

In the U.S. District Court
For the Western District of Pennsylvania
Erie, Pennsylvania Division

FILED

FEB 10 2014
CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Dennis D. Gold

Plaintiff

-V-

Defendants

Case # 1:14-CV-40

The Honorable Judge Motz

Metz Lewis Law Firm, LLC et. al
Steven Petrikis, Esquire
Susan Smollin
Michael P. Robic II, Esquire
Leroy L. Metz II, Esquire
John R. Frey
Elaine H. Frey
G. Robert Frey, a.k.a Jack Carter
Sue M. Frey

COMPLAINT

Jury Trial Demanded

Dennis D. Gold
Pro Se
215 Big Oak Dr
Franklin PA 16323

301-980-6934

COMPLAINT

Plaintiff, Dennis D. Gold sues Defendants named above for money damages. Plaintiff reserves the right to add additional Defendants as Discovery proceeds.

JURISDICTIONAL ALLEGATIONS

1. This action is for money damages in excess of \$2.5 million.
2. This case involves the willful, wanton, acts of destruction of the market value of Gold's U.S. Patents, and the deliberate acts of Conspiracy, Abuse of Process, Evidence Tampering, False Testimony, Unfair Competition, Unjust Enrichment, Breach of Agreements, Theft of Trade Secrets, and Breach of Copy Right, Breach of Professional

Duty, Tortitious Interference with Contracts, Barratry, and Fraud, resulting in the loss of Plaintiff's U.S. Patents and Trade Secrets, which constitutes Jurisdiction in this Court under, 28 U.S. Code § 1338

- a. (a) The district courts shall have original jurisdiction of any civil action arising under any Act of Congress relating to patents, plant variety protection, copyrights and trademarks, No State court shall have jurisdiction over any claim for relief arising under any Act of Congress relating to patents, plant variety protection, or copyrights. For purposes of this subsection, the term "State" includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.
- b. The district courts shall have original jurisdiction of any civil action asserting a claim of unfair competition when joined with a substantial and related claim under the copyright, patent, plant variety protection or trademark laws

3. The Defendants in this action reside in multi-state jurisdictions.

- a. Metz Lewis Law LLC, et al., 535 Smithfield Street, Suite 800, Pittsburgh, PA 15222
- b. Mr. Steve M. Petrikis Attorney at Law 750 Enterprise RD Grove City, PA 16127
- c. Mr. Leroy Metz 3180 William Pitt Way, Pittsburgh PA 15238
- d. Mr. Michael Robic 11 Stanwix Street #18, Pittsburgh PA 15222
- e. Robert G. Frey (a.k.a. Jack Carter) 647 Wears Valley Rd. Pigeon Forge TN 37863
- f. Sue M. Frey 647 Wears Valley Rd. Pigeon Forge, TN 37863
- g. Robin Sue Miller 132 Wild # Rose Gurley Alabama 35748
- h. James K. Miller 313 Meadow Brook DR. S.E. Huntsville Alabama 35803
- i. John R. Frey 441 Wendy Way, Franklin PA 16323
- j. H. Elaine Frey 441 Wendy Way, Franklin PA 16323

4. This Court has Jurisdiction.

GENERAL FACTUAL ALLEGATIONS

5. On February 8, 2012, an Evidentiary Hearing was held in Venango County, for the purpose of exposing the Fraud perpetrated by the Defendants named above in a twelve year long, litigation.
6. At this Evidentiary Hearing it was revealed that the Metz Lewis Firm their members and employees, (particularly Mr. Steven Petrikis,) knowingly colluded with their defendant clients participating in malicious, willful, and wanton misconduct, including; falsification of evidence, destruction of evidence, false verification, attempted payroll wage fraud, conspiracy to evade income tax, legal oppression, Defamation, Breach of Professional Duty, and Abuse of Process.
7. On October 3, 2001 the above named Frey Defendants through their legal Counsel Defendant Metz Lewis Law LLC, A.K.A., Metz Lewis Brodman Must O'Keefe LLC, located at; 535 Smithfield Street, Suite 800, Pittsburgh, PA 15222, filed a multi-count vexatious unfounded complaint without probable cause against multiple parties, including Dennis Gold, which continues to this date.
8. This vexation litigation filed in Venango County Pennsylvania, Court of Common Pleas, case number 232-2002, was filed by the Metz Lewis Law Firm, on behalf of John & Elaine Frey, 40% members (Elaine only), in a Limited Liability Company called Slurry Technologies Operating (STO LLC)
9. Dennis Gold was the sole designer and Patent owner of dewatering technology patent numbers; 5,560,834 on October 1, 1996, & 5,759,411 on June 2, 1998 and related copy righted software.
10. Dennis Gold on, or about, September 1993 entered into a 5-year licensing agreement with McLanahan Corporation granting them exclusive marketing rights to his Patented technology, which paid Gold 10% royalties on the sale of the technology.

