

11 July 2021

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USPS Certified Mail # 7020 1290 0000 4080 6151

To whom it may concern:

Previously, in February 2021, I wrote DOJ/CACI regarding the kidnapping of my daughter, under false color of authority, by Humboldt County Child Welfare Services and Humboldt County Superior Court personnel – most of whom, I observed, self-identified as Jewish. As do I.

In my letter, I suggested that this kidnapping was retaliation for a website I had created, wherein I described the consequences of having been falsely accused of being an anti-Semite – by people who did not know I was Jewish – and having my employment unlawfully terminated, at Oracle Corporation.

I am now writing to you regarding criminal events which happened in the past but which involve people who are to the best of my knowledge still alive – which events are still being actively cited, today, as authoritative, despite a total lack of evidence.

These events I describe below involve **fraud, perjury, conspiracy, spoliation** and **obstruction**, in San Mateo County, California.

### **Forced leave of absence**

In July of 1991, I began working at Oracle Corporation as a UNIX systems analyst & administrator.

I was almost immediately the target of character assassination<sup>1</sup> by someone whom, I have read on the Internet, is the subject of a Massachusetts court order forbidding him from being alone with minors.

This person – Barry Z. Shein<sup>2</sup> – told Oracle's VP of Networking, Robert Miner, that I was an anti-Semite, and pressured Mr Miner to terminate me. Barry Shein then boasted to me, via email<sup>3</sup>, that he

1 <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#Denial%20Of%20Service>

2 <https://theworld.com/~bzs/>

3 <https://web.archive.org/web/20040420171754/http://images.orafraud.org/Oracle/bzs2.txt>

had gotten me fired, and predicted that I would be terminated so quickly that I would never even see the email in which he claimed credit for the damage he had done<sup>4</sup>.

VP Bob Miner attempted to order my termination but encountered pushback from my manager and my manager's manager, who were very pleased with my work.

It was at this point that I discovered that everyone in this equation – Barry Shein ... Robert Miner, VP of Networking ... Steve Zoppi, the director of the MIS Department ... and my boss, Patricia McElroy, as well as the CEO, Larry Ellison ... were all somehow Jewish.

We will sidestep the statistical impossibility of four or five contiguous layers of management in a publicly traded corporation all being simultaneously Jewish without some sort of human intervention, and merely note that Steve Zoppi suspected that Barry Shein was a member of the Jewish Defense League and resisted being bullied into making employment decisions that placed the company at risk of legal action – something that his superior, VP Bob Miner, had failed to do, by the way.

But Bob Miner still wanted me eliminated from his organization. And so VP Bob waited for his chance. That opportunity came, just after Steve Zoppi left Oracle, to assume a similar position, at at Adobe.

A year later, in September, 1992 – right at the end of the Jewish calendar year, almost to the day (and a traditional time for 'payback') – I was accused<sup>5</sup>, by a coworker, of sexually harassing her, via electronic mail.

The manager of Human Resources refused to investigate the matter. But my accuser continued her whispering campaign, for the next four months. These actions, in combination, were intended to distress me, and they did.

In January, 1993 I articulated the distress I was experiencing, to Human Resources, via email ... and I was **ordered to take a medical leave of absence**.

During this short period of time while I was on leave, my stepfather was killed by a car, in a crosswalk.

During this very short period of time while I was on leave and after my stepfather had just been killed, I was also the target of a request for a temporary restraining order, from my girlfriend of ten years' acquaintance.

Based on information and belief, my girlfriend had been informed by my older brother – who was also an employee, at Oracle Corporation – that I had been accused, by Oracle, of sexually harassing a young woman, at work.

My older brother has never explained his role in these events and so there is every reason to suspect that he played a more active role than is generally acknowledged. His refusal to testify in the matter of the restraining order was a major cause of friction.

When I returned to work, one of the other managers tried to persuade me to just delete all of my emails.

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4 <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#Electronic%20Terrorism>

5 <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#The%20Accusation>

When I read the emails in my queue, I discovered an electronic mail, from a manager – concerning computers that I was responsible for – which made a defamatory comment about my mental health.

This email had been sent out to everyone I worked with, by one of the Data Center managers:

```
>From pmabon Mon Jan 25 12:40:34 1993
Received: byhqsuni.us.oracle.com(Oracle1.12/37.7)
      id AA06791; Mon, 25 Jan 93 12:40:27 PST
Message-ID: <001252040.AA06791@hqsuni.us.oracle.com>
Date: Mon, 25 Jan 93 12:40:27 PST
From: PamelaMabon <pmabon>
To: unixsrv
Subject: Sequent adminchange
Status: RO
```

Provided there is no occurrence of death or insanity in the group this should be the definitive list of Sequent Administration for a while:

```
hqseq, olseq, wrseq, dlseq, usoseq -- Gayle Woodhouse
ap1seq, ap2seq, appseq, ap4seq, misseq1, helpseq -- Don Beusee
dmdseq, ouseq -- Michael Glass
cvcseq, supseq, supseq2, mailseq -- Ken Geiselhart
wrseq3 -- Thanh Nguyen
```

Please remember that this is only a list of these people's Sequent systems. It does not include any other duties or systems that they are also responsible for.

Pam

I barely had time to reply to the email before I was summoned to meet with Michael Satterwhite, manager of Human Resources – who then terminated<sup>6</sup> me, for being unproductive **during the previous two weeks that I had been, at his order, on medical leave** ... and ordered me to leave the premises.

Of course, I sought out a lawyer. A friend, Paul Vixie, had a friend, Anne Mitchell, who was working as a paralegal for a law firm in San Mateo, called Viola & Knapp. I met with a member of the firm, and left my documents with them. I never got my documents back. Viola & Knapp did not return my calls. In retrospect, it is fair to say that the law firm actually stole all of my documentation.

Lacking evidence to the contrary, it seems likely that Viola & Knapp had an pre-existing arrangement of some sort, with San Mateo's largest employer. Or maybe Viola & Knapp just threw my evidentiary materials away, because I now had a restraining order, and did not deserve legal representation.

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<sup>6</sup> <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#The%20Termination>

**Legal Conflict**

I had no idea what to do.

The restraining order – FML-00005153, now reclassified, due to a change in nomenclature, as FDV-93-005153 – was, and is, a pathetic work of fraud.

The description of events in the original Request actually contains two different and conflicting versions of events – neither one, true – one covered with whiteout and the other version typed over. This is affirmed by a declaration<sup>7</sup> composed by a licensed lawyer and filed in a later hearing.

The court calendar for February 16, 1993 had my case highlighted with a pink marker. This is affirmed by a statement<sup>8</sup> drafted by my mother and also filed during a subsequent hearing in the matter.

The transcript of the conversation from the first hearing, in 1993, shows inconsistencies that suggest the transcript was edited after the hearing, as well.

And yet, thirty years later, people are still trying to use this court case against me, and citing it, as if it were factual. Because the California Superior Court says the facts are true ... even though they are not.

I mention this because Oracle Corporation has something of a track record of using restraining orders as weapons – ‘lawfare’ – to preemptively destroy the reputation of litigants against it.

I think that evidence will show, eventually, that this is exactly what happened in my case, as well – Oracle engineered the destruction of all my personal relationships with false allegations in order to set my family members and I all against one another. Which it did.

