

6.29

EXHIBIT KK

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

CONFIRMING
LEO EMIL WANTA

3 -----X
4 UNITED STATES OF AMERICA, :

93 M 2072

5 v. :

November 17, 1993

6 LEO EMIL WANTA, :

Brooklyn, New York

7 Defendant. :

8 -----X
9
10 TRANSCRIPT OF CRIMINAL CAUSE FOR BAIL APPLICATION
11 BEFORE THE HONORABLE ALLYNE ROSS
12 UNITED STATES MAGISTRATE JUDGE

13 APPEARANCES:

14 For the Government:

ZACHARY W. CARTER
UNITED STATES ATTORNEY
BY: ERIC BERNSTEIN, ESQ.
ASSISTANT U.S. ATTORNEY
225 Cadman Plaza East
Brooklyn, New York 11201

16 For the Defendant:

PETER KIRCHHEIMER, ESQ.

18 Audio Operator:

20 Court Transcriber:

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Jericho, New York 11753

23 Proceedings recorded by electronic sound recording,
24 transcript produced by transcription service
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THE CLERK: United States versus Leo Emil Wanta, 93
20-72 M.

Counsel, please state your name for the record.

MR. KIRCHHEIMER: Peter Kirchheimer for Mr. Wanta.

MR. BERNSTEIN: Eric Bernstein for the Government.

THE COURT: Special Agent Denning (ph.), do you swear
to the truth of your complaint?

AGENT DENNING: Yes, Your Honor.

THE COURT: Okay.

Mr. Wanta, do you understand what this proceeding is?

THE DEFENDANT: Yes, Your Honor.

THE COURT: What does your client wish to do?

MR. KIRCHHEIMER: Well, Judge, it's a little unusual
in that it's a UFAB (ph.) not issued in this district, but
issued out of Wisconsin. I think normally they do UFAB here.

But my client would be delighted to waive removal to
Wisconsin.

In addition to that, we have a bail application. I
think that on the removal, he ought to be out. My
understanding is that he flew into this country with the intent
of going to Wisconsin, number one.

Number two, if you read carefully the UFAB affidavit,
not the removal affidavit from this district but the affidavit
from Wisconsin, the State charge in Wisconsin is still a
complaint, there is no indictment, number one.

EXTRADITED
TO
WISC. by
Court Order

Complaint Only.
(No
Indictment)

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Number two, it is, the complaint is bare of dates. There is no statement when my client left the country and when the complaint was returned. The only statement in the UFAB complaint is once he was abroad, there is a statement that at some point when he was abroad he was given notice of the pendency of the charges, and further, earlier before there were any charges, an agent says that he told him he intended to file charges.

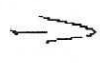
Of course, the agent's intent is almost irrelevant in this, because the agent, certainly in no jurisdiction that I'm aware of, has the power to file charges. He can ask a judge to sign a warrant or he can ask someone to file a complaint. But he doesn't have the power or the discretion to do that.

So any statement of his intent to do that is something that's going to happen in the future that may or may not happen.

In addition, my client has family in Wisconsin, I've talked to the family in Wisconsin on the telephone. I think this case -- my fear is that what will happen if we don't do this is that Wisconsin will move for extradition and they'll start a state extradition process, which will take a month.

Alternatively, if you remove him in custody, that can take anywhere from a week to two weeks. The underlying charge is a state tax charge. I mean, I'm completely unfamiliar with the local law of Wisconsin. But I have to assume that if it's

let to
file
charges?



1 treated sort of the same way that thing is treated here, that
 2 there's at least a significant possibility that he would not be
 3 facing any time. So that the time he spent in on this or the
 4 threat of time should he not go back when he was told to would
 5 be the severest consequence that he's facing.

6 My understanding is that there was some sort of
 7 airline credit card on him and that with the basis of the
 8 airline credit card he could fly himself back to Madison to
 9 face these charges.

10 He's expressed to me continuously his intent and his
 11 desire to do that. He was arrested coming into the United
 12 States, not going out. And he had been residing before that in
 13 Canada.

14 So that it's my -- I suppose the answer is the
 15 Government can't have it both ways. Either he was aware of the
 16 charges and had left to flee and was coming back aware of those
 17 charges to face those charges, or alternatively he wasn't aware
 18 of the charges and came back thinking he wasn't going to be
 19 arrested. But, of course, if he wasn't aware of the charges,
 20 the UFAB doesn't stand up.

