



### **A. Material Misrepresentations to the Tribunal**

3. On 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker knowingly made again the misrepresentation in Motion to Dismiss (Doc. # 9) that “.there is no support in McBryde for their proposition that this Court is authorized to impose injunctive relief on the Chief Justice.” Chief Justice JOHN G. ROBERTS, JR. (Doc. #9 at pg. 7).

4. On 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker knowingly misrepresented the plaintiffs’ original and amended complaints through omission of ( Doc. 1 Pg. ¶22) “Neither plaintiff has appeared before the defendant in his capacity as a judge or justice” for the purpose of intentionally misrepresenting the application of *In re Marin*, 956 F.2d 339, 340 (D.C. Cir.) to procure a dismissal through fraud on the court as the compliant alleges District of Kansas USA Barry R. Grissom procured a dismissal of the W.D. of Oklahoma defendants.

5. On 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker knowingly misrepresented the plaintiffs’ original and amended complaints through omission of expressly states ( Doc. 1 Pg. ¶22) “Neither plaintiff has appeared before the defendant in his capacity as a judge or justice” and in Count I “The defendant is liable to the plaintiffs for prospective injunctive relief restraining his ministerial and executive administration of

the Judicial Conference of the United States, where the Chief Justice Hon. JOHN G. ROBERTS, JR. functions in a ministerial capacity as the chief executive” ( Doc. 1 Pgs. 22-23) to give notice that *In re Marin*, 956 F.2d 339 (D.C. Cir.) is inapplicable.

6. On 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker knowingly misrepresented the plaintiffs’ original and amended complaints as seeking relief from rulings by judges through the false statement “Nothing that the Chief Justice does in his capacity as “Chief Executive Officer” of the Judicial Conference relates in any way to controlling the manner in which federal judges rule. 28 U.S.C. §§ 331-32. Thus, there is no injury–in–fact that is connected to the Chief Justice’s conduct ” Chief Justice JOHN G. ROBERTS, JR. (Doc. #9 at pg. 8)”

7. On 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker knowingly made the material factual misrepresentation to this court (Doc. #9 at pg. 8) that he has nothing to do with judicial misconduct policy, when the complaint and amended complaint seeks to modify the way judicial ethics complaints are published, a decision he made in the exercise of his administrative capacity power in response to Implementation of the Judicial Conduct and Disability Act of 1980 A Report to the Chief Justice The Judicial Conduct and Disability Act Study Committee Stephen Breyer, Chair September 2006.

8. On 4/22/2013 in Doc. 14 at page 3 Chief Justice JOHN G. ROBERTS, JR., USA Ronald C. Machen Jr., Chief Civil ASA Daniel F. Van Horn, and ASA Claire Whitaker

knowingly misrepresented to the tribunal that the plaintiffs seek to have the court order a state admissions committee on how to conduct its proceedings.

**B. Extrinsic Frauds In An Attempt to Obstruct Justice**

9. Since filing the original complaint, the defendant through his agents has caused the disruption of the plaintiff SAMUEL LIPARI's business to enter the home healthcare market through his business Medical Supply Line and caused him to lose the server hosting he was in contract for at Nexcess.net, L.L.C., 21700 Melrose Ave., Southfield MI 48075.

10. Since filing the original complaint, the defendant through his agents has caused the prevention of email communications via The Go Daddy Group, Inc. Company Information. 14455 N. Hayden Rd. Scottsdale, AZ, 85260 to new contacts by the plaintiff SAMUEL LIPARI's in his business to enter the home healthcare market through his business Medical Supply Line.

11. Since filing the original complaint, the defendant through his agents has caused the disruption and cut off of Internet communications of the plaintiff SAMUEL LIPARI's nephew Ryan J. Lipari.

12. Since filing the original complaint, the defendant through his agents has caused the disruption and cut off of SAMUEL LIPARI's cellular prepaid phone on January 24, 2013, the wireless carrier H2O was shut off (despite being prepaid). LIPARI made several efforts to regain service through technical support who were unfamiliar with any other instance where prepaid services would be cut off.

13. Since filing the original complaint, the defendant through his agents has caused the disruption and cut off of BRET LANDRITH's cellular phone on the wireless carrier

AT&T on January 24, 2013 was also shut off preventing communication with SAMUEL LIPARI and his friends and associates most of the business day.

