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May 29, 2013

Jack Smith, Esq.  
Chief, Public Integrity Section  
U.S. Department of Justice  
Criminal Division  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

RE:

1. Letter and Memorandum Dated May 4, 2012 Requesting Investigation of Montana Political and Judicial Corruption; Appointment of Independent Counsel; Requesting Subpoena for Records of Federal Task Force Career Investigative Agents.
2. This Supplement Requesting Investigation into the “Targeting” of Timothy L. Blixseth by State and Federal Agencies, Including the IRS; And the Preservation of all IRS and DOJ Files Relating to Mr. Blixseth.
3. Request for Immunity for Whistleblower.

Dear Mr. Smith:

Please consider this letter and the documents attached hereto to be a supplemental request to the Letter and Memorandum we provided to your office approximately one year ago on May 4, 2012. Those documents are herewith attached again for your convenience.

With the broad scale revelations of “targeting” by the IRS now supported by the Inspector General, the Public Integrity Section’s investigation into Montana political and judicial corruption, specifically involving the “targeting” of Mr. Blixseth by state and federal agencies, including the IRS, as demonstrated herein, is both timely and required by law.

The previously submitted evidence, and the following facts in the context of a chronology supported by the documentary evidence attached hereto, mandates that the Public Integrity Section demand, subpoena and request from the IRS and all departments within

the Department of Justice, and all relevant state and federal agencies, all files and documents relating to the “targeting” of Mr. Blixseth by the Holder / Breuer controlled Department of Justice and by the IRS. Although Mr. Breuer resigned in February, 2013 as the head of the Criminal Division, and has now returned to the law firm Covington and Burling, which has represented Credit Suisse throughout all relevant periods involved in these matters, his previous misconduct relating to the issues involved herein has not been remedied by the DOJ.

This Supplemental letter also seeks immunity for the whistleblower named in paragraph 25 hereto. To date, Attorney General Holder and Mr. Breuer, have blocked immunity in order to conceal their participation in the matters recited herein and recited in the May 4, 2012 Letter and Memorandum.

### **CHRONOLOGICAL STATEMENT OF FACTS**

1. September 30, 2005: Credit Suisse loaned \$375 million to the Yellowstone Club (“YC”) as part of an “Equity Recapitalization” loan scheme to violate FIRREA and USPAP which was part of a larger, fraudulent scheme involving at least fifteen “master planned communities.” The scheme itself is a derivative of the securitized mortgage bundling schemes then ravaging the U.S. economy mostly predicated on fraudulent appraisals without direct connections between the securitizing banks and the appraisers; but the Credit Suisse loans involve direct collusion by and between Credit Suisse and its directly commissioned appraiser, Cushman & Wakefield, to inflate appraisals on the sixteen master planned communities in violation of FIRREA and USPAP. Credit Suisse attempted to circumvent FIRREA by issuing the loans through its “Cayman Islands Branch,” but this part of the scheme failed because the loan documents made the loans purchasable by federally regulated banks. See generally May 4, 2012 Letter and Memorandum attached hereto, (Exhibits Omitted).
2. The Credit Suisse created YC loan documents explicitly authorized YC to loan \$209 million of the \$375 million loan proceeds to its owner Blixseth Group, Inc. (“BGI”) “without recourse” to Mr. Blixseth, the owner of BGI. For the next three years, until September, 2008, BGI paid over \$40 million in interest to YC pursuant to duly authorized notes, quarterly KPMG audited financial statements, and adherence to all corporate protocols. The YC loan and the BGI loan were approved by the YC lawyers *in writing*.
3. On March 13, 2008, Mr. Blixseth culminated a two year divorce battle with Edra Blixseth pursuant to a comprehensive “Marital Settlement Agreement,” (“MSA”). Edra received the YC (\$500 million); and Porcupine Creek (\$200 million); and other assets, (\$100 million +/-), in appraised assets. Unknown to Tim, Edra had defrauded banks and lenders of about \$50 million during the divorce while conspiring with Samuel Byrne / Cross Harbor Capital Partners to kill Tim's sale of YC. Edra gave fabricated Department of Justice “Target Letters” to Byrne to give to his investors to kill the sale; and then she “borrowed” \$35 million from Byrne

