

Andrew J. Ostrowski
4311 North Sixth Street
Harrisburg, PA 17110
717-221-9500

February 26, 2013

Michael Daley, Esquire
Supreme Court of Pennsylvania
Administrative Office of Pennsylvania Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102

Re: Andrew J. Ostrowski v. The American System of Justice, et al.

Dear Mr. Daley:

As has always been my practice, and as guided by the rules of conduct, and the practice of many great lawyers before us, I try to settle my claims, when I can, to ease the administrative burden and expense on the courts of unnecessary litigation, and to resolve disputes informally, whenever possible. It is in that spirit that this letter is sent. I am copying no one but lawyers on this letter, including President Obama, Senators Casey and Toomey, the Justices of the United States and Pennsylvania Supreme Courts, and attorneys Jim Horne, Pamela Collis, and Don Bailey, and the Pennsylvania Civil Rights Law Network, of course, as a non-lawyer party. I am copying the Vatican, too, as I understand the lawyers there might have an interest in this.

For the last 12 years, I have been working with the most honorable man, and lawyer, I have ever met, Don Bailey. Don has been involved in no planning related to the referenced lawsuit, and knows very little about the things I am working on, and the things I am going to say here. I have got to work very closely with, and to observe, Don over the years, and glean the great wisdom he was able to bestow upon me from his many stories of doing big and great things for people, and, as most important to him, fighting in the jungles of south Vietnam for that singular principle of liberty in a fledgling democracy, under the guiding hand of the United States Of America, against insurmountable geopolitical odds – a toehold of freedom, and an oppressed people striving to achieve everything which we tout as our greatest and grandest, God-given, indeed, values and principles. What you people have done, and continue to do, to this hero, is tragic and shameful and wicked and cowardly. More on that later.

Of the many literary, sometimes bombastic, but usually measured and deliberate, things that Don has said that has stuck with me is this: “If I were 20 years younger, and didn’t have the responsibilities I do now, I’d take this system apart.” We never talked further about it in any detail, and I kind of always sensed I knew what he was saying, but, for reasons that are no longer extant for me, did not feel I was situated to do so. I, now, clearly understand what Don meant, and, though I haven’t discussed it with him at all, I have a good idea of how he would have conceived such a task. That is what I have done. I am going to do everything in my legal power

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take this crooked system apart, and continue to devote my life to doing so, and to get the remedies that I am entitled to, as well as the many hurt and harmed American citizens I have represented along the way. As we say when we place our hands over our hearts and pledge our allegiance to this country of ours, it is “liberty and justice for all” that I am after. I will be more than happy to sit down with you, or anyone copied on this letter, at any time to discuss these things, and the abundant evidence I have in support of my claims.

About two years ago, I decided that Don was right – this system is incapable of disciplining itself - and, as you will see, that I was right in the Third Circuit Brief I filed in the David Chittister case in 2003, which, I understand, was discussed with Supreme Court Justice Alito during his confirmation hearings. Somehow, in all of this, though, hope never fades completely. I never heard a word about the accusation I made in that brief, which was made by me as humbly, honestly, and respectfully as I could, and with tremendous personal fear and trepidation, nor did I hear a word about the fairly grand, but fully justified, allegations I have made about what Tom Ridge did, secretly and dishonestly, to affirmative action in Pennsylvania in 1996. What I said in the Chittister brief was that I had no choice, after exhausting all rational alternatives and discussions, to advise clients that the courts were corrupt – 10 years ago. I’m sure you’ve seen it. It was very well-stated.

I am enclosing some of the documents, all written by me, that lay these things out. They are: 1) a letter I sent to the Judges of the Middle District, and a few others, dated January 25, 2011; 2) a declaration prepared by me for a complaint of judicial misconduct submitted by Roger Snyder against Middle District Chief Judge Yvette Kane; 3) the filings I made in connection with my Fed. R. Civ. P. 41(a) notice of voluntary withdrawal; 4) the Supreme Court Writ of Certiorari filed by Margo Royer against Penn State University raising her knowledge of abuse allegations in 1995, and termination shortly thereafter; and 5) the Supreme Court Writ of Certiorari filed by Angela and Johnny Robinson, one of numerous Don Bailey clients who filed *pro se* motions to open judgment based on the courts’ demonstrated mistreatment of Don Bailey. The first two items establish the background to my claims against others to be named in the next Complaint I file, and the third reveals the basis for identifying you, and the United States Middle District Marshal, as Defendants, as well. To that end, you should forward this correspondence to your counsel.

