

New Republic/USA Financial Group, GES.m.b.H Kartnerstrabe 28/15 Telefon: 513.4235 A - 1010 Wien, Austria-Europe

3 National Westminster Bank

Signing Arrangements — Notes for Customers

To operate your account safely and securely we need specimen signatures of anyone who is to sign cheques and authorise other transactions.

When the account is the business account of a sole trader, the completion of the signature card below may be all that we need.

Where there are a number of signatories to the account, eg, an account for a partnership, limited company, or a club or society, you will be asked to complete a form of mandate. This is a written instruction to the Bank which tells us who is to sign and in what circumstances. Some important conditions which apply to accounts are also contained in the mandate and by signing the form you are giving your agreement to these.

You will be provided with the relevant form for completion and although it may look rather complex, its purpose is quite straightforward. If there are any points you are unsure of, please feel free to ask.

If, in the future, you wish to change the signing arrangements for any reason, please advise us and we can arrange for a new mandate to be completed.

NB If all those who are to sign the account are not present, this sheet may be taken away for completion.

	GESSELLSCHAFT
Customer Name NEW REPUBLIC/USA FINANCIA	AL GROUP, LTD.
Specimen Signatures of:	

Name: LORRAYNE HILDA FINE

Name: DR OLGA SARANTOPOULOS Signalure:

Please complete this card, providing a specimen signature for each signatory to the account.

Name: LEO EMIL WANTA

The completed card, together with the form of mandate (where appropriate) should be returned to your branch as soon as possible.

NWB10874 Rev Feb 91-1

National Westminster Bank PS

New Republic/USA Financial Group, GES.m.b.H Kartnerstrabe 28/15 Telefon: 513.4235 A - 1010 Wien, Austria-Europe

Mandalla Recht de Dec 62

Mandalla Mand To: Office of the President, Office of the Vice President, Cabinet Members, Office of the Governors, State and Federal Officials, Congress of the United States, OMB Director Jacob Lew, et al

Notice of Default Confirmation - With President Obama's authorized release of my personal, civil and repatriated Inward Remittance of USDollars 4.5 Trillion, of May 2006 to Bank of America-Richmond, Virginia as confirmed by the Federal Reserve Bank - Richmond's in Court Motion, under their Penalty of Perjury.

1.) On or about April 15, 2003 The Honorable Gerald Bruce Lee, in Case No. 02-1363-A filed in The United States District Court for the Eastern District of Virginia, Order and Memorandum of Opinion. As part of the Order, the Court stated that the Plaintiff [Lee E. Wanta, Leo E. Wanta, Ambassador Leo Wanta] should pursue liquidation of corporations, recovery of financial assets and pay all required taxes in accordance with the law.

2.) IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA, Civil Action No. 1:07 cv 609 T3E/BRP - PETITION FOR A WRIT OF MANDAMUS AND OTHER EXTRAORDINARY RELIEF, filed JUN 20 2007, THE FEDERAL RESERVE BANK OF RICHMOND RESPONDED IN THEIR COURT MOTION STATING

" PURSUANT TO RULE 12 (B) (6), fed.R.civ.P., Respondent Federal Bank of Richmond ("FRB Richmond") moves to dismiss the Petition for Writ of Mandamus and Other Extraordinary Relief, are as follows.

"For the purposes of the Motion only, all well pleaded facts will be taken as true."

In other words, The Federal Reserve Bank of Richmond accepted the truthful statements in the Writ of Mandamus and confirmed the known Inward Remittance designated the Petitioner for the sole and exclusive use and benefit of Petitoner, Lee E. Wanta, Leo E. Wanta, Ambassador Lee E. Wanta; an American citizen, birth June 11, 1940. References: Rogers-Houston Memorandum, Act of Congress - H.R. 3723, Title 18 USC Section 4 - Misprison of Felony, other Title 18 USC violations.

Having Said That, Upon my Economic Receipt, I will lawfully pay USDollars One Point Five Seven Five Trillion [US\$1,575,000,000,000.00] as my personal/civil/repatriation tax payment, directly to our United States Department of the Treasury, among other "set-aside allocations", to immediately enhance Our Economic Recovery and National Security.

TREASURER, WI. 901

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

Leo Wanta,

v.

Plaintiff,

Civil Action No. 02-1363 -A

United States of America, et al., Defendant.

ORDER

A Fed. R. Civ. P. 16(b) PRETRIAL CONFERENCE will be held on Wednesday, <u>December 18</u>, 2002 at 12:00 p.m. before a Magistrate Judge.

The parties shall confer prior to this conference to consider the claims, defenses, possibilities of a prompt settlement or resolution of the case, trial before a Magistrate Judge, to arrange for the disclosures required by Rule 26(a)(1), and develop a discovery plan which will complete discovery by Friday, March 14, 2003. The parties must file their discovery plan by the Friday preceding the Rule 16(b) conference.

All parties shall file an answer within twenty (20) days. Discovery may begin upon receipt of this order. A party may not exceed five (5) non-party, non-expert witness depositions nor serve on any other party more than thirty (30) interrogatories, including parts and subparts, without leave of court.

The FINAL PRETRIAL CONFERENCE will be held on Thursday, <u>March 20, 2003</u> at 10:00 a.m.

The parties must bring to the final pretrial conference the Rule 26(a)(3) disclosures and a list of the exhibits to be used at trial, a list of the witnesses to be called at trial and a written stipulation of uncontested facts. The exhibits themselves or a copy should be exchanged with opposingounsel before the conference. Objections to exhibits must be filed within 10 days after the conference; otherwise the exhibits shall stand admitted in evidence. The original exhibits shall be delivered to the clerk as provided by Local Rule 79(A). Non-expert witnesses and exhibits not so disclosed and listed will not be permitted at trial except for impeachment or rebuttal, and no person may testify whose identity, being subject to disclosure or timely requested in discovery, was not disclosed in time to be deposed or to permit the substance of his knowledge and opinions to be ascertained.

