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	*	BANKRUPTCY
	*	PINNACLE TOWERS INC.
	*	Case No. 02-12483- brl
Movant	*	Chapter 11
Donald Stone, pro se	*	Burton R. Lifland , JUDGE
Tel. (772) 334-7182	*	
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**Donald D. Stone, a party of interest in the Pinnacle bankruptcy moves this court to initiate federal criminal indictments proceedings against Mark C. Sapperstein, Pinnacle, Pinnacle’s legal counsel, Holland & Knight, their former top attorney William McBride, Raymond James, Price Waterhouse Coopers, Goldman Sachs, and Salomon Smith Barney for the approx. \$8.3 million payment made to Mark C. Sapperstein (personally) by Pinnacle for certain entities, 28 Walker Associates, Shore Communications, and West Shore Communications owned, controlled, or obtained by Mark C. Sapperstein through alleged violations of the RICO Statute USC 18 Sec 1962 (a)(b)(c)(d) as defined in USC 18 Sec. 1961 that were bundled into the Pinnacle Towers IPO, Prospectus, February 19,1999**

Certain of the assets purchased by Pinnacle Towers from Mark C. Sapperstein are alleged to have been obtained through racketeering activities, such as alleged bribery of government officials and extortion, in violation of the federal RICO Statute 18 USC Section 1962. Prohibited activities:

**(a) It is alleged that certain of the entities acquired, controlled and/or owned by the principal, Mark C. Sapperstein, Shore Communications, West Shore Communications and 28 Walker Associates that**

were sold to Pinnacle were obtained by Mark C. Sapperstein and others known and unknown with income derived directly or indirectly from a pattern of racketeering activity that effects interstate commerce in Maryland and Florida.

- (b) These assets Shore Communications, West Shore Communications, and 28 Walker Associates owned or controlled by Mark C. Sapperstein were obtained through a pattern of racketeering activities affecting interstate commerce in Florida and Maryland.
- (c) That Mark C. Sapperstein and others known and unknown did participate in the conduct of the enterprises affairs, West Shore Communications, Shore Communications, and 28 Walker Associates through a pattern of racketeering activity.
- (d) That Mark C. Sapperstein, Pinnacle Towers, certain of the Pinnacle Towers officers, Holland & Knight, their top attorney, William McBride, Raymond James, Price Waterhouse Coopers, Smith Soloman & Barney, Goldman Sachs and others known and unknown did conspire to violate certain provisions of subsection (a),(b), or (c) of this section.

That Mark C. Sapperstein, his father, Gilbert Sapperstein and others, known and unknown did operate numerous criminal enterprises over a period of approximately eleven (11) years from 1991 to 2002 and did engage in racketeering activities as defined in 18 USC Sec. 1961 (1) (B)(D)for alleged violations of the following criminal statutes under title 18 United States Code Sections 201 through 2315 (as listed below).

**18 USC Sec. 1961**

**As used in this chapter -**

- (1) "racketeering activity" means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code:
  - Section 201 (relating to bribery),
  - section 1341 (relating to mail fraud),
  - section 1343 (relating to wire fraud),
  - section 1344 (relating to financial institution fraud),
  - section 1503 (relating to obstruction of justice),
  - section 1510 (relating to obstruction of criminal investigations)
  - section 1511 (relating to the obstruction of State or local law enforcement)
  - section 1512 (relating to tampering with a witness, victim, or an informant),
  - section 1513 (relating to retaliating against a witness, victim or an informant),

**section 1951 (relating to interference with commerce, robbery, or extortion),**  
**section 1952 (relating to racketeering**  
**section 1956 (relating to the laundering of monetary instruments),**  
**section 1957 (relating to engaging in monetary transactions in property derived from specified**  
**unlawful activity),**  
**sections 2314 and 2315 (relating to interstate transportation of stolen property)**  
**(D) any offense involving fraud connected with a case under title 11**  
**(except a case under section 157 of this title),**

Additionally, Mark Sapperstein and/or his associates known or unknown made alleged death threats against Jane and George Chamberlain when Chamberlain's were publicly exposing Sapperstein's fraudulent schemes targeting the Chamberlain's Linktel Communications technology.

**Stone's standing as a party of interest in the Pinnacle Towers bankruptcy**

Donald D. Stone, pro se is a party of interest in the Pinnacle Towers bankruptcy and upon thorough review of the \$8,341,300.00 payment made on or about December 1997 by Pinnacle Towers Inc. to a Mark C. Sapperstein (personally) for certain assets bundled into Pinnacle's \$325 million IPO and refer this matter to the SEC for prosecution for alleged violations of the federal RICO statute and alleged fraud, and moves this court to avoid any Pinnacle Tower contracts or payments to Bank of America for alleged conflict of interest.

In 1998 Donald Stone filed a civil RICO complaint against a Mark C. Sapperstein and numerous other defendants in the U. S. District Court for the Southern District of Florida in West Palm Beach, FL. Case # 98-14069-CIV-Ryskamp (hereafter FL/RICO) (<http://www.marylandcorruption.com/RICO1798.html>). This case was dismissed for lack of personal jurisdiction.

In Oct. 1998 Stone filed another RICO complaint in the U.S. District Court for Maryland in Oct. 1998 Case Civil # L-98-3652 (Hereafter MD/RICO) (<http://www.marylandcorruption.com/RICO3098.html>) which was dismissed without prejudice on a technicality.

The FL/RICO and MD/RICO were the culmination of a five (5) year privately financed investigation initiated by Stone in late 1993 into his former business associates in Donald Stone Industries Inc. (DSII), Mark, Gilbert Sapperstein, Bruff Procter, Charles R. Longo, Robert Warfield Sr. and others known and unknown. Over the course of the five (5) years, Stone's investigation mushroomed into a non-partisan political corruption investigation, Mark C. Sapperstein and his father, Gilbert Sapperstein. The Sapperstein's are alleged to be the leaders of one of Maryland's most powerful organized crime syndicates, in addition to their close personal and

political ties to the Maryland Attorney General, Joseph Curran Jr., and other alleged corrupt politicians, and alleged corrupt FBI agents.

Unknown to Stone, certain facets of Sapperstein's organized crime syndicate and racketeering activities, such as securities fraud, intellectual property fraud, bankruptcy fraud, and money laundering were being run through certain law firms, such as Foley & Lardner, Miles & Stockbridge and other law firms that had the necessary political and personal clout to quash any federal, state, or local law enforcement agency investigations, into the Sapperstein's organized crime syndicate.

Mark and Gilbert Sapperstein were able to operate and expand their organized crime syndicate "under color of law" in Maryland and eventually in Florida with complete immunity because of the Sapperstein's close personal relationship & political ties to the Maryland Attorney General, Joseph Curran Jr. and the U.S. Attorney Lynne Battaglia, (Curran was instrumental in helping Battaglia, [a Curran protégé] become the U.S. Attorney for Maryland after leaving as head of the MD. Attorney Generals Office, Criminal Division). In exchange for this protection, Curran and his political cronies at the Democratic National Party and Maryland Democratic party are alleged to have obtained campaign finance contributions either directly or indirectly from the Sapperstein's organized crime syndicate.

