Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England
M.B.A., University of Michigan Business School
D.E.A., La Sorbonne, Paris

59 Crescent Street, Brooklyn, NY 11208-1515
syllabus-proposal@Judicial-Discipline-Reform.org
tel. (718) 827-9521

, 2007

Dean «Name»
«Law_school»
«Street»
«City», «State» «Zip_code»

Dear Dean «Greeting_name»,

I am an attorney and a researcher-writer, holding a Ph.D. in banking law and an MBA, mainly in profit maximization through telecommunications technologies. I have prosecuted 12 federal bankruptcy cases for the last 6 years from bankruptcy court, to district court, to the Court of Appeals, 2nd Cir., to a petition to the U.S. Supreme Court for a writ of certiorari. [1] During the course of that prosecution, I have collected documentary evidence of the participation of trustees, debtors, and other officers in **a bankruptcy fraud scheme supported by federal judges**.

On that evidence, I have written analytical comments, which I have filed with the courts and posted on my website, to wit, http://Judicial-Discipline-Reform.org. These writings show my commitment to the subject and capacity to perform my side of the proposal to you. It begins with the publication of **a series of articles exposing** to the general public not only the modus operandi of such fraud scheme, but also explaining the legal aspects of the federal judiciary that have given rise to its prerequisite: **coordinated judicial wrongdoing**. [2]

The evidence supporting my articles is solid, for I have appealed to courts as well as to:

1. the Judicial Council of the Second Circuit –its administrative body- and each of its judges,
2. the Administrative Office of the U.S. Courts, its director, and its general counsel;
3. successive chairpersons of the Administrative Office's Executive Committee;
4. the Judicial Conference of the United States and each of its judges;
5. its Committee for the Review of Circuit Council Conduct Orders and each of its members;
6. Circuit Justice Ruth Ginsburg (of the Supreme Court), allotted to the Second Circuit;
7. the Late Chief Justice of the Supreme Court William Rehnquist;
8. the Executive Office of the U.S. Trustees, its director, general counsel, and Inspector General;
9. the Assistant U.S. Trustee and three successive U.S. Trustees for Region 2;
10. the U.S. Department of Justice and the FBI in Washington, NYC, Rochester, and Buffalo;
11. the Committees on the Judiciary of the U.S. Senate and H.R. and each of their members;
12. the former and current chief judges of the Court of Appeals for the Second Circuit (CA2) ;
13. the NYC Bar Association (NYCBar), each of its officers and directors, and scores of its members;
14. the Federal Bar Council (FBC) and each of its officers and scores of its members;
15. the CA2, NYCBar, and FBC Committee on Judicial Conduct;
16. the Judicial Conduct Act Study Committee headed by Justice Stephen Breyer;
17. the bankruptcy departments of the main banks that issue credit cards.

As a result of this immense work, the articles would be based on well over 800 official documents. [ip:9] This allows me to refer to an official document as the source of each of my statements and thereby fend off any defamation suit. Moreover, they would offer an insight of unequaled depth and breadth into the functioning of our legal system and how the average person could have their rights trampled upon by coordinated wrongdoing judges amidst the indifference, mendacity, and bungling responses of top members of the other two branches of government and the complicity of members of the bar. Thus, the articles would inform and caution your readers

about how those charged with the administration of justice disregard their duty in order to coordinate their wrongdoing…but what is their motive? This leads into the second part of the proposal.

The answer is based on the fact that bankruptcy provides one of the most insidious motives for wrongdoing: money! [3] This would be ascertained in a Watergate-like *Follow the money!* investigation [4] from *public* records [5] through the network of personal and financial relationships of judges, trustees, debtors, and other officers to their concealed assets. Unjustifiable discrepancies between the assets that investigatees reported and those found in their names or those of their relatives and agents could constitute a non-disclosure offense and signal evasion of taxes on concealed assets and money laundering. This evidence would reveal coordinated financial criminal activity by the only class in America in practice beyond prosecution: federal judges, only 7 of whom have been removed in the 218 years since the Constitution of 1789. [6]

