

**In the District Court of the United States**

**For the Eastern District of California**

**FILED**

**MAY 01 2017**

**UNITED STATES of AMERICA, §**

**PLAINTIFF §**

**§**


**V. §**

**Dist. No. 1:17-CV-0034 & 0187**

**§**

**Melba L. Ford, §**

**Defendant §**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY 

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**RULE 11 MOTION TO SHOW CAUSE**

**RE: Sanction of JONATHAN M. HAUCK**

**Or, IN ALTERNATIVE MOTION TO COMPEL PRODUCTION of the  
“Substitute Income Tax Returns” IRS**

**Claims it prepared on July 11, 2006 or August 14, 2006**

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May it please the Court:

On March 8, 2017, in a case filed in the District of Columbia to enjoin the institutionalized IRS program which brings nontaxpayers within the ambit of the income tax by the invariable,

systematic falsification of IRS records, (as explained below), the United States attorney correctly identified the core criminal act which victims are seeking to enjoin in cases across the nation:

“The United States is aware that plaintiffs allege that the Service never actually prepares substitutes for [income tax] returns, but rather inputs computer codes to make it appear as though a substitute return has been filed. **The United States categorically denies this allegation.**” [See 17-00022, *Stanley, et al, v. Lynch, et al*, Motion to Consolidate Cases, March 8, 2017, Doc. 11, Pg. 3, FN 1.]

This Court is requested to judicially notice that unequivocal, clear statement and joindre by the United States of the primary, core complaint allegation and relief sought by the victims in that case and by me in these cases, i.e., that the Court enjoin the IRS from inputting computer codes to falsify digital records (then, later, paper “certifications” based on the falsified digital records) concerning me to show IRS prepared substitute income tax returns on dates when no such thing happened.

Additionally, I and other Plaintiffs, seek as a second, equally important form of relief: an order enjoining any government-employed attorney such as Jonathan M. Hauck from using the records falsified by IRS in the manner shown below and in my Complaint, to justify their attempt to seize my property or to justify criminal prosecution of me, (which exact process DoJ used to imprison Harold R. Stanley on November 16, 2016, after IRS falsified records concerning him). [See Complaint in 17-00022, D.C.D.C., for excruciating details.]

### **Underlying Acts Committed by IRS to be enjoined**

To ensure this Court is not deceived by Mr. Hauck, here is a brief summary of the core acts I am moving the Court to permanently terminate/enjoin. On July 11, 2006, IRS caused unwitting IRS staff to falsify the Individual Master File (IMF) computer software records IRS maintains concerning me and 2003, to reflect that a return had supposedly been received on that date, (“Return Received Date – July 11, 2006”), when IRS records prove that no return whatsoever, substitute or otherwise, was received on any date shown in IRS digital and paper records concerning me. That is, after IRS employees entered, on July 11 2006, a certain transaction code into the AIMS database, (known to IRS as a ‘424’ containing an override code known to IRS as ‘Push Code 036’), the IMF module concerning me for 2003 was made to falsely reflect the pretended execution by IRS of a ‘substitute 1040A income tax return’ (i.e., “SFR 150”) as supposedly having occurred on 14 August 2006, despite the fact no substitute income tax return was performed on any date shown by IRS in its digital and paper records. I simply want to terminate IRS falsification of records to show it performed substitute income tax returns when it didn’t. Simple allegation; simple relief requested.

#### **Actions of Jonathan Hauck justifying sanctions**

Jonathan M. Hauck is attempting to defraud me, this Court and the United States, which “wins it point whenever justice is done its citizens in its courts.” (*Brady v. Maryland*, 373 U.S. 83 (1963)). On or about 10 April 2017 I served a “Safe Harbor Letter” via certified United States Mail upon him and his supervising attorney Talbert. [See Exh. A. attached] Therein, I respectfully identified the two core, case-dispositive material falsehoods concerning the relief I

seek in this case, presented in their “Memorandum in Support of Motion to Dismiss” filed on March 31, 2017. Specifically, Mr. Hauck has falsified the record of my case, and refuses to correct his acts, falsely claiming I am attempting to do

“two basic things: (1) enjoin IRS from preparing substitutes for returns for individuals..” and “(2) enjoin the DoJ from using certified copies of non-filers’ tax transcripts ...” (Mem. Doc. 13-1, filed 03/31/17, Pg. 1, and Pg. 8, Second ¶.)

