

Dr. Orly Taitz ESq

29839 Santa Margarita Pkwy, ste 100

Rancho Santa Margarita, CA 92688

01.27.10

Re: Rivernider, Rivernider, Lincoln v US Bank 9:09-81255

Letter from witness Dr. Orly Taitz, ESQ

Attention Honorable Judge Dimitroleas

Honorable Magistrate Snow

Your Honors,

In response to the latest pleadings by Mr.Lincoln, I would like to reiterate that I am not a party to this action. I am only a witness, who discovered a pleading filed under her name and her signature forged. As a licensed attorney and an officer of the court I had an obligation to alert the court that I did not file that pleading and my signature was forged, therefore I have written to the court. I do not want to waste the time of this court with voluminous writings. I do have to provide a short response, as Mr. Lincoln decided to defend himself by accusing me of committing crimes and viciously defaming me. I am afraid that not responding might be construed by the court as admission to those allegations. After Mr. Lincoln tried to muddy the water with some 200 pages of pleadings, that **are completely defamatory** and irrelevant, I am providing only a few short documents to reiterated a simple truth that **Mr. Lincoln has forged my signature and I simply reported the forgery to the court.** There isn't a shred of evidence in any of these compilations, that I **ever** allowed anybody sign my name and forge my signature. Moreover, there isn't a shred of evidence that until I got an order from Judge Dimitroleas, I had any knowledge of forgery. Most of the documents revolve around Lisa Liberi. Your Honors can see 2 pages of a copy of her criminal record attached,(Exhibit A) to know that hundreds of pages submitted by Lincoln, is just irrelevant garbage. These two pages clearly show numerous convictions of forgery and grand theft.

If you recall, your Honors, originally Mr. Lincoln and Riverniders claimed that I personally signed the pleading in question and accused me of perjury by claiming that I signed the document and lied about it. On 01.13.10 Lincoln changed his story, claiming that indeed he signed the pleading, but I allowed him to forge my signature. He submitted hundreds of pages of pleadings claiming that I allowed him to forge my signature. Luckily, I was able to find Mr. Lincoln's e-mail sent on 11.10.09 to me, to my attorney Mr. Levy, Riverniders and other parties, Exhibit D, which states that all the pleadings in this case came directly from me, came from my office. **Mr. Lincoln's own e-mail contradicts his later statements that I allowed to forge my signature. Lincoln's own numerous affidavits contradict each other, making all of them nothing but a perjury.**

Lincoln has accused me of allowing my employees to forge my signature and sign my name on the checks when I was out of the country . I am submitting affidavits from my two long time employees who worked for me for 9 years and 13 years respectively and know me well and who received the checks in question. Exhibit B, C. They state unequivocally that I never told them to sign my name, I never allowed them to sign my name and they have no knowledge of me allowing **anybody** to sign my name. I am also submitting copies of the checks in question, showing that those were signed by me. Exhibit E

I am submitting a filing in case 3:06-00714 David C. & Sylvia Johnson v Bank of America , a pro hac vice application for attorney Andrea Attalay that was submitted to court by Lincoln, who was a de facto attorney for Johnsons and a subsequent letter from attorney Attalay, stating that she never submitted this pleading and didn't sign it. There were over 15 cases where Lincoln did the same to attorney Attalay. **This shows a clear pattern of forgery of a signature of an attorney, exactly the same modus operandi, exactly the same crime as committed here.** Exhibit F

I am also submitting an affidavit, where I am unequivocally denying any and all allegations of my wrongdoing made by Lincoln. On advise of my attorney I keep this correspondence very short and do not expand into other areas, but can only state that there are multiple counts of defamation of my character and outrageous slander in pleadings filed by Lincoln.

Additionally, contrary to Lincoln's assertions, I was not obligated to file my letters through an attorney and provide a former service. I am not a party to this case, I am just a witness, who witnessed a crime, reported it and who is forced to respond to numerous counts of perjury and defamation of her character by a person who was caught committing a crime. Mr. Cohen has made a limited appearance representing me during the hearing on 01.13.10. I am under no obligation to continue to be represented by an attorney and keep paying thousands of dollars in legal fees, responding to hundreds of pages of slander by Lincoln. It is a decision of your Honors, whether to make my letter a part of the record of this case or not. If your honors decide to make it part of the record, your honors will docket it and all the parties including Lincoln will be formally notified and served. Incidentally, Mr. Lincoln, who is **not** just a witness, **but a party** in this case has filed hundreds of pages of defamatory statements about me and he never served me, I do not get an automatic electronic notification as **I am not a party**, and I found out about the accusations only after those appeared on the docket, were spread via Internet, members of the community read them, related to me, asked if those allegations were true and I had to submit a response.

