I. The Chalupowski Fleecing

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HOW TO STEAL MILLIONS OF DOLLARS BY TURNING PUBLIC COURTROOMS INTO A PRIVATE PLAYGROUND

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In Essex County, Massachusetts, a group of lawyers supported by several state and federal judges, after having stolen over $800,000 using invalid court orders, is now ready to liquidate and distribute among themselves the rest of the estate of 87-year-old Mary Jane Chalupowski, still worth about $1,500,000.

When a Lawsuit is a Crime

Except for the affected few, almost no one in this country would ever believe that each year, millions of dollars change hands (are stolen to be exact) in staged litigation schemes devised with the sole purpose of generating fraudulent bills for alleged attorney's fees.

In the process of such schemes, various unsuspecting, law-obeying citizens are being pulled into a vortex of unnecessary litigation, disguised as legitimate court proceedings.

The result is financial and emotional devastation, comparable only to lynching, if we think of lynching not as the sudden outburst of irrational group hatred, but as the "cool, calculating deliberation of intelligent people," as defined by Ida Wells-Barnett in 1900.

With violence and corruption widely accepted as an essential part of the American lifestyle and culture, this new, refined version of common robbery goes largely unpunished, as did lynching for decades.

The instances of formal prosecution of predatory lawyers who use staged litigation schemes to make their living are few and far in between. In early 2003, the attorney general of California, alerted by politicians, filed a civil lawsuit against a group of shakedown lawyers who had been harassing local small businesses by fabricating abusive lawsuits with a sole purpose of ruining the businesses while generating extortionate attorney's fees.

In October 2003, three years after more than 60 lawyers and county employees were arrested on charges of bilking Florida's Miami-Dade County out of millions of dollars through fraudulent personal injury lawsuits, the County filed a civil racketeering (RICO) lawsuit against the perpetrators found guilty in the criminal proceedings, in order to recoup over $15 million in losses suffered by the County as a result of the massive public corruption schemes.

Staged Litigation a.k.a. Poser Advocacy

The headline-making cases involving staged litigation schemes in which their perpetrators go after assets belonging to businesses or local governments are rare. More typical victims of staged litigation schemes never make it to the media limelight, simply because there is nothing sensational about them. They are unsophisticated, middle-class working people, who, through effort and everyday prudence, have managed to accumulate some wealth, but have no power or connections; hence they are unlikely to put up the costly and risky fight necessary to stop, let

alone expose, the schemes.

The typical victims, vulnerable for one reason or another, targeted by the perpetrators of the staged litigation schemes, are being forced into overwhelming, costly and confusing court proceedings through various tricks, false accusations, or through turning simple courts actions into complicated legal ordeals.

Commercial Purpose

Why would anybody intentionally fabricate complicated legal proceedings, and why would the courts allow it to happen? The reason is simple: money. Less than 10% of all practicing lawyers have an actual job with a guaranteed paycheck showing up at the end of every week or month. The vast majority of lawyers are "self-employed" which means that they are, in fact, unemployed until they find a client willing to give them money in exchange for some legal services, the extent of which may range from defending a traffic ticket to handling commercial deals worth millions, if not billions, of dollars.

Judges understand the lawyers' predicament. After all, by and large, they all used to make their living by standing in front of the bench before getting behind the bench, where they are guaranteed to get a paycheck sent by the state or federal government for the rest of their lives. "*Judges can be counted on to rule in favor of anything that protects and empowers lawyers*," says the New York federal appeals court Judge Dennis G. Jacobs, quoted by Adam Liptak in his August 27, 2007, New York Times sidebar article "*With the Bench Cozied up to the Bar, the Lawyers Can't Lose*."

They surely can't. No matter how "cozied up" the Bar and the Bench are, the law enforcement authorities, even if notified about specific serious improprieties, are usually reluctant to upset the status quo. After all, prosecutorial jobs are not tenured, and some day, the lawyers who are now prosecutors will depend for their livelihood on the Bar-Bench alliance, deemed both "serious and secret" by Judge Denis Jacobs in his unusually frank assertion published by The New York Times.

Judge Jacobs, most likely, is one of the good people of the system. To be sure, there are lots of them - smart, honest, hardworking lawyers, judges, court clerks - the ones who respect law and uphold the integrity of the legal profession. They function mostly within the normal paradigm of practice of law, according to which law and the rules of the court do matter, and parties with their lawyers are on two distinct sides of a dispute.

The trouble is that within the same legal system there exists, and spreads like a disease, the abnormal paradigm of practice of law, according to which anything goes; laws are broken, the rules of the court are bent and twisted, and the lines of demarcation are blurred and secretly crossed. The temptation is great. To err is human. Cynics smile sarcastically. Good and evil are intertwined to the point of no distinction, and holding on to the normal paradigm is a heroic effort, which will not pay the bills, or worse, will get one in trouble. The 'cozying up' becomes a matter of professional survival. After all, whoever does it usually gets away with it.

In isolated cases, judges who cozy up too much with the Bar wind up behind bars. But this happens once in a blue moon. According to the Law.com website, only thirteen federal judges have been impeached during the last two hundred years. The judicial "poster boys" like Walter Nixon (a Chief Judge of the U.S. District Court for the Southern District of Mississippi, impeached and removed from the bench in 1989 for fixing a case for a friend and lying to the

FBI) or Gerald Garson (a probate court judge in Brooklyn, New York, sentenced to 3-10 years in state prison in May 2007 for fixing cases) represent only the tip of a massive iceberg of improprieties committed at every level of the judicial pyramid.

In most instances the authorities, when informed about some unusually close judges-lawyers ties, invariably happened to suffer from sudden bouts of incurable willful blindness caused by the terrifying awareness that any inquiry could expose more dirt than they would be willing to swallow.

The Staged Chalupowski Litigation

This is exactly what is going on in the aforementioned notorious Massachusetts case known to, and misinterpreted by, every lawyer, judge, court clerk, paralegal, and policeman in Essex County and beyond. The case is a classic example of the staged litigation scheme brought to the extreme. It is not a "complicated family dispute," as the perpetrators of the scheme like to label it. Although the Essex County group clearly crossed the line of simple corruption and entered the realm of purely criminal activities, the local, state, and federal law enforcement authorities, fully aware of the criminal conduct, refuse to intervene and laboriously conceal multi-layered conflicts of interests.

The Scheme

The basis for the Essex County staged litigation scheme was laid down, quite inconspicuously, over 14 years ago. Between October 1993 and January 1996, Attorney Joseph P. Corona of Salem, Massachusetts, used Donna Chalupowski (an unemployed nurse suffering from a paranoid personality disorder compounded by substance abuse) as his dupe plaintiff in five frivolous lawsuits and numerous restraining orders brought against every member of her immediate family: her mother Mary Jane Chalupowski, her sister Judith Chalupowski-Venuto, and her brother, Chester Chalupowski.

After losing, voluntarily dismissing or abandoning all five lawsuits by late 1996, Joseph Corona took a four-year break, and in December 2000, started his game all over again by filing a second batch of frivolous cases. Three out of the four new actions were duplicates of the claims brought earlier and disposed of on their merits back in 1996, and as such, were barred both by the statute of limitations and the doctrine of res judicata, a legal doctrine prohibiting re-litigation of matters previously adjudicated.When the court dismissed the three cases barred by res judicata, in December 2001, the game seemed to be over until the moneymaking opportunity botched by Joseph Corona was spotted by two smarter and more influential players.

In the early 2002, taking advantage of the fact that Attorney Corona decided to pursue a frivolous appeal of the proper dismissals of his frivolous cases, the two new players, Attorney Sharon D. Meyers of Salem, and Judge Janis M. Berry of the Massachusetts Appeals Court, devised an elaborate scheme disguised as legitimate court proceedings and aimed at defrauding the Chalupowski family from all their assets worth over $2,000,000.

The scheme was played out within the venue of two courts, the Essex Probate Court in Salem and the Appeals Court in Boston. While Judge Berry instituted parallel Single Justice appellate proceedings by issuing orders on a matter that was not in front of her (thus, it was outside of her jurisdiction), Attorney Meyers kept litigating at the Probate Court level the cases dismissed in December 2001, as if they had not been dismissed.

The Probate Court Prong

After the Probate Court dismissed the three cases, and after Corona filed his notices of appeal in December 2001, the Probate Court lost jurisdiction over the matters dismissed and pending on appeal.

Since the only pending case was too simple to lend itself to any manipulation, Meyers and Corona came up with a clever way to complicate it. They did it by filing with the Probate Court their various pleadings under four docket numbers: one belonging to the case still pending before the Probate Court and three belonging to the cases dismissed in December 2001, and pending on appeal.

The Probate Court Clerks, always eager to accommodate the attorneys, would make copies of all filings and would put them haphazardly into one, two, three, or all four bulging files overflowing with papers. The chaos and confusion created in this way was impenetrable for any one, especially a non-lawyer, trying to figure out what exactly was going on in the "notorious" Chalupowski matter.

The confusion and illegality of the situation did not bother the Chief Justice of the Essex Probate Court, John C. Stevens, III, even when Chester Chalupowski (carrying the main burden of the litigation brought by his sister Donna against him, his mother, and his sister Judith) repeatedly pointed out that the court was handling matters pending on appeal, thus outside of jurisdiction of the trial court.

Judge Stevens, unwilling to acknowledge the lack of jurisdiction issue, but apparently tired of the case which he dubbed the "tar baby," in November 2003, quite suddenly dumped the four bulging files overflowing with papers pertaining to the "Chalupowski matter" into the willing and hefty arms of Judge Peter C. DiGangi, a personal friend and political protégé of Congressman John F. Tierney.

In 2005, Congressman Tierney, a Democrat representing the 6th District of Massachusetts, nominated Judge DiGangi for the Angels in Adoption Award (presented during a Washington, D.C. gala dinner attended by President Bush) for Judge DiGangi's "outstanding contribution to the welfare of children in the United States foster care system and orphans around the world." While it is not entirely clear exactly what Judge DiGangi did for the "orphans around the world," a not-so-angelic picture of Judge DiGangi's stout persona emerges from the pages of the book written by Kevin Thompson, a Massachusetts father lynched financially and emotionally in the process of a child-custody case handled by Judge DiGangi.

In his 300-page treatise "Exposing the Corruption of the Massachusetts Family Courts," Thompson describes Judge DiGangi as "a dangerous combination of arrogance, ignorance and incompetence," "a bully", and "a disgrace to our system of justice." Upon learning about Thompson's publication, Judge DiGangi promptly issued an order banning the distribution of the book. The audacious, though illegal, move was quite in line with the reputation of Judge DiGangi, who in the lingo of the local legal community is endearingly called "the Terminator."

The nickname duly earned because of Judge DiGangi's tendency to swiftly terminate (with not much regard for the law or the rules of the court) lingering probate court cases. Upon such terminations, large sums of money flow from the unsuspecting litigants (usually numb from pain and confusion) into the hands of ever-so-grateful attorneys, for both sides, of course. After all,

"with the Bench cozied up with the Bar, the lawyers can't lose."

In the spirit of this principle, upon his arrival into the case, Judge DiGangi was going to make sure that the lawyers, who so laboriously had been concocting the "complicated" Chalupowski litigation, would not lose their opportunity to cash in on their efforts.

Therefore, the scheme flourished for a while under the watchful eye of Judge DiGangi, who quickly ascertained that in November 2003, the stunt was not quite ready for termination. At this point of the game, it was not entirely clear exactly how much money was available for the heist and later distribution. The whole hustle was about two Chalupowski family trusts: one holding real estate (two residential buildings, a four-family and a three-family located at 26 and 30 Andrew Street in Salem); and the other one holding about $170,000, professionally managed by Fidelity Investments.

Since Chester Chalupowski was the trustee of both trusts, the strategy originally implemented by Attorney Joseph Corona, and since the late 2001, perfected by Attorney Sharon Meyers, was simple: discredit Chester and isolate him from the rest of the family, i.e., his mother and his sister Judith.

The first stage (defamation and vilification) was easily accomplished by bringing false allegations that Chester stole funds from both trusts. The fact that the false claims were in direct conflict with the certified bank records produced by Chester and filed with the court did not really matter, as long as the false allegations were neatly typed on legal stationery, signed by a lawyer, and presented for the court's consideration.

The second stage of the scheme (isolation) was accomplished by replacing the independent voices of Mary Jane and Judith with those of their "guardians ad litem" appointed by Judge Stevens.

Attorney Meyers secured her position in the game once she was appointed a guardian ad litem for Judith in October 2001. In June 2003, Judge Stevens appointed Attorney John D. Welch (a timid, middle-aged underachiever of Newburyport, Massachusetts) as "guardian ad litem for Mary Jane Chalupowski.

