

UNITED STATES DISTRICT COURT

for the

Central District of California



RICHARD L. CAIN, an individual

Plaintiff(s)

v.

BARACK H. OBAMA, President of the United States

(See Attached)

Defendant(s)

Civil Action No.

CV14-05735

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

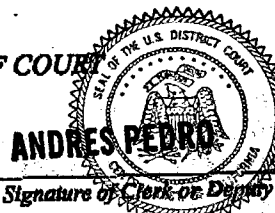
RICHARD L. CAIN
740 GARDEN STREET
SANTA BARBARA, CA 93101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

7/23/2014

CLERK OF COURT



ANDRES PEDRO

Signature of Clerk or Deputy Clerk

1 Richard L. Cain
2 PO Box 91756
3 Santa Barbara, California 93190
4 Telephone: 805-252-8615
5 E-mail: cainrl@tjssl.edu

6 Attorney for Plaintiff: In Pro Se

7 **THE UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**

9
10 RICHARD L. CAIN, an individual.

11 Plaintiff,

12 vs.

13 BARACK H. OBAMA, President of the
14 United States; UNITED STATES
15 DEPARTMENT OF DEFENSE;
16 CHUCK HAGEL, in his official and
17 individual capacity as Secretary of
18 Defense; UNITED STATES
19 CENTRAL INTELLIGENCE
20 AGENCY, John O. Brennan, in his
21 official and individual capacity as
22 Director of the Central Intelligence
23 Agency; SPACE AND NAVAL
24 WAREFARE SYSTEMS COMMAND
25 (SPAWAR), Pat Brady, in his official
26 and individual capacity as Chief of
27 Naval Operations; UNITED STATES
28 ARMY RESEARCH MATERIEL
COMMAND, John Mchugh, in his
official capacity and individual capacity
as Secretary of the Army; LEVEL 3
COMMUNICATIONS, a Private
Entity; ALFRED MANN

Case No.:

**COMPLAINT FOR DAMAGES:
CIVIL RIGHTS VIOLATIONS;
DECLARATORY; AND
INJUNCTIVE RELIEF.**

("BIVENS ACTION")

- (1). Bivens: Conspiracy to violate, 4th Amendment, Unreasonable Search And Seizure; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).
- (2). Bivens: Conspiracy to violate, 5th and 14th Amendments, Due Process Rights; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).
- (3). Bivens: Conspiracy to violate, 8th Amendment, Cruel and Unusual Punishment; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).

1 FOUNDATION, a private entity;
2 COTTAGE CENTER FOR
3 ADVANCED IMAGING, a Private
4 Entity; COTTAGE HEALTH
5 SYSTEM, a Private Entity; DIGNITY
6 HEALTH, a Private Entity; SANSUM
7 CLINIC, a Private Entity; PUEBLO
8 RADIOLOGY, a Private Entity; KAI
9 KINDER, MD-R., in his individual
10 capacity; SEAN SNODGRES, M.D., in
11 his individual capacity; ALI R.
12 SEPHARDI, M.D., in his individual
13 capacity; STEVEN HARTZMAN,
14 M.D., in his individual capacity;
15 THOMAS C. DAUGHTERS, M.D., in
16 his individual capacity; ARTHUR A.
17 LEE, M.D., in his individual capacity;
18 NISHANT MEHTA, M.D., in his
19 individual capacity; DONALD RINK,
20 M.D., in his individual capacity;
21 RAYMOND MASTROVITO, M.D., in
22 his individual capacity; RAMONA
23 CLARK, M.D., in her individual
24 capacity; JOHN WRENCH, M.D., in
25 his individual capacity; KATHLEEN
26 PONJUNAS, M.D., in her individual
27 capacity; JEFFREY HADSALL, M.D.,
28 in his individual capacity; KENNETH
R. DAUGHTERS, in his individual
capacity; SIMONMED IMAGING, a
private entity; SANSUM DIABETES
RESEARCH INSTITUTE, a private
entity; Unknown Federal Agents; and
DOES 1 through DOES 100,

Defendants,

(4). Bivens: Conspiracy to Violate; Cal
Civil Code 52.7; in violation of
(42 U.S.C § 1983, 42 U.S.C. §
1985, and 42 U.S.C. § 1986).

**Exhibits and Medical Expert Witness
Declarations are Herein Attached.**

DEMAND FOR JURY TRIAL.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

(a) PLAINTIFFS (Check box if you are representing yourself) **DEFENDANTS** (Check box if you are representing yourself)

RICHARD L. CAIN, an individual

(b) County of Residence of First Listed Plaintiff SANTA BARBARA **County of Residence of First Listed Defendant** _____
(EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

RICHARD L. CAIN (805-252-8615)
740 GARDEN ST.
SANTA BARBARA, CA 93101

II. BASIS OF JURISDICTION (Place an X in one box only.)

1. U.S. Government Plaintiff 3. Federal Question (U.S. Government Not a Party)

2. U.S. Government Defendant 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State	PTF <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

1. Original Proceeding 2. Removed from State Court 3. Remanded from Appellate Court 4. Reinstated or Reopened 5. Transferred from Another District (Specify) 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) (BIVENS ACTION) VIOLATION OF 4TH, 5TH, 8TH, AND 14TH AMENDMENTS

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY	TORTS	IMMIGRATION	CRIMINAL	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> Habeas Corpus:	<input type="checkbox"/> 820 Copyrights	
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent	
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark	
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument			<input type="checkbox"/> 530 General	<input type="checkbox"/> 881 HIA (1395ff)	
<input type="checkbox"/> 450 Commerce/ICE Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 862 Black Lung (923)	
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))	
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 55ID Title XVI	
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))	
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle		<input type="checkbox"/> 690 Other		
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input checked="" type="checkbox"/> 440 Other Civil Rights			
<input type="checkbox"/> 893 Environmental Matters		<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act		
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Veiled Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations		
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act		
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act		
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation		
		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act			

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court?

Yes No

If "yes," skip to Question B. If "no," check the right that applies, enter the pending division in response to Question E, below, and continue from there.

STATE CASE WAS PENDING IN THE COUNTY	INITIAL DIVISION IN COURT
<input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo	Western
<input type="checkbox"/> Orange	Southern
<input type="checkbox"/> Riverside or San Bernardino	Eastern

QUESTION B: Is the United States, or any of its agencies or employees, a party in this action?

Yes No

If "yes," skip to Question C. If "no," answer Question B.1, at right.

B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.?

check one of the boxes to the right →

YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.

NO. Continue to Question B.2.

B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)

check one of the boxes to the right →

YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.

NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

QUESTION C: Is the United States, or any of its agencies or employees, a party in this action?

Yes No

If "yes," skip to Question D. If "no," answer Question C.1, at right.

C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.?

check one of the boxes to the right →

YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.

NO. Continue to Question C.2.

C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)

check one of the boxes to the right →

YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.

NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

QUESTION D: Location of plaintiffs and defendants	Orange County	Riverside or San Bernardino County	Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
Indicate the location(s) in which 50% or more of plaintiffs who reside in this district reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location(s) in which 50% or more of defendants who reside in this district reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

D.1. Is there at least one answer in Column A?

Yes No

If "yes," your case will initially be assigned to the SOUTHERN DIVISION.

Enter "Southern" in response to Question E, below, and continue from there.

If "no," go to question D2 to the right. →

D.2. Is there at least one answer in Column B?

Yes No

If "yes," your case will initially be assigned to the EASTERN DIVISION.

Enter "Eastern" in response to Question E, below.

If "no," your case will be assigned to the WESTERN DIVISION.

Enter "Western" in response to Question E, below. ↓

QUESTION E: INITIAL DIVISION

Enter the initial division determined by Question A, B, C, or D above: → WESTERN

QUESTION F: Nonparty residence

Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? Yes No

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court? NO YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any cases previously filed in this court? NO YES

If yes, list case number(s): _____

Civil cases are related when they:

- A. Arise from the same or closely related transactions, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges.

Check all boxes that apply. That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):** RICHARD L. CAIN

DATE: 07/22/2014

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 9-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

FILED
CLERK, U.S. DISTRICT COURT
JUL 23 2014
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

Richard L. Cain
PO Box 91756
Santa Barbara, California 93190
Telephone: 805-252-8615
E-mail: cainrl@tjisl.edu

Attorney for Plaintiff: In Pro Se

THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICHARD L. CAIN, an individual

Case No. **CY14-05735-DMG(E)**

Plaintiff,

vs.

BARACK H. OBAMA, President of the United States; UNITED STATES DEPARTMENT OF DEFENSE; CHUCK HAGEL, in his official and individual capacity as Secretary of Defense; UNITED STATES CENTRAL INTELLIGENCE AGENCY, John O. Brennan, in his official and individual capacity as Director of the Central Intelligence Agency; SPACE AND NAVAL WAREFARE SYSTEMS COMMAND (SPAWAR), Pat Brady, in his official and individual capacity as Chief of Naval Operations; UNITED STATES ARMY RESEARCH MATERIEL COMMAND, John Mchugh, in his official capacity and individual capacity as Secretary of the Army; LEVEL 3 COMMUNICATIONS, a Private Entity; ALFRED MANN

**COMPLAINT FOR DAMAGES:
CIVIL RIGHTS VIOLATIONS;
DECLARATORY; AND
INJUNCTIVE RELIEF.**

("BIVENS ACTION")

- (1). Bivens: Conspiracy to violate, 4th Amendment, Unreasonable Search And Seizure; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).
- (2). Bivens: Conspiracy to violate, 5th and 14th Amendments, Due Process Rights; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).
- (3). Bivens: Conspiracy to violate, 8th Amendment, Cruel and Unusual Punishment; in violation of (42 U.S.C § 1983, 42 U.S.C. § 1985, and 42 U.S.C. § 1986).

1 FOUNDATION, a private entity;
2 COTTAGE CENTER FOR
3 ADVANCED IMAGING, a Private
4 Entity; COTTAGE HEALTH
5 SYSTEM, a Private Entity; DIGNITY
6 HEALTH, a Private Entity, SANSUM
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9 KINDER, MD-R., in his individual
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11 his individual capacity; ALI R.
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21 RAYMOND MASTROVITO, M.D., in
22 his individual capacity; RAMONA
23 CLARK, M.D., in her individual
24 capacity; JOHN WRENCH, M.D., in
25 his individual capacity; KATHLEEN
26 PONJUNAS, M.D., in her individual
27 capacity; JEFFREY HADSALL, M.D.,
28 in his individual capacity; KENNETH
R. DAUGHTERS, in his individual
capacity; SIMONMED IMAGING, a
private entity; SANSUM DIABETES
RESEARCH INSTITUTE, a private
entity; Unknown Federal Agents; and
DOES 1 through DOES 10

Defendants,

(4). Bivens: Conspiracy to Violate; Cal
Civil Code 52.7; in violation of
(42 U.S.C § 1983, 42 U.S.C. §
1985, and 42 U.S.C. § 1986).

**Exhibits and Medical Expert Witness
Declarations are Herein Attached.**

DEMAND FOR JURY TRIAL.

I. PRELIMINARY STATEMENT

1
2
3 1. This public interest case arises from an evolving criminal conspiracy
4 perpetrated by: the **UNITED STATES DEPARTMENT OF DEFENSE (DOD)**
5 and its components, partnerships, grant recipients, and its defense subcontractors,
6 who authorized, funded, conspired, and concealed the fact that the Plaintiffs are
7 human research subjects; that they have been covertly and nonconsensually
8 implanted with (BION1) and (MEMS) submillimeter and millimeter prototype
9 military grade biomedical devices; that they have been placed in harm's way by the
10 government's and its cohorts' subterfuge of using technologically advanced
11 systems to violate the Bill of Rights as Amended into the Constitution of the
12 United States.

13 Defendants' devices are Radiofrequency (RF) controlled and powered. They
14 have, over the past decades, been specifically developed for the Department of
15 Defense and are capable of data collection, human research, surveillance, behavior
16 modification, and many other heinous crimes. In this case, defendants' medical
17 devices were illegally implanted into the bodies of the Plaintiff and his two minor
18 children while each were under the defendants' care and control at different times
19 and within different medical facilities which happen to be partnered with the
20 **DEPARTMENT OF DEFENSE** via direct money grants and written contracts.

21 2. The nanotechnology devices (BION and MEMS) are lawfully
22 manufactured. However, in this case, they are unlawfully used. They are designed
23 to send electrical stimulation directly into the muscles and other body parts of
24 consenting patients. Defendants, herein, are using the radiofrequency devices for
25 nonconsensual behavior modification and mind altering purposes. Plaintiffs have
26 and will continue to experience emotional stress, human suffering, physical pain
27 and mental anguish because of the inducement of electrical stimulation via the
28

devices throughout their bodies; absent injunctive relief and monetary redress by this Honorable Court.

II. INTRODUCTION

3. This is a complaint for monetary damages, declaratory and Injunctive relief by Plaintiff RICHARD L. CAIN an individual, and arising under 42 U.S.C. §§ 1983, 1985 and 1986, and the supplemental state law claim actionable under California Civil Code § 52.7. Injunctive relief is paramount as rouge government agents are interfering with the Plaintiffs civil and Constitutional rights to medical care, treatment, and right to counsel. Defendants are using National Security Letters (NSL'S) to prevent the evidence / biomedical devices from being removed from their bodies. The electrical devices are capable of causing loss of life and permanent injuries if they are not removed as quickly as possible.

4. This Biven's action also seeks punitive damages from the Department of Defense, its components, partnerships, grant recipients, its defense subcontractors and rouge government agents for their roles in the conspiracy and scheme which consisted of fraudulent diagnosis of high blood pressure and asthma which were designed to conceal the existence of the covertly implanted experimental prototype biomedical devices. All of the biomedical devices are invasive, but the most barbaric implants have been discovered in the skull and brain of the Plaintiff, and are known in the biomedical community as "Remote Neural Monitoring" (RNM) (RF) devices. Essentially the devices are brain and skull electronic devices. Plaintiffs have been implanted with two different types of biomedical devices which are the subject of this litigation. The two different discovered devices are the (AMF) (BION1) Radiofrequency Microstimulators (RFM) which are 2 mm in diameter x 16 mm in length and the Microelectromechanical Systems (MEMS)

1 (AMF) (BION1) Radiofrequency Microstimulators (RFM) which are 2 mm in
2 diameter x 16 mm in length and the Microelectromechanical Systems (MEMS)
3 "microstimulators which are submillimeter and millimeter in size and have been
4 found implanted throughout the bodies of the plaintiff and his two minor children.
5 All of the devices have been traced back to Fort George G. Meade, Maryland.
6 Defendants actions are violative of the Plaintiffs 4th, 5th, 8th and 14th Amendments
7 of the United States Constitution. An outline of how the Defendants remotely
8 surveiled and tortured the Plaintiffs by triggering the Radiofrequency
9 Microstimulators (RFM) biomedical devices is hereto attached as **Exhibit 1**.

10 5. Defendant Department of Defense (DOD) is responsible for oversight
11 needed to deter war and to protect the security of our country. Within (DOD) the
12 Director of Defense Research and Engineering is responsible for the oversight and
13 advocacy of all research and engineering programs and serves as the Chief
14 Technology Officer of the Department of Defense. This includes responsibility for
15 Science and Technology programs (consisting of Basic Research, Applied
16 Research, and Advanced Technology Development) and Advanced Component
17 Development and Prototypes programs.

18 6. Defendant Department of Defense (DOD) component organizations
19 include the Military Departments and the Defense Agencies, which are responsible
20 for management and execution of programs and projects associated with research
21 and technology broadly, including nanotechnology. Numerous Component
22 organizations within (DOD) are involved in nanotechnology research and
23 development including: United States Army Medical Research Materiel Command
24 (USAMRMC); Space and Naval Warfare Systems Command (SPAWAR); Air
25 Force Office of Scientific Research (AFOSR); Army Engineering R&D Center;
26 Army Research Laboratory (ARL); Army Research Office (ARO); Defense
27 Advanced Research Projects Agency (DARPA); Office of the Director, Defense
28

1 Research & Engineering (ODDR&E); Defense Threat Reduction Agency (DTRA);
2 and Office of Naval Research (ONR).

3 7. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractors, Alfred Man Foundation, Second Sight LLC, and
5 Advanced Bionics developed the (BION) "microstimulators" under the
6 Department of Defense U.S. Naval Space Warfare Centre (SPAWAR) contract #
7 N6600106C8005 and for the CIA detainee program. The devices are currently
8 classified pursuant to an executive order and are alleged to in the interest of
9 "NATIONAL SECURITY" and which applies to the CIA Director's "statutory
10 obligation to protect from disclosure, intelligence sources and methods".

11 8. Defendants are now attempting to hide the contract / evidence in
12 anticipation of this Litigation By alleging that contract # N6600106C8005 is only
13 associated with the John Hopkins University, Biomedical Research Projects and
14 funded by the U.S. Navy.

15 9. Department of Defense, its components, partnerships, grant recipients,
16 and or its defense subcontractors and the Alfred Mann Foundation (AMF) with
17 funding from National Institutes of Health (NIH) Neural Prosthesis Program
18 contract # N01-NS5-2325, which was funded by the (DOD), developed the
19 Microelectromechanical Systems (MEMS) nanotechnology submillimeter and
20 millimeter nanotechnology devices which are powered by radiofrequency (RF) and
21 or Battery. (AMF) held contracts from William Heetderks at the National Institutes
22 of Health (NIH). NIH funded (AMF) which is a Central Intelligence Agency (CIA)
23 Special Access Program (SAP) developer of the (MEMS) implants under Naval
24 Space Warfare (SPAWAR). (AMF) has publicized its development of (MEMS)
25 microstimulators. The (RF) devices also function as Radiofrequency Identification
26 Devices (RFID's), and which receive a radio signal that is translated into an
27 electrical signal powering the implant to discharge an electrical pulse into either
28

1 the nervous system or a muscle. This signal also discharges an echo back of
2 information for the purpose of data collection, and tracking. The nanotechnology
3 devices were also, developed under the Defense Advanced Research Projects
4 Agency (DARPA) programs of Tony Tether, Col. Geoffrey Ling and N.I.H
5 programs of William Heetderks and have been protected as a Defense "**Special**
6 **Access Program**"¹ (SAP), which is the official terminology for a "**black**
7 **project**".

8 10. Department of Defense, its components, partnerships, grant recipients,
9 and or its defense subcontractors implanted or injected their biomedical intellectual
10 property into the bodies of the Plaintiff's. The research has resulted in implantable
11 devices that are millimeter and submillimeter in size, and can be surreptitiously
12 implanted, and are fabricated in a manner that the devices in some cases cannot be
13 detected or localized by clinical medical or radiology techniques and provides a
14 vast amount of surveillance capability regarding subject's activities which may
15 include visual and auditory biofeedback data. Additionally, the devices are capable
16 of delivering testosterone or any other biological agents.

