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**TONKON TORP LLP**

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland Division

**OBSIDIAN FINANCE GROUP, LLC and  
KEVIN D. PADRICK,**

Plaintiffs,

v.

**CRYSTAL COX,**

Defendant.

Civil No. CV 11-0057 HA

**DECLARATION OF KEVIN D.  
PADRICK IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY  
JUDGMENT**

I, KEVIN D. PADRICK, declare as follows:

1. I am a Senior Principal with Obsidian Finance Group, LLC ("Obsidian"), a limited liability company located in Lake Oswego, Oregon. I make this declaration based on personal knowledge and, if called to testify, would attest to the facts stated herein.

2. I graduated from University of Santa Clara in 1979 with a Master's degree in Business Administration and a Juris Doctorate. I worked as an attorney in Portland, Oregon at the law firm now known as Miller Nash beginning in 1979. I became a partner in the firm in 1983. At Miller Nash, I started the insolvency and reorganization practice group and was the chair of that practice group until I left the firm in 1993. Over the next four years, I started and operated nine different businesses. In 1997, I returned to Oregon and began advising clients on general business matters with an emphasis on insolvency-related situations.

3. In 2003, David Brown and I started Obsidian. Mr. Brown and I were formerly partners at Miller Nash. Obsidian is an advisory and investment firm that specializes in unique and difficult business situations, including distressed enterprises and distressed assets. Working together and independently over the years, Mr. Brown and I have advised numerous businesses and investors requiring our expertise to identify investment opportunities, structure and close transactions, and develop strategies to achieve optimal returns. Whether advising clients or acting for Obsidian's own account, we are frequently involved in structuring complicated financial transactions.

4. Given the nature of Obsidian's business, our reputation is critical. We often engage with sophisticated entities and individuals who have little or no experience with Obsidian. It is common for these entities and individuals to review our website and conduct background research on Obsidian, Mr. Brown and me—including using internet search engines.

5. Attached as Exhibit 1 to this Declaration are printouts of excerpts from a website that Ms. Cox claims to maintain and control, at [www.obsidianfinancesucks.com](http://www.obsidianfinancesucks.com). Some or all of these statements have also been published on other websites that Ms. Cox maintains and

controls, such as [www.summit1031sucks.com](http://www.summit1031sucks.com). The website printouts include the following statements concerning Obsidian and me:

- a. Padrick has committed “fraud against the government.”
- b. Padrick “stole [money] from the US Government.”
- c. Padrick engaged in “illegal” and “fraudulent” activity.
- d. Padrick is “VERY Corrupt” and has engaged in “Corruption, Fraud, Tax Crimes, Solar Tax Credit Crimes.”
- e. Padrick is a “liar.”
- f. Padrick pays off the media and politicians.
- g. “Did Oregon Attorney Kevin Padrick hire a hit man to kill me?”
- h. Padrick has committed “tax fraud.”
- i. Padrick is “guilty of Fraud, Deceit on the Government, Illegal Activity, Money Laundering, Defamation, Harassment.”
- j. “Kevin Padrick of Obsidian Finance LLC is a Criminal, he has broken many laws in the last 2 years to do with the Summit 1031 case and regardless of the guilt of the Summit 1031 principals, Kevin Padrick is a THUG and a Thief hiding behind the Skirt tails of a corrupt un-monitored bankruptcy court system and protected by Corrupt Bend DA and Corrupt Bend Oregon Judges. And I will Expose every detail of every law he broke, every secret hand shake and back alley deal.. every solar credit fraud.. every sale to a friend or cronic of real estate consumer money and every indiscretion[.]”

6. The statements listed above are all completely false. I have not engaged in any illegal or fraudulent activity. I have not stolen money from the government. I have not engaged in corrupt behavior. I have not paid off the media or politicians. I have not committed

tax fraud. And at no time have I been charged with or convicted of any criminal conduct of any kind.

7. The defamatory statements made by Ms. Cox have already caused Obsidian and me to suffer damage to our reputation. I have received numerous comments and inquiries from business associates, potential clients, investment bankers, and others concerning Ms. Cox's defamatory statements.

8. One specific instance highlights the damage caused by plaintiff's statements. I was contacted by a client of Obsidian that had referred another potential client to us for a lucrative advisory project. The potential client had, as expected, researched us on the internet and found the defamatory statements on Ms. Cox's website. The potential client raised this as a serious concern with the current client, who then asked us about it. We explained that the statements were false. Nevertheless, we ultimately did not get the work.

9. In other instances, business partners or clients have told us they are concerned about being associated with Obsidian and me because of the defamatory statements made by Ms. Cox, regardless of the fact that the statements are false.

**I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND ACCURATE.**

DATED this 27th day of April 2011.

/s/ Kevin D. Padrick  
Kevin D. Padrick

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **DECLARATION OF KEVIN D. PADRICK IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT** on:

Crystal L. Cox  
PO Box 505  
Eureka, Montana 59917  
Crystal@CrystalCox.com

- by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to said party's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth below;
- by causing a copy thereof to be e-mailed to said party at her last-known email address on the date set forth below;

DATED this 27th day of April 2011

TONKON TORP LLP

By /s/ David S. Aman

David S. Aman, OSB No. 962106  
Direct Dial: 503.802.2053  
Fax: 503.972.3753  
E-Mail: david.aman@tonkon.com  
Attorneys for Plaintiffs

035223/00001/2813087v1

Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 1 of 6

The Bankruptcy Court System is Broken and the Real Estate Consumer is Paying the Price. No One Can Hold them Accountable but you. And so Far the Consumer Does not Even know who is really getting their money. Knowledge is Power Folks.. Wake Up... Email Your Bankruptcy Court Story to Crystal@CrystalCox.com - and Expose the Supposed Highest Fiduciary Responsibility of the US Bankruptcy Court System.

