to Case History

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Conspiracy Theory / 3-Way Advantage

Although I do not wish to underestimate the El Paso or Arapahoe County Justice Systems, or the US Justice Department, I believe there is an accumulation of considerable evidence of distinct advantage to our favour at this juncture in all three legal battle fronts in my cases. I also believe an investigation of these fronts will reveal our existing advantages and provide evidence of a conspiracy between at least the two County justice systems, and possibly involving the State of Colorado and the US Attorney's office in Colorado. This analysis also pre-supposes that the reader has familiarised himself with the 1988-2000 Case History / Presentation Outline and accompanying supporting documents. First, permit me to define the battle fronts as follows:

- 1. Dearnna Domestic Case 97 DR 3393 / Dearnna Criminal Case 98 CR 215**

El Paso County

Even though these cases are in different legal arena's within El Paso County, they are impossible to separate by their very nature. The El Paso County criminal charges as conceived by the El Paso County DA and endorsed by Dearnna (now my ex-wife) and her family attorney, John Ciccolella, are a derivative of the need to use my domestic case fraudulently to destroy my credibility as witness to the DA's (then John Suthers') criminal involvement in the El Paso County Pension Fund embezzlement scheme.

2. Sandra Domestic Case 89 DR 477 / Child Support and Maintenance

Arapahoe County

This previous case (involving my previous wife) from 10 years ago has been referenced as precedent and in support of the Dearn domestic / criminal cases. With the recent aborted attempt by Arapahoe County to elevate this case to criminal charges in the federal arena, the Deputy DA, Larry Bowling, has recently come to a recognition of the original unfair and distorted Judgement issued in this case by Arapahoe County Judge, Joyce Steinhardt.

3. Criminal Investigation # i9800470sw / Mitsubishi Note Transaction

El Paso County

The Mitsubishi Note transaction, as detailed in the Gregory Craig (President Clinton's attorney) legal summary under "Guatemalan Funding Summary", was in process when the Dearn criminal case was launched against me by the El Paso County DA in 1998. This highly confidential and politically sensitive international transaction on behalf of the US Government, represented by Arcore International Funding, L.L.C. through its officer, Harmon L. Wilfred (me) as intermediary, was displayed publicly and used as evidence before the US and Canadian Justice Departments in the midst of the Dearn domestic / criminal case via the El Paso County extradition action into Canada.

In order to define our current advantage, I believe the real questions to be answered at this time are:

"What evidence do we have from the activity of the County, State, and Federal justice systems involved in these cases to support a charge of political corruption, or at least justify a federal investigation toward same, and how are these three legal battlefields connected, even to the extent of proving the existence of conspiracy to commit political corruption?"

In answering the above questions, the following provides a list of evidence in bullet point form under each of the above defined legal battlefronts:

I. Dearn Wilfred Domestic Case / Criminal Case - El Paso County

- ◆ October, 1997: An emergency temporary orders hearing took place without my knowledge of required attendance. With six witnesses announced to the court by my attorney (Mr. Seymour Wheelock) as present to attest to Dearn's child abuse, and a formal report of child abuse filed with Colorado Social Services by Jenene Kelley, a licensed Colorado Social Worker, the El Paso County Judge refused to hear any testimony or reports of child abuse, gave sole custody of my two children,

Danielle, age 6 and Isaac, age 4, to Dearn, and issued an arrest warrant for me for not attending the hearing.

- ◆ February, 1998: Upon my arrest in Canada to be extradited, I was informed through Michael Austin, business associate and CIA contracted operative involved in the Mitsubishi Note transaction, that his contacts in the US Justice Department revealed that the original request for extradition was denied by the State of Colorado and the US Justice Department for lack of evidence.
- ◆ The extradition was only approved upon re-submission when El Paso County agreed to fund it and the false evidence of Phil Freytag's (a friend and business associate) arrest as co-conspirator was submitted to the Canadian authorities. Michael Austin also confirmed that John Suthers, the then El Paso County DA, also involved in the Pension Fund embezzlement scheme, used his personal contacts and favours in the US Justice Department to get the extradition approved and signed by US Federal Attorney General Janet Reno. I filed an appeal in July, 1998, remained in Canada by court order and began gathering evidence from Colorado.
- ◆ I lost the extradition hearing in June, 1998, with the Canadian Judge's decision based primarily upon the Freytag false charge as co-conspirator. The Canadian Crown lied in court during that hearing stating that Freytag had already been arrested as a co-conspirator when in fact, such did not occur until some three weeks later. The DA immediately thereafter submitted a motion for dismissal of the charge against Freytag for "lack of evidence". The charge was dismissed in Colorado without a hearing. Shortly thereafter, the court file was ordered sealed.
- ◆ May, 1998: Dearn divorce was finalised.
- ◆ May 29, 1998: Colorado Attorney Kenneth Gray contacted me to inform me that he had information to confirm that El Paso County DA, John Suthers, fabricated the charges against me in order to remove any possibility of my revealing his involvement in the El Paso County Pension Fund embezzlement scheme cover-up during his 1998 election bid for State Attorney General. He stated that Suthers would do anything to shut me up, including "arranging a convenient suicide upon my arrival in Colorado", especially if I should arrive in Colorado any time in the next 10 weeks during the political primary for the State Attorney General's office being sought by Suthers. I am, and I quote, "a dead man." Mr. Gray also stated that if I would lay low until after Suthers won the election, the charges would be dropped against me and my opportunity to fight for the custody of my children on a level playing field would be restored. Suthers lost the election in November, 1998.
- ◆ August 2, 1998: I married my Canadian fiancée, Carolyn Dare, in Stratford, Ontario, Canada.

