

Sharon Bridgewater
1524 Harvest Lane
Superior Township, MI 48198

Case:2:12-cv-14709
Judge: Roberts, Victoria A.
MJ: Michelson, Laurie J.
Filed: 10-24-2012 At 12:27 PM
CMP Bridgewater v. Obama, et al (at
)

**UNITED STATES DISTRICT COURT FOR
EASTERN DISTRICT OF MICHIGAN**

CASE No.

**EX-PARTE TEMPORARY
RESTRAINING ORDER RE ORDER TO
SHOW CAUSE PRELIMINARY AND
PERMANENT INJUNCTION**

Date: TBA

Time: TBA

Dept: TBA

THE UNITED STATES OF AMERICA
(with and/or without the United States)
ex rel Sharon Bridgewater, "Private Attorney
General" and/or individually and/or on behalf
of the (Specialty Investment Group L.L.C.
A dissolved Georgia Company, and Specialty
Global Investments Inc., a dissolved
Nevada Corporation), Bridgewater & Company
Inc.

Plaintiffs,

Vs.

Barak H. Obama,
In his individual capacity as
Chief Executive Officer of the
United States of America
Eric Holder Jr.,
In his individual capacity as the
United States Attorney General
Defendants JOHN DOE 1 are unknown
employees of the Executive Branch. They are
sued in their current or former individual
capacities
Defendants JOHN DOE 2 are unknown agents
of the Federal Bureau of Investigation(FBI)

1 They are sued in their current or former
2 individual capacities.

3 Defendants JOHN DOE 3 are unknown
4 Assistant United States Attorney General(s).

5 They are sued in their current or former
6 individual capacities.

7 Defendants JOHN DOE 4 are unknown US
8 "State" Attorney (ies) General(s) and they are
9 sued in their individual current or
10 former capacities.

11 Defendants JOHN DOE 5 are unknown
12 employees of the U.S. Department of Justice.
13 They are sued in their current or former
14 individual capacities.

15 Sandra Brown Armstrong, a United States
16 Federal District Court Federal Judge for the
17 Northern District of California

18 Is sued in her individual capacity

19 Claudia Wilkins, a United States Federal District
20 Court Federal Judge for the Northern District of
21 California Is sued in her individual capacity

22 Defendants JOHN DOE 6 are unknown
23 employees and/or clerks of the U.S. Northern
24 District of California, Oakland, and Division.
25 They are sued in their current or former
26 individual capacities

27 Orinda D. Evans, a United States Federal
28 District Court Federal Judge for the Northern
District of Georgia Is sued in her individual
capacity

Allen Baverman, a United States Federal District
Court Magistrate Federal Judge for the Northern
District of Georgia Is sued in his
individual capacity

Defendants JOHN DOE 7 are unknown
employees and/or clerks of the U.S. Northern
District of Georgia. They are sued in their
current or former individual capacities

Shawn Donovan,

Is sued in his individual capacity

As the Director of the United States Housing
and Urban Development

Defendants JOHN DOE 8 is the unknown
Director of the San Francisco Housing
Authority He or she is sued in her/his individual
and/or official current or former capacity as

1 Director of the San Francisco Housing
2 Authority
3 Defendants JOHN DOE 9 is unknown
4 employee of the San Francisco Housing
5 Authority. He is sued in his official and/or
6 individual current or former capacity
7 Hayes Valley Limited Partnership
8 (AKA, Hayes Valley Apartments II L.P.),
9 McCormack Baron Ragan Management
10 Services Inc.

11 MBA Urban Development Co.,
12 The Related Companies of California, Inc.
13 Sunamerica Affordable Housing
14 Partnership Inc.,
15 Hasinah Rahim,
16 Shawn Bankson,
17 Jane Creason,
18 Kimball, Tirey & St. John, LLP,
19 Jo-Lynne Q. Lee, is sued in her
20 Individual and official capacity as the
21 Superior Court Judge of Alameda County,
22 Roger Tonna,

23 Mary Tonna,
24 William Gilg,
25 Defendants JOHN DOE 10 is the unknown
26 Director of the Alameda County Housing
27 Authority, He or She is sued in his/her
28 individual and official current or former
capacity as Director of the Alameda County
Housing Authority
Defendants JOHN DOE 11 is the unknown
Supervisor of Lynn Shanks, of the Alameda
County Housing Authority, She is sued in his/her
individual and official current or former
capacity.