The trial of this case will be set for a day certain, within 4-8 weeks of the final pretrial conference.

November 5, 2002 Alexandria, Virginia

This order is being mailed to local counsel only.

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NOTICE

INITIAL AND FINAL PRETRIAL FILINGS

In accordance with Rules 5 and 73, Federal Rules of Civil Procedure, the following procedures are to be followed:

Initial Pretrial

Counsel should confer with their clients prior to the initial pretrial conference and be prepared to respond to inquiry by the judge regarding consent to exercise of jurisdiction by a United States Magistrate Judge for trial and entry of final judgment.

Final Pretrial

Witness lists and exhibit lists, signed by local counsel, accompanied by a certification of service are to be filed at the final pretrial conference.

Original exhibits, labeled consistent with the exhibit list, bound and tabbed, to be filed one (1) business day before trial. A copy of the exhibits should be exchanged with opposing counsel before the final pretrial conference.

Elizabeth H. Paret Clerk of the Court

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

, Plai	intiff	
V.	Case Number:	
, Def	Cendant	
	LITY OF A UNITED STATES MAGISTO EXERCISE JURISDICTION	TRATE JUDGE
magistrate judge of this district court is availab	of 28 U.S.C. §636(c), and Fed.R.Civ.P. 73, you ble to conduct any or all proceedings in this case see of this jurisdiction by a magistrate judge is, h	including a jury or nonjury trial and
from being exercised by a magistrate judge. 1	e consequences, withhold your consent, but this If any party withholds consent, the identity of the gistrate judge or to the district judge to whom the	ne parties consenting or withholding
An appeal from a judgment entered b	by a magistrate judge shall be taken directly to the appeal from any other judgment of this district of	ne United States court of appeals for
CONSENT TO THE EXERCISE OF	JURISDICTION BY A UNITED STAT	ES MAGISTRATE JUDGE
In accordance with provisions of 28 to States magistrate judge conduct any and all p conduct all post-judgment proceedings.	U.S.C. §636(c) and Fed.R.Civ.P. 73, the parties proceedings in this case, including the trial, order	in this case consent to have a United er the entry of a final judgment, and
Party	Signature of Counsel or Pro Se Party	Date
	ORDER OF REFERENCE	
IT IS ORDERED that this case be reentry of judgment in accordance with 28 U.S.	eferred to a United States Magistrate Judge to coC. §636(c) and Fed.R.Civ.P. 73.	onduct all proceedings and order the
Date	United States District Judge	

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT <u>ONLY IF</u> ALL PARTIES HAVE CONSENTED TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.

1:02-cv-01363

wpin

Leo Wanta 13093 77th Avenue Chippewa Falls, WI 54729-6285

BACHMAN, CUMMINGS, McKENZIE, McINTYRE & WILSON, S.C. ATTORNEYS AT LAW

Robert A. Bachman, Of Counsel

Thomas B. McKenzie Angus R. McIntyre Thomas A. Wilson Mark J. Tyczkowski Bryan Wycoff Joseph M. Welch William L. Stroik Heather Isaacson

442 N. WESTHILL BOULEVARD
P.O. BOX 1155
APPLETON, WISCONSIN 54912-1155
(414) 739-6356

J. Joseph Cummings 1967-1990

FAX NO. (414) 739-1378

October 19, 1995

Mr. Leo E. Wanta 2717 Pearl Drive Eau Claire, WI 54703

RE: Your Criminal Matter
The Famous Payment Check

Dear Leo:

Attorney Steve Epstein called me about a week ago, apparently having had a conversation with you in which you related your recollection of a conversation I had with you earlier. You apparently recounted to Mr. Epstein your recollection of the issue of the tax payment and your contention that there had been a big conspiracy involving the federal government, the state government, your attorneys and the Judge to prevent you from presenting evidence of payment or accord in satisfaction in an effort to estop the state from proceeding.

I had expressed considerable amazement at the scenario that you outlined for me, but that of course assumes that that scenario is correct. Mr. Epstein indicates that the check appears a number of times in the file, so it obviously played some role in the case and I suspect that the issue of payment or estoppel was raised by your legal counsel at some point in some context. It's probably a losing proposition for a number of reasons, but I want to make it clear that I'm not being critical of either your trial counsel or Mr. Epstein who is now undertaking the difficult challenge of dealing with your sentencing. Having known you, Leo, for probably 14 years, I know you present many very challenging legal and factual issues in all of your legal matters.

Good luck!

Sincerely,

BACHMAN, CUMMINGS, McKENZIE, McINTYRE & WILSON, S.C.

Thomas A. Wilson

TAW/km

pc: Steven M. Epstein

Public Order ~ PART 15 OF _

2

High Speed Rail

I believe you have heard of Heger Reality or JW Heger Company one of the largest Industrial Real Estate Companies in Southern California solely owned and operated by my father Jack W. Heger, now deceased. He was the President of the US Industrial Real Estate Association for many years and his clients included Southern Pacific Railroad and many Fortune 500 Companies. The high speed rail Ambassador Wanta is proposing would be a tremendous infrastructure project for the United States and would necessarily employ many US citizens. It is about time that this country have what other countries have ie a High Speed Rail. I cannot recommend more highly Ambassador Lee Wanta who is willing, once again, to serve the United States and to use his own hard earned funds in the process.

Should you need further information, please do not hesitate contacting me at 949-295-2444 or by email at biegerlaw@outlook.com. Thank you for your kind attention to this matter.