There was no legal or factual basis for any of the appointments, but inserting the lawyers in place of Judith and Mary Jane was crucial for shifting the balance of the game from "Donna against the rest of the family," to: "the women of the family" against Chester, "the bad guy."

In this way, the schemers could use not one, but three puppet plaintiffs, whose possible interference with the scheme could be easily controlled. They did not have to worry about Donna, the schemers' most reliable mouthpiece, who delighted in spreading the absurd claims that her brother and his wife "stole hundreds of thousands of dollars from the family trusts." Also, it has been fairly easy to discredit and muffle the voice of the quiet octogenarian, Mary Jane Chalupowski. Her daughter, Judith, however, in the late 2003, was becoming a problem, due to her open alliance with her brother Chester and his wife, Margaret.

The problem was quickly addressed by digging up an outstanding arrest warrant issued in a frivolous criminal case brought against Judith by her sister Donna in November 2001. On November 14, 2003, Judith was arrested when she showed up for one of the Probate Court hearings.

The old warrant came in handy, but Judith's three-day incarceration in Framingham was too

short to meet the schemers' needs. Therefore, they quickly enlisted help of the Chief Justice of the Salem District Court, Robert A. Cornetta who (despite the fact that the criminal charges had been dropped for lack of evidence) ordered Judith to be involuntarily committed under Chapter 123, section 15, of the Massachusetts General Laws, which regulates procedures for evaluating defendants' mental competence to stand trial in criminal cases.

Obviously, once the criminal charges were dropped, there was no legal basis for Judith's "evaluation" pursuant to Chapter 123, section 15. Nevertheless, Judith spent three months incarcerated (and medicated against her will) at the State Mental Hospital in Tewksbury, so that her "guardian ad litem," Attorney Sharon D. Meyers, could freely use Judith's name in order to advance the scheme and to generate tens of thousands of dollars in alleged "attorney's fees" for herself by bringing various unwarranted claims against Judith's brother, Chester without Judith's knowledge or authorization.

Putting Judith in Tewksbury might have seemed like an easy stunt due to her reputation of being a local oddball. Judith (once a class salutatorian, respected math teacher, and happily married mother of two) suffers from serious depression that she developed in the process of extremely traumatic divorce proceedings (handled by the way by Judge Stevens), as a result of which she has been permanently separated from her children. The divorce drama started in 1992, shortly after her sister Donna obtained a restraining order against Judith's husband, Frank Venuto. Donna's interference in Judith's personal life triggered marital conflict and aggravated Judith's health problems, which she has been battling ever since. Judith's vulnerability, combined with her mother's advanced age, made the Chalupowski family a perfect target of the staged litigation scheme.

The only obstacle, Chester (a successful businessman, avid athlete, and talented musician – classical and flamenco guitarist) was by the early 2002, effectively defamed, vilified, and isolated from the rest of the family. He was targeted by the schemers for yet another reason: he happened to have some money of his own. With the family funds tied up in real estate and the two trusts, the game was hardly worth playing. That is, until the schemers discovered that Chester and his wife (an accomplished physician with Harvard credentials) had over half a million dollars invested with several financial institutions.

The feeding frenzy erupted in March 2004, shortly after Attorney Meyers obtained Chester's bank records by providing the banks with subpoenas containing falsified information. Having ascertained how much money was up for grabs, the lawyers quickly adjusted the range of their false accusations, and the price tag for their services, to match exactly the amount of money present in the accounts belonging to Chester and his wife.

To accomplish their goal, they provided the courts with elaborate "calculations" indicating that Chester and his wife "stole" about $400,000 from the two trusts. It may seem incredible, but the fact that there never was $400,000 to be stolen in the first place, did not really matter to the courts.

The Heist

By May 2004, the time must have seemed ripe for the termination of the "tar baby" Chalupowski litigation. So, on May 24, 2004, Judge DiGangi (arrogantly oblivious to the fact that he lacked subject matter jurisdiction over the matters pending on appeal) actually held a "trial" on the three cases dismissed in December 2001, and in May 2004, still pending before the Appeals Court,

therefore outside of jurisdiction of the Probate Court.

When, before the May 2004 "trial," Chester made repeated attempts to bring to the court's attention the issue of lack of jurisdiction, as well as the fact that nothing was stolen from either of the trusts, the irritated schemers quickly found a way to put him in his place by putting him in the Middleton prison for three days on an arrest warrant procured in a premeditated civil contempt action. After spending the weekend of May 14, 2004, in jail, Chester (brought to the Salem Probate Court handcuffed and shackled) was released on Monday morning, but not before his wife wrote a check for $1,500 to the "Judge of Probate Court," which was later personally cashed by Judge John C. Stevens, III.

The Massachusetts Appeals Court, notified by Chester of the fact that the Essex Probate Court was handling cases pending on appeal, was of no help either. The Appeals Court judges, obviously unwilling to expose Judge Berry's active participation in the "tar baby" matter, pretended that they simply did not understand what Chester was saying when he asked for the Appeals Court's emergency intervention to stop the Essex Probate Court from trying cases pending at the same time on appeal.

On August 17, 2004, Judge DiGangi signed a 26-page "judgment" ostentatiously put together by the resourceful team of lawyers (which apart from Attorneys Corona, Meyers and Welch, included Chester's own lawyer, James R. Tewhey).

According to the "judgment" signed by Judge DiGangi, Chester stole about $400,000 from the two trusts, committed a variety of other repugnant acts, and was liable for over $200,000 in attorneys' fees. Attorneys Meyers and Welch presented elaborate billing statements, which they filed with the Probate Court in June 2004, and amended in September 2004. Joseph Corona did not produce billing statements of any kind. Instead he attached to his "motion for attorney's fees" copies of several promissory notes signed by Donna Chalupowski for the total amount of $95,000.

As in any such a scheme, somebody had to hold and distribute the stolen goods in a legal-looking way. Apparently unable to come to an agreement as to which one of them should be the "court appointed receiver" or the new trustee of the two Chalupowski family trusts, the group agreed in May 2004, to recruit one more player. The new player had to be able to play his part under an ironclad pretense of legality. Attorney Anthony ("Tony") Metaxas, a partner in the prestigious law firm of Metaxas, Norman and Pidgeon, a local gray eminence of sorts, and Judge DiGangi's golfing buddy, seemed like the perfect choice. He was. Armed with the invalid August 17, 2004, judgment, on August 31, 2004, Attorneys Meyers and Metaxas appeared before Judge DiGangi and promptly obtained his signature on their "proposed order" authorizing them to seize Chester's assets, "in the aggregate amount not exceeding $630,000."

The fact that the August 17, 2004, judgment was a nullity (since it was issued while the Essex Probate Court did not have jurisdiction to handle the matters pending on appeal) was of no interest to the banks, which released the funds within minutes after receiving a fax from Attorney Metaxas. After all, why would one question Tony Metaxas of Mataxas, Norman and Pidgeon, LLC?

In this simple way, by the stroke of Judge DiGangi's pen, Mr. Metaxas came into control of all the lifesavings belonging to Chester and his wife, Margaret, for which they both had worked for over 30 years. This is not to mention the $170,000 of the family trust's assets, labored over for

by three generations of the Chalupowski family, and up until the date of the heist, wisely invested in stocks and professionally managed by Fidelity Investments.

Within days after coming into control of the accounts, Metaxas liquidated all the stocks at huge loss, put the money into a checking account in a local bank, and shortly thereafter started distributing the funds by writing checks to all the players, without any accountability. The day before Thanksgiving 2004, the finalists of the scheme hit the jackpot when the three top prizes were awarded in the form of checks signed by Tony Metaxas.

The grand prize of $78,606.98 went to Attorney Sharon Meyers. Joseph Corona took the second place with the check for $42,250. John D. Welch got $37,050 for his short yet important involvement in the scheme. Corona was angry that the newcomer, Welch, who had been in the scheme merely a year, got almost as much money as he, who had been playing the game since 1993, only to have his demanded amount of $95,000 slashed in half by Judge DiGangi, who, apparently, never really liked Corona. At this point, Corona did not care any more about Judge DiGangi's affections, because after receiving the check, he promptly retired.

Joseph Corona should not have complained. In November 2004, he was paid over forty thousand dollars for filing five frivolous lawsuits eleven years earlier (all of which he lost in 1996), and for re-filing them in December 2000 (all of which he lost again in December 2001), and for filing his frivolous appeal of the proper dismissal of his frivolous and repetitive cases, and for constantly lying to the court. The fact that Corona was able to pull such a stunt would be rather funny if it were not illegal.

In order to create the appearance of legality for the distribution of the rest of the assets stolen from Chester and his wife, Attorney Metaxas created a virtual "payroll" of over a dozen paid positions, which included, for example, a receiver (Metaxas), a trustee of the realty trust (Metaxas), a trustee of the family trust (Metaxas), a trustee's lawyer (Carlotta Patten), Mary Jane's guardian ad litem (Welch), Mary Jane's court appointed attorney (Welch), a lawyer representing Welch before he was appointed Mary Jane's attorney (Margaret Barmack), Mary Jane's guardian (Daniel Northrup), a guardian's attorney (Welch), guardian's associates (several individuals employed by Northrup, a "professional" guardian, including Northrup's wife, Deborah), and last but not least, a number of doctors (e.g. Samir Patel, Kevin Yeh) who were asked to find Mary Jane Chalupowski in need of various services offered by the above listed individuals.

According to Hilary Clinton, it takes a village to raise a child. Apparently, it also takes "a village" to steal an estate.

The Appeals Court Prong

While working for over two years on sustaining and culminating the Probate Court prong of the scheme, Attorney Meyers, a pro in multitasking, did not neglect the parallel prong of the scheme graciously instituted by Judge Janis M. Berry as a Single Justice of the Appeals Court, back in February 2002.

On February 4, 2002, by circumventing proper appellate procedure, Attorneys Meyers and Corona obtained from Judge Berry a personal favor in a form of a stay of certain orders issued by the Salem District Court in a related matter. Since there was no appeal from the Salem District Court orders before Judge Berry, she acted outside of her jurisdiction when she issued the stay,

which, therefore, was void as a matter of law.

In order to camouflage the fatal flaw of invalidity of her February 4, 2002, order of stay, Judge Berry issued another stay on August 6, 2002, this time in Corona's frivolous appeal of the proper dismissal of his frivolous Probate Court cases.

There were at least two serious problems with the second stay issued by Judge Berry. First, in August 2002, Corona's appeal was not perfected since Corona, after filing his notices of appeal in December 2001, did nothing to perfect his appeal. Second, a stay can only be issued in cases where the party seeking the stay has a chance to win the appeal on the merits. Since Corona was appealing the dismissal of cases that were barred by the doctrine of res judicata, there was no probability of winning the appeal. Therefore, the stay could not have been issued. That is, if Judge Berry had followed the normal paradigm of practice of law, under which law and the rules of the court do matter. However, since Corona, Meyers, and Judge Berry seemed to be favoring the abnormal paradigm, they ignored law and the rules of the court as they pleased.

Attorney Meyers had another problem to solve. Corona was appealing the dismissal of the cases brought on behalf of Donna against Mary Jane, Judith, and Chester. So, technically, Meyers, acting (legitimately or not) on Judith's behalf, should have been on the same side as Chester, opposing the appeal. But this was the last thing she wanted to do. To get on the same side as Corona at the appeal level, Meyers fabricated a pleading, dated it January 14, 2002, and in June 2002, filed it with the Appeals Court claiming that it was a copy of a pleading coming from the Probate Court file. It was a fraud, a fraud on the court to be exact, but it worked. Who would ever question Attorney Meyers? And from then on, it looked as if Donna and Judith were on the same side of the appeal.

Around that time, Mary Jane's name mysteriously jumped the docket page from Chester's side to Donna's side (courtesy of the Appeals Court clerks), and this shrewd maneuver completed at the Appeals Court level, shifted the strategic balance from "Donna against the rest of the family" to "the women of the family against Chester, the bad guy."

To be clear, when the cases were dismissed in December 2001, the defendants, Mary Jane, Judith, and Chester won. One could ask why would the winning parties (Judith and Mary Jane) join the loser (Donna) in appealing their victory. The reason is simple. The lawyers, who were using Judith and Mary Jane as puppet plaintiffs, needed to make money. Also, the absurdity of the situation had additional value important to the schemers. It created more chaos and confusion, making it difficult to see what exactly was going on in the "complicated Chalupowski matter."

Chester did what he could to clarify the situation. On December 4, 2002, he filed his motion for reconsideration of Judge Berry's August 2002 order. Judge Berry promptly denied the motion and Chester filed his notice of appeal. His appeal was processed and docketed by the Appeals Court on February 5, 2002.

