


From: Leonard Horowitz <len15@mac.com> 
Subject: Re: Amended Complaint
Date: December 18, 2007 10:34:51 PM HST
To: "John S. Carroll" <johncarro001@hawaii.rr.com>
Cc: tetra@tetrahedron.org

2 Attachments, 145 KB

John,

I am devastated your misrepresentation to Hara has claimed his support by affidavit.

Here are two times in writing I informed you that I prepared the document under his supervision.

The first is in paragraph III h. in my initial pro se defense reply to Lee's foreclosure complaint, which I provided you a copy.



[Horowitz Re....doc \(61 KB\)](#)

The second is in answer 12 to the interrogatories that you requested I provide and I provided.



[HOROWITZdoc \(84 KB\)](#)

During at least three other times I reinforced this fact verbally, concerned as I was that Hara may not be supportive and forthcoming. If he was not involved, then why did he recuse himself in the very beginning of my pro se defense against LEE's foreclosure complaint?

Now your attached Motion to Strike, which you obviously perceive as suitably assertive, neglects Rule 11(b)(1)(3)(4) and (c)Sanctions, pertaining to your paragraph 8 and the highly related felonies of LEE's repeated forgeries and frauds.

You blamed me for not getting you feedback regarding the Affidavit you drafted for Hara to sign. The main reason I neglected this is because I am trying to live my life, keep giving this matter over to our Creator; continue entrusting you, and most sadly, am deeply depressed and sickened communicating with you my felt needs and directions only to have you neglect them time and time again. I am nauseous when I have to think about this matter for more than an instant, which I try not to do.

You could have advanced Rule 60 (b)(3) to gain RELIEF from the foreclosure, even perhaps the garnishment order as the court's order was not to have damaged us. You allowed O'P and Lee to use the court's order to fraudulently claim conspiracy neglecting Lee's repeated felonies of

forgeries for months, every month costing our ministry many thousands of dollars in legal fees, lack of property enjoyment, and sustained emotional damage. You never contacted the AGs office on our behalf. Had you been aggressive, sensitive to our needs, and trusted my word over Lee's, Lee might now be behind bars where he belongs.

You further neglected my request for the Nakamura's decision citing LEE's forgeries be sent to Rep. Faye Hanohano.

Instead, you simply sent her the "expert's" analysis that you suggest seals our case. The fact is, ANY IDIOT CAN SEE the forgery is LEE's. LEE had the incentive, not me, to forge this document.

Effectively, by your perceived assertive defenses, and lacking offense, you have allowed our ministry, and my person, to be brought the brink of financial ruin.

I am sick of all this damage, victimization, and money invested in you and this abuse of process that has brought nothing but more debt and deadly delays in my ability to function effectively as a minister overseeing this property.

To date we have paid you \$45,000, and your current billing is for more than \$16,000, totaling \$61,000. Recall this is nearly TWICE THE AMOUNT OF MONEY YOU PREDICTED THIS LITIGATION WOULD COST AS WE DETERMINED TO PROCEED IN THE SUMMER OF 2006.

These financial and emotional burdens are too much for me/us to bear any longer. I have therefore asked John McAlvaney to develop a marketing plan to sell this property.

Very sadly yours,

Len

Notice that you do not even mention Rule 11 (b)

On Dec 18, 2007, at 7:19 PM, John S. Carroll wrote:

Len,

Hara won't sign anything so far. I can craft an affidavit for you stating where and when you met with him, what you discussed and the text of what he dictated to you. I can use that with the Hayes report to do my motion for summary judgment.

Please respond to this asap.

The attached was filed today. jc

John S. Carroll

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From: John S. Carroll [<mailto:johncarro001@hawaii.rr.com>]

Sent: Tuesday, December 18, 2007 3:52 PM

To: 'Mary Martin'

Subject: RE: Amended Complaint