United States Attorney's Office
Southern District of New York
Civilian Crime Reports Unit
Criminal Division

Civilian Crime Report

The U.S. Attorney's Office represents the Government in legal proceedings and works closely with investigative agencies including the FBI. The Criminal Division of the United States Attorney's Office is responsible for enforcing the federal criminal laws within the Southern District of New York, which encompasses the boroughs of Manhattan and the Bronx, as well as Dutchess, Orange, Putnam, Rockland, Sullivan, and Westchester Counties.

WE CANNOT CONSIDER INFORMATION SUBMITTED BY E-MAIL OR LEFT ON VOICEMAIL

Person Completing This Report:

Andrew G. Clark
Your Name

3270 Stoney Ridge Road
Address

Address (Line 2)

Eugene, OR — 97405
City, State — Zip

Lane — (541) 510-3915
County — Phone

Person/Entity Being Reported:

Oregon and Federal Judicial Systems
Name of Person Being Reported

Wells Fargo / Ogletree Deakins Employer's Law

(widespread, endemic deficiencies)
Address (Line 2)

City, State — Zip

-
County — Phone

Although the volume of information we receive from concerned members of the public prevents us from responding individually to every Report, be assured that we will carefully consider the information you have provided us to determine whether there is a matter for this Office to investigate. Should we determine that your Report raises a matter within the jurisdiction of this Office to investigate and that further information from you is necessary for our investigation, you will be contacted. This Office does not resolve individual consumer complaints.

NOTE FOR INTERNATIONAL SUBMISSIONS

We review for any appropriate action all submissions we receive. However, to avoid interference with the sovereignty of foreign nations, we do not respond to or acknowledge submissions from mailing addresses outside of the United States.

Does this Report Pertain to an Ongoing Case? ☐ Yes ☐ No ☑ Not Sure

If Yes, Please Provide the Following Case Information:

Case Title and Docket Number (if known): ______

Please clearly describe the violation of federal criminal laws that you would like to bring to our attention. Include as much information as possible; including the dates, places and nature of incident, and contact information for any witnesses (do not send original documents):

State of Oregon employees/agents are also named in the Wells Fargo et al report.
This report relates to court-rigging and improper use of Courts to bypass adjudication.
Detailed, recent reports to Public Integrity Section attached as exhibits to this form.
See attached letter and exhibits as this form does not yield itself well to this type of reporting.

Are You a Victim of this Alleged Crime?

☑ Yes ☐ No ☐ Not Sure

Are You Aware of Any Other Victim(s)?

☑ Yes ☐ No ☐ Not Sure

If Yes, Please List Other Victim(s): There are other victims. The system deficiencies are endemic.

Are You Represented by an Attorney in this Matter? ☐ Yes ☑ No

If Yes, Please Provide Attorney Contact Info:

Name: ______________________ Phone: ______________________

Address: ______________________

Have You Filed a Lawsuit Concerning this Matter? ☐ Yes ☑ No

If Yes, Please Provide the Following Case Information:

Case Title and Docket Number: These are separate but related issues.

Name and Address of Court: ______________________

Status of Court Case (pending, dismissed, settled): ______________________

Have You Previously Filed a Report about this Matter with this Office or Any Other Federal, State or Local Agency(s)?

☑ Yes ☐ No If Yes, Date Filed: ______________________

Contact Person: ______________________ Agency: DOJ Public Integrity Section

Status of Previous Report: Executive of 9th Circuit Court of Appeals.

By submitting this form you certify that all of the statements made in this report (including continuation pages and addendum) are true, complete, and correct, to the best of your knowledge. You understand that a false statement of a material fact is a criminal offense (18 U.S.C. Section 1001).

Signature: ______mailed version signed Andrew Clark__ Date: __1-7-22______

IMPORTANT NOTE REGARDING THE PRESERVATION OF YOUR LEGAL RIGHTS:

Submitting a Report to this Office has no effect on any statute of limitation that might apply to any claim you may have. By submitting a Report to this Office, you have not commenced a lawsuit or other legal proceeding, and this Office has not initiated an investigation or lawsuit regarding the subject of your Report. If you seek to sue for money or other relief, you should contact a private attorney to represent you in court.

Mail this completed report to:

United States Attorney's Office
Southern District of New York
Attn: Civilian Crime Reports Unit (Criminal Division)
One St. Andrew's Plaza
New York, NY 10007

January 7, 2022

U.S. Department of Justice
United States Attorney - Southern District of New York
The Silvio J. Mollo Building - One Saint Andrew's Plaza
New York, New York 10007

Subject: Civilian Crime Report: Fraudulent Use of State and Federal Judicial Systems

The related Wells Fargo (et al) Civilian Crime Report details a mafia-style false arrest based on obviously manufactured crime. It was arranged by attorneys at Ogletree Deakins (employer's law firm). The exhibits with that report include the correspondence used to arrange it. I included news articles demonstrating Ogletree Deakins has a history of false arrest in Maricopa County, AZ in the same time frame, including the false arrest of an active-duty judge.

I reported my case as a Hobbs Act violation because the result was a "stipulated settlement," a third party benefit that was coerced via deadly duress and awarded by a prosecutor acting under the color of the law. I detailed within my civil filing in case 6:20-cv-000253-AA the completely illegal search and seizure warrant used to take all my computer equipment from me right after I filed my first attempt at civil redress (6:13-cv-01546-AA). I obtained and posted the warrants and related material. *With all its vast experience, I am rather certain that SDNY has never before seen a situation more deviously malicious in corporate investigations.*

……………………………………………..

<u>Public Corruption</u>: This is a report of crime within the courts and its systems. Our courts are shown to be "rigged" with the court outcome determined in advance and loaded into the judicial support systems for a trusting judge to passively allow to be robo-signed as orders.

<u>Contents of this Civilian Crime Report:</u>

Introduction to Exhibits

The horrific nature of the problem is, perhaps, best understood in my case by listening to Lane County, OR's Circuit Court Judge abdicating the law and common sense in favor of her staff and their home-made "Risk Assessment Tool" (RAT) that is uniquely used in Lane County and possibly elsewhere. https://www.risepatriot.com/JudgeVogt.html is legally obtained court audio. The URL is case sensitive. It has nothing to do with patriots or politics, it is internally linked evidence, in this case our Chief Judge Debra Vogt. Judge Vogt is shown to have only information provided to her by the prosecutor and went on record "having faith" in her staff and the Risk Assessment Tool. The law, literally, meant absolutely nothing. Judge Vogt dispensed the result of thinly-veiled organized system fraud with malice and without comprehension of my vast, dying human suffering. It became typical here in Eugene OR. Other court audio hearings demonstrate these "danger scores" permeate the entire local system so even when a person is convicted or pleads guilty to a lessor charge, the original "danger scores" affect the punishment.

Nuremberg Report on the Structure of Holocaust

The United States ensured the Nazi Death Camps were broadly exposed by photographing and widely publishing them. As an unintended result, if people don't see Death Camps then it cannot possibly be "holocaust" .