It was, oddly, shortly after the Chittister brief I filed that I had my first encounter with the Disciplinary Board. The Chittister case, at its core, was about Tom Ridge back-dooring the much-maligned “WAM” (for “walking around money”) program, which was politically unsavory at the time, and dishonestly using other programs in the Department of Community and Economic Development, including those entrusted to faithful public servants like David Chittister, who objected to the one-sentence funding requests from legislators and others for the programs for which he was responsible, and which had duly established and enacted application and approval requirements. For his dedicated and honest public service, David was literally rewarded with a desk, a chair, and a phone, and a years-long pattern of abuse that was magnified

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and exacerbated by Judge Sylvia Rambo, who abused me and him throughout our honest and diligent litigation of his case.

I pulled off something that Judge Rambo tried very hard to engineer her administration of justice around, in her tired, transparent, and dishonest fashion, that I have seen dozens of times, in Mr. Chittister's effort go and restore what was taken from him, and got a jury verdict on a FMLA issue she was sure we would lose, because she thinks she's an expert at duping juries with contrived instructions, and, the heart of her control when she cannot politically get rid of a case before trial, her use of the special verdict question. Of course, she dismissed the main thrust of the case, which was the First Amendment claim related to his reporting the unlawful use of the programs for which he was responsible, as the steward of the public trust. All of this was before Justice Alito on appeal. Incidentally, the arguments I made before Justice Alito, which were rejected by him, are now the law of the land.

As an aside, for which I seek your indulgence, what is done to the American citizens who dutifully serve their obligations as jurors in the state and federal courts here is tragic, as they are made to participate in an engineered justice system that does not honestly reflect the facts of the cases, and that does not even address the parties, who have lost, and suffered, and fought, and suffered, only to do the same again through the orchestrated injustice of the courts, who every single one of them has come to, with great esteem, each and every time, despite the building evidence, only to have another door to justice closed, in violation of the First Amendment, a right to a jury cut off, in violation of the Seventh Amendment, and abuse heaped upon dishonest abuse, all knowingly tolerated by members of the so-called esteemed judiciary, and delivered in the most insulting and demeaning tones. That is justice in the federal courts in the Middle District of Pennsylvania. It is a state of affairs that is no longer sustainable, and time that big, immediate, and serious action is taken to correct.

My experience is largely in central Pennsylvania, but I know it exists elsewhere, and Don Bailey's and my history, without question, reveals its existence in the federal judiciary in Pennsylvania, and through the Third Circuit. It is known that Justice Alito is fully aware of the state of affairs outlined herein in principle, and many of the details, and there are many other highly-placed officials, judges, and the like, who have been made aware, as well.

I had my first encounter with the Disciplinary Board within a few months of writing that Chittister brief. It concerned a matter where I stepped in, at the paid request of a 20 year old girl, struggling to find her way in life, who asked me to help her confront a controlling mother. I was otherwise representing her in one small criminal matter, and a personal injury claim. I wrote a letter asking that she stay out of her daughter's affairs – it wasn't anything that involved or complicated. The mother called me some short time after that, and told me she was going to see to it that I paid for what I did. She then manipulated her daughter's desperate circumstances, stiffed me out of about 8 grand on another matter I was representing the daughter on, and found an all-too-willing comrade in her vendetta with Paul Killion. I have lived a pretty shameful

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history since that time, made public by my own Supreme Court's lack of concern for the privacy of my medical affairs, though I am confident I can deal with those issues myself. Dr. Stefan Kruszewski knows all about them. I suspect you do, too.