- ◆ February 1998 through April, 1999: My partner, Don Gillmore, my wife Carolyn, and I wrote numerous urgent requests to Federal, Colorado State, and El Paso County social service and political agencies asking them to investigate the situation and at least check on the welfare of my children. One request was sent directly to the Colorado Governor's office and copied to the State Attorney General. Other requests were sent to the US Embassy, US Department of State / Office of Children's Issues, certain US Senators and Congressmen, and even to Hillary Clinton and Tipper Gore. The requests were not just denied, for the most part, they were ignored, even though accompanied by notarized affidavits attesting to child abuse, including an affidavit from a licensed Social Worker in Colorado.
- ◆ March 3, 1999: We received a letter from Vice President Al Gore's Chief of Staff stating that his office is "prohibited from intervening in matters before federal administrative bodies". Even in issues of child abuse where the international community is involved? What is the point of going to a higher power in the US government for intervention on the basis of political corruption if the officials in Washington D.C. are prohibited from intervening? To date, no official or social agency has checked on the welfare of my two children!
- ◆ May, 1999: Retained Colorado legal team of Dale Parrish and Lance Sears. Parrish and Sears confronted the DA, Jeanne Smith, with the Pension Fund embezzlement scheme connection to the charges. The next day, my business associate, Collin Finn, had his apartment broken into and searched by the DA under the authority of a newly announced criminal investigation of the Mitsubishi Note transaction. Mitsubishi files were openly left in tact and only the files involving evidence of the DA's involvement in the Pension Fund embezzlement scheme were confiscated.
- ◆ June through October, 1999: Joint examination of the witnesses and evidence completed by my then attorneys Parrish and Sears, and the prosecuting attorney, Bob Harward. Harward confirmed Dearn's child abuse and that the charges against me were groundless. He thereby submitted to DA Jeanne Smith for permission to dismiss. Smith said no and asked that I allow my previous attorney to be interviewed, in effect asking that I waive my attorney client privilege. We said no.
- ◆ October, 1999: With full knowledge of Jeanne Smith's involvement in the Pension Fund embezzlement scheme as Assistant DA under John Suthers, as a primary defence in the criminal charges against me, Parrish informed me that he had endorsed Sears' decision to represent Jeanne Smith legally in some personal matters without my knowledge, thereby compromising the legal team through a total conflict of interest. When I asked Parrish who's side Sears was on, his reply was "Don't go there!". Sears then advised me that if I attempt to report the Pension Fund embezzlement scheme connection to the charges against me, the El Paso County DA will ensure that I will "never see my children again". This was stated in the presence of Parrish and my wife, Carolyn.

- ◆ November, 1999: Harward wrote a letter to the Canadian Justice Department asking for an extension on the appeal hearing to allow for further opportunity for dismissal of the charges. Harward resubmitted for permission to dismiss the charges. Harward called Parrish late one evening upset over his second denial and findings that there was political corruption involved in the charges as the reason for denial of dismissal. He told of major conflict within the DA's office between him and the DA's counsel, David Gilbert, as to the potential international embarrassment to the County and to the State of Colorado if the charges were dismissed. Gilbert was so paranoid about the issue that he wrote letters to the Canadian Crown denouncing Harward's request for extension of the appeal hearing on two occasions. The Crown extended the appeal in spite of his efforts.
- ◆ December 10, 1999: Based upon the joint findings of the Parrish / Harward examination of witnesses as to the confirmation of Dearn's child abuse, the Judge ordered weekly communication between father (me) and the children and a Special Advocate to be placed in Dearn's home to check on and evaluate Dearn and the children. Since that order was issued, the court has permitted Dearn's total defiance of the order by her not showing up to subsequent hearings for contempt of court in person or by counsel. In spite of continued contempt where no Special Advocate has been placed to this day, communication has been limited to one phone call on June 10, 2000, where Dearn deliberately disconnected the call mid-stream. The Court and the DA have done nothing to ensure the safety of my children. Why?
- ◆ April 3, 2000: A deal was cut with Harward for me to waive my extradition appeal hearing and to submit to extradition. In return, I was given the right to return without escort and to appear before the court to submit for dismissal with a prearranged bail of \$10,000.
- ◆ April 5, 2000: After submitting to extradition, the DA reneged on the entire deal and took me into custody in Canada in hand cuffs and belly chains with an armed escort, including a US Marshal and Colorado Springs Detective, Peyton Patterson, and then proceeded to Colorado where they incarcerated me in the El Paso County Jail with no bail. I was then presented with an Arapahoe County arrest warrant on the Sandra domestic case. The warrant was immediately set aside due to written notice from my Toronto extradition attorney, Alan Gold, as to my International Extradition Treaty protection.
- ◆ April 6, 2000: When brought before the Judge, I was not permitted the opportunity of dismissal and was given bail of \$10,000 only if I agreed to pay for the expense of my physical extradition, including flight expense and hotel for the two armed Federal and County escorts. Parrish and Sears actually supported this agreement without my consent. Next hearing set for May 11, 2000 to hear evidence for dismissal. Returned home to Canada the next day.
- ◆ April 17, 2000: Fired Parrish and Sears for conflict of interest and poor performance, and hired Colorado Springs criminal attorney, Patrick Mika.