Respectfully yours,

Jan M. Heger Esq.
Former Officer of JW Heger Co, Industrial/Commercial Real Estate Brokers
Retired Lawyer and former US Army Officer, Headquarters Saigon, Vietnam

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Sarah McClendon's Washington Report

Sarah McClendon on or about 8-24-97 Sarah McClendon

SARAH McCLENDON'S WASHINTON REPORT

3133 Connecticut Avenue Suite 215 Washington, D.C. 20008

By Sarah McClendon

Washington, D.C. — Leo Wanta, whose purchase of huge sums in Russian rubles is credited with bringing down the Soviet Union in the Cold War, will be put through a third party lunacy test in Madison, Wisconsin circuit court on Tuesday. He has successfully been declared of sound mind in two previous lunacy tests under the Wisconsin state attorney general's office. His own attorney, James Shellow of Madison, Wis., is instituting this test. Shellow says that under the rules for attorneys in Wisconsin he has to notify the court that he thinks the lunacy test should be given. Shellow admits to being a former attorney for a deceased Mafia chief in Wisconsin named Belistiari. Shellow thinks Wanta will be declared sane in the upcoming hearing on Tuesday, but Shellow claims to know nothing as to how Wisconsin was able to extradite Wanta in chains and shackles from Switzerland, where he was doing business with Swiss banks after having given up his citizenship in Wisconsin. Wanta claims that he had just been made ambassador to Switzerland and Canada when Wisconsin state officials seized him bodily in Switzerland. Wanta claims that they took his briefcase from him at that time which contained billions in Treasury bills and Promise software technical equipment which the U.S. was using to get inside information about foreign treasuries.

CONFIRMING

Although the briefcase was taken by Wisconsin authorities in 1993, it has never been returned to Wanta nor has he any knowledge of what happened to its contents.

The charge is that he owed Wisconsin originally approximately \$14,000. He claims to have paid back that amount in 1992. The state attorney general's office seized his house worth \$120,000 and sold it for \$60,000, but there is no record of this in the Department of Revenue in Wisconsin nor is there any trace of the proceeds from the sale.

Wanta was buying rubles from Russia at the request of the President, Ronald Reagan. Wanta had worked at the White House, the National Security Council, the Central Intelligence Agency and six other government agencies during his career.

He and President George Bush set up the Ameritrust account in the Credite Suisse bank for the U.S. government to use in case it needed to counter terrorists from overseas, according to Pat Cameron, Los Angeles attorney for Wanta. Wanta says that when former president George Bush sought to withdraw funds from the \$210 billion on deposit that Wanta, a co-signer of the account, refused to give his signature for the withdrawal because the funds, he said, belonged to the U.S. government, not to an individual.

Ambassador Lee E Wanta - 18 minutes ago

THIS ARTICLE IS ABSOLUTELY AMAZING, BECAUSE THE CORPORATE STATE OF WISCONSIN - DEPARTMENT OF REVENUE RENDITIONED/KIDNAPPED AWBASSADOR LEG E WANTA - NON-RESIDENT OF WISCONSIN SINCE 1985 IN LAUSANNE, SWITZERLAND WHILE MEETING WITH DEPUTY WHITE HOUSE COUNSEL VINCENT FOSTER, Jr. COMPLETELY A " CHILDREN'S DEFENSE FUND CONTRIBUTION OF USDOILARS 250,000.00 FROM THE Ameritrust Corporation " THRU CREDIT SUISSE BANQUE - GENEVE, CHRMIGUY STUDOR and BANK DIRECTEUR MARC GODAL VINCE FOSTER RETURNS TO WHITE HOUSE and AWBASSADOR WANTA GOES TO SUISSE PRISON AND 34 DAYS LATER ENDS UP IN A DANE COUNTY / COUNTY OF DANE, WISCONSIN " JAIL CELL FOR FAILURE TO PAY FOR A THIRD TIME A UN-AUDITED / NON-RESIDENCY CORPORATE STATE OF WISCONSIN CIVIL TAX ASSESSMENT OF UDSDOILARS 14, 129.00 AND SENTENCED TO WISCONSIN PRISON SYSTEM FOR 18 YEARS FOR FAILURE TO PAY AGAIN THE ORIGINAL CIVIL TAX ASSESSMENT OF \$14,129.00.

se: // WISCONSIN GOVERNOR SCOTT WALKER, PRESIDENT DONALD TRUMP, VICE PRESIDENT MIKE PENCE, FELLOW AMERICAN CITIZENS,

~ - Reply - Share





JR S S CY

REGISTER FÜR. HANDEL UND GEWERBE.

Selbstverlag A. Koch Gesellschaft m.b.H. 1130 Wien Hietzinger Kai 125

New Republic/USA Financial Group, LTD Gesellschaft m.b.H.

kärntnerstraße 28/15 1010 Wien

Wien, n

07.07.1989

Nummer der Einschaltung:

HRR 41 851

Betr.; Eintragung in das Register für Handel und Gewerbe

Textvorschlag

New Republic/USA Financial Group, LTD Gesellschaft m.b.H., 1010 Wien, Kärntnerstraße 28/15. Gegenstand des Unternehmens: a) Der Handel mit Waren aller Art; b) der Handel mit festen und flüssigen Brennsto(fen; c) der An- und Verkauf sowie die wirtschaftliche Verwertung von Liegenschaften einschließlich Leasing-Geschäften; d) die Beteiligung an gleichartigen oder verwandten Unternehmungen sowie die Geschäftsführung und Vertretung solcher Unternehmungen. Stammkapital: S 500.000,- zur Hälfte bar eingezahlt. Geschäftsführer: Leo Emil Wanta, Kaufmann, Appleton; Gesellschaft mit beschränkter Haftung. Der Gesellschaftsvertrag ist am 31. März 1989 abgeschlossen. Die Gesellschaft wird - wenn mehrere Geschäftsführer bestellt sind durch zwei Geschäftsführer gemeinsam oder durch einen von ihnen gemeinsam mit einem Prokunsten vertreten. Die Generalversammlung kann - auch wenn mehrere Geschäftsführer bestellt sind - einzelnen von ihnen selbständige Vertretungsbefugnis etteilen. Tag der Eintragung: 23. Juni 1989. HRB 41.851.