After Corona filed his notices of appeal in December 2001, he did nothing to perfect the appeal; therefore, the Probate Court clerks, according to the rules of the court, should have dismissed the appeal. They did not.

Thus, on December 2, 2002, Chester filed with the Probate Court his motion to dismiss Corona's appeal. On December 9, 2002, Chester's motion was heard and denied by Judge Stevens, and Corona was given more time to perfect his appeal, the Probate Court assembled the record, and

Corona's appeal was docketed by the Appeals Court on February 17, 2003.

In this way, two weeks after Chester's legitimate appeal was docketed, it was joined by its illegitimate 'twin brother,' i.e. Corona's appeal.

The Appeals Court was not in a hurry to address the inconvenient truth contained in Chester's appeal, so both appeals sat dormant for well over a year. This delay gave Attorney Meyers an opportunity to capitalize on both orders of stay issued by Judge Berry. The fact that one of the orders was void and the other one was erroneous as a matter of law did not really matter. In the skillful hands of Attorney Meyers, even invalid or erroneous orders could be turned into a lucrative "billing opportunity."

Hence, on December 30, 2003, Attorney Meyers, having secured Judith's illegal incarceration in Tewksbury (courtesy of Judge Cornetta of the Salem District Court), filed with the Appeals Court, without Judith's knowledge and approval, a contempt action against Chester. The hearing on Meyers' contempt action, strategically postponed several times, was held by Judge Berry on June 10 and 11, 2004, i.e. shortly after the Probate Court "tried" the cases dismissed in December 2001, and pending on appeal.

Several witnesses were summonsed to testify, including Attorney John D. Welch and Chester. Welch gave his sworn testimony as to Mary Jane's mindset in October 2002. Mr. Welch failed to mention, however, that he did not meet Mary Jane until October 2003. Technically, Welch committed a perjury, but, all in all, he proved to be a good witness for the purposes of the scheme.

Chester, on the other hand, according to his attorney, James R. Tewhey, would not make a good witness. Therefore Tewhey advised Chester that he should invoke the Fifth Amendment protection against self-incrimination, in order to avoid testifying. To alleviate Chester's doubts as to the strange strategy, Tewhey assured him that invoking the Fifth could not be used against him. Tewhey failed to mention that this is true only in the context of criminal proceedings. In civil cases, the person invoking the Fifth does not enjoy the same protection.

Altogether, the contempt action masterminded by Attorney Meyers was a success, especially since at the end of the first day of the hearings, Chester inadvertently created an opportunity, capitalizing on which Tewhey and Meyers could not resist. Leaving the courtroom, Chester said aloud to Meyers that she would not get away with what she was doing. Meyers responded with a sarcastic smile.

When half-an-hour later Chester and his wife were getting into their car a block away from the courthouse, two Appeals Court security guards ran up to Chester, handcuffed him and brought him back to the court.

Not sure what to do with their 'catch' after 5:00 PM, the two guards, after making some frantic phone calls, walked Chester, handcuffed, through the streets of downtown Boston to the nearby City of Boston Police Station, where they dropped him off and left. The Chief of the Station, summoned for the occasion from his way home, ordered Chester released, and said to him, "Sir, I hope you understand that the Boston Police did not arrest you."

Attorney Meyers, meanwhile, was hurriedly filling out a complaint form in which she made false statements about the incident.

Attorney Meyers did not pursue her claim filed with the Boston Police. There was no need. By

then Chester's credibility was tarnished enough. There was no question that a guy who was arrested twice, spent a weekend in the Middleton prison, and took the "Fifth," must be guilty of something.

Judge Berry took the contempt matter "under advisement" and would not be heard from for over 18 months, until November 2005.

In the summer of 2004, everything seemed to be under control. The two prongs of the scheme were successfully wrapped up, and a final decision was issued in the Probate Court matter stating clearly that Chester stole $400,000 from two trusts, and was to pay almost quarter of a million dollars to the attorneys who "worked hard" to catch him.

The only problem was that, first, nothing was stolen from either of the two trusts, and, second, the cases allegedly culminated in May by Judge DiGangi's elaborate 26-page-long decision, were still pending before the Appeals Court when the decision was issued by Judge DiGangi on August 17, 2004.

It would be an embarrassment, one with serious legal and disciplinary consequences, if the true nature of the two-pronged scheme were exposed. Therefore, the three-judge panel of the Appeals Court (Gelinas, Smith, and Trainor) who were considering the two appeals decided to "play possum."

The facts and law of the two appeals were simple. Corona's appeal was frivolous. The dismissals he was appealing were proper because the claims brought by him in December 2000 were decided on their merits in 1996, and, as such, were barred by the statute of limitations and the doctrine of res judicata. Chester's appeal of the two orders of stay issued by Judge Berry was legitimate. Judge Berry did not have jurisdiction to issue the February 4, 2002, stay and the stay issued on August 6, 2002, was erroneous as a matter of law.

The three judges did not want to admit the obvious. So they simply said in their Rule 1:28 unpublished Memorandum dated August 20, 2002, "the case presents a Gordian Knot of procedural and substantial confusion which we, on the record before us, are unable to unravel […]"

Having invented the "Gordian Knot" excuse, the three judges remanded the cases barred by res judicata to the Probate Court, to be handled for the fourth time, and affirmed Judge Berry's decisions. The Probate Court ignored the order of remand, even though Chester filed his request for trial assignment, as required by the court rules.

Attorney Meyers turned the panel's decision into one more moneymaking opportunity, proving one more time that "with the Bench cozied up with the Bar, the lawyers can't lose."

On September 17, 2004, Chester filed his application for further appellate review of the panel's unpublished Rule 1:28 decision with the Supreme Judicial Court of Massachusetts. Further review was denied.

The Third Prong

While the two prongs of the main scheme were carefully cultivated at the Essex Probate Court and the Appeals Court Single Justice level, a seemingly separate stream of events was quietly developing in a seemingly unrelated case brought against Chester and his wife, Margaret, by the Board of Trustees of the Tuck Point Condominium Trust in Beverly, a picturesque waterfront condominium complex where Chester and Margaret own their one-bedroom unit overlooking the

Beverly Harbor.

In early March 2003, for no apparent reason, the Tuck Point Trustees decided to claim that Chester and Margaret owed $1,718 in unpaid condo fees.

The fact that they did not owe a dime in condo fees (in fact, the Tuck Point Trust owed them over $3,000 in overcharges) did not really matter in the context of Massachusetts General Laws, Chapter 183, Section 6C, according to which, a condo owner accused of being in arrears, in order to be able to dispute the allegations, first has to pay whatever is demanded.

Chester and Margaret did not know this law, but by the summer of 2003, after spending some time at several law libraries, they figured it out. On August 10, 2003, they did provide, under protest, the Tuck Point Trust with their check for $1,718. Despite this payment, the Tuck Point Trustees kept pursuing their false claim for over a year, until July 2004, when they got a judgment (from the Salem District Court Judge Robert Cornetta, by the way) for $19,180.48. When Chester and Margaret tried to dispute the legality of the charges, the attorneys for the Tuck Point Trust scheduled a foreclosure sale of their unit for September 9, 2004.

Still unaware of the August 31, 2004 order of attachment obtained by Metaxas and Meyers from Judge DiGangi, Chester and Margaret managed to get a cashier's check for $19,180.48, only hours before all their accounts were closed, and Fed-ex it to the lawyer for the Tuck Point Trust, just in time to stop the foreclosure.

If this were a script for a movie, the sequence of events and the interrelation of the three prongs would be rejected as too coincidental to be believable. It took some time for Chester and Margaret to discover the connection. Faced with the accusations of unpaid condo fees, at first they believed that the false claim was made in retaliation for their outspoken attitude about the serious chemical contamination of the Tuck Point site, going back to the beginning of the 20th century. The problem was never properly addressed either by the developers (who in the early 1980s set out to make money by building residential dwellings on the top of a toxic dumpsite), or by the revolving sets of the Tuck Point Board of Trustees, led in the early 2000s by a Mr. Bruce Patten, President of the Peabody Power and Light Corporation, whose employee, Richard Warren, happened to land a contract for $400,000 to clean up the Tuck Point site, and who, although paid in full, never did the job.

Chester, always vocal about the financial mysteries surrounding the environmental cleanup, the lead petitioner in the grassroots environmental initiative, and the co-author of a revealing article published at the website of the American Homeowners Resource Center (AHRC), was a target of various retaliatory actions (nasty letters, unjustified fines, dead skunks under his car).

Therefore, the false claim of unpaid condo fees seemed like one more, although the most cruel and costly, way of forcing him to stop his environmental crusade. While the very filing of the false claim of unpaid condo fees could have been seen as a purely retaliatory action, the timing of the final blow was too well coordinated with the main blitzkrieg operation to be coincidental. But how would the Tuck Point Trustees even know about the attachment of Chester's personal assets obtained by Mr. Metaxas?

Chester and Margaret struggled to find the connection between the main scheme and the collateral attack. Then, in the early October 2004, they received a letter from Anthony Metaxas, signed by his Associate, Attorney Carlotta Patten, the daughter-in-law of Bruce Patten, their

Tuck Point adversary.

Looking for Redress outside of Courts

Long before his money was stolen, Chester repeatedly had tried to alert various law enforcement authorities, as well as other overseeing entities, about the ongoing scheme.

In September 1996, Corona, having lost the first batch of his frivolous cases, demanded from Chester $15,000, "cash, not negotiable, within a week" in exchange for leaving Chester and his family alone. Otherwise, Corona threatened to make Chester's life a "living hell."

Chester did not give Corona the money. Instead he reported the extortion attempt to the Salem Police and to the Massachusetts Bar. The Salem Police and the Bar ignored the complaints despite the fact that Mary Jane's lawyer, Attorney Jayne Davidson, provided her own statement about her encounter with Joseph Corona who in August 1995, appeared, unannounced, at her office in Nahant, and offered to stop pursuing the first batch of his frivolous cases if she gave him $10,000, cash. When Jayne told Corona that she would report his conduct to the Bar, Corona advised her that if she did that, he would be the last person she ever reported.

Having received no ransom either from Chester or from Attorney Davidson, Corona made good on his threat to make Chester's life a "living hell" and in December 2000, started the game all over again by re-filing his frivolous cases.

Having grown impatient that his new scheme was not producing any tangible results (i.e. money), in June 2003, Corona informed Chester that he would be willing to withdraw from the litigation in exchange for $50,000, cash, non-negotiable.

Chester did not give Corona the $50,000. Instead in July 2003, he reported the third extortion attempt to the Office of Attorney General for the Commonwealth of Massachusetts.

The Intake Officer, State Trooper Marion Fletcher, after reviewing the record, promptly arranged for Chester and his wife to meet with Assistant Attorney General John Grossman and Sergeant William Christiansen at the Boston AG office, as well as with Special Agent Larry Travaglia at the FBI Office in Lowell.

Messers Grossman and Christiansen listened politely, promised to look into the matter, and nine months later, in April 2004, sent a one-sentence letter informing Chester that the Criminal Bureau of the AG Office could be "of no further assistance." When in November 2004, Chester informed AAG Grossmann that, while his office was "of no further assistance," the schemers had finalized the scheme and had stolen $800,000, AAG Grossman chose to leave Chester's missive unanswered.

Special Agent Larry Travaglia (sporting Robert DeNiro's haircut and demeanor), after making it clear during the July 15, 2003 meeting that he was busy chasing drug dealers, gun slingers, and various other criminals more dangerous than Joseph Corona and his influential colleagues, asked to be kept informed in case "something more serious" happened.

When, in September 2004, Chester informed Agent Travaglia that something more serious (like the theft of the $800,000) had happened, Agent Travaglia left an angry message on Chester's answering machine complete with a warning, "don't call me anymore."

Special Agent Travaglia's professional priorities seemed to be at odds with those outlined by federal judge Mark L. Wolf, who in February 2004, in "an unusually frank discussions with

reporters" of The Boston Globe, criticized the U.S. District Attorney Michael Sullivan for spending too much time on drug and gun cases that belong in state courts, instead of focusing on federal public corruption and white-collar crimes committed by "bigger and morally more culpable people."

Attorney Sullivan had an opportunity to avoid Judge Wolf's criticism by focusing on crimes committed by bigger and morally more culpable people, when Chester Chalupowski reported the ongoing Essex Probate Court scheme to the Public Corruption and Special Prosecutions Unit of the U.S. District Attorney's Office in February 2003.

The Unit avoided the issue for almost two years, until the Head of the Unit, Attorney Stephen Huggard, assigned the matter to two FBI Agents, Kevin Constantine and Peter Ericson, who on December 20, 2004, spent three hours talking to Chester and his wife, and reviewing the court files, at the couple's residence in Beverly.