with his knowledge that she had defrauded \$50 million from the banks. See documented bank fraud evidence and Byrne loan documents in the May 4, 2012 memorandum. See fabricated “Target Letters” attached hereto again as Exhibit 1. Notwithstanding the documented felony violations by Edra Blixseth involving the fabrication of the DOJ “Target Letters” to kill the YC sale as part of hers and Byrne’s scheme to use the Montana Bankruptcy Court to effectively “steal” hundreds of millions of dollars with the “political capital” and “favors” of Montana Governor Schweitzer hereinafter recited, Breuer and Holder thwarted the criminal investigation, which was being conducted by a team of career FBI, Treasury, and IRS agents; and then used the IRS and the DOJ to “target” Mr. Blixseth on behalf of Breuer’s billionaire friend, Ron Burkle.

4. In July - November, 2008 just before and after the divorce closing, unknown to Mr. Blixseth, as part of her deal with Byrne, Byrne partnered with Ron Burkle (Yucaipa Capital controlling a billion dollars of California CALPERS and CALSTRS Pension funds) in their scheme to put the YC into bankruptcy pursuant to their “brilliant but evil,” “billion dollar” conspiracy to use “political pressure” involving numerous meetings and large donations to Schweitzer. Edra stated in one document:

**“SB (Byrne) and BS (Schweitzer) have spent enormous political capital and political favors to ensure they get the right outcome from the Montana bankruptcy judge.”** (Exhibit 2, attached hereto)

This scheme enabled Burkle, Byrne and Schweitzer to use Judge Kircher’s rulings and Burkle’s connections to Lanny Breuer, for the following purposes:

- (a) to target Mr. Blixseth with the Credit Suisse loan (notwithstanding that it is a “non-recourse” loan);
- (b) eliminate Edra’s divorce obligations to Mr. Blixseth under the MSA – (approx \$23 million);
- (c) use the Holder / Breuer controlled DOJ to conceal Edra’s fake “Target letters” and bank frauds; terminate a Fed Task Force investigation into their scheme; and “target” Mr. Blixseth with fabricated civil and criminal claims by state and federal agencies, including the IRS, the Breuer controlled Criminal Division, and the Montana Department of Revenue. This cabal of private actors and public officials accomplished all of the above under the protection of Holder, Breuer and Kirscher while hacking into Mr. Blixseth’s and his lawyers’ attorney client privileged emails, in connection with which the undersigned victims of the email hacking are requesting immunity for the hacker in order to expose the misconduct of Judge Kirscher and the criminal conduct of others participating in the scheme. See Paragraph 25 below. See Exhibit 3 hereto (Byrne email re “brilliant but evil” “billion dollar” plan); Exhibit 4 (Jan 14, 2009 meeting between Burkle, Byrne and Schweitzer); Exhibit 5 (Byrne “political pressure” email); See exhibits previously

submitted with attached May 4, 2012 Letter and Memorandum re Burkle relationship with Breuer whereby Burkle paid millions of dollars to convicted felon, Anthony Pellicano, now in prison for twelve years, on behalf of the Clintons during the impeachment proceedings to spy on and illegally collect alleged evidence against Clinton enemies when Breuer was White House counsel and dealing directly with Pellicano. The Burkle connection to Byrne also enabled Byrne to obtain \$100 Million from the California pension funds, and more recently Byrne made a capital call to California for \$23 million.

