

Appeal of FOIA requester, Donald Stone re: DOJ-2019-007140 DRH:MSH Sept. 30,2019

Any Investigation by A.G. Barr Into the former Ocean City, MD. Real Estate Firm Known as Moore, Warfield, & Glick Where the Principals Were Known Associates of G. Sapperstein and Charles R. Longo Sr.

For these reasons and others Stone appeals the above referenced matter:

Stone is using FOIA for it's designated purpose:

The United States Supreme Court has explained that the, "basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed." The "FOIA is often explained as a means for citizens to know 'what their Government is up to.'" The Supreme Court stressed that "[t]his phrase should not be dismissed as a convenient formalism." Rather it, "defines a structural necessity in a real democracy." As President Obama has declared a, "democracy requires accountability, and accountability requires transparency." The FOIA "encourages accountability through transparency."

A couple of the many questions Stone is using FOIA for to obtain the answers to is:

1. How did the allegedly politically well connected Gilbert Sapperstein and certain of his associates manage to steal and launder an estimated \$3.5 million from the Baltimore School Board from early 1990's to 2003 while Sapperstein and certain of his associates were alleged to be under investigation possibly by several different federal agencies at certain times between the early 1990's to 2003.
2. How did Sapperstein's known associate, Charles Richard Longo Sr. and certain of his associates manage to steal and launder an estimated \$12 million in U.S. Dept. of Education Pell grants and other types of loans involving an estimated 2000 victims in Maryland, Virginia, and D.C. while the alleged target of a DOJ/FBI investigation.

Stone is also using FOIA to investigate the most common alleged fraud schemes that DOJ/FBI used to protect Sapperstein, Longo, and their associates from being prosecuted under federal law.

- a. Alleged Fraud on the court (federal & State)
- b. Alleged Fraudulent concealment of exculpatory documents from victims of organized crime
- c. Alleged Fraud in the omission

First Stone will address the comment below (in Bold Italics) from DOJ.

For your information, neither this office nor any of these senior leadership offices of the Department typically maintains investigatory records and, as such, would not maintain the type of records you are seeking.

The Stone FOIA requests are being directed at Attorney General Barr because of the “agency agreement doctrine”, if any of his employees at DOJ/FBI FOIA divisions or records custodians are engaging in any alleged violations of the Federal Records Act, Freedom of Information Act, Federal RICO statute and/or federal civil/criminal statutes etc. Barr has a right to know about it early on.

It's important that Barr be informed of these matters early on, so he can take whatever legal and lawful remedies are required to correct these allegations if proven as true.

Barr would have unrestricted access to any of these documents that would allegedly implicate or refute any allegations that past and/or current DOJ/FBI executives/employees are involved in any ongoing conspiracy to conceal from public disclosure DOJ/FBI documentary evidence pertaining to Gilbert Sapperstein, Charles Richard Longo Sr. and or certain of their associates.

The allegation is that Attorney General Barr under the agency law doctrine is ultimately and personally responsible for the conduct of DOJ/FBI employees. *An agent who appears to have authority to make statements for his principal gives to his statements the weight of the principal's reputation -- in this case, the weight of petitioner's acknowledged expertise in boiler safety.*

In [American Soc'y of Mech. Eng'rs v. Hydrolevel, 456 U.S. 566 \(1982\)](#), the Supreme Court upheld apparent authority as a legitimate doctrine under agency law, [holding](#), "Under general rules of agency law, principals are liable when their agents act with apparent authority . . . An agent who appears to have authority to make statements for his principal gives to his statements the weight of the principal's reputation -- in this case, the weight of petitioner's acknowledged expertise in boiler safety.

Although Barr is in the public sector, he is still in the top leadership position at the DOJ/FBI. Stone is simply applying the same technique used in the private sector of routing complaints about a company, their products, employees, or policies directly to the Chief Executive Officer or President, this tends to produce the quickest response and most certainly, if it involves employee misconduct or defective product.

Additionally, as an attorney, Barr, licensed to practice law he would be responsible for the compliance of all attorneys under his authority to see that they are in compliance with the Bar "Rules of Professional Conduct."

Stone's response to DOJ's comment below (italics & bold) it appears to be a misunderstanding in that DOJ is alluding to third party exemption. This is an error by Stone, he should have clarified in his request the entity is Moore, Warfield, and Glick Realtors, a business entity (bearing the name of the three founders) and as a business entity has no expectation of privacy. Stone mistakenly left off the word "Realtors"

This responds to your Freedom of Information Act request dated and received in this Office on September 25, 2019, seeking investigatory records pertaining to a third party.

There would be no expectation of privacy for corporation or business entity such as Moore, Warfield, and Glick Realtors.

Excerpt from : <https://www.justice.gov/oip/foia-guide-2004-edition-exemption-6>

Additionally, neither corporations nor business associations possess protectible privacy interests. ⁽⁶⁹⁾
The closely held corporation or similar business entity, however, is an exception to this principle: "While corporations have no privacy, personal financial information is protected, including information about small businesses when the individual and corporation are identical."- Such an individual's expectation of privacy is, however, diminished with regard to matters in which he or she is acting in a business capacity.