Bei Nichtverwendung unseres Zahlscheines bitte unbedingt die Nummer der Einschaltung anführen. Das Register für Handel und Gewerbe enthäll nur Eintragungen von Unternehmen die im Handelsregister orfaßt eind.

Es dient dem immer stärker werdenden Intermationsund Auskunftsbedarf neuer Geschäftspartner Durch Überweisung des angeführten Betrages oder durch Übersendung eines Verrechnungsschacks he stätigen Sie dieses Anbot und die vorsiest bliebene Gestaltung der Einschaltung.

Zur Eintragung gelangen ausschließlich Daten, die sich aus der Handelsregistereintragung bei Ihrem zuständigen Handelsgericht ergeben

Eintragungskosten:

20% MwSt.

2700.--

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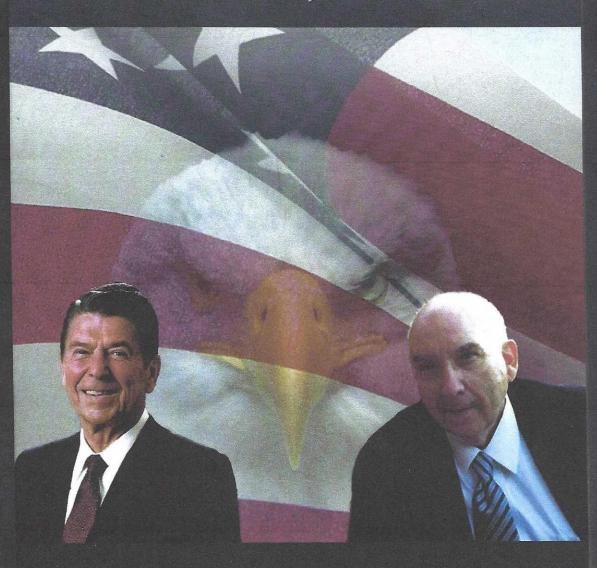
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Ist bei Zahlung als Rechnung § 11 UStG anzuseten.

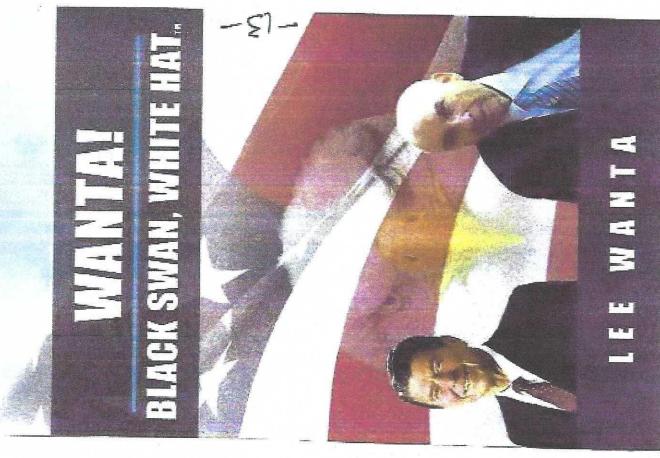
Register für Handel und Gewerbe Ausgabe 1989/1990

MANTA! BLACK SWAN, WHITE HAT...



LEE WANTA





Leo E. Wanta & Associates – consultants to management

17 OCTOBRE 1996 - PLYMOUTH, U.S.A.

THE HONOURAble, JAMES T. BAYORGEON CIRCUIT COURT JUDGE - BRANCH Nº 1 DUTAGAMIE COUNTY JUSTICE CENTRE, U.S.A. 320 SOUTH WAINUT STREET Appleton, Wisconson, D.S.A. (54911.0000)

NEW REPUBLIC/USA FINANCIAL GROUP LTD. GESELLSCHAFT

ATTN: DRECTEUR, DR. GREGORY SALI

MANAGING DIRECTEUR, DR. Olg & SAMANTO PULLOB

ESTATE/H.E., KOK HOWE KWONG, ETAL.

KARTNERSTRABE 28/15

A-1010, WIEN, AUSTRIA - EUROPA

United States of AMERICA DEPT. DE JUSTICE
ATTN: ATTORNEY GENERAL JANET RENO
A/A/G JAMIE BORELICK
JENTH Street & CONSTITUTION AVENUE, N.W.
WASHINGTON, DC, USA (20530.0001)

INRE! WISCONSIN DEPARTMENT OF REVENUE, CHRISTOPHER EVENSON - Alleged UNLAWFUL COURT APPOINTED RECEIVER ON DEHALF OF THE STATE OF WISCONSIN OF THE UNITED STATES OF AMERICA

HABASSADOR LEO EMIL WANTA, DIPLOMATIC PASSPORTS Nº 04362 & 12535 AS S.D.R. AMBASSADOR TO CANADA AND SWITZERLAND, CASE Nº 96 CV 00643

A ARTICLE III OF THE U.S. CONSTITUTION,
(B) VIENNA CONVENTION ON DIPLOMATIC RELATIONS (1961),

@ WISCONSIN ARTICLE I OF WISC. CONSTITUTION,

1.01, Wisconsin Statutes - Chapter 1.01,

@ U.S.C.A. TITLE 18, \$1201 (CHAPTER 55)-"Foreign GUEST" Status, (A)(4) (42),

1 U.S.C.A. TITLE 18, \$4(4)

@ U.S.C.A. Title 18, PG - Foreign Government locale NEW REpublic (USA FINANCIAL GROUP, LTD. GESEUSCHAFT (AUSTRIA)

(# U.S.CA. Title 18, PII- Foreign Government defined, AND LUICU MONE AVAILABLE TO U.S. FEDERAL COURTS -

DEAR GENTLE PERSONS!