I did go through the Lawyers Concerned for Lawyers program, right around this same period of time, and was hooked up with Dr. Kruszewski, who was my "treating" physician through the various healing steps I was undertaking to confront some long-standing personal medical and related problems. Dr. Kruszewski is, in one word (many others will be saved for another time and place), a creep. This doctor, who was paid and/or employed by the Pennsylvania Supreme Court, wanted to talk to me about my penis, wanted to paint naked pictures of me, had his homosexual partners and roommates try to coax me up to his house late at night to meet women, and even told others that Judge Jones has a one-inch penis – I think the word he used was that it was a "button." There is much more that I will have to address about this, but the fact is that the doctor my bar association sent me to is a pervert who, in the end, as will be clearly seen, did much more harm than good. I also note that I went to my "mentor" at Judge Conner's former firm, Mette, Evans & Woodside in or around 1995 seeking some help and guidance, and I was terminated not long thereafter.

As you know, the federal civil rights suit that I built, with the assistance of you and yours who practice lawlessness under the guise of justice, has been voluntarily withdrawn by me, without prejudice, and will be re-filed, at some appropriate point, if necessary, in the future. The thrust, of course, at this point, is, in addition to those already named, to name all of the individual Justices of the Pennsylvania Supreme Court, and a host of members of the inferior federal judiciary established by Congress, through the authority of Article III of the United States Constitution, and some lawyers, and others, who have done me wrong, personally, in my professional capacity, because of what this system permits. Among them are Penn State University, the McQuaid, Blasko law firm, and persons associated with the Harrisburg Humane Society, and their mistreatment of me and Miles Thomas. I have imagined a number of directions my next complaint will take, and it certainly will be historic, at least as to scope. It is a good case. I have about 45 individuals to be named as defendants already. I may have that many more who have expressed interest in joining such a suit.

Please bear with me and indulge me as I comment on things that do not, on the surface, appear directly-related to the claims in my Complaint, though they are no great stretch beyond those allegations, to be sure. My case covers at least fifteen years of my life, and there are many things that, despite the exercise of all reasonable diligence, I did not discover until revealed to me over the course of the last two years, and it is all continuing. There are no statute of limitations issues, and I am in no hurry to re-file it.

As to the Penn State issues, I saw the Freeh report as the engineered PR political cover tool it was from before it was written, and was confirmed, in spades, thereafter. They are using courts and lawyers to protect courts and lawyers who, ultimately, are responsible for the slime

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and filth that we Pennsylvanians have been subjected to over the past two years. I have, as a lawyer, and through the courts, been telling judges for years about the mistreatment and abuse that goes on at that University, and the culture of control, manipulation, secrecy, lies, and deceit. These federal judges we have here in Harrisburg, however, cannot step out of their Pennsylvania chrony political ways, and don't have the simple courage to call a perjurer a perjurer, because of where their political affiliations, and vengeful motivations, lie. With a single strong rebuke, the federal judiciary could have ended in an instant, with a firm and balanced judicial hand, guided by the wisdom and judgment so clearly spoken of by James Madison in the Federalist Papers, what festered and rotted until it exploded, and ruined lives, and permanently smeared one of the original thirteen colonies with a proven, decades-long, pattern and practice of raping, and violating, and abusing children, and destroying all pride that Pennsylvanians have had in their most esteemed institutions. It's sickening.

I know that James Horne and Wendell Courtney knew in 2002, and Courtney, at least, much earlier, that Jerry Sandusky was raping children at Penn State, and they went on a rampage to protect the institution, and cover-up the known, most heinous, criminal conduct. I wrote about all of this right after the grand jury report was "leaked" to Sara Ganim of the Patriot News, who was then fed information opening up a few rabbit trails to distract people from what the real issue always was – the lawyers knew what happened, and put the protection of this multi-billion dollar cash cow ahead of the welfare of children, and, together with the "kids for cash" scandal, have smeared the lands founded by William Penn for all of human history.