Eventually, I found the words to describe some of what had happened, and, eventually, I filed a complaint with the DFEH<sup>9</sup>, and maybe the EEOC, too, and got letters permitting me to sue Oracle, under DFEH regulations.

I was too ashamed of the restraining order to tell anyone I was trying to get help from, that I had a restraining order, for fear they would shun me. And they did. Everyone turned away from me.

I eventually found a lawyer – Gerald Lynn Ross, of San Francisco – who was willing to represent me, in exchange for a hefty downpayment. We filed a lawsuit against Oracle. Several years had passed, but a psychiatrist had diagnosed post-traumatic stress disorder, and so it was determined that I had filed within the statutory limitations, given my ostensibly temporary disability.

However, the lawsuit didn’t really go anywhere. We did a couple of expensive depositions, but nobody was talking, and Oracle’s Human Resources Department cheekily claimed that they could only find one or two sheets of paper in my personnel file, and that was all they turned over.

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7 Exhibit 5; see pages 22-27

8 Exhibit 6; see pages 28-30

9 <https://web.archive.org/web/20040408204003/http://www.orafrac.org/Oracle/dfeh.html>

My personal intuition was that Oracle had assessed my lawyer's needs ... found something they could do for him ... and traded that, for his agreement to prosecute my case as ineffectively as possible.

My lawyer had divulged to me, at one point, that he was an orphan, that he was actually German, and had been brought to the United States, after World War II, and raised, by Texans.

Then, he showed up at the office, one day, wearing lederhosen – I kid you not – and declared that, after half a century, he now knew who his parents were.

So my best guess is that Oracle tapped some international resources, pulled some strings, and helped my lawyer find his family. Or one just like it. The information was probably in an Oracle database.

But I have no proof. Just intuition, and the observation that my lawyer did a rotten job of prosecuting the case against Oracle.

In my lawyer's defense, it seemed as if San Mateo Superior Court strongly favored Oracle Corporation. San Mateo Superior Court might have sanctioned us for something, at one point. Oracle frequently asked for sanctions, if I recall correctly.

### **New Evidence**

After the lawsuit was dismissed, I was over at my mother's house – and was surprised to see a computer printout on my mother's bed, containing printed materials that I recognized as an electronic mail, composed by me, regarding Oracle Corporation.

My mother said she was holding it, for Thomas. She refused to let me copy it or examine it. She was upset that I had discovered it. She said, "You were not supposed to see that".

I told Mr Ross about the discovery and he told me that he thought that my older brother might have been subpoenaed, in a separate matter, recently.

If this is true, then I think that my older brother was concealing these materials from discovery by the opposing party, whomever it was, by concealing the printed materials at our mother's house, in San Francisco ... then, responding to the subpoena and affirming, under oath, that all materials in his custody had been turned over, in good faith. Is that even legal? It seems felonious in intent, to me.

(My older brother's conduct cries out for additional scrutiny. He has a decades-long history of microdosing with cocaine, and is suspected of embezzling from my mother's estate, over the fifteen years that he was conservator, as well as engineering my disinheritances – which resulted in his receiving an additional \$400K, to augment the \$400K he requested, and received, before Mom died.)

I had been appointed as a court-appointed foster parent for the City & County of San Francisco, and found myself fully occupied on my off hours, raising an angry BIPOC teenager and fighting off gangbangers who wanted to impregnate her and kill me.

When my foster daughter became pregnant, my older brother and his wife tried to persuade my mother that the child was mine. Our step-sister, visiting SF, persuaded my mom to buy my foster daughter a handbag, and come for a visit, to meet her future daughter-in-law. I don't think they entirely believed me when I told them that I was not the father – but the relief was evident in my mother's face.

As I have described elsewhere, these purloined materials eventually ended up in my possession<sup>10</sup>.

But before I had time to inspect the materials, events intervened. Between 1999 and 2021, a series of unfortunate events occurred in Connecticut, leading to:

- My mother burgling my grandmother's safe, stealing her will, and the deed to her house
- My grandmother's death, after she discovered her empty safe, and fell dead from shock
- My mother's eviction of my family, in San Francisco, during the ensuing conflict
- A lack of continuous employment during the collapse of the dot com industry, after 2001
- A series of subsequent evictions as a result of ongoing unemployment, and abandonment
- **An infestation of bedbugs, and mold, from low-income housing in Humboldt County**
- Our oldest daughter's repeated hospitalizations, at taxpayer expense, due to depression
- Humboldt County Child Welfare Services' attempts to kidnap all four children (JV160250)
- My mother's death after fifteen years of refusing to communicate with us
- A behind-the-scenes dismantling of my trusteeship, without any notification
- My younger brother's suspicious death shortly after inheriting \$200,000
- Not one, not two, but THREE disinheritances, all of them in Thomas' favor

Each of these is the subject of many pages of text and in the interests of completing this letter I am going to skip all that, but, rest assured, more information is available for each of these line items.

Most of these events injured not just I, my wife, and my daughters ... but also cost San Francisco County, Humboldt County, and the State of California hundreds of thousands of dollars in legal costs, law enforcement costs, medical costs, financial aid, and quarter of a century of lost tax revenues.

Lacking evidence to the contrary, I think my mother's behavior might have been inspired, in part, by seeing how Oracle Corporation got away with white collar crime so easily. Nobody cares. Those whom do care, end up unemployed, homeless, and dead. 'Better to not make waves.' 'Don't rock the boat.'

In August 2020, as noted above, my younger brother was found dead in suspicious circumstances. Fentanyl is suspected. As is murder. As his closest living relative, I received all of my late brother's possessions, and was tasked with organizing or disposing of them.

In May, 2021, while making room in a filing cabinet for my younger brother's papers, I discovered the computer printout described above, where I had concealed it, when we had been evicted and I had been forced to hurriedly move our possessions elsewhere.

In June, 2021, I began to examine the printout in detail. The printout is 134 contiguous pages long. The contents are not arranged chronologically. I made several efforts to make sense of the contents but I was not successful.

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<sup>10</sup> <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#The%20Purloined%20Letters>

Because I anticipate turning these 134 pages over to some higher authority, such as the California Department of Justice, or San Mateo Superior Court, or perhaps a private lawyer's custody, I began my analysis by scanning each of the 134 pages, to preserve their contents against damage or destruction.

After I scanned all 134 pages I aligned the text and subjected each page to enhancement algorithms to darken the faded ink from the dot matrix printer that had been used to print the document, and to lighten the background, so as to increase legibility.

I then entered some of the attributes of each page into a spreadsheet.

I determined from my first analysis that because there were between zero and three different email headers and corresponding email messages on any given printed page, that my focus needed to be on messages rather than printed pages.

So I created a second tab in my spreadsheet, inventoried the 134 pages again, and documented the attributes of each electronic mail header – date, sender, recipient, subject, and starting page. This took a week or two.

I then copied the contents of the second tab to a third tab, and sorted the contents, not by page of occurrence, but by date of occurrence.

After I did these three analyses, everything became much clearer.

By sorting the 134 pages of emails by date of occurrence, I discovered the following:

- 22 Jul 1991: On page 1 is the **original offer letter**<sup>11</sup>
- 14 Jan 1993: Jumping to page 21, we find the '**forced leave of absence**'<sup>12</sup>
- 25 Jan 1993: Jumping to page 46, we see Ms Mabon's "**death or insanity**" email<sup>13</sup>
- 08 Feb 1993: Jumping back to page 42, we see **HR changing its mind**
- 09 Feb 1993: Jumping now to page 47, 48 and 49, we see **my reply to Pam**'s email<sup>14</sup>
- 15 Feb 1993: Jumping to page 45, we see a summary of everything that happened

Each of these items is evidence, in Childers v Oracle – electronic mails from people employed by Oracle during the period under question – that was not shared during the discovery phase of the trial.