- ◆ May, June, July, 2000: The El Paso County DA and Justice system have managed to continue successfully to avoid hearing a motion for dismissal and/or a preliminary hearing on the charges on three additional hearing dates as follows:
 - May 11, 00: Arrived at the hearing in El Paso County only to be arrested on federal charges arising out of the Arapahoe County domestic case, in direct breach of the International Extradition Treaty between Canada and the US. Arapahoe County had been given notice of the Treaty protection in April, 2000, from my Toronto attorney Alan Gold prior to my arrival in El Paso County. Upon information and belief, with full knowledge of the International Treaty Provisions and the breach thereof, the El Paso County DA collaborated with the Arapahoe County DA to cook up this scheme with the co-operation of the US Attorney in Colorado to assist the El Paso County DA in avoiding another hearing for dismissal. Hired federal criminal attorney, Richard Tegtmeier to file motion for dismissal based upon extradition treaty violation.
 - May 19, 2000: My wife Carolyn hired Colorado Springs domestic attorney Rick Lohman with the commitment of entering the Dearn and Sandra domestic cases on my behalf.
 - May 26, 2000: The federal charges were dismissed, I was released from federal incarceration, and the court file was deliberately and immediately sealed from future access by a Federal Judge. I was then turned over to Federal Marshals and immediately re-incarcerated in the Denver City Jail for four days in co-operation with the Arapahoe County DA on May 26, 2000, again in total and deliberate defiance of the International Treaty.
 - May 30, 2000: Delivered to the Arapahoe County Jail and forced into court without an attorney and subsequently released with a court order to return under an arrest order and bail condition of \$750,000 for a Rule 69 financial examination on June 29, 2000. Again, this action and requirement was in direct violation of the International Treaty.
 - June 12, 2000: Retained Washington D.C. attorney, Bill Moffitt, then President of the National Association of Criminal Defence Lawyers to provide representation to the US Justice Department in order to request an investigation for political corruption in Colorado.
 - Mr. Mika and Mr. Lohman, our criminal and domestic attorneys were told we were approaching the US Justice Department through Washington Attorney, Bill Moffitt, to request an investigation into the Pension Fund related issues and the Treaty Violations as possible political corruption.
 - Mr. Mika's reply was, "With the El Paso County DA, Jeanne Smith being a Republican, and given the political climate in Colorado around these issues and the fact that this is an election year, I am not sure that such a move would not cause you even more trouble with the existing establishment" Mr.

Mika has yet to step foot into a courtroom or file one pleading on this case to this day.

- Mr. Lohman's reply was, "I would prefer not to formally enter either domestic case nor challenge any of the previous judgements but will stay on the case to assist in any possible negotiation solution. Mr. Lohman has not entered either case to this day.
- June 29, 2000: Bill Moffitt and Colorado attorney Richard Tegtmeier, in cooperation with my Toronto attorney, Alan Gold, orchestrated the challenge and defeat of the Rule 69 requirement as another violation of the International Treaty. The bail and arrest orders were cancelled.
- June 30, 2000: Preliminary hearing date continued by DA as a result of request for continuance being challenged by my attorney, Patrick Mika. That same afternoon, after challenging the continuance, the Judge's clerk notified Mika and informed him the Judge had decided to take the day off on June 30, 2000, and was therefore cancelling his entire docket for the day. Mika was *told* the hearing had already been re-set for August 25, 2000, like it or not.
- August 25, 2000: El Paso County DA called my attorney, Patrick Mika and requested another continuance because one of his witnesses, Colorado Springs Police Detective, Peyton Patterson, had a conflict in his schedule. We permitted the continuance to provide the necessary time for us to get this case before the US Justice Department for investigation without further delay.

All of the above points are at least suspicious actions, if not collective evidence on behalf of the El Paso County DA, assisted by the US Attorney in Colorado and the Arapahoe County DA, in order to continue to avoid their own embarrassment of having to dismiss the original El Paso County Charges.

II. Sandra Wilfred Domestic Case / Child Support - Arapahoe County

- ◆ June 5-7, 1990: Divorce hearing takes place in Arapahoe County Court before Judge Joyce Steinhardt. Even though my attorney died suddenly just before the hearing, the Judge refused a continuance for time to locate and prepare a new attorney and ordered me to represent myself or to be held in contempt. When I arrived at the divorce hearing on June 5, 1990 and announced that I would not represent myself and respectfully refused to participate because my constitutional right of due process was being violated, I was immediately incarcerated.
- ◆ June 7, 1990: Permanent orders were issued in the Sandra divorce case. After multiple violations of my civil rights including denial of due process, illegal search and seizure, attorney client privilege, freedom of religion, and violation of my rights by breaking the federal bankruptcy rules, Judge Steinhardt assigned a child support and maintenance amount to Sandra of \$5,500/month. This was ordered even though I was in bankruptcy and unemployed.

