

**CONFIDENTIAL FAX TRANSMISSION**

**December 14, 2000**

**To: Robert E. Watson**

**Urgent !**

Tel: (719) 635-8115

Fax: (719) 635-1248

From: Harmon L. Wilfred

**Regarding: Request For Continuance**

Number of Pages (Including Cover Page) 1

Dear Bob,

Due to blizzard conditions in Ontario, Canada in the last 3 days, the Toronto airport has been intermittently shut down, the local roads are snow and ice covered and all but impassable and the normal two hour drive from Stratford, Ontario to the airport would be, if possible at all, not wise to attempt. We have had at least 3 feet of snow in the last 3 days and are digging out this morning from the latest storm last night that deposited in excess of another foot of snow in the Stratford area. My original flight schedule to Denver this morning is impossible, and the road condition report in Ontario this morning provides for extreme caution for travel today with snow covered and slippery conditions throughout Southern Ontario.

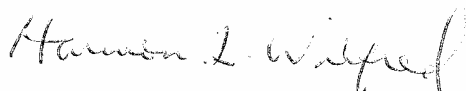
To top it off, we have received a call from my mother in Akron, Ohio that my nephew, Mark Wilfred, son of my oldest brother, Jim Wilfred, has suddenly died and she has requested that, if at all possible, I come to Ohio immediately to be with the family. Mark lived in Tennessee and they have flown the body up to Akron, Ohio for the funeral and burial. With the loss of our father in May of this year, the family is devastated and my brother is not doing well. You may confirm this information through my mother, Mary Sue Wilfred at (330) 784-2905. With the danger of losing our bail and having the arrest warrant active, we know that any reason for not being at the hearing must be more than reasonable.

All of this to say, due to road and weather conditions, we are not going to attempt the trip today and therefore will not be available for the hearing tomorrow. As soon as the roads are reasonably passable, however, we would like to travel by car to my mother's to be with the family in Ohio during the holidays to pay our respects and comfort my brother and his family.

We hereby request that due to current weather and today's hazardous travel conditions as well as the death of my nephew, Mark Wilfred, we would like the case to be continued until after the holidays.

Sincerely,

Witness:



Harmon L. Wilfred



Carolyn R. Wilfred

**CONFIDENTIAL FAX TRANSMISSION**

**December 18, 2000**

**To: Bill Aspinwall**

Tel: (719) 635-8115

Fax: (719) 635-1248

From: **Harmon L. Wilfred**

**Regarding: US Justice Department Activity**

Number of Pages (Including Cover Page) 4

Dear Bill,

Attached is a copy of the original cover letter and request for a Federal Investigation as well as the Memo with a brief of the El Paso County Pension Fund embezzlement cover-up sent to the US Justice Department as it relates to the criminal charges against me. Michael Horowitz, the Justice Department Chief of Staff requested the Pension Fund brief as a part of their recent focus into the investigation of the El Paso County DA's and the 4<sup>th</sup> Judicial District's activities in my case.

These summaries may be effective to attach to the contemplated Motion to Disqualify, Change of Venue and protection under the whistleblower statutes. Thank you so much for your help in this critical matter. We insist that you discuss these issues with Bob Watson on our behalf as we prepare for our next telephone conversation at 2:00 PM tomorrow.

Sincerely,



Harmon L. Wilfred



Carolyn R. Wilfred

October 4, 2000

EXHIBIT C

Mr. Michael Horowitz  
Chief of Staff, Criminal Division, US Department of Justice  
950 Pennsylvania Ave. NW, Washington, DC 20530

Regarding: Attached Case History and **Urgent Request For a Federal Investigation**

Dear Mr. Horowitz,

The Colorado El Paso County District Attorney's office would like you to believe that my criminal case is about charges filed against me as a result of a domestic/marital dispute involving my violation of a custody order to attend a hearing, and extortion alleged during mediation. In truth, the primary dispute involves my ex-wife's abuse of our two minor children documented by witnesses, sworn affidavits and direct report to Colorado Social Services by a licensed Colorado Social Worker (see Index #15 and # 21).

In fact, the charges came as a convenient diversion created by the DA in order to destroy my credibility as a whistle blower to the District Attorney, John Suthers' and his associate's participation in a cover-up of a *conspiracy* to embezzle money from the El Paso County Pension Fund from 1993 to 1995. In the process, the DA has also used this case to influence the State Court System into abandoning my children to their abusive mother by default, by not permitting disclosure of *any* of the evidence of child abuse.