I AM IN Receipt OF THE OUTAGENIE COUNTY NOTICE OF MOTION HEARING ON November 8, 1996 AT 11:30 AM.

However, I do NOT HAVE ANY copy of SAID

Morion or details DF SAID MOTION.

BASED ON INTERNATIONAL LAW, U.S. FEDORAL LAW AND WISCONSIN LAW, WHERE IS THE COMPETENT JURIS DUCTION TO CUEN Schedule AN UNLAWFUL MOTION TO SCIZE USG (CIA PROPRIEMANY ASSOCIS.

I smoogly urge THE COURT IN THE INTEREST OF TRUTHFUL AMERICAN JUSTICE, THAT THE ANSWERS OF LED E. WANTER AND NEW REPUBLIC/ USA (Ausman), be TREVIOUSED by the legal Junisdiction OF U.S. Suprema Court, Person The documentary EVITENCE.

I AM (DUFIDENT THAT THE INTERNATIONAL COMMUNITY & CORPORATE DIRECTEURS WILL NOT TAKE A BACK SEAT " to the CONSPIRATIONAL ACTIVITIES of THE STATE OF WISCONSIN, ET AL.

Rospect Fully substitled,

TMBASSAGOR LEW Z. Valta, Diplomat

A Political Tax Prisoner & Respondent

CC: DLL USG (Foreign Stations, STAL

ENclosurs: EXHI-900, erc - 3-

9/

Operation: Still Point Wien, Austria

200					
Na‱nal	Westminste	er Bank	PLC		

TO MR - KORDI tealle in Streat

Hernist Koni **(**Si bak

Telepter a Harne Bay (STD 0227) 363751

Facs受象 (0227) 740002

业10 1990 Date 2/10/40

BAILON BANGUE SUICKE BENEVE OFFICE FOR MEINRAD ARNOLD. DIRFETOR

Dear and Chanold, OUR AJE NEW REPUBLIC JUSA FINANCIAN COUR own advised that my above normed Customit choting 4. 1400000.000-00 IN UBS-ZURES! Fortities to TRANSILE to you. for exchange of SUR 20000.000.000 - (ust 1 300000 000 -00 Might OLICENEVE). THE VARIANCE of US 100 000 000 - Ex 12. of the SENT TO THIS BANK: CR above 1/2 No 09183183 - CODE 10000

your fortifully

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HTTP: -- FEUSTEL . MIXI. NET INTERNET

SIGMAN, JANSSEN, STACK, WENNING & SUTTER

- FOUNDED 1925 -

ROBERT M. SIGMAN THOMAS J. JANSSEN JOHN C. WENNING RICHARD A. STACK, JR. THOMAS H. SUTTER

RICHARD J. KNIGHT
STEVEN L. WILSON
CHRISTOPHER H. EVENSON
MARK V. SEWALL
JAMES P. PITZ

ATTORNEYS AT LAW

303 S. MEMORIAL DRIVE APPLETON, WI 54911-5978

TELEPHONE NO. (414) 731-5201 FAX NO. (414) 731-8737

December 11, 1996

Clerk of Courts
Outagamie County Justice Center
320 South Walnut Street
Appleton, WI 54911

COPY

Re:

Christopher H. Evenson, Court-Appointed Receiver on behalf of Wisconsin Department of Revenue v. Leo E. Wanta, et al. Case No. 96-CV-643

Dear Clerk:

Enclosed please find for filing the original "Notice of Motion and Motion to: 1. Strike Answer Filed by Leo E. Wanta and Declare His Interest in Property; 2. Strike Answer Filed on Behalf of New Republic/U.S.A. Financial Group and Entry of Judgment by Default or, in the alternative Entry of Summary Judgment Against New Republic; 3. Direct Payment of Real Estate Taxes from Sale Proceeds", with attached Memorandum in Support of same. By copy of this letter a copy of the same is herewith being served upon Leo E. Wanta and the counsel of record in this matter. Since Mr. Wanta indicated in a recent filing with the Court that his mailing address is the Kettle Moraine Correctional Institute, we are sending a separate copy to him at each address shown in the Notice.

Sincerely,

SIGMAN, JANSSEN, STACK, WENNING & SUTTER

Christopher H. Evenson

CHE/ljg

Enclosures

Attorney Roy G. Stohlman
Attorney Thomas O. Schultz
Mr. Leo E. Wanta

James R. Hill, S.C.
Attorney David A. Lange

(aèd, 496

CIRCUIT COURT BRANCH I

OUTAGAMIE COUNTY

CHRISTOPHER H. EVENSON, Court-Appointed Receiver on behalf of WISCONSIN DEPARTMENT OF REVENUE

Petitioner.

V.

LEO E. WANTA,



Case No. 96-CV-643

30405 - Other Real Estate

and

ASSOCIATED BANK, N.A., f/k/a
First National Bank of Neenah,
NEW REPUBLIC/U.S.A. FINANCIAL GROUP LIMITED,
UNITED STATES OF AMERICA,
FIRST WISCONSIN NATIONAL BANK,
JAMES R. HILL, S.C.,
NORTHEAST PHOTOCOPY CO., INC.,
UNITED TRAVEL, N/K/A UNI TRAVEL,
ITT WORLD COMM,
WESTERN UNION TELEGRAPH CO., INC.,
F & M BANK,
TRAVEL DESIGN LTD.,

Respondents.