5. In March, 2008, when Edra and Byrne killed the YC sale, Byrne met with Schweitzer to formulate their scheme for the YC bankruptcy before Kirscher. See Byrne admissions concerning meeting with Schweitzer in testimony attached to May 4, 2012 Memorandum and exhibits thereto. Schweitzer was up for re election in 2008 when Byrne and Edra arranged the \$35 million Byrne loan in August, 2008 in order to consummate the MSA and, as part of their scheme, to file a bad faith YC bankruptcy. The chronology of events is telling:
  - (a) Between July 10, 2008 (four days after Edra announced to YC members on July 6, 2008 she was taking over the YC out of the divorce), and September 23, 2008, Burkle, Byrne and Schweitzer funneled through the Democratic Governor's Association, ("DGA" – Schweitzer was then Chairman) to the Montana Democratic Party, **\$1,245,000** by having Byrne and Burkle and their friends and cronies in the YC scheme, donate said sum to the DGA. The DGA then gave the money to the Montana Democratic Party who used it in the Schweitzer reelection campaign. See documents under separate cover identifying the Burkle and Byrne friends and cronies "donations."
  - (b) On August 1, 2008, Edra and Byrne agreed on the \$35 million loan to gain control of the YC. See Exhibits to the May 4, 2012 Memorandum.
  - (c) The next day, on August 2, 2008, Byrne and Edra met with Schweitzer at the YC to discuss their takeover of the YC. Exhibit 6 attached hereto.
  - (d) The next day, on August 3, 2008, the DGA received \$750,000 from the Burkle cabal to give to the Montana Democratic Party. All of these financial transactions were done in the context of the Burkle / Byrne scheme to loan \$35 million to Edra to secure control of the YC and then to put the YC into bankruptcy "**to ensure they get the right outcome from the Montana bankruptcy judge.**" For the \$750,000 transaction see documents under separate cover.

This money laundering scheme – having Burkle / Byrne *and their friends* donate to the DGA and then to the MT Dem Party, and then to Schweitzer - appears

- designed to conceal Burkle and Byrne's financial relationship with Schweitzer while *at the same time* Burkle and Byrne were taking over the YC and using their relationship and "political capital" and "political favors" with Schweitzer to do it. The illegal purpose of the scheme was to make political donations to corrupt the bankruptcy judicial process and "steal" the YC, a corruption mechanism routinely used by Byrne and Burkle – by Byrne in bankruptcy proceedings and by Burkle to obtain control over public funds. See Article "Yucky Yucaipa" and related publications.
6. After his reelection, in 2009, Schweitzer created two slush funds from the Burkle / Byrne money, "The Council for a Sustainable America" and The American Sustainability Project and funneled over \$335,000 of the Burkle / Byrne money to the slush funds. The American Sustainability Project, a 501 (c) (4) organization was quickly approved by the IRS without examination notwithstanding overt illegalities in the use of the money and in specific transfers. During the same time period, in May, 2009, Kirscher issued a series of rulings ultimately giving Byrne and Burkle over \$800 MILLION of Blixseth marital community assets for less than \$10 MILLION; and the IRS, as recited below, began a campaign to target Mr. Blixseth. For documentation of the slush funds, see documents sent under separate cover letter. The chronology of bankruptcy corruption is recited and documented in detail in the May 4, 2012 Memorandum and is supplemented as follows.
  7. On Nov. 4, 2008 Schweitzer was reelected. On November 8, 2008, Byrne, Edra and Burkle put the YC into bankruptcy before Kirscher; and hired Kirscher's "best friend," Attorney Patten, who used his relationship to gain access to Kirscher *before* the bankruptcy was filed, and to brief Kirscher on the filing. See email exhibits to Motion to Disqualify Kirscher attached to May 4, 2012 Memorandum. On November 9, 2008, the day after the bankruptcy petition was filed by Patten, Byrne sent an email to his colleagues stating that they needed to start using "political pressure" to insure that their "DIP" (Debtor in Possession) plan would be approved by Kirscher. See Exhibit 5 hereto. The DIP plan gave Burkle and Byrne control over the bankruptcy. On January 14, 2009, Burkle, Byrne and Schweitzer met to implement their "political favors" scheme using Judge Kirscher's connections to the Montana Democratic cabal, and more specifically his connections with specific lawyers and a specific law firm representing wealthy members of the YC who were seeking over \$20 million from the proceedings before him. See Exhibit 4. See Immunity Proffer. After January 14, 2009, all of Kirscher's rulings favored Burkle, Byrne and Edra and blatantly violated Mr. Blixseth's substantive and procedural due process rights, and the rights of other parties involved in the Montana bankruptcy proceedings. See May 4, 2012 Memorandum.
  8. On May 18, 2009, Kirscher approved a "back room deal" after personally engaging in illegal ex parte meetings in a hotel with Byrne, in which Byrne and Burkle obtained the YC and other assets for ultimately less than \$10M. On that