Defendant JOHN DOE 12 is Unknown”
Executive Director of Dekalb County, Georgia
in his/her individual and official “former”
capacity
Defendants Terrell Bolton “former” Chief of
Police of DeKalb County, Georgia
He is sued in his individual and official “former”
capacity as Chief of Police of
Dekalb County
Chandra Y. Schreinder #2491,
Individually and in her official and/or “former”

1 capacity as arresting Officer of the DeKalb
 2 County, GA Police Department
 3 Officer Franklin
 4 Individually and in his/her official and/or
 5 "former" capacity as a DeKalb County, GA
 6 Police Officer
 7 Detective George
 8 Individually and in her official and/or "former"
 9 capacity as Detective of the DeKalb County GA
 10 Police Department
 11 Lieutenant Hamilton
 12 Individually and in his/her official and/or
 13 "former" capacity as Lieutenant of the DeKalb
 14 GA County Police Department
 15 Defendants JOHN DOE 13 are unknown
 16 DeKalb County GA Police Officers in their
 17 individual and official and/or "former"
 18 capacities.
 19 Randy Rich,
 20 Individually and in his official capacity as the
 21 Superior Court Judge of Gwinnett County
 22 Lucas O. Harsh,
 23 Rosanna Szabo
 24 Individually and in her official and/or "former"
 25 capacity as Gwinnett County Solicitor
 26 Officer Hardin "former" Police Officer of the
 27 Lawrenceville Georgia Police Department
 28 Defendants JOHN DOE 14 is unknown
 Lawrenceville ,GA Police Officers in their
 individual and official and/or "former"
 capacities.
 Defendants JOHN DOE 15 is unknown
 Lawrenceville ,GA Chief of Police he/she is
 sued in his/her current or "former" capacity as
 Chief of Police
 Officer Caldwell
 Individually and in his official and/or "former"
 capacity as arresting Officer of the Gwinnett
 County, GA Police or Sherriff Department
 Defendants JOHN DOE 16 is unknown "
 Chief of Police of Gwinnett County, GA
 Police or Sherriff Department
 He/She is sued in his/her individual and official
 or "former "capacity
 Defendant JOHN DOE 17 are Executive
 Directors, Commissioners, Board of Directors,

1 of Gwinnett County, GA individually and in
2 their official current or "former" capacities
3 Defendant Victoria Roberts, is sued in her
4 individual capacity As United States Eastern
5 District Court Judge of Michigan along with
6 unknown employees of the United States
7 Eastern District Court of Michigan
8 Defendants JOHN DOE 18 unknown Executive
9 Director of Washtenaw County, Michigan in
10 his/her individual and official capacity
11 Defendants JOHN DOE 19 unknown Chief of
12 Police of Washtenaw County Sherriffs
13 Department is sued in his or her individual and
14 official capacity as Chief of Police/Sherriff of
15 Washtenaw County
16 Defendants JOHN DOE 20 unknown Washtenaw
17 County Sherriff # 1810, Individually and in his
18 official and/or "former" capacity as arresting
19 Officer of the Washtenaw County Sherriff
20 Department.
21 Defendants JOHN DOE 21 unknown Washtenaw
22 County Sherriff # 1803, Individually and in his
23 official and/or "former" capacity as arresting
24 Officer of the Washtenaw County Sherriff
25 Department.
26
27
28

And Does John Does 22 thru 1000 inclusive

EX-PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER WITH ASSET
FREEZE, ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND
PERMANENT INJUNCTION, EXPIDENT DISCOVERY, APPOINTMENT OF RECEIVER
WITH PREUDGEMENT SATIFITORY PERFORMANCE BOND, WITH
INCORPORATED MEMORANDUM OF LAW

THE UNITED STATES OF AMERICA(with and/or without the United States) ex rel,Sharon Bridgewater,ex rel Sharon Bridgewater, hereby move, pursuant to Rule 64 and/or 65 and/or 66, and for a EX-PARTE EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND PERMANENT INJUNCTION, EXPIDENT DISCOVERY, APPOINTMENT OF RECEIVER WITH PREUDGEMENT SATIFITORY PERFORMANCE BOND, and to restrain the ability of the Defendants to dissipate or dispose of any assets to preserve the status quo until such time as the preliminary injunction hearing is set. This motion is made on an *ex parte* basis pursuant to Rule 65(b)(1) and notice should not be required. This Motion is based on the Verified Complaint, affidavit, attached exhibits and/or declarations.

I. INTRODUCTION

Whenever the THE UNITED STATES OF AMERICA(with and/or without the United States) ex rel,Sharon Bridgewater,“Private Attorney General” has cause to believe that a person has engaged in or is engaging in RICO activities, the THE UNITED STATES OF AMERICA(with and/or without the United States) ex rel,Sharon Bridgewater,“Private Attorney General” may apply for and obtain, in the appropriate District court of this state, a temporary restraining order or injunction, or both, pursuant to Federal and/or State Law, prohibiting such person from continuing such practices, or engaging therein, or doing any act in furtherance thereof.