17 11. Department of Defense, its components, partnerships, grant recipients,
18 defense subcontractors and (AMF) developed a family of (BION) transponders,
19 microrstimulators and microelectrodes. The patent licensing for the (AMF) (BION)
20 transponder implant is at 400MHz. This means that the Defendants, deputized
21 neighbors, and rouge government agents can communicate with the implanted (RF)
22 controlled device in excess of 200 feet or more. Intel Corps FCC comments, state
23 that even at 25 μ -watt (less than 1-milliwatt), Intel was able to use 403MHz (same
24 as Mann Foundation license) to achieve a range of approximately 1600 meters. A
25 true copy of the (AMF) patent and family of (BION) transponders /
26 microstimulators is herein attached as **Exhibit 2**.

1 12. Defendant Department of Defense, its components, partnerships, grant
2 recipients, and or its defense subcontractors also implanted associated devices into
3 the bodies of the Plaintiffs. The devices include but are not limited to
4 microtransducers, transmitters, coils, transducer-telemeters, and stimulating
5 metallic electrodes, power receivers, control circuitry, digitizer, telemetry circuitry,
6 and other unknown biomedical devices, and all of them assist in the primary
7 purpose of data collection, tracking, and human research related surveillance.

8 13. Department of Defense, its components, partnerships, grant recipients,
9 and or its defense subcontractors were supposed to use the electrical stimulating
10 devices for lawful purpose and for the Neural Prosthesis Program (NPP) of The
11 National Institute of Neurological Disorders and Stroke for functional
12 neuromuscular stimulation (FNS) in spinal cord injured individuals. Instead rouge
13 elements of the government and their partners covertly implanted the devices into
14 the Plaintiff's and used them as guinea pigs for testing, while at the same time
15 torturing them. The implantable or injectable microstimulators were designed to
16 selectively stimulate paralyzed muscles in a controlled fashion to permit an
17 individual to use his or her own muscles as the motors to produce limb movement.
18 Multiple implantable microtransducers that sense contact, grasp force, and limb
19 position from either implanted transducers or intact sensory receptors may provide
20 sensory feedback from an otherwise insensate limb. This explains the why the
21 Minor children of the Plaintiff were observed experiencing uncontrolled limb
22 movements, flailing about in their sleep, complained of pain, and experienced
23 ("distressful breathing") while they attempted to slept. The remote triggering of the
24 (RF) devices caused the minor children to be rushed to the emergency room and
25 urgent care facilities on numerous occasions for which no expiation could be given
26 as to the cause of their discomfort. The partnership of rouge government agents,
27 medical facilities, and physicians conspired to implant the (RF) devices into the
28

1 bodies of the Plaintiffs. As sinister as it may be, there is clear and convincing
2 evidence which suggests that the minor children were implanted at birth.

3 14. Department of Defense, its components, partnerships, grant recipients,
4 and or its Defense subcontractors, true objectives are crystal clear and involve the
5 targeting an African American males. The scheme involved diagnosing the
6 Plaintiff as having high blood pressure and the minor children as having asthma.
7 Both are alleged to be a staple of the African American community and automatic
8 at a particular age.

9 15. Department of Defense, its components, partnerships, grant recipients,
10 and or its defense subcontractors, knew or should have known that in fact that their
11 implanted and or injected Microelectromechanical systems (MEMS) (RF)
12 controlled and powered submillimeter and millimeter nanotechnology devices,
13 which were designed to administer an electrical pulsation into the muscles or
14 nerves and are capable of mimicking typical medical symptoms depending on
15 where they are implanted, are the sole causes of the Plaintiff's alleged high blood
16 pressure, and asthma "like" symptoms. If Plaintiff had not discovered the devices.
17 He would have certainly become a candidate for alleged diabetes and heart failure.

18 16. Department of Defense, its components, partnerships, grant recipients,
19 and or its defense subcontractors, scheme to implant, and conceal the (RF) devices
20 / evidence is well funded, and consists of caucasian physicians, surgeons, and
21 rouge government agents, whom all seem to have the "Willie Lynch Syndrome"
22 and who somehow are blinded to the obvious implanted biomedical (RF) devices
23 which appear in the x-rays, CT scans, and MRI's of the Plaintiff's. Once the
24 devices have been implanted into the body. They are difficult, if not impossible to
25 remove them absent a risk of death and or permanent injury. Essentially the
26 Plaintiffs, victims and or human research subjects are now owned by the
27 perpetrators and are enslaved forever.

1 17. Plaintiffs investigation and discoveries to date point squarely in the
2 direction of the Department of Defense, its components, partnerships, grant
3 recipients, defense subcontractors and their deputized physicians and surgeons.
4 Plaintiffs evidence also suggests that the crimes they have been subjected too are
5 race based and that the electrical stimulating devices are essentially being used as
6 tools of control, behavior modification, and to effectuate hate crimes.

7 18. Department of Defense, its components, partnerships, grant recipients,
8 and or its defense subcontractors, at the conclusion of their experiments then
9 conspired to document alleged strange happening or informed events in an effort to
10 make their human research subjects appear to be mentally ill. Plaintiff began
11 asking questions of his Sansum Clinic primary care physician, when none of the
12 prescribed medications seemed to tame his out of control blood pressure. Soon
13 thereafter Defendants in their cruel and unusual fashion began to punish him by
14 commencing alleged Domestic-Counterterrorism tactics by ratcheting up the
15 triggering of the (RF) devices in an attempt cause the Plaintiff to become crazed,
16 while adding intense surveillance coupled with sirens of emergency services
17 vehicles in an attempt to cause the Plaintiff to have a mental breakdown. If the
18 Plaintiff had experienced a mental breakdown and informed anyone in the mental
19 health field of such occurrences he would have been jailed or mentally
20 institutionalized, thus providing covert cover for the Defendants and forever
21 concealing the existence of the implanted (RF) devices.

22 19. Department of Defense, its components, partnerships, grant recipients,
23 and or its defense subcontractors, law enforcement, and intelligence agencies have
24 been able to surveil the Plaintiffs by way of the implanted (RF) devices since
25 4/4/2004. The (RF) devices have allowed the Plaintiffs to be tracked anywhere in
26 the U.S., the world, and even inside their residence in real time. Essentially the
27 (RF) devices are capable of sending and receiving communications. Defendants
28

1 have been able hear all communications, and view all public and private contacts
2 by way of their implanted cochlear and visual prosthesis.

3 20. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractors, abused National Security Letters (NSL's) and
5 used telephonic communications citing "**National Security**" in order to obstruct
6 Plaintiffs ability to acquire medical care, removal of devices, and their right to
7 counsel. Defendants seem to think that disseminating (NSL's) trump the Plaintiffs
8 Constitutional rights. Especially, when there is not a shred of evidence of their
9 involvement in a single crime against the interests of the United States of America
10 (U.S.A) or anyone else. Defendants are merely using the words "**National**
11 **Security**" to mask their unlawful human research and barbaric crimes which have
12 been subjected upon the Plaintiffs who are innocent law abiding U.S. citizens.

13 21. Department of Defense, its components, partnerships, grant recipients,
14 and or its defense subcontractors, objectives have been clearly are outlined in their
15 Research and Development (R&D) proposal which was prepared by the Rand
16 National Defense Intelligence Council for the Department of Defense (DOD),
17 Director of the Central Intelligence Agency (CIA) under contract # DASW01-95-
18 C0069. The University of California Santa Barbara, Center for Bio Engineering
19 and Center for Nanomedicine were instrumental in the R & D proposal which has
20 been approved by the Department of Defense. A true copy of the R&D proposal is
21 hereto attached as **Exhibit 3**.

22 22. Department of Defense, its components, partnerships, grant recipients,
23 and or its defense subcontractors, and (AMF) developed implantable and or
24 injectable (MEMS) submillimeter and millimeter nanotechnology devices that are
25 non-ferrous resulting in devices which on occasion may not be localized by clinical
26 radiology methods. The devices are capable of recording biological data such as
27 EEG, EMG, EKG data, and are the basis for auditory, visual, and motor prosthetic
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1 technology. The devices are also capable of delivering electrical current into the
2 biological system and feature bi-directional wireless telemetry using Federal
3 Communications Commission (FCC) regulated spectrums. The United States
4 Defense (DOD) Spectrum Organization oversees the development and
5 implementation of the devices in order to protect military's interests. A true copy
6 of the 11/30/2011 (FCC) report and order which outlines the (RF) utilized by
7 (AMF) is herein attached as **Exhibit 4**.

8 23. Defendant Department of Defense, its components, partners, and or its
9 third party subcontractors, authorized and funded by way grants the University of
10 California Santa Barbara, Sansum Clinic, Cottage Health System, Sansum
11 Diabetes Research Institute, and Dignity Health. Defense Department components,
12 Defense Advanced Research Projects Agency (DARPA), and the US Army
13 Medical Research and Materiel Command (USAMRMC) funded "**THE**
14 **CAMPAIGN**" on biomedical research which involves nanomedicine research and
15 the development of nanotechnology devices the monies trickle down and directly
16 through the Sansum Clinic Diabetes Research Institute to its Sansum Clinic's. The
17 Sansum Clinic's employ or contract with 1,200 physicians, staff and scientists who
18 represent more than 30 medical specialties and subspecialties at 23 patient care
19 locations. Since the Cottage Health System, Dignity Health, and Sansum Clinic's
20 have a monopoly on Urgent care facilities and hospitals on the Central Coast. They
21 are able to use any number of their more than 1,200 physicians to covertly implant
22 the experimental biomedical military grade (RF) controlled devices. A true copy
23 of the Defendants published brochure which outlines their partnership is herein
24 attached as **Exhibit 5**.

25 24. Defendant Department of Defense, its components, partners, and or its
26 third party subcontractors, authorized, funded and conspired to implant the
27 Plaintiffs with the above described (RF) devices without warrant, consent or
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1 privilege for the sole purpose of human research. Defendants and co-conspirator's
2 Cottage Center for Advanced Imaging, Pueblo Radiology, Cottage Health System
3 Radiology Department, and the Sansum Clinic Radiologists falsified X-rays,
4 MRI's, CT Scans and their related reports in order to conceal the existence of the
5 government (RF) controlled and powered nanotechnology devices in furtherance of
6 the conspiracy. Defendants scheme also involves labeling the (RF) devices a being
7 lymphomas, artifacts, fatty tissue, and any other medical term that will allow them
8 to mask their illegalities.

9 25. Plaintiffs contend that they are human research subjects by way of the
10 good ole boys network and that it is not a coincidence that Charles Peterson,
11 M.D., the Chief Scientist for Telemedicine and Advanced Technology Research
12 Center (TATRC) and who was the Director of Research, Medical Director, and
13 ultimately the CEO, of the Sansum Clinic Medical Clinic aka (Sansum Clinic) until
14 he became employed by (TATRC) in September of 2008. Dr. Peterson's current
15 employment with (USAMRMC) and (TATRC) is herein attached as **Exhibit 6**.

16 26. Defendant (TATRC) performs medical reconnaissance and special
17 operations to address critical gaps that are underrepresented in (DOD) medical
18 research programs. (TATRC) is an office of the headquarters of the US Army
19 Medical Research and Materiel Command (USAMRMC). (TATRC) fosters
20 research on health informatics, telemedicine/m-Health, medical training systems,
21 and computational biology, and promotes and manages science and engineering in
22 other key portfolios. Through an extensive network of partners, (TATRC) is
23 focused at both ends of the research spectrum, exploring models of high risk and
24 innovative research, and putting research findings into the hands of warfighters
25 while looking toward wider civilian utility. (TATRC) augments core medical
26 research programs through special funding and partnership opportunities.
27 (TATRC) is based at Fort Detrick, Maryland. (TATRC) is able to view a patient's
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1 medical records and their movements by way of the implanted (RF) devices in real
2 time.

3 27. Defendant Department of Defense, its components, partners, third party
4 subcontractors, and private corporate health care providers who contract with
5 government agencies are not entitled to qualified immunity. (See, McDuffie v.
6 Hooper, 982 F.Supp. 817 (M.D. Ala. 1997); Hartman v. Correctional Medical
7 Services, Inc., 960 F.Supp 1577, 1582 (M.D. Fla. 1996); Smith v. United States,
8 850 F.Supp 984, 986 (M.D. Fla. 1994). In Wyatt v. Cole 12 and Richardson v.
9 McKnight, 13. The Court held that private individual defendants did not enjoy the
10 qualified immunity which might be available to government defendants. In this
11 case none of the Defendants are eligible for qualified immunity. Any Private Entity
12 or person who acts under color of law may be a defendant. Defendant medical
13 facilities, physicians, surgeons, and defense Attorneys engaged in a conspiracy to
14 violate the Plaintiff's civil rights under 42, U.S.C. §1983, 1985, and 1986 by
15 conspiring to conceal evidence and obstruct justice.

16 28. Plaintiff provides this court with a prelude to a plethora of uncovered
17 evidence in this case. Plaintiff's minor child C.A.C. who was born on 3/3/2006 at
18 the Santa Barbara Cottage Hospital underwent an x-ray of his chest on 4/3/2012,
19 after experiencing numerous episodes of alleged asthma aka "**distressful**
20 **breathing**". The x-ray was taken at the Cottage Center for Advanced Imaging,
21 located in the city of Santa Barbara, California. The x-ray was dictated by
22 Defendant Daniel Goold, MD-R and authenticated by Defendant Thomas C.
23 Daughters, M.D. Although the x-ray depicts several obvious (MEMS)
24 submillimeter and or millimeter nanotechnology (RF) controlled and powered
25 microstimulators which were implanted and or injected into his body. The x-ray
26 was deemed to be normal. Defendant Department of Defense, its components,
27 partners, third party subcontractors, and co-conspirators Dr. Goold and Dr.
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1 Daughters conspired to intentionally conceal the existence of the coated (RF)
2 controlled and powered (MEMS) submillimeter and or millimeter devices.
3 Plaintiffs expert witnesses have determined that several (MEMS) (RFM) devices
4 have been implanted and or injected into the body of the minor child. A true copy
5 of the minor child's 4/3/2012 chest x-ray is herein attached as **Exhibit 7**.

6 39. Defendant Department of Defense, its components, partners, and or its
7 third party subcontractors, physicians, and surgeons, actions and inactions were
8 solely designed to intentionally violate the Constitutional rights of Plaintiffs with a
9 primary goal of profiteering from their collection of data at the expense of the
10 Plaintiffs.

11 40. The Fourth Amendment of the United States Constitution Protects
12 U.S. citizens from unreasonable searches and seizures, unwarranted surveillance,
13 and from being utilized as human research subjects. Plaintiffs also seek redress for
14 deprivation of their Civil rights, privileges and immunities, secured by the Fourth,
15 Fifth, Eight and Fourteenth Amendments to the United States Constitution.
16 Defendant Department of Defense, its components, partners, third party
17 subcontractors used National Security Letters (NSL's) as tools to intentionally
18 intimidate, suppress and oppress the Plaintiffs in the name of "**National Security**"
19 in order to conceal their crimes and non-consensual human research experiments
20 which continue to date unabated. Defendant's warrantless search and seizure of the
21 Plaintiff's bodies gives rise to a claim under *Bivens v. Six Unknown Named*
22 *Agents of Federal Bureau of Narcotics*. 403 U.S. 388 (1971).

23 24 **III. JURISDICTION and VENUE**

25 41. Subject Matter Jurisdiction is conferred upon by this court pursuant to
26 28 U.S.C. §1331 (federal question), 5 U.S.C. §702, and the U.S. Constitution. The
27 action arises out of the Constitution of the United States, for violations of the
28

1 Fourth, Fifth, Eighth, and Fourteenth Amendments to the United States
2 Constitution, for deprivation and violations of civil rights pursuant to 42 U.S.C.
3 §1983, §§1985(1) and (2), §1986, and other provisions recited herein.

4 42. Plaintiff also seek a declaratory judgment pursuant to 28 U.S.C.
5 §2201, the Privacy Act, 5 U.S.C. §552a, the Freedom of Information Act
6 (“FOIA”), 5 U.S.C. §552, the Foreign Intelligence Surveillance Act (“FISA”), 50
7 U.S.C. §§ 1801, et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201, as well
8 as directly under the Fourth, Fifth, and Eighth Fourteenth Amendments to the
9 Constitution of the United States, and with regard to those defendants sued in their
10 individual capacities, the U.S. Supreme Court in its decision in the case of *Bivens*
11 *v. Six Unnamed Agents of the Federal Bureau of Investigation*, 403 U.S. 388 1999
12 (1971).

13 43. Plaintiffs’ claims under 28 U.S.C. §§ 1346, and 2671-2680 (Federal
14 Tort Claims Act) were timely filed on December 6, 2013. The claims were
15 formally denied in a letter from the United States Department of Justice,
16 Investigations Division, and Office of The Inspector General on April 2, 2014. The
17 letter also stated

18 44. This court may grant relief under federal question jurisdiction, 28
19 U.S.C. § 1331, the Declaratory Judgment Act, 28 U.S.C. §2201, and the All Writs
20 Act, 28 U.S.C. §1651.

21 45. Venue is proper pursuant to 28 U.S.C. § 1402(a), in that the plaintiff’s
22 reside in Central District, and all of the events claimed herein have occurred within
23 this district and Venue in this Court is also proper pursuant to 28 U.S.C. §1391(b)
24 (1) in that one or more Defendants resides in or has its principal place of business
25 is within the Central District of California.