- ◆ As a result of the Judge's prejudice toward my religious denomination as a Pentecostal as her sole evidence of my so-called "mental instability", and after openly mocking my religious practices before the court and on the transcript, she ordered that I may not see my then two-year-old son, Tyler, again until I had submitted myself to an institution for one full year of psychiatric care. This judgement was entered in the absence of any professional testimony as to evidence of psychological instability. In fact, the Judge also stated on the record that she had me examined by a psychologist and psychiatrist while incarcerated, who both stated that I was quite sane! With that admission in her order, she went on to justify her decision "from a layman's point of view" and stated that *she felt* I was dangerous to myself and the public at large"! I was released after 6 days of incarceration and told by the Judge that I had been sufficiently punished for my "contempt". I was unable then to pay the \$5,500 child support and maintenance and have not been in a financial position to do so to this day.
- ◆ October, 1990: Filed suit in Federal District Court pro se against the 18th Judicial District in Arapahoe County and Judge Joyce Steinhardt for violation of my civil rights in the divorce proceedings. Suit dismissed thereafter by the Federal District Court. The Federal Judge stated that constitutional rights violated in domestic court cannot be defended by the Federal justice system.
- ◆ November, 1990: Appeared before the court under a contempt citation for deficient payment of child support and maintenance ("CSM"). At that time, I proved to the court that I had no ability to earn that much money, let alone pay that much in CSM. The court then ordered that I pay at least \$500.00 per month or go to jail; however, no modification to the overall requirement was offered and it has continued to this day to accumulate at \$5,500 per month. I then borrowed \$1,500 and paid it to Sandra to avoid incarceration.
- ◆ March, 1992: Discovered that Sandra had conspired with her business partner, Thomas Jones, to fraudulently convert my 50% stock interest in an infant care centre, Regatta Infant Care, Inc. They then sold the company and Sandra used her portion of the proceeds to purchase a 10,000 square foot daycare centre from Jones. As I had no money to challenge the action, Sandra has owned and benefited from the profits of the daycare centre since March, 1992.
- ◆ May, 1993: Sold my interest in claim for damages against Sandra and Thomas Jones in the fraudulent conversion of assets of Regatta Infant Care, Inc. referenced above to Philip Freytag for \$2,000. Freytag filed suit and confirmed Sandra's collusion and compensation of the daycare centre. Freytag ultimately obtained Judgements against Jones and set Sandra's involvement aside as per my request. Sandra continued to benefit exclusively from the daycare centre profits to this day.

- ◆ November, 1990 through March, 1997: Arapahoe County and Sandra did not pursue payment of any unpaid CSM, even though I had continued to reside openly in Colorado while struggling to make a living. During this time, Sandra continued to benefit from the daycare centre profits contributed to her by me through my choice of non-pursuit of her illegal action. Why would the legal system let me go this long without payment unless Arapahoe County is fearful of being exposed for violating my civil rights, and Sandra is not only fearful of being exposed as to her fraudulent conversion of assets (possibly criminal), but is making a very good living from the daycare centre as her reward for her illegal action and simply does not need the money?
- ◆ March, 1997: Served with Rule 69 Financial Review requirement by Arapahoe County District Attorney due to \$500,000+ owed in back CSM. Made an offer to pay the entire amount through fees to be obtained in a business transaction that I had been working on and attempted to close for over three years called the Mitsubishi Note Transaction. The DA agreed to wait and monitor my progress through my then attorney, Seymour Wheelock.
- ◆ September, 1997: Filed for divorce in El Paso County from my then wife, Dearna, and obtained physical custody of my two children Danielle, 5 and Isaac, 3 through advice of counsel from Colorado attorney, Seymour Wheelock. Grounds for divorce were repeated physical and emotional abuse toward me and the children. While the Mitsubishi Note Transaction was still in process, Arapahoe County DA, Larry Bowling, participated in the El Paso County divorce action by supplying all information on the previous Arapahoe County divorce Judgement to Dearna's attorney, John Ciccolella, and then provided an arrest warrant against me for not appearing at the Rule 69 hearing that had been extended by agreement.
- ◆ October, 1997: All Arapahoe County divorce documents that surfaced at the emergency hearing called by Dearna's attorney, October 16, 2000, were designed to justify an additional arrest order issued against me and a change of custody to Dearna, without hearing any of the six witnesses present against Dearna for physical and emotional abuse against me and my children. Even the El Paso County District Court Judge was suspect as to the origin of the Arapahoe County records to the extent he asked Dearna's attorney, John Ciccolella, about them. Ciccolella said in the transcript "he didn't remember" where or how he got them.
- ◆ February, 1998: Picked up in Stratford, Ontario, Canada and incarcerated in a maximum security prison in Cambridge, Ontario, Canada for a period of 125 days, for extradition on the El Paso County DA's false charges of violation of a custody order and criminal extortion. My children were literally grabbed from their nanny off the street and thrown into an unmarked van and returned to Dearna. The charges were supported by documents from the Arapahoe County divorce case. Filed an extradition appeal in July, 1998 and began to gather evidence for my defence in the El Paso County criminal case. The El Paso County Judge then utilised the

Arapahoe County documents and the 7-year-old standards that were a part of the civil rights violations in the Arapahoe County divorce to justify a no contact order with Danielle and Isaac and a CSM of \$4,700 per month. Now, there are two divorce Judgements that bear no relationship to reality.