NOTICE OF MOTION AND MOTION TO:

- 1. STRIKE ANSWER FILED BY LEO E. WANTA AND DECLARE HIS INTEREST IN PROPERTY;
- 2. STRIKE ANSWER FILED ON BEHALF OF NEW REPUBLIC/U.S.A. FINANCIAL GROUP AND ENTRY OF JUDGMENT BY DEFAULT or, in the alternative

ENTRY OF SUMMARY JUDGMENT AGAINST NEW REPUBLIC;
3. DIRECT PAYMENT OF REAL ESTATE TAXES FROM SALE PROCEEDS

TO: Attorney Roy G. Stohlman 3019 West Spencer Street Appleton, WI 54914 (Attorney for Respondents, Western Union Telegraph and ITT World Comm

Attorney Thomas O. Schultz
Columbus Bldg., Suite 141
414 East Walnut Street
Green Bay, WI 54301-5019
(Attorney for Respondent, First Wisconsin National Bank)

Mr. Leo E. Wanta
2717 Pearl Drive
Eau Claire, WI 54703
And

And

James R. Hill, S.C. 831 East Gorham Madison, WI 53703

c/o Kettle Moraine Correctional Institute W9071 Forest Drive P.O. Box 31 Plymouth, WI 53073-0031

PLEASE TAKE NOTICE that on Wednesday, January 15, 1997, at 10:30 o'clock a.m., or as soon thereafter as counsel may be heard, the undersigned will appear before the Honorable James T. Bayorgeon, Circuit Court Branch I, or any judge sitting in his stead in the Outagamie County Justice Center in Appleton, Wisconsin, and upon the pleadings and the attached Memorandum, will then and there present the following three motions to the Court:

- 1. A Motion to strike the Answer filed by Leo E. Wanta and to declare that the Petitioner's status as receiver of the interest of Leo E. Wanta (hereinafter, "Wanta") on behalf of the Wisconsin Department of Revenue does not require Wanta's consent or permission in order for the Petitioner to sell the subject property free and clear of any interest held by Wanta.
- 2. A Motion to strike the Answer filed on behalf of New Republic/U.S.A. Financial Group Limited and for entry of judgment by default against said Respondent. The Answer should be stricken for the reason that it was drafted and filed on behalf of this corporate entity by Wanta, a person not authorized to appear as a matter of law on behalf of the corporation.

In the alternative, a Motion for the entry of a Summary Judgment in favor of the Petitioner against New Republic/U.S.A. Financial Group Limited for the reason that said corporation is a sham created by Wanta to avoid collection of taxes he owes the State of Wisconsin, the same taxes the Petitioner is trying to collect, and all parties are barred by the doctrine of issue preclusion from challenging that finding which was made by a jury in Dane County Circuit Court Case No. 92 CF 683 (State of Wisconsin v. Leo E. Wanta).

3. A Motion seeking an Order that, immediately upon confirmation of the sheriff's sale by the Court, the sale proceeds shall be used to pay all outstanding real estate taxes then due, and as they become due. This is necessary prior to resolution of any remaining disputes among the parties in order to prevent the further reduction of funds available to the parties due to the continued accrual of real estate taxes and interest.

Dated this _______day of December, 1996.

SIGMAN, JANSSEN, STACK, WENNING & SUTTER

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Evenson, Court-Appointed Receiver on behalf of

VILLE

Wisconsin Department of Revenue

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CIRCUIT COURT BRANCH I

OUTAGAMIE COUNTY

CHRISTOPHER H. EVENSON, Court-Appointed Receiver on behalf of WISCONSIN DEPARTMENT OF REVENUE

Petitioner,

V.

LEO E. WANTA,

Case No. 96-CV-643

30405 - Other Real Estate

and

ASSOCIATED BANK, N.A., f/k/a
First National Bank of Neenah,
NEW REPUBLIC/U.S.A. FINANCIAL GROUP LIMITED,
UNITED STATES OF AMERICA,
FIRST WISCONSIN NATIONAL BANK,
JAMES R. HILL, S.C.,
NORTHEAST PHOTOCOPY CO., INC.,
UNITED TRAVEL, N/K/A UNI TRAVEL,
ITT WORLD COMM,
WESTERN UNION TELEGRAPH CO., INC.,
F & M BANK,
TRAVEL DESIGN LTD.,

Respondents.

MEMORANDUM IN SUPPORT OF MOTIONS TO STRIKE ANSWERS OF LEO E. WANTA AND NEW REPUBLIC/U.S.A. FINANCIAL GROUP LIMITED (AND, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT AGAINST NEW REPUBLIC) AND TO DIRECT PAYMENT OF REAL ESTATE TAXES

ANSWER OF LEO E. WANTA

The Respondent, Leo E. Wanta, was joined to this action to make certain he would receive legal notice of the Petitioner's effort to sell property of which he is a joint owner. He was also joined to provide certainty to the chain of title by declaring the termination of his rights as

a record title holder. As a matter of law, his joinder is not absolutely necessary and he has no basis for objecting to the sale, an objection he makes in the Answer he filed.

The law is clear as to the relationship between a debtor and a supplementary receiver appointed to collect a debt, in this case a debt due the Wisconsin Department of Revenue. The Supreme Court has said:

Upon his appointment the receiver stands in the shoes of the debtor...Whatever rights of title and possession the debtor may have had at the time of the receiver's appointment went to the receiver,...

Nick v. Holtz, 237 Wis. 407, 411 (1941). The Court has restated this principle more recently. One such case is Candee v. Egan, 84 Wis. 2d 348, 361, 267 N.W. 2d 890 (1978).

Although Mr. Wanta has the right to expect that his interests in the subject property will be protected by the Receiver (see *Nick v. Holtz, Supra.*), he has no legal right to object to the sale of this asset by the Receiver who, by virtue of his appointment, stands in the shoes of Mr. Wanta as to his interest in the property.