In Stone's FL/RICO Mark C. Sapperstein knowingly signed and filed with the court a false and misleading affidavit claiming he had never engaged in any type of business in Florida in an effort to obstruct justice and deny the Court jurisdiction over him and his co-conspirators. **(EXHIBIT 1)**

Sometime after 1999 Stone obtained a copy of the \$8,341,300.00 payment made on or about December 1997 by Pinnacle Towers Inc. to Mark C. Sapperstein (personally) for certain cellular tower assets bundled into Pinnacle's \$325 million IPO. **(EXHIBIT 2 excerpt)**

Early 1999 Stone would discover other victims targeted by Sapperstein's organized crime syndicate, a Jane and George Chamberlain (hereafter Chamberlain's) and their company, Linktel Communications (hereafter Linktel) and the fraudulent scheme by Mark C. Sapperstein and others to wrest a potentially valuable business plan from Chamberlain's and Linktel and bundle this into the sale of Sapperstein's entities to Pinnacle Towers. Chamberlain's brought to Stone's attention that Mark Sapperstein had been involved in some type of business dealings with a Pinnacle Towers in Sarasota, Florida which contradicted the affidavit Mark Sapperstein had filed in the FL/RICO.

Stone then obtained a Prospectus dated February 19, 1999 from Pinnacle Towers which listed certain business entities that Stone recognized that Mark Sapperstein was associated with, Shore Communications, West Shore Communications, 28 Walker Associates . **(EXHIBIT 3 excerpt)**

In 1999 Linktel filed a civil lawsuit against Mark C. Sapperstein et al for alleged fraud, and numerous other causes of action in Anne Arundel Circuit Court, in Annapolis, MD. **(EXHIBIT 4 )**

As part of the discovery process in Linktel v. Sapperstein, Stone was provided numerous documents pertaining to the purchase by Pinnacle of the entities owned and or controlled by Mark Sapperstein including certain documents of the \$8,341,300.00 payment made on or about December 1997 by Pinnacle Towers Inc. to a Mark C. Sapperstein (personally) approximately four (4) months prior to Sapperstein signing the affidavit in the FL/RICO, March 31, 1998 claiming he had never engaged in any business activities in Florida.

On or about April 13, 1999 Stone did inform Mr. Robert Wolsey, Pinnacle Holdings President, Henry M. Paulson Jr. at Goldman Sachs and a Marty Dunsky at Price Waterhouse and Coopers by letter, a brief overview of the Sapperstein's organized crime syndicate. **(EXHIBIT 5 exhibits not included)**

Sapperstein's fraudulent scheme targeting the Chamberlain's was that the Chamberlain's had gone to the Anne Arundel Economic Development Commission (AAEDC) in Annapolis, Maryland to get a loan to finance a business plan they had developed. The Chamberlain's were approved by AAEDC for the business loan for their Linktel Communications.

When Chamberlain's went to collect the AAEDC loan money the original loan amount was greatly reduced from the original loan agreement. The Chamberlain's then accepted the lower loan amount and the President of AAEDC, Jay Winer referred the Chamberlain's to a Mark C. Sapperstein who was also in the cellular tower business for any second stage financing the Chamberlain's might need. Unknown to the Chamberlain's Jay Winer and an attorney affiliated with AAEDC, Charles Delavan were business partners with Mark Sapperstein in the cellular tower business, West Shore Communications. Chamberlain's met with Mark Sapperstein, who eventually allegedly stole their Linktel Communication business plan and used it to greatly enhance the value of the cellular tower assets that Mark Sapperstein sold to Pinnacle Towers in late 1997. **(EXHIBIT 6)**

Additional information was also obtained by Stone concerning the Sapperstein's organized crime syndicate's associates Jay Winer, Charles Delavan, and West Shore Communications and their efforts to steal the Chamberlain's Linktel Communications technology. **(EXHIBIT 7 )**

Stone also obtained documents from the Maryland State Prosecutor's office of an investigation pertaining to Mark Sapperstein, Jay Winer, and Delavan on behalf of Chamberlain's, June 18,1997. **(EXHIBIT 8)**

As of February 2002, Stone's investigation was focused on the alleged corrupt conduct of numerous FBI agents in Maryland, Virginia, and Florida that Stone had asked to investigate these various schemes over the course of many years dating back to 1994 til present, during the time Sapperstein's were expanding their organized crime syndicate and racketeering activities under "color of law" **(EXHIBIT 9)**

Additional documents pertaining to Stone's repeated efforts to have the DOJ and FBI investigate Sapperstein's organized crime syndicate as far back as early 1995. **(EXHIBIT 10)**

Additional standing by Stone, as a party of interest in the Pinnacle Bankruptcy is in keeping with the spirit of :

*18 USCA Sec. 4. Misprision of felony*

*Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both.*

Furthermore : The law supports the use of litigation as a social means for resolving disputes, and it encourages honest citizens to bring criminals to justice. (Prosser & Keaton on the Law of Torts,1984, Chapter 21 parag. 1 pg. 871)

**Mark Sapperstein's sale of the certain cellular tower assets to Pinnacle are alleged to have been orchestrated by Sapperstein acting in concert with close personal acquaintance, Maryland Attorney General, Joseph Curran Jr. and his close personal acquaintance and political crony Florida Attorney General, Robert Butterworth.**

Of special attention to this court, both the Maryland Attorney General, Joseph Curran Jr. and the Florida Attorney General, Robert Butterworth are close personal acquaintances and political cronies, both are long time veterans of the Democratic National Party and the Democratic parties of their states.

Additionally, the head of the law firm Holland and Knight that is listed as legal counsel on the SEC documents for Pinnacle Towers public offerings, head of Holland & Knight during the time this payment was made to Sapperstein was William McBride, who is now running for the Governor of Florida on the Democratic ticket.

Also of special attention to this court is the Florida Attorney General, Butterworth's unlawful use of his agency to defend certain of the Maryland State defendants in the FL/RICO case against racketeering charges while his close personal acquaintances and political cronies Curran and Sapperstein's organized crime syndicate and others were actively involved in numerous repeated schemes to defraud Florida residents.

Again in July, 1999, Butterworth, his agency, Florida Attorney General's office and certain of his agents acting in concert with Maryland Attorney General, Curran and certain of his agents, engaged in an ongoing effort to smear and ridicule Stone and to simultaneously conceal unlawful conduct by Sapperstein's organized crime syndicate by making false and misleading statements that Stone's FL/RICO and MD/RICO were dismissed as meritless which were published in the Stuart News, July 25, 1999. **(EXHIBIT 11 )**

Stone's FL/RICO was dismissed by federal judge Kenneth Ryskamp for "lack of personal jurisdiction" and his MD/RICO was "dismissed without prejudice". **(EXHIBIT 12 )**

Documents bearing Scott Masel's name (head of the Florida Attorney General's office Civil Division, Ft. Lauderdale) signed by Randolph Sergent acknowledging that Mark and Gilbert Sapperstein are identified as alleged members of one of the most powerful organized crime syndicates in Maryland and Florida while defending Sapperstein's close personal acquaintance and political crony Curran on against defamation allegations. **(EXHIBIT 13 pg. 2 parag. (c) )**

#### **Brief Background of Stone's standing as a party of interest in the Pinnacle Towers Bankruptcy**

In late 1991 Donald Stone formed Donald Stone Industries Inc. (DSII) in the law offices of Miles & Stockbridge in Frederick, Maryland. DSII was formed to finance and commercialize a technology invented by Stone.

Unknown to Stone until later, Miles & Stockbridge and certain of their attorneys in Frederick and Baltimore, Maryland, Gregory M. Burgee and others and the DSII secretary/ treasurer, Bruff J. Procter were involved in a multitude of fraudulent schemes, some of which were alleged money laundering operations and multiple bankruptcy fraud schemes involving an estimated \$8 million U.S. Dept. of Education student loan fraud scheme pertaining to 2000 documented victims in Maryland and Virginia perpetrated by Charles R. Longo, Procter and others known and unknown.