**Categoric Denial seeking to enjoin that which never happens**

I categorically deny seeking the relief Mr. Hauck has attributed to me. Since I discovered IRS never prepares substitute income tax returns on any date claimed in its falsified digital records and falsified paper transcripts, I can’t enjoin something that does not occur. IRS substitute income tax returns were not prepared on the dates shown in IRS records concerning me and 2003. Instead, I DO seek to enjoin fabrication of falsified IRS records to reflect substitute income tax returns which don’t exist. So, I haven’t sought the relief Mr. Hauck fraudulently attributed to me, and by which fraud he seeks to bring my litigation within the prohibitions of the Anti-Injunction Act.

Further, I categorically deny seeking to enjoin IRS from using all certified copies of non-filers’ tax transcripts, as Mr. Hauck infers to deceive the Court, but instead only seek to enjoin him, or any IRS/DoJ employees or officers, from using falsified IRS certifications reflecting IRS preparation of substitute income tax returns on the claimed dates shown above, which I have incontrovertible evidence supplied by IRS proving they never happened.

### **Hauck Fraud in Response to Safe Harbor Letter**

In a letter dated April 17, 2017, [See Ex. B., Pg. 3.], Mr. Hauck confirms his duplicity by first correctly identifying and quoting from my Complaint at ¶ 112 the two core acts I seek to enjoin:

“Falsifying/manipulating, in the future any computer system of records to show IRS supposedly filed a substitute for return on a certain date, when no such substitute for return was ever prepared;” and “Making or inferring in any single of series of “certifications” (including falsified “tax transcripts”), that might reasonably be, or become associated with Plaintiff or her Class, the false claims that a substitute for return was supposedly prepared on a date, when it was not.”

And

“Knowingly using any falsified system of records which might be, or might reasonably become associated with Plaintiff... for any purpose whatsoever.”

[In the two ongoing cases concerning me, Jonathan M. Hauck is knowingly using the falsified IRS records concerning 2003, reflecting IRS pretended preparation of substitute income tax returns on, variously, July 11, 2006 and August 14, 2006, to justify his acts to reduce to judgment IRS claims against me.]

### **Summary of Reason Sanction is justified**

In my Safe Harbor Letter, I politely asked the attorneys to redact and amend their material, case-dispositive falsehoods concerning the relief I seek in these cases. [Please see the Letter attached hereto, Exh. A., and incorporated herein by reference.] They failed to respond with the requested

amendments. In fact, after Mr. Hauck perfectly quoted the relief I actually seek in my Complaint, as shown above and correctly cited by the Government in 17-00022, he wrote:

“I have been unable to locate the specific relief you state you requested on the first page of your Safe Harbor Letter and in your Opposition in your Complaint (sic).” [See Exh. B., Pg. 2. Last full ¶.]

Hence, this Motion is filed to compel Mr. Hauck and his supervising attorney to exercise their duty of candor to this Court, and cease violating the criminal law of the United States, (18 U.S.C. §§ 4, 1001, 241, etc.).

### **Relief Requested**

In light of the attorneys’ deliberate refusal to make the necessary material changes to their false, case-dispositive claims concerning the relief I seek in this case, in light of the manifest violation of their duty of candor to this Court, and in light of the further fact their actions appear to constitute serious criminal acts, (misprision committed to conceal and prolong the underlying falsification of IRS records concerning me, obstruction of justice, knowing use of falsified IRS records, etc.), which misrepresentations would, if un-amended, change the outcome of this case, I respectfully move the Court, pursuant to Rule 11, to order the offending attorneys to simply Show Cause why they should not be compelled to provide citations FROM MY COMPLAINT justifying their claim that I supposedly seek to enjoin IRS preparation of substitute income tax returns, (which never occur) especially in light of my categoric denial under oath that I seek such

incongruous relief.<sup>1</sup>

**In alternative**, I move the Court to order the attorneys to simply provide the case-dispositive, sworn substitute income tax returns shown in IRS records concerning me and 2003, as having been prepared on either July 11, 2006 or on Aug 14, 2006. If they exist, the two related cases concerning me should be closed in favor of the Government. If they don't, the cases should be closed in my favor.<sup>2</sup>