- ◆ June, 1999: Sandra case re-opened by my new Colorado attorney, Dale Parrish. Motion filed to challenge and to modify CSM. Judge ordered mediation within 75 days. Sandra deliberately defied the order without being challenged by the court for contempt until February of 2000 when she simply showed up and demanded full payment of the then nearly \$700,000 in back CPM.
- ◆ April 5, 2000: Returned to El Paso County through abandonment of Canadian extradition appeal for hearing on custody and criminal issues. Challenged with an arrest order from Arapahoe County based upon a joint effort with El Paso County DA Jeanne Smith to hold me in order to assist El Paso County in avoiding the hearing for dismissal of the charges. Order set aside due to International Treaty protection. El Paso County hearing still continued to May 11, 2000, in spite of a previous agreement to hear the case for dismissal on April 6, 2000.
- ◆ May 11, 2000: Arapahoe County defied the International Treaty again by involving the US Attorney in Colorado in the filing of federal charges for non-payment of child support and incarcerating me in a federal detention centre with a cash bail of \$150,000. This amount just happened to be the joint amount of back child support owed in Arapahoe and El Paso counties. Having no way to pay such an amount, I remained incarcerated. This of course assisted El Paso County again in avoiding a hearing for dismissal of the criminal charges. With the previous notice to Arapahoe County regarding the obvious breach of the Federal Treaty, why would the US Attorney participate in such an illegal action?
- ◆ Could it be that the US Attorney is taking this action in retribution for the 30 billion dollar class action suit that I filed against the United States of America and the Resolution Trust Corporation in 1992 pro se? This pro se class action case actually relates directly to the El Paso County Pension Fund embezzlement scheme, as the subject properties in the class action suit that were being sold off by the RTC unnecessarily at 10 to 30 cents on the dollar were ultimately purchased by the El Paso County Pension Fund. As I discovered as construction manager for the Pension Fund and reported to local authorities in 1994, and ultimately to the FBI in 1995, the exorbitant profits from these same properties were in turn skimmed off into the pockets of El Paso County public officials and contractors. The class action suit was dismissed due to technical mistakes in the pleadings; however, the federal Judge stated that he would permit the suit to be re-filed without statute of limitation if I were to retain a qualified attorney.
- ◆ With the subject Pension Fund being partially funded by federal funds, i.e. the US tax payers, one would think that the federal government would take more of an interest in investigating the embezzlement of those funds by the very officials who are charged with the custodial and fiduciary responsibility to guard and

administrate such public money on behalf of the elderly. With the money to hire an attorney, this suit is still a threat to the RTC, the US Government, and the El Paso County officials involved in the Pension Fund embezzlement scheme. (See Case History / Presentation Outline)

- ◆ May 26, 2000: The charges were dropped for violation of the Treaty and the file was sealed by a Federal Judge. Even though the Federal Judge made it clear in the dismissal of the charges and order for my release that any further detention was a clear violation of the Treaty, US Marshals, with this order for my release in hand, then participated with Arapahoe County in yet *another* violation of the International Treaty by incarcerating me on hold without bail for four more days in the Denver City Jail to be delivered to Arapahoe County for a third violation of the Treaty.
- ◆ May 30, 2000: Delivered to the Arapahoe County Jail and forced by a Judge to represent myself in Court, "or go back to Jail". The Court then participated in a final violation of the Treaty by incarcerating me until I agreed to return for a Rule 69 hearing on June 29, 2000 with a \$750,000 PR bail requirement. All during this time, I was unable to participate in any further proceedings for dismissal of the charges in El Paso County. These people were literally passing me around on false charges and thereby avoiding being confronted in any one legal arena on a level playing field.
- ◆ June 29, 2000: Arapahoe County Rule 69 and bail requirement challenged and dropped due to Treaty violation. Arapahoe County DA Bowling literally begged the Judge not to rule against him for fear of a suit being filed against him and Arapahoe County.
- ◆ August, 2000: Arapahoe County DA Bowling reveals to my Colorado family attorney, Rick Lohman, that he was now aware of the unfair circumstances surrounding the original 1990 divorce judgement against me and insisted that he can get Sandra to settle the "million dollar" CSM and property judgement for \$50,000. Could it be that Mr. Bowling and Arapahoe County were still attempting to avoid being sued by offering such an attractive settlement? Bowling said he knew he could get Sandra to accept the offer!

I believe the evidence will show that the intent of the collusion between the Arapahoe County and El Paso County DA's is to assist each other in covering up and avoiding being sued and/or prosecuted for the civil rights and Treaty violations in Arapahoe County and continuing to perpetuate the El Paso County DA's issuance of false charges against me in my divorce case to cover up the El Paso County Pension Fund embezzlement scheme. In the meantime, I am not permitted to see or even receive a report on my children's welfare or ask that any agency check on their well-being and report back to me without my paying \$5,000 to a recent Court ordered Special Advocate. In the meantime, my children have remained in the custody of a reported child abuser for over two and one half years with the El Paso County DA having full

knowledge of having placed them back into an abusive environment by their own actions. Is this in the best interest of my children?

III. Criminal Investigation / Mitsubishi Note Transaction

- ◆ Late May/June, 1997: I travelled to Boca Raton, Florida to meet with the Trustee of Bay State Trust, Ms. Marilyn Perry, in order to assist in the identification of humanitarian and infrastructure projects to be funded for the country of Guatemala. During the year previous to this meeting, I had assisted as one of the financial intermediaries in the introduction of the parties for the purpose of the sale of a multibillion-dollar Bank Note owned by the country of Guatemala to a client of Bay State Trust. The proceeds of this sale were to generate funding to support the projects being examined.
- ◆ My original design in involving myself in international transactions of this magnitude was to be able finally to earn enough money to pay all back child support and maintenance obligations in the Sandra / Arapahoe County domestic case and to open up the custody case to be able to see my son Tyler again. I had not had any contact or report on his whereabouts or well-being since May of 1990, a situation which continues to this day. This was as a result of the final orders issued in the divorce hearing by Judge Joyce Steinhardt that occurred in June of 1990. The last time I had any contact or knowledge of Tyler's wellbeing, he was two years old. He is now twelve!
- ◆ June, 1997: I proceeded to Toronto, Ontario, Canada in mid-June of 1997 as a part of my continued itinerary that involved the identification of additional projects requiring funding for other developing countries. I had no direct involvement in transacting or authenticating this Bank Note. My role in this Transaction was purely as an intermediary, introducing the parties, and then monitoring the progress. The Transaction ultimately was turned over to the US Federal Reserve in the spring of 1998 wherein I was told that US President Bill Clinton was to play a key role in the final negotiations, announcement, and presentation of the Guatemalan funding. Ultimately, my role was to assist the Guatemalan government in organising and completing the much needed infrastructure projects.
- ◆ Upon information and belief, this Bank Note, Mitsubishi International Deposit of Commercial Obligation, Certificate No. 47029, is one of a series issued by the Mitsubishi Bank of Japan, beginning in 1967, wherein their original intended use was for economic development of certain Central American countries. Unfortunately, the coupons attached to these Notes have since been used by the US CIA and the US military for decades to finance covert activity in Central America. These were the international bank notes actually utilised by Oliver North to finance the Iran/Contra armament deals in Central America. Therein lies much of the controversy around the transaction itself. The confidentiality requirements were

such that the Mitsubishi Bank of Japan would refuse to recognise the Instruments as valid if the Transaction were made public.