26
27 **III. PARTIES**

1
2 46. Plaintiff Richard L. Cain an African American Male and a U.S.
3 citizen. Mr. Cain was born on the Southside in the city of Chicago, Illinois. He was
4 raised in both the Cities of Chicago and Three Rivers, Michigan and graduating
5 from Three Rivers High School. Since graduating from High School he has only
6 resided in the state of California. He holds the following degrees: Bachelor of
7 Science in Criminal Justice with a Minor in Pre-Law from California State
8 University, Los Angeles 2006 and (LL.M) Masters of Laws in International
9 Taxation and Financial Services from Thomas Jefferson School of Law in 2012.
10 Prior to commencing law school at the Southern California Institute of Law (SCIL)
11 in 2007. Prior to beginning law school Plaintiff over a more than fourteen years
12 period worked in the human services field for licensed residential care facilities
13 located in State of California. He worked as a direct care staff and was a state
14 certified Group Home Administrator for juvenile offenders and adult with
15 developmental disabilities. His last employment in residential care and prior to the
16 commencement of being subjected to alleged domestic counter-terrorism tactics
17 was with adults with developmental disabilities. In particular, he was employed
18 with the Etta Israel Center, located in North Hollywood, California until he was
19 laid off in 2008. The Etta Israel Center was a Jewish non-profit organization which
20 provided services to Jewish residents with developmental disabilities. After being
21 laid off while in his second year in law school at (SCIL) and he founded the two
22 California corporations named Elite Attorney Services and Community Care
23 Consultants. Both companies were based and located in Ventura County
24 California. Elite Attorney Services provided legal support services to law firms and
25 the general public. Community Care Consultants provided consulting services to
26 licensed residential care facilities, which are all regulated by the state of California
27 Community Care Licensing. Plaintiff has never been a member of the armed
28

1 forces, and he has never consented to being a human research subject. Mr. Cain's
2 grandfather Clifton Trask Sr. of Chicago Illinois was honorably discharged from
3 the United States Navy. Plaintiff has never traveled abroad, possess a passport, has
4 associations abroad, has never made a phone call abroad, and nor has he or his
5 minor children conspired to commit acts against the United States of America.

6 47. Plaintiff as a result of the Defendant Department of Defense, its
7 components, partners, and or its third party subcontractors, unwarranted alleged
8 domestic counter –terrorism tactics which continues to date, twenty four hours as
9 day, seven days a week, and unabated. Plaintiff put his goal of taking the
10 California Bar and becoming an Attorney on hold for now. He has returned to
11 working in the human services field and is currently working for In Home
12 Supported Services as a Care Provider for an elderly male client. Mr. Cain has
13 cleared two Department of Justice background checks in recent months.

14 48. Plaintiff's two minor male children C.A.C. born 3/3/2006 and C.A.C.
15 born 9/22/2007 are of African American and of Romanian decent. Both minor
16 children were born at Santa Barbara Cottage Hospital, located in the city of Santa
17 Barbara, California. The Minor children are now ages six and eight.

18 49. Defendant Barack H, Obama, is the current President of The
19 United States.

20 50. Defendant Chuck Hagel, is the current Secretary of Defense.

21 51. Defendant John O. Brennan, is currently the Director of the Central
22 Intelligence Agency.

23 52. Defendant Pat Brady, is currently the Chief of Naval Operations.

24 53. Defendant John Mchugh, is currently the Secretary of the Army.

25 54. Defendant United States Central Intelligence Agency (CIA) is a
26 federal intelligence agency within the meaning of 5 U.S.C. §552(f) (1). The CIA is
27 responsible for national security intelligence and covert operations. The CIA has
28

1 participated in the interrogation and torture of detainees held abroad at the behest
2 of the U.S. government. Defendant and the Alfred Mann foundation engaged in a
3 contractual agreement to develop submillimeter and millimeter sized
4 radiofrequency controlled and powered biomedical devices

5 55. Defendant United States Department of Defense (“DOD”) is a
6 Department of the Executive Branch of the United States and is an agency within
7 the meaning of 5 U.S.C. §552(f)(1). The DOD is responsible for coordinating and
8 supervising all activities of government relating to the U.S. armed forces and
9 responds to general national security concerns. Defendant funded and authorized
10 its armed forces to use the products submillimeter, millimeter, and other sized
11 nanotechnology devices during the course and scope of their duties.

12 56. Defendant United States Army Medical Research Materiel Command
13 (USAMRMC) Oversees materiel acquisition and logistics functions as part of the
14 medical research, development, and acquisition program Execute strategic-level
15 medical logistics readiness and other critical health care programs Conduct
16 operational logistics and single integrated medical logistics management in
17 peacetime and during contingencies Promote planning, modernization, and
18 technology improvements as part of life-cycle management for Army medical
19 treatment facilities and health facility programs. Defendant partnered with
20 Defendants Sansum Clinic, Cottage Health System and Dignity Health on the
21 research of nanomedicine and the development of nanotechnology biomedical
22 devices. (USAMRMC) funded and authorized the experiments to be performed on
23 the Plaintiffs, at their medical facilities, and by their physicians. Plaintiff’s expert
24 witnesses and investigators have traced the contractual obligation and devices back
25 to the Department of Defense.

26 57. Defendant Space and Naval Warfare Systems Command (SPAWAR) a
27 component of the United States Department of Navy and Defense, is assigned with
28

1 the task of Command, Control, Communications, Computers, Intelligence,
2 Surveillance and Reconnaissance. The Alfred Mann Foundation developed the
3 millimeter sized nanotechnology biomedical devices for (SPAWAR). Defendant
4 funded and authorized the experiments to be performed by the medical facilities
5 and their doctors. Plaintiff's expert witnesses have traced the devices and their
6 frequencies back to the U.S. Navy.

7 58. Defendant Cottage Center for Advance Imaging (CCAI), engaged in a
8 collaborative biomedical research agreement with the United States Army Medical
9 Research Materiel Command (USAMRMC), University of California Santa
10 Barbara, Cottage Health system, and Sansum clinic on research of nanomedicine
11 and development of nanotechnology devices. Defendant Department of Justice
12 authorized, funded, supervised its personnel, and conspired with (CCAI) to conceal
13 the existence of the non-consensually implanted radiofrequency controlled and
14 powered nanotechnology in furtherance of the conspiracy.

15 59. Defendant Sansum Clinic, engaged in a collaborative biomedical
16 research agreement with United States Army Medical Research Materiel
17 Command (USAMRM), University of California Santa Barbara, and Cottage
18 Health System involving the research of nanoomedicine and the development of
19 nanotechnology devices. Department of Defense and Sansum Clinic authorized,
20 funded, supervised its personnel, collected data, monitored research subjects, and
21 conspired to conceal the existence of the millimeter sized nanotechnology
22 biomedical devices by falsifying the Plaintiffs medical records and notes in
23 furtherance of the conspiracy to conceal evidence of human experimentation.

24 60. Defendant Pueblo Radiology, and its employees authorized and funded
25 by the (DOD), (USAMRMC), and its fellow co-conspirators to conceal the
26 existence of the government controlled and operated millimeter sized
27 radiofrequency and powered nanotechnology devices by falsifying the x-rays and
28

1 their related radiology reports as being normal in furtherance of the conspiracy.
2 Pueblo Radiology is also in contract with the county of Santa Barbara and
3 performs the radiology scans associated with its county medical facilities.

4 61. Defendant Cottage Health System (CHS) conspired with the (DOD) and
5 (USAMRMC), Sansum Clinic, Pueblo Radiology, and Dignity Health as partners
6 in a contractual obligation for the research of nanomedicine and the development
7 of nano devices. (CHS) authorized, funded, supervised its personnel who,
8 implanted and or concealed the existence of the biomedical devices. The (DOD)
9 and (USAMRMC) authorized the concealment of said devices. Defendants
10 falsified x-rays and their related radiology reports in order to cover up evidence of
11 human research and Constitutional violations in furtherance of the conspiracy.

12 62. Defendant Steve Hartzman, M.D., a radiologist for the Cottage Health
13 System. Dr. Hartzman dictated and authenticated the discovered 7/7/2011 Santa
14 Barbara Cottage Hospital Radiology Department lateral chest x-ray of minor child
15 C.A.C., who was born at the Santa Barbara Cottage Hospital on 9/22/2007. Dr.
16 Hartzman falsified the radiology report as having two views, when in fact three
17 views were taken. Dr. Hartzman omitted the third view lateral x-ray which depicts
18 foreign millimeter sized objects implanted and or injected into the aorta region of
19 the minor child's body. Dr. Hartzman intentionally failed to input the third view
20 lateral x-ray into the Cottage Health System database in furtherance of the
21 conspiracy. Defendant Department of Defense, its components, partners, and or
22 third party subcontractors authorized the concealment of the biomedical nano
23 devices. Plaintiff's expert witnesses have determined that submillimeter and
24 millimeter sized (RF) controlled and powered nanotechnology devices are depicted
25 in the discovered x-ray.

26 63. Defendant Kai Kinder, MD-R, a radiologist for the Cottage Center for
27 Advance Imaging. Dr. Kinder dictated the 4/17/2012 CT scan of the Plaintiff
28

1 Richard Cain's Chest. Dr. Kinder falsified the radiology report as being normal in
2 order to conceal the existence numerous submillimeter and or millimeter sized,
3 metallic electronic devices, and or wires which are implanted into the heart, back
4 and chest of the Plaintiff in furtherance of the conspiracy. Defendant Department
5 of Defense, its components, partners, and or third party subcontractors authorized
6 the concealment of the biomedical nano devices.

7 63. Defendant Sean Snodgress, M.D., a radiologist for the Cottage Center
8 for Advance Imaging. Dr. Snodgress authenticated the 4/17/2012 CT scan of the
9 Plaintiff's chest. Dr. Snodgress falsified the radiology report in order to conceal the
10 existence submillimeter, millimeter and other sized metallic electronic devices, and
11 or wires which are implanted into the heart and chest of the Plaintiff. Department
12 of Defense, its components, partners, and or third party subcontractors authorized
13 the concealment of the biomedical nano devices. Plaintiff's expert witnesses have
14 discovered radiofrequency controlled and biomedical devices that were implanted
15 and or injected into the heart and body of the Plaintiff.

16 64. Defendant Ali Sepahdari, M.D., a radiologist for the UCLA Medical
17 Center (UCLAMC) Dr. Sepahardi dictated and authenticated 3/22/2013 UCLA
18 MRI radiology report of the Plaintiffs head. The report was alleged to be
19 "nonspecific". Defendant Department of Defense, its components, partners, and or
20 third party subcontractors authorized the concealment of the biomedical nano
21 devices. Plaintiffs expert witnesses have uncovered the existence of obvious non-
22 consensually implanted "**Remote Neural Monitoring**" devices which have been
23 implanted into the skull, frontal lobe, brain, and base of the Plaintiffs skull.

24 65. Daniel Goold, MD-R a radiologist for the Cottage Center for Advance
25 Imaging dictated the 4/3/2012 chest x-ray of minor child C.A.C, who was born on
26 3/3/2006. Dr. Goold falsified the radiology report in furtherance of the conspiracy.
27 Defendant Department of Defense, its components, partners, and or third party
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1 subcontractors authorized the concealment of the biomedical nano devices.
2 Plaintiff's expert witnesses have revealed the existence of obvious coated
3 millimeter sized devices which are implanted into his chest and are depicted in his
4 chest x-ray.

5 66. Defendant Thomas C. Daughters, M.D., a radiologist for the Cottage
6 Center for Advance Imaging authenticated the 4/3/2012 chest x-ray of minor child
7 C.A.C, who was born on 3/3/2006. Dr. Daughters falsified the radiology report in
8 furtherance of the conspiracy. Defendant Department of Defense, its components,
9 partners, and or third party subcontractors authorized the concealment of the
10 biomedical nano devices. Plaintiff's expert witnesses have revealed the existence
11 of obvious submillimeter and or millimeter sized devices as depicted in the chest x-
12 ray of the minor child.

13 67. Defendant Authur A. Lee, M.D., an employee of Cottage Center for
14 Advance Imaging. Dr. Lee authenticated and dictated the 4/4/2012 chest x-ray of
15 minor child C.A.C, who was born on 9/22/2007. Dr. Lee falsified the radiology
16 report in furtherance of the conspiracy. Plaintiff's expert witnesses have revealed
17 the existence of obvious millimeter sized devices as depicted in the chest x-ray of
18 the minor child. Defendant Department of Defense, its components, partners, and
19 or third party subcontractors authorized the concealment of the biomedical nano
20 devices. Plaintiff's expert witnesses have revealed the existence of obvious
21 millimeter sized devices as depicted in the chest x-ray of the minor child.

22 68. Defendant Nishant Mehta, M.D., employee of the Simonmed Imaging.
23 Dr. Mehta dictated and authenticated the 2/18/2013 CT scan (thorax) of minor
24 child C.A.C, who was born on 9/22/2007. Dr. Mehta falsified the radiology report
25 in furtherance of the conspiracy. Defendant Department of Defense, its
26 components, partners, and or third party subcontractors authorized the concealment
27 of the biomedical nano devices. Plaintiff's expert witnesses have revealed the
28

1 existence of obvious millimeter sized devices as depicted in the CT scan of his
2 thorax.

3 69. Defendant Alfred Mann Foundation (AMF) is a private entity engaged in
4 biomedical Research and Experimentation under governmental contract
5 obligations. AMF received a Government contract in 1989, and over the last two
6 decades, has continued to be supported by non-competitive contract mechanisms
7 and federal appropriations. AMF held contracts from William Heetderks at the
8 National Institutes of Health (NIH). NIH funds the Alfred Mann Foundation which
9 is a CIA Special Access Program (SAP) developer of implants under Naval Space
10 Warfare (SPAWAR) contract #N6600106C8005. (AMF) also donates monies and
11 is engaged in contracts with the Sansum Diabetes Research Institute for biomedical
12 device research development.

13 70. Level 3 Communications a California Corporation a third party
14 contractor for the Department of Defense, who is tasked with disseminating false
15 information and defaming the character of the Plaintiff. Defendants in an effort to
16 isolate the Plaintiff and to perpetuate his alleged involvement in criminal activity
17 conspired to commence a campaign of lies to discredit the Plaintiff. An example of
18 the Defendants actions includes but is not limited to the following: On or about
19 6/13/2013 Defendant contacted a family member of the Plaintiff and alleged his
20 involvement in criminal activity and that the Santa Barbara District Attorney was
21 looking for him. A phone number was left for the family member to return their
22 call. Plaintiff knew this information to be false used his investigative resources and
23 traced the phone number back to Level 3 Communications in Ventura California.
24 The actions of the Defendant were in the furtherance of the conspiracy to violate
25 the Plaintiff's due process rights as he reached out to family members for financial
26 support, and legal representation.nThe defaming phone calls met their objectives
27 and caused the Plaintiff to be suspected of being involved in some type of criminal
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1 activity. Again the calls were designed to isolate the Plaintiff from his family
2 members, friends, right to counsel, right to medical care, right to financial support,
3 and any other course of action that would assist the Plaintiff in asserting his civil
4 and Constitutional rights. Defendant Department of Defense, its components,
5 partners, and or third party subcontractors authorized the Level 3 Communications
6 to disseminate falsities about the Plaintiff.

7 71. Dignity Health its employees and contracted staff conspired to
8 implant biomedical devices into the body of the Plaintiff and to conceal their
9 existence. Defendant is also engaged in the collaborative biomedical research and
10 development on nanotechnology with all of the aforementioned Defendants.
11 Plaintiff on 4/10/2008 during his overnight stay at their facility was implanted with
12 biomedical devices without consent. Defendant concealed the discovered
13 4/10/2008 chest x-ray and implanted biomedical devices in the furtherance of the
14 conspiracy. Defendant Department of Defense, its components, partners, and or
15 third party subcontractors authorized the concealment of the biomedical nano
16 devices, metallic electrodes, implant leads and or wires.

17 72. Defendant Donald Rink, M.D., conspired to commit perjury and to
18 conceal the existence of the implanted biomedical devices. Dr. Rink was not a
19 Defendant as it relates to a deposition for which he testified under oath in Santa
20 Barbara Superior Court case # 1402957. Dr. Rink perjured himself by stating that
21 he ordered the Plaintiffs 4/17/2012 CT scan of his chest in furtherance of the
22 conspiracy. His statements were made under oath and were used in a Declaration
23 which assisted Defendant's John's Regional Medical Center, Pueblo Radiology
24 and Sansum Clinic in being granted Motions for Summary Judgment. Their MSJ's
25 were granted in part based upon the false testimony of Dr. Rink. Dr. Rink knew
26 that he did not order the 4/17/2012 CT scan of the Plaintiff's chest. Karol Watson,
27 M.D., of the UCLA Medical Center order the 4/17/2012 CT scan of the Plaintiff's
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1 chest. Defendant Department of Defense, its components, partners, third party
2 subcontractors and Dr. Rink were authorized to conceal the non-consensally
3 implanted biomedical nano devices. Dr. Rink conspired with the Defendants in
4 order to keep their crimes within their particular group of co-conspirators in
5 furtherance of the conspiracy. Although the CT scan took place at the Cottage
6 Center for Advance Imaging. Dr. Watson of the (UCLAMC) ordered the CT scan.

7 73. Defendant Ramona Clark, M.D., is an employee of Pueblo Radiology.
8 Dr. Clark finalized the discovered 4/4/2004. Dr. Clark interpreted and
9 authenticated the order 4/2/2012 chest x-ray.

10 74. Defendant, John Wrench, M.D., is an employee of Pueblo Radiology.
11 Dr. Wrench dictated and authenticated the discovered 4/4/2004 chest x-ray of the
12 Plaintiff.

13 75. Defendant, Raymond Mastrovito, M.D., is an employee of Pueblo
14 Radiology. Dr. Mastrovito dictated and authenticated the discovered 3/10/2008
15 chest x-ray of the Plaintiff.

16 76. Defendant, Kathleen Ponjunas, M.D., is an employee of Sansum Clinic
17 Radiology Department. Dr. Ponjunas dictated and authenticate the 5/17/2011MRA
18 head of the Plaintiff.

19 77. Defendant, Kenneth R. Daughters, M.D., is an employee of Sansum
20 Clinic Radiology Department. Dr. Daughters dictated and authenticate the
21 5/17/2011MRI brain of the Plaintiff.

22 78. Defendant, Jeffery Hadsall, M.D., is an employee of Sansum Clinic and
23 was the primary care physician for the Plaintiff. Dr. Hadsall participated in the
24 conspiracy by intentionally inflating the blood pressure readings, monitored
25 research data, collected data, and fraudulently “doctoring-up” the medical records
26 in order to keep the Plaintiff under their “controlled research studies” and alleged
27 hypertension category for research purposes. Dr. Hadsall also attempted to lay the
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1 framework for a diagnosis of “mental illness” when the Plaintiff began to inform
2 him of some type of unwarranted surveillance that which began during the summer
3 of 2010. He referred the Plaintiff to the Sansum Clinic Psychiatry Department, not
4 because he claimed to experience strange medical symptoms, but because he stated
5 that he was the subject of some type of surveillance.

6 79. Defendant, Simonmed imaging and its Newport Beach and Irvine
7 facilities dictated, read, and authenticated the X-rays, CT scans, and MRI’s of the
8 Plaintiff and his minor child who was born on 9/22/2007. All of their scans have
9 been determined to be abnormal by the Plaintiffs expert witnesses.