When Chester called Attorney Huggard's Office, after getting no feedback during the following two months, he was advised that Attorney Huggard had been on sick leave for a while and eventually left his position altogether to pursue a career in the private sector.

Left with no follow-up to his somewhat promising December 20, 2004, encounter with the two FBI Agents, Chester placed a polite inquiry directly with the Attorney Sullivan's Office in March 2005. Cautious not to appear impolite, Chester waited patiently for a response until, on April 14, 2005, he realized that the response would not be forthcoming.

On April 14, 2005, the Shubert Theater in Boston hosted the Federalist Society, which, in collaboration with the Commonwealth Shakespeare Company, presented Law and Order in Verona, a stage reading of Romeo and Juliet followed by a panel discussion on crime and punishment in the Commonwealth of Massachusetts.

The otherwise unremarkable artistic event was newsworthy due to the fact that the roles of Shakespeare's characters were played by various representatives of the local legal and political establishment. In addition to Kerry Healy, then Lieutenant Governor, and Martha Coakley, the current Attorney General of Massachusetts, the cast included Michael Sullivan, U.S. District Attorney, as well as several federal and state judges, Janis M. Berry, among them.

When leaving the theater, Chester and his wife noticed Attorney Sullivan and Judge Berry engaged in an overly friendly chat, they then realized that Attorney Sullivan was unlikely to make Chester's complaint about the Essex County scheme his investigative priority. Needless to say, Attorney Sullivan never responded to Chester's letter dated April 28, 2005.

While the representatives of the Essex County law enforcement authorities did not make it to the prestigious cast of the Shakespeare's drama, they did play an important role in making sure that the scheme would not get exposed.

When in September and December 2004, Chester and Margaret reported the three-pronged staged litigation scheme disguised as legitimate court proceedings to the Essex County District Attorney's Office, they did not know that, if the Essex DA Office were to intervene, it could mean that the Assistant District Attorney, Michael Patten, would have to prosecute his own wife, Carlotta Patten, and her boss, Anthony Metaxas. (How awkward.)

In addition, if the Essex DA Office were to intervene, the DA, Jonathan Blodgett, would have to prosecute his former employer, Bruce Patten, who had given him two jobs: one as a legal counsel

for the Peabody Power and Light Corporation, and another one as a legal counsel for the Tuck Point Condominium Board of Trustees, when Attorney Blodgett (before getting his salaried position as the Essex County DA) was still a struggling lawyer trying to make a living in private practice.

In the context of the peculiar 'Patten connection,' it might be entirely irrelevant that Jonathan Blodgett's father worked at the golf course frequented by two avid players, Peter DiGangi and Anthony Metaxas.

Instead of disclosing the multi-layered conflict of interests, the representatives of the Essex DA Office pretended for several months that they were investigating the matter.

In June 2005, Assistant District Attorney Gregory Friedholm invited Chester and his wife, Margaret, to his office, and while two other DA Officers, John Dawley and Jack Dullea, also present in the room, were busy looking at the floor, Attorney Friedholm stuttered awkwardly that since, there was "judicial oversight" over all of the court proceedings, the Essex County DA could not get involved.

When asked for a letter documenting the Essex DA's position on the matter, Attorney Friedholm refused.

In comparison with the offices of the local, state and federal district attorneys, other entities charged with overseeing the performance of the Massachusetts courts and their officers, were much more efficient in producing written excuses as to why they would not intervene.

In October 2004, Chester managed to submit his well-documented complaint through the reluctantly unlocked, unmarked, and only slightly ajar, door of the office of Sean M. Dunphy, the Chief Administrative Justice of the Massachusetts Probate and Family Courts, inconspicuously located at Two Center Plaza in Boston, Suite 210.

Eight months later, on May 3, 2005, Chief Justice Dunphy sent Chester a quite friendly letter explaining in detail that, in late 2004, he, Chief Justice Dunphy, was not quite well and had to take medical leave, which was why he could not respond earlier, and that he, Chief Justice Dunphy, did not understand what Chester wanted from him.

It may be a coincidence, but the belated response from Chief Justice Dunphy came shortly after Chester and his wife filed four complaints against four judges involved in the scheme with the Massachusetts Commission on Judicial Conduct (CJC), on April 25, 2005. Six months later, on October 24, 2005, the CJC sent Chester and his wife four nice letters in which the CJC Chairman, Robert J. Guttentag, informed them politely that the CJC had decided to dismiss all four complaints for lack of "evidence of judicial misconduct."

While it is not quite clear what kind of strings the four judges had to pull to make Mr. Guttentag come to his conclusion, much more transparent is the connection between the Essex County schemers and the Boston Bar of Overseers.

When in 2003 and 2004, Chester submitted to BBO his complaints against Meyers, Welch, and finally, on October 4, 2005, against 13 lawyers (all of whom received money coming from Chester's assets) he did not know that the State Bar Counsel, Daniel Crane, knew well, and had an ongoing professional relationship with Attorney Sharon D. Meyers. Needless to say, the BBO

never responded to Chester's complaint.

Looking for Redress in State Courts

Suing the Puppeteer

On September 20, 2003, after enduring ten years of "living hell," Chester filed his Superior Court action against Joseph Corona, but he did not know that his newly acquired attorney, Isaac Peres of Boston, was lying to him.

Attorney Peres was very convincing when he insisted that "the only and the best way" to get Corona was to bring the claim of violation of Chapter 93A of the General Laws of Massachusetts. While convincing his client, Attorney Isaac Peres failed to mention, however, that the law is clear that a claim of Chapter 93A violation cannot be brought against an adversary's lawyer.

On December 18, 2003, Judge Howard Whitehead (after correctly diagnosing the case as one brought against an attorney who had used a dupe plaintiff to satisfy his own interests) dismissed the Chapter 93A count, but preserved the count of intentional infliction of emotional distress, which Peres reluctantly included in the complaint only because Chester was adamant that Chapter 93A count was not enough.

Having had lost one of the two counts of the complaint, Attorney Peres became especially uninterested in pursuing the case after Chester's wife, Margaret, was attacked in a dark parking lot in Beverly on February 6, 2004, by an armed and masked individual, who made it clear that he was delivering a message on behalf of "Joe." Coincidently, the assault took place shortly after Attorney Peres tried to schedule Corona's deposition.

Aware that Corona had a documented history of violent behavior (according to the court records, in 1985, Corona armed with a knife publicly accosted local publisher, Damon Lyons), Isaac Peres became somewhat apprehensive when he learned that, in October 2003, Corona's officemate, Attorney Charles Rancourt, made the front page in the Salem News after he shot a 5-inch hole in his leg with a .357 Magnum pistol, a part of his extensive gun collection consisting of 47 weapons, including 9 mm semiautomatics and submachine guns. According to the Salem News, Beverly Police were notified by the ATF in March 2003, that Charles Rancourt was about to take delivery of 31 weapons, even though his gun permits were suspended.

Corona, also an avid gun collector, must have had his permits in order because he stunned the judge during one of the Superior Court hearings by politely inquiring whether he could bring a gun to his deposition to be taken by Chester and Margaret.

In late June 2004, Attorney Peres, a happily married father of three, quite suddenly filed his motion to withdraw from the case. The motion was promptly allowed over Chester's opposition by Judge Diane Kottmeyer, who felt really sorry for poor Isaac Peres for having gotten himself involved in that notorious Chalupowski litigation. Chester has been handling the case pro se ever since.

During the court hearings in the case, Corona has been always very eager to properly display an air of indignation over the fact that he, a respected retired attorney, has been sued by Chester Chalupowski, the crazy pro se litigant, who, according to Judge DiGangi's "findings," is an "adjudicated embezzler," having stolen hundreds of thousands of dollars from his mother's

trusts.

The Superior Court judges have always listened politely when Corona calls Chester the "adjudicated embezzler." After all Corona is a lawyer, and he can readily substantiate his words by slamming his dog-eared copy of Judge DiGangi's August 17, 2004, judgment against the counsel table or by waving it in front of the bench.

When Chester tries to address the lies, he is always reminded that whatever Corona said is not the subject matter of the specific hearing, and that there is no need to contradict Corona's statements because the judge is not listening to them anyway.

When Chester insists on putting his objections on record, a Security Guard gets up from his chair, puts his hand on the handcuffs dangling from his belt, and looks at the judge for instructions. The intimidation tactics always work. Chester, mindful of his Middleton experience, gives up, and Corona's lies stay on the record unopposed.

What the judges do not see is that after each such hearing, Corona makes a point of giving Chester and Margaret his trademark "evil eye" meaning "catch me if you can."

Meanwhile, Isaac Peres, the lawyer who cowardly abandoned his client after botching the case, is eternally grateful for Judge Kottmeyer's decision that allowed him to get out of this "Chalupowski mess."

Suing the Puppet

While Isaac Peres was becoming less and less diligent in handling the case against Joseph Corona, Chester was advised by one of the many lawyers he talked with, that it was a mistake not to include the 'puppet' plaintiff, his sister Donna, as a co-defendant in the case against the 'puppeteer.'

In order to correct the mistake, and to present to the court the complete picture of the scheme, Chester and Margaret filed their 27-page, 15-count complaint against Donna Chalupowski with the Superior Court in Salem on May 8, 2004, with the intention to consolidate it with the case against Joseph Corona for the sake of judicial economy.

They were surprised to see that Donna filed pro se a timely answer to the complaint, neatly typed in a quite professional manner.

Determined to shed some light on the scheme through documenting the puppet-puppeteer alliance, Chester and Margaret promptly scheduled depositions of the defendant, Donna Chalupowski, as well as several witnesses, including Joseph Corona, John D. Welch, and Sharon D. Meyers.

When Joseph Corona and Donna Chalupowski ignored the subpoenas, Chester and Margaret asked the court for an order compelling their attendance. The request was granted, and in late October and early November 2004, both depositions took place, albeit not without difficulties (Donna was repeatedly yelling at the stenographer and Corona refused to answer 80% of the questions). This forced the plaintiffs to suspend both depositions at some point.

Still, the transcripts of both depositions taken in late 2004 clearly show that Judge Whitehead correctly diagnosed the case against Corona as one brought against an attorney-puppeteer using a puppet plaintiff to satisfy the puppeteer's own interests. Also, it was clear from the deposition of Donna Chalupowski that she did not mind being used as a puppet plaintiff, as long as she could

prove to the world that her brother and his wife had stolen "hundreds of thousands of dollars" from the two trusts.

When Attorneys John Welch and Sharon Meyers received their subpoenas for the depositions, they turned for help to Tony Metaxas. Tony, always reliable, came to their rescue and promptly filed a motion to intervene using the invalid judgment issued by Judge DiGangi as a basis for his standing. Metaxas explained to the court that Meyers and Welch, both very busy attorneys, should not be "harassed" by the pro se litigants, who must be crazy to even think about deposing lawyers.

Tony's intervention obviously worked. Not only did Meyers and Welch not have to be bothered with coming to the depositions, all the proceedings in the case were stayed until further notice. It took Chester and Margaret over a year to re-open the discovery in the case.

When Judge Whitehead concluded during one of the hearings in November 2005 that Donna Chalupowski, still acting pro se in the case, should be evaluated by a court appointed psychologist, the schemers panicked that the truth about their chief puppet plaintiff might come out, and within days they recruited Attorney Joseph Collins to act as Donna's new lawyer.

Attorney Collins, an ex-Marine with a strong instinct to follow orders but no litigation experience, eagerly jumped right into Joseph Corona's shoes as soon as Attorney Metaxas invited him to provide his billing statements directly to the Law Office of Metaxas, Norman & Pidgeon, LLC.

Eager to prove his usefulness to the scheme, Attorney Collins painstakingly produced an elaborate motion for summary judgment using the invalid order issued by Judge Digangi as a basis for his claim that the case against Donna should be dismissed because Judge DiGangi took care of the problem by issuing his August 17, 2004 order. Obviously, Attorney Collins forgot to mention that Judge DiGangi's order was void as a matter of law, and as such could not constitute a basis for any subsequent action.

Judge David Lowy (who took over the case from Judge Whitehead around the time Mr. Metaxas expressed his desire to intervene) went the extra mile to appear thoughtful and impartial during a court hearing on Collins' motion, which happened to be attended by a young reporter from the Massachusetts Lawyers Weekly, pursuing an ambitious journalistic endeavor called "shadowing judges."

Judge Lowy did not mind the media "shadow" in his courtroom. After all, the Boston media gave his wife, Virginia Buckingham, a safe harbor job after she left her prior employer, Massport, amidst a 9/11 related scandal involving security violations which allowed the terrorists to walk freely through Logan Airport.

Presumably, Judge Lowy could enlist some editorial help from his wife, the writer, but it took him over a month to come up with his 20-page decision, in which Judge Lowy, duly persuaded by the existence of Judge DiGangi's August 17, 2004 judgment, chopped off twelve of the fifteen counts originally contained in the complaint.