Finally, if there is any technical failing of either this Motion or the Letter itself, I request permission and direction of the court to amend the documents as justice and the equities demand.

Respectfully submitted,

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<sup>1</sup> In said Letter, and once again, I explicitly CATEGORICALLY DENY, under penalty of perjury, that I seek to enjoin IRS from preparing substitute income tax returns, or that I seek to enjoin IRS/DoJ from using certified tax transcripts, as the offending attorneys duplicitously claim. Instead, I DO seek to enjoin IRS falsification of IRS records to show preparation of substitute income tax returns on dates when no such preparation was done, and to enjoin DoJ attorneys (such as Messrs. Hauck and Talbert) from knowingly using falsified IRS paper certifications for any purpose, as they are in their knee-jerk attempt to retaliate against me and obstruct justice in 17-00187.

<sup>2</sup> The question arises now: Will this Court enjoin the attorneys, or join the fraud?

All Rights Reserved  
without prejudice

Melba Ford  
per UCC-1308  
Melba Ford (a living woman)

905 Ross Way

Hanford, California

**Verification/Declaration**

Comes now Melba Ford, declaring under penalty of perjury, pursuant to 28 USC §1746, that the facts stated in the foregoing **Rule 11 Motion to Show Cause Hearing...** are absolutely true and correct to the very best of my knowledge and belief, So HELP ME GOD.

All Rights Reserved "without Prejudice"

Melba Ford  
per UCC 1-308  
/s/Melba Ford (a living woman)



**CERTIFICATE of SERVICE**

This is to certify that a copy of the foregoing **“Rule 11 Motion to Show Cause...”** was deposited in the United States Mail on or about April 30, 2017 to the following persons:

Defendant Commissioner, IRS	Defendant United States Attorney General
Office of Procedure and Administration	Department of Justice
1111 Constitution Ave. NW, Room 5503	950 Pennsylvania Ave. NW
Washington, D.C. 20224	Washington, D.C. 20530

Defendant AAAG Caroline Ciraolo-Klepper	U.S. Attorney for the District of Columbia
Department of Justice	Civil Process Clerk
950 Pennsylvania Ave. NW	555 Fourth Street, NW
Washington, D.C. 20530	Washington, D.C. 20530

Jonathan M. Hauck	Phillip A. Talbert
Trial Attorney, Tax Division	United States Attorney for the Eastern District of California
U.S. Department of Justice	Robert T. Matsui United States Courthouse
P.O. Box 683, Ben Franklin Station	501 I Street, Suite 10-100
Washington, D.C. 20044	Sacramento, CA. 95814

Defendant Dennis Stiffler

Revenue Officer

Internal Revenue Service

5300 W. Tulare Ave, Ste. 106

Visalia, CA 93277

*All Rights Reserved "without prejudice"*  
Melba Ford  
UCC 1-308  
/s/Melba Ford (a living woman)

Mr. Jonathan M. Hauck  
Trial Attorney  
U.S. Department of Justice  
P.O. Box 683  
Washington, D.C. 20044

April 10, 2017

EX. A

Mr. Phillip Talbert  
U.S. Attorney for the Eastern District of California  
Robert T. Matsui United States Courthouse  
501 I Street, Suite 10-100  
Sacramento, CA. 95814

**Re: Safe Harbor Letter in 1:17-CV-00034 DAD-EPG *Ford v. Circolo-Klepper, et al.***

Gentlemen,

Please be advised that, should the amendments requested herein *not* be made to the Memorandum Mr. Hauck authored, to which he subscribed your name, Mr. Talbert, and which was filed on March 31, 2017 in 1:17-CV-034, the attached **Rule 11 Motion to Show Cause** will be filed.