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*Obsidian Finance, Kevin Padrick, David Aman, Steven Hedberg, Ewan Rose, Bankruptcy Cartel? This Blog is about the Summit 1031 Bankruptcy and the Greed and Corruption within the US Bankruptcy Courts, that further victimized the Real Estate Victims of the Summit 1031 Bankruptcy.*

- Realtor Sucks
- Real Estate Whistleblower
- Stephanie's Blog
- Real Estate Victims
- Robert Miller Accountability
- Annie Buell
- Steven Hedberg

Friday, December 3, 2010

**Hey Obsidian Finance You SUCK and We Don't Care what Lies you Use to Cover up your Over Charging Fraud..**

Web Stats and you can see that an Obsidian Finance LLC Cronie Clicked on the Comment Section and then posted this gibberish..

"Jazzie Casas said..

For those lawyers who do offer the service, it is now more expensive for their clients because it takes more of their time. This means that you will pay more for bankruptcy under the redesigned bankruptcy laws. For example, bankruptcy lawyers now have to personally attest to the accuracy of the information provided by their clients in the bankruptcy courts. This means that they have to take the time to personally research all of the information provided by their clients. The more time a lawyer spends with a client's case, the more that case will cost.."

<http://www.obsidianfinancesucks.com/2010/11/hey-kevin-padrick-just-reminder-i-aint.html#comments>

Folks NEVER ever believe that Kevin Padrick and Obsidian Finance are NOT Guilty. For ya Summit 1031 went Bankrupt, however they had a lot of money and assets and Kevin Padrick Corrupt Bankruptcy Attorney took the money and assets and charged fees that were way over the top. Kevin Padrick, Oregon Attorney is Corrupt ..

and Thanks for the Comment Obsidian Finance LLC -Jazzie Casas - However we do not take you serious in any way, Nor Do I give a Shit what any of you corrupt Obsidian Finance LLC attorneys have to say on this... you are Criminals and whatever the corrupt Kevin Padrick, Oregon Attorney told you it is a LIE.. he is guilty of Fraud, Deceit on the Government, Illegal Activity, Money Laundering, Defamation, Harassment and more and I WILL PROVE IT ALL.. Period..

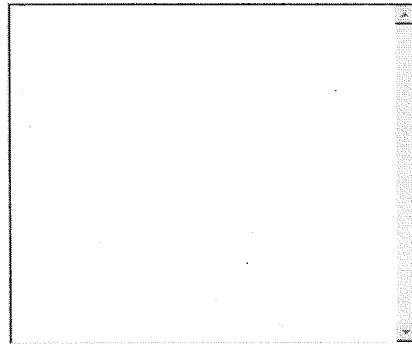
So Jazzie Gibberish keep commenting on MY BLOGS.. the Truth Remains the Truth. Obsidian Finance PAID off Judges, Refused Good Offers, Paid of Trustees, made deal with the D.A and set up side deals to get in good with this Solar Project.. so much corruption and back alley handshakes and Kevin Padrick YOUR going to Prison Next.. So keep googling Crystal Cox Investigated and trying to Set Me Up.. I have a large network that will continue to EXPOSE you even if you find a way to Illegally "Investigate" me.. YOU ARE A CRIMINAL.. and you are an Cold Hearted, Evil Asshole.

The Summit Accommodators Inc. Bankruptcy is

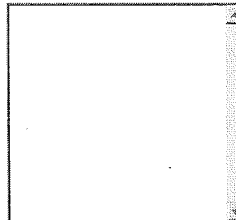
"The Most Transparent Bankruptcy Case EVER in the History of the United States of America".

And It Will Stay that Way.

**KEVIN PADRICK CONSUMER SMACK DOWN PLAY ALL 14**



**FEAR NO EVIL**



**MEETING BEFORE THE MEETING**

**VISITOR ANALYSIS**

Referrer No referring link  
 Host Name 67.106.3.99.ptr.us.xo.net  
 IP Address 67.106.3.99 [Label IP Address]  
 Country United States  
 Region Oregon  
 City Portland  
 ISP Obsidian Finance Group, Llc  
 Returning Visits 8  
 Visit Length Multiple visits spread over more than one day

**VISITOR SYSTEM SPECS**

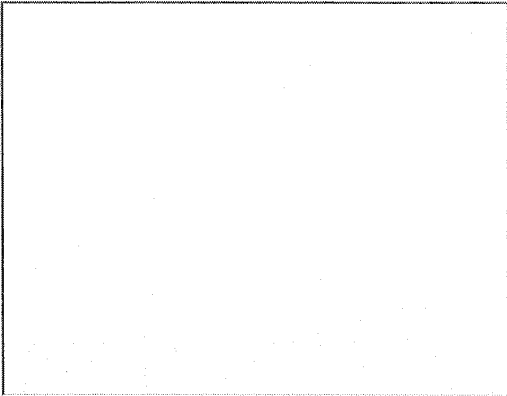
Browser IE 8.0  
 Operating System Win7  
 Resolution 1280x1024  
 Javascript Enabled

**Navigation Path**

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| 23rd September 2010 | 15:24:15 | Page View | No referring link<br><a href="http://www.obsidianfinancesucks.com/">www.obsidianfinancesucks.com/</a> |
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Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 2 of 6

|                    |          |           |  |
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DOES ANYONE CARE ABOUT THE TRUTH?