- ◆ In recent years, approximately eleven of these Notes have been assigned by their respective Central American countries to the US Central Intelligence Agency for the purpose of securing additional humanitarian and infrastructure funding. The problem is, I now have reason to believe that major benefactors of this transaction turned out to be certain elected public servants and employees of the US government, including but not limited to officials and agents of the CIA, personally. I have been told quite directly by members and sub-contractors of the CIA that if I don't keep my mouth shut and my head down, I quite certainly will forfeit my life.
- ◆ February, 1998: I was arrested in Canada on the aforementioned fraudulent child custody charges while here on business with my children and was held for extradition to Colorado relating to the Dearnia divorce action filed in El Paso County in October, 1997. Thereby, documents regarding this transaction in my ex-wife's (Dearnia) possession were made public. These documents then were flaunted before the Canadian Court by the prosecution to the extent that the El Paso County DA was quoted on the record as having verified the authenticity of the transaction and my company's \$20 million dollar Pay Order upon closing.
- ◆ Due primarily to the amount of my company's fee payment, the Canadian Court set my original bail at \$600,000 CAN for the extradition hearing and the subsequent appeal. Having never been paid any fee, I was forced to rely upon my then fiancée, Carolyn Dare, her father, and my Canadian business partner Don Gillmore to provide surety bonds for my release on bail. From that point on until now, Canadian Immigration Enforcement has disallowed me to be employed in Canada due to the existence of the outstanding charges in Colorado. I have been forced to rely on my now wife, Carolyn, and my father-in-law for all of my living expenses and have borrowed extensively from them to pay all of my legal expenses to date.
- ◆ Upon information and belief, in order to cover up the Mitsubishi Transaction and avoid exposing the use of the Notes by the CIA and the US military, and thereby breach the terms set up by the Mitsubishi Bank of Japan and expose President Clinton's involvement, the US Government *ordered* the Bank Instrument declared fraudulent by the Mitsubishi Bank of Japan and the US Securities and Exchange Commission (SEC). Since then, the original Instrument has been covertly reconstituted into 15 billion dollars in US Treasury Bills through a secret deal cut with the original principals of the Transaction, for continuance and completion of the funding.
- ◆ My last information indicated that the commitment to Guatemala is 5 billion US dollars, paid at one billion dollars per year for 5 years—a far cry from the 15 billion dollars made available! Every attempt made by me to discuss the truth with the SEC through official channels and through my Canadian attorney, Alan Gold, has been thwarted. I am not even entirely sure that the SEC and their agents are not

involved. Certainly, my greatest reservation in revealing this information has been the personal safety of both my children and myself.

- ◆ When I was incarcerated in Canada in February of 1998, I was told through a contact of the CIA to stay in jail and to keep my mouth shut until after the Mitsubishi deal funded. Thereafter, I would be set free to pursue the normal process of custody of my children. Since that direction, I was told by the SEC that the CIA has presented an affidavit denying official involvement in the transaction. It also has become apparent that the involvement of the officials and agents of the CIA may have been for their own personal gain, and certainly not in any official capacity.
- ◆ September, 1998: I was told by an operative of the CIA not to pursue the custody of my children or to challenge the fraudulent charges launched against me by the El Paso County DA, John Suthers. The charges Mr. Suthers generated against me very conveniently ended up assisting the CIA operatives involved as principals in the Note Transaction in holding me in Canada until the deal was funded. Now, it appears that their intention is to dispose of me quietly through the criminal legal action in Colorado. However, no one expected that I would resist Colorado's request for extradition successfully for such an extended period through an appeal in Canada and thereby utilize the time to provide clear evidence of my innocence.
- ◆ August 10, 1999: My then Colorado attorney, Dale Parrish, confronted the El Paso County DA about their having fabricated the domestic criminal charges and taken my children from me in order to destroy my credibility and as retribution for having exposed their involvement in the El Paso County Pension Fund embezzlement scheme.
- ◆ August 11, 1999: El Paso County DA announced a criminal investigation for fraud and theft into the Mitsubishi Note Transaction and broke into the apartment of my business associate, Collin Finn, in a search and seizure operation.
- ◆ Was it a co-incidence that Collin Finn was also involved with me in investigating and exposing the DA for their part in the Pension Fund scheme? Is it possible that the DA may have confiscated Collin's files and computer in order to obtain and destroy any further information that Collin had with regard to Suthers' and the DA's involvement in the Pension Fund cover-up? Collin told me that they "overlooked" an entire box of hard copy files and documents on the Mitsubishi deal that were in plain view next to other boxes and documents taken. Was it a mistake or an oversight that caused the DA to confiscate all of the evidence and records from Mr. Finn's apartment that involved the DA's cover-up of the Pension Fund scheme, and then leave the Mitsubishi transaction records behind?
- ◆ 1998 through 1999: The DA solicited my company's Colorado Springs' Investor / Lenders for complaints in order to justify possible further charges. These Investor / Lenders contributed money to support the Mitsubishi Note Transaction. The DA also used these solicitations as an additional opportunity to locate and confiscate any further evidence incriminating the DA's office on their involvement in the El

Paso County embezzlement scheme. During one such solicitation by Detective Patterson of the Colorado Springs Police Department, Mrs. Jo Nestor was intimidated into providing the original evidence file regarding the DA's involvement in the Pension Fund embezzlement scheme. As a friend and business associate, Mrs. Nestor had agreed to keep the original evidence file for me in safe-keeping in her personal safety deposit box.