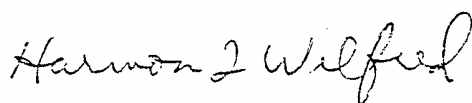
Since my arrest in February of 1998, the El Paso County DA has systematically attacked my personal and business credibility by reporting me to the US SEC, the FBI and filing a criminal investigation on my international business activities in repeated failed attempts to generate additional charges. (See Index #6, Gregory Craig Summary). They have also involved Arapahoe County and the US Attorney in Colorado in three clear violations of the Extradition Treaty between Canada and the US by arresting and subsequently releasing me each time I have returned to Colorado in good faith to challenge the original charges.

With full knowledge of having placed my children at continued risk of abuse and habitually breaking the law, they are now avoiding even the possibility of a public hearing on the original charges by the filing of four continuances. Their latest threat is to revoke my \$10,000 bail upon my return from Canada for the next hearing if I fail to pay extradition expenses accrued by the County; *another* violation of the Treaty.

I have not seen my children nor have had so much as a report on their whereabouts or well being since February of 1998 by an order of the State District Court; a clear violation of my parental rights. I have been warned by a former member of the DA's office that "If I report these issues to the US Justice Department for an investigation, I will never see my children again" (See Index #6, Gregory Craig Summary). This letter only touches on a fraction of the politically motivated extortion and violation of my civil rights committed by the Colorado Justice System as described in the attached Case History.

I hereby request a federal investigation for political corruption on the part of the El Paso County DA and their State and Federal conspirators as shown in the attached evidence. I am due in Colorado for my next attempt at a preliminary hearing on October 20, 2000. Thank you for your *prompt attention* to this matter.

Sincerely,



Harmon L. Wilfred

CC: Alan Gold, Esq.  
Bill Moffitt, Esq.  
Lowell Bergman

Harmon L. Wilfred

Suite 344 • 356 Ontario Street • Stratford • ON • Canada • N5A 7X6  
TEL (519) 275-2928 • FAX (519) 275-2943

**EXHIBIT D** \*

**CONFIDENTIAL FAX TRANSMISSION**

**October 26, 2000**

**To:** **Alan Gold**  
**Company:** Gold & Fuerst  
**Tel:** (800) 263-1726  
**Fax:** (416) 368-6811  
**From:** Harmon L. Wilfred  
**Regarding:** **Attached Brief**

Number of Pages 2

Dear Alan,

Attached is the executed Memo to Michael Horowitz regarding the El Paso County Pension Fund embezzlement incident as it relates to my case. Please note in the last paragraph that Judge Kane was not only in conflict by residing over the first custody hearing in October of 1997 through his firms representation of the "extortion" agreement I was forced to sign, but he also was the presiding Judge in the civil suit I filed pro se against the Pension Fund, Witty and contractors for the non-payment of my fees in 1996. Judge Kane was forced to recuse himself from that case at my request because his firm was also the opposing counsel.

The other interesting fact is Judge Kane exited the domestic case after making his damning determination against me in the temporary orders hearing that spawned the criminal charges. If my brief were not limited to one page, I would have included this information as well. You may wish to include these facts in a cover letter to Mr. Horowitz, or simply include this cover letter as part of the Memo.

Thank you for delivering the attached Memo to Michael Horowitz and keeping me abreast of any further news.

Sincerely,



Harmon L. Wilfred

EXHIBIT D,

October 25, 2000

**Memo To:** Mr. Michael Horowitz, Chief of Staff, Criminal Division, US Department of Justice

**Regarding:** The El Paso County Pension Fund Embezzlement Cover-up (Case History, Sec #6, Draft Affidavit)

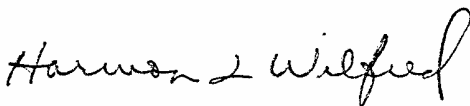
The following is a *brief* of my knowledge of the events from June, 1993 through the Spring of 1996 surrounding the embezzlement of funds from the El Paso County Pension Fund in El Paso County, Colorado:

In June of 1993, I was employed in Colorado Springs, Colorado, by ReMax Commercial Properties Inc. and three other related business entities owned by Douglas A. Dragoo, Russell Roehrkasse, and Edwin Hume to provide commercial property services on behalf of the El Paso County Pension Fund ("Fund"). In the summer of 1994, I was given a contract to list, lease, provide construction and property management services and sell a Fund property called "The Landing Shopping Center". In August of 1994, I discovered \$95,000 of construction funds belonging to the Fund were missing from the operating account. Upon further investigation of the books and records involving all the transactions I was authorised to access, I discovered that large amounts of money were being removed from these accounts at specific intervals and replaced at later dates, as well as commissions and fees billed to the Fund were double, triple, and in some cases quadruple the amounts being represented.