21 So this case cries out for release on his own
 22 recognizance or I'm sorry -- release in a ten or \$15,000
 23 personal recognizance bond.

24 Additionally, I know it's sort of an extraneous but
 25 relevant fact, there is no room at the Metropolitan

MISSING
 by
 State
 Counsel

→
 incoming

ADJUTOR

1 Correctional Center. Were you to remand him, he would be taken
 2 to a local facility in -- I think they're taking them to
 3 Passaic. It's extremely difficult to use the telephone in
 4 Passaic. I've had -- basically, of the four or five clients
 5 I've had in the Passaic local facility I never get any contact.
 6 from them because they just don't seem to be able to use the
 7 phone there.

8 I would add that I have personally spoken to family
 9 members. I spoke to his son-in-law in Au Claire, and his wife
 10 was supposed to be on the way to that telephone. I never did
 11 reach her, but my understanding is that there is --

12 I don't have a copy of that.

13 THE COURT: I'll read it out loud.

14 THE COURT: U.S. Ambassador to Somalia?

15 THE DEFENDANT: No. From Somalia to Canada.

16 MR. KIRCHHEIMER: A little bizarre, Judge, but

17 neither here nor there. On the issue of flight --

(Pause in proceedings)

18 THE COURT: This sheds some light.

19 MR. BERNSTEIN: A little, Your Honor.

20 I spoke this afternoon with a woman named Judy
 21 Schultz, who's the Wisconsin Attorney General prosecuting the
 22 underlying case. She supplied me with some of the following
 23 information -- she and/or Agent Denning provided me with some
 24 of the following information:
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*SUBJECTIVE
 Suisse to
 WSA
 TRAIL 10/19/95*

ABSOLUTELY FALSE

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The Defendant was actually served with the Wisconsin UFAB complaint in Singapore in May of 1992. Shortly after that time, an attorney in Wisconsin named Thomas Wilson apparently contacted the Attorney General's office out there and represented that Mr. Wanta would surrender.

(FALSE TESTIMONY)

That didn't happen. In fact, he went on to Thailand, where he was arrested for participating in a significant fraud against a hotel. Apparently, one of the things that was involved in that case was the Defendant's production or use of in some capacity -- I don't know exactly what -- of what purports to be a billion dollar bill, and I'm handing to the Court a document that's been faxed to me from Wisconsin, which is a copy of a document that the Defendant produced or attempted to use in connection with this fraud charge that he was arrested on in Thailand involving a hotel.

U.S. TREASURY NOTE

After that, the Defendant went on to Switzerland, here he was arrested on charges involving another fraud, on Swiss charges involving fraud. He apparently spent several months in jail in Switzerland. Ultimately, he was not, the prosecution didn't go forward, and we're not exactly sure why, but the charges were dropped.

UNTRUE

The State Department then revoked the Defendant's passport and the Defendant was deported by Switzerland to the United States.

UNTRUE
HAD
DIP.
PASSPORT
TO
CANADA

And so Mr. Kirchheimer's representation that the

1 Defendant simply came back here knowing that there were charges
2 against him is completely false.

See U.S. State
→ OCT 1993 ←
letter

3 In fact, when Mr. Denning was waiting for the
4 Defendant to get off the plane, the Defendant said, "I'm the
5 one you're looking for," because he knew that authorities knew
6 that he was going to be on that plane, and he had been
7 deported.

8 Ms. Schultz also advises me that the charges that Mr.
9 Wanta is facing in Wisconsin are substantial under Wisconsin
10 law; that it involves several hundred thousand dollars worth of
11 tax fraud, that the maximum penalty is five years. And I asked
12 Ms. Schultz what is a likely sentence in this case, and she
13 said they're seeking the maximum and it's likely that he's
14 going to get something like that.

15 We're not talking about a charge that involves only a
16 negligible amount of jail time. We're talking about something
17 that can realistically be expected to result in significant
18 jail time.

19 We're also informed by Ms. Schultz that in
20 consultation with this lawyer, Thomas Wilson, that the
21 Defendant's family out there hasn't heard from him in two
22 years, which I think the Court can take into account as an
23 indication of what the nature of the Defendant's contacts with
24 the United States, obviously.