The radical operation, so eagerly performed by Judge Lowy, left the case severely detruncated but not dead, contrary to the perception of the MLW reporter, who got the story backwards when his newspaper published it. Chester and Margaret had to write a letter to clarify the mistake, but they never received any response from the MLW editor.

All in all, Attorney Collins did his best to fill Joseph Corona's shoes, until he had to abandon his strategically important outpost when he got a salaried position with the Essex County DA Office in Salem in late 2006.

The ex-Marine with no litigation experience was promptly replaced by Attorney John Morris, with even less professional experience, but equal commitment to the cause (the scheme, that is to say).

Attorney Morris, not a Marine by any measure, found the convenience of sending his billing statements directly to Mr. Metaxas attractive enough to ignore the fact that the judgment pursuant to which Metaxas was giving him Chester's money was invalid as a matter of law.

Suing the Grey Eminence

Attorney Anthony Metaxas, having come into control of over $800,000 as a result of the successful culmination of the Probate Court scheme, did not even bother to provide any accounting as to how much money he actually received, and what exactly he did with it.

Neither did he bother to pay any bills, despite the fact that, by the summer of 2004, he was already controlling all the estate's money, including Mary Jane's social security and pension. In August 2004, Chester had to spend over $5,000 of his own money (which at that point he still had) to pay his mother's and the realty trust property's bills.

Since asking the Probate Court to do the right thing and to remove Mr. Metaxas from his illegally occupied position as the trustee of the Chalupowski trusts was pointless, Chester and Margaret, after carefully considering their options, turned to the Superior Court for assistance. By then, their experience with the Superior Court led them to believe that within that forum, at least, law and the rules of the court did matter, and as long as they obeyed the rules, they could actually be heard.

On November 12, 2004, Chester and Margaret filed with the Essex Superior Court their 12-page, 5-count petition to remove Anthony Metaxas from his purported position of the trustee of the two trusts.

Their Superior Court case against Anthony Metaxas was short-lived, however. The moment the plaintiffs tried to start their discovery and sent the deposition subpoenas to the defendant, Metaxas, and to the witness, Attorney Sharon Meyers, a stay of proceedings was issued by Judge Richard Welch, III (Attorney John D. Welch's second cousin) who concluded that the matter would be "better addressed" by the Probate Court.

Three months later the case was quietly dismissed by the court without a hearing, and without any notice to the plaintiffs.

Suing own Lawyers

The staged litigation schemes would never work if their perpetrators were not able to secure at least some compliance or the cooperation of the opposing counsel.

It is not as difficult as one may think. After all, lawyers on both sides have to pay their bills, and sometimes siding with the opposition instead of zealously representing one's own client, may be a better option, for the lawyer, that is to say, not for the client.

Of the ten lawyers engaged by Chester throughout the litigation to represent his, his mother's, and his wife's interests, at least four left a well-documented trail of helping the opposition,

through their negligence, incompetence, or outright betrayal and fraud.

What can a person betrayed by his lawyer do? Bring a legal malpractice action. The paradox is that one needs a lawyer to sue a lawyer. And this is where the legal malpractice business gets tricky.

When Chester and Mary Jane Chalupowski hired Attorney Karl F. Stammen of Boston in the summer of 1998 to bring a legal malpractice action against Attorney Robert Holloway, (Chester's first counsel, who between 1993 and 1995 did nothing to stop Corona from cultivating the first batch of five frivolous cases), they did not know that Attorney Stammen's poor performance would warrant another legal malpractice action against Attorney Stammen himself.

But Chester would need yet another lawyer to bring a legal malpractice action against Karl Stammen who, apart from botching the legal malpractice action against Holloway, was instrumental in allowing the scheme to thrive at the Probate and Appeals Court level. But what if the third lawyer would fail to do his job?

The only way to break the chain was to bring a legal malpractice action without using a lawyer, i.e. pro se.

This is exactly what Chester and his wife, Margaret, did in order to hold their three lawyers (Stammen, Peres, and Tewhey) accountable for their negligence, incompetence, and ultimate betrayal.

Legal malpractice actions, by definition, are difficult to win. Bringing them pro se is almost unheard of, and, obviously, vehemently discouraged by the legal community. In addition, in the case of the legal malpractice cases brought against the participants of the staged litigation scheme, everybody who facilitated the scheme (from court clerks to judges) would have vested interest in helping the defendants to thwart any of the plaintiffs' efforts that could expose the essence of the scheme.

Faced with obvious liability and gigantic damages, the three defendants, in order to avoid addressing the merits of the cases, resorted to procedural tricks and outright lies. It is remarkable that the three separate cases filed against Attorneys Stammen, Peres, and Tewhey follow a surprisingly similar pattern.

The first thing Karl Stammen did after being served the complaint in January 2005, was to ask the court to prevent Chester's wife, Margaret, from being a co-plaintiff in the case. In a way, Stammen's tactics worked. His motion was heard by Judge Fahey in June 2005, and has been "under advisement" ever since.

When Isaac Peres was served the complaint filed in December 2006, the first thing he did was also to ask the court to prevent Margaret from being a co-plaintiff in the case. However, Peres did not buy any time applying Stammen's method because his motion was promptly denied. So, unwilling to address the merits of the complaint, to which he does not have any defense (considering the clarity of the Chapter 93A law) he asked the court to dismiss the case, claiming that the plaintiffs failed to respond to his discovery request, which was not true.

When James Tewhey learned about the complaint shortly after it was filed, he was hiding for four days from the Essex County Sheriff, the server of the summons and complaint, in an effort to beat the deadline for service, and hoping that Chester and Margaret did not know about the

protective measures a plaintiff can take when a defendant is evading the service.

It appears that Tewhey, a former Dean at MIT turned lawyer, has never been a model of professional integrity. In 1993, the MIT community celebrated Tewhey's sudden departure from academia, amidst a notorious sex scandal, by erecting a sarcastic tombstone in front of the Student Center in Cambridge.

If any of the lawyers, defendants in the four legal malpractice cases, had done the job they were hired and paid to do, the scheme would have never been developed, or it would have been exposed and stopped long ago; the malpractice cases would have been unnecessary.

If Robert Holloway had done his job instead of playing cards with Corona, Corona's stunt would have been stopped before it started in 1993.

If Karl Stammen had done his job in 1998, the Corona-Holloway alliance would have been exposed, and Corona would never have been able to start his game all over again by re-filing his frivolous cases in December 2000, since they were disposed of in 1996.

If Isaac Peres and James Tewhey had done their job in 2003, the scheme would have been exposed. Consequently, all their money-hungry colleagues would have had to put a tombstone on their cherished scheme, and the 2004 heist with the $630,000 jackpot would have never happened.

But this was where the problem lay. The $630,000 (not including other funds) would not have been available for distribution. And how would all the lawyers have paid their bills without getting Chester's money?

What Joseph Corona and his dupe plaintiff, Donna Chalupowski, started in 1993 is a virtual enterprise, a cascade of moneymaking opportunities for over two dozen lawyers.

Between 1993 and 2004, Mary Jane, Chester and Margaret Chalupowski had to recruit 10 lawyers to defend themselves against Corona's actions. At least four of these lawyers left a documented trail of wrongdoings.

In addition, since 1993, at least 16 lawyers have joined Corona's side of the enterprise. This brings the number of lawyers making money in the vexatious litigation to 26. The "village" of the beneficiaries of the scheme also includes at least a dozen various other ancillary players; psychologists, doctors, social workers, stenographers, paralegals, process servers, etc.

All of these people have been paid as a result of the scheme. The payouts range from $200 pittances to the $80,000 jackpot hit by Attorney Sharon Meyers in November 2004 (which does not include over $30,000 "awarded" to her since then).

So, where did all this money come from? Nothing is coming from the two trusts, since there are no liquid assets in the realty trust, and the family trust (which in early 2004, held about $170,000) allows only income distribution, and only to Mary Jane.

Since Metaxas liquidated the stocks managed by Fidelity Investments (while providing no accounting whatsoever), it appears that the trust's assets, if they still exist, do not produce any income. Some small part of the money received by the main players and other actors was paid out from Mary Jane's personal income. The overwhelming majority of the money used since 2004 by Anthony Metaxas are Chester's and Margaret's lifesavings, stolen from them in September 2004.

At the same time, the estate is losing at least $10,000 a month in unrealized rental income. The two buildings held in the realty trust consist of a total of seven residential units. Mary Jane occupies one unit. The remaining six units are either occupied rent-free (in violation of the trust's provisions) or held hostage by Judith, Donna, and Donna's live-in companions.

Chester, as trustee of the realty trust, struggled for years to address the problem, and in January 2002, obtained a writ of execution from the Salem District Court allowing for the eviction of the freeloading group. This is when Judge Berry came to the rescue and issued her February 2002 stay, preventing the evictions. Since then, the trust has lost at least $720,000 in unrealized rental income, which would have been generated if Chester had been allowed to manage the property. This $720,000 loss is a direct consequence of Judge Berry's actions taken outside her jurisdiction.

The exponential effect of financial devastation is unbearable. Once their money was stolen, Chester and Margaret lost all their investment opportunities. Also, since over $300,000 of the funds taken by Metaxas came from a refinancing of two properties owned by Chester and his wife individually, they are now left with over $7,000 a month in mortgage payments on the money currently enjoyed by Attorneys Metaxas, Meyers, Corona, Welch and others.

During one of the recent court hearings, the Superior Court Judge Patrick Riley expressed his concern that the malpractice cases brought by Chester and Margaret take a lot of court's time and money.

Maybe the court should bill Mr. Corona and the other 26 lawyers, as well as the three judges who allowed the enterprise to thrive.

Chester and Margaret are just trying to recover what was stolen from them. The First Amendment to the United States Constitution gives them the right to bring their grievances to the courts, including those belonging to the federal judicial system.

Looking for Redress in Federal Courts

In general, "bill the judge" is not an option. No matter how wrong, ill willed, and corrupt a judge is, it is pointless to sue a judge, because judges enjoy absolute immunity from civil lawsuits, arising from their judicial function.

However, absolute judicial immunity is not quite absolute. Although the cloak of judicial immunity for centuries has shielded judges from claims pertaining to actions they have taken in discharging their official duties, a judge is not immune from liability for actions, though judicial in nature, taken in complete absence of jurisdiction.

When Judge Berry issued a stay of the Salem District Court matter in February 2002, which was not before her, she acted in complete absence of all jurisdiction.

When Judges Stevens and DiGangi kept handling the cases which were dismissed and pending on appeal, they also acted in complete absence of all jurisdiction.

These are exactly the circumstances in which the law allows citizens to "bill the judges" and their employers, the states, for damages caused by them. This can be done under Title 42, Sections 1983, 1985, and 1988 of the United States Code, as long as the deprivation of constitutional rights was committed "under color of law," by a state actor, like a judge, for example, or any other state employee or governmental official. To establish a governmental official's personal liability under 42 U.S.C. section 1983, it is enough to show that the official,

acting under color of state law, caused the deprivation of some specific federal right.

Suing the Judges

Equipped with the powerful federal law, Chester and Margaret filed on June 8, 2004, with the United States District Court, District of Massachusetts their Title 42, 1983 claim against Judge Berry. Two days after Judge Berry was formally served the verified complaint, the case was dismissed by Judge George A. O'Toole, Jr., who allowed Judge Berry's motion to dismiss filed with the court on her behalf by the Attorney General of Massachusetts, Thomas F. Reilly, but never served on the plaintiffs. The motion was never served on the plaintiffs, despite the fact that it contained a certificate of service signed by Attorney Juliana deHaan Rice on behalf of Attorney General, Thomas F. Reilly.

Chester and Margaret appealed the strange and informal dismissal to the U.S. Court of Appeals for the First Circuit. In their meticulously researched brief, they presented their argument as to why Judge Berry was not entitled to enjoy protection from liability under the doctrine of judicial immunity. They also documented the puzzling chronology of the U.S. District Court proceedings, as well as the fact that authorities relied upon in Judge Berry's motion to dismiss did not have any bearing on the case against her.

After asking twice for an extension of time, the Office of the Attorney General filed a non-conforming brief on May 10, 2005, and was allowed by the Court to correct the errors and re-file the brief.

In the corrected brief, Attorney General Thomas F. Reilly acting on behalf of Judge Berry, misrepresented facts and advanced misleading arguments.

In their reply brief, Chester and Margaret listed 15 instances of material misrepresentations made in the brief filed on Judge Berry's behalf.