These emails were not shared – they were actively concealed from the court. By both Oracle Corporation's employees, and by my own brother, Thomas Childers, a former Oracle employee.

Based on information and belief, the existence of the second, third, fourth, and fifth items of evidence, referenced above, suggest that Oracle Corporation's Legal Department engaged in felony-level **fraud, perjury, conspiracy, spoliation, and obstruction**.

But I'm not done. I'm just starting. There is more.

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11 Exhibit 1; see page 16

12 Exhibit 2; see page 17

13 Exhibit 3; see page 18

14 Exhibit 4; see pages 19-21

What is the explanation for this confusion? Why do we have to jump around like a flea on a hot plate, and play cyber-detective, to find out what really happened?

The answer lies in the chain of custody.

### **Chain of custody**

How do we know this material came from Oracle Corporation?

Because the mail headers say that all of the messages passed through **oracle.com** – that is the one factor that is common to every single message.

Based on information and belief, almost every message is distinguished as being an output of Oracle's company-proprietary Oracle\*Mail software, by the use of '----End of Message----' and '----Included Message----' lines, which are unique to **Oracle\*Mail**.

How do we know that Thomas Childers printed these materials?

We know that Thomas Childers printed these materials because every mail is either to or from **tchilder@us.oracle.com**. They were in his custody. It would be his responsibility to explain how they escaped his custody.

We can also verify origin by **comparing the output, under a microscope**, with similar printouts that are almost certainly preserved in Thomas Childers' personal files.

Based upon personal information and belief, Thomas Childers printed these emails on the dot matrix printer connected to his Apple computer, at home.

Tom appears to have spent the better part of an entire day – Saturday, August 28, 1993 – printing out emails related to his younger brother:

- At 9:47 AM, Thomas Childers began printing out a folder named 'Richard,1/93-7/93'.
- At 11:06 AM, Thomas Childers began or continued printing starting from page 20.
- At 15:38 PM, Thomas Childers began or continued printing starting from page 41.
- At 16:41 PM, Thomas Childers began or continued printing starting from page 61.
- At 19:05 PM, Thomas Childers began or continued printing starting from page 80.
- At 20:22 PM, Thomas Childers began or continued printing starting from page 111.

The folder's name, at the top of every page, indicates that it contains contents related to 1993; and yet, it begins with a mail message that is dated from 1991.

Clearly a large amount of intervening emails have been deleted.

That is only the first of many inconsistencies.



Based on information and belief, on Saturday, August 28, 1993, Thomas spent the entire day printing out electronic mail, from Oracle, to show to Liz Marin, the Sybase HR liaison to MIS.

Thomas was doing this in order to persuade Liz Marin to not hire me, at Sybase, where I was being interviewed, in August, 1993. And Thomas was successful – Liz Marin broke off communications with me and refused to acknowledge me, even when I sent her a letter, asking, via certified mail, why.

### **Provocation**

It is not the purpose of this email to subject the 134-page-long printout to an exhaustive analysis.

I will summarize why such an analysis is needed, by stating that I think the evidence may prove my older brother's, and Oracle Corporation's, involvement in my girlfriend's restraining order.

Because these emails resided on Oracle computers it is almost certain that Oracle Corporation personnel were also reading my electronic mail, as well as my older brother's electronic mail, during my forced leave of absence, and afterwards.

Based on information and belief, Oracle Corporation reading my electronic mails after I was no longer an employee, by reading my brother's electronic mails, may be a species of **wiretapping**.

So it is almost certain that Oracle Corporation was in possession of all the information it needed to provoke my older brother, my girlfriend, or both, to do something they might later regret.

### **Other missing documents**

It can be said that the entire 134-page-long printout is all new evidence. Particularly those portions where I am discussing the events relating to my pending termination, at Oracle, with my fellow Unitarians, in our ostensibly private BITNET-based mailing list, UUS-L.

However, there are other documents that Oracle Corporation did not produce, which need to be accounted for.

When I worked at Oracle Corporation, one of my areas of expertise was reading and writing magnetic tapes. I was an expert at using dd(1), mt(1), dump(8), restore(8), tar(1) and other UNIX archival utilities to extract usable files from tapes produced on unconventional computers and operating systems.

Employees involved in customer support were often asking the Data Center for help in reading and writing data to and from tapes. Someone – it might have even been me – suggested setting up some publicly accessible tape drives in the Data Center, a sort of self-service tape drive kiosk, so that users could read and write their own tapes and not need assistance from computer operators.

But even after this was done, users still needed help composing the commands necessary to extract data from or write data to a tape in a way that was guaranteed to be usable by the customer at the other end.

So I ended up writing a small instructional manual for users, on the theory and practice of cutting tapes. I might have even titled it, '**On The Theory & Practice Of Cutting Tapes**'.

A few years later, when I started working at ASK/Ingres, another database company located in Alameda, I met the person I was replacing – Dan Dick – and Dan told me that he was leaving to start working at Oracle, in the Data Center. I told him that we were trading jobs; and, we stayed in touch.

A few months later Dan sent me an email telling me that he had encountered my tape drive manual, in the Data Center, and that it was still in use, and still listed me as the author.

Needless to say, this tape operator manual was not turned over, in response to my lawsuit's subpoena.

There was something else I wrote, that Oracle also concealed from San Mateo Superior Court.

Many of the servers that we administered in the Data Center were used to provide home directories for Oracle employees. These servers often provided home directories to hundreds of users. When one of these home directory servers was offline, it meant that hundreds of Oracle employees could not work.

One did not need to shut down a computer to render hundreds of people idle, however. One only needed to fill up the shared disk partition in which the hundreds of home directories co-resided. All it took was one user copying one large dataset or SQL dump to their home directory, and then forgetting to delete it ... then, doing it again ... and again ... until, one day, everything came to a halt and frantic calls to the Data Center demanded that we find and fix the problem NOW.

My methodology for fixing this problem was to run a utility to measure the disk use of each user, in kilobytes, then sort the results to see who was using the most storage; then, contact them, or their manager, and ask them to clean things up, and not to do it again. Cooperation was essential.

I found myself doing this so often that I wrote a **program to automatically check the free disk space** in the home directory partition and, if it crossed a threshold, identified the problematic employee home directories, and sent them an electronic mail politely asking them to clean up, **before the partition filled up**. Patricia McElroy described it as, "solving a human problem with technology".

(This was a decade before "proactive" was a buzzword, by the way.)

The result: no more home directory filesystems filling up, and no more hundreds of idle employees. I saved Oracle Corporation hundreds of thousands of dollars in lost productivity from idle employees. Probably much more. Pretty cool, huh?

(I actually replaced myself with a small shell script. Pretty stupid, huh. See how I was thanked?)

The odds are pretty good that my script, or a derivative of it, is still in use, thirty years later. Because nothing, really, has changed. People still have home directories. The home directories are still concentrated on larger machines so that they can be backed up. People still fill up partitions –

nowadays, it's digitized videos, not datasets. But the principle is the same – find the biggest files and delete them, or move them elsewhere. And the solution always involves eliciting cooperation.