25 In addition to the various claims that the Defendant

*AZZIMAS
MURKIN
CONSULT IAD
FED'L INVESTRY 2/3*

1 makes about himself, as reflected in the Pre-Trial Services
2 report, which I know the Court has already read, the Defendant
3 has claimed to work for the CIA and for Customs and an agent in
4 Minneapolis customs office has been consulted about this and
5 confirms that the Defendant was never, was simply not working
6 for Customs.

7 He also claims to be the Somali ambassador to Canada
8 and gave Ms. Denning a document to that effect; and in fact
9 when Ms. Denning asked him what his permanent address was, he
10 specified an address in Toronto, Canada, not in the United
11 States.

12 I couldn't disagree more strongly with Mr.
13 Kirchheimer's statement that this is a case that cries out for
14 bail. This is a case that cries out for detention, because the
15 defendant has been traveling around the world avoiding this
16 prosecution and committing other frauds and engaging in all
17 kinds of falsification of his own identity.

*See 11/19/94
COMMENTS
USG
DISMISSAL*

18 Under these circumstances, he is an enormous risk of
19 flight, and the Government seeks detention.

20 MR. KIRCHHEIMER: A number of responses, Judge.

21 Lastly, of course, the Minneapolis, the unnamed
22 Minneapolis customs officer --

23 MR. BERNSTEIN: I'll name him. His name is Miko

24 Vanas, V-a-n-a-s.

BANAS

25 MR. KIRCHHEIMER: -- who doesn't think that my client

1 worked for Customs.

2 Some years ago there was a trial in this courthouse,
3 the IRA trial, one of the IRA trials in front of Judge
4 Coughlin, in which Ramsey Clark, who had previously been an
5 Attorney General of the United States, took the witness stand
6 and testified that on a prior similar trial to that he had
7 informed the Court in question that the CIA had told him as
8 Attorney General of the United States that they had no
9 involvement in a particular case, and then in the middle of
10 that case the prosecution was abandoned when the CIA changed
11 its position.

12 The relevance of that, of course, is that who knows
13 which Government agency --

14 THE COURT: Who knows? That's my problem.

15 MR. KIRCHHEIMER: I'm not sure that the Government
16 agencies are all that tremendously relevant.

17 The key here is that what Mr. Bernstein keeps talking
18 about repeatedly is the foreign travel. But the problem is
19 that there is no claim, because we don't have the date from
20 when the accusation was returned, that he left after the
21 institution of charges or after being aware of the institution
22 of charges.

23 The only claim is that while --

24 THE COURT: Do you want a probable cause hearing?

25 MR. KIRCHHEIMER: Well, I think that's a separate

*Never
knows
of any
changes*

1 issue, but right now I think more important is bail.

2 THE COURT: No, I'm not going to let him out. I'll
3 tell you that. I just can't.

4 MR. KIRCHHEIMER: Then what I --

5 THE COURT: So what would you like to do?

6 MR. KIRCHHEIMER: Give me a moment.

7 THE COURT: Okay.

8 (Discussion off the record.)

9 MR. KIRCHHEIMER: Judge, I have a second alternative
10 suggestion before we deal with the issue of going back. I have
11 been in contact with the family and I believe that the family
12 lives in Au Claire, Wisconsin. The family may be willing to go
13 to Madison.

14 I spoke to the son-in-law, who opined that my
15 client's wife is likely to be willing to go to Madison to sign
16 a bond in Madison.

17 THE COURT: Do you want to just put this off?

18 MR. KIRCHHEIMER: What I suggest is that we put it
19 off for tomorrow and I attempt to, I'll try and talk to the
20 family and see if I can present a surety.

21 THE COURT: A PRB wouldn't do in this instance. I
22 would need some security. I see real problems with this case,
23 Mr. Kirchheimer.

24 MR. KIRCHHEIMER: I guess I'd like --

25 THE COURT: A little more time?

1 MR. KIRCHHEIMER: I'm just trying to -- what's good
2 for the Court on Friday?

3 THE COURT: Friday? You want to come before or after
4 those gentlemen?

5 MR. KIRCHHEIMER: Oh, those folks are on? How about
6 tomorrow then?

7 THE COURT: Actually, we could do it Friday morning,
8 though.

9 MR. KIRCHHEIMER: Friday morning?

10 THE COURT: Yes. 11 o'clock? I'm free.

11 MR. KIRCHHEIMER: I have an 11 o'clock. Could you do
12 it at 10:30?

13 THE COURT: I can do it at 10:30.

14 MR. BERNSTEIN: I'd like to reserve the question of
15 -- my belief is that in the end we will waive removal, but
16 before that happens I'd like to deal with the bail issue.