"Holocaust" is a condition only possible in a nation bound by the law. It is when the legal system increasingly consumes the citizens and the nation's wealth. Nuremberg researchers warned us that "holocaust" comes in many forms over time and its primary method of operation is "ghettoization," which in past times tended to hasten death. **Nuremberg researchers also noted that throughout history, "holocaust" tended to have a long lead time and it was hypothesized it could be prevented (or stopped in process) if one victim could get the situation into a still-functioning court. All those involved in this case here in Oregon managed to do just that. I am presenting this as a case that yielded benefits far above the crimes. Wells Fargo and Company et al … State of Oregon…** ***we own it.***

Exhibit 1: Reports to Public Integrity Section and to 9th Circuit Court specifying fraudulent use of court systems encouraged by "scoring" within court's case management systems.

Nothing has ever been discovered or adjudicated in my cases. Exceptionally detailed and prejudicial "opinions and orders" were issued as a result of 'smoking gun docket fraud'.The docket history of all the cases is amazingly clear: over and over I placed great evidence into the PACER / ECF system only to have it concealed and obstructed with criminalization of communications to obscure the facts coupled with what I call "docket hopping" to make them all go away.

These reports provide specific detail as to how evidence is bypassed in the docket of the local district court and the 9th Circuit and appeals court. In my first crime report, I suggested a talented para-legal would be an effective resource as they could also explain to investigators the 'same old boilerplate' is used all over America and that is what the legal industry and profession is reduced to.

The other aspect of these reports is the absentee nature of the Judge of the court and the complete lack of transparency as to how facts and evidence are processed. It includes a transcript from a tele-hearing related to SLAPP 6-11-006248.HO. Judge Michael Hogan is on record having no actual case knowledge. He allowed Ogletree Deakin's attorney Leah Lively to screech at him and badger him about "Docket 78" which she just had to have approved.

He is also on record as having actively selling me on his mediation service in violation of 28 U.S.C. § 455 in this case of disputed facts. SDNY really should investigate Leah Lively and Ogletree Deakins to determine why they filed so many federal lawsuits against unemployed lowest level workers. SDNY should determine how the cases were settled because if most/all were mediated there is/was a much larger problem in the local courts.

Docket 137 in SLAPP 6-11-cv-006248 HO is a large fee billing against me. That is completely extra-judical and is flat out malicious and cruel theft. Ogletree Deakins will just that against me and attempt to take my home. Obviously: that will not happen and SDNY needs enforce that with Ogletree Deakins. Ogletree Deakins has a history of billing fraud in Maricopa County AZ as shown on all the news articles in the exhibits to crime report 1.

REPORTS TO PUBLIC INTEGRITY SECTOR FOLLOW THIS PAGE

-June 24, 2021

Elizabeth A. “Libby” Smith
Office of the Circuit Executive
P.O. Box 193939
San Francisco, CA 94119-3939

Note: Sent to Public Integrity Sector as well

Subject: “Instant” Investigation Demand: Case-Specific Example of Widespread Deficiency
Report of Fraudulent Use of Justice Systems in Eugene OR District Court
Local Case 6:11-cv-000253 Incoming Appeal 21-35304 Clark v. Wells Fargo et al

This report documents a national tragedy and an immediate emergency. This report is not about case facts which are germane to the Court. This is not a judicial misconduct report. This special report details fraudulent use of court systems by legal industry participants to conceal evidence and obstruct justice… while massively wasting public resources.

The lengthy docket history and tele-hearing transcripts are in PACER/ECF. For convenience they are posted https://www.GoodShipGinsburg.com/frauddocket.pdf . Obstruction of evidence is proven within PACER/ECF and it represents a criminal violation of 18 U.S.C. 1519. Any person with experience interpreting a court docket will immediately see major Red Flags:

1. My ‘Factual Pleading’ complaint is a simple account of defendant’s criminal activity that harmed me. It remains completely unheard due to attorney-driven fraud and deceit. In my case, there are c. 20 attorneys on the distribution list. They all refused to recognize any evidence could possibly exist even though I filed it into the courts with my complaint or via motion. They all refused to confer. They all filed infantile, irrelevant personal attacks against me. They all filed similar denials. They all filed boilerplate legal forms to obtain case dismissal before any factual basis or evidence is allowed. They all lied about every case detail in writing and during tele-hearings. They all committed federal felonies.

2. The timing of the nine-month “stay” instead of discovery followed by case dismissal is in itself highly suspicious and does not conform to Federal Rules of Civil Procedure. It seems to make it physically impossible to submit a Motion for Trial per Rule 38 prior to case dismissal, as one example.

3. The court record demonstrates a generic-and-illegal method attorneys use to criminalize external business correspondence by dumping it into the court as a self-declared violation. Please notice an

un-adjudicated "gag order" was generated without hearing early in the discovery process. Activity by the defendants to criminalize external communications in that fashion represents a stark, mocking violation of 18 U.S.C. 241: "Conspiracy Against Rights": 1) to a trial of facts /evidence and 2) the obligation to speak of harm done to me as detailed in my unheard complaint and the fact they are concealing it in the courts against the interests of their clients. *John Pollino of GHR Lawyers in Salem OR lacks competence with subject matter but the other attorneys agreed with his work . It is a sad day in America when a couple-dozen professional attorneys are unaware that allegations of violations of federal law 18 U.S.C. 241 are not "conspiracy theories" as Mr. Pollino proclaimed in a filing.*

4. Compare the motions listed on the Notices of Hearings with the docket. Notice that none of my factual motions were heard but defendant's obstructive motions were given two hearings followed by dismissal/sanctions. The transcripts show the judge demonstrated total lack of case knowledge.

5. No substantive facts were recognized or adjudicated yet the c. 40 pages of 'opinions and orders' are detailed defendant-attorney's lies, favorable only to them. The PACER/ECF system records shows how defendant-attorneys refused to participate in 'discovery' as I described in fine detail with my unheard Motion for Judicial Conference per FRCP 16. They obtained dismissal and sanctions hearings instead. I assert defendants provided the content for the court staff to input and have robo-signed.

6. The court staff manipulated the titles of my filings and minimized them. I filed several <u>Motions</u> to Notice Adjudicative Fact. Those were all downgraded by the court staff to <u>Requests</u> to Notice Fact. The transcript of the second hearing shows Judge Aiken telling me that I must file a Motion if I want to address the court. She was unaware that I had filed all those Motions. Her staff had to point out my Motion under FRCP 16 for Judicial Conference which specifically details how defendant-attorneys were abusing the discovery process. It was bypassed along with all my court filings by the way court staff and /or defendant-attorneys manipulated the record seen by the Judge.

7. The hearing transcripts show defendant-attorneys being permitted to bully me in complete absence of fact. Attorney John Pollino of GHR Lawyers in Salem OR kicked off the insult-fest in the first telephone hearing with "I don't like Mr. Clark" and the judge threatened me with dismissal if I responded. There is no trace of civility among defendant-attorneys despite my endless, repeated, even self-effacing conciliatory gestures. <u>*Both transcripts demonstrate a court being used as my pillory and gibbet basket while boldly violating all my civil rights, human rights, and constitutional protections.*</u>

8. *Possible* implications of Case Management System case scoring programs... Mine is a Racketeering lawsuit as well as a private Clayton Act filing. Based on reading, it *appears* the courts use a scoring system that encourages the dismissal of those types of cases. Documentation in the appeals court website *indicates* that scoring systems can be adjusted to exclude/include more cases as judicial staff permits. Generally: court systems *appear* to be nearly unedited and rely upon "trust". Attorneys and others *definitely* have become skilled at manipulating the court's information systems to provide the Color of Law to their illegal, unprofessional, and immoral results….or just to clear their caseload.