10 80. Defendant, Sansum Diabetes Research Institute (SDRI) is joined with
11 the Sansum Clinic as an umbrella company and plays the key role in the
12 conspiracy by providing funding to Sansum Clinic's facilities, approximately 1,200
13 physicians, staff and scientists who represent more than 30 medical specialties and
14 subspecialties at 23 patient care locations throughout the Central Coast. The role of
15 the Sansum Clinic’s is to collect data, and monitor the patients progress as it relates
16 to the control number of the human research subject. (SDRI) is in contract with
17 (DARPA) (TATRC) and (USAMRMC) for the research of diabetes, which is
18 related to “hypertension”. (SDRI) is also funded to conduct research on
19 nanomedicine, and the development of (RF) biomedical devices.

20 81. Unknown Federal Agents;

21 82. DOES 1 through DOES 100.

22 23 **IV. THE “CAMPAIGN” CONSPIRACY IN A NUTSHELL**

24
25 83. Department of Defense, its components, partnerships, grant recipients,
26 and or its defense subcontractors and the Sansum Diabetes Research Institute
27 (SDRI) were awarded millions of dollars from (DARPA) and (USAMRMC) to
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1 engage in biomedical research of diabetes and the development of biomedical
2 devices. (SDRI) then conspired with the Defendants and used its umbrella
3 company Sansum Clinic, its physician's, surgeons, and scientists to monitor,
4 collect data and the primary care physician's fraudulently diagnosed potential
5 human research candidates as having medical conditions in order to gain access to
6 their bodies at a later date. The conspiracy scheme required the Sansum Clinic
7 physician's to fraudulently diagnose Plaintiffs / patients as having medical
8 conditions consistent with the possibility of succumbing to diabetes and or a heart
9 attack at a later date. Sansum Clinic physician's then identify patients who fit
10 their criteria for control studies and human research. The physician's in this case
11 then diagnosed the Plaintiffs as having hypertension and asthma which are alleged
12 to guarantee illness amongst African American population and is alleged to be an
13 absolute certainty at a particular age. Defendants then prescribe medications for
14 which side effects occurred, thus causing the unwitting Plaintiffs / patients to visit
15 the Cottage Health System or Sansum Urgent Care facilities to seek treatment for
16 unknown conditions. Sansum Clinic then used their physician's / surgeon's who
17 are on call and who are contracted with the Cottage Health and Dignity Health
18 Systems to implant the Plaintiffs. Once a patient has been implanted with an (RF)
19 device. The research subject can then be tracked and his or her medical records are
20 then in realtime viewable to members of (TATRC) in real time. The Defendant
21 hospitals are staffed by Sansum Clinic physicians, thus providing them with access
22 and avenues for which they used to implant the Plaintiffs with the (RF) devices.
23 After the implantation process has been completed. The (RF) devices can be
24 triggered remotely prompting a patient to seek medical attention to address an
25 alleged medical symptom. Defendants commenced their scheme by implanting and
26 or injecting the Plaintiff with (RF) controlled (MEMS) submillimeter and or
27 millimeter microstimulators and the (RF) Controlled (BION 1) transponder /
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1 microstimulators on 4/4/2004, while he was admitted at the Goleta Valley Cottage
2 Hospital. Defendants second round of implanting the Plaintiff occurred on
3 3/10/2008, while he was admitted to the St. Johns Regional Center. Electrodes
4 were implanted into his heart and chest in order to terminate their almost four year
5 controlled experiment. Plaintiff's two minor children were implanted and on
6 injected with the (RF) controlled (MEMS) submillimeter and or millimeter
7 microstimulators after their birth at the Santa Barbara Cottage Hospital. The minor
8 child born on 3/3/2006 was implanted a second time in his left arm during a dental
9 visit in the city of Simi Valley, California in 2011. Plaintiffs "THE CONSPIRACY
10 CAMPAIGN" flow chart is herein attached as **Exhibit 8**.

11 12 **V. STATEMENT OF MATERIAL FACTS ALLEDGED**

13
14 84. The material facts alleged in a complaint are of critical importance
15 because the Court must presume such facts to be true for purposes of a motion to
16 dismiss. See *NL Indus., Inc. v. Kaplan*, 792 F.2d 896, 898 (9th Cir. 1986).

17
18 85. Plaintiff's two minor children or about July 15, 2010 began to
19 experience the following physical symptoms while asleep: flailing of their arms
20 and legs, crying, balling up into fetal positions, profuse scratching of various body
21 parts, profuse grinding of their teeth, distressful breathing, profuse coughing,
22 complaints of burning eyes, complaints of headaches, a stiff and straitening of the
23 body resulting in enuresis, jerking about in their sleep, and red sphere shaped
24 millimeter sized circular marks would appear on various parts of their bodies. The
25 red circular marks turned into pus filled blisters. All of the events occurred during
26 the nighttime hours. The investigative evidence gathered to date suggests that the
27 injury caused by the (RF) devices is extremely effective and efficient when the
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1 body or when the intended target is in a resting or sedentary state. The devices are
2 also more effective when the trigger person is within 200ft -1600ft of the intended
3 target, thus causing maximum pain, injury, and or death.

4 86. Plaintiff and mother of the two minor children transported the minors
5 to urgent care centers and emergency rooms in the counties of Ventura, Santa
6 Barbara, and Los Angeles for which General Practitioners could diagnose what
7 was causing what appeared to be red sphere shaped rashes and distressful
8 breathing, but were not characteristic of either.

9 87. Plaintiff for more than a one year period could hear a thud or
10 something land or touchdown on the roof of their residence and which caused the
11 wood to crackle. Soon thereafter his two minor children would then begin to flail,
12 jerk, and jolt about in their sleep. Plaintiff videotaped the occurrences which took
13 place on a nightly basis like clockwork. Plaintiff then began to realize that
14 something from the outside of their home was connecting to bodies of his minor
15 children and causing them to experience distress and breathing difficulties.

16 88. Plaintiff on or about April 30, 2011, experienced a jolt to the left
17 temple area of his head. He then requested from his Sansum Clinic primary care
18 physician a referral for an MRI of the head as a throbbing pain persisted for several
19 days thereafter.

20 89. Plaintiff on 4/17/2011 participated in an MRI of his head which was
21 conducted at the Sansum Clinic Radiology Department. Although the MRI depicts
22 an obvious sensor lodged into his left maxillary sinus and other areas of his head.
23 The radiology report was alleged to be normal. Defendants Steve Hartzman, M.D.,
24 and Kathleen Ponjunas, M.D., falsified the radiology reports as they relate to the
25 MRI of brain and MRA of the neck in furtherance of the conspiracy. A true copy
26 of the 4/17/2011 MRI of the Plaintiffs head is hereto attached as **Exhibit 9**.

1 90. Plaintiff on January 1, 2012, after General Practitioners could not
2 determine what was causing his two minor children to experience the
3 aforementioned nightly abnormal sleeping patterns and injuries. He then traveled
4 with them to the city of Sacramento, California where he visited the International
5 Center against the Abuse of Covert Technologies (icaact.org). Phase 1 testing was
6 conducted in order to determine whether foreign devices were in the bodies of the
7 minors. They were both scanned with a JM 20 PRO (RF) detector, which revealed
8 evidence that their bodies were sending and receiving (RF) signals. Plaintiff was
9 informed by the technician that based upon his experience. The devices had to
10 have been implanted or injected into the bodies of the Plaintiff's while they were in
11 a medical setting and that typically an entire family is chosen as research subjects.
12 The technician then asked the Plaintiffs permission to scan him. Plaintiff was then
13 scanned and the (RF) detector revealed (RF) signals were sending and receiving
14 from almost every part of his body as well. The mother of the minor children
15 began to exhibit the same pattern of symptoms and strange occurrences during the
16 summer of 2010. She has not participated in an (RF) scan at this time. The
17 (ICAAC.T.ORG) technician was horrified and saddened by the fact children had
18 been implanted with the (RF) devices, thus requesting permission to post the
19 video of the being scanned. Permission was granted

20 91. Plaintiff was informed that the devices were more than likely
21 implanted and or injected during admission to a hospital, medical facility and or
22 dental office while placed in an unconscious state.

23 92. Plaintiff on or about January 2, 2012 realizing that he had only been
24 admitted to two hospitals since birth ordered his medical records from the Goleta
25 Valley Cottage Hospital (GVCH), located in Goleta California, and St. John's
26 Regional Medical Center (SJRMC), located in Oxnard, California. Plaintiff on or
27 about the same date ordered the medical records of his two minor sons who were
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1 both born in 2006 and 2007 at the Santa Barbara Cottage Hospital (SBCH), located
2 in the city of Santa Barbara, California. Plaintiff also ordered the medical records
3 of his daughter who was also born at (GVCH) in the year of 2002. Plaintiff
4 discovered that the same modus operandi and or pattern of medical complaints
5 which were prevalent throughout her medical records. In particular profuse
6 grinding of her teeth resulting in over \$10,000 in dental bills.

7 93. Plaintiff on or about 1/14/2012 received his medical records from the
8 (GVCH). Amongst the records he discovered a chest X-ray dated 4/4/2004. The x-
9 ray bared his name and other personal information. A (GVCH) Radiology
10 Department report was amongst the records. The report was dictated and
11 authenticated by Defendants John Wrench, M.D., and finalized by Ramona Clark,
12 M.D. The ray was alleged to be normal, although the x-ray depicts implant leads
13 on the inside of his body and extending downward from his ears to his chest and
14 wrapping around the left side of his body and ending in his back. The x-ray also
15 depicts lead anchors sitting on top of his left and right shoulder's over the deltoids
16 muscles. Leads or wires are depicted being threaded through the lead anchors and
17 into the left and right deltoid muscles of the plaintiff. A true copy of the discovered
18 4/4/2004 chest x-ray and order scans depicting submillimeter and or millimeter
19 sized devices that are implanted in the cochlea, deltoid muscles, skull, brain and
20 base of skull are herein attached as **Exhibits 10**.

21 94. Plaintiff on or about 1/14/2012 received his medical records from the St.
22 John's Regional Medical Center (SJPMC) Plaintiff discovered the existence of a
23 chest x-ray dated 4/10/2008, which bared his name and other personal information.
24 A radiology report accompanied the x-ray and was written by Defendant Raymond
25 Mastrovito, M.D., of Pueblo Radiology Inc. The the x-ray was alleged to be
26 normal. The x-ray depicts implant leads on the inside of the body and attached to
27 metallic devices which were implanted into the left and right anterior chest walls of
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1 the Plaintiff. The leads penetrate the left and right sides of the Plaintiffs heart and
2 are designed to shift downward causing the devices to penetrate and come to rest in
3 his heart. The leads then wrap around the right side of his chest towards his back.
4 A True copy of the discovered 4/10/2008 chest x-ray and ordered 4/17/2012 CT
5 scans of the Plaintiffs chest which depict wires and metallic electrodes on the
6 inside of his body and implanted into his heart and abdomen are herein attached as
7 **Exhibit 11.**

8 95. Plaintiffs on or about 1/14/2012 received the medical records of his
9 minor child born 9/22/2007, at the (SBCH). Plaintiff discovered the existence of a
10 7/7/2011 third view lateral chest x-ray stemming from a night in which the minor
11 child was taken to the (SBCH) Emergency Room after experiencing flu like
12 symptoms and “distressful breathing”. The Cottage Health System electronic
13 records and x-ray report indicates that there were only two frontal chest views of
14 the minor’s chest taken on that night. But upon retrieval of his records a third view
15 film was provided directly to the Plaintiff. Defendant Steve Hartzman, M.D.,
16 dictated and authenticated the report. Although the x-rays depicts several
17 submillimeter and or millimeter sized foreign objects implanted and or injected
18 into the area of his aorta. The scan was alleged the to be normal. A true copy of
19 the discovered third view lateral chest x-ray is herein attached as **Exhibit 12.**

20 96. Plaintiffs after visiting ICAACT.ORG and discovering x-rays bearing
21 their names and depicting foreign objects in them. Plaintiff requested from his
22 primary care physician and the minors pediatrician referrals for x-rays to determine
23 whether the foreign objects depicted in the discovered x-rays remained in their
24 bodies. Both physicians were concerned about the results of the (RF) scans and the
25 appearance of foreign objects depicted in the discovered 2004, 2008, and 2011 x-
26 rays agreed to order chest x-rays of the plaintiffs.

1 97. Plaintiff on 4/2/2012 visited Pueblo Radiology, Inc for a chest x-ray.
2 The radiology report was dictated and authenticated by Ramona Clark, M.D., and
3 transcribed by "HAULBOSKY". Coincidentally Dr. Clark also authenticated the
4 discovered GVCH 4/4/2004 x-ray that was taken eight years prior (tracking). The
5 x-ray depicts obvious foreign metallic devices, but yet it was alleged to be normal.
6 Investigative efforts reveal that alledged transcriber of the report "HAULBOSKY"
7 was manufactured and does not exist as an employee of Pueblo Radiology. A true
8 copy of the ordered 4/2/2012 chest x-ray is herein attached as **Exhibit 13**.

9 98. Plaintiff's minor child born at the Santa Barbara Cottage Hospital on
10 3/3/2006 participated in an x-ray of his chest on 4/3/2012 at the Cottage Center for
11 Advanced Imaging (CCAI). The radiology report was dictated and authenticated
12 by Defendants Daniel Goold, MD-R and Thomas C. Daughters, M.D. The chest x-
13 ray depicts obvious abnormalities as coated submillimeter and or millimeter sized
14 foreign objects are depicted in the scan. The x-ray was alleged to be normal. A true
15 copy of the ordered 4/3/2012 chest x-ray is herein attached as **Exhibit 7**.

16 100. Plaintiff's minor child born on 9/22/2007 at the (SBCH) participated in
17 an x-ray of his chest on 4/4/2012 at the Cottage Center for Advance Imaging. The
18 radiology report was dictated and authenticated by Defendant Arthur Lee, M.D., of
19 (CCAI). The chest x-ray depicts abnormalities, submillimeter and or millimeter
20 sized devices. The report was alleged to be normal. A true copy of the ordered
21 4/4/2012 chest x-ray is herein attached as **Exhibit 14**.

22 101. Plaintiff after experiencing jolts to his chest was referred by Karol
23 Watson, M.D., of the UCLA Medical Center, for a CT scan of his chest. The CT
24 scan took place at the Cottage Center for Advance Imaging on 4/17/2012.
25 Defendant Kai Kinder, MD-R dictated and authenticated the radiology report. The
26 CT scan depicts implant leads / wires inside of the Plaintiffs body which are
27 connected to metallic foreign objects (electrodes) which are lodged into his heart
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1 and abdomen. Dr. Kinder alleged the CT scan to be normal, except for an alleged
2 benign tumor located in the right flank of the plaintiff. Louis Teresi, M.D., a
3 radiologist who was sought outside of the Counties of Santa Barbara and Ventura
4 discovered the existence of foreign body inflammation and millimeter sized
5 foreign objects in the abdomen, bilateral arms, buttocks, right thigh, right and left
6 flanks of the Plaintiff. True copies of the 4/17/2012 CT scan are herein attached as
7 **Exhibits 11.**

8 102. Plaintiff on 8/22/2012 visited the Carrillo Spine Orthopedic Center
9 (CSOC), located in Santa Barbara, California, to participate in x-rays of his spine.
10 Although every single scan depicts leads and or wires which are connected to
11 foreign metallic devices and can be seen extending from the left and rights sides of
12 his back towards the front of his body. The radiology report was alleged to be
13 normal. Allan Moelleken, MD., verbally and reluctantly in front of his historian
14 who was in training, confirmed the existence of the wires that were connected to
15 foreign metallic devices and attached to the Plaintiff's spine. He was reluctant to
16 sign a declaration as to his findings. Dr. Moelleken appeared to be under duress or
17 forced to state that the radiology report was normal. True copies of the (CSOC) x-
18 rays are herein attached as **Exhibits 15.**

19 103. Plaintiff between the months of December 28, 2012 and January 29,
20 2013 participated in numerous MRI's and CT scans of his body to determine
21 whether additional foreign bodies eixisted in his body. The ordered scans took
22 place at Simonmed Imaging located in Newport Beach, California. Radiologist
23 Louis Teresi, M.D., uipon review of the scans discovered foreign body
24 inflammation, along with numerous foreign bodies located in the Plaintiffs right
25 and left flanks, right ventral abdomen, left and right bilateral arms, right thigh, and
26 buttocks. The foreign bodies have been determined to be (MEMS) devices which
27 are submillimeter and millimeter in size. Plaintiff requested the scans after
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1 experiencing strange pulsations in the aforementioned areas during the night. True
2 copies of Dr. Tersi's radiology reports are herein attached as **Exhibits 16**.

3 104. Plaintiffs expert witness Edward Spencer, M.D., reviewed of all of the
4 scans taken at Simonmed Imaging. Dr. Spencer uncovered an (AMF) (RF)
5 Controlled (BION 1) Microstimulator / transponder which is implanted into the
6 right lumbar spine region of the plaintiff. Both the Simonmed Imaging and the
7 (CSOC) scans depict the implanted (AMF) (BION 1) (RF) microstimulator /
8 transponder. The x-ray shows the devices in its housing and the MRI shows he
9 device clearly. True copies of the Simonmed Imaging MRI (spine) and (CSOC) x-
10 ray spine are herein attached as **Exhibits 17**.

11 105. Plaintiffs minor child born on 9/22/2007 visited the Simonmed Imaging
12 facility located in the city of Irvine, California on 3/18/2013. He participated in a
13 CT scan of his thorax. His pediatrician was concerned that something was causing
14 him to experience "distressful breathing" during his sleep. The CT scan was sought
15 to determine whether a foreign object was lodged in his lungs. Defendant Nishant
16 Mehta, M.D., dictated and authenticated the CT scan and alleged it to be normal
17 despite the obvious depiction of the foreign millimeter sized devices in the area of
18 his aorta and other areas. Plaintiffs expert witness, Dr. Spencer reviewed the CT
19 scan and determine that the scans were abnormal and that foreign millimeter sized
20 foreign objects were in fact lodged in the area of minor child's aorta and other
21 areas. True copies of the minor child's Simonmed Imaging CT scan are herein
22 attached as **Exhibits 18**.