date, Kirscher approved an overtly illegal bankruptcy plan creating a “Liquidating Trust” controlled by Credit Suisse, whose primary purpose was to target Mr. Blixseth for the “non-recourse” Credit Suisse loan while “exculpating” Edra, Byrne, Burkle, Credit Suisse from any liability to Mr. Blixseth, or to the YC for the FIRREA and USPAP violations, (see May 4, 2012 Memorandum and exhibits) thereby depriving Mr. Blixseth of all of his due process rights and jury rights to sue and litigate the entire scheme against Burkle, Byrne and Credit Suisse, with no rights to be heard and in total abrogation of the Federal rules of Civil Procedure. Such reckless abuse of judicial power has no place in America, and it is more akin to a country ruled by despots than by a republic. Credit Suisse, with Judge Kirscher’s approval then appointed Marc Kirschner as Trustee of the Liquidating Trust to sue Tim. The financial connections between Kirschner, Burkle and Burkle’s California bought politicians to control the California pension funds money to pull off the YC theft with Judge Kirscher are direct and provable. Kirschner was on the Board of Directors of Spectrum Brands, 59% of which is owned by Harbinger Group Inc. The State of California has over \$330 million invested with Harbinger, and a billion dollars invested with Burkle, and over \$100 million invested with Byrne, all as a result of “political donations.” See documents under separate cover. On April 5, 2011, California schemed with Kirschner and the Montana Department of Revenue (“MDOR”), to put Mr. Blixseth into an involuntary bankruptcy in order to preclude his appeals of Kirscher’s rulings. The scheme was deterred when an impartial Nevada bankruptcy judge saw through it, dismissed the petition on venue grounds, which the Ninth Circuit reversed. Now, that same judge is hearing Mr. Blixseth’s renewed motion to dismiss MDOR’s involuntary petition as well as Mr. Blixseth’s claim for damages against MDOR in June of 2013. Recently, in March - April, 2013, Kirschner’s role in this entire cesspool of corruption was exposed and he either resigned, or his Director position was terminated as a Director of Spectrum. At the same time, in April, 2013, Kirschner resigned or was removed as Trustee of the Liquidating Trust.

9. In June, 2009, just after the Kirscher rulings and blatant violations of Mr. Blixseth’s due process rights, Mr. Blixseth formally requested an FBI / Treasury and IRS Fed Task Force investigation of the entire matter to be conducted by career agents not under the control of the Montana Democratic Party and the Holder / Breuer Democratically controlled DOJ. See May 24, 2012 Memorandum and Exhibits.
10. At some time after the September, 2005 Credit Suisse loan, the IRS had initiated an audit of BGI for the years 2005, 2006 relating to the loan; but in October, 2009, *before the Kirscher rulings on August 16, 2010 relating to Mr. Blixseth’s alleged liability to the Credit Suisse controlled Liquidating Trust and to several minority shareholders of YC*, (see May 4, 2012 Memorandum and exhibits), the IRS was compelled by the evidence to conclude that the \$209 million BGI “loan” was in fact a loan with **"No Change"** to the filed tax returns. The IRS’ decision not to issue any changes with respect to BGI’s 2005 return was initially made on

November 2, 2009, agreed to and signed off by Mr. Blixseth on December 8, 2009 and finalized by the IRS on January 4, 2010. See Exhibit 7 attached hereto, (IRS January 4, 2010 notification of “No Change”). However, at the behest of Kirschner and the Liquidating Trust, notwithstanding the IRS audit results and its “No Change” January 4, 2010 ruling, on August 16, 2010, and while concealing his relationships with the attorneys and parties benefitting from his rulings, Kirschner issued more absurd rulings. See May 4, 2012 letter and Memorandum and exhibits. See Immunity Proffer of the whistleblower sent under separate cover, specifically regarding the misconduct of Judge Kirschner and his relationships with attorneys and their clients financially benefitting from his illegal rulings in amounts over \$20 MILLION!