<u>Transcripts and PACER Records of This and Prior Related Cases are Indelible Proof of Allegations</u>
The PACER/ECF system documents major irregularities and lack of transparency. The methods used and the procedural deficiencies appear to be endemic to the Eugene Oregon court and likely other courts as well. I feel that finding and correcting system deficiencies is more important than punishing people. So far, it appears any civil complaint whether by letter or lawsuit gets passed back to the offenders to answer.

Until corrected, the PACER/ECF record and transcripts show the court to be a shining gold-plated Potemkin Village devoid of human concern for the citizens. Those records document a kleptocracy run by and for the sole profit of the legal industry workers. It shows a justice system in Eugene Oregon staffed by spoiled and cloistered people, some of whom are extremely devious and cruel, who abuse systems to harm others. From top to bottom, local government workers refuse to ever talk with a citizen about a problem and say something like "we are sorry, let's make it right." They learned they can perpetrate any crime against citizens and get away with it. They know they are represented by the Oregon Department of Justice… the largest law firm in Oregon… and the citizens are not.

The transcripts show the actual content of a court hearing to be fraudulent and shameful; a national embarrassment caused by systemic public corruption which includes 'fealty' among judicial system workers such as attorneys and judges. Their activity is given the rosy Color of the Law by conniving court staff fraudulently using unedited court systems in an unregulated revolving-door legal industry.

Signed,
/s
Andrew (Andy) Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
operationsunriselaw@gmail.com

Transcripts and Docket History are in PACER/ECF. For convenience or if lacking access:
<u>www.GoodShipGinsburg.com/frauddocket.pdf</u>

July 8, 2021

John Keller – Public Integrity Sector
1331 F Street NW
Washington, DC 20005

Instant Investigation – Public Corruption
District Court Eugene OR 6:20.cv.000253
Clark v. Wells Fargo, Ogletree Deakins, et al

Mediator/Judge Michael Hogan Destroyed Public Integrity in Eugene OR by Violating 28 USC 455
Court Transcript Attached as Evidence, More is in PACER/ECF
Michael Hogan Used the Court to Feed His Mediation Business, My Case is One of Many

In many ways, "Judge" Michael Hogan is the person most responsible for what was perpetrated against me here in Eugene Oregon. He was the one who allowed Ogletree Deakin's "Emergency" SLAPP-suit against me, a lowest level unemployed Wells Fargo worker. His authority was used by others as a basis for the crimes they committed against me and concealed. The transcript from the third hearing (telephone) is attached with a letter to 9th Circuit Executive so I do not need to repeat the claims here.

I state here as Fact: filing district court lawsuits against lowest level unemployed workers is the legal fee billing equivalent of fishing from a barrel using a Dupont spinner. It was terrorizing when piles of legal forms arrived in email, mail and at my home. It was enraging when I determined Ogletree Deakins had absolutely no idea of my job function or Wells Fargo's data and systems. They developed a generic way to crush any employee. They criminalize business correspondence and cause false arrest.

As a citizen, it is incredibly wrongful that government employees Renata Gowie and Jared Hager are being paid to represent Michael Hogan. I have repeatedly suggested that a possible solution would be for Mr. Hogan to complete the mediation he started and did not complete. Calls and emails to Ms. Gowie go unanswered. Mr. Hager refused to discuss any factual matter, he refused to engage in meaningful conference. Their sole defense is ignoring their victims while coddling each other, knowing they are immune from any legal consequences and unreachable in any way.

The legal industry seems to deify and pamper its participants...particularly judges. There are thousands of them so they are by no means "special". They claim immunity from any form of legal consequences while demonstrating no sense of responsibility. The other hearing transcripts from that court are even more atrocious… a national embarrassment that clearly shows "judges" only know what their staff puts into the broken court's case management systems. Absolute power is shown once again to… corrupt absolutely. Local circuit court and "family" court audio-record hearings. I posted them on www.RisePatriot.com and www.WellsFargoWitz.com . My case presentation for refiling in Southern District of New York is www.GoodShipGinsburg.com . The government should be filing there, not me.

Signed,

/s
Andrew (Andy) Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
OperationSunriseLaw@gmail.com

June 20, 2021

Elizabeth A. "Libby" Smith
Office of the Circuit Executive
P.O. Box 193939
San Francisco, CA 94119-3939

Subject: Second Report of Judicial System Fraud in Eugene OR Court
Local Case 6:20-cv-000253 Clark v. Wells Fargo et al Incoming Appeal
Third Transcript: Telephone hearing with Defendant/Mediator Michael Hogan
6:11.cv.06248.ho

This transcript is among the vast amount of bypassed evidence of the rampant, deep public corruption of the Eugene Oregon court. It is further evidence that my case has never been properly adjudicated or mediated. It shows Judge Hogan acting with similar case ignorance as Judge Aiken did because their staff manipulate the system to prejudice what the judge sees and does. This third transcript very clearly proves that "Judge" Michael Hogan had no clue about case details. It captures what seems to be the ad hoc approval of Motion 78 while we were on the telephone hearing.

This is not an exaggeration or hyperbole. It is a statement of obvious fact, apparent to anyone who reads the transcript. The transcript shows a non-caring person with immunity and immediate power exceeding that of God completely ignoring everything I said and doing exactly what defendant Leah Lively so rudely demanded. The hearing transcript captures defendant attorney Leah Lively pressuring Defendant Mediator/Judge Hogan as if he were her insignificant cuckolded lackey. He was not acting as a judge or even a mediator…. therefore is not deserving of any immunity. <u>He badly violated my civil rights in all regards due to his fealty with defendant Leah Lively and Ogletree Deakins and trust in how his staff manipulated the system to hide evidence and deceive him.</u>

Worse: the transcript show Judge Hogan actively selling me on his bogus "mediation service". It is shocking to the senses that a judge was allowed to assign cases to himself and mediate them (or not) in violation of 28 U.S.C. 455 as well as many of the American Bar Association Judicial Canon Rules.

Thank you from

/s
Andrew (Andy) Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
operationsunriselaw@gmail.com

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

WELLS FARGO BANK, N.A.,	)	
Plaintiff,	)	No. 6:11-cv-06248-AA
v.	)	May 8, 2012
ANDREW G. CLARK,	)	Eugene, Oregon
Defendant.	)	

TRANSCRIPT OF TELEPHONE ORAL ARGUMENT

BEFORE THE HONORABLE MICHAEL R. HOGAN

UNITED STATES DISTRICT COURT JUDGE

-:-

APPEARANCES OF COUNSEL VIA TELEPHONE

FOR THE PLAINTIFF: LEAH C. LIVELY
Ogletree Deakins Nash Smoak & Stewart
222 SW Columbia Street
Suite 1500
Portland, OR 97201
(503) 552-2140
leah.lively@ogletreedeakins.com

FOR THE DEFENDANT: ANDREW G. CLARK, pro se
3270 Stoney Ridge Road
Eugene, OR 97405
(541) 510-3915

Court Reporter: Deborah Wilhelm, CSR, RPR
Court Reporter
P.O. Box 1504
Eugene, OR 97440
(541) 505-0760

(Tuesday, May 8, 2012; 9:36 a.m.)

