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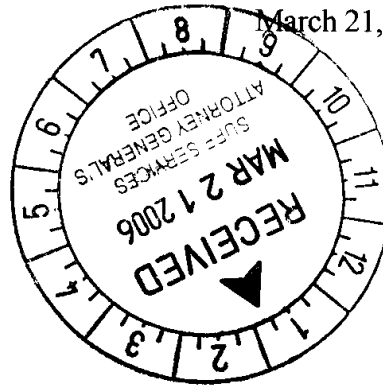
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March 21, 2006

Attorney General Thomas Reilly  
Office of the Attorney General  
One Ashburton Place, McCormack Building  
Boston, MA 02108

ATTN: Kurt Schwartz, Criminal Division



Re: **Presentment of potential Civil Rights Suit arising from Beck vs. DOE**

Dear Attorney General Reilly,

Under provisions of M.G.L. Chapter 258 Section 4 and 603 CMR 1.02, we the undersigned hereby make presentment of our intention to name yourself, Assistant AG Kurt Schwartz, and the Office of the Attorney General in a complaint we intend to file either in Massachusetts Superior or Federal District Court charging that our civil rights have been violated, because of denial of due process in our civil suit Beck vs. DOE<sup>1</sup>

We understand fully that your office can and must exercise *discretion* in determining its investigative and prosecutorial undertakings. However, blatant criminal wrongdoing perpetrated by the state judiciary as is clearly evident in the court process dismissing Beck portends an obvious and grievous threat to the greater good and cannot responsibly be set aside. Total disregard of this instance by your office amounts to gross *indiscretion* – and has thus violated our constitutional rights as complainants under the Massachusetts Constitution.

We note that Assistant AG Mark P. Sutliff, Esq. of your office represented three state employees including the Commissioner of Education, two Assistant Commissioners, and the Department of Education in Beck. Attorney Sutliff has tacitly acknowledged to us the numerous misrepresentations of exhibits prominently argued in the Superior Court's Decision and Order of Summary Judgment, the inadequacies of the Appeals Court's published decision upholding the lower court's decision, and his reporting of same to his superiors. Sutliff recently advised strongly that we not proceed with any ac-

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<sup>1</sup> PLCV2000-00076 (Sup. Ct.); 2003-P-1532 (Appeals Ct.); FAR-14779 (SJC).

tion naming you and Schwartz, emphasizing the Office's discretion and overriding obligation to its clients.

We disagree. Disclosure of possible criminal acts that come to light in the course of a purely *civil* proceeding cannot present a legitimate attorney-client conflict. We contend that your Office failed to act on clear, multiple indications of judicial fraud and *ex parte* intrusions into a judicial process, as dutifully reported by Sutliff, thus affording illicit advantage to powerful defendants who happen to be your clients, and violating plaintiffs our civil rights.

**MASSACHUSETTS RULES OF PROFESSIONAL CONDUCT; REPORTING PROFESSIONAL MISCONDUCT: RULE 8.3**

(b) A lawyer having knowledge that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the Commission on Judicial Conduct.

(c) This rule does not require disclosure of information otherwise protected by Rule 1.6

**RULE 1.6 CONFIDENTIALITY OF INFORMATION**

(a) A lawyer shall not reveal confidential information relating to representation of a client ... except as stated in paragraph (b).

(b) A lawyer may reveal, and to the extent required by Rule 3.3, Rule 4.1(b), or Rule 8.3 must reveal, such information:

(1) to prevent the commission of a criminal or fraudulent act that the lawyer reasonably believes is likely to result in ... substantial injury to the financial interests or property of another ...

(3) to the extent the lawyer reasonably believes necessary to rectify client fraud in which the lawyer's services have been used ....