Despite the fact that each such misrepresentation constitutes a separate instance of fraud on the court, on September 27, 2005, the three-judge panel (Boudin, Selya and Howard) of the United States Court of Appeals for the First Circuit affirmed the U.S. District Court's decision of dismissal. Chester and Margaret filed their timely petition for a hearing before the full Court of Appeals. Their petition was denied on October 28, 2005.

Since the law and the rules of the court do not seem to apply to Judge Berry, she could rest assured that she could get away with anything.

So could Judges Stevens and DiGangi, cases against whom were filed on January 5, 2005. After following the same familiar routine (dismissal based on defendants' misrepresentations, appeal, and affirmation of the dismissal) the cases were disposed of and conveniently labeled as some more of "those" cases filed by "those" crazy pro se litigants, who do not have anything better to do except to bother federal courts with their imaginary grievances.

Despite the fact that all the plaintiffs' pleadings filed in both cases stated valid federal claims and met all legal and procedural standards, and despite the fact that the defendants were not entitled to enjoy the protection of judicial immunity, the federal judges promptly dismissed the cases.

Judge Nathaniel M. Gorton dismissed the case against Judge Stevens on June 13, 2005. The dismissal was upheld by the three-judge panel of the Court of Appeals (Boudin, Stahl, and Lynch) on December 13, 2005.

Judge Richard G. Stearns dismissed the case against Judge DiGangi on March 14, 2005. The dismissal was affirmed by the three-judge panel of the Court of Appeals (Seyla, Lynch and Lipez), also on December 13, 2005.

In both cases, the plaintiffs' petition for a hearing before the full Court of Appeals was denied.

Suing Miss Meyers

The law is clear that even in cases where judges could legitimately claim judicial immunity, other players who willingly align themselves with the state actors and reach a "meeting of the minds" with them in order to accomplish some ulterior purpose, can be held liable under U.S.C. 42, section 1983, while having no right to claim any kind of immunity whatsoever.

This legal concept was the basis for the federal action filed by Chester and Margaret Chalupowski against Attorney Sharon D. Meyers on June 1, 2005. The case was assigned to Judge Morris E. Lasker, said to be an extremely fair and strict jurist.

Attorney Meyers, apparently, did not like Judge Lasker that much, because, quite suddenly and without any notice to the plaintiffs, the case was moved to the docket of Judge George A. O'Toole, who promptly dismissed it on August 11, 2005. It is possible that Judge O'Toole, after fixing the problem for Judge Berry, had a vested interest in the quiet dismissal of the related case against Attorney Meyers. For example, what if the plaintiffs decided, God forbid, to call Judge Berry to testify, which the law allowed them to do.

The case followed the familiar routine: dismissal based on the defendant's misrepresentations, appeal, and affirmation of the dismissal by the three-judge panel of the U.S. Court of Appeals for the First Circuit.

To justify the desired result, the three judges (Lynch, Lipez and Howard) misinterpreted the nature of the plaintiffs' claim in their half-page decision dated June 16, 2006.

Chester and Margaret's petition for a hearing before the full Court of Appeals was denied.

When their fourth federal case was dismissed in violation of the applicable law, Chester and Margaret, by then quite versed with the federal procedure, submitted 40 copies of their petition for a writ of certiorari to the Supreme Court of the United States. Their petition was docketed with the Supreme Court of the United States on February 7, 2007.

Considering the odds of getting a case before the Supreme Court, which takes about 80 cases a year out of the thousands submitted and docketed, Chester and Margaret were not surprised that their petition was not among the chosen ones.

After all, why would the Supreme Court of the United States wish to hear about some embarrassingly notorious Massachusetts case involving nine federal judges protecting three state judges, who have been fostering a staged litigation scheme which is benefiting over two dozens lawyers?

Fending Off Ongoing Attacks

While all the authorities and all the courts keep "playing possum," the resourceful group of lawyers keeps coming up with various satellite enterprises in order to justify more payouts in purported "attorneys' fees," as well as other "costs" and "reimbursements."

The effect of the ongoing attacks is three-fold. First and foremost, every single gesture, letter,

phone call, meeting, court hearing, etc., is a billing opportunity for at least two lawyers (it takes at least two to communicate, after all). Second, measures need to be undertaken in order to justify and sustain the smooth flow of money from Mr. Metaxas to all of the compliant players. Also, it is essential to keep steady the level of stress and uncertainty in the psychological war against Chester and Margaret - the only people, who, if not restrained, may cause problems for the schemers.

The result of this cool, calculating deliberation of intelligent people is a protracted emotional and financial devastation, comparable only to lynching. The entire Chalupowski family is suffering, except for Donna, who, still unemployed, not only appears to be enjoying her role in the scheme, but is also financially rewarded.

In or around January 2005, Anthony Metaxas gave Donna several thousand dollars coming from Chester's and Margaret's assets. He also sends her checks on a weekly basis, purportedly to cover Mary Jane's expenses. Nobody knows, however, how the money is actually spent.

Other fringe benefits received by Donna include a quiet dismissal of a large number of criminal complaints pending against her at the Salem District Court as a result of her violent, irrational, and antisocial behavior, duly documented in the local police files for at least 20 years, and ranging from resisting arrest to assault and battery on her 86-year old mother. Last but not least is the ongoing help she has been provided in sustaining her yearly ritual of renewing the restraining orders, which are strategically important in the scheme.

The 209A Tool

Already in the summer of 2004, Attorney John D. Welch undertook steps to make sure that, out of a dozen or so restraining orders obtained throughout the years by Donna Chalupowski against almost every member of her family, two are maintained and renewed regularly, since they play a strategic role in the scheme.

As early as in 1990, Donna discovered that obtaining a restraining order against a completely innocent individual is an easy, quick, and cost-effective way of turning someone's life into a living hell. When Joseph Corona came into the picture in 1993, he quickly incorporated the tool into the overall strategy of his main vexatious actions. Therefore, Donna's restraining order against Chester has been carefully sustained throughout the years (mostly under the watchful eye of the Chief Justice of the Salem District Court, Robert Cornetta), which makes it one of the longest restraining orders in the history of Chapter 209A of the General Laws of Massachusetts.

There was a very tangible tactical aspect of using the tool in the scheme. Since Donna lives in one of the realty trust buildings, Chester, the trustee, was prevented from entering the premises of the trust, and this created an ongoing opportunity to blame him for not doing a good job as a trustee. He was forced to perform his duties through various agents, including his wife, Margaret. When Donna realized that the arrangement gave Margaret an opportunity to develop a close, caring relationship with Mary Jane, she immediately asked the Salem District Court to "modify" the restraining order to include Margaret as a defendant, which the District Court gladly did, despite the fact that there was no legal or factual basis for such modification.

In October 2004, Attorney John D. Welch took the "modification" to the extreme and asked the District Court to transfer the 209A matter to the Probate Court. Judge Stevens welcomed the matter on the Essex Probate Court docket and, with no legal or factual basis to do so, promptly issued a restraining order against Chester and Margaret, preventing them from entering the

trust's premises and visiting Mary Jane.

At the same time, the Salem District Court, as if unwilling to lose the business, has kept issuing its own restraining orders in the matter. Since the terms of the two orders (the Probate Court's and the District Court's) differ slightly, Chester and Margaret, (mindful of the fact that the violation of a restraining order is a criminal offence), have not entered the premises of the trust since October 2004.

Why should they? Mary Jane, after all, is taken care of by a dozen people, all of whom charge her for every word about her exchanged with anybody. The bill is being paid from the funds stolen from her son and his wife. Isn't it a perfect arrangement?

Miss Meyers Wants More Money

Having pocketed almost $80,000, in November 2004, Attorney Sharon D. Meyers all but abandoned her purported "ward," Judith Chalupowski-Venuto, until June 2006, when she found out that Chester was appealing Judge Berry's order in the contempt matter heard by her in June 2004.

Judge Berry kept a low profile throughout the entire time when the federal courts were handling the case brought against her by Chester and Margaret. However, within days after the U.S. Court of Appeals affirmed the dismissal of the case against her, Judge Berry decided to take care of unfinished business, and on November 10, 2005, issued her ruling in the contempt matter brought by Attorney Meyers in December 2003. Judge Berry found Chester in contempt of her August 6, 2002, order (which she did not have a legal basis to issue), explained at length how "telling" it was that Chester took the Fifth, and ordered him to pay Attorney Meyers over $15,000 for her efforts.

Attorney Meyers wanted the money badly. Hence, when she found out that Chester was appealing Judge Berry's decision and filed his brief on March 13, 2006, presenting a very comprehensive picture of the entire scheme to the Appeals Court, Attorney Meyers panicked and filed with the court a motion to strike Chester's brief, which she found "offending." Well, when the truth is offending, do not blame the bearer of the truth.

A motion to strike is an old trick often used by parties who have nothing to say on the merits of the dispute. Why should Attorney Meyers be bothered with addressing the merits of Chester's brief, when she can file a "motion to strike" and be done. Chester opposed the motion to strike and asked the court to prevent Attorney Meyers from interfering in the appeal, in which the only party who had standing to oppose his appeal was his sister Judith. Judith did not have any interest in opposing the appeal since she had nothing to gain by it. The $15,000 awarded by Judge Berry was for Attorney Meyers, not for Judith, who for three months had been medicated against her will in a state mental hospital, so that Attorney Meyers could make fifteen grand.

On February 27, 2007, a three-judge panel of the Appeals Court (Lenk, Cowin and Graham) issued their unpublished Rule 1:28 order, affirming Judge Berry's decision, which meant that they agreed there was nothing wrong with putting people in mental hospitals so that lawyers, who were not even hired by them, could pay their bills.

Well, the three judges did not need to address this issue because they conveniently granted the motion to strike the "offending portions of the appellant's brief," and said that the rest of the

brief was too "vague" to figure it out. What's so "vague" about fraud, lack of subject matter jurisdiction, and erroneous as a matter of law ?

In addition, Attorney Meyers was invited by the court to submit her motion for some more "attorney's fees," which she promptly did. When Chester opposed her motion, she asked the court to "strike" his opposition. The court gladly complied, and in this simple way, Attorney Meyers made another $6,500 in her clever stunt implemented by putting Judith Chalupowski-Venuto into the mental hospital for three months, which brought Meyers' total jackpot to over $100,000. Not bad.

Chester, still believing that the truth should prevail, filed his Application for Further Appellate Review of the matter with the Supreme Judicial Court of Massachusetts. The further appellate review was denied.

The Grey Eminence Wants More Money

In August 2005, Attorney Metaxas, apparently running out of the readily available cash, came up with a simple idea as to how to get hold of the money still "tied up" in the two trusts, and filed a brand new case against Mary Jane Chalupowski and her three children with the Essex Probate and Family Court, in which he asked the court for a permission to dissolve both trusts and to distribute the assets. After all, there were a lot of various bills still "outstanding."

First of all, Attorney Corona wanted the other half of "his" $95,000, since in November 2004, Judge DiGangi, for some reason, slashed in half the amount demanded by Corona and reflected by the promissory notes signed by Donna.

Then, Attorney Meyers was still waiting for her $22,000 awarded her by Judge Berry and the three-judge panel of the Appeals Court.

The guardian, Daniel Northrup and his crew (wife and other associates), who received more than $75,000, never properly accounted for, from Metaxas (supposedly to cover Mary Jane's expenses) were also running out of cash by the summer of 2005.

Then, there were a number of newcomers, e.g. Joseph Corona's successors, Joseph Collins and John Morris, and Marc Middleton, a fellow telemarketer whom Judith met at one of her attempts at employment, and whom she (abandoned by Sharon Meyers) hired on the spot the moment she learned that he was a lawyer, struggling to make a living in a somewhat related, albeit less lucrative, profession.

While the "village" of vultures feeding off the Chalupowski case has been growing, the treasure keeper, Anthony Metaxas, has not forgotten about himself and came up with a round figure for his "trustee compensation," despite the fact that the two trusts which he has been allegedly managing have been producing no income whatsoever.

Metaxas has been very busy writing checks to various individuals, including himself and other members of his law firm, (e.g. Attorney Carlotta Patten); therefore he calculated that his time devoted to the matter was worth about $70,000, not including other "fees" and "costs" incurred while dealing with various problems created mostly by Chester Chalupowski and his wife, Margaret, who were unwilling to accept the fact that the game was over (for them). But for the lawyers, the game was still in full swing, if they played it right, as long as they could squeeze some more sizeable checks out of Chester's and Margaret's lifesavings and Mary Jane's $1,400 monthly Social Security and GE pension checks.

Chester and Margaret, indeed, were not willing to accept the ongoing parasitic relationship between their money and a growing group of lawyers, and on September 15, 2005, Chester filed his motion to dismiss Metaxas' complaint on the grounds that Metaxas lacked standing to bring any actions in his purported capacity as a trustee of the Chalupowski trusts since he was using court orders which were void as a matter of law in order to justify his standing.