(The following proceedings were had in chambers.)

P R O C E E D I N G S

THE CLERK: This is the time set for Case 11-6248, *Wells Fargo Bank versus Clark*, time set for status conference and oral argument on motion for relief from joint filing requirements, Number 78.

MR. CLARK: Okay.

THE COURT: Thank you. I'm familiar with the papers that have been filed. Is there anything you wish to add?

MR. CLARK: I -- to be honest with you. This is Andy Clark over here at 3270 Stoney Ridge Road, and I'm just a little bit confused as to the overall status and what this particular matter is about.

I haven't filed anything with the court since, I think, December, if I'm not mistaken. And I'm trying to figure out what this Number 78 is. I'm not an attorney.

And so my feeling is, again, there was an overall wrong that has kind of gone on here. I've put that in the local SWAT, they are doing an investigation as of last week. They are finally taking a look at those events back in July. And the way I see it, what happened back in July, which I got on their own audio and you can talk to them about it, it's pretty clear. I mean, on July 18th before this all started, they had already posted guards, you know, to -- for no reason. And then they have arranged to have a fake 911 call and I put it all online. And then they came at night to my house and they did not have a warrant at the time they came to my house. And you can clearly -- very clearly on their internal audio hear them call on July 18th before any of that arrest stuff started, you know, they talked to Wells Fargo.

And so I've been of the opinion that -- you know, I have been in contact with the FBI in real -- it was financial -- you know, there was banking, it's required as a mandatory reporter in banking to report financial system fraud that you are involved in or see. And whatever else you had on, that's your business, but that's what I did. And, you know, they had a fraud and everybody knew it. And so eventually when you get these new requirements, they came a year ago, I just couldn't do it anymore. I wouldn't do it anymore. And they asked about it and they pushed back.

And the way I look at it, this whole thing hasn't been looked at right and I've tried to be patient and you understand that I have been getting every one of these reports on this. I've made reference to my opinion that they even influenced the family court, just due to timing. And I'm just trying to get this all shoveled under the rug for everybody. All I want to do is get Wells Fargo up here, and go, look, you guys, this -- you got -- all I wanted to do is follow the law and the policy. So let's get this out of the courts, you know, let's get this back to a nice friendly thing where we're all working on a team for progress of the bank and progress of the world and we're not dragging dirt through civil courts and through all these litigations.

It's just -- it just don't seem to me to be very productive when it's just a matter of getting them up here to settle it. And to settle with me, you know, I haven't been very specific about that, you know. You know, what I mean? I don't know. Don't you get it? I just need it resolved. My life is short. I don't have ten years or whatever corporations do. See, I've been subjected to a corporate process, something that lawyers spend 10 years, 20 years, they don't care. I'm just me. I'm 53. This is killing me, you know, faster than I thought it might, okay? And so I really don't know what to do. I honestly don't.

Last time I was there, I was told not to file motions except through the federal system, well, I feel a little nervous about filing motions through the federal systems. I'm pretty handy with systems. I don't want to get in any trouble with the system guys. So I don't know what to tell you.

Whatever it is we need to do, you know, I didn't appeal this, had a judgment back in January. The way I see it, there wasn't a grain of truth in it, but, again, I don't want to be contentious with anybody, you understand? I'm right here in my house. You know, I ain't hiding from anybody. And I just need some relief from the court in a different way. I'm just a human. I don't have the knowledge and I don't have the time and I don't think it's right in this small community to be dragging all the little people through this.

I wrote a letter to my congressman on April 10th and he says, well, we suggest you talk to Kitty Piercy on the town city council. You know, it's really infuriating to me, because I've been trying -- I've got letters after letters after letters. And, you know, I posted it all on my Web site and I tried to make it so people wouldn't see it fast. You know, I tried to make it so it was hard to get to. And then I kind of moved it around a little bit, but I just want to get on with my life. Don't you understand?

I've got people who Google me and look what they see, they see these federal actions, right? You know, so I don't know what to do. If it's -- Judge, if you're there, or Your Honor, anybody in the FBI, whatever you all need, but I need you to all look at what I've put into that court and the fact that I don't want to be dragging it through the mud. That's my only objective. I go into court and I just shut my mouth, because it's me, and I can deal with it, and I don't want to be dragging through the courts, it's not right.

THE COURT: Well, Mr. Clark -- okay, Mr. Clark.

Ms. Lively, do you have anything on the motion for relief from joint filing requirements?

MR. CLARK: What is it? I don't know what the joint filing requirement is.

THE COURT: Well, our rules require some things to be signed by both parties. And according to Ms. Lively, it's been more difficult to get your cooperation on that. Just --

MR. CLARK: Well --

THE COURT: Just a moment, Mr. Clark.

Ms. Lively, do you have anything more on that?

MS. LIVELY: Not on that specific motion, no, Your Honor.

MR. CLARK: What is it that -- what is this that I'm supposed -- my feeling is that I've got a certain legal position based in evidence. Okay. The evidence --

THE COURT: Hang on, Mr. Clark, okay. The motion is granted.

Now, what exactly -- what relief or what are the plaintiff's plans for this case? This does not appear to be a matter that's well suited to a trial. What do you hope to achieve?

MR. CLARK: Well --

THE COURT: No, no, Mr. Clark, I'm asking Ms. Lively this.

MR. CLARK: I'm sorry, I apologize.

THE COURT: What are the bank's plans for the case?

MS. LIVELY: Your Honor, we'd like two things. One, we have broached the subject of mediation with Mr. Clark. And, in fact, have -- if he will -- if he finds a mediator, we've agreed to pay all costs for a third-party mediator, whether that be a private mediator that is somebody suitable for mediation or whether it's something that the court does in order to try and resolve that. And my understanding is Mr. Clark doesn't think a third party is something he needs. So we would -- you know, we would be willing to talk to Mr. Clark about that, but we do feel that a third party would be necessary in order to do that.

Beyond that, we'd like to move for a permanent injunction. However, we need a judgment on the merits to do that, so we'd like a summary judgment deadline so that we can file for summary judgment and then move -- you know, if that were to be granted, then move for a permanent injunction.

THE COURT: I'll give the parties 30 days to file dispositive motions.

MR. CLARK: Okay. And so what I need to do is get the motions to you. My motion, you know, would be, number one, to resurrect my other motions, which I don't think were really heard, and start going through the evidence that I submitted to the court that was sealed. In other words, I do believe that there is trial because -- I'm going to put it all in a motion form, but a lot of it's already in there, don't you guys see? A lot of it's already been submitted, okay?

Now, Ms. Lively, with regard to mediation, my understanding of mediation, that as soon as I agree to that, then I give up all these rights. In other words, well, it's like you kind of don't have any rights, otherwise once you sign up for the mediation. Furthermore, the way I look at it, a lot of this material is sort of banking -- you know, it's proprietary.