We filed suit in 2000 in Plymouth Superior Court charging we had been libeled and slandered by education officials in retaliation to accusations we made of fiscal fraud at the South Shore Charter School. The campaign of defamation intensified following the release of a state audit that we instigated, which found over \$1 million in "undocumented billings" submitted by the School's CEO/headmaster to the state.<sup>2</sup>

Finding in favor of the defendants, the Superior Court issued in 2002 a Decision and Order of Summary Judgment replete with misinterpretations and misquotations of material exhibits relating to nine of the ten counts of libel and slander. Judicial fraud is apparent in any comparison of the Court's decision with the case record.

On appeal Beck was relegated to the non-argument list of the Appeals Court, which upheld the lower court's Decision and Order having conspicuously avoided addressing the distortions and

<sup>2</sup> "... [T]here was inadequate assurance that all of the \$1,095,324 ... in undocumented billings were necessary, proper, and for students who attended SSCS." [Official Audit Report, p. 8, May 26, 1999]

omissions of the record and related legal issues raised in our appellate brief. In turn, the Supreme Judicial Court denied FAR.


The plaintiffs are advised that no judge at any level has thoroughly reviewed our evidence and arguments, and that in fact we have been systematically denied due process at the hands of rogue clerks, dishonorable court officials, and others cooperating illicitly to protect personages and a state experiment in K-12 education.

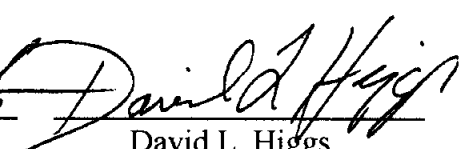
Plaintiffs are law-abiding, loyal citizens of this Commonwealth who dutifully reported to the Board of Trustees of the South Shore Charter School, the DOE, Plymouth County DA, the Office of the Attorney General, and finally the State Auditor, fiscal fraud ongoing at a state institution. Our dogged whistle blowing reportedly has discouraged \$millions in potential violations of charter-school law and regulations. But because of our civic action we have been branded incompetents, “violent” child abusers, thieves, extortionists, and electronic criminals.

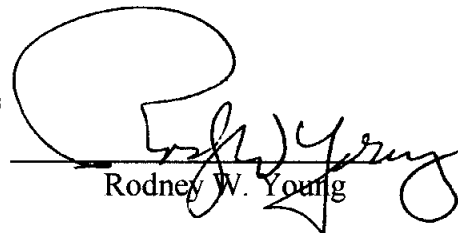
We intend that the corrupting, *ex parte* influence of privilege in our courts be exposed – and our reputations restored. We are disappointed that you have not taken appropriate action as our Attorney General on so compelling an issue as judicial corruption.

Attached is our draft complaint. We can only hope that the spirit of the presentment-letter law will prevail over your office’s refusal heretofore to conference our matter. In lieu of such appropriate discourse we are inclined to proceed forthwith at the federal-district level.

Respectfully submitted,

  
David M Beck

  
David L. Higgs

  
Rodney W. Young

Date: March 21, 2006

Attached: Draft complaint Beck et al. vs. Chin et al.

Reference: Joint Affidavit Attesting Judicial Corruption,\* dated January 1, 2006

[\* URL: <http://courtcorruption.wellrock.net>. Corruption in the Massachusetts Judiciary]

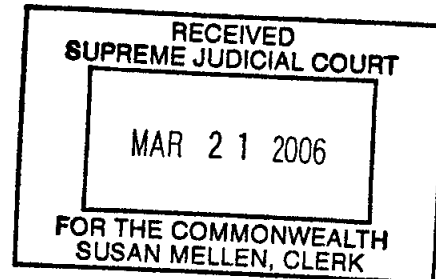
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March 21, 2006

Susan Mellen, Esq., Clerk  
Supreme Judicial Court of Massachusetts  
John Adams Courthouse  
One Pemberton Square  
Boston, MA 02108



ATTN: Chief Justice Margaret H. Marshall

Re: **Presentment of potential Civil Rights Suit arising from Beck vs. DOE.**<sup>1</sup>

Dear Madam Clerk:

By this writing, and under provisions of M.G.L. Chapter 258 Section 4 and 603 CMR 1.02, the plaintiffs in the above named action make presentment of our intention to name your Court and Chief Justice Margaret H. Marshall in a complaint for filing either in Superior or Federal District Court, charging that our civil rights have been violated by concerted corruption and consequent denial of due process.