After Judge DiGangi eagerly denied Chester's motion to dismiss, Chester and Margaret filed a number of pleadings, including a counterclaim, Chester's answer to Metaxas' complaint, and Margaret's motion to intervene, all of which were dismissed (in violation of court rules) by Judge DiGangi, who over and over again has been finding it amusing that Chester and Margaret insist that law and the rules of the court should matter in the Essex Probate Court.

Not discouraged by Judge DiGangi's ridicule, Chester and Margaret filed all necessary notices of appeal to preserve their rights, just in case, at some point, law and the rules of the court would matter in some other courts.

True to his reputation as an effective "terminator," Judge DiGangi ordered a trial on Metaxas' petition for dissolution of the Chalupowski trusts for late March 2006, while various, yet to be addressed, matters were still pending.

By filing the brand new case, Metaxas pulled an interesting stunt, which was, in fact, a classic example of lawsuit "laundering," or that of secondary staged litigation within the original staged litigation scheme.

While the Probate Court did not have jurisdiction to handle the matters still pending on appeal in May 2004, when Metaxas got his precious, yet illegal, appointment, the Probate Court, technically, now did have jurisdiction to handle the new case filed by Metaxas.

Obviously, there was still one problem: Metaxas did not have standing to bring the new case, since he was deriving his right to sue from the court orders which were invalid as a matter of law.

Hoping that a higher court would be smart enough to notice the trick, Chester and Margaret asked the Appeals Court to issue an injunction preventing Metaxas from using invalid court orders to justify his standing and preventing the Essex Probate Court from acting on Metaxas' petition for dissolution of the trusts.

When the Single Justice of the Appeals Court, Andre A. Gelinas (one of the three judges who invented the 'Gordian Knot' excuse in 2004) denied their request, Chester and Margaret turned to the Single Justice of the Supreme Judicial Court. The Single Justice of the Supreme Judicial Court, Francis X. Spina, also promptly denied the request without a hearing. (Why spoil the fun? After all a group of lawyers was waiting for "their" money.)

The Supreme Judicial Court Single Justice's denial came, however, with a standard note about the SJC Rule 2:21, which gives a 7-day window of opportunity to reserve the right to present the issue to the full panel (seven judges) of the SJC.

After jumping through all the procedural hoops, meeting all the deadlines, and paying various fees, Chester and Margaret filed 9 copies of their Rule 2:21 Memorandum with the Supreme Judicial Court on April 18, 2006.

Their 166-page Memorandum contained, among various exhibits, an audio CD copy of the January 27, 2004, Probate Court hearing during which Judge DiGangi, while handling the

dismissed cases, after exchanging some jovial jokes with Messers Welch and Tewhey says, "So tell me guys, which case is a fair game here?"

Six months after filing their 2:21 Memorandum, Chester and Margaret were notified on October 3, 2006, that their SJC appeal was allowed to proceed. Therefore, on November 10, 2006, they filed seven copies of their 20-page brief and a 320-page appendix with the Supreme Judicial Court.

The appellate efforts undertaken by Chester and Margaret were irritating Metaxas and all other players, who seemed to be unsure whether finalizing the second heist while the appeal was still pending before the SJC, was a good idea.

Nevertheless, the Essex Probate Court, having grown impatient, set a date for the trial on Metaxas' petition for February 14, 2007.

When Chester and Margaret asked the SJC to stay the Probate Court proceedings, the SJC did not rule on their motion, but referred the issue to the full panel and scheduled the oral argument for March 9, 2007.

Despite the fact that, technically, there was no order of stay, once the news about the SJC's intention to hear the appeal reached the Essex Probate Court on the morning of February 14, 2007, quite coincidently, the power went out in the courthouse, and "due to the circumstances beyond the court's control" the trial on Metaxas' petition was cancelled until further notice.

The issue presented by Chester and Margaret for the consideration of the highest court of Massachusetts on March 9, 2007, was simple: the orders and judgments issued by the Essex Probate Court between 2002 and 2004 are void as a matter of law, since they were issued by the court acting outside of its jurisdiction. A void judgment is a complete nullity, which can furnish no basis for any subsequent action, and can be attacked anytime, anywhere, by anybody, either directly or indirectly. The matter does not have to go through the regular appellate process because when a judgment is void, there is nothing to appeal.

Mindful that the appellate avenue they were allowed to take is reserved for only extraordinary circumstances, Chester and Margaret carefully stated their points to make sure that the issue of lack of subject matter jurisdiction and void judgments was correctly presented and supported by citing all appropriate authorities.

The highest court of Massachusetts pondered what to do for a month, and on April 11, 2007, issued its 3-page decision, which can be summarized in three words, "let's play possum."

To avoid addressing the issue of lack of subject matter jurisdiction presented in the appeal, the SJC used a simple linguistic trick and said that the appellants, Chester and Margaret Chalupowski, complained about some "improper" orders and judgments issued by the Essex Probate Court. The SJC chose not to acknowledge that the central point of the appellants' argument was the issue of "void," or "invalid" judgments.

The difference is not in semantics, but in law. An "improper" order is a valid order, which can be appealed. A "void" order is a nullity, which does not need to be appealed, because there is nothing to appeal. The SJC did not want to address the issue of "void" judgments, so it called them "improper." Clever? Not quite. It is too obvious that the SJC was simply covering the scheme to protect the judges and the lawyers involved in it.

It is undisputable that the SJC was in a quandary. If the highest court of Massachusetts ruled that

it was OK for the Essex Probate Court to handle cases which were dismissed and pending on appeal, such a conclusion, apart from being legally wrong, would mean that henceforward, any trial court in Massachusetts could keep re-trying cases until the party favored by the court got the desired result. If this were the case, there would not be any need for the courts at the appellate level, or the entire appellate procedure for that matter. In fact, the Appeals Court could be shut down and turned into, say, a library.

On the other hand, if the SJC acknowledged the fact that the judgments issued by Judge Digangi were void as a matter of law, the Judge would be in trouble as a trespasser of law, and all the individuals who have been paid as a result of his orders would have to return the money and face serious disciplinary consequences. This is not to mention the resulting scandal, which would be impossible to contain. The SJC, obviously, could not allow this to happen, proving one more time that, "with the Bench cozied up to the Bar, the lawyers can't lose."

This maxim appears true in Massachusetts, even if the lawyers commit outright criminal acts and violate the rules of professional conduct as they please.

After the SJC issued its April 11, 2007, opinion, the schemers, who had been sort of nervous until then, could breathe a little easier and more freely continue what they had been doing all along, which was producing more and more elaborate "billing statements" and various pleadings specifically designed to justify the exorbitant, albeit unearned, sums of money they demanded.

What ensued was a virtual mud slinging competition. The one who can write the most bad things about Chester and Margaret gets the most of their money.

While Attorneys Metaxas, Meyers and Welch indulged in coming up with various, quite original, insulting accusations, and produced absurd calculations for "costs" and "interest" which did not even add up, the rookie members of the group (Collins, Morris and Middleton) resorted largely to the copycat method, i.e. they simply have been copying the most juicy pieces of the creative writing produced by their older colleagues and packing them into their own voluminous pleadings.

When the documents are called "proposed orders," or "motions for attorney's fees," Judge DiGangi's Secretary puts a rubber stamp on them, and Judge DiGangi himself signs the paper after circling the word "allowed."

It is not entirely clear whether Judge DiGangi even reads any of the papers put in front of him before signing them.

It is almost impossible to resist the impression that the lawyers involved in the Chalupowski matter got used to treating the money belonging to Mary Jane, Chester and Margaret Chalupowski, and now controlled by Attorney Metaxas, as an ATM to which Judge DiGangi has the PIN.

The always-menacing correspondence from the lawyers and the courts comes in small and large envelopes of assorted colors, any day of the week, and in waves reflecting the fluctuation of determination and doubts of the lawyers who want the money badly.

They never miss a beat. The practice did not even slow down when, on July 17, 2006, Chester suffered serious spinal injury.

Chester, the classical guitarist, was fixing the roof of one of his rental properties, because, with all his money stolen, he could not afford to hire a contractor to do the work. Having just read one

of the hate letters from the lawyers, he was preoccupied and disoriented. He missed the step and fell 30 feet, through the bulkhead and on the cement steps. He miraculously survived, and can still move his limbs only because two titanium rods, each a foot long, inserted during an emergency 8-hour surgery, keep his spine from collapsing.

On July 24, 2006, when Chester, not breathing on his own, was still attached to the respirator and monitors at the ICU at Brigham and Women's Hospital in Boston, his sister Donna went to the Salem District Court to perform (in front of Judge Cornetta, by the way) her annual routine by which she always renews her frivolous restraining order against her brother and his wife. The restraining order was extended for another year.

One would expect that hardship and disability would invoke some measure of normal human compassion. But this is not how it works in staged litigation schemes, where being disabled means the victim is more vulnerable and easier to attack.

Chester and Margaret learned this "rule," not only through their own experience, but also when they met (through the networking with other victims of similar staged litigation schemes), Daniel Iagatta, a 43-year-old firefighter, who since 2002, has been a wheelchair-bound quadriplegic. On April 3, 2007, he was evicted from his disability-adjusted childhood home, pursuant to an order issued by Judge Beverly Weinger Boorstein of the Middlesex Probate Court, who ordered Iagatta's home sold to satisfy outstanding bills for attorneys' fees incurred in the course of divorce proceedings by Daniel and his ex-wife, who, by the way, had a restraining order against her quadriplegic ex-husband.

The lawyers making money in the Iagatta case do not need to worry. Judge Boorstein was within her jurisdiction when she ordered the quadriplegic to be dragged out from his home, crying for help and begging for mercy, while his treasured belongings were trashed and stepped on.

In the summer of 2006, just around the time when her son was struggling to learn to walk again, Mary Jane Chalupowski came close to Daniel Iagatta's fate, because the City of Salem was ready to take her property for non-payment of the real estate taxes.

Mr. Metaxas, too busy writing checks to the lawyers, simply forgot to pay the real estate taxes, mortgage, insurance, and various other bills, for over a year. (Well, he is a busy and prominent lawyer. What can we say?)

On August 6, 2006, Margaret, concerned that the disturbing news would affect Chester's recovery, went to the Salem City Hall, and, without telling her husband, paid Mary Jane's $5,000 tax bill out of her own pocket.

Still Believing in Law and Justice

Learning Law

Having the "core" members of the Chalupowski family under control, or effectively suppressed and broken down, the schemers never really considered Chester's wife, Margaret, to be a threat of any kind.

First of all, she, a foreigner, a quintessential, inconspicuous Harvard nerd with an Eastern European accent, seemed to be too withdrawn and bookish to pose any problem for the well-connected "sharks" and "hired guns," as Joseph Corona and his colleagues like to call

themselves.

They did not know, however, that due to the versatility of her medical education, Margaret, like all physicians trained to absorb and process unlimited amounts of information within limited periods of time, would be able to use her professional instinct to spot and define abnormalities, while quietly observing the legal drama she had become a part of over the years.

Physicians, once they recognize and classify abnormalities, are ready to treat and, if possible, cure them. This is exactly what Margaret set out to do, once she noticed the countless examples of the abnormal paradigm of the practice of law, spreading like a disease within the otherwise healthy and robust body of the American legal system which, (according to what she learned years before in high school in her native Poland) was one of the best systems of justice in the world.

RICO

The only thing she was lacking at that point was a formal education in American law. In order to remedy this disadvantage, in the summer of 2005, Margaret put her medical career on hold and entered Law School.

The unanticipated twist in her career proved to be more rewarding than she expected. While fervently absorbing the voluminous first-year law school material, she suddenly understood the reason for Chester's ongoing fascination with the RICO statute.

Chester, by no means a bookworm, has developed a keen understanding of various specific aspects of law by searching the Internet. Betrayed and abandoned by his lawyers, Chester kept looking for a legal tool which could be effectively applied to stop the scheme and to hold the people responsible accountable for their actions.

The more time he spent reading about RICO and talking with RICO experts (e.g. Robert Blakley, Jeff Grell), the more he was convinced that he had found the necessary tool.

RICO

The Racketeer Influenced and Corrupt Organizations (RICO) statute is the single most powerful law that can be used by the government (criminal RICO) or private citizens (civil RICO) against perpetrators of white-collar crimes. When the statute was passed in 1970, it was intended to address organized crime's infiltration of legitimate businesses. Over the years the interpretation of the RICO statute evolved, and its current version covers a broad array of specific forms of criminal activity that reach far beyond traditional "organized crime."