11. Dennis Gold, and Defendant John Frey, formed a company known as Slurry

Technologies Operating, LLC. Organized in the state of Pennsylvania on March 11, 1997.

a. On November 15, 1996, the parties Gold's and parties Frey's entered into a "Pre-Incorporation Agreement"

i. This agreement set forth the "general" terms of the LLC.

ii. January of 1997 STI, (owned by Gold), granted STO LLC permission to use similar name.

iii. Dennis Gold agreed when the McLanahan agreement expired Gold would grant to STO LLC, the exclusive marketing rights of his patented technology and trade secrets. In exchange, STO LLC would pay 10% royalty to Gold, on the sale of the systems using the patented technology.

12. On, or about, February 12, 1997 a final Operating Agreement for STO LLC, was signed between the parties. The STO LLC was put into the wives names for minority ownership benefits available to start up companies. There are three very significant provisions in the Operating Contract, which make the Venango County case unfounded and frivolous;
Complete copy attached as Exhibit A.

a. 5.2b Except as otherwise provided in this Agreement, the affirmative vote of the Members holding fifty-one percent (51%) or more of the Percentages then held by Members shall be required to approve any matter coming before the Members.

b. 5.2c In lieu of holding a meeting, the Members may vote or otherwise take action by a written instrument indicating the consent of Members holding fifty-one percent (51%) or more of the Percentages then held by Members.

c. 5.2d Except as otherwise provided in this Agreement, wherever the law requires unanimous consent to approve or take any action that consent shall be given in writing and, in all cases, shall mean, rather than consent of all Members, the consent of the Members holding fifty-one (51%) or more of the Percentages then held by Members.

13. February 12, 1997, Dennis Gold's wife, Bonny L. Gold was a 60% owner in the STO LLC.

14. February 12, 1997, H. Elaine Frey contributed approximately \$60,000 into the STO LLC.
Upon final contribution of the full \$150,000 into STO LLC, H. Elaine Frey (Co-Defendant, herein) would own 40% membership of the STO LLC.
 - a. Elaine Frey, holds a Bachelors degree in Chemistry, a Bachelors degree in Business and a Graduate Degree in Administration.
15. Plaintiff Dennis Gold, was named Vice-Chairman and Operations Manager, with a salary of \$35,000/year. His duties included; Sales and Marketing, New Product Development, and Operations Management.
16. Mr. John Frey was named Chairman of the STO LLC, drawing no salary from STO LLC, and remained employed full time as a Mechanical Engineer, for the Joy Mining Company of Franklin, Pa. Mr. Frey also holds an MBA degree.
17. STO LLC anticipating the McLanahan Marketing rights would expire, STO LLC would then take McLanahan's position in the marketing under a "Contract Management" marketing concept modeled by Mr. Gold in 1990.
18. During this search for Capital Equipment funding Mr. Gold was introduced by a mutual friend, to a Mr. Charles Muse, of the Pilgrim Coal Company, Pittsburgh Pennsylvania.
19. In 1999, Mr. Gold was granted full authority in STO LLC by one-hundred percent (100%) Member vote, Exhibit B, in all current and subsequent matters concerning Pilgrim Coal Company, a soon to be secured creditor of STO LLC.
20. The Authority was assigned to Mr. Gold in 1999 by the Members of the STO LLC, which included Mrs. Elaine Frey 40% member, and Mrs. Bonny Gold 60% member.
21. This "Certificate of Authority" assigned to Mr. Gold, was done by the STO Members solely, to induce Mr. Gold, into assigning his U.S. Patents, as collateral for a \$250,000 loan from Pilgrim Coal. Exhibit C