23 106. Plaintiff on 4/22/2013 visited the University of California Los Angeles
24 Medical Center (UCLAMC) to participate in an MRI of his head. The nature of the
25 visit stemmed from the Plaintiff's concerns about two obvious and visible and
26 symmetrical lumps which pulsate and are located at the left and right base of his
27 skull. The plaintiff underwent an MRI of the lumps for diagnosis. Defendant Ali R.
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1 Sepahdari, M.D., alleged that the lumps are “non-specific and may represent a
2 lipomatous lesions”. Plaintiff’s expert witnesses have identified the lumps as
3 containing (RF) controlled and powered devices associated with “**Remote Neural**
4 **Monitoring**”. Plaintiff’s expert witness Daniel F. Farrier, M.D., during a complete
5 physical examination of the plaintiff and using an alternative light source revealed
6 the existence of thin surgical scars located at the base of the skull, frontal lobe,
7 behind each ear, face and various areas on top of the Plaintiffs skull. The (RF)
8 devices are connected to thin wires which run from the base of his skull, to the
9 frontal lobe and ears. Plaintiffs expert witness retired neurologist Edward Spencer,
10 M.D., also discovered (RF) controlled submillimeter and or millimeter sized
11 devices implanted into the frontal lobe. Dr. Sephardi of (UCLAMC) alleged the
12 scans to be normal, except for alleged “non-specific and may represent a
13 lipomatous lesions”. A true copy of the ordered 3/22/2013 (UCLAMC) MRI is
14 herein attached as **Exhibit 19**.

15 107. Plaintiff and his two minor children underwent blood and urine analysis
16 which were performed by Quest Diagnostics. Plaintiff’s expert witness Dr.
17 Hildegard Staninger, Ph.D., RIET-1, and Industrial Toxicologist analyzed the
18 bloodwork. Her analysis revealed the presence of nanotechnology particles /
19 materials in the bodies of the Plaintiffs. Dr. Staninger also reviewed all of the
20 Plaintiffs medical records and concluded that the actions and or inactions of the
21 Defendants was solely for the purposes of data collection and monitoring of the
22 Plaintiffs for controlled experiment studies. Dr. Staninger’s reports are hereto
23 attached as **Exhibits 20**.

24 108. Plaintiff on 12/12/2012 underwent a complete physical examination of
25 his body from head to toe. The examination was conducted by his expert witness
26 Daniel Farrier, M.D. During the exam numerous surgical scars were discovered in
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1 various areas of his body. A true copy of Dr. Farrier's report is hereto attached as
2 **Exhibit 21.**

3 109. Plaintiff and his two minor children 7/1/2013 underwent a second
4 round of (RF) scanning. The testing was performed by his expert witness Licensed
5 Private Investigator and Certified Environmental Safety Compliance officer,
6 Melinda Kidder of Columbia Investigations state of Missouri and witnessed by
7 Licensed California Private Investigator by Vicki Siedow of Siedow and
8 Associates, located in Pasadena, California. The equipment used identified the
9 (RF's) were traced back to the Defendants. The transmissions were confirmed to
10 be connecting to the devices implanted within the bodies of the Plaintiffs. A true
11 copy of Investigator Kidder's report is herein attached as **Exhibit 22.**

12 110. Plaintiffs Expert witnesses Dr. Farrier, Dr. Spencer, Dr. Staninger,
13 Ph.D., and Private investigator Melinda Kidder have provided this Court with
14 declarations as it relates to this "Bivens" action and their expert findings. True
15 copies of their declarations are herein attached as **Exhibits 23.**

16 111. Department of Defense, its components, partnerships, grant recipients,
17 and or its defense subcontractors are responsible for the unwarranted implantation
18 of mircoelectromechanical Systems (MEMS) Radiofrequency (RF) controlled and
19 powered submillimeter and millimeter microstimulators and (BION 1) (RF)
20 controlled and powered transponders / microstimulators into the bodies of the
21 Plaintiffs for research purposes. The (MEMS) devices also function as
22 Radiofrequency Identification Devices (RFID's) that receive a radio signal which
23 is translated into an electrical signal powering the implant to discharge an electrical
24 pulse into either the nervous system or a muscle. These signals can also discharge
25 an echo back of information for data collection. The (RF) controlled and powered
26 (MEMS) devices in this case are black in color, sphere shaped, and contains at
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1 least two or more smaller holes within the center of the submillimeter and or
2 millimeter size device.

3 112. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractors, authorized, funded and conspired on 4/4/2004 to
5 place the Plaintiff in an unconscious state in order symmetrically implant and
6 injected into his body (MEMS) (RF) controlled and powered submillimeter and
7 millimeter micromstimulators, and (BION 1) transponders / microstimulators. The
8 devices were implanted into the following areas of his body: quadriceps muscles,
9 hamstring muscles, triceps muscles, bicep muscles, deltoid muscles, chest,
10 back, ears, base of skull, and left and rights lumbar regions. This also includes
11 (MEMS) submillimeter and millimeter sized nanotechnology "Remote Neural
12 monitoring" devices which are implanted into his head, brain, and the base of his
13 skull. Plaintiffs Cottage Health System emergency room medical records 4/4/2004
14 and his Sansum Clinic medical notes depict a large circle and inside the circle the
15 number 01 appears. Plaintiffs expert witness has determined that the Plaintiff was
16 provided with a human research controlled number and that he was a test subject
17 number one or that he was subject of the first group of test subjects. His records
18 also depict drawings on the medical notes. The drawings include a small circle and
19 inside of the circle are two smaller circles within it. The drawings mirror image of
20 the Defendants (MEMS) devices. A true copy of Plaintiffs (GVCH) and Sansum
21 Clinic medical records are herein attached as **Exhibit 24**.

22 113. Department of Defense, its components, partnerships, grant
23 recipients, and or its defense subcontractors, authorized, funded and conspired to
24 directly after birth implanted and or injected into the body of minor child born on
25 9/22/2007, AMF) (MEMS) (RF) controlled and powered submillimeter and or
26 millimeter sized devices, which were implanted into his body for the purposes of
27 human research surveillance and data collection. The devices were implanted into
28

1 particular areas of his body and were remotely triggered by (RF) inducing asthma
2 like symptoms and “distressful breathing”. Defendant’s Thomas C. Daughters,
3 M.D., and Daniel Goold, M.D.R conspired to conceal the existence of the
4 implanted (MEMS) devices and to falsify the 4/3/2012 radiology report as being
5 normal. The 4/3/2012 x-ray is herein attached as **Exhibit 7**.

6 114. Department of Defense, its components, partnerships, grant
7 recipients, and or its defense subcontractors, authorized, funded and conspired to
8 directly after birth implanted and or injected into the body of minor child born on
9 9/22/2007, (AMF) (MEMS) (RF) controlled and powered submillimeter and or
10 millimeter sized devices, which were implanted into his body for the purposes of
11 human research surveillance and data collection. The devices were implanted into
12 particular areas of his body and were remotely triggered by (RF) inducing asthma
13 like symptoms and “distressful breathing”. Defendant’s Arthur A. Lee M.D.,
14 conspired to conceal the existence of the implanted (MEMS) devices and to falsify
15 the 4/4/2012 radiology report as being normal. The 4/4/2012 x-ray is herein
16 attached as **Exhibit 14**.

17 115. Department of Defense, its components, partnerships, grant recipients,
18 and or its defense subcontractors, authorized, funded and conspired to conceal the
19 existence of a discovered (SBCH) 7/7/2011 lateral chest x-ray of the minor child
20 born on 9/22/2007. The lateral chest x-ray depicts (MEMS) (RF) controlled and
21 powered submillimeter and or millimeter devices which are implanted and or
22 injected into the area of his aorta. The minor child was four years old at the time
23 the x-ray was taken. The minor child visited the (SBCH) emergency room on
24 7/7/2011 after experiencing what appeared to be flu like symptoms, asthma like
25 symptoms, and “distressful breathing”. The Cottage Healthcare System database
26 alleged that two views of the minor’s chest were taken on that date. Upon request
27 of the child’s medical records a third lateral view x-ray was provided to the
28

1 Plaintiff. The discovered lateral x-ray was dictated and authenticated by Steve
2 Hartzman, M.D., who conspired to conceal the third x-ray and the existence of the
3 (MEMS) devices. A true copy of discovered lateral x-ray is herein attached as
4 **Exhibit 12.**

5 116. Department of Defense, its components, partnerships, grant
6 recipients, and or its defense subcontractors, authorized, funded and conspired
7 on 3/10/2008 to trigger the covertly implanted (MEMS) (RF) controlled and
8 powered microstimulators and (BION1) transponders / microsimulators that were
9 implanted into his left and right deltoid muscles on 4/4/2004 while he was
10 hospitalized at (GVCH). The triggering of the (RF) devices prompted the plaintiff
11 to visit the St. John's Pleasant Valley Hospital (SJPVH) located in the city of
12 Camarillo, California to have his blood pressure checked as he experienced a
13 pulsations in his left deltoid region. Plaintiff had the firm belief that the
14 palpitations in his left deltoid muscle were related to his alleged diagnosis of high
15 blood pressure in 1999 by Sansum Clinic. The Plaintiffs (SJPVH) medical records
16 reflect the Plaintiffs complaint of pulsations in the left deltoid region. The (SJPVH)
17 medical records herein attached as part of **Exhibit 24.**

18 117. Department of Defense, its components, partnerships, grant recipients,
19 and or its defense subcontractors, authorized, funded, and conspired on the night of
20 3/10/2008 after the Plaintiff was transferred from the (SJPVH) to the St. John's
21 Regional Medical Center (SJRMC) located in the city of Oxnard, California, to
22 surgically into the Plaintiffs heart and chest (RF) controlled and powered metallic
23 electrodes which are connected to implant leads and or wires. The electrodes were
24 implanted into his left and right anterior chest walls and right ventral abdominal
25 wall. Defendants also implanted (MEMS) (RF) controlled micro stimulators into
26 the left and right flanks of the Plaintiff. Plaintiff's Sansui Clinic medical record
27 dated 05/29/2008 and less than two months after his (SJRMC) overnight stay
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1 reflects "he will develop as sense of occasional discomfort in his right lateral chest
2 wall". Plaintiff's Sansum Clinic medical record on 06/23/2008 reflects "The
3 patient reports he will develop a very localized area of chest pain involving a
4 region approximately 2 inches in diameter in the anterior chest wall". Plaintiff's
5 expert witnesses surmise that the electrodes were implanted to mimic chest pain
6 symptoms, which are associated with years of alleged hypertension, thus leading to
7 a heart attack. The evidence to date suggests that the Defendants conspired to
8 terminate the life of their human research subject / Plaintiff by implanting
9 electrodes into his heart, thus triggering what would appear to be a natural heart
10 attack. Plaintiff's medical records dating back to 1999 state that he has no history
11 of surgeries. His expert witnesses have discovered numerous surgical scars and
12 injection scarring about his body. A true copy of the discovered 3/10/2008 chest x-
13 ray is herein attached as **Exhibit 11**.

14 118. Department of Defense, its components, partnerships, grant
15 recipients, and or its defense subcontractors; authorized, funded, and conspired on
16 4/17/2012 to conceal existence of implant leads and or wires which are threaded
17 through the heart and abdomen and are connected to metallic devices inside of the
18 body of the Plaintiff. Dr. Kinder alleged the scans to be normal, except for an
19 alleged millimeter sized benign nodule found in the right flank. Defendant Dr.
20 Kinder, MD-R read and interpreted the (CCAI) scan. True copies of the ordered
21 4/17/2012 CT scan of the Plaintiff's chest and abdomen is herein attached as
22 **Exhibit 11**.

23 119. Department of Defense, its components, partnerships, grant
24 recipients, and or its defense subcontractors, on or about July 5, 2009 authorized,
25 funded, and conspired to frame-up the Plaintiff after realizing that they could not
26 un-ringing their bell of Constitutional violations which began 4/4/2004.
27
28

1 120. Department of Defense, its components, partnerships, grant recipients,
2 and or its defense subcontractors, manufactured a company by the name of
3 Insource Executive Services (IES). Insource Executive Services contacted the
4 Plaintiff's company Elite Attorney Services (EAS) via email to inquire whether
5 (EAS) would be interested in becoming a "Governmental Liaison" for their
6 company. The email communications between (IES) and (EAS) are herein attached
7 as **Exhibit 25**.

8 121. Plaintiff inquired from the defendants as to how (IES) became aware
9 (EAS) since his company was a newly formed California Corporation in early
10 2009. Plaintiff also during the same time period founded a second corporation
11 named Community Care Consultants which provided consulting to licensed
12 residential care facilities.

13 122. Department of Defense, its components, partnerships, grant recipients,
14 and or its defense subcontractors informed the plaintiff that they retrieved his
15 information from the website of the National Association of Professional Process
16 Servers (NAAPS).

17 123. Department of Defense, its components, partnerships, grant recipients,
18 and or its defense subcontractors, then inquired whether (EAS) would be interested
19 in becoming a "Governmental Liaison" with their company by assisting their
20 employees of Northrup Grumman with their Homeland Security residency
21 paperwork. Since (EAS) and Richard Cain were registered as service of process
22 agency. IES alleged that they wanted a trusted company registered with (NAPPS)
23 to assist, because the (EAS) office located in Westlake Village, California was in
24 close proximity to the city of Carson, California where Northrup Grumman and its
25 employees were based.

26 124. Plaintiff due to his law school and other personal priorities
27 personally declined the offer of (IES). Plaintiff then hired a former a Paralegal Ms.
28

1 Barbara Allen of Thousand Oaks, California who accepted the "Governmental
2 liaison" position as a private contract employee. Ms. Allen's duties included
3 meeting with the (IES) employees at the California Department of Motor Vehicles
4 in the city of Carson, California to assist the alleged Northrop Grumman
5 employees with applying for their driver's licenses and social security cards.

6 125. Plaintiff has never met the alleged Mr. Hull of the alleged (IES)
7 Executive and nor has he ever meet anyone who was alleged to be an employee of
8 Northrop Grumman. In hind sight Plaintiff now realizes that the requested
9 "Governmental Liaison" services were meant for him to perform, so that he could
10 seen and or photographed as being associated with individuals who are alleged to
11 be engaged in criminal activity against the U.S. His association would give rise to
12 the Plaintiff being labeled a person of interest. Since the Plaintiff did not accept the
13 position the Defendants used the emails associated with
14 rcain@eliteattyservices.com to frame-up and associate him with unknown
15 individuals.

16 126. Department of Defense, its components, partnerships, grant
17 recipients, and or its defense subcontractors realized in 2009 that the Plaintiff could
18 not be labeled as being mentally ill, since he was scheduled to graduate from the
19 Southern California Institute of Law in February of 2011. Defendants typical
20 modus operandi is to label their human research subjects as being mentally ill once
21 he or she begins to complain of strange symptoms.

22 127. Department of Defense, its components, partnerships, grant recipients,
23 and or its defense subcontractors knew in this instance that their usual alleged
24 mental illness tactics would not work with this particular research subject /
25 Plaintiff. Defendants in order to cover-up years of data collection and human
26 research began conducting their planned and calculated alleged domestic counter-
27 terrorism tactics, which include but are not limited to ordering military aircraft,
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1 Santa Barbara Police department, Santa Barbara Sherriff's Department, American
2 Ambulance, and Santa Barbara Fire Department, to stalk, track, and intimidate the
3 Plaintiff by sounding their sirens as they crossed his path. The same pattern
4 occurred everywhere he traveled throughout the city of Santa Barbara and
5 throughout California to date. Plaintiff ignored their actions, as he knew that he
6 was an innocent man which had not engaged in any type of criminal activity.

7 128. Department of Defense, its components, partnerships, grant recipients,
8 and or its defense subcontractors alleged counter-terrorism tactics included
9 ordering law enforcement vehicles, and emergency services vehicles to drive by
10 his residence, vehicle, and while on foot sounding their sirens, in order to
11 intimidate, oppress, suppress, cause emotional distress, in an effort to elicit a
12 response that would appear to be related to some type of mental illness or built up
13 anger towards law enforcement. Their actions were also designed to perpetuate to
14 the community at large that the Plaintiff had engaged in some type of criminal
15 activity involving terrorism and that he was dangerous.

16 129. Department of Defense, its components, partnerships, grant recipients,
17 and or its defense subcontractors also disseminated National Security letters
18 (NSL's) and used local law enforcement to make contact with anyone he came in
19 contact with. Their actions were designed to further isolate the Plaintiff by having
20 their agent's intimidate or cause them to believe he had engaged in criminal acts.
21 Defendants objective was to keep the Plaintiff under a cloud of suspicion while
22 covertly attempting to take his life and destroy his ability to survive financially.

23 130. Department of Defense, its components, partnerships, grant recipients,
24 and or its defense subcontractors knew that any discovery of the implanted devices
25 in the minor children would shatter their farce that the Plaintiff was their sole
26 target, who was alleged to be involved in a sinister act. Defendants in fact knew
27 that the Plaintiff had evidence that this was never about just him and that their
28

1 actions stemmed from a cover-up of non-consensual human research. The reality is
2 that their alleged counter-terrorism tactics were designed to terminate a more than
3 10 year human research subject being the Plaintiff and continue forward with their
4 two young experimental subjects.

5 131. Department of Defense, its components, partnerships, grant recipients,
6 and or its defense subcontractors also acquired the services of Defendant Level 3
7 Communications which is based in Ventura, California. Level 3 communications
8 used roving wiretaps to obtain the phone numbers of family members, associates,
9 friends and anyone else that could possibly assist the plaintiff with money, right to
10 counsel, right to medical care, employment, and housing. The calls were designed
11 to disseminate falsities. The overall objective was to isolate Plaintiff and
12 perpetuate his involvement in criminality. For example Defendants and or their
13 agents call the Plaintiff's brother in New York and alleged that the Santa Barbara
14 County District Attorney was looking for him and whether he knew where his
15 brother Richard Cain could be found. Plaintiff investigated and traced the alleged
16 District Attorney's office phone number 321-594-2976, back to the Department of
17 Defense subcontractor Level 3 communications. Again their objective was to
18 disseminate misinformation and lies in order to further alienate and isolate Plaintiff
19 so that he could not reach out to anyone for help to combat horrific events that he
20 was being subjected too.

21 132. Department of Defense, its components, partnerships, grant recipients,
22 and or its defense subcontractor's actions include having law enforcement vehicles
23 drive slowly by the plaintiff often in crisscrossing patterns. As the law enforcement
24 vehicles would pass the Plaintiff. Defendants would trigger the (RF) devices thus
25 raising his blood pressure, and testosterone levels. The (RF) devices when
26 triggered affect the central nervous system and in most cases causing ones
27 behavior to become erratic. Essentially the implants coupled with intense pressure
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1 are designed to cause the experimental subject to exhibit a mental breakdown, the
2 appearance of being delusional and physical aggression. Because the Plaintiff
3 understood what he was being subjected to he wore shielding over particular are to
4 block the (RF) signals, which prevented him from succumbing to the devices.

5 133. Department of Defense, its components, partnerships, grant recipients,
6 and or its defense subcontractors retaliated against the plaintiff for exercising his
7 Constitutional rights as he originally believed in 2010 that he was the victim of a
8 wrongful drug profile, as he filed a lawsuit against the city of Ventura in error. The
9 lawsuit was filed in this Court June 29, 2011 case # CV11-05390. In that lawsuit
10 the Plaintiff complained of being tortured with some type of unseen device. He
11 now knows that the Defendants conspiracy involved remotely triggering the
12 covertly implanted military grade (RF) devices and giving the appearance that the
13 Plaintiff was somehow delusional or mentally ill as he complained of strange
14 events and symptoms.