THE COURT: Let me --

MR. CLARK: So I can't go over that --

THE COURT: Mr. Clark, let me help you on mediation, all right? Mediation is something that people come together and someone helps them try to find a solution they all can agree on. It's not that it is imposed on them. They agree to meet. And the third party tries to help find common ground. And so it's a way of settling a matter. You don't give up other rights by going to mediation. It's a way of trying to resolve something short of the courtroom where everyone agrees on the end result. I think that's what's being proposed here.

MS. LIVELY: That is correct, Your Honor. We wouldn't expect Mr. Clark to give up any rights unless during the mediation there was, you know, a settlement reached, and certainly not by going to the mediation itself.

MR. CLARK: Okay. I need to -- see, here's the thing, okay, I need everybody to understand that, you know, that as hard as I try to act brave, I'm not that brave. Okay? You know, as hard as I try to act mean, I'm not mean. Okay? I try hard to withstand it, and I can't stand it. I mean, they've hit me so hard, and the family court is what kills me. I can't deal with that. That's bizarre. And I just twist in the wind. It's something that you guys don't understand, the emotional and the physical effects of.

THE COURT: All right. What I'm going --

MR. CLARK: And it's caused a great defensibility, it's caused --

THE COURT: Mr. Clark?

MR. CLARK: -- a lack of ability to deal with this correctly.

THE COURT: Mr. Clark?

MR. CLARK: Yes, sir. Yes, Your Honor.

THE COURT: I'm going to give each of you two weeks to suggest a mediator to me in writing.

MR. CLARK: Okay.

THE COURT: And I'll take a look at that and I'll decide on our future situation of this case, all right?

MR. CLARK: Yeah. That's what I'm thinking, if you are the judge, right, are you Judge Hogan on the phone with me here?

THE COURT: Yes, sir. And there is a chance --

MR. CLARK: I want to put it in your hands. Whatever, Judge, it's like I told you, you tell me to go into the third and I'll go into the third. You understand? Whatever you tell me, I do. It's in your hands.

THE COURT: Well --

MR. CLARK: That's what I'm saying, it's in your hands. You're like my father and my mother in that way, it's in your hands. I can't deal with it. You got it all. I don't believe in having stuff spewed all over and everything. I just want things done whatever, fastest way. If you know a good mediator, just maybe recommend, I'll look in the phone book, how about that? I'll want it to be okay with Ms. Lively, too, okay?

THE COURT: All right. And by the way I'm --

MR. CLARK: I don't want no problems.

THE COURT: I'm going to take a look at who you suggest. I might do it myself. I'm a pretty good mediator myself.

MR. CLARK: Yes, sir. And, again, I am the nicest person but I kind of got tweaked, you understand? And other people do weird things and I try to just show people in this very private but sort of not private way, we can't have a society like this. We have to --

THE COURT: Mr. Clark.

MR. CLARK: -- let -- okay, yes, Your Honor, I'm going to shut up, okay.

THE COURT: I've got a really busy calendar. I don't have any more today, but we'll talk after --

MS. LIVELY: Your Honor, I'm sorry, I understand you have to go. Would it be possible to get a dispositive motion deadline after the mediation, like 30 days following the mediation?

THE COURT: Yes, but let's go ahead right -- yeah, okay --

MR. CLARK: Do I have to respond to the motion --

THE COURT: Actually, I'll do that. I'll take off the 30-day situation. That's fine with me. We'll do a mediation first, and either with someone you suggest or I will do it. I haven't decided. All right?

MS. LIVELY: Thank you, Your Honor.

MR. CLARK: Yeah, whatever is good, Your Honor. I just want it resolved.

THE COURT: All right. Thank you very much. We're in recess.

(The proceedings were concluded at 9:47 a.m.)

CERTIFICATE

I, Deborah Wilhelm, Certified Shorthand Reporter for the State of Oregon, do hereby certify that I was present at and reported in machine shorthand the oral proceedings had in the above-entitled matter. I hereby certify that the foregoing is a true and correct transcript, to the best of my skill and ability, dated this 8th day of February, 2016.

/s/ Deborah Wilhelm

Deborah Wilhelm, RPR
Certified Shorthand Reporter
Certificate No. 00-0363

Exhibit 2: Fraudulent use of FBI's NIBRS system and its downstream consequences

An inquiry of FBI follows this page. As with all else and all other agencies… I write letters and file reports… the Wells Fargo/Ogletree Deakins abuse just ramps up and gets more deadly and malicious.

REPORT/INQUIRY TO FBI REGARDING SUSPECTED WRONGFUL USE OF THEIR NIBRS SYSTEM BY A LOCAL POLICE OFFICER NAMED "SERGEANT MAGNISON" WHO IS HEARD ON THE IN-HQ AUDIO TELLING THE HONEST POLICE OFFICER WHO THOUGHT IT COULD BE RETALIATION THAT I WAS 'CRAZY'.

February 3, 2020 **Wells Fargo Employment Retaliation via False Arrest**

Federal Bureau-Investigation 9109 NE Cascades Pkwy, Portland, OR 97220
Attorney General Dept. of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Allegation of Fraudulent Use of FBI's NIBRS System by Eugene OR Police Officer Erik Klinko Upon Direction of Wells Fargo's Employment Attorneys (Ogletree Deakins)

Wells Fargo via Ogletree Deakins Employment Law attorneys Leah Lively, Elizabeth Falcone, and David PR Symes in Portland arranged false arrest and engaged in a host of other physically violent Criminal RICO Crimes They repeatedly concealed their activity in the courts using "color of law" legal processes to obstruct hearing of evidence. Their defense against the incredibly rare worker who parks evidence in advance and in-person at the local FBI office likely is using their documented influence over some Eugene Police Officers to have me input into NIBRS as a violent threat. **First attachment** is one of many news articles from Maricopa County AZ in the same timeframe showing Ogletree Deakins involved in fee gouging and false arrest via fraudulent use of official systems in the 'Sheriff Joe' case. **Gangland attorneys such as Ogletree Deakins are a national problem.**

Factual Summary

Here in small town Eugene Oregon, Wells Fargo used employment attorneys Ogletree Deakins in Portland to retaliate for reporting to FBI, etc. Their first move was to hire Securitas guards to create the illusion of a threat and to make a false police report that led to my false arrest. That 911 call recording and transcript are posted along with other police/court recordings that absolutely proves false arrest and use of local police to silence me and to retaliate for reporting. It appears to be a well-practiced but highly illegal business activity by attorneys who completely lack regulation and conceal their activity using justice system fraud and all manner of public corruption.

While still employed and after, I was admitted in to Eugene OR FBI office to perform crime reports and deliver evidence pursuant to employment at Wells Fargo in Eugene OR. At the time, Criminal Resource Manual 1729 specified that a Citizen who files such federal crime reports is a **Federal Witness or Informant** regardless of whether FBI investigated the underlying crime reports.

