

MEDIA MAIL

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Mr. Seymour M. Hersh  
The New Yorker  
4 Time Square  
New York, NY 10036

Subject: Conspiracies

Dear Mr. Hersh,

I read your "Watergate Days" piece in the New Yorker today and some of your other recent investigative reporting about our government and was wondering if you might look over a few documents I have enclosed relating to a conspiracy by the Dallas District Attorney's Office and illegal activities during my capital murder trial in Dallas in 2002. The D.A., Mr;Bill Hill, is what some of my old Highland Park neighbors call "Confederacy Friendly" and pretty well connected with our local celebrity, Mr. Bush (this is Bush country.)

My actual conspiracy problem started a few years earlier when I tried to stop and then report wide-spread fraud and corruption in my regional RTC (Resolution Trust Corp.) office during the early 1990's. After I failed going through the chain-of-command, up to Chairman, Al Casey, and got demoted and fired in the process, I contacted a congressman from Alabama on the House Banking Committee, Richard Shelby, and was directed by his chief-of-staff to contact the House Oversight Committee on the RTC who took my investigative work and opened their own investigation and published the results in one of their quarterly reports to congress about data servicing contractor, Texas Data Control, Joint Venture (TDC, JV.) This forced the internal RTC-IG to open an investigation inwhich I became the source of information for both the Washington RTC-IG and the Dallas IG field auditors.

Almost a year into the investigation I was told by IG-Investigator, Don Ryburn, in Dallas that the IG was going to terminate the work with a finding of no fraud and when I asked him why he explained to me that the RTC-IG was receiving pressure from the newly appointed CFO, Donna Cunningham, to back-off (he also explained that she was reported to be a college friend of then First Lady, Hilary Clinton, and that all of these fraud investigations were to be stopped.) Then I was approached by an employee of the RTC I had hired a few years prior when I was recruiting professional CPA's to assist me with closing failed S&L's (he is now an Investigator with the U.S. Attorney's Office in Ft. Worth, TX) who suggested I file a False Claims Act (FCA) or "whistle-blower's" lawsuit against the contractor I had found defrauding the RTC; TDC, JV. He even provided me a draft lawsuit and the name and number of an attorney with experience in Arkansas. He also mentioned his dad was a career CIA in D.C. and that this TDC, JV was actually Computer Science Corp (CSC) and they were pushing out EDS.

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In 1995 I filed the False Claims Act lawsuit against the contractor, TDC, JV, and its six joint venture partners, including the party that actually committed the computer and false billing fraud, Computer Science Corporation (CSC) under seal with the U.S. Attorney General, Janet Reno, (Civil No. 3:95-CV-550-X) and before the end of 1995 the U.S. Attorney joined the suit and took over its prosecution. During this time I was contacted by a person claiming to be working for the election of Senator Bob Dole for President and asked me if I would be willing to be present at one of the Presidential Debates to ask a question about corruption at the RTC and the Clinton Administrations refusal to address it. I told the person that I would, but was never contacted again, though I was encouraged to keep up my investigation and lawsuit.

On December 31, 1995 I was terminated from the FDIC/RTC after 7½ years, but in the context of the filed lawsuit (and an earlier EEOC lawsuit and investigation; which went nowhere because I was deemed too White!) I had documented not only how the contractor, TDC, JV, was over-billing the government (\$7 million out of a \$21 million Total) but how the false reports the contractor was providing for non-existent assets they maintained on their mainframe computer systems at Computer Science Corp (CSC) was in turn being used by Senior RTC management to falsely or fraudulently over budget for internal and external contract services for Assets in Liquidation that did not exist (this amount was close to 50% of the total regional assets in inventory under RTC Receivership and Liquidation Management and I had calculated in excess of \$100 million in unnecessary contracts had been awarded in my region alone by this time - also at the time my position was Southwest Regional Operations Specialist (supervisory) LG-14 (Liquidation Grade same as GS-14 in other federal service) and I managed the regional Budgeting and Contractor Management Function.)