Hey Corrupt Jackass Kevin Padrick, I have got a whole better at this over the last year and I will expose your crimes, your solar credit fraud, fraud on the courts, pay offs, set ups and back alley deals.. And in a Much Bigger way then this ONE SITE. .

the TRUTH is the Truth..  
and the Lie Will NEVER Become the Truth on My Watch  
Proudly and Truthfully Posted by Crystal L. Cox  
Labels: Obsidian Finance Group

0 COMMENTS:

Oregon Revised Statutes

BankruptcyMisconduct.com  
Scour Every Inch of this Site

Constitution of Oregon

Civil Code

Civil Code of Procedure

Code of Criminal Procedure

Penal Code

LINKS TO MORE INFORMATION ON FILING CRIMINAL CHARGES

File Attorney Bar Complaints

Filing Criminal Complaints in Oregon

Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 1 of 6

The Bankruptcy Court System is Broken and the Real Estate Consumer is Paying the Price. No One Can Hold them Accountable but you. And so Far the Consumer Does not Even know who is really getting their money. Knowledge is Power Folks.. Wake Up... Email Your Bankruptcy Court Story to Crystal@CrystalCox.com - and Expose the Supposed Highest Fiduciary Responsibility of the US Bankruptcy Court System.

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Realtor Sucks | Real Estate Whistleblower | Stephanie's Blog | Real Estate Victims | Robert Miller Accountability | Annie Buell | Steven Hedberg

Sunday, December 5, 2010

**How Bad Does Kevin Padrick Obsidian Finance Oregon want to Shut Up Investigative Blogger Crystal L. Cox?**

How Bad does Oregon Attorney Kevin Padrick want to hide his illegal activity? How bad does Obsidian Finance Attorney Kevin Padrick want to Silence Truth Teller ~ Investigative Blogger, Crystal L. Cox? Bad enough to hire a hit man to kill me?

Over and Over Obsidian Finance, Portland Oregon searches Crystal Cox FBI Investigation and other harassing terms as they deem will attempt to threaten me. This done at the same time as Montana and New York, somehow connected.. and I think you know who that is Kevin Padrick, I have seen Obsidian Finance online On my sites at the same time as the University of Montana Stalker. I know Kevin Padrick has been looking for a way to set me up or shut me up for about a year ago.

**So is Kevin Padrick the Bossman in the Link Below? Did Oregon Attorney Kevin Padrick hire a Hit Man to Kill me? Well Time Will Tell I Suppose.**

<http://www.investigativeblogger.com/2010/12/presumed-hit-man-hired-to-kill.html>

Proudly and Truthfully Posted by Crystal L. Cox  
Labels: Kevin Padrick, Obsidian Finance, Web Stats

0 COMMENTS:

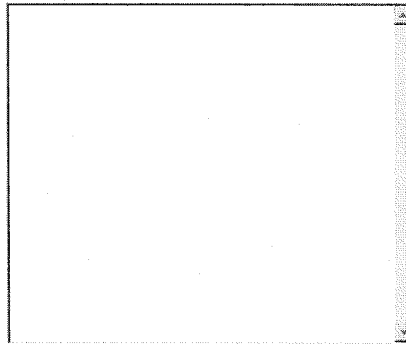
POST A COMMENT

The Summit Accommodators Inc. Bankruptcy Is

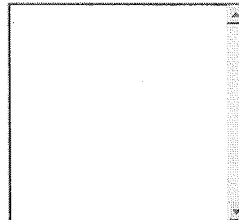
"The Most Transparent Bankruptcy Case EVER in the History of the United States of America"

And It Will Stay that Way.

KEVIN PADRICK CONSUMER SMACK DOWN PLAY ALL 14



FEAR NO EVIL



MEETING BEFORE THE MEETING

Newer Post | Home | Older Post

Subscribe to: Post Comments (Atom)



Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 1 of 6

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Thursday, December 9, 2010

**Kevin Padrick - Obsidian Finance Group Takes a LONG, Hard Look at the Hit Man Post**

**VISITOR ANALYSIS**

Referrer <http://www.obsidianfinancesucks.com/>  
Host Name 67.106.3.99.ptr.us.xo.net  
IP Address 67.106.3.99 [Label\_IP Address]  
Country United States  
Region Oregon  
City Portland  
ISP Obsidian Finance Group, LLC  
Returning Visits 0  
Visit Length 3 hours 24 mins 19 secs

**VISITOR SYSTEM SPECS**

Browser IE 8.0  
Operating System WinVista  
Resolution 1152x864  
Javascript Enabled

**Navigation Path**

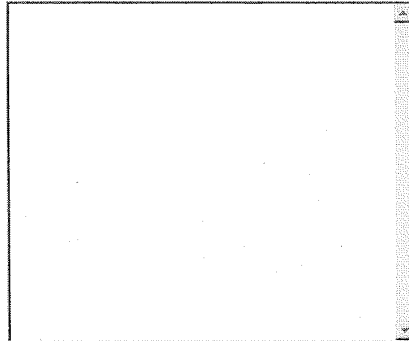
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**The Summit Accommodators Inc. Bankruptcy Is**

"The Most Transparent Bankruptcy Case EVER in the History of the United States of America".

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**KEVIN PADRICK CONSUMER SMACK DOWN PLAY ALL 14**



So How Bad Does Kevin Padrick of Portland Oregon Obsidian Finance LLC want me to Shut Up? If you subpoenaed Kevin Padrick's emails over the last year you would find that Kevin Padrick of Obsidian Finance LLC has been in contact with my Montana Death Threat stalker, Why?