#### **Statement of the Case**

I filed suit to enjoin two criminal actions by IRS and/or Department of Justice attorneys:

1. IRS' routine, invariable, systematic falsification of digital records and paper certifications based thereon, concerning me, to reflect IRS' pretended preparation of substitute income tax returns on dates when no such thing happened, and to enjoin
2. Any use by either IRS employees/officers or DoJ attorneys of IRS-falsified records, (such as those upon which you are relying as the basis of your suit 17-187, and your Motion to Dismiss in this case). The two critical dates when falsifications of Government records occurred, which materially affect all federal litigation concerning me, are excerpted below from my sworn Complaint, for your convenience.<sup>1</sup>

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<sup>1</sup> ¶ 48. “[O]n July 11, 2006, IRS (attorneys) caused unwitting IRS staff to falsify the IMF computer software records IRS maintains concerning Plaintiff and 2003, to reflect that a return had supposedly been received on that date, (‘Return Received Date – July 11, 2006’), when IRS records prove no return, substitute or otherwise, was received on any date....”

¶ 49. “By entering on July 11, 2006 a certain transaction code into the AIMS database, (known to IRS as a ‘424’ containing an override code, known to IRS as ‘Push Code 036’), the IMF module for 2003 was made to falsely reflect the pretended execution by IRS of a ‘substitute 1040A income tax return’ (i.e., ‘SFR 150’) on 14 August 2006, despite the fact no substitute income tax return was performed on any date by IRS, nor are any ever executed by IRS.” We need not concern ourselves here with stripping away the façade IRS/DoJ present in regard to fatuously labeled “SFR packages”; IRS does not treat those documents as returns at all, as my Complaint clearly sets forth.

Congress criminalized the acts of falsifying government (IRS) records, and the knowing use (by DoJ attorneys) of falsified records, at 18 U.S.C. §1001. Yet, IRS surreptitiously and institutionally falsifies records concerning nontaxpayers in the manner I explicitly identified, (above and in Footnote 1), to subject them to the income tax enforcement actions, and DoJ attorneys knowingly use them, (as are you in this case and in 17-187).

More specifically, since

- Congress cannot authorize commission of crime to enforce the law, since
- nontaxpayers/"non-filers" by definition file no returns, since
- IRS software will not allow entry of claimed "deficiency" amounts unless IRS first inputs computer codes in its IMF software causing the targeted record to falsely reflect IRS' receipt of a return or IRS preparation of a substitute income tax return, (which never occurred), and since
- IRS ALWAYS falsifies records concerning targeted nontaxpayers to show IRS' pretended preparation of substitute income tax returns, which phantom "returns" never occur on any dates shown in IRS records and public-facing certifications,

the existence of the institutionalized scheme to falsify IRS records concerning me and ALL others similarly situated is irrefragable proof Congress did not impose the income tax upon nontaxpayers. {Please re-read that paragraph.}

**The United States has joined issue on the fact controversy between victims and the Gov.**

In a filing on March 8<sup>th</sup>, 2017 of which you are aware, or should have been, in cause 17-00022, *Stanley v. Lynch*, (District of Columbia District Court), Government attorney Megan Eileen Hoffman-Logsdon identified and joined issue with victims of the IRS scheme on the core fact controversy between the parties, which controversy had been evaded and obfuscated by every other Government-employed attorney involved in all cases filed by Class victims. (That list of those obstructing justice now includes you.) Therein, she candidly stated:

"The United States is aware that plaintiffs allege that the Service never actually prepares substitutes for [income tax] returns, but rather inputs computer codes to make it appear as though a substitute return has been filed. **The United States categorically denies this allegation.**" [See 17-00022, *Stanley, et al. v. Lynch, et al.*, Motion to Consolidate Cases, March 8, 2017, Doc. 11, Pg. 3, FN 1.]