Finally, I am submitting a record of Mr. Lincoln's indictment in a criminal case of United States of America v Charles Edward Lincoln, A99 CR 275 WS. It clearly shows a pattern of forgery, perjury and falsification of records. Though a plea bargain was reached in that case and Lincoln has plead guilty only to one count in exchange for surrender of his law license, probation and a fine, it does not diminish seriousness of all his actions. Exhibit F

At the end of the day your Honors have to look at the credibility of the witnesses. I never committed any crimes, was never convicted or indicted of any crimes. I am an attorney licensed with all courts of CA and the Supreme Court.

Lincoln was disbarred in all four states, where he was licensed and has a history of arrests, indictments and conviction involving perjury and falsifying different official and financial records.

I hope your honors will not be misled and swayed by volumes of tall tales and **irrelevant defamatory** statements. When a person tells the truth, he tells one thing consistently, when a person is lying, he tells different stories. Criminal acts committed by Lincoln are very clear: he forged my signature, and accused me of a crime of perjury, by claiming that I personally signed the document and lied about it. I produced a statement from the forensic expert and Lincoln's own e-mail refuting his assertions, he changed his story, claiming that I allowed him to forge my signature, but now you can see yet another e-mail from Lincoln himself, claiming that I signed the document. In his voluminous pleadings Lincoln has committed multiple counts of perjury, he committed forgery, he defrauded the court and was engaged in unauthorized practice of law. Lincoln was deemed a vexatious plaintiff in TX and his access to courts was limited there, so he opened shop in Florida. I hope your Honors can appreciate tremendous emotional distress Lincoln put me through, by committing all of these crimes and later accusing me, It took me hours to read all of his voluminous pleadings, I had to fly across country to the hearing and incurred high costs. I could've stayed silent. I hope your honors can see that it took a lot of courage to stand up and withstand all the slander and barrage of perjury. My actions serve the community at large, if Lincoln is allowed to continue this pattern of behavior, there will be multiple other attorneys and members of the public, who will be hurt.

I guess there is another issue that I need to bring to your attention, as it is directly relevant to the case at hand of Rivernider, Rivernider, Lincoln v US Bank. Riverniders believe Lincoln to be their savior. They believe him to be an honorable person, a constitutional scholar, a lawyer with great education. I believed this at first, as did many others. I thought that Riverniders and Lincoln have an agreement, whereby Riverniders are paying him a certain fee or deeded him a certain percentage of the property. Just recently in the pleadings I saw that they deeded him the whole property for \$10 only. Lincoln keeps them in the caption on the case, as sympathetic plaintiffs, a family, who is losing their house, but in reality Riverniders no longer have any standing to sue the bank, as they already deeded their interest to the property to Lincoln. If anything, Lincoln only exposed them to potential claim by the bank for bringing a frivolous action, after deeding away all their rights. Even if your Honors decide against Lincoln and in favor of the US bank, I believe it will be only a minor hiccup for Lincoln, as he seems to be hiding behind his trustee Peyton Yates Freiman, and I wouldn't be surprised to see yet another action filed by Freiman against US bank on behalf of Charles Lincoln Trust.

Typically, when one thinks of trustee, one thinks of a trust lawyer, acting on behalf of a minor child or an elderly. In Lincoln's case it's the opposite. Lincoln is a 50 year old experienced attorney, while his trustee is a 26 year old kid, Peyton Yates Freiman, who has zero legal education, and who is simply wandering around the country together with Lincoln. According to one of the victims, Sheryl Thompson, they have an apartment in Austin TX, in September they resided in Santa Margarita CA, near my office. When they were evicted from that property, they rented a suite at Sea Horse Resort, in San Clemente CA. I don't know where they are now. As I interviewed one of the victims, Sheryl Thompson, a woman in her 60s, she stated that both Lincoln and Freiman have placed liens, a lis pendis on her property for over 50,000. When she removed those liens, they came back and placed liens for over 80,000. Ms. Thompson

can be reached at 830-627-9272. She will be able to provide names of more homeowners, who were affected by such liens. On the stand at the 01.13.10 hearing Lincoln admitted to having 36 properties. I have no idea how many additional properties around the country are not owned by Lincoln but are affected by such liens, but I do know that Lincoln is advertising all over the country. I am simply scared that Lincoln could've forged my signature and filed more pleadings under my name. I also believe that a lot of people will be hurt if Lincoln is not stopped. I've noticed that often he picks women, elderly and Hispanics, members of the society, who are more vulnerable. Florida is a fertile ground for all of the above.