Miles & Stockbridge, Burgee, Procter and Longo were hiding money and other assets from Longo's National Training Systems bankruptcy court proceedings, Charles R. Longo's personal bankruptcy and then in 1994 Shippers Choice Inc. by diverting certain bankrupt assets into legitimate businesses such as DSII.

Also unknown to Stone, the DSII secretary/treasurer, Procter was a bagman not only for Miles & Stockbridge and Longo, but also for Mark and Gilbert Sapperstein's powerful organized crime syndicate, which was using Miles & Stockbridge and other law firms to cloak their ongoing racketeering activities in an air of legitimacy.

As Stone and DSII continued to expand the possible potential for commercial success of the technology Stone had invented in late 1993 Miles & Stockbridge, Mark & Gilbert Sapperstein, Procter, Longo, Robert Warfield Sr. and others seized control of DSII in Oct. 1993 and in an extortion attempt threatened to have Stone arrested for unspecified criminal charges if he did not capitulate to their demands. (EXHIBIT 14 )

### **Background on Mark & Gilbert Sapperstein's Organized Crime Syndicate**

Throughout the 1990's "under color of law" with their close personal relationship and political ties to Maryland Attorney General, Joseph Curran Jr. and the U.S. Attorney for Maryland, Lynne Battaglia, Mark & Gilbert Sapperstein and others known and unknown acting in concert with Curran and Battaglia, Sapperstein's were able to expand their racketeering activities into more sophisticated types of organized crime and racketeering activities by forging alliances with other con-men and swindlers such as Longo, Procter, and others known and unknown acting in concert with the politically powerful and prestigious law firms of Miles & Stockbridge, Foley and Lardner, Williams, Hammond, Shockley, Moore, and Harrison.

Through Sapperstein's ties to the Maryland Attorney General, Joseph Curran Jr. acting in concert with Florida Attorney General, Robert Butterworth, Sapperstein's organized crime syndicate and certain of their associates expanded their racketeering activities into the State of Florida, repeatedly targeting victims in Florida's Victim Rich environment, where they could operate their racketeering activities "Under Color of Law" with absolute immunity.

Sapperstein's organized crime syndicate moved into more profitable and sophisticated fraud schemes in the early 90's (in addition to some of their existing fraud schemes built around government federal, state and local loan monies) through their criminal alliances Foley & Lardner, Miles & Stockbridge, Holland & Knight and others, who were acting in concert to facilitate Sapperstein's organized syndicate and racketeering activities which were now designed to strike at the core of the U.S. economic infrastructure focusing on :



- A. Intellectual property fraud,
- B. Securities fraud,
- C. Bankruptcy fraud
- D. Bank fraud

**Additional Documents pertaining to Mark and Gilbert Sapperstein's organized crime syndicate  
and certain of their associates**

1. Mobtown Beat referring to Gilbert Sapperstein as Mobtown real estate mogul, City Paper June 7-13, 2000 (EXHIBIT 15 pg. 2 parg. 1 )
2. Mark and Gilbert Sapperstein's syndicate associate Bruff J. Procter lying under oath in a Maryland State deposition claiming he never knew there was even a Shippers Choice. (EXHIBIT 16 pg. 26 line 7-8 )
3. Conclusive evidence that Procter had extensive personal knowledge of Shippers Choice Inc. after seizing DSII on Oct. 15, 1993 and threatening to have Stone arrested on unspecified criminal charges Procter and Longo began operating DSII out of the same address as Shippers Choice Inc. and using the same telephone and fax lines. Miscellaneous documents. (EXHIBIT 17 )
4. Mark and Gilbert Sapperstein's syndicate associates Charles R. Longo lying under oath in a 341 federal bankruptcy proceeding, Shippers Choice Inc early 1995 claiming he was consultant to DSII and not the President (EXHIBIT 18 excerpt pg. 8 line8-9 )
5. Conclusive evidence that Longo was lying in the bankruptcy proceeding claiming he was only a consultant to DSII while he was signing numerous documents claiming he was president of DSII. (EXHIBIT 19 )
6. Sham Worcester County Bureau of Investigation (WCBI) (Maryland State Police Task Force ) police report in which the alleged \$10,000 and \$20,000 checks Stone alleged Longo and Procter were embezzling from DSII on or about November of 1993 are not even listed on the ledger sheets given to the WCBI. (EXHIBIT 20 )
7. Additional documents pertaining to the sham WCBI report that were never included in the WCBI report falsely claiming all the money was accounted for when the \$10,000.00 and \$20,000.00 are not even listed on the ledger sheets. (EXHIBITS 21 )
8. Copies of checks of the \$30,000.00 Longo and Procter embezzled from DSII to support Longo's rapidly collapsing Shippers Choice student loan fraud scheme. (EXHIBIT 22 )

\*This was approximately 15 days after Longo, Mark Sapperstein, Procter, and Warfield threatened to have Stone arrested on unspecified criminal charges on or about Oct. 15, 1993, if Stone didn't capitulate to their extortion attempt.

9. Extensive Document approximately 100 pages pertaining to Longo's various nefarious schemes also identifying Procter (page 64-65 lines 411- 420) as one of Longo's associates filed with federal bankruptcy court by Maryland Assistant Attorney General William Howard on or about April 1994. **(EXHIBIT 23)**
10. Proxy statement that Gilbert Sapperstein refused to sign giving Longo and DSII control over Stone's patent and intellectual property. On information and belief Gilbert Sapperstein refused to sign this proxy statement as an affirmative action to withdraw from the conspiracy and fraudulent scheme to defraud Stone. **(EXHIBIT 24)**
11. Procter & Sapperstein LLC, corporate entity formed August 15, 1995, one of many entities used by Procter and Sapperstein for their ongoing nefarious schemes and racketeering activities. **(EXHIBIT 25)**

**Samples of a Pattern and history of known and documented fraudulent schemes**

**Perpetrated by Mark & Gilbert Sapperstein's organized crime syndicate**

**Involving various factions and associates, beginning in 1992 -2002**

**I. Intellectual Property Fraud Schemes**

- A. Donald Stone Industries Inc. (DSII) patent fraud scheme by Sappersteins, Longo, Procter, Foley & Lardner, Miles & Stockbridge et al. to unlawfully wrest from Donald Stone his potentially valuable patent and intellectual property.
- B. Linktel Communications business plan stolen from Jane & George Chamberlain by Mark Sapperstein, Jay Winer, and Charles Delavan to greatly enhance the value of certain cellular tower assets sold to Pinnacle.

**II. Securities Fraud Schemes**

- A. Theft of a DSII stock certificate (controlling interest) issued to Donald Stone, stolen by Mark Sapperstein, Gilbert Sapperstein, Charles R. Longo, Bruff Procter, Robert E. Warfield et al. as part of the scheme to wrest from Stone his patent and intellectual property from him in addition enabling them to operate DSII as a criminal enterprise.
- B. "Cooking of the DSII Corporate Books" by Mark, Gilbert Sapperstein, Longo, Foley & Lardner, Miles & Stockbridge and others, the alteration of the DSII corporate documents to conceal and eventually destroy stock certificate (controlling interest) issued to Donald Stone in Dec. 1991.
- C. Shippers Choice Inc. student loan note fraud scheme operated by Longo, John Sellinger, Bruff Procter acting in concert with Sapperstein et al, co-mingling the assets and using DSII resources and name to further this scheme until it collapses in 1994 leading to Shippers Choice bankruptcy in late 1994. Grossed an estimated \$1.35 million possibly \$2 million.