I began drafting an article on the "Louis Fraud report" right after it was released. It is completely transparent, and this recent effort to make Dick Thornburgh the face of the new misinformation campaign, with his phony criticisms of the report, again a distraction, deprives it of all credibility. Rather than finishing my article, I will be including these claims in my re-filed lawsuit, or a separate lawsuit, with Margo Royer, if she is still willing to join, and I very simply under no circumstances will ever stop exposing what has gone on here, so that we can all heal from this awful tragic crime, smear, and proliferation of pure evil. Please read the Writ of Certiorari that Margo Royer filed, and her affidavits in support as well. Incidentally, I would like to know what Rick Santorum, Penn State's most famous alumnus, was doing in the Vatican in 2002, which was the same year that Horne and Courtney were trying to control the known child rape allegations, and the same year that Santorum was given the "Angel of Light Award" from Sandusky's Second Mile Charity.

I think I understand the psychology of the practice of law, and how the honor and esteem we are taught about the American system of justice is what leads to the corruption of the process, in a sense. We all have chosen to go to law school and enter this profession with some sense of the importance and dignity of what we were embarking upon, and, beginning when we step into the law school classroom, became acculturated to it, because we want to believe that we are doing something honorable, and believe that we are, and maybe we make our experience fit that preconceived notion, and adjust our consciences, incrementally, along the way, to the small

compromises we must make to “get along” in this system, and to keep up with the big student loan repayments that many of us have, together with the family obligations, and lifestyle maintenance choices that we all make along the way. The autocratic control of all things related to the judiciary, including the control of the conduct of attorneys, institutionalizes this. Lawyers cannot speak out for fear of retribution. Trust me, those things I said in that Chittister brief were not at all impulsive, were said knowing that I risked personal consequences, and were a constant source of angst and concern for me, but they were right.

The problem, as spelled out on my site, is a structural problem, intrinsic to Article 5, Section 10(c) of the Pennsylvania Constitution, and I will be seeking a declaration from the federal court, wherever and whenever I end up filing my lawsuit, that this provision violates the United States Constitution – First Amendment, separation of powers, equal protection, due process – and must be eliminated. I understand that this is a political issue as well, and also understand that there are, or may be, some Pennsylvania legislators willing to support a measure requesting a constitutional convention to address the issue, and, while I clearly understand that this is something that cannot be negotiated as part of the settlement of my claims, something simply has to be done. This was a deliberate design to create the very autocratic control of which I complain, and, I submit, was inspired by controlling the civil rights movement.

More specifically, with respect to the terms of my settlement, I propose the following:

1. The Bailey disciplinary proceedings be immediately dismissed and withdrawn.
2. My right to appear before the Courts of the United States and represent the interest of American citizens be immediately recognized, without qualification, once I complete the continuing education credits that I am behind on. Frankly, I’ve looked into the issue of “licensing” this right, to a limited extent, and the authority of bar associations, and things of that nature, and I’m not sure that this is a legal arrangement, which, unfortunately, is something that may have to be sorted out by lawyers and courts. To this end, I will accept my “attorney identification number,” 66420, and endorse all filings made with that number, as I had at all times from December 2, 1992, to the present, until such time that the legality of these admission requirements can be fully evaluated by me. I am firmly of the belief that, given the importance of the service we perform to injured American citizens, some measure of competence, and basic standards of conduct must be maintained, and I do believe that the Rules of Professional Conduct capture those standards, and, as I always have, will continue to abide them.

I understand that there are, or may be, some legitimate areas of inquiry that are still open given the record of my prior discipline, and I will prepare a statement in support of my “reapplication,” that I will submit to you, again when I have completed my outstanding educational requirements. To that end, I understand you may also have some outstanding issues that may need to be addressed, and, if you submit to me a written set of interrogatories, I will address my statement to those areas that I believe to be legitimate.

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3. I will accept payment, in a compromised amount, of \$5,000,000, to me, personally, for the actual financial losses that I have suffered over the past 10-15 years as a result of the crooked treatment I and my clients have endured. I never filed a case that was not meritorious, and, at least, that should not have gone before a jury for a determination of the facts, and I am prepared to go back over every single case I ever filed in federal court (your position is that you do have authority over federal court matters), and even state court, and prepare a memorandum that I will submit to a panel of three arbitrators, one chosen by me, one chosen by you, and a neutral they select, demonstrating those factual disputes that warrant a determination by a jury, and a fair estimate of the fees that should, or would, have been awarded to me. I am sure \$5,000,000 will be shown to be a compromised figure.