Both money damages and equitable relief are sought, the controlling authority where a plaintiff, seeking equitable and legal relief, sue the defendant for claims such as, RICO claims it authorizes injunctive relief and/or a TRO and/or a preliminary injunction pursuant to Fed. Rule Civil Procedure Rule 65 or 66 relief.

he court may make such orders or judgments as may be necessary to prevent the use or employment by such person which may be necessary to enjoin the Defendants from further overt RICO acts. When the U.S. Attorney decides to indict someone under RICO, he or she has the option of seeking a pre-trial restraining order or injunction to temporarily seize a defendant's assets and prevent the transfer of potentially forfeitable property, as well as require the defendant to put up a performance bond When it appears, by the verified complaint, and/or affidaviat, the THE UNITED STATES OF AMERICA(with and/or without the United States) ex rel,Sharon Bridgewater,“ is entitled to the relief demanded and such relief during the litigation, it appears

1 that the defendant is doing, or threatens, or is about to do, or is procuring or suffering to be done,
 2 some act in violation of the plaintiff's rights respecting the subject of the action, it may be
 3 granted in any case where it is specially authorized by statute.

Under Rule 65(b), and/or 66 when it clearly appears from specific facts shown by
 affidavit or by testimony that immediate and irreparable injury, loss, or damage will result before
 the adverse parties or their attorneys can be heard in opposition, the court can issue a TRO or an
 injunction, and appoint a temporary receiver without notice to the adverse party.

The United States of America, ex rel Sharon Bridgewater "Private Attorney General"
 (with and/or without the United States of America), plaintiff's moves this court for a temporary
 restraining order and for a preliminary injunction pursuant to 18 U.S.C.A. section 1963(d)(1)(a),
 restraining and enjoining the above Defendants, its agents, employees, successors, attorneys,
 and all persons in active concert or participation with it, from taking any action that would
 render unavailable to the United States property, subject to forfeiture under 18 U.S.C.A. section
 1962, as related to prohibited racketeering activities, pending a hearing and determination of
 Plaintiff's motion for a preliminary injunction.

Make this affidavit in support of the motion by the United States for issuance of a temporary
 restraining order, and a preliminary injunction, pursuant to 18 U.S.C.A. section 1963(d)(1)(b),
 with respect to property subject to forfeiture under 18 U.S.C.A. section 1962, as related to
 prohibited racketeering activities.

The property subject to forfeiture is more fully described as: {tangible, real, personal. There is
 probable cause to believe that the property with respect to which the order is sought would in the
 event of conviction, be subject to forfeiture under 18 U.S.C.A. section 1962. There is substantial
 probability that failure of the court to enter the order will result in the property being destroyed,
 removed from the jurisdiction of the court, or otherwise made unavailable for forfeiture, in that
 ten or more of the Defendants have fraudulently transferred property to other countries, in to
 hinder and delay the United States and/or the Plaintiff. The need to preserve the availability of the
 property through entry of the requested order outweighs any adhip that would result to any
 person appearing to have an interest in the property. The United States will suffer irreparable
 injury, loss, or damage if a restraining order is not issued pending a hearing on the motion by the
 United States for a preliminary injunction.

This motion is based on the assertion by the The United States of America, ex rel Sharon
 Bridgewater "Private Attorney General" that the property with respect to which the order is
 sought would, in the event of conviction of Defendant for violation of 18 U.S.C.A. section 1962
 be subject to forfeiture.

Unless this motion is granted the United States of America, ex rel Sharon Bridgewater
 "Private Attorney General" will suffer immediate and irreparable injury, loss, and/or even death,

1 before a hearing can be had on Plaintiff's motion for a preliminary injunction, as more fully set
 2 forth in the Plaintiff's complaint filed in this action and in the affidavit of the United States of
 3 America, ex rel Sharon Bridgewater "Private Attorney General", attached to this motion.

6 **II.**
 7 **LEGAL STANDARD FOR GRANTING EX-PARTE APPLICATION FOR**
 8 **PRELIMINARY INJUNCTION AND PERMANENT INJUNCTION WITH 64 and/or**
 9 **65 and/or 66 ORDER TO SHOW CAUSE**

9 To obtain a temporary restraining order or preliminary injunction the THE UNITED STATES
 10 OF AMERICA(with and/or without the United States) ex rel,Sharon Bridgewater,"Private
 11 Attorney General" must show the following: (1) a substantial likelihood of success on the
 12 merits; (2) he/she is likely to suffer irreparable injury harm in the absence of preliminary relief;
 13 (3) the balance of equities tips in his/her favor; and (4) an injunction is in the public interest, also
 14 an injunction may also be appropriate where the plaintiff raises "serious question going to the merits
 15 demonstrates that "the balance of hardships tips sharply in the Plaintiff's favor." Civil RICO, 18

16 **II. Facts**

18 The egregious facts of this case and Defendants' patterns and practice of RICO activities
 19 warrants a Temporary Restraining Order, preliminary or permanent injunction, asset freeze
 20 and/or appointment of receiver, satisfactory performance bond with restrictions on defendants
 21 future activities, divestiture, dissolution, reorganization, removal from positions in an entity, and
 22 appointment of court officers to administer and supervise the affairs and operations of
 23 defendants' entities.