I immediately reported the missing and co-mingled funds to Mr. Michael Witty, Fund administrator and the El Paso County DA's office with no result. I then took all my information to Pam Zubeck, a business news reporter at the Gazette Telegraph. Ms. Zubeck contacted the DA and within 24 hours, the DA's office publicly announced a criminal investigation. In November of 1994, the DA's office reported that the contracting entities in question, along with Michael Witty, were cleared of any wrongdoing. My contract for services was cancelled without payment of the then owing \$75,000 in back fees. Thereafter, Pam Zubeck and I launched our own investigation and discovered that Witty, Dragoo, Roehrkasse and Hume were "partners" in a secret profit-sharing plan embezzling hundreds of thousands of dollars in Fund money to transact illegal personal loans, fraudulent deals and pay themselves grossly inflated fees charged to the Fund properties.

Between June 29 and November 8, 1995 I met with the Colorado State Attorney General's Office and was ultimately referred to the FBI through the US Office of Congressional Affairs. In January, 1996, after reporting to the FBI, a "new" investigation was announced by the El Paso County DA resulting in findings that were identical to my information given to DA Suthers in September of 1994 with the exception of a total omission of the illegal activity of Mr. Witty's *now wealthy* contractor accomplices. Michael Witty pleaded guilty to embezzlement, and several Fund board members and County Treasurer Shipley were fired and fined.

On January 30, 1996, I was forced under duress to sign an "extortion" agreement (See Sec #6, Exhibit E) by three law firms, including Kane & Donley, and Suthers' firm of Sparks and Dix (representing County Treasurer Shipley, Witty, and Witty's "contractor partners") requiring that I keep my mouth shut or suffer a penalty of \$50,000 per event. On October 17, 1997, Judge Kane of Kane and Donley presided over my ex-wife's "emergency" temporary orders hearing where he awarded her custody of our two minor children after refusing to hear testimony about or consider her recorded history of child abuse. The current criminal charges fabricated against me as retribution for having blown the whistle on John Suthers and the El Paso County District Attorney's office were justified as a direct result of Judge Kane's decision.



Harmon L. Wilfred

CC: Alan Gold, Esq.  
Bill Moffitt, Esq.  
Lowell Bergman

**CONFIDENTIAL FAX TRANSMISSION**

**December 19, 2000**

**To: Bob Watson / Bill Aspinwall**

Tel: (719) 635-8115

Fax: (719) 635-1248

From: Harmon L. Wilfred

**Regarding: Motion to Disqualify ETC.....**

Number of Pages (Including Cover Page) 1

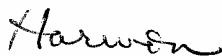
Gentlemen,

In my Motion to Disqualify the El Paso County DA for conflict accompanied by the request for Change of Venue and protection under the whistleblower statutes, does that not carry with it the assumption that the case cannot continue until such time as the conflict issue is determined by the Court? Especially as the conflict carries with it the very real possibility of continuing compromise to my personal safety and/or freedom. After what I have been through over the past 6 months with broken promises, unwarranted incarcerations and the latest violation of the Extradition Treaty by the DA as approved by Judge Booth, forcing me to pay the expenses, it does not make sense to us to return to Colorado without knowing that any and all conflicts are resolved. We do not believe this is possible with the current DA and the 4<sup>th</sup> Judicial District as long as the possibility of further retribution exists due to my having blown the whistle on them in the Pension Fund Embezzlement scheme; especially now as they are most probably aware that I have reported this with the entire case book of evidence to the US Justice Department requesting an investigation.

If filing these motions does not automatically carry a stay or continuance to provide time for consideration, we would like a Motion for Stay/Continuance to be filed with these motions subject to their consideration by the Court. We would, of course insist that the motions be accompanied by the summaries sent to US Justice Department Chief of Staff, Michael Horowitz as well as my Case History Book, or some part thereof to provide supporting evidence as you would recommend.

We are looking forward to talking to you at 2:00 PM your time.