Wherefore, I am asking your Honors to award my costs and fees, compensate me for damages suffered and provide appropriate punishment, to make sure Lincoln's activities are stopped. I also hope that your Honors will come up with a decision on this matter as soon as possible, as it takes tremendous emotional and financial toll on me, on my practice and my family.

Respectfully submitted,

Dr. Orly Taitz, ESQ

A handwritten signature in black ink, appearing to be 'Orly Taitz', written over a horizontal line.

EXHIBIT A

Case FWV028000 Defendant 1608112 LIBERI, LISA RENEE - Charges

Arrest Charges						
<i>Count</i>	<i>Charge</i>	<i>Severity</i>	<i>Description</i>	<i>Violation Date</i>	<i>Plea</i>	<i>Status</i>
1	PC 459	F	BURGLARY	05/18/2001		
Filed Charges						
<i>Count</i>	<i>Charge</i>	<i>Severity</i>	<i>Description</i>	<i>Violation Date</i>	<i>Plea</i>	<i>Status</i>
1	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
2	PC 470(D)	F	FORGERY	05/18/2001		HTA
3	PC 472	F	FORGE OFFICIAL SEAL	05/18/2001		HTA
4	PC 115(A)	F	OFFER/ETC FALSE/FORGED INSTRUMENT TO FILE	05/18/2001		HTA
5	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
6	PC 470(D)	F	FORGERY	05/18/2001		HTA
7	PC 472	F	FORGE OFFICIAL SEAL	05/18/2001		HTA
8	PC 115(A)	F	OFFER/ETC FALSE/FORGED INSTRUMENT TO FILE	05/18/2001		HTA
9	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
10	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
11	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		HTA
12	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
13	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		HTA
14	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
15	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		HTA
16	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA

17	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		HTA
Infor Charges						
<i>Count</i>	<i>Charge</i>	<i>Severity</i>	<i>Description</i>	<i>Violation Date</i>	<i>Plea</i>	<i>Status</i>
1	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
2	PC 476A(A)	F	NONSUFFICIENT FUNDS: CHECKS	05/18/2001	GUILTY	CONVICTED
3	PC 470(D)	F	FORGERY	05/18/2001		DISMISSED
4	PC 472	F	FORGE OFFICIAL SEAL	05/18/2001		DISMISSED
5	PC 115(A)	F	OFFER/ETC FALSE/FORGED INSTRUMENT TO FILE	05/18/2001	GUILTY	CONVICTED
6	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
7	PC 476	F	MAKING, POSSESSING, UTTERING FICTIOUS INSTRS	05/18/2001		DISMISSED
8	PC 470(D)	F	FORGERY	05/18/2001		DISMISSED
9	PC 472	F	FORGE OFFICIAL SEAL	05/18/2001	GUILTY	CONVICTED
10	PC 115(A)	F	OFFER/ETC FALSE/FORGED INSTRUMENT TO FILE	05/18/2001		DISMISSED
11	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
12	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
13	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		DISMISSED
14	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		DISMISSED
15	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		DISMISSED
16	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001		DISMISSED
17	PC 487(D)(1)	F	GRAND THEFT: AUTOMOBILE/ANIMAL/ETC	05/18/2001		DISMISSED
18	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
19	PC 487(A)	F	GRAND THEFT: PROPERTY/ETC OVER \$400	05/18/2001	GUILTY	CONVICTED
20	PC 115(A)	F	OFFER/ETC FALSE/FORGED INSTRUMENT TO FILE	05/18/2001	GUILTY	CONVICTED
21	PC	F	FORGERY	05/18/2001		DISMISSED

EXHIBIT B

--- On Tue, 11/10/09, Charles Lincoln <charles.lincoln@rocketmail.com> wrote:

From: Charles Lincoln <charles.lincoln@rocketmail.com>

Subject: AW: Letter from Orley

To: "Bob Rivernider" <bobriver@me.com>, "Peyton Freiman" <freimanthird@gmail.com>

Cc: "Robert Ponte" <robert.ponte@gmail.com>, "Dr. Jonathan Levy" <jonlevy@hargray.com>, dr_taitz@yahoo.com, orly.taitz@yahoo.com, orly.taitz@gmail.com, doctor.taitz@gmail.com

Date: Tuesday, November 10, 2009, 6:02 PM

This is all very confusing AND annoying! I am in the process of negotiating a "severance package" with Orly's attorney Mr. Levy right now....and I would suggest that this is the kind of vengeful injury that I have been fearing and anticipating from Orly who for all her wonderful virtues is known to be a little bit paranoid and irrational....and admittedly times are worse now than usual.