In other words, you are aware, or should have been, that the United States has joined issue on the core fact controversy I raised in this case, which controversy your Memorandum does not even mention. Worse, in your Memorandum, you falsified the record of my case by claiming I am attempting to do

"two basic things: (1) enjoin IRS from preparing substitutes for returns for individuals.." and "(2) enjoin the DoJ from using certified copies of non-filers' tax transcripts ..." (Mem. Doc. 13-1, filed 03/31/17, Pg. 1, and Pg. 8, Second ¶.)

I never asked for any such relief. And, no language in my Complaint supports those deliberate misstatements.

But, to make the point absolutely certain, I CATEGORICALLY DENY seeking the relief you fabricated and falsely attribute to me, i.e.,

I EXPLICITLY, CATEGORICALLY DENY SEEKING, AND DO NOT SEEK, to enjoin IRS from preparing substitute income tax returns.

Instead, I DO seek to enjoin IRS from fabricating digital and paper records showing they prepared substitute income tax returns on dates when nothing occurred except input of certain computer codes creating the appearance IRS prepared substitute income tax returns, which never happened.

I also EXPLICITLY, CATEGORICALLY DENY SEEKING, and DO NOT SEEK as you falsely infer, a blanket injunction preventing IRS from "creating certified accounts transcripts" (Mem. Pg. 8, ¶ 2) or DoJ "from using certified copies of non-filers tax transcripts", Mem. Pg. 2).

Instead, I DO seek to enjoin the knowing use by IRS employees/officers or DoJ attorneys (such as yourselves) of IRS-FALSIFIED digital records, transcripts or certifications based on the underlying falsified digital records, all of which documentation was fabricated to reflect IRS' pretended preparation of substitute income tax returns on dates when no such thing occurred.

You, Gentlemen, are knowingly using those falsified records at this very moment, (an unarguable criminal act), while seeking to reduce to judgment the assessment derived directly by fraudulent acts I DO seek to enjoin.

Accordingly, I respectfully request you amend your statement of my case to conform with the United States' recent correct summary statement quoted above from *Stanley v. Lynch*, (which contradicts yours). That is, please amend your fraudulent filing to state the correct reasons I filed suit: to

- (1) enjoin IRS input of computer codes to make it appear IRS prepared substitute income tax returns on dates when it didn't, and to
- (2) enjoin any use by IRS or DoJ attorneys (such as you) of IRS-falsified digital records or paper certifications based thereon, which reflect IRS preparation of substitute income tax returns which don't exist.

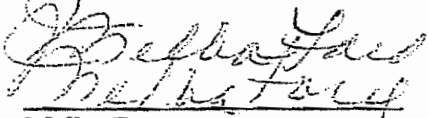
As a final note, I will drive the Court, as should you, to compel IRS to provide the sworn substitute income tax return IRS records concerning me and 2003 variously shown to have been prepared on either July 11<sup>th</sup>, or August 14<sup>th</sup>, 2006.

If those don't exist, as I claim, you are not only committing misprision to conceal and prolong that criminal enterprise, (see 18 U.S.C. §4), but deliberate criminal acts by suing me while using falsified IRS records, (see 18 U.S.C. §1001), which reflect existence of substitute income tax returns that don't exist in reality.

So, I strenuously suggest you get those sworn "substitute income tax returns" which supposedly occurred on the dates shown above, Gentlemen, if only to prove me wrong, and disprove my claim you are knowingly committing crimes to enforce the law.

Regardless, you have received Safe Harbor notice.

Respectfully and sincerely,

A handwritten signature in cursive script, appearing to read "Melba Ford". The signature is written in dark ink and is positioned above the typed name.

Melba Ford  
905 Ross Way  
Hanford, California 93230

UCC 1-308



**Tax Division**

*Trial Attorney: Jonathan M. Hauck*  
*Attorney's Direct Line: 202-616-3173*  
*Fax No. 202-307-0054*  
*Jonathan.M.Hauck@usdoj.gov*

Please reply to: *Civil Trial Section, Western Region*  
*P.O. Box 683*  
*Washington, D.C. 20044*

DAH:RRW:JMHauck  
DJ 5-11E-13843  
CMN 2017100767

April 27, 2017

*Via First-Class Mail and Email*

Melba Ford  
905 Ross Way  
Hanford, CA 93230

EX. B

Re: *Ford v. Ciruolo-Klepper, et al.*  
1:17-cv-00034 United States District Court, E.D. Cal.