15 134. Department of Defense, its components, partnerships, grant recipients,
16 and or its defense subcontractors retaliated against the Plaintiff for filing the
17 aforementioned lawsuit. On July 26, 2011, the plaintiff and his minor child C.A.C
18 who was born on 3/3/2006 visited the Oak Park Dentistry for Children, located in
19 the city of Simi Valley, California. Defendants authorized and funded the
20 implantation of several (AMF) (MEMS) (RF) controlled and powered
21 submillimeter and or millimeter devices to be implanted into left arm of the minor
22 child. Defendant Andrew Chen Hasio, M.D., informed the parents that an
23 anaesthetic was necessary due to the number of cavities that needed to be filled.
24 The minor child received an injection into his left arm and a bandage was present
25 on his left arm after services were rendered. During the visit the plaintiff walked
26 next door to an adjacent store with hos other minor child and as he walked back to
27 the dental office. He observed military aircraft flying back and forth over the
28

1 dental facility and he also observed a black limousine type vehicle with dark tinted
2 windows parked directly behind the dental office. Similar limo type vehicles and
3 law enforcement vehicles followed the plaintiff from Santa Barbara to Simi Valley.
4 Several days after the visit to the dental office numerous (MEMS) (RF) controlled
5 and powered submillimeter and or millimeter devices began protruding from his
6 left arm. A photograph of the minor child's left arm was taken by his mother days
7 after the visit. The minor child to date profusely scratches his left arm and scars are
8 visible as a result. The devices continue to be triggered to date. The devices once
9 injected into the body cannot be seen after a period of time, unless the body rejects
10 them. A true copy of the photograph is herein attached as **Exhibit 26**.

11 135. Department of Defense, its components, partnerships, grant
12 recipients, and or its defense subcontractor's pattern in this case seems to
13 encompass triggering the devices on the anniversary of 9/11. The modus operandi
14 depicted in all of the Plaintiffs medical records mostly reflect triggering of the (RF)
15 devices on dates where a 9 or 11, is involved and or the day before or after the
16 anniversary of 9/11. This includes triggering the devices using a 9 or 11 day, or
17 month. Thus causing the Plaintiffs to seek medical attention. The evidence also
18 suggests that once the plaintiff's sought medical attention or was hospitalized.
19 Defendants upgraded them with additional or newer technology. The evidence
20 further suggest that the devices are mostly be used as hate crimes and torture
21 against particular races or a class of people.

22 136. Department of Defense, its components, partnerships, grant recipients,
23 and or its defense subcontractor's to date by way of their implanted (RF) devices
24 have been capable of hearing and seeing every movement of the Plaintiff dating
25 back to make since 4/4/2004. Defendants merely used law enforcement to
26 intimidate, harass, and collect very important research data relating to the
27 Plaintiff's responses to their tactics and experiments.
28

1 137. Department of Defense, its components, partnerships, grant recipients,
2 and or its defense subcontractor's, physicians and surgeons intentionally disguise
3 and labeled their (RF) devices as being artifacts, lymphomas', fatty tissue, benign
4 tumors, and associated them with tinnitus in order to further conceal their
5 government authorized and funded experiments in the name of "National Security"
6 Plaintiff currently hears a low frequency in each ear which is more than likely
7 sending and receiving information. This means the Defendants if within a close
8 proximity of the Plaintiff and with the right equipment would be to project voices
9 or sounds into his ears. If the Plaintiff had informed physician's that he heard
10 voices. He would have been referred to a psychiatrist and labeled mentally ill or if
11 he had informed them that he currently hears a low pitch frequency in both ears.
12 He would have been diagnosed as having Tinnitus. Plaintiff's expert witnesses
13 have uncovered implanted (RF) controlled and powered submillimeter and or
14 millimeter devices which are implanted in and around his ears. A true copy of
15 Simonmed Imaging 12/28/2012 MRI of the Plaintiff's left ear is herein attached a
16 part of **Exhibit 10**.

17 138. Department of Defense, its components, partnerships, grant recipients,
18 and or its defense subcontractor's (RF) controlled and powered devices can be
19 triggered by, a ham radio, smart cell phones, aircraft which maintain the targeted
20 frequency, ISP addresses, satellites, Satellite dishes (Direct TV), satellite phones,
21 cable modems, internet modem, and any other (RF) controlled device that is
22 capable of sending and receiving (RF) signals. The desired outcomes are to trigger
23 the devices driving the subject crazy, induce medical conditions, induce mental
24 illness, and or induce physical aggressive. Any of the aforementioned responses
25 would appear to be abnormal causing one to be jailed or placed in a mental
26 institution. Once the human research subject is jailed or institutionalized.

1 Defendants are able to discredit the research subject while at the same time
2 concealing their experiments and covering up their Constitutional violations.

3 139. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractor's, (MEMS) (RF) devices were rejected by some
5 areas of the Plaintiff's body leaving obvious abnormal lumps in areas where
6 lymphomas couldn't possibly exist. Plaintiff's investigation, research, and other
7 evidence suggests that the (RF) devices are being used for experimentation and
8 hate crime tools against the uneducated, poor, middle class, particular races,
9 religions, and political affiliations. The same modus operandi exists amongst other
10 unwitting human research subjects. Many of them are members of Freedom from
11 Covert Harassment (freedomfchs.org) and the International Center Against the
12 Abuse of Covert Technologies (ICAACT.org). Both organizations consist of
13 hundreds if not thousands of individuals who have been victims of the same exact
14 alleged counter-terrorism tactics and implanted devices. Many of these victims
15 visited the cities of Washington D.C. and New York to participate in President
16 Obama's Bio Ethics Commission meetings held in the year of 2011. All of them
17 provided proof that they had been non-consensually implanted with (RF) devices,
18 but had no idea whom was responsible and how to seek redress. In their cases they
19 could not trace the devices back to the cowardly criminals who implanted them.

20 140. Department of Defense, its components, partnerships, grant recipients,
21 and or its defense subcontractor's, abused their authority by commandeering
22 neighboring homes, apartments, buildings and any other structure that is available
23 in the name of "National Security" in order to gain close proximity to the Plaintiffs
24 / research subjects to inflict the maximum pain. Defendants also deputized
25 neighbors who are paid to trigger the (RF) devices in their absence. Once the
26 devices are implanted into the body, there is nowhere one can run or hide. Plaintiff
27 attempted to stay in hotels and various other places to escape the torture until he
28

1 realized that he was not safe anywhere. **Mr. AARON ALEXIS** experienced the
2 same exact events and symptoms being subjected to (RF) devices. He was without
3 a doubt a victim of the same technology. Although he knew who the perpetrators
4 were, he unfortunately did not know how to combat the transmission of the (RF)
5 signals. Plaintiff figured out how to combat the (RF) signals, thus preventing his
6 untimely death.

7 141. Department of Defense, its components, partnerships, grant recipients,
8 and or its defense subcontractor's, used the words "National Security" to
9 intimidate prospective surgeons who were willing to remove the devices / evidence
10 from the bodies of the Plaintiffs. Many of them now fear ear retaliation by the
11 defendants should they remove any of the devices. The quantity of the devices and,
12 their locations is problematic, and has presented new challenges to medical
13 personnel, creating the possibility that some of the devices may never be removed
14 from their bodies and will remain indefinitely. Removal of the devices from the
15 plaintiff's heart, skull and brain may result in his death.

16 142. The threat to Plaintiff's is significant because the
17 microelectromechanical (MEMS) devices, after being implanted or injected
18 through a 3 ml syringe, rely upon a tantalum capacitor component capable of
19 introducing electrical current directly into muscle and nerve, of sufficient strength
20 so as to reanimate disabled limbs in paraplegics. The interaction with the devices
21 by Defendants occurs daily twenty four hours a day. Especially while the plaintiff
22 or his minor children are trying to sleep.

23 143. Department of Defense, its components, partnerships, grant recipients,
24 and or its defense subcontractor's, continued to interact with the (RF) devices in a
25 harmful and life threatening manner, and has increased with intensity as the
26 plaintiff asserts his Constitutional Rights and as the truth beings to unravel their
27 scroll of lies.

1 144. Department of Defense, its components, partnerships, grant recipients,
2 and or its defense subcontractor's, ongoing acts continue to threaten plaintiff's
3 ability to earn wages, income, and housing.

4 145. Department of Defense, its components, partnerships, grant recipients,
5 and or its defense subcontractor's, negligent actions continue unabated on a daily
6 basis, and are causing plaintiff's to suffer pain, loss, hardship and anguish, and
7 irreparable harm, and or possible loss of life in the absence of the requested relief.

8 146. Department of Defense, its components, partnerships, grant recipients,
9 and or its defense subcontractor's , use of the (RF) devices to administer harmful
10 electrical shocks and pulsations to plaintiffs, and engage in other harmful
11 interaction with the devices violated 42 U.S.C. (1) §1983, §1985(2), and (3) §1986.

12 147. Department of Defense, its components, partnerships, grant recipients,
13 and or its defense subcontractor's, continue to subject plaintiff to alleged counter-
14 terrorism tactics as he participated in court proceedings and a deposition relating
15 Santa Barbara Superior Court case # 1402957. During that deposition Defendants
16 triggered the (RF) devices which are implanted in the heart causing the Plaintiff to
17 experience anguish and fear as the devices are effective the the intended target is
18 not mobile.

19 148. Defendants also triggered said devices during each and every matter
20 that the plaintiff appeared in as it relates to Santa Barbara Superior Court case #
21 1402957. The domestic counter-terror activities of the defendants presents a
22 genuine threat to democracy and the civil rights and liberties of Americans,
23 including the plaintiff, especially when levied in secret upon innocent citizens of
24 the United States.

25 149. Plaintiff's dependent children, have also suffered as a result of
26 defendants actions. Plaintiff's income and ability to find employment has been
27 significantly affected by the negligent acts of defendants.
28

1 150. Department of Defense, its components, partnerships, grant recipients,
2 and or its defense subcontractor's, actions have directly caused plaintiffs to be
3 deprived of their legal right to counsel as the Defendants issued National Security
4 Letters (NSL's) to Perspective legal counsel(s), medical doctors, friends, co-
5 workers, educational institutions, family members, landlords, and perspective
6 employers. Abuse of National Security Letters by government personnel has
7 previously been documented in a report from the Department of Justice Inspector
8 General. The FBI, CIA and DOD each issue (NSL's) with little to no oversight, and
9 previous court rulings has found provisions of NSL statute to be unconstitutional.
10 On more than one occasion, legal personnel whom Plaintiff has consulted received
11 a National Security Letter or phone call. The (NSL's) received by perspective legal
12 personnel advised or suggested that any contingency based representation provided
13 to Plaintiff would constitute "material support" to the enemy or terrorism. Plaintiff
14 nor his minor children have never conspired against the United States and nor have
15 they engaged any type of conduct which would lead them to be identified as a lone
16 wolf, terrorist or person(s) of interest.

17 151. Department of Defense, its components, partnerships, grant recipients,
18 and or its defense subcontractor's, efforts are not directed at obtaining copies of
19 records as intended by NSL statute, but rather, the NSL's are being used to threaten
20 and intimidate anyone that the plaintiff associates with or seeks assistance from to
21 the extent that they feared retaliation or prosecution if they assist or associate with
22 the plaintiff.

23 152. Defendants actions constitute a conspiracy to deprive Plaintiffs, U.S.
24 Citizens and California residents, of legal representation and due process.

25 153. Defendants acts are further violations of the plaintiff's right to due
26 process and legal representation, the physical abuse of plaintiffs and Defendant
27 actions which caused plaintiffs to be unemployed. Their actions are also designed
28

1 to prevent the plaintiff from generating the income in order to litigate a case
2 against them.

3 154. Procedural due process is the guarantee of a fair legal process when
4 the government seeks to burden a person's protected interests in life, liberty, or
5 property, and substantive due process is the guarantee that the fundamental rights
6 of citizens will not be encroached on by government. The Due Process Clause of
7 the Fourteenth Amendment also incorporates most of the provisions in the Bill of
8 Rights, which were originally applied against only the federal government.

9 155. When the government seeks to burden a person's protected liberty
10 interest or property interest, the Supreme Court has held that procedural due
11 process requires that, at a minimum, the government provide the person notice, an
12 opportunity to be heard at an oral hearing, and a decision by a neutral decision
13 maker.

14 156. The Courts has sustained instances of "electronic eavesdropping"
15 against a constitutional challenge when devices have been used to enable
16 government agents to overhear conversations and or collect data which would have
17 been beyond the reach of the human ear [citing [p370] Olmstead and Goldman]. It
18 has been insisted only that the electronic device not be implanted by an unlawful
19 physical invasion of a constitutionally protected area. *Silverman v. United States*.

20 157. Defendants covert surveillance and human research programs are
21 typically highly secretive, and in many cases, information about them is withheld
22 from Congress and the public until a victim as in this case exposes the abuses of
23 power.

24 158. In August of 1977, the U.S. Senate Select Committee on Intelligence,
25 and Subcommittee on Health and Scientific Research of the Committee on Human
26 Resources held hearings chaired by Senators Edward Kennedy and Daniel Inouye,
27 and which investigated unlawful CIA intelligence activities, specifically,
28

1 biomedical research and human experimentation performed upon unwitting U.S.
2 Citizens. The hearings revealed that the program activities at CIA included drug
3 delivery, surreptitious deployment of materials and substances, behavior
4 modification, and resulted in the deaths of Americans. Public outcry over the
5 discovery of government experiments on human subjects led to numerous
6 congressional investigations and hearings, including the Church Committee,
7 Rockefeller Commission, and Advisory Committee on Human Radiation
8 Experiments, amongst others.

9 159. Inexplicably, there is no record of a single U.S. government
10 researcher who has been prosecuted for human experimentation, and many of the
11 victims of U.S. government experiments have not received retribution, or in many
12 cases, even acknowledgment of what was done to them. This glaring statistic
13 demonstrates the malfeasance, dereliction of duty, and a fundamental disregard for
14 the rule of law and for human life.

15 160. Defendant CIA has in the past, used unwitting U.S. Citizens as
16 research subjects without informed consent, in a manner inconsistent with the rule
17 of law, and has targeted elected even officials with secretive activities

18 161. In 1963, CIA Inspector General J.S. Earman issued a report on a
19 program titled "mkultra". This report substantiates that Defendant CIA has
20 previously used innocent American citizens as unwitting human subjects for
21 biomedical research and experimentation.

22 162. The findings depicted in the 1963 CIA Inspector General's report
23 substantiates that plaintiffs allegations relative to biomedical research are
24 plausible, have occurred in the past, and the Inspector General recommended
25 termination of future program activities which involved research and (R&D) upon
26 citizens. The Inspector General stated as follows.

- 1 • “initiated a program for covert testing of materials on unwitting U.S. Citizens”
2 (pg.7)
- 3 • “devices for remote measurement of physiological processes” (pg.22)
- 4 • “places the rights and interests of U.S. Citizens in jeopardy” (pg.2)
- 5 • “...reviews the rationale and risks attending this activity and recommends
6 termination of such testing in the United States” (pg.7)
- 7 • “...In protecting the sensitive nature of the American intelligence capability to
8 manipulate human behavior, they apply “need to know” doctrine to their
9 professional associates (pg.6)
- 10 • “...records afforded no such approach to inspection. There are just two
11 individuals in TSD (CIA Technical Services Division) who have full substantive
12 knowledge of the program and most of that is unrecorded” (pg.6)
- 13 • “Annual grants of funds are made under ostensible research foundation
14 auspices...”
- 15 • “the program is conducted through standing arrangements with specialists in
16 universities (and) private research institutions” (pg.7)
- 17 • “the final phase of testing of materials involves their application to unwitting
18 subjects in normal life settings.... the capabilities to produce disabling or
19 discrediting effects cannot be established solely through testing on volunteer
20 populations” (pg 10)
- 21 • “... officials also maintain close working relationships with local police
22 authorities... (to) protect the activity in critical situations” (pg. 13)
- 23 • “A test subject may on some occasion in the future, correctly attribute the cause
24 of his reaction and secure independent professional medical assistance in
25 identifying the exact nature of the (materials) employed, and by whom.... An
26 extreme reaction could lead to (a) request for cooperation from local authorities in
27 suppressing information of the situation.” “risks of compromise and resulting
28

1 damage to the CIA has led the Inspector General to recommend termination of this
2 phase... existing checks and balances do not afford senior command of CIA
3 adequate protection against the high risks involved” (pg.15)

4 163. Defendant CIA has previously released or declassified documents
5 which state the following Materials and substances have been used by CIA:

- 6 • “Devices for remote monitoring of physiological processes...”
- 7 • “Chronic intracortical microelectrode preparations...”
- 8 • “National brand ham radios”
- 9 • “EEG's”

10 164. Defendant CIA has previously released documents which mention
11 adverse reactions caused by their activities, and which state; alleged “tumors,
12 artifacts and lymphomas are a by-product of CIA covertly implanted devices”

13 165. Defendant CIA has a troubled history, and has previously directed
14 secret activities:

- 15 • The 1963 CIA Inspector General report included that “devices for remote
16 monitoring of physiological processes” were being deployed by CIA during that
17 era.
- 18 • Equipment lists declassified from the mkultra program reveal that “National
19 brand Ham radios”, and EEG'S were being used. Other documents refer to
20 “chronic intracortical microelectrode preparations”. The biomedical product
21 existed during this era and has advanced exponentially.

22 166. The FISA court, the Presidential Records Act, and Executive Orders
23 were all established to prevent future abuses, however Plaintiff alleges that
24 defendants circumvented all of these safeguards by way of abusing the statutes of
25 the Patriot Act and continued domestic deployment of biomedical devices
26 domestically for racial suppression, social class suppression, religious beliefs,
27 supremacy of a particular class, hate crimes, torture, whistle blowers, retaliation,
28

1 and partisan and political agendas. Essentially these alleged counter-terrorism
2 tactics and electronic devices are being used to torture, covertly kill, suppress
3 innocent United States citizens, and prevent particular social economic classes and
4 faces from advancing in society.

5 167. Defendants have conspired to conceal prior violations of law, abused
6 their authority, and successfully conspired to deprive plaintiff of civil remedies and
7 redress,

8 168. Plaintiff has a well-founded belief that defendants abused their
9 authority to target the plaintiff with counter-terror tactics in order to terminate the
10 plaintiff's life and to forever conceal the existence of the experimental devices.