I am here in Florida for the purpose of trying to mitigate damages caused by Orly in the Rivernider case and if Orly has anything to say about any of these cases regarding which I relied on her she should express her concerns IMMEDIATELY and TO ME DIRECTLY! Obviously everything that was filed under Orly's signature in this case came directly from Orly's office in Rancho Santa Margarita.

I had previously advised the Riverniders that Orly was withdrawing and obviously Peyton and Robert Ponte knew within seconds after Orly dropped the BOMB on me last Wednesday.

Deo Vindice

*"May the Lord God be with you,
and with thy spirit!"*

Charles E. Lincoln, III

Spiritual Patriot

Tierra Limpia

Tel: 512.968.2500

Von: Bob Rivernider <bobriver@me.com>

An: Charles E. Lincoln <charles.lincoln@rocketmail.com>; Peyton Freiman <freimanthird@gmail.com>

CC: Robert Ponte <robert.ponte@gmail.com>

Gesendet: Dienstag, den 10. November 2009, 20:54:05 Uhr

Betreff: Letter from Orley

Received this certified today

EXHIBIT C

Affidavit of Rita Momtazian

1. My name is Rita Momtazian
2. I am over 18 years old. I am of sound mind and free of any mental disease or condition.
3. I have personal knowledge of the above facts and I swear under penalty of perjury to following:
4. I have been Dr. Taitz assistant for thirteen years.
5. Dr. Taitz never allowed me to sign her name on any documents or any checks.
6. Dr. Taitz never asked me to sign her name on any documents or any checks.
7. I never heard or known of her ever allowing anybody to sign her name.
8. When Dr. Taitz was out of the country in August 2009, she sent the signed checks to the office by Western Union.
9. I solemnly swear under the penalty of perjury that all the facts stated and circumstances described above are true and correct statements.

Further affiant saith naught

Signed and executed in Rancho Santa Margarita CA

01.26.10

by Rita Momtazian

Rita Momtazian

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 26TH day of JANUARY

20 10 by RITA MOMTAZIAN

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Matt Stoeve
Signature (Notary seal)

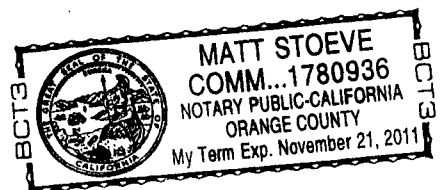


EXHIBIT D

Affidavit of Emilia Dubert-Stoenescu

1. My name is Emilia Dubert-Stoenescu
2. I am over 18 years old. I am of sound mind and free of any mental disease or condition.
3. I have personal knowledge of the above facts and I swear under penalty of perjury to following:
4. I have been Dr. Taitz assistant for nine years.
5. Dr. Taitz never allowed me to sign her name on any documents or any checks.
6. Dr. Taitz never asked me to sign her name on any documents or any checks.
7. I never heard or known of her ever allowing anybody to sign her name.
8. When Dr. Taitz was out of the country in August 2009, she sent the signed checks to the office by Western Union.
9. I solemnly swear under the penalty of perjury that all the facts stated and circumstances described above are true and correct statements.

Further affiant saith naught

Signed and executed in Rancho Santa Margarita CA

01.26.10

by

Emilia Dubert-Stoenescu

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 26th day of JANUARY,

2010 by EMILIA DUBERT - STOENESCU

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

(Notary seal)

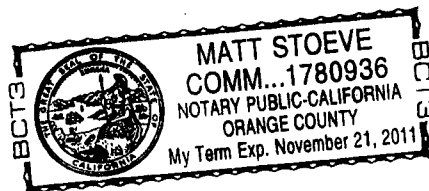
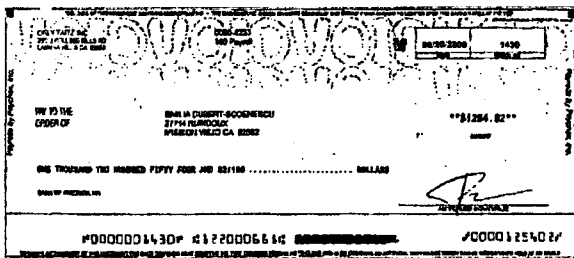