4. Some provision must be made for all the clients who I have represented who have been hurt and harmed along the way. This would include every client I ever represented in federal court, save Robert and Jean Ann Messarge, and some in state court, as well. Their cases should be reopened, and placed on a trial list, or on a discovery schedule, depending on the procedural phase at which they were dismissed, and I will agree to represent every single one of them in all further proceedings. If the unanimous determination of the panel selected in item 3 is that there are no factual disputes that warrant a trial or further proceedings, I will abide that determination, for the sake of finality, though I will request that any such client be granted the opportunity to appear before the panel for discussion, if they disagree with the rulings. I have been in contact with many, and will be in contact with the rest, of the clients who I believe have been damaged by the course of conduct outlined on my site, and will discuss their rights with them, and determine if they want to join my lawsuit. That lawsuit would conceivably also include every party, lawyer, and insurance carrier who was ever involved in any of these past suits.

5. I will accept payment in the amount of \$1,000,000 to the Pennsylvania Civil Rights Law Network, which will be used for purposes exclusively related to the matters discussed on that site.

6. I want to know why I am on a list whereby my name is associated with my visage alone, and I have to hear "Ostrowski is in the building" when a U.S. Marshal accidentally has his radio turned up too loud, and I overhear it, when I'm on an elevator in the federal building conducting personal business. I never did anything but honor my profession, and treat people well when I was in that building, and I want to know all about how this happened, and I want it fixed. The letter I wrote months ago requesting this is attached.

I will deal with Stefan Kruszewski myself, and anyone who he worked with in his "treatment" of me, and these negotiations do not reflect anything having to do with my claims against him.

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Of course, I clearly understand how this request will be received, but it is a bottom line for me, subject only to negotiations concerning how to effectuate it, and I ask that all communications be in writing and mailed to the address above, and by email to me, because we have had some odd problems with our post office, as well.

Please, again, indulge some additional comments I am directing to others copied on this letter.

First, to President Obama:

1. I have sent Senators Casey and Toomey an abundant amount of information concerning the matters addressed herein, and, in December, 2011, specifically asked that they call Don Bailey to talk about what is going on with his disciplinary case. I delivered an additional package of information, including a copy of the lawsuit that I filed, to each of their offices on February 6, 2013, as well. I have been in contact with Senator Leahy's staff, as well, and asked for their help. While there is some evidence that they have taken some of what I have said into consideration, no one has called him. I am most respectfully requesting that you please call Don Bailey about these matters. He has not been working from the office much lately, but the number there is 717-221-9500, his cell phone number is 717-919-3837. I am asking that you contact him. You are free to contact me, as well.

2. I also want to take the opportunity to address the tragic and irresponsible course that our legislature, and you, though, I believe, to a lesser degree, has put this country on over these ongoing fiscal catastrophe matters, which are tearing our national psyche apart. I have a proposal to deal with it, and it goes like this: put your wife and those qualified 12 or 13 female Senators you have to the task of fixing this economy. Have them assemble a team of 535 women from around the country, to reflect the congressional delegation (Senate and House) of each state, comprised of an equal number, or as equal as possible, of Republicans, Democrats, and Independents. Tell them that our children are suffering, and will all have a very bad life if we don't get this economy fixed. Give them the entire federal budget, and ask them to come up with a plan for our future – give them a year to do it, or an appropriate time. When they are done, present the plan to the Congress, and let them debate it and vote on it.

I predict that what you will find is that women have powers and abilities far beyond any man or group of men could ever match, and that our economy will turn around, will not collapse, and will provide bright futures for us all. It is an absolute travesty that in such a great nation, founded on such pure principles, with all the wealth and opportunity we have, that all we hear about is collapse, and austerity, and sequestration, and that there is never anything positive we hear. You and the Congress are not going to do it under the conditions that currently exist, and something innovative must be done. This intransigence, and incompetence, is way out of control. I think that the only reason a lot of these men like to run for office is because it empowers them to be able talk about "trillions" of dollars with a straight face.