Dear Ms. Ford:

I am in receipt of your Safe Harbor Letter dated April 10, 2017. As I understand your letter, you would like the United States to amend its Memorandum in support of its Motion to Dismiss (US' Memo) to correct a perceived inaccuracy concerning statements describing the relief that you seek in your Complaint. On page 1 of your letter you describe the purpose of your suit as to:

“enjoin two criminal actions by IRS and/or Department of Justice attorneys:

1. IRS' routine, invariable systematic falsification of digital records and paper certifications based thereon, concerning me, to reflect IRS' pretended preparation of substitute income tax returns on dates when no such thing happened, and to enjoin
2. Any use by either IRS employees/officers or DoJ attorneys of IRS-falsified records, (such as those upon which you are relying as the basis of your suit 17-187, and your Motion to Dismiss in this case). The two critical dates when falsifications of Government records occurred, which materially affect all federal litigation concerning me are excerpted below from my sworn Complaint, for your convenience.”

On page 3 of your letter you describe the two reasons you filed your suit as to:

“(1) enjoin IRS input of computer codes to make it appear IRS prepared substitute income tax returns on dates when it didn't and to

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(2) enjoin any use by IRS or DoJ attorneys (such as you) of IRS falsified digital records or paper certifications based thereon, which reflect IRS preparation of substitute income tax returns which don't exist.”

Your Opposition to the United States' Motion to Dismiss filed with the court on April 12, 2017, alleges that you seek substantially the same as the relief you described on page 1 of your letter.

In the US' Memo, the United States described the relief sought in your case as well as the other similar actions filed since 2012 as seeking:

“to do the same two basic things: (1) enjoin the Internal Revenue Service (“IRS”) from preparing substitutes for returns for individuals who do not file their required federal income tax returns (which they characterize as “fraudulent” and “criminal” and which Plaintiff specifically characterizes as an “institutionalized scheme to fabricate evidence concerning Plaintiff” at Compl. ¶ 20, 88), and (2) enjoin the Department of Justice (the “DOJ”) from using certified copies of non-filers' tax transcripts in subsequent collection and enforcement proceedings.” US' Memo, pages 1-2.

On page 8 of the US' Memo, the relief specifically sought by you in the Complaint was described as:

“(1) to enjoin the Service from preparing returns from information available to it based on a presumption ‘that a zero amount due was shown on an imaginary return, pursuant to any regulation, including § 301.6211’ (Compl. ¶ 111); (2) to enjoin the IRS from creating certified account transcripts thereon (*id.* ¶ 112); and (3) enjoin the DOJ from using those documents in court (*id.* ¶¶ 113-116).”

As referenced in the document itself, the basis for asserting that your Complaint seeks the relief stated is cited to specific paragraphs of the Complaint.

I have been unable to locate the specific relief you state you requested on the first page of your letter and in your Opposition in your Complaint. However, Paragraph 35 of the Complaint states that:

“No ‘legal’ remedy exists to accomplish the six primary goals of this suit: to

- (I.) Compel the Commissioner to cease falsifying and concealing falsified IRS records, both internal and public-facing, to
- (II.) Compel IRS and the DoJ to cease using falsified IMF records to damage Plaintiff and her co-Class members, to



- (III.) Terminate the efforts of DOJ employees (such as the personal capacity Defendant Ciraolo-Klepper) to conceal and prolong the underlying scheme by filing false and misleading documents in civil cases initiated by victims seeking to terminate the program, to
- (IV.) Enjoin creation of fraudulent pretended precedent by judicial staff, when no Court has addressed the underlying scheme or its impact upon its equitable jurisdiction, to
- (V.) Secure review of the underlying IRS/DoJ fraud, by a U.S. District Court sitting in equity, and to
- (VI.) Compel the United States Attorney General to furnish to grand juries investigating 'non-filers' the substantial exculpatory evidence of the existence of IRS' felony record fabrication program.