I apologize for how boring this must seem, but investigating computer and financial fraud is supposed to be rather boring and unexciting work unless you come up against this particular contractor and criminal Computer Science Corporation (CSC). Before we went to trial in 1998 I received an odd warning from the RTC employee who had originally advised me to file the FCA lawsuit and provided me with the original attorney, who was later joined by my brother-in-law, attorney, Robert M. Clark, and he stated that I might think of dropping the lawsuit because "my life might be in danger." I took the warning as more of a sick joke and thought that such a thing was not possible, but just before the trial was to start I was threatened by the U.S. Attorney that if I testified about any wrong-doing or corruption by any RTC employee or senior management my wife and her family would be charged with some type of criminal activity which at the time I was at a loss to quite figure out. Since I went on the witness-stand in two days from the threat I asked to drop the FCA lawsuit or turn it over 100% to the government and was told by the U.S.A. and my two attorneys that I could not. When Judge Joe Kendal of all people cross-examined me about government employees being involved in the fraud or trying to hide it I had to say I did not think so even though my whole originally filed suit and three years of discovery said the totally opposite. When Judge Kendal asked these questions instead of either the defense or the U.S. Attorney I knew it was a "Rigged Trial."

All of the "players" or attorneys at the trial in 1998; Mike Lynn, Tom Melsheimer, Renee Skinner (who only a week before the trial started was Judge Joe Kendal's law clerk), U.S.A. Paul Coggins are all kind of known around our neck of the woods as 'East Dallas Liberals' as apposed to the more "Klan" or "Confederacy Friendly" conservatives of my old Highland Park and University Park neighborhoods. Some are former Akin, Gump, Strauss, Hauer & Feld attorneys as was my first wife, Professor Michelle Ward LaBorde Ghetti and U.S. Attorney Paul Coggin's wife, Regina Montoya (who was also a Clinton Election Chairwoman for Texas as well as a Whitehouse Aid to Mr. Clinton, but was fired from the Whitehouse early in the Clinton first term for...? Whitewater? Travel-Gate? FBI files?) But the real stand-out at the three week long FCA trial in Dallas was a top aid of Senator Kay Baily Hutchinson; a tall, slim, nice looking woman with dark hair who always managed to let the jury see the large and impressive looking portfolio she carried with the large colorful seal of the U.S. SENATE on it (it was quite the gossip the first few days in the courtroom as to whom she was and worked for and I am sure the jury learned before me) while she carried on in the courtroom with the senior management from CSC's California offices and the defense attorneys Mr. Lynn and Melsheimer. I will point out that she never once came near me and I was treated as a pariah even by the Assistant U.S.A. Savers-McGovern who at one point during the trial verbally attacked my wife, Mary Jean Pearle, for only being there because she thought she might get her hands on some money (about \$3 million and was never brought up at my 2002 trial or the fact that the U.S. Attorney had information about her and her families criminal activities) and my wife stated that she was there for my moral support (again, in total contradiction of her testimony in 2002. I guess she would have had a better opinion of me if I had won the \$3 million, but that wouldn't happen with the Judge asking me if I was a "paranoid" and the defense attacking me as "some kind of nut wrapping himself in the American Flag"(they hate us Marines))

Currently this same group of attorneys, plus former criminal court Judge David Finn, have been very busy for the past few years in Dallas providing "free legal defense" for a group of Dallas Police Officers charged with planting "FAKE-DRUGS" on unsuspecting citizens (mostly hispanic) and falsely arresting about 80 of these poor people. I mention this because in 1999 and 2000 I attempted to prove that the U.S. Attorney, Paul Coggins, and the attorneys Mr. Lynn and Melsheimer had committed "criminal witness tampering" in the FCA federal fraud trial and was attempting to cover it up (Coggins and Melsheimer are now partners at Fisk & Richardson a Dallas law firm I suspect because the "bad cops" first went on federal trial before Judge Barbara Lynn, Mike Lynn's wife, and they didn't think it wise to defend these guys from Lynn, Melsheimer, et al. with the named partner's wife as Judge, but the affect was the same - not guilty - plus another coincidence, Barbara Lynn was appointed to the federal bench by Senator Kay Baily Hutchinson only a few weeks after the end of the 1998 FCA trial that Mr. Lynn and Mr. Melsheimer were voted "BEST DEFENSIVE WIN for 1998" in Ex Rel Battaglia vs. TDC, JV in the National Law Journal.) I had contacted the Ft. Worth, Texas office of the IRS-CID and found out my wife and her family had been under investigation for a number of criminal activities by the IRS-CID, but within a few months the investigation was supposed to have been turned over to the U.S. Secret Service (per IRS-CID Agent Bonnie Stone), but all I received were threats by Mary Jean Pearle to have me "killed" for talking to the IRS.