We filed suit in 2000 in Plymouth Superior Court, charging that we had been libeled and slandered by school and Department of Education officials retaliating to our accusations of fiscal fraud at the defendant South Shore Charter School and to the corroborating findings of a 1999 state audit of the School that we instigated. The audit reported over \$1 million in "undocumented billings" by School's CEO/headmaster submitted to the state.<sup>2</sup>

In 2002 the Superior Court issued a Decision and Order of Summary Judgment in favor of six defendants, replete with misinterpretations and misquotations of material exhibits relating to nine of the ten counts of libel and slander in the complaint. Judicial fraud is apparent in any comparison of the decision with the case record.

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On appeal Beck was relegated the non-argument list of the Appeals Court, which upheld the lower court's Decision and Order without addressing the distortions and omissions of the record and related legal issues raised in our appellate brief. In turn, the Supreme Judicial Court denied FAR.

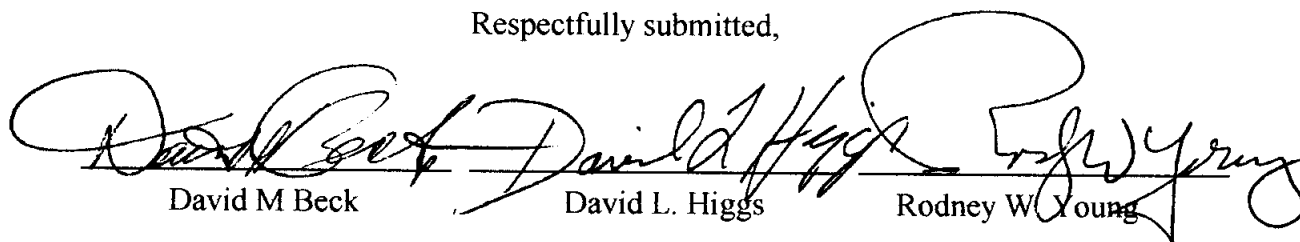
The plaintiffs are advised that no judge at any level has thoroughly reviewed our evidence and arguments, and that in fact we have been systematically denied due process at the hands of rogue clerks, dishonorable court officials, and others cooperating illicitly to protect personages and a state experiment in K-12 education.

Plaintiffs are law-abiding, loyal citizens of this Commonwealth who dutifully reported to the Board of Trustees of the South Shore Charter School, the DOE, Plymouth County DA, and finally to the State Auditor, fiscal fraud ongoing at a state institution. Our dogged whistle blowing reportedly has discouraged \$millions in potential violations of charter-school law and regulations. Our thanks has been vilification as incompetents, "violent" child abusers, thieves, extortionists, and electronic criminals.

We intend to expose the corrupting, *ex parte* influence of privilege in the state's judicial system, and to attain our day in court.

Attached is our draft complaint.

Respectfully submitted,

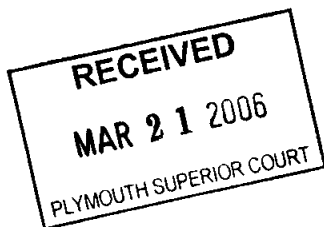
  
David M Beck      David L. Higgs      Rodney W. Young

Date:            March 21, 2006

Attachments: Draft complaint Beck et al. vs. Chin et al. (for later filing)

MOTION OF PLAINTIFFS THAT THE COURT COUNTERMAND ITS ORDER  
REQUIRING THEM TO REIMBURSE DEFENDANTS' COSTS, AND, ADDI-  
TIONALLY, THAT THE COURT REQUEST OF THE CHIEF JUSTICE OF THE  
SUPREME JUDICIAL COURT THAT APPARENT ADJUDICATIVE WRONG-  
DOING BE INVESTIGATED