- D. Issuance of a DSII fraudulent stock certificate estimated value \$3,650,000.00 to Donald Stone by Longo, Procter, Sapperstein et al. in 1996.
- E. Pinnacle Towers securities fraud scheme, Mark Sapperstein bundles certain assets obtained thru racketeering activities and entities owned and/or controlled by Sapperstein, Shore Communications, West Shore Communications, and 28 Walker Associates and a business plan obtained by fraud from Linktel into an \$8.365 million sale to Pinnacle in Dec. 1997 that Pinnacle then bundled into a \$325 million IPO.
- F. Donald Stone Investments Inc. discovered in a motion in the FL/RICO filed by James R. Johnson head of Washington Investments who were making the fraudulent student loan offerings for Shippers Choice Inc. Little is known about this entity but it is believed to be a sham securities offering by Sapperstein's, Longo, Procter, Foley & Lardner, and Miles & Stockbridge and others to scam individuals into investing into the technology they were trying to steal from Stone. Affidavit James R. Johnson (**EXHIBIT 26**)

### **III. Bank fraud Scheme**

- A. In the Spring of 1998 shortly after Mark Sapperstein and another individual Michael Meisel bought controlling interest in the Maryland Permanent Bank. The money Sapperstein allegedly used to purchase controlling interest in this bank was a portion of the money obtained from the sale of certain cellular tower assets sold to Pinnacle. (**EXHIBIT 27**)

\* By 2001 Mark Sapperstein, Meisel and others were forced to sign a cease & desist order concerning their operation of Maryland Permanent Bank & Trust. (**EXHIBIT 28**)

### **IV. Bankruptcy fraud schemes involving the following bankruptcies:**

- A. National Training Systems
- B. Charles R. Longo (languished in federal bankruptcy court from early 90's to early 1999)
- C. Shippers Choice Inc.

### **Goodyear Tire & Rubber refused to do business with Sapperstein's organized crime syndicate, Foley & Lardner, Miles & Stockbridge, Longo, Procter and others unlike Pinnacle, Holland & Knight, Raymond James, and Salomon Smith Barney .**

In the Summer of 1993 Stone on behalf of DSII had initiated preliminary discussions with Goodyear Tire & Rubber Company to see if Goodyear would have any interest in the emerging technology invented by Stone. Fax from Stone to Mark Sapperstein concerning initial discussions with Goodyear Tire & Rubber. (**EXHIBIT 29**)

In late 1994 Mark Sapperstein and certain of his organized crime syndicate associates Longo and Procter in an attempt to license the patent and technology they were trying to unlawfully steal from Stone flew to a meeting

with Goodyear Tire & Rubber on or about 1994 . Check made to Chieftain Investors by DSII and signed by Longo (**EXHIBIT 30** )

Of special interest to this court Miles & Stockbridge and their attorney Burgee formed the corporation, Chieftain Investors (an entity controlled by Mark Sapperstein) in December 1993 that owned the airplane that was used to fly Longo and Procter to the Goodyear Tire & Rubber Company meeting. Chieftain Investors was formed shortly after the extortion attempt made by Sapperstein and others against Donald Stone in Oct. 15,1993 (see **EXHIBIT 31** )

According to Longo's testimony in June 1995 when they arrived for the meeting with Goodyear, Goodyear refused to talk to them. (**EXHIBIT 32 excerpt** )

Unknown to Sapperstein and his organized crime syndicate, Stone had forewarned the President of Goodyear , Stanley Gault about what he knew of Longo's background at the time, in a letter. (**EXHIBIT 33**)

In this letter to Gault , Stone enclosed some newspaper clippings such as Longo being indicted in Virginia in the early 90's on forty-five counts of grand theft (**EXHIBIT 34** )

Longo was arrested in Maryland and held without bail for ten (10) days because he was considered a flight risk. Shortly thereafter, as a direct result of Goodyear's refusal to talk to Sapperstein's organized crime syndicate Foley & Lardner and Miles & Stockbridge, Longo's Shippers Choice Inc. was forced into bankruptcy in December of 1994.

While vilifying Longo in the national media, there were ongoing efforts by Joseph Curran Jr. Maryland Attorney General to protect, promote and facilitate the growth of Sapperstein's organized crime by engaging in schemes such as falsifying affidavits filed with the court in June 1995 to protect Mark, Gilbert Sapperstein's organized crime syndicate, Longo and others. (**EXHIBIT 35** )

In early 1994 Mark, Gilbert Sapperstein, Longo, Procter, others and the three law firms, Miles & Stockbridge, Foley & Lardner , and Williams, Hammond, Shockley, Moore and Harrison (while they were simultaneously "cooking the DSII corporate documents" to conceal Stone's controlling interest in DSII ) devised a scheme to extort from Stone his intellectual property from him by filing a sham lawsuit in a remote, isolated courthouse in Maryland in which they sued Stone for alleged breach of fiduciary duty, Charles R. Longo & Donald Stone Industries Inc. vs. Donald Stone. Longo and Procter desperately needed control of Stone's intellectual

property to support their rapidly collapsing Shippers Choice Inc. student loan fraud scheme and to conceal their embezzlement of the DSII funds in November 1993. **(EXHIBIT 36)**

\*Charles R. Longo never had standing to sue Donald Stone, because he was not an Accredited Investor, (as defined by Rule 215 (e) of the Securities Act of 1933 In fact he was a Debtor In Possession in his personal bankruptcy during the time that Miles & Stockbridge, Sapperstein, Procter and Longo had fraudulently induced Stone to believe Longo was an Accredited Investor . See faxes from Bruff Procter to Donald Stone dated 5-27-1993 and May 22, 1993 **(EXHIBIT 37)**

\*\* Of special note to this court Miles & Stockbridge had devised a method for DSII to obtain corporate financing only through Accredited Investors (AI).

Rule 215. Accredited Investor - The term “accredited investor” as used in section 2 (15) (ii) of the Securities Act of 1933 shall include the following persons:

(e) Any natural person whose individual net worth, or joint net worth with that person’s spouse at the time of his purchase exceed’s\$1,000,000; (*Securities Regulation , Ratner & Hazen (1996) pg. 78* )

There is conclusive evidence that Joseph Curran Jr. and two of his agents, Andrew McDonald and William F. Howard falsified affidavits in a Maryland Court proceeding to protect Charles R. Longo, and primarily Mark, Gilbert Sapperstein and others from a \$30 million counter-suit by Stone in Longo and DSII vs. Stone .

**(EXHIBIT 38)**

After Curran and his two agents, Maryland Assistant Attorney General’s William F. Howard and Andrew McDonald falsified an affidavit in which Howard claimed he had no personal knowledge of any dealings between Longo and Donald Stone Industries and Donald Stone in May/June 1995. Stone at a later date would discover and obtain two pieces of conclusive evidence.

1. Notes of a meeting Sept. 1994 of William F. Howard and others discussing Longo and Procter’s numerous criminal activities and Donald Stone’s complaints to the Maryland Attorney General’s Office about Longo’s activities, individuals at this meeting: **( EXHIBIT 39 )**

- A. William F. Howard (Bill) – Maryland Assistant Attorney General (Longo’s nemesis)
- B. Dale Kelberman – Chief of White Collar Crimes, U.S. Attorneys Office, Maryland
- C. Lori Simpson (Lori) - Employee U.S. DOJ Bankruptcy Trustee Program (overseeing possible bankruptcy fraud)
- D. Michael Beck (Mike) – Investigator Maryland Higher Education Commission

2. More conclusive evidence of Curran and his agent’s Howard and McDonald schemes to obstruct justice and falsify the affidavits in the Worcester County Courthouse proceedings to protect Longo and

Sapperstein was obtained by Stone in late 1995 , the transcripts (**EXHIBIT 40 excerpts coverage, 61-65,67, certificate of transcriber** ) and then later the tape recording of the transcripts (**EXHIBIT 41** ) from a U.S. Trustees bankruptcy 341 meeting for Shippers Choice, (entity controlled by Longo) Case No. 161-94-57899 Jan. 17, 1995 in which Howard is discussing Donald Stone Industries Inc. with Charles R. Longo.