ANSWER OF NEW REPUBLIC/U.S.A. FINANCIAL GROUP LIMITED

The Petitioner has alleged that New Republic is a sham entity and that the property may be sold without regard to any interest that entity would appear to have by virtue of the Assignments of Mortgage. (See Petition paragraph 4.) The Petition alleged that any interests New Republic claims in the property must be disregarded either because New Republic has such a unity of interest and ownership with Leo Wanta that it is merely his alter ego or, if found to be a separate entity, was created by Leo Wanta for the purpose of hindering and defrauding the Wisconsin Department of Revenue and other creditors in the collection of their lawful judgments



against him. Apparently consistent with that allegation, the Answer filed on behalf of New Republic was executed by the Respondent, Leo E. Wanta, himself.

1. Leo Wanta Cannot Appear on Behalf of New Republic. The "Answer to Petition" filed on behalf of New Republic is signed by "Sir Leo Emil Wanta" who is identified as the "Managing Directeur [sic] and Directeur [sic] General" of the corporation. There is no indication in the Answer that "Sir Leo Emil Wanta" is licensed to practice law in the State of Wisconsin.

Wisconsin Statutes §757.30(2) provides that any person who appears in a legal proceeding on behalf of a corporation is engaged in the practice of law. Statute §757.30(1) prohibits the practice of law except by a licensed attorney and provides possible fines and imprisonment for anyone practicing law without a license.

The rule that only a member of the Wisconsin Bar (or someone accompanied by a member of the Bar) may appear on behalf of another in State courts is set forth in various Wisconsin cases. (See State v. Kasuboski, 87 Wis. 2d 407, 275 N.W. 2d 101 [Ct. App., 1978] and State v. Olexa, 136 Wis. 2d 475, 402 N.W. 2d 733 [Ct. App., 1987.])

Furthermore, the U.S. Court of Appeals has determined that the right to plead and conduct one's own case personally has never been understood to permit an individual to act on behalf of a corporation which is a party. Strong Delivery Ministry Association v. Board of Appeals, 543 F. 2d 32, 33-34 (7th Cir. 1976). The Seventh Circuit has also ruled that a non-lawyer may not appear on behalf of a corporation, even if he or she is the sole equity investor in the corporation. (See Scandia Down Corp. v. Euroquilt, Inc., 772 F. 2d 1423, 1427 [7th Cir. 1985].)

2. A Binding Determination Has Already Been Made Finding New Republic to be a Sham. Regardless of the issue of representation by an attorney, the Answer filed on behalf of New Republic must be stricken as a matter of law pursuant to the doctrine of issue preclusion as set forth by the Wisconsin Supreme Court in Northern States Power Company v. Bugher, 189 Wis. 2d 541, 525 N.W. 2d 723 (1995) and Michelle T. v. Crozier, 173 Wis. 2d 681, 495 N.W. 2d 327 (1993).

A Criminal Complaint was filed against the Respondent, Leo E. Wanta, by the State of Wisconsin in Dane County Circuit Court Case No. 92-CF-683. (A copy of the Criminal Complaint is attached to this Memorandum. An original certified copy will be filed with the Court at the hearing on the Petitioner's Motions.) The Complaint alleges six counts against Leo E. Wanta for income tax code violations under Chapter 71 of the Wisconsin Statutes. Counts 1 and 2 involved the filing of false income tax returns for 1988 and 1989. Counts 3 through 6 each alleged a felony charge of tax evasion and can be summarized as follows:

<u>Count 3</u>. That Leo Wanta concealed property upon which a levy was authorized by purchasing an automobile in the name of New Republic-U.S.A. Financial Group Limited, with the intent to evade collection of a tax.

Count 4. That Leo Wanta concealed property upon which a levy was authorized by paying off two mortgages on the property which is the subject of this civil action and having them assigned to New Republic/U.S.A. Financial Group Limited, with the intent to evade collection of a tax.

Count 5. That Leo Wanta concealed property upon which a levy was authorized by purchasing furniture in the name of New Republic/U.S.A. Financial Group

Limited for use in his home on the property which is the subject of this civil action, with the intent to evade the collection of a tax.

Count 6. That Leo Wanta concealed property upon which a levy was authorized by paying off a Ford Motor Credit Company loan made to his son, Brian, and secured by a 1986 Ford Ranger pick-up truck and transferred title to that truck to New Republic/U.S.A. Financial Group Limited, with the intent to evade the collection of a tax.

The Criminal Complaint identifies the eight delinquent tax warrants that were the basis for the tax evasion charges. A comparison of those warrants (listed at page 5 of the Complaint) shows they are identical to the tax warrants the Petitioner seeks to collect (listed at Petition paragraph 15).

The mortgage assignments to New Republic alleged to have been a means of tax evasion (Criminal Count 4) are the very same assignments which constitute the only interest New Republic claims in the property, as alleged in Paragraph 4 of the Petition.

In the Factual Basis in Support of Allegations portion of the Criminal Complaint, a Special Tax Agent with the Wisconsin Department of Revenue described under oath the various connections Leo Wanta had to New Republic including the following. (1) A bank account opened in New York in the name of New Republic had three authorized signatures, Leo Wanta, Christine Geissler (Wanta's daughter) and Frank B. Ingram (a name Geissler said Wanta used on occasion). (2) Geissler said New Republic was an import-export business operated by her father, Leo Wanta. (3) Leo Wanta personally delivered the cashier's check to the attorney for Associated Bank which paid the bank's foreclosure judgments on his home. Wanta instructed him to prepare mortgage assignments to New Republic and mail them to Wanta. (4) The agent's

investigation disclosed that property otherwise subject to levy by the Department of Revenue was being concealed by Leo Wanta behind the corporate veil of New Republic/U.S.A. Financial Group Limited.