Needless to say, this script that automatically maintained home directories and corporate productivity was not turned over, in response to my lawsuit's subpoena.

Strangely, at the end of 1992 I only received a bonus of 2%.

Based upon information and belief, this was the **very smallest bonus a person could get** at Oracle Corporation.

I received this tiny bonus because I was, supposedly, an anti-Semite, and someone in a position of power and authority wanted me to quit. It was a deliberate insult from people who secretly **hated** me. There is simply no other explanation. The theft of my bonus was a hate crime.

It's not clear who received the bonus for the public tape drive cluster, or the mini-manual I wrote, or the bonus for the home directory maintenance program I designed. My first guess would be Burt Demchick, as he was responsible for distributing our team's bonuses. My second guess would be Patricia McElroy, who may have been asked for input on her team's performance, for 1992 bonuses.

### **Where do we go from here?**

Although it is not the purpose of this letter to provide an exhaustive analysis, that is my next step. There is more information to be gleaned from these 134 pages of materials. But I do not need the originals to do my research. Whereas you do need the originals to prosecute Oracle Corporation.

I feel obligated to share the news of this discovery with the **California Department of Justice**, because Oracle has made a mockery of you. I hope your agency is interested in doing something about this, so that the California Department of Justice does not look like a laughingstock to the world.

I also feel obligated to share this information with the **California Department of Fair Employment & Housing**, in the hopes that they, too, might feel motivated to do something about the joke that Oracle Corporation has made of them and their regulations. We have common cause.

Indeed, because my children ended up living in substandard housing, infested with mold and bedbugs, it is doubly of interest to the DFEH – seeing as their agency's official mandate includes both employment, and housing, and this is a case where **criminally-managed employment** created circumstances that inevitably forced my family into **criminally-managed housing**<sup>15</sup>.

One would have to be wearing blinders not to see the connection. Oracle Corporation is not just a predator. It is a corrupter. And the corporation is representative of a larger problem this country faces.

All the lawyers that helped Oracle get away with these crimes, and many others, have retired, and are enjoying their wealth – probably in other countries, like Russia, and Israel, with no extradition treaties.

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15 Exhibit 7; see pages 31-34

Larry Ellison, at last report, bought most of a small island in the Hawaiian cluster. He is well positioned to flee the United States. Possession of an intercontinental aircraft and privately managed jet fuel reserves would be other indicators – just sayin’.

I hear the age of consent in Japan is thirteen – and Larry Ellison is a big fan of things Japanese<sup>16</sup>. Larry’s not stupid, you won’t find any Masonic temples on his island. Food for thought.

And then, there’s those injections of blood from younger people Larry gets – that’s just plain sick<sup>17</sup>.

I’m not saying that any of these people are corrupting or preying upon the locals so unfortunate as to be trapped in their vicinity, by poverty, or geography ... but it’s not unlikely. They’re not ethical people.

... Meanwhile, I have these 134 pages of felony-grade evidence, of corporate criminality gone rampant.

Is anyone in the California government interested in assuming responsibility for these materials?

Should I look for a lawyer? Or maybe a *buyer*?

Personally, *I* think the verdict should be reversed. Or vacated. But vacating it is pointless, that just means I need to find another lawyer, cough up another \$30,000, and wait ten years for another Big Nothing Burger. What’s the point? Civil law clearly isn’t working.

It will take \$10,000 in cash, just to get a law firm’s partial attention. Another \$10,000 to hold their attention for a few months. Then I just need to worry about them being bribed. Or another of my family members being accidentally killed, in a crosswalk. Oracle will drag this out until 2121 if they can.

If your agency is seriously interested in assuming responsibility for these materials and using them to prosecute Oracle Corporation in criminal court, the **next step would be for someone to get in touch** with me and make arrangements to assume custody of these materials.

I think time is of the essence. If you don’t punish Oracle, the citizens of California will know that you are not governing this state and have relinquished control to Oracle, Google, Facebook, Twitter, etc, and in the next race for Governor, it’s going to be Mark Zuckerberg, running against Peter Thiel.

I also think this is a major opportunity for levying some serious fines against Oracle Corporation. Think of how much compounding interest the State of California can collect from 25 years of deceit. Or what other dust bunnies you might flush out from under the bed, with a little vacuuming.

Other states and other countries are having their own difficulties with Oracle Corporation. You should consider uniting in common cause. Oracle is not indispensable. Just fast. It can be replaced. And Oracle Federal is a completely separate corporation from Oracle Corporation.

If you wish to schedule a meeting, to arrange for the transfer of these materials to the State of California’s custody, I prefer to communicate in writing.

<sup>16</sup> <https://web.archive.org/web/20040408124353/http://www.orafraud.org:80/Oracle/terminator.html#Le%20Poseurs>

<sup>17</sup> <https://www.latimes.com/business/lazarus/la-fi-lazarus-fda-vampires-using-the-blood-of-the-young-20190219-story.html>

If the State of California is not interested in these materials, you should let me know so that I can offer these materials to others whom might be more willing or able to put them to good use. Perhaps I can auction the materials, on eBay.

Whatever you decide, I can be emailed at **richard.childers@hush.com**.

You can also send a letter to me via USPS mail but if I am not expecting it I will not sign for it and if I do not know what is inside I will not be motivated to open it, as it will probably contain bad news and I've had all the bad news I can deal with.

Sincerely,

---

Richard Childers  
PO Box 970  
Fortuna CA 95540  
richard.childers@hush.com  
<http://www.linkedin.com/in/fscked/>

### **DVD Contents**

- 1993-08-28—Pages-001-134 (**folder, includes spreadsheet**)
- 2016-08-29—137-12th-St-95540.iso
- 2021-02-23—CA-DOJ-re-JV160250.pdf
- 2021-07-11—CA-DOJ-DFEH-re-393104.pdf

This area is deliberately blank

**Appendix: Who's Who**

In anticipation that DOJ or DFEH might wish to interview some of the participants of these events I have created a roster of individuals, by name, identifying their role and estimating their willingness to cooperate with an investigation, thirty years later.