17 THE COURT: Okay. So that's November 19 at 10:30 in
18 the morning.

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*Dismissed
with
prejudice
11.19.93*

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CERTIFICATION

I, Thomas Kramer, certify that the foregoing is a correct transcript from the electronic sound recordings of the proceedings in the above-entitled matter.

Thomas Kramer

July 15, 1994

Thomas Kramer

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

Canadian Operations:

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13 JULY 1995

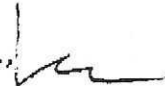
LAW OFFICES OF STEVEN M. EPSTEIN
324 EAST WISCONSIN AVENUE, SUITE 700
MILWAUKEE, WISCONSIN, USA 53202.0000
TELEFON: USA 414.765.1199
TELEFAX: USA 414.271.8506

Re: STATE OF WISCONSIN
vs.
LEO EMIL WANTA

CASE No. 92-CF-683

DEAR GENTLEPERSONS:

AS YOUR GOOD OFFICES ARE AWARE, **New Republic/USA Financial Group, LTD. Gesellschaft**, LEGALLY REGISTERED AND SITUATED IN WIEN, AUSTRIA-EUROPA, DULY EXECUTED IN EARLY 1989 A CORPORATE LOAN / PROMISSORY NOTE IN THE USDollar AMOUNT OF US\$500,000.00, PAYABLE ANNUALLY IN ARREARS IN FAVOUR OF BECKER + PARTNER, AS REPRESENTED BY HERR BECKER AND HIS BUSINESS AGENT/REPRESENTATIVE - HERR LOTHAR ELASSER DURING A CORPORATE MEETING IN WIEN.

DURING THAT MEETING, HERR ELSASSER STATED THAT HERR BECKER, FELT IT WAS NECESSARY TO TAKE DIRECT MONETARY CONTROL OF THE PREVIOUSLY ISSUED/AUTHORIZED PROMISSORY NOTE / CORPORATE LOAN GRANTED BY BECKER + PARTNER IN THE USDollar AMOUNT OF US\$500,000.00 IN FAVOUR OF Americhina Global Management Group, Inc. 

CARSON CITY, NEVADA, OWNED AND OPERATED BY A MR COVINGTON OF GERMANY PER NEVADA STATE CORPORATE RECORDS, CLEARLY KNOWN BY THE STATE OF WISCONSIN - DEPARTMENT OF REVENUE, ET AL.

BASED ON HERR BECKER'S REQUEST, A FULL POWER OF ATTORNEY WAS ISSUED IN FAVOUR OF BECKER + PARTNER, TO TAKE DIRECT CONTROL OF THE ORIGINAL MONETARY TRANSFER OF US\$500,000.00 TO SHEARSON LEHMAN / AmeriChina Global Management Group, Inc. CORPORATE ACCOUNT, DENVER, COLORADO THAT WAS AUTHORIZED TO BE WIRED TO BANK OF CHINA-BEIJING VIA CHEMICAL BANK OF NEW YORK PER CORPORATE INSTRUCTIONS, THUS RELIEVING MR WANTA FROM ANY FURTHER LEGAL CUSTODY AND PERSONAL OBLIGATION OF SAID CORPORATE LOAN OF US\$500,000.00 PER BECKER / ELSASSER AGREEMENT. AmeriChina COUNSEL JACK ELLIS' ROLE IN THE MONETARY TRANSFERS OF CORPORATE ASSETS AND LOAN PROCEEDS STILL CONTINUES TO BE UNKNOWN TO US, NOR AUTHORIZED BY EITHER FOREIGN CORPORATION FOR HIS DIRECT CONTROL AND/OR CUSTODIAL DUTIES.