Your paper's expenditure in financing –even confidentially and either alone or in partnership with a TV station's news department or investigative program- a team of investigative journalists, lawyers, and forensic accountants [7; 1a] would be balanced by the proceeds from a key product of the investigation: the website reflecting the annual development of the **Report on Judicial Wrongdoing in America**. The site would be a profit center by selling advertisement intended for visitors attracted by evidentiary documents, commentaries, statistics, charts, and the text of authorities posted by the **judicial wrongdoing investigative team**. There is already an audience for this information since it does not take long for one to Google dozens of websites and find Yahoo groups where people complain about federal and state judges' corruption and disregard for the law and express their desire for judicial reform. This provides another profit center, i.e., people willing to pay the team to have the documents of their cases, such as in probate, divorce, real estate, or landlord-tenant court, summarized in a synoptic paragraph and included in the **Table of Judicial Wrongdoing Across the Nation** describing a pattern of conduct in the 3rd Branch. [8]

Naturally, a number of website visitors will spread the word. They can create a buzz on the Internet that could cause bloggers to join the investigation by searching for evidence of coordinated judicial wrongdoing in their districts and posting their findings on their own blogs and/or contributing them to the team's website in order to have access to leads, tips, and recognition reserved for contributors. Likewise, the buzz can become loud enough for it to be reported on by other media, thus providing free publicity for your newspaper and the website. [ip27§D] In turn, the evidence of wrongdoing can lead to investigations by U.S. attorneys, the FBI, and the Congressional Judiciary Committees as well as their state counterparts and end up in the enactment of judicial reform legislation [ip23¶¶5-9]…and a book. This highlights a key point: An investment in this proposal can pay off in several ways for a long time…including a Pulitzer Prize? as for investigative journalism exposing the Supreme Court's toleration in self-interest of its lower court peers' abuse of power and contempt for the rule of law. [9]

Once in a lifetime a person can embark on an arduous and risky undertaking to render a service of superior moral and practical institutional value for the common good. During Watergate, Carl Bernstein and Bob Woodward did so. The instant matter has graver consequences, for federal judges are life-tenured and after abusing their de facto absolute power, have used their mutual knowledge thereof to secure reciprocal protection; with such 'absolutely corruptive' self-immunizing power they have turned the judiciary into a safe haven for their wrongdoing. By exposing it, you can promote integrity in the judiciary to bring it ever closer to its lofty goal of delivering to all people "Equal Justice Under Law". Thus, I kindly request that we discuss this proposal.

A Case That Reveals a Bankruptcy Fraud Scheme and the Extent of its Enabling Coordinated Judicial Wrongdoing

The extent of coordinated judicial wrongdoing in support of a bankruptcy fraud scheme is illustrated by a case so egregious as to reveal overconfidence born of a long standing practice. Indeed, *In re DeLano*, 04-20280, WBNY, is a case commenced by a bankruptcy petition filed on January 27, 2004, by the DeLano couple. [10] Mr. DeLano, however, is quite an unlikely candidate for bankruptcy, for he is a 39-year veteran of the banking and financing industry who at the time of filing was employed by M&T Bank precisely as a bankruptcy officer. He and Mrs. DeLano, a Xerox technician, declared in the A-J Schedules and Statement accompanying their petition:

a) that they had in cash and on account only $535 [10, ip:41/Sch.B], although they had declared in the Statement of Financial Affairs [ip:57] and their 1040 IRS forms [11] to have earned $291,470 in the 2001-03 fiscal years preceding their bankruptcy filing;

b) that their only real property is their home, valued on November 23, 2003, at $98,500, as to which their mortgage is still $77,084 and their equity only $21,416 [ip:40/Sch.A]… after making mortgage payments for 30 years! and having received during that period at least $382,187 through the known elements of a string of mortgages! [12] *Mind-boggling!*

c) that their credit card debt on 18 cards totals $98,092 [ip:48/Sch.F], while they set the value of their household goods at only $2,810! [ip:41/Sch.B] *Implausible!* Couples in the Third World end up with household possessions of greater value after having accumulated them in their homes over their worklives of more than 30 years.