22. In absence of the "Certificate of Authority" Gold would not have pledged his Patents, or personal guarantee, as security to the Pilgrim loan.
23. January 16, 1998 STO LLC, Cooperate Resolution requiring all checks and draws on the banking line must have both signatures of Dennis Gold and John Frey.
24. On or about October 21st of 1999 Mr. John Frey is fired from Joy Mining Company.
25. On or about August 1, 2000, Mr. John Frey joined the STO LLC and was named Vice-President of Engineering, with a salary of \$50,000/year. His responsibilities included Engineering, Fabrication, functional specification development and delivery of a system to Cemex Corporation, by October 2000. Additionally, Mr. John Frey was assigned responsibility for security of the STO LLC's proprietary information.
26. For reason of personal issues, Mr. Frey voluntarily resigned his position from STO LLC on January 19, 2001.
27. In compliance with STO LLC security policies require any time a high security key is lost, stolen, or no longer in control, or guarded by an employee of STO LLC all the high security locks on the property must be changed. January 29, 2001, as a direct result of John Frey's resignation, all door locks were changed on the STO LLC property, requiring distribution of new keys to the remaining employees who are granted company keys.
28. The vexatious suit brought by the above Defendants against multiple defendants including Gold, alleges multiple counts of; Fraud, Fraudulent Transfer, Fraudulent Misrepresentation, Civil Conspiracy, Violation of Duty, Tortious Interference, Breach of Duty of Loyalty, Breach of Fiduciary Duty, Freeze Out, For an Accounting, Constructive Trust, Wrongful Termination, Unpaid Employee Wages.
29. For reasons still unknown, the Venango County Sheriffs office was not named in the alleged illegal fraudulent transfer of assets, despite the fact the Sheriff transferred the assets, by way of Sheriffs sale, December 19, 2001.

30. In 2001 the Gold Defendants which included, Slurry Technologies Inc, Slurry Technologies Operating LLC, Dennis D. Gold, Bonny L. Gold, and William Gold produced through their attorney, all discovery documents as requested, in their possession, or control.
31. In the of 2001 STO LLC entered into negotiations with Hanson America for a system which incorporated Dennis Gold's proprietary patent's and trade secrets. Also negotiating for this same multi-million dollar contract was the Phoenix Process Company of Louisville Kentucky.
32. On May 14, 2001 STO LLC entered into an agreement with Hanson America, of "intent to purchase".
33. June 26, 2001, through company attorney Mr. Jim Greenfield and pursuant to the terms in STO LLC Operating Agreement, Bonny Gold, 60 percent member, offers to buy Elaine Freys, forty-percent membership (\$150,000 investment), in the LLC, for \$400,000, plus, full payment of any money due to Elaine and John Frey, Robin and James Miller, Robert and Sue Frey. This offer is flatly refused and countered with a demand for \$836,500. for all of Mrs. Frey's frivolous claims against the Golds.
34. July 10, 2001 Frey's through production requests, attempted to retrieve additional computer information stored on STO LLC computers. This request was challenged by Gold, Operations Manager, of STO LLC. Gold through his Attorney, demanded an "Order to Compel" from the Court, on the basis the information sought was proprietary, and did not fall under the discovery requests already provided.
35. Subsequent to John Freys resignation from STO LLC he and Eliane Frey visited the offices of STO LLC regularly. These regular visits to the STO LLC office continued until employees of STO LLC informed Mr. Gold they suspect that John and Eliane are up to something.

36. In early September 2001, amid Golds attempts to convince John and Elaine Frey to embrace the merger with Pilgrim Coal, or sell your membership in the STO LLC. John and Eliane visit the offices of STO LLC, intentionally when Dennis Gold is absent from the office. Dennis Gold was informed later that day by STO LLC shop foreman, that John and Elaine were there, inciting the employees. Immediately Dennis Gold contacts STO LLC company attorney Mr. Jim Greenfield, informing him of the situation and requesting a notice be sent to John and Elaine Frey requesting visits to the office of STO LLC be made when Dennis Gold is present at the offices. Mr. Greenfield communicates this to Mr. Steve Petrikis, John and Elaine's attorney.
37. On September 18, 2001, subsequent to Attorney Greenfields notice to Mr. Steven Petrikis that John and Eliane should only visit when Dennis Gold is present, John and Elaine again visit the offices of STO LLC to incite the employees by slandering Dennis Gold to the employees.
38. On September 24, 2001, after returning from a week long trip Mr. Gold is informed about the latest visit from John and Elaine Frey. Mr. Gold immediately contacts company attorney Mr. Greenfield, insisting these surreptitious visits be stopped. Immediately Mr. Greenfield writes to Attorney Petrikis informing him that his clients have no right to be on the property of STO LLC and if they enter the property again they will be arrested. Mr. Gold informs the employees that if John and Elaine show up on the property again call the police and have them removed.
39. September 26, 2001, Mr. Petrikis confirms receipt of Mr. Greenfields letter and acknowledges that he told his clients of the warning.
40. On October 18, 2001 John and Elaine Frey, G. Robert Frey, Sue M. Frey, James Miller, and Robin Miller file suit in Venango County Court, against Dennis Gold and other Defendants.