**Efforts by lawyers appearing before this court that are so-inclined to belittle Stone's investigation, allegations, and litigation as meritless or frivolous or ridicule Stone's efforts to bring Sapperstein's organized crime syndicate to justice should consider the following:**

If in fact Stone's allegations in the FL/RICO and MD/RICO were frivolous or meritless, why did Miles & Stockbridge (at the time early 1998 legal counsel to Dan Burton's House Oversight & Reform Committee, Clinton/Gore Campaign Finance Investigation) hire some of the best criminal defense attorneys in the U.S. to defend their 185 attorney law firm against civil racketeering charges brought by Stone, a high school educated, pro se litigant with no legal or financial resources.

Conclusive evidence that Miles & Stockbridge was not 100% confident that even with their strong political ties to the Republican National Party and their extensive criminal activities involving Foley & Lardner and Sapperstein's organized crime syndicate that they could contravene the "Rule of Law " while simultaneously being involved in Longo's schemes to defraud the U.S. Dept. of Education out of an estimated \$8 million in student loan money and at the same time having lucrative U.S. government business contracts with Burton's House Oversight & Reform Committee.

In the FL/RICO Miles & Stockbridge hired the well known and distinguished criminal defense attorney, Robert C. Josefsberg, considered to be one of the best criminal defense attorneys in America from the firm of Podurst, Orseck, Josefsberg, Eaton Meadow. See the Best Lawyers in America (**EXHIBIT 42** )

**And in the MD/RICO Miles & Stockbridge hired the firm of Kramon & Graham. See the Best Lawyers in America. (EXHIBIT 43)**

Additionally, the unlawful conduct of the Maryland Attorney General, Joseph Curran Jr. acting in concert with Florida Attorney General, Robert Butterworth to promote, protect, and facilitate Sapperstein's organized crime syndicate is an absolute betrayal of the public trust and their conduct is best defined as fraud, misprison, misprison of felony

*Law: Black's Law Dict. Rev. 4th p.788,789: Fraud. An intentional perversion of the truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right; a false representation as a matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury...[there is much more of a specific nature, see esp.positive actual , and constructive, & fraud in fact .] Black's Law Dict. Rev. 4th p.1151-1152:*

*Misprison. A word used to describe a misdemeanor which does not possess a specific name. 3 Inst.. 36; United States v. Perlstein, C.C.A.N.J., 126 F.2d 789,798. But more particularly and properly the term denotes either (1) a contempt against the sovereign, the government, or the courts of justice, including not only contempts of court, properly so called, but also all forms of seditious or disloyal conduct and leze-majesty; [treason, rebellion]*

*(2) Maladministration of high public office, including peculation [unlawful appropriation...] of the public funds;*

*(3) neglect or light account made of a crime, that is, failure in the duty of a citizen to endeavor to prevent the commission of a crime, or, having knowledge of its commission, to reveal it to the proper authorities. 4 Bl.Comm. 119-126; State v. Biddle, 124A. 804, 805, 2 W.W.Harr., Del. 401.*

*Negative Misprison. The concealment of something which ought to be revealed; that is, misprison in the third of the specific meanings given above. Positive misprison. The commission of something which ought not to be done; that is, that is misprison in the first and second of the specific meanings given above. Practice. A clerical error or mistake made in writing or keeping records. State v. Ryan, 146 Wash. 114, 261 P. 775,776.[!].*

*Misprison of Felony.*

*The offense of concealing a felony committed by another, but without such previous concert with or subsequent assistance to the felon as would make the party concealing an accessory before or after the fact. 4 Steph.Comm. 260; 4 Bl.Comm.121; United States v. Perlstein, C.C.A.N.J., 126 F.2d*

Pursuing criminal indictments against Sapperstein's organized crime syndicate and those individuals and entities acting in concert would be in keeping with the efforts to restore the "Public Trust" by the President of the United States, George W. Bush's recent public announcement that this country will vigorously prosecute white collar crime. **(EXHIBIT 44)**

Additionally, this would be a litmus test to determine if the President of the United States, George W. Bush Harvey Pitt, head of the SEC and their newly formed so-called SEC Swat Team, and the Swat team's lead attorney, Larry D. Thompson, who have publicly vowed to restore the public trust, in a get tough on corporate corruption stance would pursue federal criminal indictments against Sapperstein's organized crime syndicate

and individuals and entities believed to be the close personal friend and political cronies of Bush, Taylor, and Pitt, such as Mike Grebe and his former law firm, Foley & Lardner, legal counsel to the Republican National Committee. (EXHIBIT 45 )

**Attorney Larry D. Thompson, head of the SEC Swat team has special expertise concerning attorneys such as Mike Grebe and his firm Foley & Lardner and Miles & Stockbridge, who acting in concert with Sapperstein's organized crime syndicate to obstruct justice, conceal criminal activity and to protect organized crime syndicates such as Mark Sapperstein's affidavit in the FL/RICO at (EXHIBIT 46)**

From Thompson's article :

*How to Keep the Other Shoe From Dropping: The Interrelationship of Civil RICO and Criminal Proceedings.*  
(Larry D. Thompson, Georgia State Bar Journal, Vol. 30, No. 4)

*Excerpt:*

*Moreover, counsel representing a party or witness in a civil RICO case also needs to be aware of certain additional issues that may unwittingly involve him or her in a criminal case along with the client. For example, the federal witness tampering statute prohibits, among other things, engaging in misleading conduct with the intent to influence, delay, or prevent the testimony of any person "in an official proceeding," 5 which can be a civil or administrative matter. "Misleading conduct" is not defined, and some commentators have suggested that it may apply to even routine witness preparation.6Federal law also prohibits perjury in discovery devices such as depositions, affidavits or written testimony,as well as the subornation of or procurement of perjury. The author is aware that some federal judges are referring perjury concerns arising out of depositions to the Department of Justice for possible criminal prosecution.*

Larry D. Thompson having sworn an oath to uphold the "Rule of Law" in this country is compelled to vigorously enforce the federal criminal statutes even if it would be politically and financially devastating to individuals and entities that have close personal ties to the President and close political and business ties to the Republican National Committee and to Republican Dan Burton's House Oversight and Reform Committee in addition to the three prominent Democrats MD. Attorney General Joseph Curran Jr. and Florida Attorney General Robert Butterworth., Knight & Holland, and their top attorney, William McBride.

Allowing the private investors that purchased the Pinnacle Towers stock to pursue federal civil racketeering charges would also help to block any efforts by U.S. Attorney General, John Ashcroft or Michael Chertoff, head of the DOJ Criminal division to use DOJ resources to protect and white wash these extensive criminal activities as business disputes or civil matters to protect the alleged personal acquaintances and/or political



cronies of the President of the United States, and former legal counsel to the Republican National Committee, Mike Grebe, his law firm, Foley & Lardner and the former law firm and legal counsel to Republican, Dan Burton's House Oversight and Reform Committee concerning the Clinton/Gore Campaign Finance fraud investigation, Miles & Stockbridge.

To allow these individuals and entities, particularly law firms and attorneys (officers of the courts) to engage in massive wholesale fraud and chicanery on the general public with complete immunity acting "under color of law" goes beyond the pale.