In a typical case, a RICO defendant is charged with using a legitimate business as the vehicle for illegal activity. Since this is exactly what goes on in any staged litigation scheme, all a prosecutor or a civil plaintiff needs to do to make out a RICO claim against perpetrators of such a scheme is to show that all required elements of the claim are present. The elements include these: repeated acts (a RICO pattern), constituting specific crimes (predicate acts), committed in specific ways by an identifiable group of people (a RICO enterprise).

After doing some research and talking to some more RICO experts (whose advice was sound, but prices unattainable), Chester and Margaret put together a 70-page complaint invoking both the RICO statute and Title 42, section 1983 of the U.S. Code and filed it with the United States

District Court for the District of Massachusetts, on January 4, 2007. The complaint, which met all the statutory requirements of a well-plead RICO claim, named 16 defendants, all of whom either received funds from Chester and Margaret's assets or actively participated in the illegal distribution of these funds.

Since, at that point, the defendants in the federal action were getting ready to finalize their second heist at the state court level, Chester and Margaret asked the federal court to stay the proceedings in the Essex Probate Court.

In general, federal courts will not interfere with state court proceedings, but Chester's and Margaret's making their request for a stay, relied on the law that allows for such a stay as long as the federal claim is brought under Title 42, section 1983.

They were glad to hear that Judge Douglas Woodlock, to whose docket the case was assigned, recognized their argument as valid and issued an order giving the defendants a chance to respond to the motion for a stay.

What seemed to be a promising start became somewhat confusing when, three days later, Chester and Margaret were notified that Judge Woodlock was no longer handling the case, which was reassigned to Judge William Young, who promptly dismissed the case after a short hearing scheduled within hours after the reassignment, on January 8, 2007.

The sudden and quite informal dismissal of the RICO case came in handy, since the participants of the scheme could use it in various creative ways, mostly to prove that Chester and his wife are troublemakers who have to be punished for their refusal to accept the rules of the game according to which lawyers always win.

(Mis)trial by Jury

The dismissal of the RICO complaint was brought up, as a strategic crutch, in every single subsequent court hearing on any related matter.

It proved to be especially useful during a jury trial in the Superior Court case against Donna Chalupowski, held in May 2007 before Judge Kathe Tuttman.

Judge Tuttman, a former ADA in Essex County, freshly appointed to the bench by Governor Mitt Romney in 2006, 'inherited' the "tar baby" Chalupowski v. Chalupowski case from Judges Howard Whitehead and David Lowy, and, to her dismay, was stuck with it for over three weeks.

Judge Tuttman used her time effectively and turned the priceless opportunity to expose the scheme in front of a jury into a carefully designed cover-up, which started with her allowance of 12 out of 15 motions for protective orders brought by the lawyers called to testify by Chester and Margaret. (After all, there was an urgent need to cover up the cover-up so gracefully executed in 2005 by the Office of Jonathan Blodgett, to whose campaign Judge Tuttman together with her husband, Alan, a criminal defense attorney, made a generous contribution.)

Therefore, Judge Tutmann did not allow any objections when Attorneys Corona and Metaxas (both defendants in the RICO case) indulged in quoting over and over again Judge DiGangi's void judgment during their sworn testimony.

She also listened politely when Donna's Attorney, John Morris (another defendant in the RICO case), was waving in front of the jury a copy of the federal complaint, together with a copy of Judge DiGangi's void judgment (equally dog-eared and soiled as the one used by Joseph

Corona).

Attorney Morris made his point loud and clear that he was appalled by the fact that he was sued by "these people," the pro se litigants telling their "sob stories," the "adjudicated embezzlers," who put his client through the "torture" of protracted litigation, and now were suing her for no reason. The jury was impressed and easily convinced that a lawyer yelling so loud at the pro se plaintiffs must be right.

While Chester and Margaret were struggling to follow all the court rules, and to present all their evidence (90% of which, including financial and medical experts' testimony, was promptly excluded by Judge Tuttman), Donna could sit back, relax, and enjoy the show.

Every morning, Donna arrived at court with her "entourage," consisting of Attorney Morris and his two officemates, Attorneys Kevin Foley and Mary Frances Milburn. Donna's team of "fans" also included her high school friend Judy Brennan (the Head Clerk at Salem Superior Court), Attorney Carlotta Patten (who left Anthony Mataxas' Law Firm once she was offered a salaried position at the Clerks' Office at the Salem Superior Court), and Attorney Joseph Collins, who could afford to spend long hours watching the trial (even after he was informed that he would not be called to testify), because he holds a salaried position with the Essex DA Office, and his tax-payer-funded paycheck comes every week no matter how he spends his time.

While Brennan, Patten and Collins were showing up just for "moral support," Attorneys Foley and Milburn were 'stationed' in the courtroom for good, because they were entrusted with the important task of coaching Donna, which they diligently did all the time, even during her testimony, when they were communicating with her by various hand signals and face expressions.

Judge Tuttman did not see any of the communications (forbidden by law) because she was feverishly writing in a large notebook whenever the communications between Donna and her "coaches" were going on. At the same time, Attorney Morris was repeatedly using his loud voice to object to 90% of questions posed by the plaintiffs to the witnesses called by them.

The jury, visibly impressed by Mr. Morris' dramatic performance, took only 15 minutes to deliberate and found in favor of the defendant. Attorney Morris gave Chester and Margaret one more "evil eye" (which he must have learned from Joseph Corona) while Donna was getting hugs and kisses from her fans and coaches, all perspiring from the excitement, and the trial was over.

Chester and Margaret packed all their exhibits (which they were not allowed to introduce into evidence) and invited their expert witnesses (who were not allowed to testify) for lunch.

In their mid-trial and post-verdict motions, Chester and Margaret listed 15 reasons why the Judge should declare a mistrial. Judge Tuttman denied the motion. The notice of appeal filed in June 2007, as of this writing, is yet to be acted upon.

On November 24, 2007, Judge Tuttman made the front page of the Boston Herald, when former Governor and presidential candidate Mitt Romney called for her resignation after a violent convict, Daniel Tavares, freed by Judge Tuttman in July 2007 from a Massachusetts prison, killed a newlywed couple in Washington state, three months after his release. According to Romney's spokesman, Judge Tuttman's ignoring warnings about Tavares' sociopathic

tendencies represented an inexplicable lapse in judgment and was inexcusable.

It appears that the Tavares case is not the first time that Judge Tuttman had a lapse in judgment.

Maybe Judge Tuttman would have a better understanding of Mr. Tavares' mindset, if she gave herself (and the jury) a chance to hear what the medical experts, ready to testify in the Chalupowski matter, had to say.

Second Blitzkrieg

With the RICO case and the Superior Court trial taken care of, there was nothing stopping the schemers from finalizing the scheme.

They took a break over the summer (after all, they all had worked hard to make their living and deserved some vacation) and in early September 2007, the events of the "Second Blitzkrieg" started rolling.

The new wave of the hate letters came shortly after Judge DiGangi gave the lawyers the go ahead by issuing his "temporary order," by which he invited the parties to "supply findings of fact, conclusions of law, and proposed judgment pertaining to the division of the estate of the ward within 14 days." The non-capitalized word "ward" denotes 87-year-old Mary Jane Chalupowski, still of sound mind and spirit, to the dismay of the money-hungry group of lawyers and other beneficiaries of the scheme.

Normally, it is the job of a judge to formulate "findings of fact, conclusions of law, and judgments." In Essex Probate Court, however, the work is customarily done by the lawyers, if they are to get what they want.

Although the "temporary order" was dated September 10, 2007, (in Judge DiGangi's own handwriting), Chester and Margaret were not surprised that they did not receive it until September 18, 2007. This is the Essex Probate Court's well-established practice to give the lawyers some 'headway' before the pro se parties have a chance to react to the notices issued by the court.

Encouraged by Judge DiGangi's invitation, the lawyers quickly resumed sending their hate letters, disguised as "motions for attorneys fees" and "proposed orders."

To preserve their rights, and to gently remind the Court that the "distribution" of Mary Jane Chalupowski's assets currently desired by the lawyers, was based on a void judgment issued by Judge DiGangi in 2004, Chester and Margaret filed their Rule 60(b)(4) motion asking the Court to acknowledge and affirm the simple fact that the void judgment was void.

Judge DiGangi found the request amusing, circled the word "denied" on the rubber stamp placed on the first page of the motion, then personally signed and dated the denial October 15, 2007.

On November 5, 2007, Judge DiGangi signed a "further judgment and rationale" granting almost all of the wishes expressed by the lawyers in various pleadings filed by them earlier and ordered the estate of Mary Jane Chalupowski to be put on the market "forthwith."

It may be a pure coincidence, but on November 2, 2007, the Law Office of Marcus, Errico, Emmer and Brooks representing the Board of Trustees of the Tuck Point Condominium Trust notified Chester and Margaret that, since they owed $30,000 in "unpaid condo fees," the Law

Firm of Marcus, Errico, Emmer and Brooks scheduled a foreclosure sale of their home at Tuck Point for November 28, 2007.

As it was the case during the 'first blitzkrieg' in 2004, the fact that Chester and Margaret do not owe a dime in "unpaid condominium common expenses," does not really matter now as well. The Tuck Point lawyers have a judgment from the Salem District Court signed by Judge Robert Cornetta, stating clearly that Chester and Margaret did not pay their fees.

On November 15, 2007, the Beverly Citizen, published a Legal Notice announcing the public action of Chester's and Margaret's home, scheduled for Wednesday November 28, 2007 at 10:00 AM.

Now, everybody who reads the Beverly Citizen can see that Chester and Margaret Chalupowski, apart from stealing "hundreds of thousands of dollars" from the Chalupowski family trusts, do not pay their bills. By the way, the cost of the ad is tacked onto the "other costs and fees" incurred by the Tuck Point Trustees in pursuing their false claim.

Nobody reading the newspaper knows that the entire amount of $30,000, claimed as a statutory lien against the unit owned by Chester and Margaret, is not "unpaid condo fees," but "attorneys' fees" allegedly generated by the Law Office of Marcus, Errico, Emmer, and Brooks, and disguised as a claim of "unpaid condo fees" brought against Chester and Margaret by the Tuck Point Trustees.

The readers of the local newspapers, who may be, in good faith, contemplating getting a good deal at the Tuck Point foreclosure sale, do not know that the "sale" is part of an elaborate merger of two seemingly independent staged litigation schemes masterminded through cool, calculating deliberation of intelligent people who are just trying to make their living by committing white-collar crimes and ruining other people's lives in the process.

Coordination, precision, and timing are the key elements of a successful dual staged litigation scheme. The proficiency with which the South Shore law firm of Marcus, Errico, Emmer and Brooks, PC can execute the 'lynching by court order' is amazing and can only by compared to that devised by the North Shore law firm of Metaxas, Norman and Pidgeon, LLC.

They are cool, calculated and deliberate. They efficiently use puppet plaintiffs, some of whom genuinely believe that "their" lawyers work for them, and help them "recover" "their" money. The problem is that the puppet plaintiffs do not even care to find out whether what "their" lawyers are doing is ethical or even legal.

The Tuck Point puppet plaintiffs do not care that the Law Firm of Marcus, Errico, Emmer and Brooks is well-known in New England and beyond for making their money by abusing the provisions of Chapter 183, section 6C of the General Laws of Massachusetts.

If this were a script for a movie, the sequence of events, and the interrelation between the two streams of events (one fostered by Judge DiGangi of the Essex Probate Court, and the other one sponsored by Judge Cornetta of the Salem District Court) would be rejected as too coincidental to be believable.

Under the RICO statute, however, the interrelation, which would be considered too coincidental for a movie, constitutes the essence of a successful RICO complaint against white-collar criminals.

Law enforcement authorities describe organized crime as "a continuing and self-perpetuating

criminal conspiracy, having an organized structure, fed by fear and corruption, and motivated by greed."

In some instances the white-collar criminals are seen as a new, refined, version of a lynch mob. A "high-tech" lynch mob, the kind described by the U.S. Supreme Court Justice Clarence Thomas in his recently published memoir, My Grandfather's Son, which, in addition to the story of his growing up, contains a detailed account of the atrocities experienced by him in the process of the Congressional hearings during his confirmation as Supreme Court Justice.

Justice Thomas says, "the mob I faced carried no ropes or guns … its weapons were smooth-tongued lies …"

Justice Thomas is not alone.

On November 5, 2007, in the midst of the second blitzkrieg, Chester and Margaret learned that Judge William Young of the United States District Court for the District of Massachusetts reconsidered his January 8, 2007, decision, overturned his own dismissal of their RICO case, and allowed the case to proceed.

On November 15, 2007, the Boston Office of the U.S. Marshal started serving the RICO complaint on the sixteen defendants. The message transmitted shortly thereafter to several media outlets reads: "Civil RICO Suit Names Thirteen Lawyers and Three Judges in Staged Litigation Scheme."