- ◆ The actual complaints filed by several investors that precipitated the criminal investigation were done so as a direct result of these Investor / Lenders not having as yet been paid. The primary reason they have not been paid is due to my inability to work, which inability to work in Canada is as a direct result of the false charges filed against me by the DA in the first place. In effect, the DA has been using their public position to locate and destroy potentially criminal evidence against them personally and politically, and in the process are milking the very "non-payment" problem they created with the Investor / Lenders in order to generate new charges to further hide their involvement in the Pension Fund cover-up.
- ◆ November, 1999: At his request, my wife, Carolyn, and I met with President Clinton's attorney, Gregory Craig, in a Toronto hotel regarding possible US Department of Justice intervention in the Colorado criminal and custody cases. Discussion subjects included the following:
 - Use of my children as pawns to cover up the DA's involvement in the Pension Fund scandal;
 - President Clinton's involvement in the Mitsubishi Note Transaction / Guatemalan Funding as this relates to the use of my children to extort my silence with regard to the release of any further information on the true status of the transaction.
 - Mr. Craig provided assurances of blocking any further investigation of the Mitsubishi Note Transaction / Guatemalan Funding at the federal level by the El Paso County District Attorney.
 - Mr. Craig recommended my staying away from any further requests for investigation of the Mitsubishi Note Transaction or the Pension Fund embezzlement issue. He agreed with the premise provided by Mr. Parrish and his assistant counsel, Mr. Lance Sears, "*If you attack or confront John Suthers or the El Paso County DA's office in any way, especially through the US Prosecutor, you will never see your children again.*" Mr. Craig also made it a point to include any further requests for a federal investigation into the Mitsubishi deal as a part of this warning.
 - Mr. Craig agreed that in order to eliminate any further enquiries about the Mitsubishi deal, the Mitsubishi Note Investor / Lenders must be paid. He

then asked for the original amounts contributed and took note as I provided this information.

- Mr. Craig agreed to have his firm provide for US Treasury Department authentication of certain 1935 US Gold Bonds presented by me at this meeting.

 - Mr. Craig advised us to concentrate on the criminal and custody issues and requested that we keep him informed of all progress.

 - As requested by Mr. Craig, I have submitted regular written reports to his office on our progress.

 - Mr. Craig invited us to contact him at any time should we require additional assistance. He also emphasised that this assistance was *free of charge*.
- ◆ November, 1999 through March, 2000: My Colorado attorney, Dale Parrish, interviewed witnesses and examined evidence in co-operation with El Paso County Deputy DA Robert Harward. Interviews with my children's Nanny and Social Worker stated unequivocally that they believed "*the children were in danger as long as they were alone with Dearn*", yet the DA's office has continued to do nothing to this day, even though they were responsible for placing my children back in this "*danger*" in February of 1998.

 - ◆ March 6, 2000: Mr. Parrish entered his affidavit Status Report into the custody court record providing a number of affirmative defences against the criminal charges. Based upon this report and evidence presented, a recommendation and submission was made to DA Jeanne Smith by the prosecuting attorney, Robert Harward, for dismissal of the charges. The recommendation was denied. The next day, another waive of solicitations for complaints began with the Mitsubishi Note Investor / Lenders. Gregory Craig's promise that no investigation of the Mitsubishi deal would be permitted at the federal level proved out when the FBI was called in by the DA and thereby the investigation immediately and mysteriously went back to a dormant condition with no activity since.

 - ◆ The two primary individuals involved with me in the Mitsubishi Note Transaction, and also who actively participated with me in the Pension Fund Investigation involving the DA's and Suthers' cover-up, are Collin Finn and Phillip Freytag. Collin and Phil were also known to have files and documents to back up all of my information on the Pension Fund cover-up
 - Is it a coincidence that these same two people who worked with me in investigating the DA's involvement of the cover-up of the Pension Fund embezzlement scheme have also been attacked by the DA as a method of obtaining their evidence and/or silence with regard to the Pension Fund

scheme? As witnesses on my behalf in the domestic criminal case, both Phil and Collin have expressed their continued fear of political retribution.

- ◆ Needless to say, the Mitsubishi criminal investigation has not as yet been closed officially, I am still living in Canada as recommended by my attorneys for my personal safety, unable to work because of these ridiculous domestic criminal charges after over two and one half years, and my children now have been moved out of state with what I believe to be the assistance and approval of the US and Colorado State Justice systems, even if simply by omission, in order to protect the political interests of John Suthers, the El Paso county DA's office, the State of Colorado, and certain high-level officials of the US Government.
- ◆ These State and Federal officials have kept me under this fraudulent Mitsubishi criminal investigation and domestic charges and have held my children and threatened me in order to extort my silence long enough. At this point, I am quite confident that they have no intention of rescuing my children or of dropping the Mitsubishi criminal investigation or the domestic / criminal charges.
- ◆ I am now prepared to provide to a US Federal Prosecutor for investigation of the Mitsubishi transaction, all my documentation and the names of all the individuals involved, including the principals and their attorneys controlling the off-shore trusts, the attorney's controlling the conversion of the original Certificate to T-Bills, information regarding the final distribution of funds in this transaction, the known US government agents involved, and the known locations of all additional evidence and documentation.