11. In early 2010, the Montana political machinery operated by Schweitzer under the financial influence of Burkle and Byrne then turned directly to the Holder / Breuer DOJ to directly “target” Mr. Blixseth with a baseless criminal investigation, and derail the Montana federal career agent investigation of Edra. At that time, Judge Kirschner was concluding the AP 14 trial in February, 2010 and preparing his decision. Meanwhile, the senior judge who was aware of the involvement of the Schweitzer / Burkle political influence, recommended the continuation of the Edra Blixseth criminal investigation. (See May 4, 2012 Memorandum). Beginning in May, 2010, at the same time Kirschner was elevated to the BAP – the Montana Democrats were flexing their muscle - Breuer appointed one of *his* appointed DOJ attorneys to open a criminal investigation of Mr. Blixseth allegedly based on a transaction involving property in the Turks and Caicos which Mr. Blixseth was selling to fund the continuation of his legal defense. Mr. Blixseth fully cooperated with the DOJ knowing that Breuer was behind this witch hunt and intimidation campaign to make him drop his legal defenses in Montana. The internal Montana “enormous political capital” peddling in the overall scheme became so overt, remarkably, Breuer even appeared in 2011 on nationwide TV to target Tim’s foreign purchaser of the Turks property for the purpose of killing the Turks sale thereby depriving Mr. Blixseth of the funds to defend himself. In October, 2011, Breuer even had the DOJ file suit and place a *lis pendens* on the buyer's property in Malibu to assist in killing the sale. After achieving this purpose to kill the sale and deprive Mr. Blixseth of funds, the investigation was *abandoned*. But Breuer’s use of federal agencies to threaten and intimidate Mr. Blixseth continued.
12. On October 19, 2010, Federal Immigrations, Customs and Enforcement agents drove from Los Angeles and intercepted Tim’s plane at the airport in Thermal, California while Mr. Blixseth was preparing to depart, (apparently having wiretapped his phones) and with his permission, searched the plane. Of course, there was no basis whatsoever for the search and it was fruitless; but Breuer succeeded in delivering his message of intimidation. See Exhibit 8, email from Tim’s counsel to, inter alia, the DOJ lawyer appointed by Breuer to conduct the Turks criminal investigation. No sooner had Mr. Blixseth responded to this

intimidation on Oct. 19, 2010, then the IRS responded with reopened audit notices. Later, the Coast Guard intercepted Mr. Blixseth's yacht in Los Angeles.