### **STATEMENT OF AUTHORITIES**

Chief Justice JOHN G. ROBERTS, JR. and his counsel's conduct in signing and filing on 4/22/2013 the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 is sanctionable under Fed. R. Civ. P. Rule 11.

The conduct is a separate and subsequent act from the misrepresentations by Chief Justice JOHN G. ROBERTS, JR. and his counsel in the Motion to Dismiss Doc. #9 addressed as the basis of an independent claim by the plaintiffs in the First Amended Complaint Doc. # 11.

Chief Justice JOHN G. ROBERTS, JR's filing of the false representations to this court on 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 to procure a dismissal through extrinsic fraud is an act of knowing participation with federal officials with private and state actors in 15 U.S.C. §§ 1,2 (Sherman Act) criminal conduct and violations of the Civil Rights Acts 18 USC §§ 241, 242, and 245 with state officials, injuring the plaintiffs.

Chief Justice JOHN G. ROBERTS, JR. and his counsel' s intentional misrepresentations were made to this court on 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 to cause invite Judge Amy Berman Jackson to commit fraud on her own court and obstruct justice. See *Root Refining Co. v. Universal Oil Products Co.*, 169 F.2d 514 generally and at 540-1 (3rd Cir., 1948).

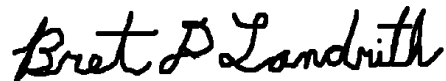
Chief Justice JOHN G. ROBERTS, JR. and his counsel' s lack of candor to the tribunal in knowingly misrepresenting the application of the controlling precedent and misrepresenting material facts to this court is a violation of Rule 11 and the rules of professional ethics governing this jurisdiction: "Rule 3.3 of the local rules prohibits a lawyer from knowingly "offer[ing] evidence that the lawyer knows to be false," D.C. R. OF PROF. CONDUCT 3.3(a)(4)" *U.S. v. Bruce*, 89 F.3d 886, 319 U.S. App. D.C. 245 at 894 (C.A.D.C., 1996).

Chief Justice JOHN G. ROBERTS, JR. and his counsel' s intentional misrepresentations were made to this court on 4/22/2013 in the pleading Renewed and Supplemental Motion to Dismiss pleading, Doc. #14 after the falseness of the material facts and misrepresentations of law were made known to the defendant. This intentional and knowing misrepresentation can require the forfeiture of Chief Justice JOHN G. ROBERTS, JR.' s defenses as a sanction. See generally *U.S. v. Shaffer Equipment Co.*, 11 F.3d 450 (C.A.4 (W.Va.), 1993).

### CONCLUSION

Whereas for the above reasons the plaintiffs request that the court sanction Chief Justice JOHN G. ROBERTS, JR. and his counsel and grant the relief sought in the plaintiffs' First Amended Complaint.

Respectfully submitted,



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Bret D. Landrith  
Plaintiff appearing *pro se*



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Samuel K. Lipari  
Plaintiff appearing *pro se*

**CERTIFICATE OF SERVICE**

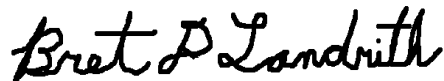
The plaintiffs hereby certify that they have served the defendant and the defendant's counsel by US Mail on April 24, 2013.

Hon. Chief Justice John G. Roberts  
1 First St NE  
Washington, DC 20543

Ronald C. Machen Jr.  
United States Attorney  
555 4th Street, N.W.  
Washington, D.C. 20530

Daniel F. Van Horn  
Chief, Civil Division  
United States Attorney  
555 4th Street, N.W.  
Washington, D.C. 20530

Claire Whitaker,  
Assistant United States Attorney  
555 4th Street, N.W. E-4216  
Washington, D.C. 20530



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Bret D. Landrith  
Plaintiff appearing *pro se*  
Apt. 209, 5308 SW Tenth St.  
Topeka, KS 66604  
bret@bretlandrith.com  
1-913-951-1715



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Samuel K. Lipari  
Plaintiff appearing *pro se*  
803 S. Lake Drive  
Independence, MO 64064  
saml@medicalsupplyline.com  
1-816-365-1306