NOW THAT THE GERMAN COURT HAS ADJUDICATED UNDER HANS LANZ / PUNDER GROUPE COURT PETITION THAT THE USDollar 500,000.00 WAS INDEED A CORPORATE LOAN / PROMISSORY NOTE, DULY EXECUTED BY New Republic/USA Financial Group, LTD Gesellschaft, AND NOT PERSONAL INCOME AND/OR A JAPANESE YEN COMMISSION - YET TO BE RECEIVED BY MR WANTA - THE CORPORATION TAKES THE EXECUTIVE POSITION TO ARRANGE THE CORPORATE PAYMENT OF SAID CORPORATE PROMISSORY NOTE / LOAN PROCEEDS OF US\$500,000.00, PLUS INTEREST ACCRUALS AT FOUR POINT ZERO PERCENT (4.0%), PAYABLE ANNUALLY IN ARREARS, ESTIMATED TO BE AS OF JUNE 01, 1995 TO BE US\$657,965.89 - ACCUMULATING AT USDollar 72.10 PER DAY UNTIL PAID IN FULL; UPON REQUEST FOR PAYMENT BY THE ORIGINAL LENDER OF RECORD BECKER + PARTNER, ALTHOUGH PREVIOUSLY REFUSED PERSONALLY FOR COLLECTION/PAYMENT BY HERR KURT BECKER, THROUGH DIRECT NEGOTIATIONS WITH ATTORNEY WILLIAM SALI AND MR GERALD SALCHERT. HOWEVER, HERR BECKER DID GIVE HIS ACCEPTANCE FOR DIRECT CORPORATE PAYMENT OUTSIDE OF GERMANY AT A LATER DATE - BY DIRECT PAYMENT OF TWO (2) EQUALLY DIVIDED CORPORATE USDollar BANQUE PAYMENTS.

BASED ON THE LATEST GERMAN COURT FILINGS, WE HAVE MADE CORPORATE ARRANGEMENTS TO PAY IN FULL THE CORPORATE PROMISSORY NOTE / LOAN

PAYMENT, SINCE IT WAS NEVER CONSIDERED BY THE AUSTRIAN MINISTRY OF FINANCE AUTHORITIES OR THE CORPORATION SENIOR MANAGEMENT STAFF AND CORPORATE DIRECTEURS AS PERSONAL INCOME AND/OR COMMISSIONS TO MR WANTA AND/OR THE CORPORATE MANAGING PARTNER/DIRECTEUR, DR OLGA SARANTOPOULOS OF WIEN (BOTH AUSTRIAN RESIDENTS AND HOLDING ONE PERCENT (1%) EACH OF SAID LEGALLY REGISTERED AUSTRIAN CORPORATION.)

I AM REQUESTING BY THIS LETTER THE AUSTRIAN CORPORATION TO TENDER TO THE GERMAN COURT IN FAVOUR OF LANZ-BECKER GROUPE, THROUGH YOUR GOOD LEGAL OFFICES, BOTH THE PRINCIPAL AND INTEREST PAYMENTS IN COMPROMISE AND FULL SETTLEMENT OF ALL CLAIMS; THE MINIMUM SUM OF US\$657,965.89 - UNLESS THE WISCONSIN COURT DETERMINES THAT THIS ORIGINAL LOAN / PROMISSORY NOTE WAS NOT REMITTED TO EITHER THE CORPORATION AND MR WANTA, BUT WAS SOME UNKNOWN WAGE AND/OR YEN COMMISSION UNKNOWN TO MR WANTA, WHEREAS THE AMENDED/FILED WISCONSIN TAX RETURNS OF 1988/1989, SUBMITTED IN JUNE, 1995, ARE TO BE ACCEPTED BY WISCONSIN AS TAXABLE INCOME SUBJECT TO PAYMENT AND ACKNOWLEDGEMENT PER COURT RULING OF MAY 11, 1995 - RESULTING IN WISCONSIN TAXABLE INCOME AS OF MAY 11, 1995 - WITHOUT ANY CRIMINAL CHARGES/CIVIL PENALTIES, AND THE MAY 08 -11, 1995 TAX TRIAL IS NULL AND VOID AND SET ASIDE FOREVER, BY ORDER OF THE COURT.