13. While the Breuer controlled DOJ pursued its intimidation tactics, Kirscher, with full knowledge and participation in the Schweitzer / Burkle / Breuer "political favors" campaign, (see Immunity Proffer) on Aug. 16, 2010 issued his 135 page "Memorandum of Decision" in AP 14, in favor of the Credit Suisse controlled Liquidating Trust. This decision was based on Kirscher's previously engineered "back room deal" which exonerated Edra, and encompassed rulings in favor of his friends and attorneys *in a separate case ("AP 18") in which he had not even afforded Mr. Blixseth a trial*, while knowing that the career agents in Montana were investigating Edra (as recommended by a senior judge) and while in possession of the documents evidencing bank fraud, bankruptcy fraud, destruction of evidence, obstruction of justice and perjury. See May 4, 2012 Memorandum and exhibits; See Immunity Proffer. In a blatantly absurd ruling, and without admitting the evidence used by the IRS to approve the "loan", Kirscher ruled that \$209 Million of the Credit Suisse loan proceeds was a taxable shareholder "distribution" notwithstanding the \$40M plus in interest paid by BGI, and the KPMG approved audited financial statements. Kirscher IGNORED the IRS approval of the transaction and all of the documentary evidence making it a loan! Kirscher also ignored hundreds of documents and rejected evidence of the entire fraudulent scheme. At the same time, the Montana Democratic Party succeeded in getting Kirscher elevated to the Bankruptcy Appellate Panel.
14. In connection with the requested Immunity Proffer under separate cover, Judge Kirscher's relationships with several Montana attorneys and wealthy Montana business men who stand to receive over \$20 million from his blatantly erroneous rulings in AP 18, which the "judge" entered without even conducting a trial and hearing evidence on the case, the undersigned respectfully request an expeditious response to this letter. In the event the Public Integrity Section gives immunity to a specific witness as requested below, it is expected that additional specific facts involving Judge Kirscher's and Mr. Breuer's misconduct will be exposed. See Immunity Proffer.
15. After the Kirscher ruling, and under the influence of the Holder / Breuer controlled DOJ and the Montana Democratic Party, and as part of the Breuer use of the DOJ in its intimidation campaign, in October, 2010, while Breuer was having ICE intercept Tim's plane, and pursue the bogus Turks' criminal investigation, in a dramatic "flip flop" the IRS reopened the BGI audit, and expanded its audit to Mr. Blixseth's tax returns, after Mr. Blixseth and his attorneys sent the October, 19, 2010 email - an intimidation tactic Breuer consistently pursued as Mr. Blixseth resisted the rapidly growing political and judicial corruption enveloping his cases. Exhibit 9 (IRS notifications). The undersigned respectfully request that the Public Integrity Section specifically



obtain internal DOJ / IRS communications in the context of a chronology reciting the Breuer intimidation tactics in response to Mr. Blixseth's efforts to obtain justice in the Montana judicial proceedings.

16. On March 23, 2011, Mr. Blixseth and his counsel met with the IRS and its lead auditor, Paul Doerr. Mr. Blixseth's counsel stated that the facts proved, particularly in light of the demonstrable Montana corruption and the involvement of Burkle and Byrne, and Burkle's connection to Breuer, that the reopened audit was a politically motivated attack from Holder, Breuer and Burkle in order to crush Mr. Blixseth financially, and to use the IRS to seize Tim's assets, thereby preventing Mr. Blixseth from challenging on appeal the MT rulings. Counsel informed Mr. Doerr that the Montana Department of Revenue was involved in the same scheme. Mr. Doerr acknowledged that the "Montana decision" was involved in the reopened audit but would not disclose any facts involved in the internal IRS processes, contacts and decision making to "target" Mr. Blixseth.
17. In Aug, 2011, the career agent dominated Fed Task Force sent a Target Letter to Edra Blixseth. Breuer and Burkle then immediately used their financially obtained "political capital" to quash the investigation with the complicity of Breuer.
18. In Sept, 2011, the Fed Task Force was disbanded by Breuer and Holder; the Edra Blixseth Target Letter was withdrawn and the YC was declared "Off Limits" by the DOJ. See May 4, 2012 Letter and Memorandum.
19. In September, 2011, at the same time as Breuer quashed the investigation into Edra, Judge Kirscher blatantly defied the appellate ruling which had overturned the plan to target Mr. Blixseth and exculpate the others; and re- confirmed the plan to target Mr. Blixseth. See May 4, 2012 Letter and Memorandum.
20. In Oct. 2011, the IRS further expanded the audit. Exhibit 10 attached. The Democratic cabal had taken control.
21. On Nov. 15, 2011, five of Tim's representatives met with six IRS officials including lead auditor Paul Doerr, his boss, Hugo Ramirez, and IRS counsel Susan Sexton. Tim's counsel explained in detail the facts establishing the legitimacy of the loan, including over \$40 million in interest payments, and KPMG quarterly audited financial statements documenting the loan; and that evidence established that the IRS "flip flop," was politically motivated and pursued based on the Breuer / Burkle / Schweitzer political machinery driving the audit. Some of the Breuer intimidation tactics were cited. Privately to counsel, Doerr, apologetically stated words to the effect: " If MT goes away, this audit goes away."
22. On May 4, 2012, multiple attorneys and victims of the Kirscher / Burkle cabal filed the Public Integrity Report attached hereto. Four months later, we received

a letter stating that it had been found in the "Mail Room." This mailing "mishap" occurred during the height of the Obama reelection campaign. Exhibit 11 attached hereto.

