

7-30-2002 "Sanction Hearing". Compare the "well-intentioned" here, with all the POISON WORDS in the ONE YEAR LATER "Finding of Fact" ! HINT: The "Finding" was a CYA - for all this done WITHOUT THE JURY.

1 damages, \$5,000.00 in punitive and the joint and several  
2 \$50,085.00 in attorneys' fees. Mr. Birnbaum's sanctions as  
3 against Mr. Fleming or against the P.C. is denied and nothing  
4 is ordered.

well-intentioned

was a JURY trial. Why is HE weighing the evidence?

5 In assessing the sanctions, the Court has  
6 taken into consideration that although Mr. Birnbaum may be  
7 well-intentioned and may believe that he had some kind of  
8 real claim as far as RICO there was nothing presented to the  
9 court in any of the proceedings since I've been involved that  
10 suggest he had any basis in law or in fact to support his  
11 suits against the individuals, and I think -- can find that  
12 such sanctions as I've determined are appropriate. And if  
13 you will provide me with an appropriate sanctions order, I  
14 will reflect it.

HEREIN lies the real reason! "civil RICO"

\$62,885 Sanction - for a "well-intentioned" COUNTER-CLAIM - a First Amendment Right ! Official Oppression

15 Now, as far as relief for sanctions on behalf  
16 of Mr. Westfall, individually, that is specifically denied.

17 Any relief sought by any party by way of  
18 sanctions which have not been specifically addressed either  
19 by the granting or the denial of same -- such is denied.

20 Okay. How soon can I expect an order because  
21 I gather this matter will go up to whatever appropriate  
22 appeals court for review?

"Oh HORROR of HORRORS - a Pro Se - with a CIVIL RACKETEERING counter-claim!"

23 MR. FLEMING: I will give Mr. Birnbaum the  
24 statutory three days. I'll submit it to him. And if I don't  
25 hear back from him, I'll submit it to you after.

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