**Tentative list of witnesses:**

Anne Mitchell	n/a	Bay Area family law lawyer
<b>Alan Tottle</b>	atottle@us.oracle.com	Brand new VP of MIS, IIRC
Andrea Rabkin	arabkin@us.oracle.com	DBA Services Group employee
<b>Barry Shein</b>	bzs@world.std.com	Suspected JDL agent provocateur
<i>Bruce Coe</i>	bcoe@us.oracle.com	UNIX Services Group manager
<b>Betsy Guala</b>	bguala@us.oracle.com	Data Center backup operator
<del>Bob Miner</del>	bminer@us.oracle.com	VP, Oracle Networking; deceased
<b>Burt Demchick</b>	bdemchic@us.oracle.com	Richard Childers' second manager
<i>Cecily Waterman</i>	n/a	Brobeck, Phleger & Harrison
<i>Dan Dick</i>	ddick@us.oracle.com	UNIX Services group employee
David Flexo	dflexo@us.oracle.com	Network Services Group employee
Don Beusee	dbeusee@us.oracle.com	UNIX Services Group employee
<i>John Hanley</i>	jhanley@us.oracle.com	UNIX Services Group employee
<i>Gayle Woodhouse</i>	gwoodhou@us.oracle.com	UNIX Services group employee
<i>Ken Geiselhart</i>	kgeiselh@us.oracle.com	UNIX Services Group employee
Larry Ellison	l Ellison@us.oracle.com	CEO of Oracle Corporation
Lisa Gold	lgold@us.oracle.com	Oracle HR supposedly covert contact
Michael Glass	mglass@us.oracle.com	UNIX Services Group employee
<b>Michael Satterwhite</b>	msatterw@us.oracle.com	Manager of Human Resources
Michael Yearling	myearlin@us.oracle.com	DBA Services Group employee
Patricia McElroy	pmcelroy@us.oracle.com	Richard Childers' first manager
<b>Pamela Mabon-Wilmot</b>	pmabon@us.oracle.com	UNIX Services Group manager
“	pwilmot@us.oracle.com	“
Paul Walesky	pwalesky@us.oracle.com	UNIX Services group employee
P. Pai	ppai@us.oracle.com	UNIX Services Group employee
Ricardo Rivera	rrivera@us.oracle.com	primary Oracle*Mail administrator
Richard Childers	rchilder@us.oracle.com	author of this document
“	childers@vixie.sf.ca.us	“
<i>Scott McMahan</i>	smcmahan@us.oracle.com	Burt Demchick's manager
Steve Zoppi	szoppi@us.oracle.com	former Director of MIS Department
Sue Caughey	scaughey@us.oracle.com	DBA Services group employee
Thanh Nguyen	tnguyen@us.oracle.com	UNIX Services Group employee
<b>Thomas Childers</b>	tchilder@us.oracle.com	Richard's older brother
<i>Tim Wilmot</i>	twilmot@us.oracle.com	Pamela Mabon-Wilmot's husband
Traunza Adams	tnadams@us.oracle.com	HR employee that might know more
UNIX Services Group	unixsrv@us.oracle.com	Mail alias for entire group

**Bold:** probably uncooperative

*Italic:* possibly cooperative

**Probably uncooperative witnesses:**

Most of these people can safely be assumed to be sympathetic to ADL<sup>18</sup>, Hadassah<sup>19</sup>, AIPAC<sup>20</sup>, JDL<sup>21</sup>, or some subset thereof<sup>22</sup>.

**Alan Tottle****Barry Shein****Betsy Guala****Burt Demchick****Michael Satterwhite****Pamela Mabon-Wilmot****Thomas Childers**

instructed Burt Demchick, concealed emails from Superior Court accused me of being an anti-Semite and tried to get me terminated accused me of harassing her via email, never produced email my immediate manager, concealed emails from Superior Court engaged in fraud by terminating me for being unproductive sent email to entire UNIX services group suggesting I was insane used event to advance sociopathic agenda; disinheritance, etc

**Probably cooperative witnesses:***Bruce Coe**Cecily Waterman**Dan Dick**John Hanley**Gayle Woodhouse**Ken Geiselhart**Scott McMahan**Tim Wilmot*

Tried to persuade me not to read my accumulated emails. Though rewarded, she wasn't comfortable with Oracle's conduct. Confirmed that tape drive manual was still in use at Oracle. Wished me well. Said, "don't let the bastards wear you down." Spent a week with her going to Sequent classes in Portland. Former Help desk employee. Probably knew Betsy Guala well. Probably didn't appreciate being forced to fire me w/o cause. Married to Pam Mabon during period events occurred. 'Nuff said.

This area is deliberately blank

18 [https://en.wikipedia.org/wiki/Anti-Defamation\\_League](https://en.wikipedia.org/wiki/Anti-Defamation_League)

19 [https://en.wikipedia.org/wiki/Hadassah\\_Women%27s\\_Zionist\\_Organization\\_of\\_America](https://en.wikipedia.org/wiki/Hadassah_Women%27s_Zionist_Organization_of_America)

20 [https://en.wikipedia.org/wiki/American\\_Israel\\_Public\\_Affairs\\_Committee](https://en.wikipedia.org/wiki/American_Israel_Public_Affairs_Committee)

21 [https://en.wikipedia.org/wiki/Jewish\\_Defense\\_League](https://en.wikipedia.org/wiki/Jewish_Defense_League)

22 <http://jewishdefense.org/>

Richard, 1/93-7/93  
Saturday, August 28, 1993

Page 1 of 134  
9:47:00

Received: 07-21-91 22:47 Sent: 07-21-91 21:55  
Postmark: 07-21-91 22:46  
Sender: WRPYR:childers@vixie.sf.ca.us  
From: Richard A. Childers  
Subject: FYI  
To: tchilder@us.oracle.com  
Reply-To: WRPYR:childers@vixie.sf.ca.us

Exhibit 1

From: pmcelroy@us.oracle.com Sat Jul 20 00:14:16 1991  
Received: by vixie.sf.ca.us; id AA26945; Sat, 20 Jul 91 00:13:57-0700  
Received: from hqsun1.us.oracle.com by gatekeeper.oracle.com (5.59.10/37.6)  
id AA25785; Sat, 20 Jul 91 00:13:53 PDT  
Received: by hqsun1.us.oracle.com (5.59.9/37.6)  
id AA19057; Sat, 20 Jul 91 00:13:50 PDT  
Message <107200713.AA19057@hqsun1.us.oracle.com>  
Date: Sat, 20 Jul 91 00:13:50 PDT  
From: Patricia H. McElroy <pmcelroy@us.oracle.com>  
To: childers  
Subject: Re: HR detritus  
Status: R

The offer letter has been signed by Larry Ellison as of 6:30pm this evening. I just got home and heard my voice mail informing me of this. I hope you will accept our offer of employment.

BTW this offer letter was turned around within a week... pretty good for a fairly large corporation, considering all the approvals that it had to get

The offer letter set a start date of 7/22. Please give me a call at 408-244-9069 when you see this note. . . . I am generally up until about 1am and on Saturday should be up by 9am.

Pat

----- End of Message -----

Received: 07-22-91 12:49 Sent: 07-22-91 12:14  
Postmark: 07-22-91 12:49  
Sender: WRPYR: rchilder@vikram.us.oracle.com  
From: Richard Childers  
Subject: New user in town  
To: klong@sun.com tchilder@us.oracle.com vixie@pa.dec.com  
Reply-To: WRPYR: rchilder@vikram.us.oracle.com

Greetings and felicitations, all. I'm now a permanent employee of Oracle, working in their UNIX Data Center as administrator.

The grapevine says it's the fastest hire in Oracle history... from interview to CEO signoff in less than a week... despite a hiring freeze. If this seems



Richard\_1/93-7/93  
Saturday, August 28, 1993

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11:06:12

Received: 01-14-93 12:45 Sent: 01-14-93 12:10  
Postmark:01-14-9312:10  
Sender HQPVR1:rchilder@us.oracle.com  
From: Richard Childers  
Subject: Leave of absence ( was: )  
To: TCHILDER@us  
Reply-HQPVR1:rchilder@us.oracle.com

Exhibit 2

I'm on a temporary leave of absence, effective 14 January 1993, expected duration two weeks, expected return 25 January 1993, for medical reasons.

During this period if you have any problems please call Burt Demchick, (415) 506-2384, or Scott McMahan, (415) 506-3094.

If this is an emergency, call 506-HELP for assistance from other staff in the Oracle Data Center.

If this concerns networking or IP assignments, please contact John Hanley, (415) 506-2360, or Michael Glass, (415) 506-2407.