I have only posted truth on Obsidian Finance LLC and the Corrupt Bankruptcy Trustee Kevin Padrick. Why did Kevin Padrick or Obsidian Finance LLC NEVER send me a Cease and Desist to Shut me up?

I mean big shot Intellectual Property Attorney David Aman of Tonkon Torp Law Firm is supposed to be really good at this Internet Law stuff, and in what.. 2 years now, David Aman of Tonkon Torp nor Kevin Padrick or Obsidian Finance LLC has ever served me anything... INSTEAD they Discriminate Boldly by Dipping one of my Whistleblowers to question them about my motives and NEVER ASK ME... not once in 2 years...

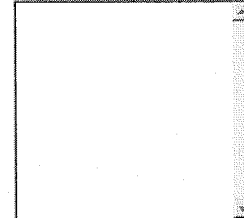
Kevin Padrick of Obsidian Finance LLC questioned and harassed this Whistleblower over things I said and what they thought I meant and NEVER asked me what my intentions were or why I said what I said.

Kevin Padrick of Obsidian Finance LLC is a Criminal, he has broken many laws in the last 2 years to do with the Summit 1031 case and regardless of the guilt of the Summit 1031 principals, Kevin Padrick is a THUG and a Thief hiding behind the Skirt tails of a corrupt un-monitored bankruptcy court system and protected by Corrupt Bend DA and Corrupt Bend Oregon Judges. And I will Expose every detail of every law he broke, every secret hand shake and back alley deal.. every solar credit fraud.. every sale to a friend or cronie of real estate consumer money and every indiscretion... if it takes me a decade.. and if the Hit Man Follows through well No Worries... I have a large fan base over 2 years and many "investigative bloggers" to now continue my life's work.

So if Kevin Padrick of Obsidian Finance LLC is the Bossman in the link of the previous post, well then he wants me shut up pretty bad. However the Truth is, me Dead will just fuel the truth I write about and will NOT shut down my blogs or the Whistleblowing that will continue on Corrupt Portland Oregon Attorney Kevin Padrick.

The Truth is the Truth.

**FEAR NO EVIL**



**MEETING BEFORE THE MEETING**

Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 1 of 6

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- Realfor Sucks
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- Real Estate Victims
- Robert Miller Accountability
- Annie Buell
- Steven Hedberg

Friday, December 3, 2010

**Kevin Padrick - Whatcha Up to - Setting Me Up" - "crystal cox investigated"**

Obsidian Finance Group, LLC Portland Googles "crystal cox investigated"

Hey Corrupt Portland Oregon Attorney Kevin Padrick YOU have Activity in the Summit 1031 Bankruptcy. You will one day be in Prove your Illegal activity if it takes a decade. My "Media" netw on your corrupt activities... so whatever Dirty Trick you have in mind to network will live on.. and you WILL BE EXPOSED..

Kevin Padrick - Corrupt Oregon Attorney  
Got a Tip?  
**Crystal@CrystalCox.com**

Coming Soon.. Massive Online Media on the Truth about Corrupt Attorney Kevin Padrick

**VISITOR ANALYSIS**

|                             |   |
|-----------------------------|---|
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| <b>Referrer</b>             |   |
| <b>Search Engine Phrase</b> | crystal cox investigated  |
| <b>Search Engine Name</b>   | Google  |
| <b>Search Engine Host</b>   | www.google.com  |
| <b>Host Name</b>            | 67.106.3.99.ptr.us.xo.net   |
| <b>IP Address</b>           | 67.106.3.99 [Label IP Address]  |
| <b>Country</b>              | United States   |
| <b>Region</b>               | Oregon  |
| <b>City</b>                 | Portland  |
| <b>ISP</b>                  | Obsidian Finance Group, LLC   |
| <b>Returning Visits</b>     | 0   |
| <b>Visit Length</b>         | 0 seconds   |
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| <b>Operating System</b>     | WinVista  |
| <b>Resolution</b>           | 1280x1024   |
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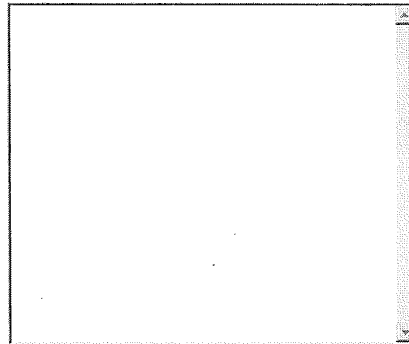
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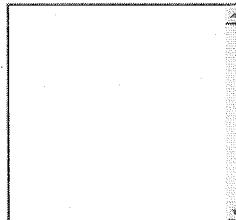
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And It Will Stay that Way.

KEVIN PADRICK CONSUMER SMACK DOWN PLAY ALL 14



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MEETING BEFORE THE MEETING

Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 1 of 6

The Bankruptcy Court System is Broken and the Real Estate Consumer is Paying the Price. No One Can Hold them Accountable but you. And so Far the Consumer Does not Even know who is really getting their money. Knowledge is Power Folks.. Wake Up... Email Your Bankruptcy Court Story to Crystal@CrystalCox.com - and Expose the Supposed Highest Fiduciary Responsibility of the US Bankruptcy Court System.