41. On October 22, 2001 despite legal notification served on him through his attorney, John Frey, former employee of STO, (and husband of 40% Member), along with his father G. Robert Frey, in concert with their Attorney, and other Defendants, surreptitiously and unlawfully broke into the high security locked offices of STO in the middle of night, and copied the contents of the Company's Computer System. This computer contained confidential proprietary company information including, sales records with clients, cost of goods, prices quoted to potential customers, and proprietary engineering drawings.
42. Upon noticing evidence of a break-in STO LLC company foreman reported to Mr. Gold what he suspected was a break-in. Mr. Gold immediately called the Franklin City Police. Officer John Miller reported to the scene and accompanied Mr Gold to the video surveillance room where Mr. John Frey and his father G. Robert Frey were seen on video entering the building the previous night.
43. A Police investigation on the morning of October 23, 2001, at the home of John Frey, Mr. Frey told City Police Chief (a personal friend of John Frey), that John was just cleaning out his desk, from his former employment with STO LLC which ended January 19, 2001.
44. Based on the information gathered by investigating officers, and believing Mr. Frey was not going to lie to law enforcement, Mr. Gold chose not to press charges for breaking and entering.
45. Subsequent to the break-in by the Defendants John Frey, and G. Robert Frey, and before Gold knew the information on the computer was copied, a meeting took place with the President, of Phoenix Process Company of Louisville, Kentucky, and the Defendants for the purpose of acquiring working capital to fund a newly formed company called, Solution Matrix Company. The Phoenix Process Company, was STO's largest competitor

and business nemesis. STO LLC was currently competing with Pheonix Processing Company over an order from Hanson America.

46. John & Elaine. Frey, and others had formed "Solutions Matrix" for the purpose of competing in the Market Place against STO LLC, despite Eliane Frey's 40% ownership in STO, LLC.
47. At the meeting between John Frey, Elaine Frey, and Kieth Marshall, and Phoenix Process Company President, Mr. Gary Drake, a power point presentation was produced, and demonstrating by John and Elaine Frey, drawings copied directly from STO LLC proprietary files.
48. At this meeting the Frey's, misrepresented these drawings and other STO LLC, property, to be the work of, Solution Matrix Company.
49. This meeting was conducted by the Frey's for the sole purpose to destroy the value, and marketability of Gold's Patented Technology and Trade Secrets.
50. After the meeting with the Company President, Mr. Gary Drake, the Frey's and their co-conspirators visited a nearby Bob Evans restaurant. In their possession was a 3-ring binder containing in printed form, the contents of the STO computer drive. This "notebook" was labeled "Slurry Technology Operating LLC – Confidential".
51. On February 27, 2002, the manger of the restaurant, telephoned the STO office to report she found a notebook left there by STO V-President, Mr. John Frey and his party. Not realizing what had just happened, STO Office Manager gave the restaurant manager Mr. John Frey's home number.
52. The STO Office manager, then immediately reported to Mr. Dennis Gold, the phone call from the restaurant.