A'dios...

--richard

=====

-- richard childers rchilder@us.oracle.com 1 415 506 2411  
oracle data center --- unix systems & network administration

whatever remains, however improbable, must be the truth

----- End of Message -----

Received: 02-03-93 12:22 Sent: 02-03-93 12:22  
Postmark:02-03-9312:22  
Sender: TCHILDER US  
From: Tom Childers  
Subject: Re: please proofread and comment  
To: HQPYR1:pascal@netcom.com  
Reply-totchilder.us

I think you are wasting your time. If you'd dropped contact like I suggested, she wouldn't have filed for a restraining order. You are going to spend a lot of money and time, and get nothing back for your effort.

Her problems are evident. So are yours. You are obsessing about a woman who doesn't want you in her life, and you are maintaining contact in the only way left to you. I can't believe you have the balls to talk about loving someone you are taking to court| Absurd.

-tdc

----- Included Message -----

Richard.1/93-7/93  
Saturday, August 28, 1993

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15:38:18

Postmark:02-15-9308:34  
Sender:HQPYR1:pascal@netcom.com  
From: richard childers  
Subject: summary of events  
To: tchilder@us.oracle.com  
Reply-to:HQPYR1:pascal@netcom.com

I promised you a description of what happened, and, after considerable thought, it seems that the best way to do this is to show you the email in question, with a bit of an introduction first to set the context for the events.

Human Resources entertained without first doing any investigation... accusations that I had harassed a coworker via email. They then refused to provide any sort of proper closure to their accusation, instead withdrawing it and denying that anyone had ever accused me of such a thing, and leaving me in a very unpleasant limbo, described below.

I took a two-week leave at HR's request as a result of expressing the stress I was experiencing -- rather eloquently, I admit -- came back, and found this in my email box. ( Note : it was addressed to the whole group. )

Exhibit 3

--\*--

>From pmabon Mon Jan 25 12:40:34 1993  
Received: byhqsuni.us.oracle.com (Oracle1.12/37.7)  
id AA06791; Mon, 25 Jan 93 12:40:27 PST  
Message-ID: 01252040.AA06791@hqsuni.us.oracle.com  
Date: Mon, 25 Jan 93 12:40:27 PST  
From: Pamela Mabon <pmabon>  
To: unixsrv  
Subject: Sequent admin change  
Status: RO

Provided there is no occurrence of death or insanity in the group this should be the definitive list of Sequent Administration for a while:

hqseq, olsseq, wrseq, dvlseq, usoseq -- Gayle Woodhouse  
ap1seq, ap2seq, appseq, ap4seq, misseq1, helpseq -- Don Beusee  
dmdseq, ouseq -- Michael Glass  
cvcseq, supseq, supseq2, mailseq -- Ken Geiselhart  
wrseq3 -- Thanh Nguyen

Please remember that this is only a list of these people's Sequent systems. It does not include any other duties or systems that they are also responsible for.

Pam

--\*--

It's worth noting, I guess, that Pam Mabon was the manager that resulted in a friend and co-administrator, Robert Haddick's, rather sudden departure from

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the Data Center, also, although in his case he transferred to another department. At one point she was struggling with Robert for possession of a case of tools that he was expecting to take up to the twelfth floor with him. This same case of tools now rests beneath her husband's desk in Data Communications, where it is unavailable to Unix Services.

It's also worth noting that I perceive it as remarkably tasteless, doubly so in that Leon was hit by a truck less than two days after this was said.

I responded, as thoughtfully as I could, after a full night, and day, of consideration about whether to respond, and, if so, how.

Exhibit 4

--\*--

>From: rchilder Tue Feb 9 16:36:35 1993  
Received: byhqsun1.us.oracle.com (Oracle1.12/37.7)  
id AA28620; Tue, 9 Feb 93 16:36:29 PST  
Message-ID: <E002100036.AA28620@hqsun1.us.oracle.com>  
Date: Tue, 9 Feb 93 16:36:29 PST  
From: Richard Childers <rchilder>  
To: arabkin, bcoe, bdemchic, dbausee, dflexo, gwoodhou, jhanley, kgeiselh, mglass, myearlin, ppai, pwaleski, pwilmot, rchilder, rrivera, scaughey, tlnghuyen  
Subject: Gossip vs Fact  
Status: RO

Date: Mon, 25 Jan 93 12:40:27 PST  
From: Pamela Mahon <pmahon>  
To: unixsrv  
Subject: Sequent admin change

"Provided there is no occurrence of death or insanity in the group ..."

While this is rather amusing, it also comes across as a bit unprofessional, and leaves a bad impression.

I suppose it is equally unprofessional to attempt to correct the record, but it is my responsibility to set the record straight ... as well as my right. Normally I'd address these comments to Pam alone, but since she saw fit to direct her words to unixsrv at large, I will do the same.

Everyone has heard all the rumors. Even I've heard a few of them. It's time you heard the truth, at least as much of it as is available at this time.

--\*--

Someone said I was harrassing them in October. HR looked into it and said it was not harrassment, it was a personal conflict.

Unsatisfied with this, my accuser apparently went about telling as many people as they could, that they had been or were being harrassed by me. The exact sequence of events has not been determined, but the result was all too tangible. A lot of people became aware of the accusations, and a lot of them concluded that there must be a kernel of truth to the accusations.

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Exhibit 4

Human Resources either was unable to stop this, or did not believe it was happening, or assumed that I deserved it because, like everyone else, they found it simplest to believe that there must be a kernel of truth to the accusations. The end result was what I regarded as an unacceptable level of service on the part of Human Resources ... and I said so, many times.

During the next three months I first requested, then demanded, that Human Resources examine my logs of outgoing email - by which mechanism I assume complete responsibility for my words - and provide a written conclusion to the charges - a basically thankless and time-intensive task that no one had or has any taste for carrying out. Human Resources refused, even after I escalated my demands to the email of PWILSON and ATOTTLE. ( HR's and my VPs, respectively. )

Nobody - with the exception of Human Resources - has had any trouble seeing why a written statement was mandatory. Silicon Valley is a very small world, well networked together, and word travels rapidly. When - not if, but when - this was next raised as a topic, whether here or at another company, it was absolutely necessary that I have something to exonerate me of future efforts to associate me with criminal behavior. Once I had left Oracle - something I am not eager to do, surrounded, as I am, by many intelligent and thoughtful people - I would have never been able to clear this up. Thus, it had to be cleared up here and now.

Had this been an accusation of a stolen piece of hardware, this would have been handled quite differently. However, the accusation of 'harrasment' seems to bring out the worst and most prejudicial behavior in everyone, and so I was presumed guilty until proven innocent ... treated accordingly by HR and many of my coworkers ... and denied the opportunity to prove that I was not guilty of any of this person's charges.

The consequences were predictable.

--\*--

In early January I told them that between my accuser's systematic efforts to hurt my reputation, and HR's refusal to provide me with documentation I could use, were this ever to arise again as an accusation - they didn't leave me a whole lot in the way of options ... other than suicide. I was quite serious. That things should have ever reached such a point reflects far more poorly upon Human Resources, than it does upon me, an employee of Oracle. I believe that they are gradually coming to realize this.