EXHIBIT E

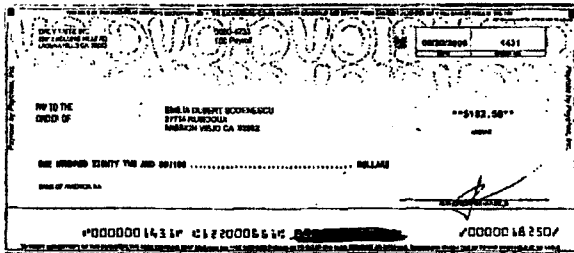
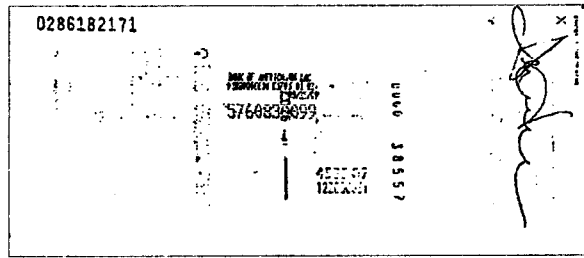
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Statement Period: August 1 through August 31, 2009
Account Number: [REDACTED]

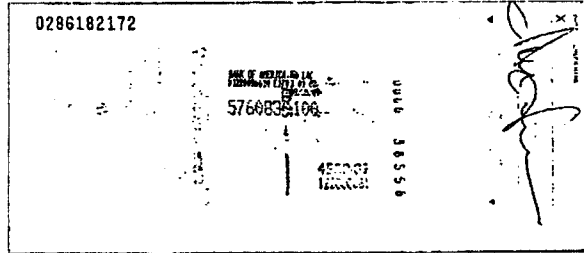
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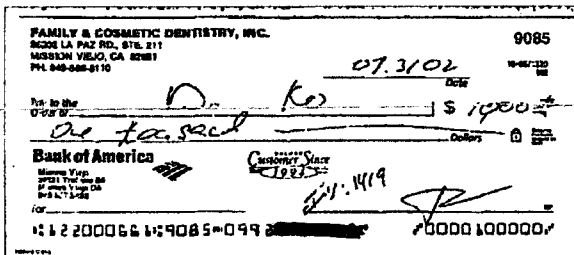
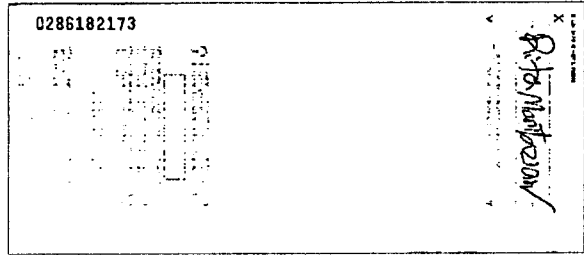
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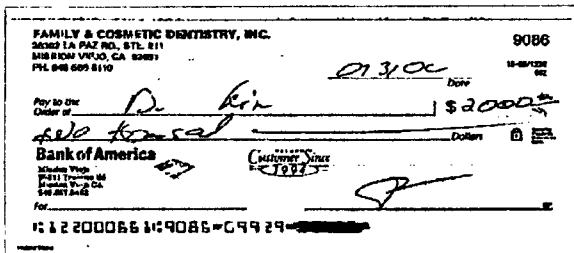
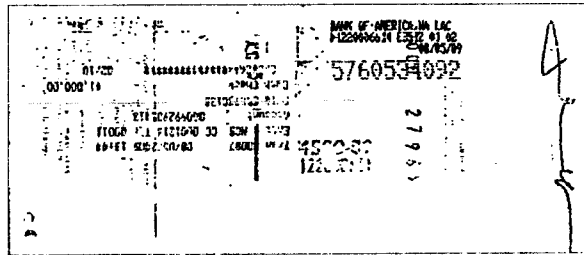
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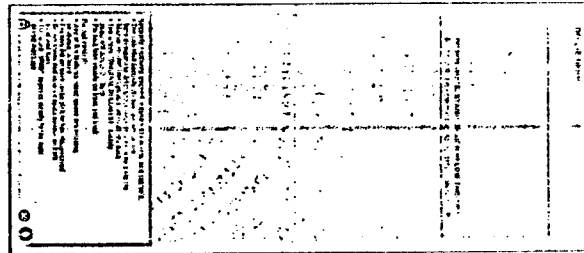
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Ref. No.: 5760534092 Amt: 1,000.00