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 27
 28 **DISSOLUTION OF ENTERPRISE**

**PROHIBIT AND ENJOIN THE DEFENDANT FROM ANY RETAILATORY ACTS
SUCH AS CAUSING ANOTHER INDICTMENT, OR PROSECUTION,
HARRASEMENT, KIDNAP OF THE COMPLAINTANT**

The actions of the Defendants BEATING, HITTING, CAUSING FALSE ARREST, STALKING, HARRASING THE PLAINTIFFS, COMING ON THE PLAINTIFFS PROPERTY AND FALSELY KIDNAPPING THE PLAINTIFF, ASSAULT, RETAILATORY ACTS.

Prohibit Obama and Holder from retaliatory acts of and prohibit the Defendants from stalking, harassing, beating, hitting, entering onto the Plaintiff property and kidnapping the Plaintiff, falsely imprisoning the Plaintiff without due process of law, and conspiring with other.

The Plaintiff is in fear of her life, and can not go home due to the kidnap from her home on Oct. 5, 2012, and false imprisonment. "Outrageous government conduct" is not defense but rather

B. Irreparable Injury will occur if Temporary Restraining Order. Preliminary Injunction is not granted

The Public face irreparable harm, pattern and practices of the Defendants

Sharon Bridgewater, has faced irreparable injury, is in fear of her life and will continue to face irreparable injury.

D. The granting of the injunction would not harm the public interest.

The Supreme Court has pointedly ruled that where "the public interest is involved. . . those equitable powers assume an even broader and more flexible character than when only a private controversy is at stake." Porter v. Warner Holding, Co., 328 U.S. 395, 398 (1946).

Where a party demonstrates both the likelihood of success on the merits and irreparable injury, it almost always will be the case that the public interest will favor the issuance of an injunction will protect the public interest, protect the US Government. Many citizens, from the illegally, unlawful overt acts of the Defendants, the Plaintiff the supplying of illegal weapons to mexico, without congress approval, the Defendants to turn over federal documents, for the Federal False Claims, etc. and the Fast and Furious been in contempt of the "recent" scandle FAST AND FURIOUS, involving the illegal supplying of weapons(transporation of stolen weapons across state lines). the death of many citizens and to protect our boarder, and in the interest of National security. Obama, and Holder et al is guilty of either gross negligence, or catastrophic incompetence. This court must entered a Injunction against the Defendants.

1 **The United States ex, rel Sharon Bridgewater has made a probable cause It is a fact that**
2 **The issuance of a pretrial restraining order is not discretionary: if the Government makes the**
3 **required probable cause showing, the court must enter the order.**

4 **C. The Injury to Sharon Bridgewater outweigh the harm an injunction may cause**

5 **Defendants;**

6
7 The entry of a temporary restraining order and preliminary injunction giving Plaintiffs
8 Writ of attachment, assets, and/or a for the Defendants to post a bond will cause no harm
9 whatsoever to Defendants and the prevention of eviction of camp take notice.
10

11
12 **PROHIBIT CAUSING ANOTHER INDICTMENT, RETALITORY ACTS AND/OR**
13 **PROSECUTION OF THE PLAINTIFF**
14

15
16 Prohibit the Persons from any retailatory acts of violence, etc. Any prosecution of the Plaintiff
17 violates due process of law, is bias,

18 The violence, illegal conduct, forcible eviction of "Land" only shows and proves the Defendants
19 acts malicious and cruel and unusual punishment, a violation of the malicious and with

20 Defendants the Defendants ARE barred from bringing criminal prosecution of the Plaintiff
21 "selective prosecution. The flagert, gloss, the Defendants are barred from criminal prosecution,
22 higher officials require greater liability than officials with less complex and discretionary
responsibilities. *Hatori v. Haya*, 751 F.Supp. 1401.