Their response was to have me take off two weeks, with pay, and to ask me to see a doctor and get certified as stable - which I did, without problems

( The two weeks were fortunate, in that they allowed me to achieve a degree of calm that proved to be invaluable when dealing with my father's demise, so that it all worked out for the best )

--\*--

This may be an unacceptable way to communicate with Human Resources, but the truth was all that I had left. I wasn't planning on anything so drastic, but the massively unfair way I had been mistreated and under-represented needed to be seen for what it was ... a failure on the part of the Human Resources people to fulfill their responsibility to both parties in this

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matter, and a threat, if not an all-out attack, upon both my self-respect, and my physical wellbeing ( since the stress of being made into a pariah in one's own department is not trivial ).

As far as I am concerned, such a statement should never have been necessary on my part, for the situation should never have been allowed to arise. But it did, and the most responsible thing to do was to call it for what it was.

Some people may call this irresponsible behavior, or describe it as unstable. This may be true, but I felt that I had a responsibility to my peer employees to see this state of affairs identified and corrected, before someone else suffered this sort of abuse at the hands of HR, and did injure themselves. If I did not do so now, someone else would have had to do so later, perhaps after someone else had been hurt ... when it was too late.

--\*--

So, why am I telling everyone all of this ?

A couple of very good reasons.

- (1) Harrassment does occur ... and it takes many faces. We all need to police our own ranks, to keep this from happening again. It has cost the company, as well as the department and many people within it, much, in time, money, and energy - which no one has to waste. My keeping this particular piece of dirty laundry out of everyone's sight only guarantees it happening again.
- (2) Abuses of legal rights and human rights do occur, also ... and if you don't defend yourself vigorously against such excesses, no one else will do so for you, or at least no one will be able to do it as well as you can do for yourself. Don't make the assumption that Human Resources departments are not subject to errors - they are painfully imperfect. )-
- (3) Working in an environment poisoned by accusations and mistrust as no less toxic than working on a Superfund site, and, although the consequences upon one's health are nowhere near as detectable, they can still have a very debilitating effect upon one, such that we stand to all gain by trying to avoid making jokes about other people's health - mental or otherwise. We work in a very stressful field, and should treat each other with a little more tolerance and forbearance, IMHO.
- (4) Nobody has done anything which calls for discussions of either harrassment or insanity or death, in any manner whatsoever, humorous or otherwise. Especially in email, addressed to a large group of people.

Now, can we return back to work and cease repeating unfounded stories and engaging in unsubstantiated insinuations?

Exhibit 4

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Saturday, August 28, 1993

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Exhibit 5

COPY

ENDORSED FILED  
San Francisco County Superior Court

NOV 06 1996

ALAN CARLSON, Clerk  
BY: LINDA ESPY  
Deputy Clerk

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Richard Toshiyuki Drury (SBN 163559)  
439 - 28th Avenue  
San Francisco, CA 94121  
415-243-8373

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

\_\_\_\_\_  
HELEN WONG,  
Plaintiff,  
  
v.  
  
RICHARD CHILDERS,  
Defendant.  
\_\_\_\_\_

Case No. FL005153

DECLARATION OF  
RICHARD TOSHIYUKI DRURY

I, Richard Toshiyuki Drury, declare as follows:

1. I am an attorney admitted to practice law in the State of California.

2. On January 27, 1995 at 10:23 a.m., I accompanied the defendant in the above-captioned action to the Superior Court of the State of California, County of San Francisco, located at

1 633 Folsom Street, San Francisco, California, for the purpose of  
2 reviewing the official Superior Court file ("the file") in the  
3 above-captioned action.

4 3. Upon careful review of the file I noted that  
5 alterations had been made to certain documents contained in the  
6 file.

7 4. Most of the alterations of documents in the file  
8 appeared to have been made by covering the original type with the  
9 substance commonly known as "White Out," "Liquid Paper," or a  
10 similar substance (hereinafter "white out").

11 5. For purposes of this Declaration, the terms,  
12 "whited out," or "whiting out," shall refer to the act of using  
13 white out to cover portions of text on a document.

14 6. The white out was sometimes typed over with  
15 substantially different information from the information  
16 originally typed on the altered documents, and sometimes the  
17 whited out text was not replaced with new text.

18 7. I was able in most cases to read the text  
19 underneath the white out by holding the document in question to  
20 the light, by holding a flashlight behind the document in  
21 question, and/or by viewing the document in question through a  
22 magnifying glass.

23 8. The document entitled, "Restraining Order After  
24 Hearing," filed with the court on February 18, 1993, evidenced the  
25 following alterations:

26 a. the hearing date had been changed from  
27

28

1 February 2, 1993 to February 16, 1993 through the use of white  
2 out;

3 b. the Department had been changed from 31 to 11  
4 through the use of white out;

5 c. the room number had been changed from 336 to  
6 403 through the use of white out;

7 d. the Judge had been changed from Marla Elena-  
8 James to Lee Baxter through the use of white out;

9 e. in the space designated for "protected family  
10 members," the names "John B. Wong," and "Chui Sim Wong" had been  
11 whited out and not replaced;

12 f. the expiration date of the order was changed  
13 from February 2, 1996 to February 16, 1996 through the use of  
14 white out;

15 g. paragraph four (4) of the document had been  
16 altered through the use of white out to remove the markings, "XXX"  
17 from the box designated for the text, "and family or household  
18 members;"

19 h. paragraph four (4) of the document had been  
20 altered through the use of white out to remove the markings, "XXX"  
21 from the box designated for the text "protected person's  
22 children's school or child care," and "other." The words, "Helen  
23 Wong's School," following the word, "other," had been whited out.

24 9. The document entitled "Order to Show Cause and  
25 Temporary Restraining Order," filed with the Court on January 22,  
26 1993 evidenced the following alterations:

27  
28



1           a. original date of February 2, 1993 whited out  
2 and changed to February 16, 1993;

3           b. original department of "31" whited out and  
4 changed to "11";

5           c. original room of "336" whited out and changed  
6 to "403";

7           d. the marking "X" was whited out from the box  
8 following the text, "defendant shall not contact or molest  
9 plaintiff," and preceding the text, "and the following family and  
10 household members," and the names, "John B. Wong," and "Chui Sim  
11 Wong" were whited out following the text "and the following family  
12 and household members" in the same provision;

13           e. the marking "X" was whited out from the box  
14 following the text, "defendant shall stay away from plaintiff,"  
15 and preceding the text, "plaintiff's family and household  
16 members," and the names, "John B. Wong," and "Chui Sim Wong" were  
17 whited out following the text "plaintiff's family and household  
18 members" in the same provision;

19           f. the marking "X" was whited out from the box  
20 designated for the text "other (specify)," and the text "Helen  
21 Wong's School was whited out following the text "other (specify);"

22           10. The document entitled "Application and Declaration  
23 for Order," signed by Helen Wong on January 20, 1993 evidenced the  
24 following alterations:

25           a. portions of the paragraph typed at the bottom  
26 of page one (1), paragraph three (3) of the Application and  
27

1 Declaration had been whited out and not replaced. I reproduce  
2 below a facsimile of the original paragraph, with the whited out  
3 portions underlined:

4 Richard and I had a dating relationship for  
5 10 years. Two years ago, I broke up with him  
6 and he has been harassing me since then.  
7 Most recently, he broke the glass from my  
8 front door (on January 11) when I requested  
9 payment for an overdue bill. He has called  
10 me and my parents and he has left messages  
11 claiming that I ruined his life and that \*\*  
12 he would make my life miserable. While we  
13 were dating, Richard slapped me across the  
14 face, slapped me in my mouth and tripped me  
15 when he became angry. He has also wished me  
16 dead on numerous occasions. Richard has also  
17 been verbally abusive to me. If I don't get  
18 a restraining order, I fear he will hurt me  
19 and continue to harass me, which has not  
20 abated since I broke up with him.