11 169. Defendants lack integrity, and have used faulty, erroneous intelligence
12 to improperly label plaintiff as a threat in order to engage in continuous, ongoing
13 alleged counter-terror activities that have continued unabated twenty four hours a
14 day, seven days a week for almost four years to date. This case has a striking
15 resemblance to the David Larson v. Central Intelligence case which was filed in
16 the Eastern District Court of California. Mr. Larson is a former employee of the
17 AMF, and who agree as a researcher to be implanted with the same exact (AMF)
18 (MEMS) devices that are at issue in this case. Once he decided that he no longer
19 wanted to be a part of the experiments the Defendants used the same exact alleged
20 counter-terrorism tactics against him for several years. Mr. Larson filed his case #
21 CV-01774-OWW-JTL on 9/24/2010. Ironically enough this is the same time frame
22 and period in which it appears as though the Defendants ceased their alleged
23 counter-terrorism tactics against Mr. Larson and transferred their tactics towards
24 the Cain family. Mr. Larson was also a former (CIA) operative.

25 170. Plaintiff has a well-founded belief that the defendants abuse their
26 power and resources in order to continue the farce which more than likely was
27 supposed to last a short period of time and ending with what would appear to be a
28

1 heart attack triggered by the implanted (RF) electrodes which are implanted into
2 his heart. Plaintiff discovered the electrodes and shielded himself preventing the
3 (RF) devices from sending and receiving signals. If Plaintiff would have succumb
4 to the devices. The truth would have never been told.

5 171. Provisions exist to allow these crimes, and appear in the 1963 CIA
6 Inspector General report as follows:

- 7 • **“A test subject may on some occasion in the future, correctly attribute the**
8 **cause of his reaction and secure independent professional medical assistance**
9 **in identifying the exact nature of the (materials) employed, and by whom.”**
10 **“An extreme reaction could lead to a request for cooperation from local**
11 **authorities in suppressing information of the situation... risks of compromise**
12 **and resulting damage to the CIA has led the Inspector General to recommend**
13 **termination of this phase... existing checks and balances do not afford senior**
14 **command of CIA adequate protection against the high risks involved”.**
15 • **“officials also maintain close working relationships with local police**
16 **authorities... (to) protect the activity in critical situations”, (pg. 13, 15).**

17 172. Plaintiff due to the aforementioned violations of his civil and
18 Constitutional Rights seeks immediate injunctive relief so that he and his two
19 minor children can acquire the proper medical treatment in order to save their lives
20 and to avoid lifelong torture as a result of the non-consensually implanted (RF)
21 devices.

22 173. Plaintiff during the summer of 2010 wrote letters to all of the federal
23 agencies in an effort to discuss and assert that he was not engaged in any type of
24 criminal activity and to prove that the alleged counter-terrorism tactics that he is
25 being subjected to was unwarranted.

26 174. Plaintiff also requested in his communications to the Defendants to
27 participate in a polygraph examination, to be performed by Jack Trimarco, who is a
28

1 former Federal Bureau of Investigations (FBI) Special Agent, and who is one of
2 the top polygraph examiners in the world. Defendants ignored the Plaintiffs'
3 request.

4 175. Plaintiff has provided this court with a CD-ROM which depicts the
5 videotaping of his minor children attempting to sleep as the (RF) devices are
6 triggered for hours on end on a nightly basis. A true copy of the videotaped is
7 herein attached as **Exhibit 27**.

8 176. Plaintiffs life, liberty, and property are "protected interests" which are
9 guarantee by the United States Constitution and are to be "free" from an
10 unreasonable searches and seizures.

11 177. Department of Defense, its components, partnerships, grant recipients,
12 and or its defense subcontractor's, each of them, authorized, approved, supervised,
13 performed, caused, participated in, aided, abetted, counseled, commanded,
14 induced, procured, enabled, contributed to, facilitated, directed, controlled, assisted
15 in, or conspired to the associational search and seizure, surveillance, data
16 collection, and or human research of the Plaintiffs. Defendants have committed
17 these acts willfully, knowingly, and intentionally. Defendants continue to commit
18 these acts and will continue to do so absent an order of this Court enjoining and
19 restraining them from doing so.

20 **COUNT I**
21 **Conspiracy to Violate 4th Amendment- Declaratory,**
22 **Injunctive, and Equitable Relief**
23 **(Against All Defendants)**

24 178. Plaintiffs restate as if fully set forth here each and every claim,
25 assertion, and allegation as set forth in the foregoing Paragraphs 1 through 177 of
26 this complaint.

27 179. Department of Defense, its components, partnerships, grant recipients,
28 and or its defense subcontractor's, by their conduct and actions violated the rights

1 of plaintiffs to be free from unreasonable searches and seizures under the Fourth
2 Amendment. In their conduct set forth in this Complaint, each of the government
3 Defendants acted under color of federal law when they covertly and barbarically
4 cut open or injected into the body of the plaintiffs (MEMS) (RF) controlled and
5 powered microstimulators and (BION 1) (RF) devices.

6 180. Plaintiffs have a reason expectation of privacy as it relates to their
7 medical care, treatment, and whether they were willing to be utilized as human
8 research subjects. The (RF) devices are used for surveillance, data collection and
9 or human research purposes. Plaintiffs did not consent to having their bodies
10 barbarically cut open and or injected with (RF) devices which are capable of
11 collecting and documenting their communications.

12 181. By the acts alleged herein, Department of Defense, its components,
13 partnerships, grant recipients, and or its defense subcontractor's, have violated
14 Plaintiffs reasonable expectation of privacy and denied plaintiffs' their rights to be
15 free from unreasonable searches and seizures as guaranteed by the Fourth
16 Amendment of the Constitution of the United States, including but not limited to
17 obtaining *per se* unreasonable warrants. Defendants have further violated
18 Plaintiffs' rights by failing to apply to a court for and for a court to issue, a warrant
19 prior to any search and seizure as guaranteed by the Fourth Amendment.

20 182. Department of Defense, its components, partnerships, grant recipients,
21 and or its defense subcontractor's, are now engaging in and will continue to engage
22 in the above-described violations of Plaintiffs' constitutional rights, and are
23 thereby irreparably harming Plaintiffs'. Plaintiffs have no adequate remedy at law
24 for Defendants continuing unlawful conduct, and Defendants will continue to
25 violate Plaintiffs' civil rights unless enjoined and restrained by this Court.

26 183. Department of Defense, its components, partnerships, grant recipients,
27 and or its defense subcontractor's, to date continue to trigger and manipulate the
28

1 covertly implanted (RF) devices. Defendants electronic devices operate on an FCC
2 regulated spectrum, as described in the document titled "Program of Research and
3 Government Contractual Obligation", in order to obtain data about plaintiffs
4 activity, location, and even biological data, and this occurs while plaintiffs are in
5 their home, their bedroom, and has even occurred while Plaintiffs was attempted to
6 assert an Physician-patient privilege and Attorney-client privilege.

7 184. Plaintiffs cannot state strongly enough the potential harm to our
8 security and democracy if defendants' are allowed to spy on Citizens and in this
9 invasive and intrusive manner and then frame-up individuals when the information
10 that they are seeking does not come to fruition. The CIA, other intelligence
11 agencies, and or their third party contractors have no business directing such
12 intelligence activities against Plaintiff and his minor children on U.S. Soil.

13 185. Department of Defense, its components, partnerships, grant recipients,
14 and or its defense subcontractor's, have subjected plaintiffs to unlawful search and
15 seizure, has continued without a FISA warrant, and is being authorized by the
16 Department of Justice. As such, plaintiffs contend that the actions of defendants
17 have violated plaintiffs Fourth Amendment right for protection against unlawful
18 search and seizure, and therefore gives rise to a claim under Bivens.

19 186. Plaintiffs seek that this court declare that Defendants have violated their
20 Fourth Amendment rights, enjoin Defendants, their agents, successors, and assigns,
21 and all those in active concert and participation with them from violating the
22 Plaintiffs' rights under the Fourth Amendment to the United States Constitution;
23 and award such other and further equitable relief as is proper.

24 **COUNT II**
25 **Conspiracy to Violate 5th and 14th Amendments- Declaratory,**
26 **Injunctive, and Equitable Relief**
27 **(Against All Defendants)**
28

1 187. The Plaintiffs restate as if fully set forth here each and every claim,
2 assertion, and allegation as set forth in the foregoing Paragraphs 1 through 186 of
3 this complaint.

4 188. The Fifth and the Fourteenth Amendments to the Constitution of the
5 United States prohibits the federal government from depriving any person of "life,
6 liberty, or property without due process of law."

7 189. Plaintiffs, have informational privacy interest, which reveals sensitive
8 information about their health, communications, political, and religious activities
9 and which the plaintiffs do not ordinarily disclose to the public or government.
10 This privacy interest is protected by state and federal laws relating to privacy
11 communications records and substantive and procedural right to due process
12 guaranteed by the Fifth and Fourteenth Amendments to the United States
13 Constitution.

14 190. Department of Defense, its components, partnerships, grant recipients,
15 and or its defense subcontractor's, through their associational data collection,
16 human research, and surveillance programs secretly collected, acquired, retained,
17 and searched and seized data, communications, and used the information to surveil
18 the Plaintiff, without providing notice to them, or process by which they could seek
19 redress. Defendants provide no process adequate to protect their interests.

20 191. Department of Defense, its components, partnerships, grant recipients,
21 and or its defense subcontractor's, tracked Plaintiffs, collected data, acquired,
22 retained, searched, and used the information, without making a showing of any
23 probable cause for the barbaric cutting open and or injecting into the bodies of the
24 Plaintiffs (RF) surveillance devices. The government interest must be narrowly
25 tailored to justify the physical invasion of the Plaintiffs due process right to
26 informational privacy.

1 192. Federal statute and U.S. Code, specifically, the “Authorization to use
2 Military Force” [AUMF] and “Military Commissions Act” [MCA], defines a
3 detainee in the war on terror as someone who is “in the custody of, or otherwise
4 under the control of” the government.

5 193. Habeas Corpus as codified in U.S.C. 28, Part VI, Chapter 153, §2241,
6 requires that an individual must be in “the custody of” the defendants’ to challenge
7 his or her detention, and makes no clear provision allowing those who are deemed
8 to be “otherwise under the control of”. The ability for the federal government to
9 classify anyone, including U.S. Citizens, as a detainee who is “otherwise under the
10 control of” creates an entire class of detainee who has no access to Habeas Corpus
11 as codified in 28 U.S.C. §2241. The unconstitutional acts of the defendants’ which
12 have been ongoing for almost four years to date cannot and does not qualify as a
13 detainment or confinement within the meaning of U.S.C. 28, Part VI, Chapter 153,
14 §2241 and are in violation of the Plaintiffs Constitutional rights.

15 194. The Due Process Clause of Article VI of the Constitution requires that
16 some form of judicial forum remain available for Plaintiffs to challenge the
17 lawfulness of their detention, designation or status. In this instance Plaintiff has
18 been obviously alleged to be a person of interest, lone wolf, involved, or associated
19 with some type of terrorism activities.

20 195. Plaintiff alleges that the federal government has improperly
21 designated his as an enemy, combatant, or other such status, in order to establish a
22 legal framework necessary to avoid the criminal and civil implications of their
23 unlawful search and seizure, human research activities, and Constitutional
24 violations.

25 196. Department of Defense, its components, partnerships, grant recipients,
26 and or its defense subcontractor’s, by declaring plaintiff to be “otherwise widens
27
28

1 the control of the U.S. "Government" and essentially provides cover for their
2 Constitutional violations.

3 197. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractor's, have Plaintiff to a prolonged and indefinite form
5 of "virtual" imprisonment, detention and or improper designation for almost four
6 years in violation of federal statutory and Constitutional law. He has not been
7 provided no opportunity challenge his alleged status, the government's evidence, or
8 the lawfulness of the status or designation.

9 198. Department of Defense, its components, partnerships, grant recipients,
10 and or its defense subcontractor's, have continued to place plaintiff under daily
11 surveillance, are continuing to target plaintiff with significant alleged domestic
12 counter-terror provisions which are invasive, disruptive, and are physically
13 harmful.

14 199. Defendants categorize their activities as an "interrogation", and this
15 has been ongoing for more than a decade. The activities being exhibited by
16 defendants' counter-terrorism tactics are allegedly thwarting terrorism. In this case
17 the tactics are being used to cover up Constitutional violations and to harass the
18 Plaintiff until he is deceased, as he is the only one that will and can protect his two
19 minor children who have been torture by the Defendants (RF) devices. Their
20 actions continue to date and occur daily twenty four hours a day seven days a week
21 without interruption. This has been on-going since the summer of 2010, and has
22 yet to yield actionable intelligence which would lead to an arrest. Defendants are
23 aware that their manufactured associations will never yield any type of crime for
24 which the Plaintiff has ever been involved in. Defendants are spending endless
25 resources acting as if they are thwarting a potential crime, against a man who has
26 no financial means or motive to harm a fly and has no history whatsoever of
27 physically harming a sole.

investigator” on the government contract #N01-NS-5-2325 awarded to Defendant (AMF) Patent #6,175,764 is viewable at the U.S. Patent and Trademark office website, and is not subject to any secrecy or restrictions. The surreptitious use of “Remote Neural Monitoring” brain technology devices or delivery of testosterone into plaintiffs, who are U.S. Nationals, meets the criteria for “mind altering substances or devices” as defined in 18 USC §2340, and is cruel and unusual. Patent #6,175,764 is provided for reference.

209. Department of Defense, its components, partnerships, grant recipients, and or its defense subcontractor’s, while under government contract to develop the (RF) devices, describe the capability to deliver electrical shocks, combined with testosterone delivery, and additionally, an automated “closed-loop” mode of operation that allows medical devices to operate indefinitely and automatically. Such an automated mode continues indefinitely, and subjects the Plaintiffs / human research subjects to electrical shocks and testosterone delivery 24 hours per day, 7 days per week, even while research personnel are absent or inactive in research efforts.

210. Department of Defense, its components, partnerships, grant recipients, and or its defense subcontractor’s, While under a government contract titled “Microstimulators and Microtransducers for Electrical Stimulation” (MH/NINDS Contract #N01-NS-5-2325) that spanned 3 years between March 10, 1995 to March 9, 1998, Defendant (AMF), submitted to the government, a “Quarterly Progress Report” (QPR) with an attachment describing “increased rage and promiscuity” when circulating levels of testosterone were elevated 5000% above normal. The potential for misuse of the technology as a weapon is evident, and such technology holds little humanitarian or medical benefit since having been proven ineffective for disuse atrophy. The (CIA) has a history of surreptitious drug delivery upon civilians with emphasis on behavior modification.

1 211. Department of Defense, its components, partnerships, grant recipients,
2 and or its defense subcontractor's, actions of cutting open and or injecting into the
3 bodies of the Plaintiffs (RF) controlled and powered nanotechnology devices
4 described herein do in fact meet the criteria for torture as described in 18 U.S.C. §§
5 2340(1) and is cruel and unusual pursuant to 18 USC §§2340(2) (B) and (D). The
6 foregoing statute defines severe mental pain or suffering as "the prolonged mental
7 harm caused by or resulting from the administration or application, or threatened
8 administration or application, of mind-altering substances or other procedures
9 calculated to disrupt profoundly the senses or the personality".

10 212. Department of Defense, its components, partnerships, grant recipients,
11 and or its defense subcontractor's, use of covertly implanted RF) devices as
12 described, regardless if for human research or alleged surveillance, is violative of
13 law. If construed as "operational" use, the acts of defendants and the triggering of
14 the devices would meet the criteria as a weapon as defined in 18 U.S.C. §§ 175(c),
15 and as a biological weapon capable of causing "other biological malfunction in a
16 human", as described in 18 U.S.C. §178. Operational use would also be cruel and
17 unusual treatment in violation of U.S.C. 18, §2340A (a) as defined in §2340(2)
18 (B). Alternatively, if construed as surveillance or medical research, defendants
19 actions would constitute a war crime and Common Article 3 violation pursuant to
20 18 U.S.C. §2441(d)(1)(C).

21 213. Department of Justice, after being informed knew, or should have
22 known of the violations of law committed against Plaintiffs, and being in a position
23 to prevent abuses, failed to act or prevent the abuses from occurring, and is thus
24 complicit and liable, along with other defendants, for the resultant damages
25 incurred by Plaintiffs.

26 214. Defendants' actions exceed the provisions of the Army Field Training
27 Manual, the acts require specific authorization from the Attorney General or
28

1 person delegated this authority. The cruel and unusual punishment was authorized
2 in violation of plaintiffs Constitutional rights, and gives rise to a claim under
3 Bivens.

4 215. Department of Defense, its components, partnerships, grant recipients,
5 and or its defense subcontractor's, caused, instructed, authorized, funded, or is
6 allowing Plaintiff to be placed under intense 24 hour surveillance in order to ensure
7 he not capable of exercising his Constitutional rights. At the same time defendants
8 are triggering the (RF) devices on a 24 hour basis. This is in addition to subjecting
9 Plaintiff to alleged counter-terrorism tactics which are invasive, disruptive, and
10 physically harmful. Defendants actions directed at plaintiffs occurs daily, 24 hours
11 a day, without interruption, constitutes "prolonged", and is violative of both
12 international and domestic torture statutes. The use of the (RF) devices to deliver
13 electronic stimulation, without plaintiffs consent, is indeed cruel and unusual, and
14 exceeds or meets the definition of both domestic and international torture statute.
15 Inexplicably, Defendants have allowed Plaintiff to be subjected to this horrific
16 treatment, and has caused irreparable, prolonged harm.

17 216. Department of Defense, its components, partnerships, grant recipients,
18 and or its defense subcontractor's, intellectual property, including U.S. Patent
19 #6,564,807 ("System of implantable devices for monitoring and/or affecting body
20 parameters"), includes an automated "closed loop" mode which allows the medical
21 devices to function indefinitely and continuously, for days at a time, and has been
22 exploited by defendants to subject plaintiffs to prolonged abuse without relief This
23 automated mode has been used to cause the medical devices to be active while
24 Plaintiff is attempting to sleep and or live a productive life. Defendants have used
25 the biomedical product in a cruel, indiscriminate, and inhumane manner with
26 absolute impunity. The cruel, unusual, and harmful conduct of defendants violates
27 common rule articles, internationally accepted standards, and violates significant
28

1 state and federal laws. Plaintiffs beg this court for injunctive relief to halt the
2 ongoing, cruel and unusual treatment that continues unabated, even as Plaintiff
3 drafts this complaint.