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- Real Estate Whistleblower
- Stephanie's Blog
- Real Estate Victims
- Robert Miller Accountability
- Annie Buell
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Friday, December 3, 2010

**the LIE will NEVER Stand as the Truth On My Watch!!!**

My Summit 1031 Blogs are Now Devoted to Reform in the 1031 Exchange Industry, devoted to exposing corruption in the Bankruptcy Courts, exposing Dept. of Justice Trustees, and Exposing Kevin Padrick Corrupt Oregon Attorney and Obsidian Finance LLC and ALL their Corrupt Illegal Activity EVER..

Stay Tuned.. for say a "Lifetime" and then some.. This Shit Storm is just getting started, Every Illegal Act, Every Indiscretion and Flat Out Lie.. Cover Up. Back Alley Deal and Sexapades will be EXPOSED on Kevin Padrick - Obsidian Finance.. your Illegal, Immoral Activity RUINS lives.. Accountability and Transparency is Demanded..

Crystal L. Cox

The Summit Accommodators Inc. Bankruptcy Is

"The Most Transparent Bankruptcy Case EVER in the History of the United States of America" .

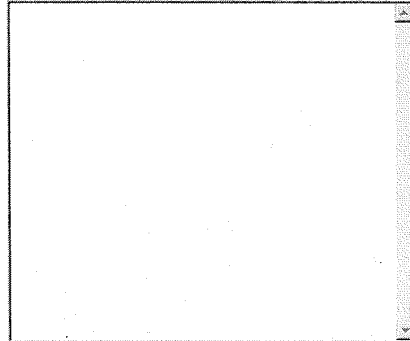
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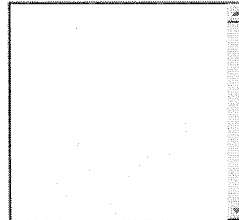
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Thursday, November 18, 2010

### **Hey Kevin Padrick - Just a Reminder I ain't going anywhere.. Regardless of What you do to Summit..**

My Investigative Blogging Team will Always Be ON YOUR ASS.

You are a Cruel, Evil, Discriminating Liar. And I intend to Expose every Dirty deed you have ever or will ever participate in. So don't be thinking I have give up on EXPOSING you. You are a Corrupt Attorney, you Create Victims, you take money from real estate consumers, you are abusive and controlling, you pay off media, you pay of politicians and well.. I intend to prove all of that in great detail over the next.. DECADE...

Stay Tuned..

Got a Tip on the Evil Kevin Padrick of Obsidian Finance... Send it on over.. YOU know the drill by now.. Crystal@CrystalCox.com

Proudly and Truthfully Posted by Crystal L. Cox  
Labels: Kevin D. Padrick

#### **1 COMMENTS:**

Jazzie Casas said..

For those lawyers who do offer the service, it is now more expensive for their clients because it takes more of their time. This means that you will pay more for bankruptcy under the redesigned bankruptcy laws. For example, bankruptcy lawyers now have to personally attest to the accuracy of the information provided by their clients in the bankruptcy courts. This means that they have to take the time to personally research all of the information provided by their clients. The more time a lawyer spends with a client's case, the more that case will cost.

NOVEMBER 19, 2010 5:36 AM

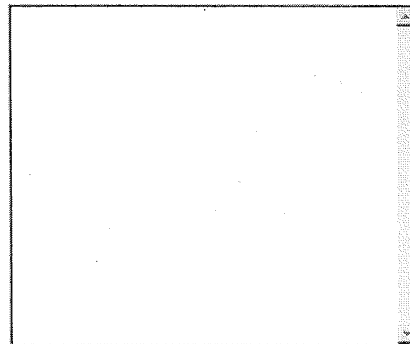
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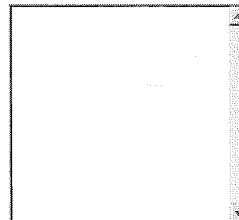
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Tuesday, November 9, 2010

**US Marshals Tracking Down Crookedest Lawyer Ever's Loot**

YES Kevin Padrick this MEANS will Be Watching and YOU will Be Indicted SOME TIME, someday and in some way.. and looks there is no time limit on your kind of Corruption .. So don't worry we got back... every dirty deal - every corrupt Solar Tax - Every Tangle in sheets - every down and dirty, corrupt act you do for the rest of your days and beyond... WE will Be Watching..

May as Well Tell the Truth on the MONEY You took from the Summit Bankruptcy and the Illegally activity you Conspired to do in order to set up an Innocent Whistleblower.. CUZ this Shit Storm coming at you is Just Getting Started..

**US Marshals Tracking Down Crookedest Lawyer Ever's Loot**

"Corrupt Florida Lawyer Mistakenly Called Most Crookedest Ever  
US Marshals Tracking Down Crookedest Lawyer Ever's Loot  
The Daily Business Review by John Pacenti - November 9, 2010

MIAMI, NY - The federal government knows where a former U.S. bankruptcy trustee panelist funneled \$1 million earmarked for the victims of Ponzi schemer Scott Rothstein and has filed a lawsuit to get it back. Marika Tolz is a Hollywood real estate broker who became one of South Florida's most prolific trustees and receivers in recent years.

She was ousted from the U.S. trustee's panel in May after she tried to cover a shortfall in a bankruptcy case with a Rothstein donation to Holy Cross Hospital, according to court documents.

The U.S. government sued Tolz's successor handling the account where the \$1 million allegedly landed. But an FBI inquiry goes beyond the Rothstein funds and tracks money moving among various cases where she served as a court-appointed receiver or trustee.