This case is in the public interest and should be prosecuted to the fullest extent under the "Rule of Law". Fraudulent schemes in which lawyers are active participants for unlawful gain are particularly heinous as it is these very individuals that have sworn an oath to uphold the Rule of Law and the Constitution in this country. The criminal indictments against Sapperstein's organized crime syndicate should primarily focus on the law firms and attorneys that were direct and active participants in helping to promote, protect and facilitate Sapperstein's organized crime syndicate and its various factions and fraudulent schemes such as:

**1. Foley and Lardner**

Mike Grebe

(Legal counsel to the Republican National Committee an alleged personal friend to President Bush)

Richard Schwab

Melvin Blecher

**2. Miles & Stockbridge** (Legal Counsel to Dan Burton's Gov. House & Reform Committee in the Clinton/Gore Campaign finance investigation)

Gregory Burgee

Joseph Welty

**3. Holland & Knight**

William McBride

\*Currently running for Governor for the State of Florida on the Democratic ticket

In addition to the federal criminal indictments Stone is asking this court to pursue, it is also reasonable that the Pinnacle Tower private stockholders may also have a standing to sue both Joseph Curran Jr., Maryland Attorney

General and Robert Butterworth, Florida Attorney General. Just as Butterworth is claiming he is going to pursue racketeering charges against Enron. (EXHIBIT 47 )

**Prayer for relief** The movant, Donald Stone ask this court to pursue federal criminal indictments for alleged violations of the federal RICO statute against Mark C. Sapperstein, Gilbert Sapperstein, Sapperstein's organized crime syndicate, Pinnacle Towers, certain of it's officers, Holland & Knight, Bill McBride (former head of Holland & Knight) Raymond James, Salomon, Smith , & Barney, Goldman Sachs, and Price Waterhouse Coopers.

It is within the purview of this court to initiate and pursue federal criminal indictments against these individuals and entities in an effort to make whole the private investors that purchased Pinnacle stock through Pinnacles public offerings.

This is a fair and equitable remedy as the above referenced entities and individuals have the deep pockets to make the Pinnacle private stockholders whole in addition to demonstrating to the general public, that the President of the U.S., DOJ, and SEC are sincere about restoring the public trust even if it would be detrimental to the Republican National Party/Republican National Committee to have Mike Grebe, former legal counsel to the Republican National Committee and his firm Foley & Lardner named in a federal criminal indictment involving organized crime.

In addition to federal criminal indictments targeting the Maryland Attorney General, Joseph Curran Jr. and the Florida Attorney General, Robert Butterworth and William McBride, who is currently running for governor in the State of Florida on the Democratic ticket and his former law firm Holland & Knight..

In an effort to help make whole the private investors (who have little or no standing in this bankruptcy court) that purchased the Pinnacle stock in the public offering, movant alleges there is enough evidence in the public record, in addition to an FBI investigation conducted by two Maryland FBI agents in Annapolis, Maryland, Dave Midura (SAC) and Marina Murphy (SA) into the Sapperstein's organized crime syndicate (that was never prosecuted because of alleged political complications) a RICO cause of action for alleged racketeering charges with it's devastating treble damages (in addition to this court pursuing federal criminal indictments against these individuals and entities) to brought against the following individuals and entities in particular the law firms and attorneys that were promoting, protecting and facilitating these criminal activities:

Robert Butterworth, Florida Attorney General

Joseph Curran Jr., Maryland Attorney General

Dave Midura FBI, SAC Annapolis, Maryland

Marina Murphy FBI SA Annapolis, Maryland

Constantine Golovatny (see Exhibit )

Reed Robertson (see Exhibit 9)

Chuck Wilcox (see Exhibit 9)

Mike McBride (see Exhibit 9)

Kit Wilcox (see Exhibit 9)

**Foley & Lardner**

Mike Griebe

Melvin Blecher

Richard Schwab

**Miles & Stockbridge**

Gregory Burgee

Joseph Welty

**Holland & Knight**

William McBride

Goldman Sachs

Raymond James

Price Waterhouse Coopers

Salomon Smith & Barney

Federal criminal indictment proceedings against Sapperstein's entire organized crime syndicate and its various factions will greatly aid in restoring the "Public Trust" as the criminal and unlawful conduct involves both primary political parties Republican and Democrat equally.

Sapperstein's crime syndicate and all those acting in concert with this crime syndicate have profited handsomely from their numerous financial fraud schemes and chicanery, repeatedly targeting U.S. citizens with complete immunity "Under Color of Law".

The victims, the private shareholders of Pinnacle should be allowed to financially and publicly destroy these predator's, Sapperstein's organized crime syndicate and associates with civil RICO cause of action combined with federal criminal indictments brought by the SEC and Larry D. Thompson.

And that the above referenced lawyers and law firms, that have sworn an oath to uphold the "Rule of Law" and the Constitution of the United States, in both the private and public sector should be the most severely punished under the Rule of Law and the Constitution of the United States for their absolute betrayal of the public trust, their unlawful conduct, and for their self-serving, unlawful enrichment and political benefit at the expense of the public's trust.

This is a fair and just remedy to make the private stockholders whole again.

Justice demands that these individuals and entities be indicted regardless of their political affiliation to either the Republican Party or Democratic Party.

Respectfully submitted

Donald D. Stone, Pro Se  
2725 N.E. Indian River Drive  
Unit #2  
Jensen Beach, FL. 34957  
(561) 334-7182

**CERTIFICATE OF SERVICE**

I hereby certify that on October \_\_\_\_\_ 2002, a true and correct copy of the foregoing, **Donald Stone's Motion as a party of interest in the Pinnacle Bankruptcy moves this court to initiate federal criminal indictment proceedings against Pinnacle Towers, Mark C. Sappestein et al** was served by United Parcel Service (UPS), postage prepaid, upon the following:

Legal Counsel for Pinnacle Towers  
Sandra E. Mayerson  
Holland & Knight LLP.  
195 Broadway 24<sup>th</sup> Floor  
New York, New York, 10007  
Tel. (212) 513 -3200

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Donald D. Stone, Pro Se  
2725 N.E. Indian River Dr.  
Unit #2  
Jensen Beach, FL. 34957  
(772) 334-7182

## Exhibits

### **EXHIBIT 1**

March 31, 1998 false and misleading affidavit knowingly signed by Mark C. Sapperstein claiming he had never engaged in any type of business in Florida in an effort to obstruct justice and deny the Court jurisdiction over him and his co-conspirators.

### **EXHIBIT 2 excerpt**

December 3, 1997 Copy of certain documents of the \$8,341,300.00 payment made on or about December 1997 by Pinnacle Towers Inc. to Mark C. Sapperstein (personally) for certain cellular tower assets bundled into Pinnacle's \$325 million IPO.

### **EXHIBIT 3 excerpt**

February 19, 1999 Prospectus from Pinnacle Towers which listed certain business entities owned or controlled by Mark C. Sapperstein, Shore Communications, West Shore Communications, 28 Walker Associates that were sold to Pinnacle by Sapperstein.

### **EXHIBIT 4**

August 1999 Linktel v. Sapperstein et al, Chamberlain's civil lawsuit against Mark C. Sapperstein et al for alleged fraud, and numerous other causes of action in Anne Arundel Circuit Court, in Annapolis, MD.

### **EXHIBIT 5 exhibits not included**

April 13, 1999 letter from Stone informing Mr. Robert Wolsey, Pinnacle Holdings (President), Henry M. Paulson Jr. (Goldman Sachs) and a Marty Dunskey (Price Waterhouse and Coopers) providing brief overview of Sapperstein's organized crime syndicate.

### **EXHIBIT 6**

Miscellaneous newspaper articles concerning the Sapperstein's scheme targeting the Chamberlain's and Linktel Communication business plan which was allegedly used by Sapperstein to greatly enhance the value of the cellular tower assets that Mark Sapperstein sold to Pinnacle Towers in late 1997.