A jury trial was conducted in Dane County Case No. 92-CF-683. The jury found Leo Wanta guilty of those crimes alleged in Counts 3 through 6, all of which relied upon the allegation that New Republic was essentially a sham created by Leo Wanta to evade the collection of taxes. This included a guilty verdict on Count 4 which alleged that New Republic's interests in the subject property were created by Wanta for the purpose of trying to evade a tax obligation. (A copy of the Judgment of Conviction and Sentence is attached. The original certified copy will be filed with the Court at the time of the Motion hearing.)

A case supporting the position that the doctrine of issue preclusion bars a re-litigation of the nature and status of New Republic is *Michelle T. v. Crozier, Supra.* In that case a twelve member jury found Cecil Crozier guilty of second degree sexual assault of a minor, Michelle T. Following Crozier's criminal conviction, Michelle T.'s guardian ad litem filed a civil action against him to recover damages from assault and battery and inflicting emotional distress. During his opening statement in the civil proceeding, Crozier's attorney told the jury that Crozier would testify to dispute the facts that supported the criminal conviction. In response, Michelle T. made a Motion in Limine requesting that Crozier be collaterally estopped from testifying on that issue contrary to the verdict rendered in the prior criminal prosecution.

The Supreme Court traced the development of collateral estoppel (which the Supreme Court decided in *Northern States Power Company, Supra.*, would be known as "issue preclusion"). The Court noted there was a long history of the defensive use of issue preclusion;

that is, the doctrine had been used by defendants to prevent a plaintiff from making a claim the plaintiff had previously litigated and lost against another defendant. In 1979, the United States Supreme Court extended the scope of the doctrine to cases in which it was used offensively by plaintiffs to prevent a defendant from relitigating an issue that had been lost in a prior action with another party. In *Michelle T.*, the Wisconsin Supreme Court expressly declared it to be the law in Wisconsin that the doctrine of issue preclusion can be used offensively.

To determine whether the offensive use of issue preclusion is appropriate, the Supreme Court said it is necessary to balance the "competing goals of judicial efficiency and finality, protection against repetitious or harassing litigation, and the right to litigate one's claims before a jury." The Supreme Court said this balance should be made by considering some or all of five factors. (173 Wis. 2d at 688-689.) Those factors, along with the Petitioner's response, appear below, and clearly demonstrate that the doctrine ought to apply in this present case.

(1) Could the party against whom preclusion is sought, as a matter of law, have obtained review of the judgment?

Leo Wanta was convicted of the six felony counts on May 11, 1995, and was sentenced on November 20, 1995. The Petitioner understands that a Motion for Post-Conviction Relief was filed with the Dane County Circuit Court in July 1996. The final brief is due December 12. The jury's factual findings were made nineteen months ago and have not been overturned.

(2) Is the question one of law that involves two distinct claims or intervening contextual shifts in the law?

The two issues are the same. In the criminal action, Leo Wanta was found guilty of evading taxes by, among other things, creating the very mortgage assignments in favor of New Republic which the Petitioner is now trying to avoid. The corporation was a sham. In this civil action, the Petitioner, as Receiver for the Department of Revenue, seeks to collect the taxes Leo Wanta was guilty of trying to evade by selling the subject property free and clear of the liens Leo Wanta created in furtherance of his scheme.

(3) Do significant differences in the quality or extensiveness of proceedings between the two courts warrant re-litigation of the issue?

The criminal trial was not a summary proceeding. The findings were made by a jury at the completion of a trial on the six count Complaint.

(4) Have the burdens of persuasion shifted such that the party seeking preclusion had a lower burden of persuasion in the first trial than in the second?

The burden of persuasion has changed but the lower burden is applicable in this civil proceeding, not vice versa. For the jury to convict Leo Wanta, they were required to find beyond a reasonable doubt that he had concealed property upon which a levy was authorized with the intent to evade collection of the same tax the Petitioner is seeking to collect in this action. (Wisconsin Statutes Section 71.83(2)(b)(3)). The evasion alleged in Count 4 was accomplished through payment of two existing mortgages and assignment to New Republic of an interest in Leo Wanta's property, an assignment the Petitioner seeks to avoid.

(5) Are matters of public policy and individual circumstances involved that would render the application of collateral estoppel to be fundamentally unfair, including inadequate opportunity or incentive to obtain a full and fair adjudication in the initial action?

This is not a case in which Leo Wanta had either inadequate opportunity or incentive to challenge the allegations that New Republic was a sham being used by him to evade taxes. The charges against him were each a felony and the result was that he was sentenced to prison for tax evasion for a period of eight years (two years each for Counts 3-6 to be served consecutively) plus six years of probation to follow for Counts 1 and 2.

As a matter of law, then, the doctrine of issue preclusion applies to this case such that the Petitioner is entitled to have Leo Wanta barred from claiming New Republic has a valid assignment of mortgages in the subject property, an issue previously litigated in the criminal action.

Accordingly, the Petitioner is entitled to have Summary Judgment entered in his favor finding that any rights New Republic has in the subject property are junior and subordinate to the rights of the Petitioner, as receiver, in the same property.

PAYMENT OF REAL ESTATE TAXES FROM SALE PROCEEDS

It is the duty of the Petitioner to preserve as much equity as possible for the benefit of all parties who have an interest in the subject property. Delinquent real estate taxes are a first lien against the property and must be paid before any other party is entitled to receive proceeds from the sale. Accordingly, to avoid waste through the continued erosion of the equity through the accrual of taxes, the Petitioner asks the Court to permit payment of all real estate taxes as they become due and owing out of the proceeds of the sale, pending a final resolution among the parties as to the priority of the remaining proceeds after payment of these taxes.

Dated this day of December, 1996.

SIGMAN, JANSSEN, STACK, WENNING & SUTTER Attorneys for the Petitioner, Christopher H. Evenson, Court-Appointed Receiver on behalf of

Wisconsin Department of Revenue

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