53. Realizing Louisville, Kentucky was the home office of Phoenix Processing Company, Dennis Gold immediately called and requested the "Notebook" be mailed to STO's office address which was on the 'Notebook', and the manager consented.
54. A few minutes later the restaurant manager called Mr. Gold, and said "prior to your earlier call to me, I called Mr. Frey at home and left a message". Mr. John Frey returned my call and demanded the "Notebook" be mailed to his home address. Because the two of you, both want the Notebook, I am turning it over to the Police Department".
55. Mr. Gold also immediately called the Franklin City Police Department and reported that Mr. John Frey was not cleaning out his desk on the night of the break-in, he was copying the hard drive on the company server.
56. Mr. Gold insisted charges be filed immediately against Mr. Frey for the unlawful break-in and theft of company records.
57. The Venango County District Attorneys office received from Mr. Petrikis, a copy of the complaint filed against the Gold's, prejudicing the DA's office against the Gold's on the basis they were just trying to end a lawsuit and using the DA's office for that purpose.
58. Mr. Gold on several occasions pleaded with the Franklin City Police to press charges and the refused citing we can't make the D.A. press charges.
59. A very lengthy legal battle fraught with intentional delays and obstruction to prevent discovery of the Book's content's ensued in the Venango County Court. Metz Lewis argued to the Court, the contents in the Notebook is Mr. John Frey's personal property.
60. Mr. Petrikis, demanded that Gold immediately release his claim to the documents, that were purported by Mr. Petrikis, to be the personal property of his client. Threatening, failure to release his claim to the documents, Gold would be facing additional legal action.

61. After a nearly one year Court battle, the Court ordered, from the Bench, the Notebook be returned to Mr. John Frey's Attorney. Followed by an immediate review by all parties, to determine true ownership.
62. When the Notebook was received by Metz Lewis Firm, and found to truly be the property of STO LLC, a delaying conspiracy began to withhold the Notebook, discredit Dennis Gold, through multiple motions, and a decade long Court battle to protect John Frey, and Defendant G. Robert Frey, from criminal prosecution. These actions were deliberate and clear violation of Metz Lewis LLC and Mr. Steve Petrikis Professional Duty, owed to Mr. Gold. not to unreasonably withhold evidence. These intentional acts prevented the documents from being revealed, until the Statute of Limitations ran out on the act of Economic Espionage, Theft, receipt of Stolen Property, False statements to Law enforcement, including the Federal Bureau of Investigation and Obstruction of Justice.
63. As a direct result of obstruction by Frey's Attorney's, with law enforcement and improper use of Court actions, over a time span of several years, and 230 motions, Mr. Gold has been, to-date, unsuccessful in gaining knowledge of the actual contents of the Notebook, despite Court orders, and Subpoena's to produce the documents.
64. The Limited Liability Company (STO) ultimately collapsed in 2002, it's assets sold at Sheriff Sale on December 19, 2001 for the sum of \$1.00.
65. Mr. Gold Subsequently filed a \$2.5 Million Dollar Counter Suit against the Frey Parties in Venango County Court, seeking relief from damages which included, Patent Royalties owed to him by the STO LLC. Further, seeking relief for damages caused by the willful and wanton abuse of duty, owed to Mr. Gold by the defendants.
66. In 2001 the cash strapped STO LLC was valued by, it's company's CPA, and it's company's legal counsel, to be worth \$1.00 on the basis that as of December 2000, the

STO LLC company had adjusted assets of approximately \$250,000 with adjusted liabilities of \$400,000 not including the Pilgrim Coal note.

67. In November of 2002, Mr. Gold having full authority granted to him by the Members of the STO LLC, negotiated a deal with Pilgrim Coal, to prevent Execution on the Confessed Judgment against STO. Gold successfully negotiated a "debt for equity swap" deal. Under this agreement a company to be later formed would be owned by the following; Pilgrim (Muse Group) owning 51%, Mrs. Gold owning 29%, and Elaine Frey owning 19.9% of the stock in the new company. Pilgrim Coal agreed they would secure \$500,000 in working capital for the cash strapped STO LLC Company. This deal would retire the nearly \$400,000 debt owed to Pilgrim Coal by STO, and in addition pay in full the debts owed to the existing creditors of STO LLC.
68. Defendants Frey, and their counsel, conspired to obstruct all efforts to structure a deal, and refused to cooperate with any deal that did not pay them immediate cash, ahead of creditors. They demanded \$836,500.00 cash, for the 40% ownership held by Elaine Frey and release of all claims against STO LLC.
69. Negotiations between Gold and the Pilgrim Coal Company yielded a deal that would have sustained the financial value of STO LLC through a debt for equity swap. Albeit, the name, and structure of the Company would change, the original owners were equally diluted, and all creditors including Mr. Gold's Patent Royalties due him, would have been paid in full. Additionally, the original owners were guaranteed a fixed buy-back stock price \$7.64/share, allowing the original owners to regain their controlling ownership, once the Muse Group debt was repaid.
70. After nearly one year of legal harassment, and the obstructions caused by Elaine Frey and her Attorney and constantly refusing to consider offers, or attend meetings, to save the

STO LLC. The Frey's and their Attorney willfully and malice, continued their attempts to extort money from the STO LLC Company, and the Pilgrim group.