Reference: Joint Affidavit Attesting Judicial Corruption, \* dated January 1, 2006  
[\* URL: "<http://courtcorruption.wellrock.net>": Corruption in the Massachu-  
setts Judiciary]



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March 21, 2006

Francis R. Powers, Clerk  
Plymouth County Superior Court  
1 Court Street  
Plymouth, Massachusetts 02360

ATTN: Assistant Clerk Adam Baler  
Richard J. Chin, Associate Justice

Re: **Motion to countermand order to reimburse and to investigate judicial fraud.  
Presentment of potential Civil Rights Suit arising from Beck vs. DOE.**

Dear Mr. Powers:

Plaintiffs in the closed action Beck vs. DOE (#00-0076A) attach herewith the opposition of Mark W. Batten, Esq. submitted per Superior Court Rule 9A on behalf of defendants Gregory Thornton, Timothy Anderson, and South Shore Charter School, to "MO-TION OF PLAINTIFFS THAT THE COURT COUNTERMAND ITS ORDER REQUIRING THEM TO REIMBURSE DEFENDANTS' COSTS, AND, ADDITIONALLY, THAT THE COURT REQUEST OF THE CHIEF JUSTICE OF THE SUPREME JUDICIAL COURT THAT APPARENT ADJUDICATIVE WRONGDOING BE INVESTIGATED," dated February 17, 2006 and originally filed on February 24, 2006, and resubmitted herewith per Rule 9A.

Attorney Batten's response does not address the incorporated request for investigation into judicial fraud. To date we have received no communications from attorneys representing the other five defendants in Beck vs. DOE. The response time allowed by Rule 9A has elapsed.

By this writing, and under provisions of M.G.L. Chapter 258 Section 4 and 603 CMR 1.02, we make presentment of our intention to name your Court and Associate Superior Court Justice Richard J. Chin in a complaint for filing either in Superior or Federal District Court, charging that our civil rights have been violated by concerted corruption and conse-

quent denial of due process. If our instant motion is allowed, leading to full investigation under the auspices of the Supreme Judicial Court, we will indefinitely postpone our intended action.

We filed suit in 2000 in your court, charging that we had been libeled and slandered by school and Department of Education officials retaliating to our accusations of fiscal fraud at the defendant South Shore Charter School and to the corroborating findings of a 1999 state audit of the School that we instigated. The audit reported over \$1 million in “undocumented billings” by School’s CEO/headmaster submitted to the state.<sup>1</sup>

In 2002 the Superior Court issued a Decision and Order of Summary Judgment in favor of six defendants, replete with misinterpretations and misquotations of material exhibits relating to nine of the ten counts of libel and slander in the complaint. Judicial fraud is apparent in any comparison of the decision with the case record.

On appeal Beck was relegated to the non-argument list of the Appeals Court, which upheld the lower court’s Decision and Order without addressing the distortions and omissions of the record and related legal issues raised in our appellate brief. In turn, the Supreme Judicial Court denied FAR.

The plaintiffs are advised that no judge at any level has thoroughly reviewed our evidence and arguments, and that in fact we have been systematically denied due process at the hands of rogue clerks, dishonorable court officials, and others cooperating illicitly to protect personages and a state experiment in K-12 education.

Plaintiffs are law-abiding, loyal citizens of this Commonwealth who dutifully reported to the Board of Trustees of the South Shore Charter School, the DOE, Plymouth County DA, and finally to the State Auditor, fiscal fraud ongoing at a state institution. Our dogged whistle blowing reportedly has discouraged \$millions in potential violations of charter-school law and regulations. Our thanks has been vilification as incompetents, “violent” child abusers, thieves, extortionists, and electronic criminals.