### **EXHIBIT 7**

Additional information obtained by Stone concerning Sapperstein's organized crime syndicate associates Jay Winer and Charles Delavan and their ties to Sapperstein and West Shore Communications

### **EXHIBIT 8**

June 18, 1997 Maryland State Prosecutor's office documents of an investigation pertaining to Sapperstein, Jay Winer, and Delavan concerning complaints by the Chamberlain's.

### **EXHIBIT 9**

March 22, 2002, FBI letter to Stone referring his complaint of March 10, 2002 to the FBI Office of Professional Responsibility, Washington D.C. concerning allegations of corrupt conduct by numerous FBI agents in Maryland, Virginia, and Florida that Stone had asked to investigate these various schemes over the course of many years dating back to 1994 till present, during the time Sapperstein's were expanding their organized crime syndicate and racketeering activities under "color of law"

**EXHIBIT 10**

Miscellaneous documents pertaining to Stone's repeated efforts to have the DOJ and FBI investigate Sapperstein's organized crime syndicate as far back as early 1995.

**EXHIBIT 11**

July 25, 1999 Stuart News article of the Maryland Attorney General, Curran and the Florida Attorney General, Butterworth and certain of their agents acting in concert to smear and ridicule Stone and to simultaneously conceal unlawful conduct by Sapperstein's organized crime syndicate by making false and misleading statements to the Stuart News that Stone's FL/RICO and MD/RICO were both dismissed as meritless. (Stone's FL/RICO was dismissed by federal judge Kenneth Ryskamp for "lack of personal jurisdiction" and his MD/RICO was "dismissed without prejudice").

**EXHIBIT 12**

February 23, 1999 Court order of federal judge Benson Legg dismissing Stone's MD/RICO "without prejudice".

**EXHIBIT 13 pg. 2 parag. (c)**

September 8, 2000 Documents from Stone v. Curran et al bearing Scott Masel's name (head of the Florida Attorney General's Office, Civil Division, Ft. Lauderdale) signed by Randolph Sargent acknowledging that Mark and Gilbert Sapperstein are identified as alleged members of one of the most powerful organized crime syndicates in Maryland and Florida while defending Sapperstein's close personal acquaintance and political crony, Curran against defamation allegations by Stone

**EXHIBIT 14**

October 15, 1993 extortion attempt by Mark & Gilbert Sapperstein, Bruff J. Procter, Charles R. Longo, Robert Warfield Sr. seizing control of DSII and threatening to have Stone arrested for unspecified criminal charges if he did not capitulate to their demands.

**EXHIBIT 15 pg. 2 parag. 1**

June 7-13 2000 City Paper newspaper article titled Mobtown Beat referring to Gilbert Sapperstein as somewhat of a Mobtown real estate mogul.

**EXHIBIT 16 pg. 26 line 7-8**

October 31, 1994 Bruff J. Procter (bagman, Sapperstein's crime syndicate associate) with lying under oath in a Maryland State deposition claiming he never knew there was even a Shippers Choice.

**EXHIBIT 17**

Conclusive miscellaneous documentary evidence that Procter had extensive personal knowledge of Shippers Choice Inc. prior to and after seizing DSII on Oct. 15, 1993 and threatening to have Stone arrested on unspecified criminal charges Procter and Longo began operating DSII out of the same address as Shippers Choice Inc. and using the same telephone and fax lines.

**EXHIBIT 18 excerpt pg. 8 line8-9**

January 17, 1995 Longo lying under oath to obstruct justice in a 341 U.S. bankruptcy proceeding, Shippers Choice Inc. claiming he was consultant to DSII and not the President of DSII.

**EXHIBIT 19**

Conclusive evidence that Longo was lying to obstruct justice in the Shippers Choice bankruptcy proceeding at (Exhibit 18) with Longo claiming he was only a consultant to DSII while he was signing numerous documents claiming he was president of DSII.

**EXHIBIT 20**

November 15, 1995 Sham Worcester County Bureau of Investigation (WCBI) (Maryland State Police Task Force ) police report obtained by Stone on or about October 30, 1996 in which the alleged \$10,000 and \$20,000 checks Stone alleged Longo and Procter were embezzling from DSII on or about November of 1993 are not even listed on the ledger sheets given to the WCBI. \*\* Of special attention the WCBI is located in Worcester County, Maryland within a few miles of four of the Sapperstein's crime syndicate associates Hal Glick, Bruce A. Moore, Robert Warfield Sr. and the law firm of Williams, Hammond, Shockley, Moore & Harrison that were acting in the fraudulent scheme targeting Stone and his intellectual property. The WCBI never questioned these associates even though they were the closest to the WCBI.

**EXHIBITS 21**

Additional documents pertaining to the sham WCBI report that were faxed to Stone but, never included in the WCBI report falsely claiming all the money was accounted for when the \$10,000.00 and \$20,000.00 are not even listed on the ledger sheets.

**EXHIBIT 22**

Copies of the \$30,000.00 checks Longo and Procter embezzled from DSII to support Longo's rapidly collapsing Shippers Choice student loan fraud scheme.

\*This was approximately 15 days after Longo, Mark Sapperstein, Procter, and Warfield threatened to have Stone arrested on unspecified criminal charges on or about Oct. 15, 1993, if Stone didn't capitulate to their extortion attempt.

**EXHIBIT 23**

April 1994 extensive document (approximately 100 pages) pertaining to Longo's various nefarious schemes up to that date also identifying Procter (page 64-65 lines 411- 420) as one of Longo's associates filed with federal bankruptcy court by Maryland Assistant Attorney General, William Howard .

**EXHIBIT 24**

On or about June 1996, Irrevocable Proxy statement that Gilbert Sapperstein refused to sign giving Longo and DSII control over Stone's patent and intellectual property. On information and belief Gilbert Sapperstein refused to sign this proxy statement as an affirmative action to withdraw from the conspiracy and fraudulent scheme to defraud Stone.

**EXHIBIT 25**

Procter & Sapperstein LLC, corporate entity formed August 15, 1995, one of many entities used by Procter and Sapperstein's crime syndicate for their ongoing nefarious schemes and racketeering activities.

**EXHIBIT 26**

April 14, 1998 Affidavit signed by James R. Johnson concerning an entity known as Donald Stone Investments Inc. Little is known about this entity but it is believed to have been a sham securities offering by Sapperstein's, Longo, Procter, Foley & Lardner, James R. Johnson, Washington Investments, and Miles & Stockbridge and



others known and unknown to scam individuals into investing into the intellectual property they were trying to steal from Stone.

**EXHIBIT 27**

Spring of 1998 news article about Mark Sapperstein and another associate Michael Meisel buy controlling interest in the Maryland Permanent Bank. The money Sapperstein allegedly used to purchase controlling interest in this bank was a portion of the money obtained from the sale of certain cellular tower assets sold to Pinnacle.

**EXHIBIT 28**

December 2000 FDIC forces Mark Sapperstein, Meisel and others to sign a cease & desist order concerning their questionable operation of Maryland Permanent Bank & Trust.

**EXHIBIT 29**

August 23, 1993 fax from Stone to Mark Sapperstein about Stone on behalf of DSII initiating preliminary discussions with Goodyear Tire & Rubber Company to see if Goodyear would have any interest in the emerging technology invented by Stone.

**EXHIBIT 30**

August 4, 1994 Copy of DSII check Number 152 made out to Chieftain Investors by DSII and signed by Longo concerning airfare to a meeting with Goodyear Tire & Rubber in Akron, Ohio. In late 1994 Mark Sapperstein and certain of his organized crime syndicate associates Longo and Procter in an attempt to license the patent and technology they were trying to unlawfully steal from Stone flew to a meeting with Goodyear Tire & Rubber.