The FBI mailed letters to Tolz's successors, notifying them they may have been victims of fraud. So far, questions have been raised about \$5.3 million in at least five cases handled by Tolz, and sources say financial improprieties have been found in two other cases. In another lawsuit, trustee Robert C. Furr, who succeeded Tolz in a bankruptcy case, alleges she falsified financial books submitted to the court and the U.S. trustee's office and created red-herring bank accounts to pilfer \$1.5 million from a personal bankruptcy case.

Tolz expanded from a real estate career by serving as a caretaker for seized assets starting in 1987. She has served as a trustee in bankruptcy matters, a personal representative on estates and a receiver for businesses and properties that ran aground.

One of her many companies, State Wide Realty, was hired in April by the U.S. Marshals Service to safeguard \$1 million retrieved for the fraud victims of disbarred lawyer Rothstein. Instead, she moved the \$1 million a day after receiving it to cover a shortfall in a Chapter 7 case under scrutiny by the U.S. trustee's office, according to Marshals Service lawsuit filed Oct. 18 and Furr's complaint filed last week.

Joel Tabas, one of the many trustees who inherited Tolz's cases, told a bankruptcy judge in September that trying to figure out where all the money went was akin to dissecting a bowl of spaghetti, and says it will take forensic accountants months to figure out exactly how much is missing.

An FBI form letter was mailed Oct. 14 to Seth Heller, who succeeded Tolz as receiver in two Miami-Dade Circuit Court cases, telling him his name was forwarded to the federal victim assistance program "as being a possible victim of a federal crime."

"This case is currently under investigation," the letter stated. "This can be a lengthy process, and we request your continued patience while we conduct a thorough investigation." Assistant U.S. Attorney Grisel Alonso, who is handling the Marshals Service case, referred questions to office spokeswoman Alicia Valle, who had no comment.

"The federal government is about to do something," said Heller, managing partner of Heller & Co. "I think everybody who has anything to do with Tolz got this letter." Tolz has not been charged.

Her attorney, Ben Kuehne of Miami, confirmed Rothstein's \$1 million has not been returned to the government as requested months ago. Tolz and Kuehne, who was traveling Tuesday, did not respond to requests for comment.

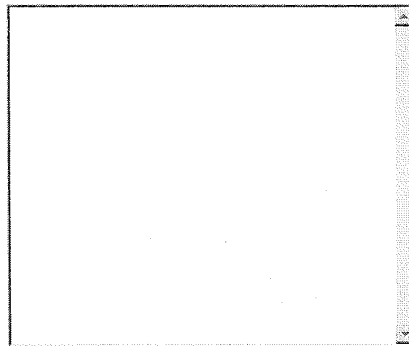
The Justice Department has focused on the bankruptcy case of James Driscoll to get back the money.

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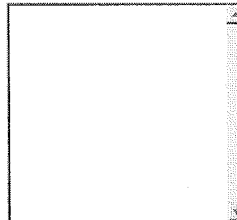
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**MEETING BEFORE THE MEETING**

Bankruptcy Corruption - Trustee Corruption - Blog by Investigative Blogger Crystal L. C... Page 2 of 5

Follow The Money

Fort Lauderdale's Holy Cross Hospital returned the tainted donation from Rothstein, who is serving a 50-year prison sentence for running a \$1.2 billion settlement financing scheme. Federal marshals hired Tolz in April to hold the money until a final order of forfeiture was signed by the judge in Rothstein's criminal case.

Holy Cross wired the \$1 million to the Marika Tolz General Trust Account at First Citizens Bank & Trust in Hollywood on May 20 for a total balance of \$1,000,390. The next day, the account balance was \$133,300, according to an exhibit attached to the federal lawsuit seeking \$967,856 plus court costs and attorney fees.

The Rothstein money was moved to a Bank of America account for the personal bankruptcy of James P. Driscoll of Fort Lauderdale, according to the adversary complaint. "Upon discovery of the withdrawal of the diverted funds from the First Citizens account, the marshals made demand upon Tolz to remit the sum of \$1 million wire transferred," the lawsuit stated. "Tolz failed to turn over the funds to the marshals." The federal government ended up suing Furr as Tolz's successor in the Driscoll case.

The Boca Raton trustee filed a 74-page third-party complaint Thursday against Tolz and Liberty Mutual Insurance, which issued bonds on behalf of U.S. trustee panelists on condition of "faithful performance." Panelists for the U.S. trustee's office are appointed on a rotating basis as caretakers for commercial and personal bankruptcies in federal court.

Tolz was one of 12 panelists until she was forced to resign in May when Driscoll's case came to the attention of the office. The U.S. trustee's office did not comment on the matter. Furr, in his complaint against Tolz, seeks \$1.5 million allegedly misappropriated from Driscoll and more than \$76,900 in fees paid to her.

He alleges Tolz filed a false accounting in Driscoll's case March 31, stating the estate had \$888,000, when in fact the account was barren. When confronted with the discrepancy by the U.S. trustee's office, Tolz listed a nonexistent account at Sun American Bank and fake accounts to support her filing, Furr alleges.

Furr, who inherited about 10 of Tolz's cases, details a busy shell game as Tolz moved money to and from several accounts to hide her trail, culminating in the transfer of Rothstein money into Driscoll's account. Furr's lawsuit claims Tolz took \$1 million from the Driscoll account and deposited it into her general trust account in April 2009. Tolz "accounted for" the money by creating fake receipts and disbursement records for the purchase of high-yield certificates of deposit at Bank of America, the lawsuit stated.