Ref. No.: 1282907320 Amt: 2,000.00



Continued on next page

California

Page 6 of 7

Affidavit of Orly Taitz

1. My name is Orly Taitz
2. I am over 18 years old. I am of sound mind and free of any mental disease or condition.
3. I have personal knowledge of the above facts and I swear under penalty of perjury to following:
4. Dr. Taitz I have never allowed anybody to sign my name on any pleadings, any checks, any documents, anywhere.
5. On July 31 and August 1st I personally signed all the pleadings that I gave Charles Lincoln to deliver in Cook v Good and Liberi et al v Taitz.
6. I never allowed Charles Lincoln to substitute any pages in the pleadings, to add pages, to sign my name and to forge my signature.
7. On July 1st after signing all the documents, I appeared before Notary Public and notarized my signature on affidavit.
8. I personally drove Charles Lincoln to the airport, he had all the pleadings signed by me with him.
9. I paid for his airfare from CA back East.
10. I went abroad on August 2nd only after I completed all the work and has given all the signed pleadings to Charles Lincoln.
11. I never allowed my volunteer web-master Lisa Ostella to sign my name on any document.
12. I forwarded signed subpoenas to Ostella to be mailed or delivered by volunteers to different governmental agencies.
13. Ostella was supposed to coordinate process service by volunteers of the documents already signed by me.
14. Forged documents submitted to court by Ostella, clearly show an area where she erased my signature and cut and pasted the same signature seven times.
15. I am a president of the "Defend Our Freedoms", California foundation.
16. When supporters and donors have reported difficulties with PayPal connected to the Defend Our Freedoms Foundation, I have forwarded this information to the police and FBI.

17. Ostella demanded that I withdraw my complaint to FBI, or she will no longer serve as my volunteer web –master and I will not be allowed to use her server for my foundation web page (blog)
18. When I asked Ostella to transfer the web page to the new web master, she locked me out of the web site and continued soliciting donations under the name of my foundation “Defend Our Freedoms” and she kept whatever donation were received.
19. After Ostella locked me out she used the website of my foundation to promote Attorney Philip Berg and his assistant Lisa Liberi.
20. I filed a second report with police and FBI regarding above activities by Ostella.
21. I e-mailed Philip Berg and warned him that Ostella’s advertising and collecting funds from my foundations, constitutes stealing from my foundation. I also forwarded to him an official report from San Bernardino Ca, Superior court, showing that his own assistant Lisa Liberi has an extensive record of criminal convictions for forgery and grand theft.
22. Charles Lincoln is aware of all of these facts, as he was with me at the hearing in Philadelphia Pennsylvania, and he was with me at the North Brunswick, New Jersey police department, when I reported all of the above to the police, as Ostella resides there.
23. When I caught Lincoln forging my signature, he originally claimed that I personally signed the document.
24. On 11.10.09. I received an e-mail from Lincoln,(attached as an exhibit A) which was addressed to Riverniders, me and a number of other recipients, where Lincoln claimed that I personally signed the pleadings in question and the pleadings came directly from my office in Santa Margarita. Only at the 01.13.10 hearing, after Lincoln was confronted with the forensic report and copies of the e-mails sent by me and him on October 27 and 28, Lincoln has changed his story and made a new story, no longer claiming that I personally signed the 10.30.09 pleading in question, and came up with a new story, where he admitted to forging my signature, but claimed that I allowed it.
25. When I caught Lincoln forging my signature, he repeatedly urged me to withdraw my statement and he threatened that he will work with Berg, Liberi and Ostella.

26. I refused to withdraw my letter to Judge Dimitraleas, and Lincoln and Ostella have written perjured affidavits in order to create an impression of me allowing forging of my signature.

27. Documents submitted by Lincoln and Ostella, were indeed forgeries of my signature, I never allowed them to sign my name, this is a criminal act and I ask the court to prosecute them to the full extent of the law.

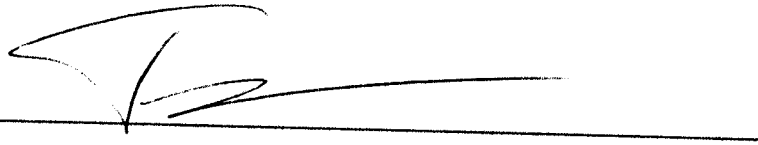
28. I solemnly swear under the penalty of perjury that all the facts stated and circumstances described above are true and correct statements.