This 39-year veteran banker was assisted in his filing by a lawyer that had appeared in 525 cases before the judge assigned to the case [13], one of 3,907 *open* cases that the bankruptcy trustee had likewise brought before the same judge. [14] Thus, this was a scheme-insider offloading 78% of his and his wife's debts [ip:68] in preparation for traveling light into a golden retirement. They felt confident that they could make such incongruous, implausible, and suspicious declarations in the schedules and that neither the schemers would discharge their duty nor the creditors exercise their right to require that bankrupts prove their petition's good faith by providing supporting documents. Moreover, they had spread their debts thin enough among their 20 institutional creditors to ensure that they would find a write-off more cost-effective than to challenge their petition in litigation. So they assumed that the sole individual creditor, who in addition lives hundreds of miles from the court, would not be able to afford to challenge their good faith either. [18, ip:182§1] But he did! The Creditor analyzed their petition and documents and estimated that the DeLano Debtors had concealed assets worth at least $673,657! [15]

The Creditor requested that the Debtors produce financial documents as obviously pertinent to prove the good faith of any bankruptcy petition as their bank account statements. [16] Yet the trustee, who is supposed to represent the creditors' interests, tried to prevent the Creditor from even meeting with the Debtors. After the Debtors denied *every single document* requested by the Creditor [16, ip:146], the latter moved for orders of production [ip:149]. Contrary to their duty to determine whether the Debtors had engaged in bankruptcy fraud by concealing assets, the bankruptcy judge [ip:159], the district judge [ip:162], and the Court of Appeals [ip:165, 166] denied *every single document* requested. Then they eliminated the Creditor from the case in a sham evidentiary hearing. [18, ip:184§2] Revealing how incriminating these documents are, to oppose their production the Debtors, with the trustee's recommendation and the bankruptcy judge's approval, have been allowed to pay their lawyers legal fees in the amount of $27,953 [17]…although they had declared only $535 in cash and on account [ip:41].

To date $673,657 is still unaccounted for. Where did it go and for whose benefit? [ip:186§B].

Endnotes with Links

Important! The text of this letter and most of its exhibits can be retrieved through http://Judicial-Discipline-Reform.org/Investigation_Proposal/to_newspapers.pdf, which is 12MB in size and will take several minutes to download. Other exhibits can be downloaded individually. All must be opened with Adobe Acrobat Reader 7 or higher, which is downloadable for free from www.Adobe.com .

This proposal stands on its own. The documents below are attached hereto or referred to herein as writing samples of my capacity to present a vast amount of information in a way accessible to a layperson, concisely, and in a highly organized fashion. Elements discussed in them that are not specifically discussed in the letter above need not form part of the proposal.

[1] **Summary of the Tables of Exhibits** that provide the evidence gathered in 12 cases over 6 years showing that a federal judgeship has become a safe haven for wrongdoing and justifying an investigation to determine how high and to what extent wrongdoing has reached; and that warrant the call for forming a virtual firm of lawyers and investigative journalists centered on Judicial Discipline Reform.org to help prepare pro bono a class action based on the representative case charging that Chief Judge John M. Walker, Jr., of the Court of Appeals for the Second Circuit (CA2) and CA2 Judge Dennis Jacobs have engaged in a series of acts of disregard of evidence and of systematic dismissal of judicial misconduct complaints forming a pattern of non-coincidental, intentional, and coordinated wrongdoing that supports a bankruptcy fraud scheme and protects the schemers (full Table at http://Judicial-Discipline-Reform.org/docs/Tables_of_Exhibits.pdf) ip:7

[a] Contact information with index to exhibits, listed in the order in which the *Follow the money!* investigation may proceed; full Table at ToEC:271