I already have complete evidence from police and court systems of totally false arrest by City of Eugene Police acting as agents for Wells Fargo and Ogletree Deakins Employment Law. It includes legal, officially created audio recordings of police in my home and in their headquarters. It is all posted on **www.RisePatriot.com** and **www.WellsFargoWitz.com**

If Confirmed: Fraud and Misuse of NIBRS May Be a Common Tactic

In 2017 I learned that if I was input into NIBRS it would cause me to be flagged in a large number of threat identification systems that feed off NIBRS or other downstream systems. For example, it appears it may have been used as the sole basis to trigger the removal of guardianship of my retarded adult son due to an interface with Oregon's OPUS system that shows him in a conservatorship. The court audio and other records of that are in Oregon's OJIN system and on **www.WellsFargoWitz.com.**

Two pages of police reports are attached. Complete report at: www. risepatriot.com/policereport.pdf Notice on the first page of attachments I was put on a police-only computer database of potential threats on 9.16.11….*almost two months **after** false arrest.* The officer wrote that the database included DMV records. The only system I could find like that was FBI's National Incident-Based Reporting System (NIBRS) which is part of the NCIC system. I wrote to local police and our "police auditor" asking for clarification repeatedly without response. Regardless of system(s) used I assert the profiling was highly prejudicial and was subsequently used to justify all forms of local abuse of me.

Second page of attachments clearly indicates corruption of FBI processes and discussion of my Wells Fargo Bank data. Martin Ogno claimed to local police 'FBI are not taking my reports seriously'. That was a bad lie. Access the full document. Read how defaming it is. It is all unrelated to alleged trespass and obviously false. The cops made it up from thin air. Notice their frequent psychological profiling based on what Wells Fargo /Ogletree Deakins told them from Portland. They included psychosexual nonsense such as I "threatened to rape my bosses". Both bosses were men and nobody reported rape fears. Audio records (posted) of police talking to Wells Fargo security agent Martin Ogno in Portland in advance give further indication of Wells Fargo influence and control of local SWAT resources.

Banks have video and when none could be produced because there was no trespass… charges were dismissed but mission accomplished by Wells Fargo et al: mugshot was published, I was locally destroyed, responsibilities to act as guardian for my retarded adult son was taken from me, I was SLAPP'ed into District Court over absolutely nothing on "emergency basis" in the Mediation Mill of retired Mediator/Judge Michael Hogan. I was falsely arrested and it appears it allowed the NIBRS fraud. <u>Following the trail will allow FBI to stop the practice nationally.</u>

This matter is being included in a Federal lawsuit against Wells Fargo, Ogletree Deakins, and the people who perpetrated major federal crimes against me….a lowest level worker who was admitted into local FBI on several occasions to park crime reports and evidence.

Thank you FROM ANDY CLARK 3270 STONEY RIDGE RD. EUGENE OR 97405 541.510.3915

First page of a 2 page article. It along with several others are at: www.RisePatriot.com/theybbad.pdf

Sheriff Joe Arpaio's Favorite Law Firm, Ogletree Deakins, Cost Taxpayers $2.4 Million -- in Just Two Years

By Sarah Fenske
Published Wed., May 26 2010 at 8:00 AM

L. Eric Dowell, rainmaker

The battle for control of Maricopa County -- pitting Sheriff Joe Arpaio and County Attorney Andrew Thomas against the Board of Supervisors, judges, and county administrators -- has been costly to both taxpayers and the parties involved.

But it's been a major boon to one local law firm.

Ogletree Deakins, a relatively obscure firm specializing in employment law, became Arpaio and Thomas' go-to legal counsel just as the disputes were heating up. And, according to public records obtained by *New Times*, the firm has billed the county for a staggering $2.49 million since January 2009.

Most of the work had little to do with employment law -- and most of the firm's representation has been unsuccessful, legally speaking.

Ogletree Deakins has fought for the sheriff's right to take over the county's computer system. They tried to argue that the supervisors didn't have the right to sweep money from funds controlled by Thomas and Arpaio. They're currently pressing Arpaio's assertion that he shouldn't have to open his books to county auditors.

And, according to the billing records we looked at, it appears likely that Ogletree lawyers may have even been behind one of Arpaio/Thomas' biggest embarassments: the criminal charges they filed against the county's presiding criminal court judge, Gary Donahoe.

As *New Times* first reported earlier this month, prosecutors filed criminal charges against Donahoe without bothering to seek a grand jury indictment. They simply filed a direct complaint, and attached a "probable cause" statement that, almost word for word, matched a complaint that the sheriff's office had filed with the Arizona Commission on Judicial Conduct one week before. That complaint, detailing a conspiracy theorist's view of Judge Donahoe's conduct, was signed by Arpaio's chief deputy, David Hendershott.

It now appears that Hendershott had some help penning the letter. 24

According to its billing statements, Ogletree charged the county $27,310 for something titled "MCSO State Bar/Judicial." The first two invoices with that notation were submitted on December 1, 2009 --

NIBRS? >>

Ogno asked about obtaining a restraining order, to which I explained how those orders were typically reserved for individuals involved in romantic relationships. He also had questions about a lap top computer which Clark was reportedly refusing to return. In the end, it was decided by Ogno that he would continue to monitor the situation, but did not wish police intervention at that time. Given the potential for a work place violence incident, I did put information about Clark, including his DMV photograph, on a police only site for information sharing, so officers working in the downtown area, would be aware of a potential problem.

As Clark's behavior escalated, according to Ogno, both in terms of e-mails to Wells Fargo employees and site visits to the downtown office, I continued to converse with Ogno, answering questions and trying to give direction.

On July 18th I spoke with Ogno by phone. He told me of Clark reportedly showing up at the downtown branch and banging on exterior windows, causing great alarm to employees. He said he also had yet to recover the lap top computer that had been assigned to Clark. Ogno told me he would both like officers to check the welfare of Clark, whose bizzare behavior seemed to be escalating, and officially inform him he was trespassed from any and all Wells Fargo institutions. Given the situation, I agreed to have officers do so.

I directed Sgt. Magnuson to have two officers check on Clark's welfare and to advise him not to return to Wells Fargo property without explicit permission from Martin Ogno or other representatives. Because of this contact, and the information I had previously disseminated about the potential for work place violence, Agent Shulke, whom works downtown on a bicycle, was aware of Clark and the situation. It was this knowledge which led him to have contact at Wells Fargo on July 29th, where he document an incident of trespass, which subsequently led to Clark's arrest by Officer Te'o.

I have had no contact directly with Clark nor recent contact with Ogno.

Why input 1.5 months
AFTER event? >>>
Remember: 2nd degree
muni trespass with SWAT
and jailing...then dismissed due to no trespass per bank video.

Added Note: this page and the next page come from this Eugene OR police report.

http://risepatriot.com/policereport.pdf

Eric Klinko
#338

09162011 1030

Approved By: D. L. Mozan 244

was Officer Pieske who was there with us during the contacts and told Clark that Officer Pieske concurred with my findings in the matters. I asked Clark if there was anything else I could do for him. Clark said there was nothing else I could do for him and he left city hall.

Also per Sergeant Klinko's request, I contacted Marty Ogno, head of security for Wells Fargo. I called Ogno and told him I had contacted Clark and that he had been advised he was trespassed from all Wells Fargo properties. I also told Ogno Clark was concerned he had $24,000 in an account at Wells Fargo. Ogno said he had looked it up and though Clark only had about $200 in an account, but that he would close Clark's account and mail him a check with the remaining balance. Ogno asked how the contact went. I told Ogno that Clark felt he was being retaliated upon for contacting the FBI and CIA with Wells Fargo's wrong doings. Ogno said that he had been in contact with the FBI and told me that the FBI did not take Clark's reports seriously.