Further affiant saith naught

Signed and executed in Rancho Santa Margarita CA

01.26.10

by _____



Orly Taitz

State of California

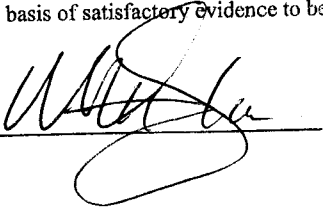
County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 26TH day of JANUARY,

20 10 by ORLY TAITZ

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature



(Notary seal)

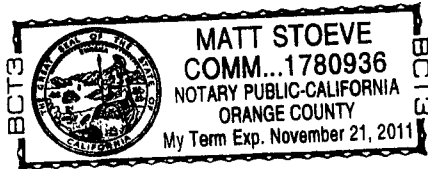


EXHIBIT F

United States Courts
Southern District of Texas
FILED

NOV 13 2006

Michael N. Milby, Clerk of Court

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

**DAVID C. & SYLVIA JOHNSON,
Plaintiffs,**

v.

**BANK OF AMERICA, N.A.,
FIRST PRESTON MANAGEMENT,
CHRISTI PROPERTIES, MELISSA
NUCETE, MARY M. SPEIDEL,
STEPHEN P. MELINDER, JR.,
RACHEL U. DONNELLY, and
DODILIS & STAWIARSKI, P.C.,
Defendants.**

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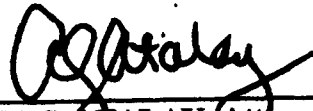
CIVIL ACTION NO. 06-714

MOTION FOR ADMISSION PRO HAC VICE

Comes Now Andrea S. Atalay, the undersigned attorney for Plaintiffs David C. & Sylvia Johnson, with this Motion for Admission Pro Hac Vice. Andrea S. Atalay is admitted and in good standing with the State Bar of Texas, and has recently (see Exhibit A) been approved for admission to practice by the U.S. District Court of the Southern District of Texas, although she has not yet taken the formal admissions class required for full admission and membership as of the present date.

WHEREFORE, Plaintiffs pray that this Court will admit ANDREA S. ATALAY pro hac vice to appear and represent them in this cause.

Respectfully submitted,



ANDREA S. ATALAY, Attorney-at-Law
TEXAS BAR CARD: 24001670
10804 Ridgeway, Suite 220
JONESTOWN, Texas 78645
Telephone: (512) 267-5656
Facsimile: (512) 267-5657

VERIFICATION BY STATEMENT 11-14-06
(ALSO TO BE CONSIDERED AS A MOTION

To: Catherine Eaton TO WITHDRAW)
Court Deputy
U.S. Dist. Ct.
S. Dist. of Texas
Galveston Division

Sent via FAX

Dear Ms. Eaton:

As per our just completed telephone record, I hereby swear that I am and never have been Attorney of Record for David and/or Sylvia Johnson. I disavow any connection with these people, the case you have

3:06-cv14 Johnson v. Bank of America or any other knowledge of these plaintiffs or the legal maneuverings in your or any other court.

If it is indeed my signature on your filing,

I have no recollection of signing any such paper. I have no contract nor have I been paid for any connection with this case. I have no knowledge of its substance or claims.

If you have any questions, or need further information, please contact me. I would also appreciate it if you would inform the judge of the information contained in this letter.

Thank you,

Richard J. Akley
TBN 24001670
9251 Burdine, #364
Houston TX 77096
713-721-2660 (home)
713-721-2662 (FAX)
713-857-8225 (cell)

EXHIBIT G

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JEC - 7 1998
U. S. DISTRICT COURT
CLERK'S OFFICE
BY [Signature] DEPUTY

UNITED STATES OF AMERICA,
Plaintiff,

CRIMINAL NO. _____

I N D I C T M E N T

v.

[Violations: 18 U.S.C. § 472
Uttering Counterfeit Obligation
of the United States; 18 U.S.C.
§ 1014 - False Statement to
Financial Institution; 18 U.S.C.
§ 1503-Obstruction of Justice;
18 U.S.C. § 1623 - False
Declaration Under Oath;
42 U.S.C. § 408(a)(7)(B)
False Representation of Social
Security Number.]
USAO No. 970499

CHARLES EDWARD LINCOLN,
Defendant.

A 99 CR 275WS

COUNT ONE

[18 U.S.C. § 1623]

1. On or about June 14, 1995, in the Western District of Texas, the Defendant,

CHARLES EDWARD LINCOLN,

while under oath in a proceeding ancillary to a court of the United States, that is, while executing a sworn application for admission to practice law in the United States District Court for the Western District of Texas, and while declaring under penalty of perjury that the information provided in his application for admission was true, did knowingly make a false material declaration by responding "NO" to the question: "Have you ever been charged with any violation of any law, other than minor traffic violations?"