The trustee's office later determined the account did not exist. On May 18, the day before Tolz resigned from the trustee's panel, she issued a \$967,856 check from her personal trust account to the Driscoll case. On May 20, she covered it with money from the Rothstein case, according to Furr's lawsuit. Furr also alleges Tolz illegally transferred \$500,000 from Driscoll's account to her personal account in April 2008, taking investigators further back in time.

Financial irregularities also have been documented in numerous other cases. Heller took over receiverships of two financially troubled Miami-Dade commercial properties from Tolz: Douglas Centre REB-GEM, owner of a share of a Coral Gables office complex, and Monticello 856, a condominium conversion.

Heller's Miami forensic accounting firm, Pontis Advisors, found \$856,000 in checks from Douglas Centre REB-GEM had been deposited in outside accounts controlled by Tolz and that \$456,000 could not be traced.

Drew M. Dillworth, who succeeded Tolz in the bankruptcy case of Wilkinson Hi-Rise, a Hollywood trash and linen chute manufacturer, told U.S. Bankruptcy Judge John Olson in September that Tolz should not be immediately paid her \$13,000 fee because of "questionable financial transactions."

'Over Her Head'

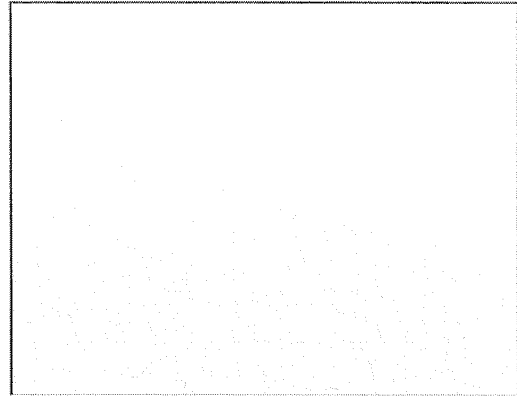
Then there is the Fuzion bankruptcy case, which allegedly received \$715,000 meant as an inheritance for the children of man whose probate assets were administered by Tolz. The children's new trustee claimed in court documents that the estate was \$965,000 short due to diversions by Tolz.

Two adversary lawsuits trying to retrieve money have been filed in the Fuzion matter, one by Heller and one by the successor trustee in the probate case. Heller said Tolz represented "the old school" of receivers and trustees, who intermingled money among accounts — even for personal use.

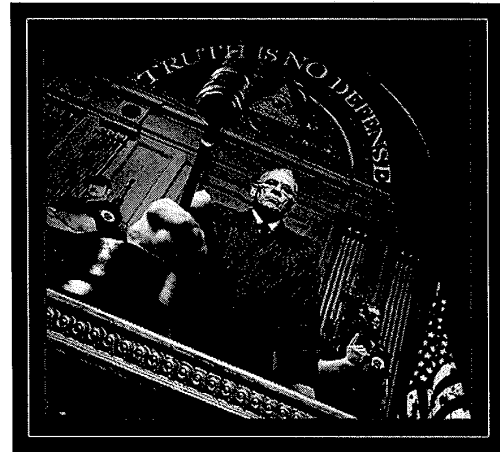
The drama surrounding Tolz has drawn comparisons to former Miami attorney-accountant Lewis Freeman, sentenced earlier this year to more than 10 years for stealing \$2.6 million and misappropriating at least \$6 million from accounts he oversaw as a court-appointed receiver and trustee. Like Freeman, Tolz was considered one of the best. "Tolz was a very respected individual," Heller said. "She got in over her head."

Source

<http://exposecorruptcourts.blogspot.com/2010/11/corrupt-florida-lawyer-mistakenly.html>



DOES ANYONE CARE ABOUT THE TRUTH?



Oregon Revised Statutes

[BankruptcyMisconduct.com](http://www.bankruptcymisconduct.com)  
Scour Every Inch of this Site

Constitution of Oregon

Civil Code

Civil Code of Procedure

Code of Criminal Procedure

Penal Code

[LINKS TO MORE INFORMATION ON FILING CRIMINAL CHARGES](#)

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Partners in Crime with Proskauer Rose.. Have More Information on this.. ??  
[Crystal@CrystalCox.com](mailto:Crystal@CrystalCox.com)

More Coming Soon on Fuzion and Proskauer Rose Corruption Connections and the iViewit Technologies .. Scandal..

**Links and Resources.**

<http://www.ethicscomplaint.com/2009/12/iviewit-holdings-inc-conflict-of.html>

<http://www.judicialhellhole.com/2010/09/eliot-bernstein-iviewit-technologies.html>

[Microsoft Office Outlook - Memo Style - iViewit](#)

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**CONFLICT OF INTEREST DISCLOSURE FORM**

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[iViewit & Eliot Bernstein Letter to New York Senate Judiciary ...](#)  
See [ February 09, 2009 iViewit Complaint Against Reardon and Friedberg ... iViewit.tv/wordpress/?p=209

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Labels: Eliot Bernstein, Furr and Cohen, Fuzion, iViewit Technologies, Proskauer Rose LLP

Oregon Civil Code

File Criminal Charges in Federal Court  
Coming Soon...



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**SUMMIT 1031 TELLS ALL**

**Our Objection to Fees**

Sub Exhibits for Exhibit F

Exhibit F – Kevin Padrick, Tonkon Torp, & Obsidian Finance List of Atrocities

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Monday, October 25, 2010

**Kevin Padrick GUILTY of Tax Fraud?**

Coming Soon..