69. See, e.g., Sims v. CIA, 642 F.2d 562, 572 n.47 (D.C. Cir. 1980); Nat'l Parks & Conservation Ass'n v. Kleppe, 547 F.2d 673, 685 n.44 (D.C. Cir. 1976); Ivanhoe Citrus Ass'n v. Handley, 612 F. Supp. 1560, 1567 (D.D.C. 1985); see also Iowa Citizens for Cmty. Improvement v. USDA, No. 4-02-CV-10114, 2002 WL 32078275, at *5 n.10 (S.D. Iowa Aug. 13, 2002) (noting in dicta that "[i]t is not clear to this Court that a trust, any more than a corporation, has a privacy interest worthy of protection under the FOIA").

To further diminish any expectation of privacy and heighten the “Public Interest” for the entity of Moore, Warfield, and Glick Realtors it is alleged to have been used as an instrument/entity in an alleged criminal conspiracy (including but not limited to) money laundering, conspiracy to commit federal bankruptcy fraud, fraud on the federal and state courts, etc. pertaining to Gilbert Sapperstein, Charles Richard Longo Sr., and certain associates and certain DOJ/FBI executive and employees.

Excerpted from : Congressional Research Service
Federal Conspiracy Law: A Brief Overview

Charles Doyle

Senior Specialist in American Public Law

January 20, 2016

Congressional Research Service

7-5700

www.crs.gov

R41223

Summary (Introduction) [Citations not included]

Terrorists, drug traffickers, mafia members, and corrupt corporate executives have one thing in common: most are conspirators subject to federal prosecution.1 Federal conspiracy laws rest on the belief that criminal schemes are equally or more reprehensible than are the substantive offenses to which they are devoted. The Supreme Court has explained that a “collective criminal agreement—[a] partnership in crime—presents a greater potential threat to the public than individual delicts. Concerted action both increases the likelihood that the criminal object will be successfully attained and decreases the probability that the individuals involved will depart from their path of criminality.”2 Moreover, observed the Court, “[g]roup association for criminal purposes often, if not normally, makes possible the attainment of ends more complex than those which one criminal could accomplish. Nor is the danger of a conspiratorial group limited to the particular end toward which it has embarked.”3 Finally, “[c]ombination in crime makes more likely the commission of crimes unrelated to the original purpose for which the group was formed.”4 In sum, “the danger which a conspiracy generates is not confined to the substantive offense which is the immediate aim of the enterprise.”5 Congress and the courts have fashioned federal conspiracy law accordingly.6

Page 1 [Citations not included]

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unrelated to the original purpose for which the group was formed.”⁴ In sum, “the danger which a conspiracy generates is not confined to the substantive offense which is the immediate aim of the enterprise.”⁵ Congress and the courts have fashioned federal conspiracy law accordingly.⁶

FOIA allegations of DOJ/FBI corruption such as those made by Stone place a heavy burden on the requester.

Stone has easily met and exceeded that burden with irrefutable documentary evidence which is now in the federal court record when in 1998, in Stone vs. Warfield Sr. Civil RICO in the Southern District of Florida Stone caught six (6) DOJ lawyers conspiring with Charles Richard Longo Sr. and others to perpetrate a “Fraud on the Federal court” trying white wash the many alleged federal felony offenses of Longo and his associates as a “business dispute or civil matter”. At first blush it would appear that the DOJ lawyers were conspiring to protect Longo, Stone alleges that the DOJ lawyers were actually trying to protect Gilbert Sapperstein and his son, Mark Cary Sapperstein while they were busy stealing and laundering an estimated \$3.5 million from the Baltimore School Board early 1990's to 2003.

Stone is using FOIA for its' designated purpose, to plumb the depths of corruption at DOJ/FBI

And incorporate by reference:

1. All DOJ/FBI files pertaining to Gilbert Sapperstein.
2. All DOJ/FBI files pertaining to Charles R. Longo Sr.
3. All DOJ/FBI files pertaining to known associates of Gilbert Sapperstein & Charles R. Longo Sr.
4. All civil or criminal complaints filed with DOJ/FBI by Donald Stone, Jane Chamberlain, George Chamberlain, George McDermott or any other U.S. citizen pertaining to Gilbert Sapperstein, Charles Richard Longo Sr., and/or any of their associates.

Surely, the DOJ is joking when they suggest that Stone contact the FBI in this matter.

The fact that Barr and Durham are flying around the world to personally interview certain individuals pertaining to the alleged coup targeting President Trump, indicates that neither Barr or Durham trust Wray or any of his FBI agents to do this job.

And in closing Stone offers a friendly suggestion to Douglas R. Hibbard, Chief, Initial Request Staff, that Hibbard read or review what his duties, obligations and or responsibilities are as a lawyer (if he is a lawyer) as an employee of the DOJ, because maybe he didn't get the Memorandum known as [Justice Manual](#) » [Title 1: Organization and Functions](#) 1-4.000 - Standards Of Conduct

Best Regards
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