Thus, this Court's equitable power is Plaintiffs perfect, and ONLY, remedy."

These six primary goals are again repeated in paragraph 98 of the Complaint. Paragraph 111 seeks to enjoin IRS attorneys and staff:

"from presuming, in any case involving 'income tax non-filers', that a zero amount due was shown on an imaginary return, pursuant to any regulation, including §301.6211, or making any other improper presumptions concerning Plaintiff, or any similarly situated so-called 'non-filer', as justification for falsifying IRS internal records;"

Paragraph 112 of the Complaint seeks to enjoin the Commissioner and his subordinates from:

- Falsifying/manipulating, in the future, **any computer system of records** such as the IMF, NMF, AIMS, BMF, CADE2, (for examples), which might be, or become associated with, the Class of which Plaintiff is a member, by using any procedure associated with requests to IRS to perform a substitute for return at the request of victims, when no such election is made;
- Falsifying/manipulating, in the future, **any computer system of records** to show IRS supposedly filed a substitute for return on a certain date, when no such substitute for return was ever prepared;
- Falsifying any computer system of records related to the Class to conceal from view underlying transactions resulting in falsification of those records:

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- Making or inferring in **any single or series of "certifications"** that might reasonably be, or become, associated with Plaintiff or her Class, the false claims that a Substitute For Return was supposedly prepared on a date, when it was not;
- Creating certifications for DoJ use, concerning records he maintains regarding the Class, to shield IRS employees or expert witnesses from being cross-examined during administrative or district court cases regarding any system of IRS records, any individual income tax return, or any issue related thereto;
- Knowingly using any falsified system of records which might be, or might reasonably become, associated with Plaintiff or her fellow Class members, for any purpose whatsoever;
- Creating or using a "dummy", blank pretended return to form the basis for later pretension of making "changes" thereto, to circumvent the Defendants' lack of authority to perform substitute "*income tax*" returns; and the Court."

Paragraph 113 of the Complaint seeks to enjoin the Attorney General and his subordinates from:

- “◦ Concealing from all fact finders, whether courts, grand or petit jurors, the "substantial exculpatory evidence" that IRS fabricates falsified records to justify criminal prosecutions of "non-filers" related to §§7201, 7203, etc.
- Using any misleading, fraudulent IRS documentation to prevent the cross-examination of IRS witnesses concerning 1.) authority of IRS to take any action, 2.) authority of any individual IRS employee to take any action, or 3.) accuracy of internal records maintained by IRS concerning individuals and the "individual income tax" exaction;
- Concealing exculpatory evidence in IRS files concerning so-called "non-filers", by using "self-authenticating", but falsified, documents, provided by IRS;
- Enjoin any DoJ attorney from stating, or inferring, in any document submitted, or to be submitted, to any United States Court, in cases involving "income tax non-filers", the falseclaim that the summary authority Congress delegated to the Secretary at §6020(b) extends beyond employment, excise, and partnership tax matters, which limitation the Commissioner has expressly, repeatedly conceded;

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• Submitting hearsay, via any authorized representative in any case before a United States Court, whether judicial or administrative, concerning IRS internal procedures which was procured by fraud by the IRS on United States tax court judges, which hearsay contradicts and conceals IRS actual internal practices of fabricating evidence to create the appearance of deficiencies entered into IRS' permanent software records controlling interplay between the Service and Class members, in order to colorably justify unlawful collections and unlawful criminal prosecutions.”

As such, the United States believes that it fairly characterized the relief sought by you by virtue of the text of your complaint and has already provided citations in the US' Memo.

Sincerely yours,

/s/ Jonathan M. Hauck  
JONATHAN M. HAUCK  
Trial Attorney  
Civil Trial Section, Western  
Region

cc. USAO E.D. Cal. (via email)