Sincerely,



Harmon L. Wilfred



Carolyn R. Wilfred

**CONFIDENTIAL FAX TRANSMISSION**

**December 20, 2000**

**To: Robert Watson, Esq.**

**Urgent!**

Tel: (719) 635-8115

Fax: (719) 635-1248

From: Harmon L. Wilfred

**Regarding: Friday's Preliminary Hearing**

Number of Pages (Including Cover Page) 5

Dear Bob,

It is with much serious consideration and fear for my personal safety that I have decided not to attend the preliminary hearing on Friday, December 22, 2000. This is by no means a gesture of defiance or with *any* intent to break the law. Quite the contrary, I believe we have a very strong case and, as you know, have been attempting to challenge these charges since April of this year.

In lieu of my attendance, it is my instruction to you to immediately prepare and file a Motion to Disqualify the El Paso County DA for "conflict" accompanied by a request (motion) for Change of Venue to include a stay of proceedings and bail extension. I believe we have extensive evidence to show that the DA's conflict carries with it the very real possibility of continuing compromise to my personal safety and/or freedom as has been demonstrated repeatedly since my return to Colorado in April of this year to challenge the charges. I have faced multiple and illegal incarcerations and violations of my rights including the latest violation of the US / Canadian Extradition Treaty by the DA and the Court, (the fourth in a series since my first return to Colorado in April 2000), wherein the DA required and the presiding Judge in this case, Judge Booth, illegally approved and thereby ordered me to pay my extradition expenses in order that I might obtain a fair continuance and bail extension.

I do not believe justice is possible with the current DA and the 4<sup>th</sup> Judicial District as long as the opportunity of further retribution against me exists due to my having "blown the whistle" on the DA exposing their participation in the El Paso County Pension Fund Embezzlement scheme from 1994 to 1996. This is especially true now that I have reported this activity along with all of the recent legal abuses of retribution against me with legal summaries and an entire case book of supporting evidence to the US Justice Department, requesting an investigation through Chief of Staff, Michael Horowitz. I would, of course, insist that a copy of this letter, the two brief summaries (see attached) as well as the Gregory Craig Urgent Request Summary, Section #6 in the Case History Book and the Case History Supplement / Conspiracy Theory sent to Mr. Horowitz and copied to your attention, accompany the motions to be filed as evidentiary attachments.

Harmon L. Wilfred

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Again, I hope I am clear that I do not wish to violate the law. As long as I am assured of justice without the prejudice and illegal abuses that have accompanied this case thus far, I am anxious to return and challenge these charges. Should the Judge deny our motions and request for bail extension, I insist that we immediately file an Appeal in order to further challenge and remain within the law. I will continue to provide US Chief of Staff Michael Horowitz copies of all correspondence and activity on this case through my Canadian attorney, Alan Gold, with a continuing request for an investigation for political corruption until such time as an investigation is commenced, unless or until I see the results we seek in Colorado for due process in this case.

Please contact me for any discussion you may require in the preparation and filing of these motions.

Sincerely,



Harmon L. Wilfred

CC: Michael Horowitz  
Alan Gold, Esq.

**CONFIDENTIAL FAX TRANSMISSION**

**December 21, 2000**

**To: Bill Aspinwall**

**Urgent!**

Tel: (719) 635-8115

Fax: (719) 635-1248

From: Harmon L. Wilfred

**Regarding: Assistance**

Number of Pages (Including Cover Page) 1

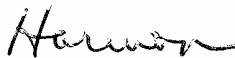
Dear Bill,

As I have made the decision to not return for the Friday hearing and instead, file the Motions for conflict and Change of Venue along with requests for stay and bail extension, Carolyn and I would be most grateful if you would assist Bob in creating these motions on such a short notice. Especially as you are quite familiar with the on going conflicts through your representation of Phil Freytag and the information provided in the case history sent to your attention with regard to the Pension fund incident.

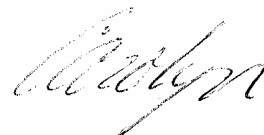
If we can possibly avoid any semblance of breaking the law and clearly show that my personal safety is truly at risk as long as this information is hidden and the DA and 4<sup>th</sup> Judicial District can operate under the fantasy that there is no conflict or political corruption, we are convinced they *can* and *will* continue to attempt shut me up with their repeated illegal tactics by placing my personal safety and freedom at risk.

For the sake of my freedom and the well being of the children, thank you for your most urgent assistance.

Sincerely,



Harmon L. Wilfred



Carolyn R. Wilfred