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3. Don filed a lawsuit, on which I am a party as well, against Tom Corbett and Pennsylvania House Leader Turzai over the voter id issues that really does get to the heart of the matter. Please take a look at it, and I am sure Don would discuss that with you, as well. That was a terrible thing that these Republicans did to the right to vote. I have some ideas as well, but I am deferring to Don on all these matters.

4. In my view, the civil rights movement died, maybe by design, when Lyndon Johnson chose not to run for reelection, and, while we picked up a few politically correct sensitivities to words and symbols, and things of that nature, along the way, bigotry is as alive as ever America, and we must find a way to finish the work started by Abraham Lincoln, which is something that may take another generation or two, but surely could and should be done. I watched the speech you recently gave about your immigration proposals, and, as you went through your list of foreign lands from which Americans emigrated, listened intently for you to mention Poland, the land of my ancestors, and felt that sense of pride that I always feel when I hear that association. Twelve percent, or so, of our population will never be able to call themselves "immigrants," and feel those feelings that I felt when you mentioned the land of my ancestors. That wound needs to be healed.

While we're at it, we should do something a little more substantive to address the native American issues. Everything we have ever done to address those natives whose lands we have come to inhabit is based on the "rightness" of "conquest" as a valid legal claim of right. It was a principle constructed as a justification for our consciences at the time, and the way we have treated these people. I, personally, don't like that on my national conscience, and hope, at some point, someone goes back and revisits those issues.

To Senators Casey and Toomey:

1. In addition to calling Don Bailey, or me, I am requesting you to take action to have a special counsel appointed to conduct an investigation into what has been going on here in the Middle District for the last 25 years, or so. It is all outlined on my site, and there are names of persons involved in the misconduct, as well as a separate list of persons I have assembled.

2. You should immediately initiate impeachment proceedings against, at least, Judges Christopher Conner, John Jones, and Yvette Kane. These are terrible people, and no better as judges, anyway. They need to go, and they need to go now, and, maybe a little pressure from you will usher that in. I'm not sure if impeachment proceedings apply to Marty, but he needs to go, too. A Magistrate Judge by the name of Susan Schwab was just appointed. She's a brilliant woman, and talented, compassionate, and creative. You should recommend her as a regular status District Judge, and I am sure she'd make a great president Judge.

3. I presented a copy of a speech that Don gave on the House floor on May 24, 1979, Congressional Record, Volume 125, Number 67, to each of your aides on February 6, 2013. My

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request to each of you was to “help the man who delivered this speech.” Item 1 outlines what immediate help that I think can be given, and you should contact him and ask him what you can do to help. I am making one additional request, on behalf of me and the Pennsylvania Civil Rights Law Network, and that is to name the new federal building to be constructed on Sixth Street in Harrisburg the “Don Bailey United States Courthouse,” and find a place in the plans for the prominent display of that passionate speech he gave, at the age of 33, which captures the essence of everything we, as Americans, should be thinking of when we thank our troops for their service, and say “God bless America.” I intend to pay for a trip to Vietnam, or down the Amazon, or both, for this heroic man – he needs a break - and I really think that you should do something to help honor the commitment he has made to our country. I couldn’t help but notice that each of you had, in addition to the flags of the United States of America and the Commonwealth of Pennsylvania, the “POW/MIA” flags outside of your offices. I trust that you have not forgotten the meaning behind these symbols, and that you consider my request accordingly.

I thank you all for your consideration of this effort to settle valid and legitimate legal claims. Though I say I “built this lawsuit,” which I did, every step along the way was taken with the sincere hope that we could all find some way to turn this all around, and to avoid going down the road we are going. The courts in America are broken, and they have proven incapable, or unwilling, to bring discipline upon themselves, and this is everything that I can do to make every effort I can to stop this from going down the despotic road it is going down, and the options that we, as a country, and as individual sovereigns, will soon be left with if something is not done.

I will look forward to your response(s).

Respectfully,

Andrew J. Ostrowski

cc: The Vatican
President Barack H. Obama
Senator Robert Casey
Senator Pat Toomey
Justices of the United States Supreme Court
Justices of the Pennsylvania Supreme Court
James Horne, Esquire
Pamela Collis, Esquire
Don Bailey, Esquire
Pennsylvania Civil Rights Law Network