4 217. Department of Defense, its components, partnerships, grant recipients,
5 and or its defense subcontractor's, actions, orders, authorizations, approvals and
6 omissions violate Plaintiffs rights, have caused loss of employment, hardship, and
7 anguish, and the constitutional rights violations by government actors under color
8 of law gives rise to a claim under *Bivens v. Six Unknown Named Agents of*
9 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971)

10 218. Two centuries ago, Justice John Marshall observed that "The
11 government of the United States has been emphatically termed a government of
12 laws, and not of men. It will certainly cease to deserve this high appellation, if the
13 laws furnish no remedy for the violation of a vested legal right." *Marbury v.*
14 *Madison*, 5 U.S. 137 (1803). Justice Sandra O'Connor dissented in *United States v.*
15 *Stanley* 483 U.S. 669, 710 (1987) from the denial of relief to former Sgt. James B.
16 Stanley whom military experimenters had surreptitiously dosed with mind-altering
17 drugs:

18 **"No judicially crafted rule should insulate from liability the involuntary and**
19 **unknowing human experimentation alleged to have occurred in this case...**
20 **The United States military played an instrumental role in the criminal**
21 **prosecution of Nazi officials who experimented with human subjects during**
22 **the Second World War and established the principles of the Nuremberg**
23 **Court. If this principle is violated the very least that society can do is to see**
24 **that the victims are compensated, as best they can be, by the perpetrators. I**
25 **am prepared to say that our Constitution's promise of due process of law**
26 **guarantees this much."**

1 tracking, human research surveillance, experimentation, hate crimes, and
2 profiteering in violation of California Civil Code Section 52.7.

3 225. California Civil Code Section 52.7 states as follows: Under SB 362, an
4 “identification device” is any item, application or product that is passively or
5 actively capable of transmitting personal information, including but not limited to
6 devices using radiofrequency technology. [3] An implantation of an identification
7 device is considered to be “subcutaneous” if the device is “existing, performed, or
8 introduced under or on the skin.”[4] SB 362 provides that it “shall be liberally
9 construed so as to protect privacy and bodily integrity.”[5]2009. SB 362 creates a
10 private right of action for an individual who is implanted with a subcutaneous
11 identification device in violation of this new law.[6] Such an individual may bring
12 a civil action for actual damages, compensatory damages, punitive damages,
13 injunctive relief, and any other appropriate relief.[7] Actions brought under SB
14 362 are independent of any other actions, remedies, or procedures that may be
15 available to the plaintiff.[8] In addition, a person who violates SB 362 may be
16 assessed an initial civil penalty of up to \$10,000, and up to \$1,000 for each day the
17 violation continues until it is corrected.[9] This civil penalty may be recovered in a
18 civil action, and the court may also grant reasonable attorneys’ fees and litigation
19 costs to a prevailing plaintiff.[10] Any restitution paid by the defendant is credited
20 against its liability under SB 362.[11] Claims under SB 362 generally must be
21 filed within three years after the identification device is implanted.[12]

22 226. Defendants engaged in outrageous conduct with intent and or a
23 reckless disregard of the probability of causing the Plaintiffs death(s), severe
24 injury, and or emotional distress. Under the Federal Tort Claims Act, the United
25 States is the Proper defendant for this cause of action.

26 227. As a direct, proximate and foreseeable result, the Plaintiff and his two
27 minor children have suffered severe emotional distress and the outrageous conduct
28

1 has caused them lifelong and permanent injuries as the majority of the (RF)
2 devices will never be removed.

3 228. Department of Defense, its components, partnerships, grant recipients,
4 and or its defense subcontractor's, by their associations developed, profited, shared
5 data, and used the (RF) devices to track the Plaintiffs like animals; for their use;
6 other intelligence agencies; along with their assigned FCC spectrum to torture the
7 Plaintiffs for the sole purposes concealing their crimes, surveillance, data
8 collection and human research.

9 229. Defendants are now engaging in and will continue to engage in the
10 above-described violations of Plaintiffs' constitutional rights, and are thereby
11 irreparably harming Plaintiffs'. Plaintiffs have no adequate remedy at law for
12 Defendants continuing unlawful conduct, and Defendants will continue to violate
13 Plaintiffs' civil rights unless enjoined and restrained by this Court.

14 230. Plaintiffs seek that this court declare that Defendants have violated
15 California Civil Code Section 52.7, enjoin Defendants, their agents, successors,
16 and assigns, and all those in active concert and participation with them from
17 continuing to violate the Plaintiffs rights under California Civil Code Section 52.7;
18 order that the devices be removed immediately; award such other and further
19 equitable relief as is proper.

20 **CONCLUSION**

21
22 231. Department of Defense, its components, partnerships, grant recipients,
23 and or its defense subcontractor's, actions have caused bodily harm to Plaintiff, his
24 two minor children, and their mother. The triggering of the (RF) devices from the
25 time the minor children go to sleep until they rise could result in long-term issues
26 such as, mental, physical and other behaviors such as ADHD. The minor's
27 complain of being tired in the morning prior to going to school, as these crimes
28

1 continue unabated to date. The plaintiff has recorded the minor's sleeping patterns,
2 which depict the reasons why they complain of being tired every morning. Dr.
3 Ivory A. Toldson recently spoke of a conspiracy to as African American children
4 are being misdiagnosed with having ADHD and which is being attributed to sleep
5 deprivation. Plaintiff surmises that the covertly implanted or injected mild altering
6 and behavior modification (RF) devices may well be the culprits. These devices are
7 covertly being implanted even at birth and are not being implanted at that age for
8 surveillance purposes only. The devices when use in an unlawful manner are
9 capable of controlling a person or child, altering the mind, and behavior
10 modification. Thus the reason why this almost four year nightmare has not ended.
11 Plaintiff has uncovered a conspiracy that has been on-going for a very long-time,
12 as the (RF) devices date back to the sixties.

13 232. Plaintiffs Claims for Declaratory Relief Concerning Defendants non-
14 consensual implantation of biomedical devices are redressable. The Ninth Circuit
15 asserts that declaratory judgment delineates important rights and responsibilities
16 and is "a message not only to the parties but also to the public and has significant
17 educational and lasting importance." *Bilbrey v. Brown*, 738 F.2d 1462, 1471 (9th
18 Cir. 1984). For that reason, declaratory relief can be appropriate even where it
19 concerns past actions for which no other liability attaches. *Id.*; *Greater L.A.*
20 *Council on Deafness, Inc. v. Zolin*, 812 F.2d 1103, 1112-13 (9th Cir. 1987).

21 233. In *Bilbrey*, for example, the parents of two students sought damages
22 for allegedly improper searches by school officials. The plaintiffs also sought a
23 declaration that the searches were unconstitutional. The District Court held that
24 because damages were barred by qualified immunity, a declaratory judgment
25 "would serve no useful purpose." 738 F.2d at 1470. Even though the searches were
26 in the past and the two students no longer attended the school, the Ninth Circuit
27 reversed, holding that that it was improper for the district court to deny declaratory
28

1 relief. Id. at 1471. As the Ninth Circuit has explained, the District Court in Bilbrey
2 improperly examined the “usefulness of the declaration only from the defendants’
3 “point of view” and “ignored the fact Defendants offered no declaration to support
4 their factual assertion that the testing has ended. Plaintiffs had been wronged and
5 deserved to have their position vindicated even if damages were unavailable.”
6 Zolin, 812 F.2d at 1112-13. In addition, a declaration was necessary to further “the
7 public-education function that a declaration can serve.” Id. at 1113. Other courts
8 have recognized that declaratory relief is appropriate “as a vindication of plaintiffs’
9 position” and as a message “to the public [with] significant educational and lasting
10 importance.” Id.; Bilbrey, 738 F.2d at 1471; ICR Graduate Sch. v. Honig, 758 F.
11 Supp. 1350, 1356 (S.D. Cal. 1991).

12 234. Here, Defendants’ conspiracy to implant military grade (RF)
13 biomedical devices into the bodies of the Plaintiff’s fly in the face of principles of
14 informed consent, violated due process, Plaintiffs’ constitutional rights,
15 Defendants’ own directives, and international law. Plaintiffs are entitled to
16 vindication through a declaration that the human research, surveillance, and
17 collection of data violated Plaintiffs’ constitutional rights and were contrary to
18 Defendants’ regulations and principles of international law. See, e.g., Bilbrey, 738
19 F.2d at 1471. Such a declaration also will further educate the public about these
20 “covert crimes” and of the core principles underlying informed consent, resulting
21 in a significant step along the road of protecting constitutional rights. See id.;
22 Zolin, 812 F.2d at 1113; ICR, 758 F. Supp. at 1356.

23 235. Plaintiffs also are entitled to declaratory and injunctive relief to remedy
24 ongoing harm stemming from Defendants acts and failures to act. For example, the
25 Court should issue a declaration that Plaintiffs no longer are bound by the improper
26 “secrecy oaths,” so that Plaintiffs
27
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1 can seek and receive appropriate medical care, treatment, counseling, and removal
2 of the devices for the harm they have endured. See, e.g., NW Evtl. Defense Ctr. v.
3 Gordon, 849 F.2d 1241, 1245 (9th Cir. 1988) (“where the violation complained of
4 may have caused continuing harm and where the court can still act to remedy such
5 harm by limiting its future adverse effects” a claim is not moot). The Court also
6 should enjoin continuing violations of Defendants directives and international law
7 in connection with human research programs, to the extent violations have
8 continued.

9 235. Plaintiffs assert that this Court has the power to adjudicate Plaintiffs’
10 claims for declaratory relief, and that the Court could do so if it wanted despite a
11 potential opposition by the Defendants. Plaintiff invites the Court to decline to
12 exercise its jurisdiction over those claims. A court must not consider declaratory
13 relief only from a Defendants point of view, but also must consider the harm to
14 Plaintiffs, their right to vindication, and the public interest. (See, e.g., Zolin, 812
15 F.2d at 1112-13; Bilbrey, 738 F.2d at 1471).

16 236. Although a district court “is authorized, in the sound exercise of its
17 discretion” to decline jurisdiction over a declaratory judgment action, “a district
18 court should not refuse to adjudicate a declaratory judgment claim when other
19 federal claims are joined in the action.” Google, Inc. v. Affinity Engines, Inc., No.
20 C. 05-0598, 2005 WL 2007888, at *6 (N.D. Cal. Aug. 12, 2005) (citing Gov’t
21 Employees Ins. Co. v. Dizol, 133 F.3d 1220, 1225 (9th Cir. 1998) (en banc)); Co-
22 Investor, AG v. Fonjax, Inc., No. C 08-01812, 2008 WL 4344581, at *3 (N.D. Cal.
23 Sept. 22, 2008); Behrens v. Donnelly IV, 236 F.R.D. 509, 516 (D. Haw. 2006).
24 Therefore, the Court “should not refuse to adjudicate” Plaintiffs’ claims for
25 declaratory relief.

26 237. Department of Defense, its components, partnerships, grant recipients,
27 and or its defense subcontractor’s, acted in concert with each other to deprive the
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1 plaintiff of his Constitutional rights, have acted with malice towards Plaintiffs, and
2 in flagrant disregard of Plaintiffs established rights under the Fourth, Fifth, Eighth,
3 and Fourteenth Amendments to the United States Constitution, 42 U.S.C. §1983,
4 1985 and 1986, the Freedom of Information Act, 5 U.S.C. § 552, as amended,
5 Privacy Acts, 5 U.S.C. § 552a, as amended, and the Foreign Intelligence
6 Surveillance Act (FISA), 50 U.S.C. § 1801.

7 238. Plaintiffs evidence in this case is substantial. Defendants conspired to
8 utilize the Cain family as human research subjects and to frame-up the Plaintiff in
9 order to conclude final experiments which include the more than fifty (RF) devices
10 implanted devices in his body. Defendants were looking forward to future
11 experiments being conducted on the minor children, thus the Plaintiff was
12 expendable. This conspiracy could not and would not have been possible absent
13 the direct involvement of the former Sansum Clinic, CEO Charles Peterson, M.D.,
14 who is currently the Chief Scientist for The Telemedicine and Advanced
15 Technology Research Center (TATRC) which is the U.S. Army Medical Research
16 and Materiel Command's (USAMRMC) corporate or central laboratory for
17 advanced technology research. Dr. Peterson, (DARPA), and (USAMRMC)
18 granted monies to the Sansum Diabetes Research Institute, UCSB, Cottage Health
19 System, and Dignity Health. This means that all of the Defendants had an invested
20 interest in covering up their unlawful acts of non-consensual human research and
21 the covert implantation of the (AMF) (RF) devices. The Sansum Diabetes Research
22 Institute funneled the awards / grant monies to its Sansum clinic's, and their
23 perspective physicians who engaged in data collection, false diagnosis, and the
24 implantation of the (RF) devices, while the Plaintiffs were admitted to the Cottage
25 Health and Dignity Health Systems. Defendants actions are unlikely to be limited
26 to the Plaintiffs in this case. This government funded and well-oiled machine will
27 continue subject innocent United States citizens to these heinous crimes unless a
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1 federal grand jury is convened and individuals are prosecuted for their 21st Century
2 crimes of implanting experimental (MEMS) prototype nanotechnology devices
3 into the bodies of unwitting patients.

4 239. Plaintiff contends that *Bivens v. Six Unknown Named Agents of*
5 *Federal Bureau of Narcotics*. 403 U.S. 388 (1971), set a precedent which now
6 holds agents of the government accountable for unwarranted searches and seizures.
7 In this case the Department of Defense and or its components deputized and
8 baptised any and every one with "National Security" Letters (NSL's) and or phone
9 calls in the furtherance of their conspiracy to subject the Plaintiffs to non-
10 consensual human experimentation and in order to conceal their violation of the
11 Plaintiffs Constitutional rights. This Court must set a new precedent and now hold
12 the Defendants in this case for violating their oaths as agents of the government,
13 physicians, scientists and medical facilities as their actions and inaction have
14 viciously crossed all bounds of decency. The "ELITIST" Defendants in this case
15 seem to think that the lives of the poor, middle class, minorities, and children are
16 not as important as their inventions and experiments. If it were not for the
17 Plaintiff's minor children, who exhibited abnormal sleep patterns which lead to an
18 almost four year investigation and ultimately leading to this action. The Plaintiff
19 would be deceased. Plaintiff is now in a position to help other individuals who are
20 victims of the same crimes. Should this Court grant the relief requested **JUSTICE**
21 will not be blind and the Plaintiffs will be able to hold Defendants accountable for
22 their despicable acts. Plaintiff realizes that his discoveries will forever make him a
23 target of the government and that his family will need personal security for the rest
24 of their lives. He is up to that challenge as other victims will be helped by his
25 discoveries.

26 240. Defendants each of them ,have authorized, approved, supervised,
27 performed, caused, participated in, aided, abetted, counseled, commanded,
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1 induced, procured, enabled, contributed to, facilitated, directed, controlled, assisted
2 in, or conspired to the Associational search and seizure, surveillance, data
3 collection, and or human research. Defendants have committed these acts willfully,
4 knowingly, and intentionally. Defendants continue to commit these acts and will
5 continue to do so absent an order of this Court enjoining and restraining them from
6 doing so. If the facts set forth in this complaint are found to be deficient for any
7 reason, plaintiffs request leave to amend as necessary to cure any defects which
8 may exist.

9 **PRAYER FOR RELIEF**

10 **WHEREFORE, Plaintiffs respectfully request that the Court:**

- 11 1. Declare that the acts alleged herein violates without limitation Plaintiffs
12 rights
13 under the Fourth, Fifth, Eight, and Fourteenth Amendments to the United States
14 Constitution; and their statutory rights.
- 15 2. Award the Plaintiffs equitable relief, including without limitation, a
16 preliminary
17 and permanent injunction pursuant to the Fourth, Fifth, Eight and Fourteenth
18 Amendments to the United States Constitution prohibiting Defendants continued
19 use of such unlawful alleged counter-terrorism tactics.
- 20 3. Award Plaintiffs reasonable fee's and cost of suit to the extent permitted
21 by law.
- 22 4. An order requiring defendants to disable any automated operation of (RF)
23 devices implanted in plaintiffs, including elimination or removal of any automated
24 or default configuration data that cause continued or indefinite device operation.
- 25 5. An injunction enjoining all defendants, and all persons acting in concert
26 with them, from interacting with remaining or residual devices implanted in
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1 plaintiffs without informed consent from plaintiffs, made in writing, and witnessed
2 by a disinterested third party.

3 6. An injunction enjoining all defendants, and all persons acting in concert
4 with them, from entering into any contract and/or agreement with any entity or
5 individual, which provides for interacting with remaining or residual devices
6 implanted in plaintiffs without informed consent from plaintiffs, made in writing,
7 and witnessed by a disinterested third party.

8 7. A declaration that the surveillance, human research and or biomedical
9 experimentation upon plaintiffs took place after September 11, 2001 and was
10 without consent in violation of domestic and international law as well as Executive
11 Order, and award damages as deemed proper.

12 8. A declaration that any interaction with remaining or residual devices
13 implanted in Plaintiffs without informed consent from plaintiffs violates Plaintiffs'
14 rights and is an unlawful act.

15 9. A declaration that defendants must provide plaintiffs with a remedy or
16 meaningful opportunity to challenge any "enemy" or other such status or
17 designation levied upon plaintiffs by the Government as constructed under the
18 Constitution and Supreme Court rulings.

19 10. 11. For Special Grand Jury Investigation under 18.U.S.C. 3332.a, as
20 this is a public interest case; which effects all U.S. citizens.

21 11. For injunctive or declaratory relief this Court deems just and proper,
22 including an injunction requiring the institution of appropriate supervision and
23 prohibition of the unjustified use of torture / alleged counter-terrorism tactics.

24 12. An injunction and/or order prohibiting defendants, and all persons acting
25 in concert with them, from directing any surveillance or intelligence activities at
26 plaintiffs while they are engaged in lawfully activities and while attempting to
27 have a surgeon remove the (RF) devices, which are cancerous and toxic.
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1 14. For investigation by the Department of Justice as this matter is of the
2 public's interest. The evidence gathered in this case suggests that this well-oiled
3 machine is well funded and the likely hood of additional victims is great. Plaintiff
4 has uncovered addition victims of the same race and who are patients of the same
5 medical facilities and physicians.

6 15. Award plaintiffs costs and fees pursuant to 28 USC §2412,

7 16. Award for exemplary and punitive damages according to proof at time of
8 trial;

9 17. Award for loss of wages and income,

10 18. Award for medical expenses subject to proof,

11 19. Award for statutory, actual and punitive damages to the extent permitted
12 by law and according to proof; and;

13 20. Grant plaintiffs such other and further relief as the court deems just and
14 proper.

15
16 Date: July 22, 2014

17 Respectfully submitted,



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