>>>>>
FBI would not say that.

Notice no person at FBI is referenced.

It is corruption of FBI processes and obstruction.

At approximately 1900 hours, dispatch advised that Clark had left a phone number for me to call him back so he could further discuss his desire to press charges against Wells Fargo for filing a false police report. I requested Sergeant Magnuson respond to the report writing room where I was working on reports so I could discuss the situation with him before calling Clark back. While I was explaining the situation to Sergeant Magnuson, Dispatch advised that Clark had called back 3 more times requesting contact. I then asked Sergeant Magnuson if he would contact Clark in my behalf in that I was unable to effectively communicate to Clark that Wells Fargo had broken no laws and that they had the right to trespass Clark from their properties.

Reviewed by FTO: **Pieske** — Name | **112** — Badge

Esch
#623

07-19-11 2330 Hours

Approved By: Magnuson 122

Exhibit 3: Court-rigging to circumvent legislation in the same Lane County circuit court and same Federal Judge (Ann Aiken). Different case, same courts, same problem.

Enclosed after this page is an exhibit showing how State of Oregon uses its courts on a "zombie" basis to circumvent legislation and to do an end-run around the Federal Court which rejected the Children's Climate Change Lawsuit. It should marvel SDNY that our local courts can endlessly 'hear' children who are being used as shills by adults to institute more expensive bureaucracy in the name of 'climate change'.

<u>These are the exact same courts that are incapable of properly handling actual evidence of anything. This exhibit shows how they create evidence using the courts.</u> It is a direct corollary to my situation where they arrived at elaborate "orders and opinions" that are nothing but devious lies of the involved parties.

……………………………………………………..

*It **appears** that Oregon's Solicitor General Ben Gutman (he is from Yale, you know) is the one who coordinates this criminal use of the courts. Please order some of the farmers in Eastern Oregon to liberally apply tar and feathers and place Mr. Gutman on rail back to Yale.*

Climate Change is Real - Oregon's Solution is Pure Fraud

Children Being Used as Shills by Adults in Courts that are "Rigged"

Dateline: December 10, 2021. Eugene Oregon.

I have lived in OR most of my life. I am very concerned with climate change and our environment. State of Oregon badly violated our trust by enacting expensive programs in the name of "climate change" that have no real-world effects except to pay festering hoards of attorneys all over America while screwing the rest of us in our own courts.

LOOK AT ATTACHED SAMPLE OF HOW RAPACIOUS ATTORNEYS ABUSE OUR CHILDREN AND OUR COURTS TO RIP US OFF

OR, CA, NV, and WA have much-higher wholesale gasoline prices
than (most) states without the "Low Carbon Fuel Standards".
And it is the exact same gasoline. We had the program over 10 years.
State of Oregon cannot specify even one tangible benefit to the climate.
IT IS GETTING HOTTER AND DRYER ESPECIALLY IN OR, CA, NV, & WA

Oregon's Government Ignores the Fact we Have Departments for Water, Forests, etc.
Can ANYONE Explain What an Annual Carbon Inventory Will Accomplish?

What follows is four pages from Oregon's Supreme Court. All 45 pages is on https://law.justia.com/cases/oregon/supreme-court/2020/s066564.html The case numbers are on the first page. ⇨ DIRE ALERT: see statement with arrow, last page of this document. ⇦ **It is pure fraud upon the courts and upon the People of Oregon.** What does it do? Believe it or not… it is in support of an annual carbon inventory in Oregon. I will be working on a website and other ways to communicate this problem to all states so it can be fought at all levels. ***Climate change is REAL. Their "solutions" are obvious, devious SCAMS.***

How do they do it? Our "Solicitor General is **Ben Gutman.** He went to Yale and his job is to rig the courts to arrive at a pre-determined "verdict". It started in our local circuit court when two children were allowed to sue Governor Brown over climate matters. It was denied but moved quickly to appeals. It was then quickly moved to Oregon Supreme Court which invited children all over Oregon to a dog-and-pony-show at a high school in late 2019. Keep in mind that both the **Obama** and Trump DOJ **opposed** the children's lawsuit and at the federal level… it was dismissed. But Oregon wastes our $$$$ anyway by engaging in… "court rigging".

It is amazing that such large flocks of attorneys have infinite funding for this stuff. I am working on a website to expose the bloated "legal industry" as doing nothing but stealing from the people. And it is not even Oregon's attorneys who are behind it…they do as the national sponsors want them too. Meanwhile, they called police to have me 'swatted' for Wells Fargo. MEET ME IN THE POLICE CAR VIDEO: **www.GoodShipGinsburg.com** **www.WellsFargoWitz.com**

Please call me any time on any topic. I respond best to telephone calls and visits.
Want to solve a problem? Call me and let's visit! Let's talk. It is really the only way.

From Andrew (Andy) Clark 3270 Stoney Ridge Rd. Eugene OR 97405 541.510.3915
www.GoodShipGinsburg.com **www.WellsFargoWitz.com**

IN THE SUPREME COURT OF THE
STATE OF OREGON

Olivia CHERNAIK,
a minor and resident of Lane County, Oregon;
Lisa Chernaik, guardian of Olivia Chernaik;
Kelsey Cascadia Rose Juliana,
a minor and resident of Lane County, Oregon;
and Catia Juliana, guardian of Kelsey Juliana,
Petitioners on Review,

v.

Kate BROWN,
in her official capacity as
Governor of the State of Oregon;
and State of Oregon,
Respondents on Review.

(CC 161109273) (CA A159826) (SC S066564)

On review from the Court of Appeals.*

Argued and submitted November 13, 2019, at David Douglas High School, Portland, Oregon.

Courtney Johnson, Crag Law Center, Portland, argued the cause and filed the briefs for petitioners on review. Also on the briefs was William Sherlock.

Carson L. Whitehead, Assistant Attorney General, Salem, argued the cause and filed the brief for respondents on review. Also on the brief were Ellen F. Rosenblum, Attorney General, and Benjamin Gutman, Solicitor General.

Charles M. Tebbutt, Law Offices of Charles M. Tebbutt P.C., Eugene, filed the brief for *amici curiae* Michael Dembrow, Shemia Fagan, Lew Frederick, Jeff Golden, Ken Helm, Alissa Keny-Guyer, Karin Power, Floyd Prozanski, Andrea Salinas, Kathleen Taylor, and Marty Wilde. Also on the brief was Daniel C. Snyder.

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* On appeal from Lane County Circuit Court, Karsten Rasmussen, Judge. 295 Or App 584, 436 P3d 26 (2019).