71. The deal failed as a direct result of Metz Lewis actions, and the STO LLC was sold at Sheriff Sale, December 19, 2001.
72. Metz Lewis despite a signed "Certificate of Authority" tortitiously interfered with the negotiations between Gold and Pilgrim by setting up and attending a meeting exclusively with the Freys and Pilgrim Coal. At this meeting, Steven Petrikis of Metz Lewis is reported to ask the question "How can we (Frey's and Metz Lewis) help Pilgrim make STO LLC a success". This action was a direct breach of Professional Duty owed to Mr. Gold by the Defendant.
73. During the meeting between Pilgrim Coal, Frey Defendants, and their Counsel, Pilgrim Coal offered to hire Elaine Frey to run the STO LLC Company, in the event Pilgrim Executed on their Confessed Judgment. Elaine Frey turned down this offer made to her by Pilgrim stating "*not if Denny Gold works there*". This demonstrates the actions taken by Defendants were with malice and not good fair business practice.
74. Additionally, during the same meeting, Pilgrim Coal offered to sell to Elaine Frey their (Pilgrim's) secured position in STO LLC assets for the sum of \$250,000.00. These assets would have included, \$400,000 cash in the bank accounts of STO LLC, Dennis & Bonny Gold's personal property, and the U. S. Patents owned by Dennis Gold and trade secrets of Dennis Gold. This offer was also, refused by Elaine Frey and her Counsel.
 - a. IMPORTANT TO NOTE: The \$400,000 in the Bank Accounts was a Contract down payment for purchase of parts for a \$3.5 Million Contract with Hanson America.
75. During the afore mentioned meeting between Frey's and Pilgrim, Pilgrim insisted Elaine Frey, drop her frivolous legal actions, end her unfair demands, and join the merger of Pilgrim and STO, within 48 hours, or else they (Pilgrim) will Sheriff Sale the company.

76. Frey's and their Counsel trying to extort immediate cash from the "deep pockets" of the secured creditor, refused to cooperate, and the secured creditor (Pilgrim), executed on their confessed judgment, purchasing the assets at Sheriff Sale for the sum of \$1.00.
77. For the purpose of recovering their debt, and preserving the 35 jobs the STO Company created. Pilgrim ultimately formed a company called, Aggregate Solutions Inc, (ASI) and hired the employees of STO to fulfill the contractual obligations to the Hanson America Company. Failure to fulfill the Hanson Contract would result in Pilgrim never recovering their initial \$250,000.00 investment, and the loss of several area jobs.
78. The actions of the Plaintiff Elaine Frey, her Counsel, and her other co-conspirators was willful, wanton, intentional acts of extortion and fraud, attempting to leverage unjust enrichment from a secured creditor, and patent holder, as well as other creditors who possessed a priority position in the assets of the LLC, ahead the Members in the STO LLC.
79. In 2006 after exhausting his legal remedies to recover the stolen documents, Mr. Gold requested the Erie Pennsylvania office of the F.B.I. to file criminal charges against Mr. John Frey and his father G. Robert Frey.
80. After a one year investigation into this matter the FBI concluded that;
- a. The stolen documents were in fact property of STO LLC.
 - b. No action could be taken because the 5 year Statute of Limitations under the "Economic Espionage Act" had expired.
81. The Gold Defendants in order to obtain relief from the actions of the Defendants, in 2004 filed a \$2.5 million dollar counter claim in the 2002-232 Venango County case, against the Frey Plaintiffs for damages suffered from the Plaintiffs actions, in these matters