[2] **The Dynamics of Organized Corruption in the Courts** How judicial wrongdoing tolerated or supported in one instance gives rise to the mentality of judicial impunity that triggers generalized wrongdoing and weaves relationships among the judges of multilateral interdependency of survival where any subsequent unlawful act is allowed and must be covered up; http://Judicial-Discipline-Reform.org/Follow_money/Dynamics_of_corruption.pdfk ip:11

[3] The judges' 'eroded morale over stagnant compensation' is aggravated by the **corruptive power of the lots of money** available in bankruptcy (excerpt from Dr. Cordero's petition to the Supreme Court for a writ of certiorari to the Court of Appeals, 2nd Cir., in *Cordero v. Trustee Gordon et al.*, 04-8371, SCt, http://Judicial-Discipline-Reform.org/Follow_money/for_certiorari_SCt.pdf ip:12

[4] http://Judicial-Discipline-Reform.org/Plan_of_Action/Follow_money.pdf ip:14

[5] The *Follow the money!* investigation would be based on **public records** such as:

a) the annual judicial financial disclosure reports required under 5 USC App. 4 ;
b) bankruptcy petitions and their schedules (cf. ip:33);
c) the final report filed by a trustee upon closing a case (cf. 11 USC §704(a)(9));
d) the property registry at county clerks' offices (cf. http://www.naco.org);
e) accounts audited by the Executive Office of the U.S. Trustee (cf. 28 CFR §58.6(8)) ,
f) documents obtained through the Freedom of Information Act (5 USC §552).

http://Judicial-Discipline-Reform.org/Plan_of_Action/Motive_Strategy.pdf ip:16

[6] **Unimpeachable Judges** are Judges Above the Law; http://Judicial-Discipline-Reform.org/Follow_money/Unimpeachable_above_law.pdf ip:18

[7] **Synopsis of an Investigative Journalism Proposal** to Answer the Question: Has a Federal Judgeship Become a Safe Haven for Coordinated Wrongdoing? (full Synopsis at http://Judicial-Discipline-Reform.org/docs/Investigation_proposal.pdf) ip:19

[8] The **Report** and the **Table** have been described in the Programmatic Proposal, which works as a business plan at the pre-quantified stage setting forth how the team (therein referred to as a firm) would conduct its investigation, present its results, and generate income. See ip:24§III of the **Programmatic Proposal** to Ensure Integrity in Our Courts by Engaging in **Specific Activities** and Achieving Concrete Objectives Leading to the Enactment of Judicial Discipline and Accountability Legislation; http://Judicial-Discipline-Reform.org/docs/Programmatic_Proposal.pdf ip:21

[9] http://Judicial-Discipline-Reform.org/docs/SCt_knows_of_dismissals.pdf ip:31

[10] *In re David and Mary Ann DeLano*, 04-20280, WBNY, bankruptcy petition filed on January 27, 2004, with A-J Schedules and Statement of Financial Affairs, http://Judicial-Discipline-Reform.org/docs/DeLano_petition.pdf ip:33

[11] http://Judicial-Discipline-Reform.org/docs/1040_IRS_DeLano_forms_01_03.pdf ip:79

[12] http://Judicial-Discipline-Reform.org/docs/mortgages_of_DeLanos.pdf ip:82

[13] http://Judicial-Discipline-Reform.org/docs/Werner_525_before_Ninfo.pdf

[14] http://Judicial-Discipline-Reform.org/docs/Trustee_Reiber_3909_cases.pdf

[15] The **DeLanos' income** of $291,470, mortgage receipts of $382,187, plus credit card borrowing of $98,092 unaccounted for due to the judges' refusal to require production of documents supporting their declaration in Schedule B (ip:41) that at the time of filing their bankruptcy petition they only had in hand and on account $535!; http://Judicial-Discipline-Reform.org/docs/DeLano_income.pdf ip:136

[16] Creditor's **requests for financial documents** so that bankruptcy petitioners prove the good faith of their petition and **denial of *every single document*** by them, the bankruptcy judge, the district judge, and the Court of Appeals, 2nd Cir.; http://Judicial-Discipline-Reform.org/Follow_money/Docs_denied.pdf ip:137