23 SECURITY – NO BOND IS NEEDED FOR THE UNITED STATE EX REL.
24

25 **CONCLUSION**

26 There are no adequate remedy at law. Based on the foregoing, the Plaintiff Sharon Bridgewater
27 respectfully request that this Court exercise its Discretionary power to maintain the status quo by
28 entering an EX-PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER /

1 ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION AND PERMANENT as
2 mentioned in this compliant.
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9 **PRAYER FOR RELIEF**


10 **Wherefore**, the Plaintiff prays for judgment against all named Defendants pursuant to the 18
11 U.S.C. 1964(a)(b)(c) or (d), Plaintiff requests judgment against all named Defendants as
12 follows:

13 A temporary restraining order pursuant to Fed. Rule Civ. Proc. 65 of the Federal Rules of Civil.
14

15
16 All Defendants be enjoined *temporarily* during pendency of this action, and *permanently*
17 thereafter, ENJOIN AND PREVENT THE DEFENDANTS FROM ATTACKING, BEATING,
18 ASSALTING THE PLAINTIFF, FROM UNCONSTITUTIONAL TRAFFIC STOPS, AND
19 PREVENT THE PLAINTIFF FROM COMING NEAR THE PLAINTIFFS HOUSE, ONTO
20 THE PROPERTY OF THE PLAINTIFFS, FROM KIDNAPPING THE PLAINTIFFS, FROM
21 FALSELY CHARGING THE PLAINTIFFS WITH CRIMES WITHOUT DUE PROCESS OF
22 LAW, OF SO MANY FEET, STALKING, HARRASSING, CAUSING ILLEGAL SURVIVENCE,
23 HACKING INTO PLAINTIFF EMAILS, ETC.

24
25 OBAMA APPEAR BEFORE THIS COURT AND DISSOLVE THE RICO ORGANIZATION
26 OF HOLDER AND SHAWN DONVAN, AND TO GIVE THE PLAINTIFF HER FEDERAL
27 FALSE CLAIMS HUD RECOVERIES DEFRAUDED BY HOLDER ET AL. ORDER
28 OBAMA TO DISSOLVE THE RICO ORGANIZATION

1
2 Dated: 10/18/2012
3


Sharon Bridgewater

MEMORADUM AND POINTS OF AUTHORITY

POINTS AND AUTHORITIES

I

OBAMA IS THE CHIEF EXECUTIVE OFFICE OF THE USA AND IS RESPONSIBLE FOR HIS CABINET MEMBERS, DEFENDANTS' ATTORNEYS OF RECORD IN THE UNLAWFUL DETAINER CONCEALED THE RECORD THAT HAYES VALLEY LIMITED PARTNERSHIP HAD AT ALL TIMES ACCEPTED RENT PAYMENTS FROM SHARON BRIDGEWATER AFTER THE SERVICE OF THE FIVE DAY NOTICE TO PAY RENT OR QUIT WHICH WOULD PREVENT ANY AND ALL EVICTIONS FROM PROCEEDING ON THE UNLAWFUL DETAINER.

The Plaintiff has a right to be treated fairly, against the Plaintiff civil rights" as a result the Plaintiff in which the Defendants have purposely not aided, help the Plaintiff and their acts were done in furtherance of the objective of the conspiracy A failure to act or an omission can be an overt act, where the co-conspirator had a legal duty to aid, assist, confort, protect the Plaintiff a "seven year" victim of crime of constant civil rights violations. The Defendants failure to act, assist, aid the Plaintiff "a victim of crime" "were criminal itself" and were done in order to further the achievement of the objective of the conspiracy to falsely imprison the Plaintiff without due process of law, and defraud the Plaintiff out of injuries and damages subtaind by the US Government, and intentionally use the Plaintiff to serve her complaint on the US Government to obtain multi-million in HUD recovery funds via the Plaintiff false claims complaint. The above named Defendants conspired retaliated, to injure, oppress, threaten, or intimidate the Comoplaingant Sharon Bridgewater because she exercised or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, is homeless, displaced and receives social securThe Supremacy Clause in the U.S. Constitution states, the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, and anything in the Constitution or Laws of any State to the Contrary notwithstanding. Senators and the United States House of Representatives and/or or Representative, of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution. No man is this county is so high that he is above the law. No orricer of the law mayset that law at definance with impunity. All the oofficers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme ower in our system of government, and eery man who by

1 acceptingOffice participates in its functions is only the more strongly bound to submit to that
 2 supremeancay, and to observe the limitations which it imposes upon the exercise orf the
 authority whichi ti gives. Unites States v. lee, 106 U.S. 196, 220.