23. On May 22, 2012, the IRS revoked its previous "No Change" decision regarding whether taxes were owed for tax year 2005, which turned entirely upon the characterization of the proceeds from the Credit Suisse loan as a loan versus a distribution. Exhibit 12 attached hereto.
24. On July 2, 2012, the IRS sent a "Notice of Deficiency" of approximately \$24 Million for a "loan" it had previously approved as a "loan," not a "shareholder distribution." The IRS ruling directly resulted from the Montana political and judicial corruption which spawned the Kirscher rulings; and from the Holder / Breuer controlled DOJ use of federal agencies to "target" Mr. Blixseth. Exhibit 13 attached hereto. Although the July 2, 2012 Notice of Deficiency does not contain any direct citations to Judge Kirscher's findings, the Notice of Proposed Adjustment issued on March 16, 2012 cites extensively from Judge Kirscher's ruling and relies heavily upon that court's findings. A true and complete copy of the March 16, 2012 Notice of Proposed Adjustment is attached as Exhibit 14. Significantly, throughout the time period that Burkle and Byrne schemed to obtain the YC through Montana bankruptcy proceedings from March, 2008 through the completion of the scheme in September, 2011 when Judge Kirscher defied the appellate ruling vacating the illegal bankruptcy plan giving the YC to Burkle and Byrne, they were hacking into Mr. Blixseth's emailed attorney client privileged communications. The extent to which the information obtained from these feloniously procured communications was transmitted to public officials, including Kirscher, Breuer, the DOJ, the Montana Department of Revenue, and the IRS, is a substantial basis for granting immunity in connection with the Immunity Proffer submitted herewith. The politically driven "flip flop" by the IRS, in the context of the circumstances herein, including the direct involvement of Mr. Breuer, mandates that the Public Integrity Section grant immunity without seeking approval from the Holder controlled DOJ.
25. Throughout relevant time periods in this matter, a Whistle Blower on behalf of, and paid by Edra Blixseth hacked into the computers of Mr. Blixseth and his counsel. The hacked information was provided to a laundry list of Mr. Blixseth's "enemies" in a list created by Edra Blixseth. In June, 2012, the Whistle Blower severed their relationship. The Whistle Blower informed Mr. Blixseth that he and the DOJ had been hacking into Tim's and Tim's counsel's emails; and he and the government were wiretapping their phone calls on behalf of Edra and Burkle. Edra had paid the Whistle Blower over \$6.0M to conduct her requested hacking, at the rate of \$100,000 per month from April, 2006 through January, 2009 plus millions in bonuses. The Whistle Blower and Mr. Blixseth's counsel have been attempting to secure immunity for the Whistle Blower for the past year to blow the whistle on this entire matter, but the Holder controlled DOJ has thwarted it at the risk of exposing their own corrupt conduct. (See Immunity Proffer and

documents sent under separate cover.) In the event The Public Integrity Section gives immunity to the Whistle Blower will expose the entire YC scheme, the misconduct of Judge Kirscher in connection with very specific electronic evidence, and the criminal conduct of Burkle, Byrne and Schweitzer in their scheme to use the Montana Bankruptcy Court to perpetrate the “brilliant but evil, billion dollar plan.”

Very Truly Yours,

<u>/s/ Michael J. Flynn</u> Michael J. Flynn	<u>/s/ Philip Stillman</u> Philip Stillman	<u>/s/ C.J. Conant</u> CJ Conant
<u>/s/ Robert Huntley</u> Robert Huntley	<u>/s/ James Sabalos</u> James Sabalos	