

July 20, 2019

Donald Stone Appeal of FOIA Request Number EOUSA-2019-002376

**Subject of Request: Gilbert Sapperstein - District of Maryland
"All Communications Between DOJ and the Maryland Attorney General's
Office pertaining to a Sept. 26, 1994 meeting (see Attachment 1)"**

This is the appeal of FOIA requester, Donald Stone in response to the DOJ letter dated May 15, 2019 FOIA Request Number EOUSA-2019-002376 Subject of Request: Gilbert Sapperstein - District of Maryland "All Communications Between DOJ and the Maryland Attorney General's Office pertaining to a Sept. 26, 1994 meeting (see Attachment 1)"

Stone appeals this matter for these reasons and others and incorporates by reference the following:

All DOJ/FBI files on Charles Richard Longo Sr. (deceased 2011)
All DOJ/FBI files on Gilbert Sapperstein. (deceased 2016)
All DOJ/FBI files on known associates of Sapperstein and/or Longo
All DOJ/FBI files on Donald David Stone
All DOJ/FBI files on Foley & Lardner
All DOJ/FBI files on Miles & Stockbrige
All DOJ/FBI files on Williams, Hammond, Shockley, Moore, & Harrison
All DOJ/FBI files on MD. State Judges, Tom Groton and Ted Eschenburg

Stone is using this FOIA request for the designated purpose of the FOIA law, to investigate his allegations pertaining to DOJ/FBI corruption, malfeasance, misfeasance, nonfeasance, and/or simply incompetence.

Allegations of corruption at DOJ/FBI place a heavy burden on a FOIA requester. Stone has easily met that burden.

In early 1998 Stone caught the U.S. Attorney for Maryland and U.S. Attorney for the Southern District of Fla. and other DOJ lawyers lying and/or trying to perpetrate a "Fraud on the Court Scheme" in Stone vs. Warfield Sr. (Civil RICO case Southern District of Florida) by trying to fraudulently conceal and white wash the alleged multiple federal felony offenses of a Charles Richard Longo Sr. and certain of his associates including Gilbert Sapperstein as a "Business Dispute or Civil Matter".

"Because corrupt intent knows no stylistic boundaries, fraud on the court can take many forms."
Aoude v. Mobil Oil Corp., 892 F.2d 1115, 15 Fed. R. Serv. 3d 482 (1st Cir. 1989)

The requisite for fraud on the court occurs when a party has sentiently set in motion some unconscionable scheme calculated to interfere with the judicial system's ability impartially to adjudicate a matter by improperly influencing the trier of The requisite fraud on the court occurs where "it can be demonstrated, clearly and convincingly, that a fact or unfairly hampering the presentation of the opposing party's claim or defense."
Aoude v. Mobil Oil Corp., 892 F.2d 1115, 1118 (1st Cir. 1989)

Stone alleges that these documents sought in this FOIA may exist and based on his prior experience and dealings with the DOJ/FBI from early 1994 to 2019 further alleges that this is just another alleged fraudulent concealment scheme by DOJ/FBI.

Designed to keep potentially exculpatory evidence beyond the reach of the victims of alleged white collar criminals and/or organized crime syndicate figures, such as Gilbert Sapperstein, Charles Richard Longo Sr. and certain of their associates.

Stone's many FOIA request are seeking to determine whether or not any of the many government documents Stone seeks from DOJ/FBI pertaining to Sapperstein, Longo, and certain associates have been unlawfully redacted, altered, tampered with, have conveniently gone missing, and/or involve the misuse of FOIA Exemptions to conceal a pattern & history of DOJ/FBI alleged misconduct from FBI Directors Wray to Freeh and Rosenstein to Reno.

Furthermore, these documents allegedly shed light on whether or not the current crop of FOIA DOJ/FBI lawyers (so-called "Officers of the Court"), such as David M. Hardy (FBI), Vanessa R. Brinkman (DOJ), Christina D. Trioani (DOJ), Sean R. O'Neil (DOJ) and others in dealing with Stone's numerous FOIA request to DOJ/FBI are in breach of their duties, obligations, and responsibilities under the FOIA law and the Rules of Professional Responsibility by the state bar association that licensed them to practice law in D.C and/or Virginia.

Such as the **D.C. Rules of Professional Conduct** for example:

Rules of Professional Conduct: Rule 8.3--Reporting Professional Misconduct

(a) A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, shall inform the appropriate professional authority.

(b) A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.

(c) This rule does not require disclosure of information otherwise protected by Rule 1.6 or other law.

Comment

[1] Self-regulation of the legal profession requires that members of the profession initiate disciplinary investigation when they know of a violation of the Rules of Professional Conduct. Lawyers have a similar obligation with respect to judicial misconduct. An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover. **Reporting a violation is especially important where the victim is unlikely to discover the offense.**

Based on Stone's numerous FOIA request to DOJ/FBI he has discovered numerous alleged inconsistencies pertaining to DOJ/FBI duties, obligations, and responsibilities under the Federal Records Keeping act and compliance with the FOIA act.

Just a small sampling of questionable conduct by DOJ/FBI based on Stone's numerous FOIA request as follows:

1. Nobody at DOJ/FBI seems to be able to locate any information pertaining to an entity known as Pinnacle Towers in Sarasota, FL. In late 1997 Pinnacle paid a known associate of Gilbert Sapperstein and Charles R. Longo Sr. approx. \$9 million as part of an alleged \$325 million IPO and then a few years later the bankruptcy of Pinnacle Towers.

* And of special note, the recent, alleged attempts by David M. Hardy, FBI RIDS Chief efforts to monitor and/or censor Stone's recent FOIA request to DOJ pertaining to Stone's Pinnacle Towers FOIA request.

2. The allegedly sham Maryland FBI investigation pertaining to certain associates of Gilbert Sapperstein and/or Longo into the Anne Arundel Economic Development Counsel that David M. Hardy, head of FBI RIDS provided to Stone under FOIA that contains no FBI 302 reports or telephone records with or without redactions.

3. The missing files of the alleged, politically well connected Maryland/Florida crime lord, Gilbert Sapperstein that seems to have "conveniently" gone missing on U.S. Attorney for Maryland, Rod Rosenstein's watch.

4. The FBI unable to locate the 302 report of a personal interview Stone had requested and had been authorized by FBI headquarters in D.C. This interview took place at the FBI field office in West Palm

Beach, FL. on or about April 2001. Stone met with the blonde female agent, (who failed to disclose her name to Stone) conducted the interview. Stone alleges that the agent's name may have been Kit Wilcox.

5. David M. Hardy's with-holding of certain files from Charles R. Longo's FBI approx. 284 page file from Stone even though the false and misleading position of the FBI/DOJ's is that "Stone was only involved in a business dispute or civil matter".

6. The alleged cloaking by DOJ/FBI certain politically well connected individuals and/or entities with immunity/impunity from prosecution for alleged multiple violations of the federal criminal statutes.

The numerous FOIA request by Stone are simple, lawful requests under the the FOIA Act designed to expose the questionable conduct at DOJ/FBI to sunshine, after all:

"Sunshine is the best disinfectant" Supreme Court Justice Brandeis'

Best regards


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