3
 4 Obama, is not above the law,and his partiparation and agreement in the
 conspiracy were done by word or action or by direct evidence or circumstantial evidence in
 5 which his joint appearance of Holder, Armstrong, or Evans(Baverman) transactions
 furtherance of the conspiracy. The relationship among Holder, Armstrong, Evans, Baverman,
 6 Dekalb County Police Department, et al, Gwinnett County Police Department, et al, Rich, Harsh
 and Szabo, evidence suggests a mutual representation of defendants and a unity of purpose
 7 and/or a common design and/or a understanding among conspirators to accomplish the objects
 of the conspiracy. Once a conspiracy is established, only slight evidence is required to connect
 8 a co-conspirator. *United States v. Turner*, 528 F.2d 143 (9th Cir. 1975), Cert. denied, 429 U.S.
 9 837, 97 S. Ct. 105, 50 L. Ed. 2d 103 (1976); *United States v. Rodriguez*, 498 F.2d 302 (5th Cir.
 10 1974); *United States v. Marrapese*, 486 F.2d 918 (2nd Cir. 1973), Cert. denied, 415 U.S. 994, 94
 S. Ct. 1597, 39 L. Ed. 2d 891 (1974). In addition, participation in the criminal venture may
 11 be established by circumstantial evidence and the level of participation may be of relatively
 slight moment." *United States v. Anderson*, 189 F.3d 1201, 1207 (10th Cir. 1999) (internal
 12 citation omitted) (quoting *United States v. Leos-Quijada*, 107 F.3d 786, 794 (10th Cir.
 1997))." *United States v. Isaac-Sigala*, 448 F.3d 1206, 1210 (10th Cir. 2006). Obama joined the
 13 conspiracy during its progress, and is criminally liable for all acts done in furtherance of the
 scheme and/or is liable via the Pinkerton "In (*Pinkerton v. United States*), the United States
 14 Supreme Court held that a conspirator may be held liable for criminal offenses committed by a
 co-conspirator that are within the scope of the conspiracy, are in furtherance of it, and are
 15 reasonably foreseeable as a necessary or natural consequence of the conspiracy.

16
 17 In this case the law firm of Kimball, Tirey & St. John, LLP and attorneys from that firm Shawn
 18 Bankson, and Jane Creason willfully concealed and did so under an agreement with the their
 clients Hayes Valley Limited Partnership to do so as plead in the settlement agreement with
 19 plaintiff herein to vacate her apartment, see Exhibit 4.

20 It is absolute that a complaint for unlawful detainer for non-payment of rent requires the
 service of a valid notice to pay rent or quit.

21 However, in this case at the time of the trial date there was no valid pay rent or quit
 22 notice as Hayes Valley Limited Partnership had accepted all the payments for rents listed in the
 said notice.

23 Additionally, as said records were absolutely necessary to prove Hayes Valley Limited
 Partnerships cause of action for unlawful detainer at a trial. Defendant Attorneys at all times
 24 knew that the rent was paid and still at the request of Hayes Valley Limited Partnership still
 proceed with an unlawful detainer and forced plaintiff herein to settle based upon the
 25 concealment of said undisputed facts.

26 These acts show a conspiracy between both legal counsel and their clients to
 knowingly proceed on unlawful detainer when it was prohibited by operation of law.

27 In this case clearly a civil wrong has been committed against plaintiff herein by attorneys
 28 in question herein as clearly when your client requests an attorney to violate the laws of evidence
 and misrepresent the facts to a court requires the issuance of authorization to bring this law suit

1 against defendants Kimball, Tirey & St. John, LLP and attorneys from that firm Shawn Bankson,
2 and Jane Creason.

3 The acts complained of herein as stated in the verified complaint of plaintiff and attached
4 hereto as Exhibit 1 clearly shows and makes a prima Facia showing that plaintiff will prevail in
5 this cause of action against the defendant attorneys and the law firm, as it is axiomatic that you
6 cannot proceed on an unlawful detainer for non payment of rent when all the demands of the
7 "Notice to Pay Rent or Quit" were met and accepted by parties to the unlawful detainer.
8 As the Court of appeal stated in **Burtscher v. Burtscher**, 26 Cal. App. 4th 720 (1994) held as
9 follows:

10 "We can perceive of situations where it may be difficult
11 to distinguish between when a lawyer is representing a
12 client and when he or she is an integral part of a conspiracy
13 to defraud a third person, but that is not our case. In our case,
14 attorney Hobbs resorted to self-help (with a little help from her
15 cousin) in going onto the property and unilaterally retaking
16 possession in circumstances where a lawyer would be serving
17 a notice to quit, filing an unlawful detainer action and getting
18 a court order. Hobbs actively participated in conduct that went
19 way beyond the role of legal representative: self-help is not
20 the practice of law. The facts establish a prima facie case.

21 In this case as stated above the attorneys while representing the Hayes Valley Limited
22 Partnerships et al in bring an unlawful detainer, decided to deceive the Court and plaintiff herein
23 in violation of California Criminal statute, to wit section 6128 (a) of the Business & Professions
24 Code by asserting that there were rent outstanding when fact the all rent was paid as was
25 demanded in the Five day notice and accepted by Hayes Valley Limited Partnership and as such
26 there was no jurisdiction of the Court to proceed in the unlawful detainer.

27 It is plaintiff contention herein the Attorneys in question not only had a legal duty to so
28 inform the Court that the unlawful detainer had to be dismissed but by agreeing to the request of
the Hayes Valley Limited Partnership to proceed against plaintiff herein, these attorney engaged
into a civil compromise which is atrocious as clearly a cause of action for non-payment of rent
cannot go forward if the landlord accepts the payment and still wants to proceed on the unlawful
detainer.