[17] To oppose production of incriminating financial documents, the bankruptcy petitioners that declared **having only $535** in cash and account **receive legal services worth $27,953** from their attorney, whose bills the trustee recommends for payment and the bankruptcy judge approves their payment; http://Judicial-Discipline-Reform.org/Follow_money/DeLanos_legal_fees.pdf ip:167

[18] **Statement of Facts** (excerpt from Appellant's principal brief in *Dr. Richard Cordero v. David and Mary Ann DeLano*, 06-4780-bk, CA2, filed on March 19, 2007; full brief at http://judicial-discipline-reform.org/Follow_money/DrCordero_v_DeLano_06_4780_CA2.pdf) ip:180

DR. RICHARD CORDERO, ESQ.

investigation-proposal@Judicial-Discipline-Reform.org

Work Experience and Education

RESEARCHER AND WRITER, 1995-to date — New York City, NY

LAWYERS COOPERATIVE PUBLISHING, 1991-1993 — Rochester, NY

THE UNIVERSITY OF CAMBRIDGE, Ph.D. of the Faculty of Law, 1988 — Cambridge, England

THE UNIVERSITY OF MICHIGAN, MBA of the Business School, 1995 — Ann Arbor, Michigan

LA SORBONNE, French law degree of the Faculty of Law and Economics, 1982 — Paris, France

BAR MEMBERSHIP, lawyer admitted to the NY State Bar

Publications

- Competition Strategies Must Adapt to the Euro, 17 Amicus Curiae of the Institute of Advanced Legal Studies, London, 27 (May 1999)
- Why Business Executives in Third Countries and Non-participating Member States Should Pay Attention to the Euro, European Financial Services Law 140 (March 1999).
- Some Practical Consequences for Financial Management Brought About by the Euro, 5 European Financial Services Law 187 (1998).
- Impending Conversion to the Euro Prompts New Guidelines from the IRS, New York Law Journal, pg. 1, Friday, October 2, 1998.
- The Creation of a European Banking System: A study of its legal and technical aspects, Peter Lang, Inc., New York, XXXVI, 390 pp., 1990; this book earned a grant from the Commission of the European Communities and was reviewed very favorably in 32 Harvard International Law Journal 603 (1991) and 24 New York University Journal of International Law and Politics 1019 (1992).
- A Strict but Liberalizing Interpretation of EEC Treaty Articles 67(1) and 68(1) on Capital Movements, 2 Legal Issues of European Integration 39 (1989); article proposing a novel interpretation and application of European Communities provisions on capital movements.
- The Development of Video Dialtone Networks by Large Phone and Cable Companies and its Impact on their Small Counterparts, 1 Personal Technologies no. 2, 60 (Springer -Verlag London Ltd., 1997).
- Video Dialtone: Its Potential for Social Change, 15 Journal of Business Forecasting 16 (1996).
- Video Dialtone Network Architectures, by Richard Cordero and Jeffery Joles, 15 Journal of Business Forecasting 16 (Summer 1996)
- Availability of an Implied Right of Action under the Tender Offer Provisions of §14d-f of the Securities Exchange Act of 1934 (15 USCS §78n(d)-(f)), added to the Exchange Act by the Williams Act of 1968, and Rules Promulgated thereunder by the SEC, 120 ALR Federal 145.
- Venue Provisions of the National Bank Act (12 USCS §94) As Affected By Other Federal Venue Provisions and Doctrines, 111 ALR Federal 235.
- Construction and Application of the Right to Financial Privacy Act of 1978 (12 USCS §§ 3401-3422), 112 ALR Federal 295.
- Exemption or Immunity From Federal Antitrust Liability Under the McCarran-Ferguson Act (15 USCS §§1011-1013) and the State Action and Noerr-Pennington Doctrines for the Business of Insurance and Persons Engaged in It, 116 ALR Federal 163.
- Who May Maintain an Action Under §11(a) of the Securities Act of 1933 (15 USCS §77k (a)), in Connection With False or Misleading Registration Statements, 111 ALR Fed. 83.