Proudly and Truthfully Posted by Crystal L. Cox  
Labels: Kevin Padrick, Tax Fraud

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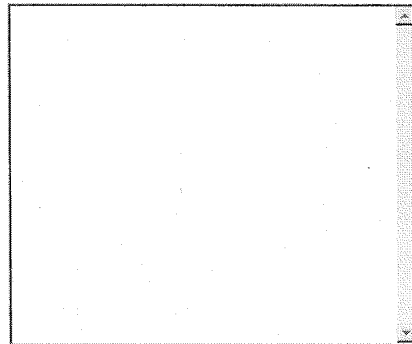
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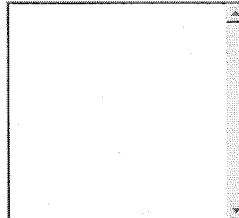
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Monday, October 25, 2010

**Kevin Padrick - Obsidian Finance is Corrupt**

Email your Kevin Padrick Corruption Story to me  
Crystal L. Cox Investigative Blogger  
[Crystal@CrystalCox.com](mailto:Crystal@CrystalCox.com)

Coming Soon the Facts on Kevin Padrick Tax Fraud, Kevin Padrick Fraud against the Government - time for a Whistleblower Lawsuit to EXPOSE all the Money that Kevin Padrick has Stole from the US Government.. their is a 20% min. bounty on this.

Coming SOON .. a Whole Lot on the Truth about Kevin Padrick -Corrupt Oregon Attorney - Obsidian Finance.

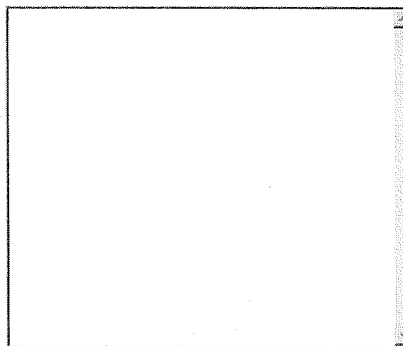
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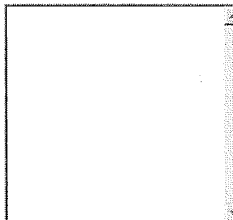
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Monday, October 25, 2010

**Umpqua Bank Corruption, Conflicts of Interest... What is Kevin Padricks Real Role and Motive?**

" Umpqua Bank settles \$30M lawsuit over alleged Ponzi scheme

Umpqua Bank has settled a \$30 million lawsuit with the trustee and creditors of Bend-based Summit 1031 Exchange, which had accused Umpqua of aiding and abetting Summit in an alleged Ponzi scheme.

Terms were not available and the parties involved would say only that a settlement was reached, adding that a final document had not been signed, The Bulletin reported.

Both Kevin Padrick, the court-appointed trustee for Summit's 2008 U.S. Bankruptcy Court filing, and Michael Simon, the attorney for some of Summit's creditors, told the Bend newspaper they were barred from discussing the settlement.

Umpqua Bank's general counsel, Steve Philpott, also declined comment.

The 16-month-old lawsuit was initially filed by Padrick, who is in charge of liquidating Summit's assets, such as real estate, in the bankruptcy proceedings for the creditors.

The complaint accused Umpqua Bank of continuing to solicit bank deposits from Summit and promote Summit, even after Umpqua learned of what Padrick alleged was a Ponzi scheme.

As a 1031 exchange, named after Section 1031 of the U.S. Tax Code, Summit would help real estate investors avoid capital gains tax on the sale of a property. Investors can avoid the tax by purchasing another property within 180 days.

Summit eventually ran into liquidity problems, stating on its website that it was short \$14.2 million.

It later filed for bankruptcy in December 2008 because the money was tied up in real estate, rather than kept in liquid bank accounts, according to court documents.

Padrick alleged in the lawsuit that the principals of Summit had embezzled money for years by lending Summit's funds to another business they controlled.

The lawsuit said Summit could only pay back former clients by finding new ones and alleged "the principals engaged in a classic Ponzi scheme."

Umpqua denied wrongdoing in the case it settled with Padrick and the creditors. ..."

Source and Full Article  
<http://abcnews.go.com/Business/wireStory?id=11921664>

[ Folks there is Lot's More to This Story... Got a Tip? Email me at [Crystal@CrystalCox.com](mailto:Crystal@CrystalCox.com) - also Kevin Padrick is VERY Corrupt.. Got a Tip on Kevin Padrick Corruption, Fraud, Tax Crimes, Solar Tax Credit Crimes... ?

Proudly and Truthfully Posted by Crystal L. Cox  
Labels: Brad F. Copeland, CEO Ray Davis, Kevin Padrick, Summit 1031

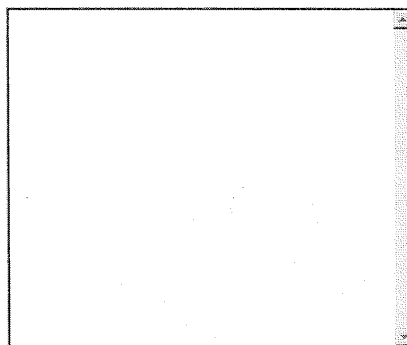
0 COMMENTS:

The Summit Accommodators Inc. Bankruptcy Is

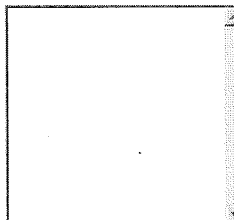
"The Most Transparent Bankruptcy Case EVER in the History of the United States of America".

And It Will Stay that Way.

KEVIN PADRICK CONSUMER SMACK DOWN PLAY ALL 14



FEAR NO EVIL



MEETING BEFORE THE MEETING