21 b. paragraph five (5) was altered so that the  
22 marking "XX" was whited out from the box preceding the text, "and  
23 the following family or household members," and the names, "John  
24 B. Wong," and "Chui Sim Wong" were whited out following the text  
25 "and the following family or household members" in the same  
26 provision;

27 c. paragraph seven (7) was altered so that the  
28 marking "X" was whited out from box "a" and the names, "John B.  
Wong," and "Chui Sim Wong" were whited out following the text in  
subparagraph "a";

d. paragraph thirteen (13) was altered so that  
the marking "X" was whited out from box designed from  
"Restitution." Under the heading, "Type of Loss," the words,  
"Broken window" were whited out. Under the heading "Pay to," the

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words, "Helen Wong" were Whited Out. Under the heading, "Amount of Claim," the words, "To be provided at hearing" were whited out.

///

///

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 8th day of February, 1995, at San Francisco, California.

  
Richard Toshiyuki Drury

EXHIBIT 21  
PAGE 1 OF 3

## MEMORANDUM

To: RAC's File  
From: EPS *EPS*  
Date: November 18, 1993  
Re: Visit to California Superior Court - Case #FL005153  
Thursday, Nov. 18, 1993 8:50 a.m. to 10:30 a.m.

Exhibit 6

The following will be a summary of my visit to review the material in connection with this case.

We arrived at City Hall about 8:50 a.m. and proceeded to the 4th floor court room to view the court calendar of Judge Lee D. Baxter, where the above cited case was heard. The Clerk permitted the viewing and Richard made notes of other cases heard during the period of February 1 through February 28, 1993. I might note that on the court calendar the Wong v. Childers case summary has been outlined with a box made by a marker (original in court file the same page appeared with the box outline made by a pink felt tip marker). It was the only case so marked during the month of February.

Next we went to the third floor Superior Court records office and I withdrew the court's file in connection with this case to review the original documents. The following is a summary of my personal observation.

**Order to Show Cause and Temporary Restraining Order - Filed January 22, 1993**

The original document had nine areas where liquid paper white-out had been applied, I used a yellow highlight marker to identify the areas on my xerox copy of the document. Changes were determined with the aid of a mirror which was used to read the original text from the back under the "white-out" or with a magnifying glass since the white did not erase the impact of the typewriter keys on the paper.

The date, department, and room number had been changed as follows:  
Date: from February 2 to February 15  
Department: from I believe 31 to 11  
Room: from I believe 136 to 403.

The names of John B. Wong and Chui Sim Wong were removed in two places on the document.

The words "Helen Wong's school" was also removed.

**Application and Declaration for Order**

On this document the following text was removed :

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"would make my life miserable" and replaced with "if I didn't reckon with him, my life would be miserable".

"He has also wished me dead on numerous occasions" and not replaced.

"hurt me and" also not replaced.

A small 1 1/2" by 2" yellow post-it was attached with the following observation written on it "Not clear whether the parties live or lived together. See #1 above." Author not identified.

#### **Restraining Order after Hearing - filed February 18, 1993**

This document had similar correction fluid changes as the Order to Show Cause and Temporary Restraining Order

Date, Department and Room number were changed. The judge's name was changed and the box along side the words "Temporary Judge" had been changed with "white-out". The names of John B. Wong and Chui Sim Wong had been removed as well as "Helen Wong's school"

#### **Proof of Service**

This document provided the information that Richard had been served on Tuesday, February 2, 1993 at 5:08 p.m. at his home address 260 Vicente Street, San Francisco.

#### **Discrepancies and Personal Observations**

- All the documents had an original court date set for February 2, 1993.
- Richard's recollection is that he was served with the legal documents late on the afternoon of Friday, January 29. We (Richard, his older brother Tom and I) had spent the day at San Francisco General Hospital. Richard had spent Thursday night with me. We had been at the hospital throughout the day, Leon had been taken to surgery at 12:40 p.m. to try to restore circulation in his legs. We had left the hospital about 5:30 p.m., came home for dinner and returned to the hospital about 8 p.m. expecting to find Leon returned to his room in Trauma Center at San Francisco General Hospital. The nurse placed us in a private waiting room and about 10:30 p.m. came to tell us she had been in touch with the operating room and he would be there for several more hours. We came home to try to get some rest.

Arrangements had been made by Carol G. Fink, the Family Nurse Consultant, to meet with the medical team at 10 a.m. on Friday morning. I left for the hospital about 7:30 and Richard was going home to shower, change and feed his cats. Both he and Tom were at the hospital by 9:30 a.m. We met with one medical team at 10:30 a.m. and the neurosurgeons at about 3 p.m.

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We were all aware that Leon was not going to survive his injuries and the amputation of his leg. The neurosurgical team concurred that the cerebral injuries could not be overcome and Leon was failing. It was agreed that he would be removed from the life support system. Richard left the hospital about dusk and was headed home to call his grandparents to advise them of Leon's condition, Tom left about 5 p.m. to go home and call his step-sister Camille and keep her advised of her father's condition, and I remained with Leon, who was unconscious, until about 7 p.m.

Richard recalls arriving at his apartment in somewhat of a daze and being served with the papers. I recall his mentioning something the next morning at the hospital. He and I rendezvoused at 9 a.m. at Leon's bedside joined at about 9:30 a.m. by Rev. Victor Carpenter. They had tried to turn off the life support system during the night and the staff physician, who had not been involved with the prior day discussions, put it back on, since the cranial pressure had moved up to a dangerous level. When I called at 6:00 a.m. Saturday morning and was told of the events during the night I advised the head nurse, Lawrence, not to do anything until I arrived I would be en route ASAP to be present. I called Richard and Tom. Richard came to be with me during this difficult time. The life support system was turned off at 10:25 a.m. and Leon died at 11:55 a.m.

I returned to my office on Monday, February 1, since it was year-end and accounting doesn't stop. Richard spent much of his time that week at my house answering telephone calls, taking care of things, comforting and looking after me.

#### Unanswered Questions

It is possible that there was some delay in serving the paper in a timely manner for response, etc. for the original February 2 hearing date, since they were not filed until January 22? They were served on January 29, but the proof of service was not filed until February 19 - three days after the court hearing on February 16.

I personally find it difficult to understand the concept that the court, i.e. Judge Lee D. Baxter, would accept and proceed with a hearing based on a document with text that had been changed in several places. Although not a criminal case, the judgement to place a three year restraining order on a person, who appears in court without legal counsel, seems rather heavy handed. Especially in view of the fact that Mr.Chan, whose reckless driving caused a death, was given a sentence of two years probation on October 25.

Reading the text of the hearing one wonders about Judge Baxter's integrity. She seems to have tunnel vision with little or no interest in searching for truth. And surely seems to lack some practical common sense or simply is not interested in her work. Which is a sad since she deals with the lives of human beings daily - the results of her decisions impact their lives for months and years to come.



Exhibit 7



Exhibit 7





Exhibit 7



Exhibit 7