FURTHER, IF THE STATE OF WISCONSIN DETERMINES THAT THIS USDollar 500,000.00 CORPORATE PROMISSORY NOTE / CORPORATE LOAN NOTE PER GERMAN COURT DOCUMENTATION WHICH APPARENTLY CAUSED THE WISCONSIN DEPARTMENT OF REVENUE AGENTS, AN ALLEGED TAX COLLECTION INVESTIGATION REGARDING A NON-RESIDENT/AUSTRIAN TAXPAYER'S POTENTIAL - YET UNCOLLECTED - INCOME, THE AUSTRIAN GROUPE WILL CONSIDER AN ADMINISTRATIVE FINE FOR UNKNOWINGLY IMPLEMENTING CERTAIN US6, AUSTRIAN AND MISSISSIPPI CONTRACTS / AGREEMENTS IN THE STATE OF WISCONSIN WITHOUT CONSIDERING THE LEGAL TAX COMPLICATIONS, IF ANY, AND WILL CONSIDER A WISCONSIN ADMINISTRATIVE CODE FINE OF US\$75,000.00 OR LESS TO FINALLY SETTLE THIS HIGHLY QUESTIONABLE AND COMPLICATED LEGAL MATTER OF RECORD.

NATURALLY, ALL OF THESE FINANCIAL AND CORPORATE SETTLEMENTS ARE CONTINGENT ON THE IMMEDIATE RELEASE OF MR LEO EMIL WANTA AND FULL

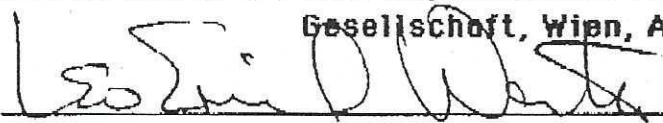
DISMISSAL OF ALL CRIMINAL AND CIVIL CHARGES AND SAID CRIMINAL / TAX CONVICTIONS AGAINST MR WANTA, A NON-RESIDENT OF WISCONSIN SINCE JANUARY, 1989 PER COURT RECORDS, INTER ALIA.

THE CORPORATION AND MR WANTA ADMIT NO LIABILITY BUT DOES WISH TO RESOLVE THE COMPLICATED DISPUTE THAT ALLEGEDLY EXISTS BETWEEN THE WISCONSIN DEPARTMENT OF REVENUE WITH New Republic/USA Financial Group, LTD. Gesellschaft, AmeriChina Global Management Group, Ltd AND MR LEO EMIL WANTA, THE ALLEGED TAX DEFENDANT. AT NO TIME AS THE FOREIGN CORPORATIONS, NOR MR WANTA, AN AMERICAN CITIZEN BY BIRTHRIGHT, EVER RECEIVED ANY LEGAL WISCONSIN TAX LEVIES, AS REFERENCED IN CRIMINAL COUNTS 3, 4, 5 AND 6 AS FALSELY ALLEGED IN DANE COUNTY/COUNTY OF DANE, WISCONSIN CIRCUIT COURT - BRANCH 2 TRIAL BY JURY TESTIMONY, DISREGARDING LEGAL JURISDICTION ISSUES AND DUE PROCESS WITH U.S. CONSTITUTIONAL/CIVIL RIGHTS.

AT NO TIME WAS MR WANTA KNOWLEDGABLE THAT THE USDollar 500,000.00 WAS EVER CONSIDERED PERSONAL INCOME OR COMMISSIONS TO HIMSELF, NOR ABLE TO SPEND AND/OR TO DISBURSE AS HE SOLELY DIRECTS WITHOUT CORPORATE AUTHORITY AND RESPONSIBILITY; CONTRARY TO CORPORATE RESOLUTIONS AND LIABILITIES. THE AUSTRIAN CORPORATION AND I BELIEVE THAT A TRAVESTY OF JUSTICE PREVAILS, AND NO CRIME IN WISCONSIN OR ANYWHERE ELSE HAS IMPLICATED MR WANTA.

THANK YOU FOR YOUR RAPID RESPONSE TO THIS URGENT AND TIMELY LEGAL MATTER.

FOR AND ON BEHALF OF: **New Republic/USA Financial Group, LTD.**
Gesellschaft, Wien, Austria

By: 
LEO EMIL WANTA, DIRECTEUR GENERAL

cc: Dr Olga Sarantopoulos, Managing Partner/Directeur
Mrs Lorraine Hilda Fine, Corporate Secretary
Estate of Howe Kwong KOK, Principal
Barrister/Solicitor Anthony Maniaci, Canadian Operations
Attorney Sandro Sordi, USA Operations
Hans Lanz / Punder Groupe (Principal Lender)

PAGE 4 OF 4