2. The aforesaid underscored declaration of the Defendant was false, as he then and there knew, since the Defendant had previously been charged in a criminal complaint filed on or about

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November 2, 1994, in Cause No. MB9408718 in the Criminal Court # 3 of Dallas County, Texas, charging the Defendant with the misdemeanor offense of theft by check, an offense involving moral turpitude; and the Defendant had been arrested for said offense on or about January 7, 1995, in Williamson County, Texas.

3. The aforesaid false declaration made by the Defendant was material to the Court's consideration of the Defendant's application for admission to practice law before the Court, since the same reflected on the Defendant's credibility, moral character and fitness to be admitted as an officer of the Court.

All in violation of Title 18, United States Code, Section 1623.

COUNT TWO
[18 U.S.C. § 1014]

On or about November 21, 1996, in the Western District of Texas, the Defendant,

CHARLES EDWARD LINCOLN,

did knowingly make and cause to be made a false statement to the Wells Fargo Bank, Austin, Texas, a financial institution with deposits insured by the Federal Deposit Insurance Corporation, for the purpose of influencing said financial institution in connection with an application for a checking account by falsely representing 484-17-0047 as his social security account number, when in truth and fact, as the Defendant knew, such number had not been assigned to him by the Social Security Administration, in violation of Title 18, United States Code, Section 1014.

COUNT THREE
[42 U.S.C. § 408(a)(7)(B)]

On or about November 21, 1996, in the Western District of Texas, the Defendant,

CHARLES EDWARD LINCOLN,

for the purpose of applying for and obtaining a checking account at the Wells Fargo Bank, Austin, Texas, and with intent to deceive, did falsely represent number 484-17-0047 to be the social security account number assigned to him by the Commissioner of Social Security, when in fact, as the Defendant knew, such number was not the social security account number assigned to him by the Social Security Administration, in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNT FOUR
[18 U.S.C. § 472]

In or about May 1997, the exact date being unknown to the Grand Jury, in the Western District of Texas, the Defendant,

CHARLES EDWARD LINCOLN,

with intent to defraud, did knowingly pass, utter and publish to Marcelina Alvarado a falsely made, forged and counterfeited obligation of the United States, that is, a certificate of deposit purportedly issued in the name and by authority of the United States District Court for the Western District of Texas, which falsely purported to show that CHARLES EDWARD LINCOLN had deposited the sum of \$3,512.74 in the registry of the Clerk of Court in connection with a pending civil proceeding filed under case number A-97-CA-200-SS and styled *CRC SERVICES v. TIMOTEO ALVARADO* and

MARCELINA ALVARADO, which was consolidated with case number A-96-CA-579-JN styled *TIMOTEO ALVARADO and MARCELINA ALVARADO v. DONALD RICHMOND*, and the Defendant then knew that said certificate of deposit was falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472.


COUNT FIVE
[18 U.S.C. § 1503]

Beginning on or about April 17, 1997, and continuing until on or about September 2, 1997, in the Western District of Texas, the Defendant,


CHARLES EDWARD LINCOLN,

while acting in his capacity as an attorney at law and officer of the Court, did knowingly and corruptly endeavor to influence, obstruct and impede the due administration of justice in a pending civil proceeding styled *TIMOTEO ALVARADO and MARCELINA ALVARADO v. DONALD RICHMOND* and filed under case number A-96-CA-579-JN in the United States District Court for the Western District of Texas, by falsely representing to his clients and the Court that he was depositing funds received from his clients in an escrow account, and by providing to his clients a falsely made, forged and counterfeited certificate of deposit, which fraudulently purported to show that funds had been deposited by the Defendant in the registry of the Clerk of the Court, in violation of Title 18, United States Code, Section 1503.

A TRUE BILL:


FOREPERSON

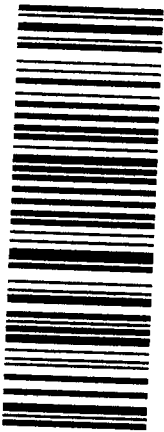
JAMES WILLIAM BLAGG
UNITED STATES ATTORNEY


GERALD C. CARRUTH
Assistant U. S. Attorney

Law Offices of Orly Taiz, Esq.

26302 La Paz Pkwy, Ste 211
Mission Viejo, Ca 92691
29839 Santa Margarita Pkwy, Ste 300
Rancho Santa Margarita, Ca 92688

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Charles Edward Timcolony - VIP
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