**EXHIBIT 31**

December 22, 1993 Chieftain Investors Inc. corporate filing documents. Of special interest to this court Miles & Stockbridge and their attorney Burgee formed the corporation, Chieftain Investors (an entity controlled by Mark Sapperstein) in December 1993 that owned the airplane that was used to fly Longo and Procter to the Goodyear Tire & Rubber Company meeting. Chieftain Investors was formed shortly after the extortion attempt made by Sapperstein and others against Donald Stone in Oct. 15, 1993

**EXHIBIT 32 excerpt**

Copy of Longo's testimony in June 1995 concerning Goodyear's refused to talk to Longo, Sapperstein, and Procter.

**EXHIBIT 33**

August 23, 1994 Letter from Stone to President of Goodyear, Stanley Gault warning Gault about what Stone knew of Sapperstein and his organized crime syndicate, Longo's background at the time. Apparently this letter and warning by Stone are the reason Goodyear refused to talk to Longo and Sapperstein and terminated all discussions with Sapperstein's crime syndicate.

**EXHIBIT 34**

In this letter to Gault, Stone enclosed some newspaper clippings such as Longo being indicted in Virginia in the early 90's on forty-five counts of grand theft Longo was arrested in Maryland and held without bail for ten (10) days because he was considered a flight risk and other of Longo's activities.

Shortly thereafter, as a direct result of Goodyear's refusal to talk to Sapperstein's organized crime syndicate Foley & Lardner and Miles & Stockbridge, Longo's Shippers Choice Inc. was forced into bankruptcy in December of 1994.

### **EXHIBIT 35**

October 29, 1997 Washington Post article, Joseph Curran Jr., Maryland Attorney General while vilifying Longo in the national media, Curran in private, was simultaneously engaged in schemes to obstruct justice with his ongoing efforts to protect, promote and facilitate the growth of Sapperstein's organized crime syndicate and associates, such as Longo. With Curran and certain of his agents knowingly falsifying affidavits with the court in June 1995 in Longo & DSII v. Stone and knowingly concealing certain documents that Stone had lawfully sought with a subpoena.

### **EXHIBIT 36**

February 22, 1993 Sham lawsuit filed against Stone, Charles R. Longo & Donald Stone Industries Inc. vs. Donald Stone. Maryland in which Stone was sued for alleged breach of fiduciary duty. During this time Longo and Procter desperately needed control of Stone's intellectual property to support their rapidly collapsing Shippers Choice Inc. Washington Investments student loan fraud scheme and to conceal their embezzlement of the DSII funds in November 1993.

\*Charles R. Longo never had standing to sue Donald Stone, because he was not an Accredited Investor, (as defined by Rule 215 (e) of the Securities Act of 1933 In fact he was a Debtor In Possession in his personal bankruptcy during the time that Miles & Stockbridge, Sapperstein, Procter and Longo had fraudulently induced Stone to believe Longo was an Accredited Investor . See faxes from Bruff Procter to Donald Stone dated 5-27-1993 and May 22, 1993 .

### **EXHIBIT 37**

May 22/27 1993 faxes from Procter to Stone further inducing Stone to believe Longo was an AI ("Accredited Investor") .

### **EXHIBIT 38**

June 2, 1995 Affidavit knowingly falsified by Joseph Curran Jr. and two of his agents, Andrew McDonald and William F. Howard falsified affidavits to obstruct justice in the sham Maryland Court proceeding Longo & DSII v. Stone to protect Charles R. Longo, and primarily Mark, Gilbert Sapperstein and others from a \$30 million counter-suit by Stone in Longo and DSII vs. Stone .

### **EXHIBIT 39**

September 26, 1994 Conclusive evidence that Curran and his agents knowingly falsified affidavits to obstruct justice. Notes of a meeting Sept. 1994 of William F. Howard and others discussing Longo and Procter's numerous criminal activities and Donald Stone's complaints to the Maryland Attorney General's Office about Longo's activities, individuals at this meeting:

- A. William F. Howard (Bill) – Maryland Assistant Attorney General (Longo's nemesis)
- B. Dale Kelberman – Chief of White Collar Crimes, U.S. Attorneys Office, Maryland
- C. Lori Simpson (Lori) - Employee U.S. DOJ Bankruptcy Trustee Program (overseeing possible bankruptcy fraud)
- D. Michael Beck (Mike) – Investigator Maryland Higher Education Commission

**EXHIBIT 40 excerpts** coverage, 61-65,67, certificate of transcriber January 17, 1995 Additional conclusive evidence of Curran and his agent's Howard and McDonald schemes to obstruct justice and falsify the affidavits in the Worcester County Courthouse proceedings to protect Longo and Sapperstein was obtained by Stone in late 1995 , the transcripts and then later the tape recording of the transcripts

**EXHIBIT 41**

Tape recording from a U.S. Trustees bankruptcy 341 meeting for Shippers Choice, (entity controlled by Longo) Case No. 161-94-57899 Jan. 17, 1995 in which Howard is discussing Donald Stone Industries Inc. with Charles R. Longo from which transcripts were made at Exhibit 40.

**EXHIBIT 42 excerpt**

April 14, 1998 in the FL/RICO, the 185 attorney law firm of Miles & Stockbridge hired the well known and distinguished criminal defense attorney, Robert C. Josefsberg, considered to be one of the best criminal defense attorneys in America from the firm of Podurst, Orseck, Josefsberg, Eaton Meadow. See the Best Lawyers in America

**EXHIBIT 43 excerpt**

In the MD/RICO, the politically powerful and connected 185 attorney law firm Miles & Stockbridge hired the firm of Kramon & Graham also considered to be some of the best criminal defense attorneys in the U.S. See the Best Lawyers in America.

**EXHIBIT 44**

July 10 & 15, 2002 Media releases of the President of the United States, George W. Bush's recent public announcements that this country will vigorously prosecute white collar crime in an effort to restore the "Public Trust" and the formation of a corporate fraud task force referred to by Bush as a "SWAT team" for financial crimes, headed up by Deputy Attorney general, Larry Thompson.

**EXHIBIT 45**

Biographical profile of Michael W. Grebe, was the chairman and chief executive of Foley & Lardner, legal counsel to the Republican National Committee with both strong personal and law firm direct ties to the Republican National Party and various Republican Party entities was using his firm, Foley & Lardner, acting in concert with Sapperstein's organized crime syndicate to protect, promote and facilitate the various racketeering activities of Sapperstein's organized crime syndicate by running certain of their criminal activities through the Foley & Lardner Washington D.C. offices, in particular the scheme to wrest from Stone his intellectual property and certain bankruptcy fraud and securities fraud schemes involving Sapperstein's crime syndicate and associates such as Longo.

**EXHIBIT 46**

**Attorney Larry D. Thompson, head of the SEC Swat team has special expertise concerning attorneys such as Michael Grebe and his firm Foley & Lardner and Miles & Stockbridge, who acting in concert with Sapperstein's organized crime syndicate to obstruct justice, conceal criminal activity and to protect organized crime syndicates such as Mark Sapperstein's affidavit in the FL/RICO at**

**EXHIBIT 47**

January 26, 2002 Gannett News Service article, In addition to the federal criminal indictments Stone is asking this court to pursue, it is also reasonable that the Pinnacle Tower private stockholders may also have a standing to sue both Joseph Curran Jr., Maryland Attorney General and Robert Butterworth, Florida Attorney General. Just as Butterworth is claiming he is going to pursue racketeering charges against Enron.