The Court of Appeal, in *Panoutsopolus v. Chambliss*, 157 Cal App 4th 297 (2007) stated
the controlling principles of law as follows:

"A civil conspiracy however atrocious,
does not per se give rise to a cause of
action unless a civil wrong has been
committed resulting in damage. [Citations]."
"The elements of an action for civil conspiracy
are the formation and operation of the conspiracy
and damage resulting to plaintiff from an act or
acts done in furtherance of the common design.
In such an action the major significance of the
conspiracy lies in the fact that it renders each

1 participant in the wrongful act responsible as a joint
2 tortfeasor for all damages ensuing from the wrong,
3 irrespective of whether or not he was a direct actor
and regardless of the degree of his activity. [Citations.]"

4 In this case the attorneys sought to deceive the Court in violation of B & P Code section
5 6128 (a) that he unlawful detainer could proceed, when in fact the Court never had jurisdiction to
6 enter into said agreement for plaintiff herein to vacate the apartment in question as all rents
7 demanded were in fact paid and accepted by the Hayes Valley Limited Partnership. Further, the
8 US Department of HUD prohibits agreement between tenants that include:

9 Atlanta City

10 Plaintiff in this case has established a "reasonable probability" that plaintiff can prevail in
11 this case and has show in her verified complaint that a malicious breach in contract and/or
12 tortuous interference with contract and/or a malicious wrongful eviction without probable cause
13 has occurred in this case as all rents were paid and accepted by the Hayes Valley Limited
14 Partnership and/or by Roger and Mary Tonna and as such the unlawful detainer court did not
15 have jurisdiction at the time of the trial date and what is even more proof of the fraudulent
16 conduct of the attorneys in question and/or State Court Judge, herein the rental history and
17 witnesses absolutely necessary for these attorneys to proceed with a trial in the unlawful detainer
18 for the non-payment of rent would have shown that the demand of the five day notice was met by
19 plaintiff herein and no cause of action could have gone forward. Holder and/or Shawn Dovanah
20 knew and were aware of these proceedings and are equally liable.

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Dated April 6, 2009

Oct 18, 2012

Sharon Bridgewater

Moreover each Attorney Shawn Bankson, and William Gilg signed the complaints under penalty of perjury that all the information was true and correct, see Exhibit 3.

Moreover, the attachments to the complaint which included a "Notice to Pay Rent or Quit" issued by Property Manager, Hasinah Rahim, and McCormack Baron Regan for Hayes Valley Apartments when there was no licensed property manager pursuant to Business & Professions Code section 10131 (b), and/or did not have probable cause to proceed.

Additionally, the problems created by not having a duly licensed real estate broker required by the B & P Code Section 10131 (b) are that defendants herein Hayes Valley Limited Partnership accepted all the money demanded by the Notice to Pay Rent or Quit" and still proceeded with the unlawful detainer. Plaintiff herein contentions are the Defendants at all times signed a HUD regulatory and Management Agreement which required the Defendants to abide by Federal and State law in the Management of the complex. The Defendants at all times violated Federal and/or State law.

Plaintiff herein contentions are that the attorneys Kimball, Tirey & St. John, LLP and attorneys from that firm Shawn Bankson, and Jane Creason for the Defendants Hayes Valley Limited Partnership duty is not to deceive either the Court or any Party and that they conspired with defendant Hayes Valley Limited Partnership in evicting plaintiff from the premises commonly known as 427 Page Street, San Francisco, when no eviction could have taken place as said defendants accepted all the rent payments demanded in the "Pay Rent or Quit Notice".

When the case came on for trial on Feb. 19, 2008 said attorneys Kimball, Tirey & St. John, LLP and attorneys from that firm Shawn Bankson, and Jane Creason falsely asserted to the Court and plaintiff herein that \$_____.74 was the past rent due, on \$424.00 was owed, and in this case nothing, no rent, as the defendants failed to follow California Civil Procedure in that when in fact no rent was due, see Exhibit 4 and compare Exhibit 5, which shows a credit balance toward plaintiff's rent for the premises commonly known as 427 Page Street San Francisco, California.

It is plaintiff herein contention, that the duty of an attorneys under Section 128.7 (b) et seq. C.C.P. requires that before an attorney can proceed and make representations to a Court requires an Attorney can do so only "after an inquiry under the circumstances" and as such here the records of the defendant Hayes Valley Limited Partnership shows that plaintiff's rent was current and that defendant Hayes Valley Limited Partnership had at all times relevant accepted payments rendering the unlawful detainer void as no valid "Notice to Pay Rent or Quit" was in effect and thusly there was no jurisdiction by the Court to even proceed with an unlawful detainer. The Defendants actions constitute a collection of an unlawful debt as defined in RICO statute.

