

**UNITED STATES DISTRICT COURT**

**DISTRICT OF CONNECTICUT**

GARY R. WALL  
Plaintiff

**CIVIL NO. 3:09cv344(JCH)**

v.

EXECUTIVE OFFICE FOR THE UNITED  
STATES ATTORNEYS WASHINGTON  
D.C.; U. S. ATTORNEY'S OFFICE NORTHERN  
DISTRICT OF ILLINOIS  
Defendants

**PLAINTIFFS F.R.C.P. 59(e) MOTION FOR RECONSIDERATION OF THE  
DENIAL OF THE APPLICATION TO RECUSE**

SUBMITTED BY:

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**GARY R. WALL, Plaintiff**  
60 Carriage Hill Drive  
Wethersfield, CT. 06109  
860 529-2651

DATED: June 11, 2010

## **FOIA FEE WAIVER BACKGROUND**

On or about the end of 1995 this citizen petitioner was contacted by the F.B.I. (Special Agent Ernest Luera and Special Agent Peter Wax) informing this citizen petitioner that a complaint was filed with the Department of Justice alleging this petitioner was involved in 29 U.S.C. 530 assaults, 18 U.S.C. 1951 shake downs, and even a murder. The F.B.I. stated to me over the phone (at the time) that in order for me to be allowed membership under the terms of the "Operating Agreement" I must be interviewed by F.B.I. concerning "barred conduct" (later learned) they meant the allegations in the two complaints (April 19, 1997, March 2, 1997). There were 3 or 4 subsequent meetings with the F.B.I. Chicago Office and two occasions where the F.B.I. was accompanied by U. S. Attorney's from Washington and Chicago. From these meetings the F.B.I. determined all the allegations to be fabricated. Fabricated in order to silence blue collar workers (Cooksey also) from questioning union expenditures concerning pensions money. After the investigation of myself and William Cooksey, Sr. was over, I now needed the F.B.I. logs and b2 forms in order to show proof that your fraudulent bifurcation of 3:97cv9402(JCH) was an intentional usurpation of Civil and Statutory Rights in order to abet and protect Arthur Coia's 18 U.S.C. 1961(4) RICO Enterprise by the Sub Rosa criminal direction of Alan Nevas. So I then filed an F.O.I.A. request September 6, 2007 with the EOUSA on June 1, 2009, I was informed by the EOUSA that my request involved 375 boxes of material and it would cost me \$4,200.00 for the material I requested.

After approximately 3 years of litigating the F.O.I.A. request, I filed the instant Fee Waiver complaint March 3, 2009 under the provision of 5 U.S.C. 552(a)(4)(B). Your

Honor has been holding the complaint since then (15 months)<sup>1</sup>, see U.S.C. 552 complaint at pages 5 and 6 (filed in Hartford on March 3, 2009) of complaint under the heading of “Filing Quoted for Convenience”:

“This instant 5 U.S.C. 552(a) action in the Interest of Justice and Canon Law should not be filed in the Bridgeport Division or with any judge that Senior Judge Alan Nevas has Sub Rosa corrupt influence on by way of corrupted law clerks. Senior Judge Nevas is one of the criminal usurper’s of Civil and Statutory Rights obstructing pleadings that expose the “Operating Agreement” as a criminal scheme (18 U.S.C. 371) doing so through law clerks when he is not even assign to the case (documented). Senior Judge Alan Nevas was also a U.S. Attorney before becoming a Federal Judge”-----

**OTHER COMPELLING REASONS YOUR HONOR SHOULD RECUSE YOURSELF**

Through thirteen years of litigation, you have stalled and dismissed multiple motions through fact fraud Rulings. Fact fraud meaning you actually changed the facts so they did not come under the Authority of a Statute knowing that no one will question a Federal Judge against a blue collar pro se litigate. You fraudulently post dated a motion that involved the D.O.J. and then dismissed it for being late not knowing I had the original. You also committed a conspiracy with a D.O.J. corruption influence circuit panel to usurp this petitioner’s Civil and Statutory Due Process Rights. You abetted and conspired with by staying silent a national known RICO Enterprise committing collusion trial perjury, Dominick Lopreato convicted pension thief and convicted perjurer, Vere O. Haynes one of the targets of the Boston drafted 212 page RICO complaint and Robert Luskin former general counsel to the Department of Justice now in private practice as the author and creator of the “Operating Agreement” getting paid millions to protect Coia and his Enterprise from RICO Predicates.

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<sup>1</sup> This is another one of your criminal schemes concerning stalling. It is a tactic of hide, hold and hope he dies tactic and it just might work this time. A specialist told me it was “highly improbable I would be alive a year from now” that was 6 months ago. So please don’t stall anymore.

Said trial perjury overturned the remand of the plaintiffs own case Wall v. Local 230 224 Fed 3d 168(2000 2d Cir) district case No 3:97-cv9402(JCH). In the collusion trial perjury Mr. Lopreato testified he fired me for shaking down laborers for illegal collections both cases Wall v. Local 230 and 11 day NLRB Trial found the Opposite that Wall was fired for refusing to shake down laborers for illegal collections. You allowed co plaintiff Cooksey's medical and psychiatric record to be stolen from the pension office and read out to the membership and diagnosed while reading them out to the membership and when caught making after the fact fraudulent subpoena's to cover their criminal act. You disallowed and directed this plaintiff not to mention pension violating ERISA Rule of parity causing this petitioner to have his entire pension embezzled of pension membership money.

Because you are aware of the Nevas/D.O.J. Press Shield and you are also aware of the D.O.J's corrupt control of the 2d Circuit's Judicial Council (28 U.S.C. 351), most of the judicial crimes you committed are so flagrant and bold they are indefensible, and prove without a doubt that for (13) years you did everything possible to protect the "Operating Agreement" from turning into a "Consent Decree", which would mean Luskin, Nevas and other former D.O.J. Officials would lose control of 30 billion in pension assets. In addition, this is the second 28 U.S.C. 455 Application filed against you. The first 455 Application was filed April 30, 2003. There were also two prior 28 U.S.C. 351 complaints filed; one filed also in 2003, the other filed 2005. All (4) complaints against you, you look at as meaningless from knowing there is a Press Shield; Now causing you to be made a defendant in the pending Due Process Complaint 3:09CV1066(DJS). The Civil Rights Act case and the complaint 351/455 Application

can be read on [www.unitedstatesproselaw.com](http://www.unitedstatesproselaw.com). Therefore by reason of these facts, this petitioner is requesting Your Honor reconsider Your Honor's usurping ways and recuse yourself pursuant to 28 U.S.C. 455.

Submitted By:

Gary R. Wall, Plaintiff  
60 Carriage Hill Drive  
Wethersfield, CT. 06109  
860-529-2651

**CERTIFICATION**

This is to certify that a copy of plaintiff's F.R.C.P. 59(e) Motion For  
Reconsideration of the Denial of the Application to Recuse has been sent this 11<sup>th</sup> day of

June postage pre-paid to:

Executive Office for United States Attorneys  
Suite 7300, Bicentennial Building  
600 E. Street N. W.  
Washington, D. C. 20530

Department of Justice Office of the Solicitor General  
c/o of Acting Solicitor General, Mr. Edwin Kneedler  
Robert f. Kennedy Department of Justice Building  
950 Pennsylvania Avenue N. W.  
Washington, D. C. 20530-0001

SUBMITTED BY:

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GARY R. WALL