Conclusion

It is my desire to meet with representatives of the US Justice Department to request an investigation on all of the activity of the government agencies and officials involved in these cases through the offices of Mr. Bill Moffitt in Washington, D.C. My greatest reservation in approaching the US Justice Department with all of my information and evidence regarding the possible conspiracy to commit political corruption as described herein is the possible further repercussions upon me and my family. Any approach as such with this information must include a provision to insist that the US Federal Prosecutor approach this situation in such a way as to protect me and my family from any possible retribution. It has never been, nor will it ever be, my intention to do anything illegal.

With the progress we have made in all three legal arenas since these case challenges have begun, I believe that our opportunity to resolve these cases successfully and simultaneously has never been better. Besides the exposure of the government agencies and individuals involved in this overall conspiracy to commit political corruption through the US Justice Department and the media, I believe there may be a number of civil remedies to pursue. That aside, the following is a description of the current advantages by case:

I. Dearna Domestic Case / Criminal Case - El Paso County

With the International Extradition Treaty protection now firmly tested and in place, not only is the El Paso County DA confined to the charges as brought across the border into Canada, they cannot even play further games by amending the charges or attempting to generate new ones through the Mitsubishi Transaction or anything else at this point. Our opportunity to prove the custody / criminal charges groundless and obtaining a dismissal has never been better. The DA cannot continue to keep us from getting our evidence before a Judge in a preliminary hearing much longer. The next hearing is scheduled for October 20, 2000. In order to guard against any further illegal influence, delays, or tampering with the results of the preliminary hearing, we insist that at least the media be involved to look over their shoulder, and we would enjoy the US Justice Department's involvement when the timing is right.

With the charges dismissed, the playing field is levelled for a fair determination for modification of previous and current child support and maintenance issues in the Dearna domestic court case as well as the restoration of my opportunity to re-establish contact, visitation, and possible custody with Danielle and Isaac since they were taken from me over two and one half years ago. Certainly, I would insist on pursuing all other possible remedies for restitution and damages that may be available in the revealing of the political corruption that generated these charges and the estrangement from my children in the first place

II. Sandra Domestic Case / Child Support - Arapahoe County

With the recent multiple violations of the International Extradition Treaty by the Arapahoe County Deputy District Attorney, Larry Bowling, and his having lost any further leverage to continue supporting the original unfair judgement for child support and maintenance, Larry Bowling has been humbled to the position of literally begging us not to sue him and the County for breaking the law. I believe we now have amazing leverage in any further negotiations to force the County to re-view the original Judgement and to assist in resolving all issues in this case, even to the extent of threatening suit subject to the County paying the back child support and maintenance at any negotiated amount. With this playing field also levelled, our next move should be to immediately reopen the custody arena for contact and visitation with my son Tyler for the first time in over 10 years.

III. Criminal Investigation / Mitsubishi Note Transaction

This criminal investigation was launched on August 11, 1999, based upon solicited complaints by the El Paso County District Attorney's office to further hide their position in the Pension Fund embezzlement cover-up. There is no evidence of any activity since November, 1999. I have personally offered to co-operate with the El Paso County DA in their investigation on numerous occasions and have insisted on an investigation on behalf of my company's Investor / Lenders through the US SEC, the

FBI, the Office of Congressional Affairs, and other governmental agencies and officials, all to no avail.

I have nothing to lose and everything to gain for the truth to come out surrounding this transaction. Unfortunately, it seems that the US Government has much to lose in its need for confidentiality and secrecy with respect to maintaining its relationship with Guatemala, avoiding further exposure of covert US CIA and military activity in Central America and in protecting its system of officials and agencies. It is unfortunate that the honest work I put into this opportunity may never be rewarded. However, I would ask that the US Justice Department at least recognise the need for my family to be restored by co-operating with an investigation into the El Paso County DA's involvement in the Pension Fund embezzlement scheme that motivated them into fabricating the domestic / criminal charges against me and the Mitsubishi criminal investigation in the first place. Closing out the Mitsubishi investigation would also support what President Clinton's attorney, Gregory Craig, insisted is in the best interests of all concerned.

Also, it would seem only fair to look into the original violation of my constitutional rights as a father that were violated in the Arapahoe County Case in 1990. It is the least they could do after allowing themselves to be hoodwinked by Arapahoe County into arresting and incarcerating me in a Federal Detention Centre for 3 weeks, only to drop the charges and seal the records after realising that even they had broken their own International Treaty.

Prologue

I do not believe this document in and of itself proves a conspiracy to commit political corruption, and certainly, any one issue in and of itself would be a weak argument at best. However, the preponderance of collective evidence and witnesses as provided herein should at least justify a formal investigation into the matter.

Certainly with the advantages noted in all three legal arenas, it is time to create and execute an offensive plan to finish this 10-year battle for the freedom of me and my children to have a relationship with their father and for me as their father finally to be restored to my constitutional and God given rights to participate in the lives of my children and parent them into adulthood.

I know you may have questions and comments on this analysis. I am certainly not proclaiming myself to be a legal or investigative expert in any of the issues herein described and analysed. However, simply to have experienced and survived these ordeals at least gives me the right to express a very strong opinion and to be heard with respect.

Thank you for considering this treatise as we move forward to formulate our final strategy.

Sincerely, Harmon L. Wilfred