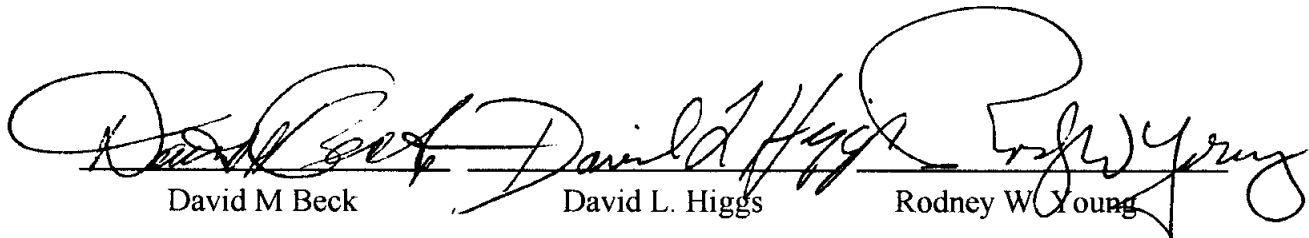
We intend to expose the corrupting, *ex parte* influence of privilege in the state’s judicial system, and to attain our day in court.

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<sup>1</sup> “... [T]here was inadequate assurance that all of the \$1,095,324 ... in undocumented billings were necessary, proper, and for students who attended SSCS.” [Official Audit Report, p. 8, May 26, 1999]

Attached is our draft complaint.

Respectfully submitted,

  
David M Beck      David L. Higgs      Rodney W. Young

Date:            March 21, 2006

Attachments: MOTION OF PLAINTIFFS THAT THE COURT COUNTERMAND ITS ORDER REQUIRING THEM TO REIMBURSE DEFENDANTS' COSTS, AND, ADDITIONALLY, THAT THE COURT REQUEST OF THE CHIEF JUSTICE OF THE SUPREME JUDICIAL COURT THAT APPARENT ADJUDICATIVE WRONG-DOING BE INVESTIGATED.

OPPOSITION OF DEFENDANTS SOUTH SHORE CHARTER SCHOOL, GREGORY THORNTON, AND TIMOTHY ANDERSON TO PLAINTIFFS' MOTION TO COUNTERMAND ORDER ON COSTS.

Draft complaint Beck et al. vs. Chin et al. (for later filing).

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06-MAR-21 PM 1:06

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March 21, 2006

Ashley Ahearn, Esq., Clerk  
John Adams Courthouse  
One Pemberton Square  
Boston, MA 02108

ATTN: Gilbert P. Lima, Jr., Esq., First Assistant Clerk  
R. Marc Kantrowitz, Associate Justice

Re: **Presentment of potential Civil Rights Suit arising from Beck vs. DOE.**<sup>1</sup>

Dear Clerk Ahearn:

By this writing, and under provisions of M.G.L. Chapter 258 Section 4 and 603 CMR 1.02, the plaintiffs in the above named action make presentment of our intention to name your Court, First Assistant Clerk Gilbert P. Lima, Jr., Esq., and Associate Justice Marc Kantrowitz in a complaint for filing either in Superior or Federal District Court, charging that our civil rights have been violated by concerted corruption and consequent denial of due process.

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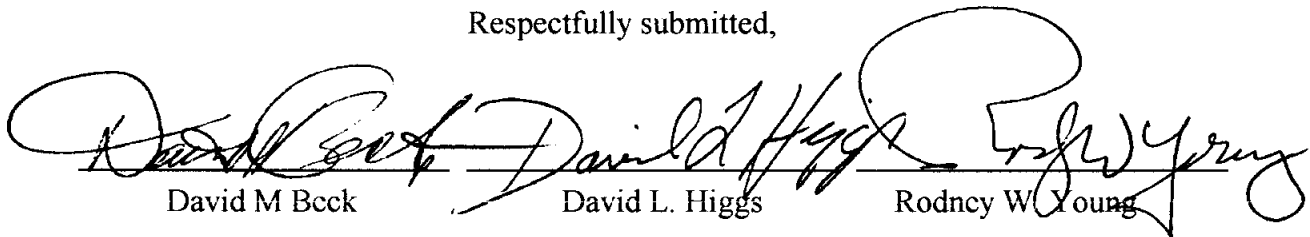
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