Defendants attorneys Kimball, Tirey & St. John, LLP and attorneys from that firm Shawn Bankson, and Jane Creason had not only a duty toward plaintiff herein not to deceive but also

1 the Court pursuant to B & P Code Section 6128 (a) which is actually a criminal violation of
2 California Law to do so.

3 "Every attorney is guilty of a misdemeanor who either:

(a) Is guilty of any deceit or collusion, or consents to any
deceit or collusion, with intent to deceive the court or any party."

4 Additionally, this duty of attorneys also is stated under Rule 5-200 of the Rules of
Professional Conduct as follows:

6 **Rule 5-200. Trial Conduct**

In presenting a matter to a tribunal, a member:

7 (A) Shall employ, for the purpose of maintaining
8 the causes confided to the member such means
only as are consistent with truth;

9 (B) Shall not seek to mislead the judge, judicial officer,
10 or jury by an artifice or false statement of fact or law;

11 Defendant Attorneys in this case never made any reasonable inquiry to the facts
12 regarding the payment of rent on the unit in question and which was required not only by CCP
13 section 128.7 (b) (1) – (4) but by also misrepresentation to this Court of the true facts of the case,
14 and in addition on a number of different occasions, and which constitute an abuse of the Superior
Court of San Francisco, CA.

15 Additionally, these same attorneys as officers of the Court had an ethical and legal duty
16 to obtain all the relevant information regarding that defendant Hayes Valley Limited Partnership
accepted rental payments and could not proceed in obtaining possession of the rental unit
commonly known as 427 Page Street, San Francisco, California.

17 Moreover, as this is the essential element necessary at trial of the unlawful detainer these
18 attorneys were required to have both the documents and the witnesses ready to testify on these
very facts. This shows a total disregard for the truth of the matter regarding payment of rent and
19 the bad faith tactics of the defendant attorneys.

20 Unlawful detainers are summary proceedings and as such require strict compliance with
the law, to permit these defendant attorneys in this case to conspire with his clients to evict a
21 defendant in an unlawful detainer when the attorneys signed on behalf of the property owner⁸
that all facts of the case for unlawful detainer are true and correct under penalty of perjury.

22 Moreover, at the settlement conference these attorneys in the unlawful detainer obtained
and discussed with defendant Hayes Valley Limited Partnership and received authorization to
23 proceed on an eviction and that by doing so defendants attorneys aided and abetted the

24
25 ⁸ In this case while the unlawful detainer plead that the Hayes Valley Limited
26 Partnership was the legal owner of the rental unit in reality they had a
27 lease hold interest as the buildings were actually owned by San Francisco
Housing Authority. Additionally, the "Five Day Notice to Pay Rent or Quit"
28 was also legally deficient because the "property manager" was not licensed by
the California Department of Real Estate, nor was the firm, McCormack Baron
Ragan also licensed at the time of the eviction in this case in violation of
B & P Code § 10131 (b).

1 fraudulent acts of defendants Hayes Valley Limited Partnership, McCormack Baron Ragan
2 Management, MBA Urban Development Co., The Related Companies of California, Inc.
3 Sunamerica Affordable Housing Partnership Inc. in proceeding with the eviction in this case.

Clearly if the defendant attorneys and their law firm had informed the court that their client had collected rent no eviction could have gone forward.

This concealment by defendant attorneys and their law firm states a conspiracy to proceed in this Court as stated in the attached verified complaint as this conduct is beyond outrageous and raises substantial issues of willful concealment of undisputed facts which clearly shows and proves that plaintiff herein will prevail on her causes of actions as once a landlord accepts payment of any money on the "Notice to Pay Rent or Quit" the process has to start all over again.

Moreover, here defendants in this case accepted full payment for all rents demanded and still proceed on the unlawful detainer. This is clearly a conspiracy between the attorneys and their clients as acceptance of rental payment during the pendency of the unlawful detainer the principles of collateral estoppel applies.

Furthermore, defendants have stipulated to permitting plaintiff herein to bring this cause action as at all times plaintiff herein put the attorneys herein on notice that plaintiff Bridgewater had paid the rental payments and that Hayes Valley Limited Partnership had accepted the payments, see ¶ 15 of settlement agreement see Exhibit 4.

Defendant attorneys herein knew at all times that Hayes Valley Limited Partnership had accepted rental payments after service of the five day notice to pay rent or quit as this essential element for a cause of action which would be required for the Trier of fact. Clearly, defendants as attorneys had in their possession the rental history of the unit at 427 Page Street San Francisco, California as it the necessary element required by statute to even bring an unlawful detainer and defendant attorneys willfully concealed said information from both plaintiff and the court and done at the request of defendant Hayes Valley Limited Partnership and by their "express authority" see ¶ 14 of Exhibit 4.