Kenneth E. Kaufmann, Law Office of Kenneth Kaufmann, West Linn, filed the brief for *amici curiae* Randall S. Abate, Nadia B. Ahmad, Robert T. Anderson, Craig Anthony Arnold, Hope Babcock, Michael C. Blumm, Sara A. Colangelo, Kim Diana Connoly, Karl Coplan, John Davidson, Myanna Delinger, Rachele Deming, John C. Dernbach, Debra L. Donahue, Tim Duane, Richard Fink, Alyson C. Flourney, Denise D. Fort, Dale D. Goble, Carmen Gonzalez, Jaqueline Hand, Richard Hildreth, Hillary Hoffman, Oliver Houck, Blake Hudson, Sam Kalen, Helen H. Kang, Christine A. Klein, Kenneth T. Kristi, Katrina Kuh, Howard Latin, Ryke Longest, Kevin Lynch, Peter Manus, Patrick C. McGinley, David K. Mears, Errol Meidinger, Joel A. Mintz, Catherine A. O'Neill, Jessica Owley, Patrick A. Parenteau, Cymie R. Payne, Jacqueline Peel, Zymunt Jan Broel Plater, Ann Powers, Melissa Powers, Karl R. Rabago, Rick Reibstein, Kaylani Robbins, Jason Anthony Robison, Daniel John Rohlf, Jonathan Rosenbloom, Collette Routel, John Ruple, Erin Ryan, Shelley Ross Saxer, Amy Sinden, William Snape, Gus Speth, David Takacs, Gerald Torres, Clifford J. Villa, Elizabeth Kronk Warner, Charles F. Wilkinson, Robert A. Williams, Jr., Chris Wold, Mary Christina Wood, and Sandra Zellmer.

Elisabeth A. Holmes, Blue River Law, P.C., Eugene, filed the briefs for *amici curiae* 350 Corvallis, 350 Deschutes, 350 Eugene, 350 PDX, Ashland Food Co-Op, Beyond Toxics, Cascadia Action Network, Cascadia Wildlands, Churchill Climate Action Club, Citizens for Renewables of Coos County, City of Milwaukie, Clackamas Climate Action Coalition, Climate Action Coalition, Climate Justice League, Climate Reality Project: Portland, Coconut Bliss, Earth Guardians 350 Club, Ecumenical Ministries of Oregon, Eugene Springfield NAACP, First Unitarian Church of Portland, Friends of the Columbia Gorge, Hair on Fire Oregon, Paul Holvey, Hummingbird Wholesale, Indivisible North Coast Oregon, Indow Windows, Interfaith Earthkeepers, League of Women Voters of Oregon, John Lively, Mount Pisgah Arboretum, Multnomah Youth Commission, OPAL Environmental Justice Oregon, ORD2 Indivisible, Oregon Environmental Council, Oregon League of Conservation Voters, Oregon Physicians for Social Responsibility,

Oregon Unitarian Universalist Voices for Justice, Oregon Youth Legislative Initiative, Organically Grown Company, Partners for Sustainable Schools, Portland Youth Climate Council, Reverend Cecil Prescod, Riverside Community Church, Royal Blue Organics, Reverend Dr. Marilyn Sewell, Reverend John Shuck, Stop Fracked Gas PDX, Eric Strid, Temple Beth Israel, The Center for Sustainable Economy, The Green Energy Institute, The Raven Corps, The Sierra Club and its Oregon Chapter, The Village School, Thrive Hood River, Unitarian Universalist Church of Eugene, Mayor Lucy Vinis, and Willamette Riverkeeper.

Courtney Lords, Multnomah County Attorney's Office, Portland, filed the brief for *amici curiae* Multnomah and Lane Counties. Also on the brief was Jenny M. Madkour, County Attorney for Multnomah County.

Travis Eiva, Zemper Eiva Law LLC, Eugene, filed the brief for *amicus curiae* Oregon Trial Lawyers Association.

Brian T. Hodges, Pacific Legal Foundation, Bellevue, Washington, filed the brief for *amicus curiae* Pacific Legal Foundation.

Before Walters, Chief Justice, and Balmer, Nakamoto, Flynn, Duncan, and Nelson, Justices, and Kistler, Senior Judge, Justice pro tempore.**

NAKAMOTO, J.

The decision of the Court of Appeals is affirmed. The judgment of the circuit court is vacated, and the case is remanded to the circuit court.

Walters, C. J., dissented and filed an opinion.

** Garrett, J., did not participate in the consideration or decision of this case.

Climate change is REAL.
Carbon-counting is FRAUD that HARMS US ALL.

Carbon inventory systems foisted upon us by adults using children as shills does nothing but make the problem worse while stealing their youth. **It is an extreme form of child abuse.**

NAKAMOTO, J.

Relying on an expanded view of the public trust doctrine, plaintiffs—two young Oregonians, concerned about the effects of climate change, and their guardians—brought this action against the Governor and the State of Oregon (collectively, the state). Broadly speaking, plaintiffs contended that the state was required to act as a trustee under the public trust doctrine to protect various natural resources in Oregon from substantial impairment due to greenhouse gas emissions and resultant climate change and ocean acidification. Among other things, plaintiffs asked the circuit court to specify the natural resources protected by the public trust doctrine and to declare that the state has a fiduciary duty, which it breached, to prevent substantial impairment of those resources caused by emissions of greenhouse gases. Plaintiffs also asked for an injunction ordering the state to (1) prepare an annual accounting of Oregon's carbon dioxide emissions and (2) implement a carbon reduction plan protecting the natural resources, which the court would supervise to ensure enforcement.

Carbon Accounting Has No Real World Benefit
It is a State-spending requirement that has not been subjected to trial or study and is absurd just looking at it. It is 'legislation via court-rigging and lies'. It is fraudulent use of official systems by industry participants.

The circuit court granted the state's motion for summary judgment and denied plaintiffs' motion for partial summary judgment. The court concluded that no trial was needed, because the public trust doctrine did not encompass most of the natural resources that plaintiffs had identified and did not require the state to take the protective measures that plaintiffs sought. In 2015, the circuit court entered a general judgment dismissing the action, and the Court of Appeals vacated the judgment and remanded for the circuit court to enter a judgment, consistent the Court of Appeals opinion, declaring the parties' rights. *Chernaik v. Brown*, 295 Or App 584, 601, 436 P3d 26 (2019).

OK, so no trial is needed... when is it needed? As proven on below sites, State of Oregon avoids trials of ALL matters because EVIDENCE is a really big problem for them.

But worst of all, by far: grooming children and using them as shills for the pecuniary or vicarious interests of adults is perverted. It is reminiscent of the "Children's Crusades" c.

On review, plaintiffs assert first that, as a matter of common law, the public trust doctrine is not fixed and, indeed, that it must evolve to address the undisputed circumstances presented, namely, that climate change is damaging Oregon's natural resources. They argue that the doctrine is not limited to the natural resources that the circuit court identified and, indeed, that the doctrine should cover other natural resources beyond those that have been

Science of the Matter:
The Climate is definitely changing but it always has even before people came around. I feel that humans burning 2 billion gallons of oil worldwide per day is problematic. It seems most scientists have agreed with that for at least the last 50 years. Counting carbon does nothing about anything.

Fact is: a tree is about half-carbon. Global warming that turned OR into a desert would make State's carbon inventory look GREAT :(

People are 20% carbon so liquidating them and taking their money and belongings elsewhere would also spell success for "State" of Oregon.

www.WellsFargoWitz.com www.GoodShipGinsburg.com