The threats on my life were followed with a Divorce Lawsuit, false charges of domestic violence, eviction from my home and after it was discovered that I had contacted the IRS-CID Agents (wire-tap on my CPA office phone) I was charged with first a false assault on X-mass day 1999 and the during 2000 I was charged or filed on by my wife over 100 times with the Highland Park Police Department (later learned that Sgt. Katherine Justice of HP Police had a big "man-hating streak" and a predilection for mid-aged "Lipstick Lesbians" which is what my wife turned out to be or wanted to go back to after about five years of marriage - marriage is definately not for the morally weak.) This discovery partially came about or was confirmed when the husband of another of these "Lipstick Lesbians" had hired off-duty police detectives to follow and vidio-tape his wife, Malisa Lowder, and wire-tap her telephone as well (this seems what rich people do for fun.) Please see my discription in my April 21, 2005 letter to Dallas D.A. Bill Hill.

I realize that the amount of detail and the various parties in this conspiracy story are getting a little out of hand and I couldn't agree more, but when I was asked to veiw onee of the vidio-tapes of Mr. Lowder's wife and my former wife (and a third older, but "butch-lesbian") and asked to identify a man in the vidio which I did as an Assistant Dallas District Attorney I only knew a Bryan, I unfortunately became involved or knowledgable of another conspiracy which I had no intention of being involved in: the participation of the Dallas District Attorneys Office in "SHAKING-DOWN" people it charged with crimes and threatened to prosecute and the receiving of "Kick-Backs" from Bonds posted by defendants and illegal referrals or "Kick-Backs" from ~~from~~ attorneys these defendants were steered to. Most of these "Shake-Down" and "Fake-Drug" victims were undocumented hispanics who in Dallas work and live in a vast underground economy - all dealing in cash - and this great source of cash must have been very tempting to these cops, attorneys and D.A.'s. And why it is so easy for some one like my former wifes to solicite and obtain false criminal and prosecutions from Dallas police and District Attorneys.

I don't want to go into what happened to me and my girls, Faith & Liberty, at this time, but it all came about because of me crossing these two groups of criminal actors hiding behind the Badges and Courts of the Law. I really only thought something like this could take place back east. I had been in Dallas for twenty years and never figured these nice, but slow folks as that devious. How wrong I was. If the "Klan" can still exist just below the surface in Dallas to this day, I recon I shouldn't be surprised by wide-spread corruption in ~~xxxx~~ the police and the courts and the D.A.'s office, either, but this U.S. Senator Kay Baily Hutchinson and her Vinson & Elkins husband has really got me confused (Clinton-Liberal or Dallas and Highland Park "Klan-Conservative"?) Even if Paul Coggins was the U.S. Attorney for North Texas he couldn't have called-off or quashed a criminal investigation by both the IRS-CID and U.S. Secret Service, again, that is my guess, but someone did and my trial attorney, Mr. Paul Johnson and trail Judge Janice Warder were able to keep every item and piece of evidence I gathered and turned over ~~the~~ the IRS-CID hidden at my trial in 2002. I have even written the IRS Commissioner, Mark Everson, and his IG, but nothing. Not even a "FUCK YOU!"

Sincerely,

  
JohnDavid Battaglia