82. The intentional delays, by frivolous Court filings for the purpose of concealing his clients actions, and run the Statute of Limitations of criminal charges, against his clients caused financial hardship on the Defendants resulting in;
- a. Mr. Gold's employer ASI, closed it's operations in June of 2006
 - b. Mr. Gold having no financial ability to retain counsel.
83. Mr. Gold attempted to seek recovery of the Stolen Documents, and seek relief for damages to the STO LLC Company, for Economic Espionage, against the Frey's and their co-conspirators under the RICCO Act.
84. The Federal Suit 08-207 was dismissed on the basis Mr. Gold, Pro Se, as a non-lawyer could not bring an action for the STO LLC Company, who actually owned the stolen documents.
85. Mr. & Mrs. Gold, due to financial hardship, were forced to release their counsel and represent themselves Pro Se, in the Venango County Civil suit, including the \$2.5 million dollar counter claim.
86. October 28, 2006, Devin Gold, (Dennis & Bonny Gold's 14 year old son), was diagnosed with cancer, on or about the same time, this news became public knowledge the Defendants, through their Counsel attacked the Gold's in Court through frivolous motions that served no purpose, but to harass the Gold's, and create further financial hardship.
87. November 7, 2006 Defendants files through their Attorney Steve Petrikis, "PLAINTIFFS REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO THE GOLD DEFENDANTS" this request is intentionally broad and open ended. Since the beginning of litigation in 2001, the Attorney's for the Gold's complained in writing, of the harassing requests for Document Production (already provided), open ended questions with no real intent, or purpose to lead to admissible evidence.

88. November 7, 2006 Steven Petrikis writes to Bob Martin, Gold's Attorney, nine bullet points including Notice of Deposition to Hanson with Subpoena, Duces Tecum
89. November 8 2006, Steve Petrikis files nine motions, briefs, notices, discovery requests including scheduling of the second depositions of Denny and Bonny Gold. These Motions were won by the Frey Plaintiffs, but they took no action on their court permissions, the Motions were filed purely for harassment at a time when the Gold's where battling health issues of their son, and financial strains caused Gold's employer closing in doors.
90. April 2, 2007 Robert Martin Esquire, withdraws as counsel of record for the Gold Defendants.
91. The Gold Defendants while dealing with the health issues of their son, pulled together the production of documents and answered interrogatories, as demanded by the Plaintiffs.
92. July 30, 2008 Dennis and Bonny Gold enter an appearance as, Pro Se Defendants.
93. Gold Defendants sent Answers to the Interrogatories, and notice that the documents are ready for review to Plaintiff's Attorney.
94. Plaintiff's Attorney refused the answers to the Interrogatories on the basis they are wholly inadequate and evasive, and files a motion for Sanctions with the Court.
95. December 27 2007, Court orders Gold's to
- a. Answer the Interrogatories by January 25, 2008
 - b. Response to the Request for Production of Documents to Counsel by Jan. 25, 2008
 - c. Make available for inspection 15 boxes of documents by January 25, 2008
96. Gold Defendants fully comply with this order by January 10, 2008
97. Plaintiffs again files Motion for sanctions based on Gold's "Interrogatory objections" citing because Mr. Gold is Pro Se, he can not answer an Interrogatory for another party, also, he cannot object to an Interrogatory citing "that is an unlawful practice of law, and I

will move for more sanctions”. This was pure harassment meant to slander the Gold’s to the Court. There is no rule that say’s a party answering an Interrogatory cannot object on his own behalf. Further, Mr. Gold was the only party to answer all the Interrogatories, because he was the only one that knew the answers.

98. Gold Defendants file a Motion to Disqualify Metz Lewis representation, on grounds they are violating rules of civil procedure, citing that Mr. Petrikis cannot possibly complete this case without break the law, and rules of Civil Procedure.

99. December 31, 2008 Court orders;

- a. Gold Defendants shall file full and complete and verified written responses to Plaintiffs First set of Request for Production of Documents on or before March 2, 2009.
- b. Gold Defendants shall file full and complete answers to Plaintiffs First set of Interrogatories Directed to the Gold Defendants on or before March 2, 2009.
- c. Gold Defendants shall make available for Inspection and copying all documents responsive to plaintiffs’ First Request for Production of Documents on or before March 2, 2009.
- d. Defendants Motion to Disqualify Metz Lewis, LLC, from continued representation of the Plaintiffs in this instant matter, said Motion is Denied.

100. March 2, 2009, Gold Defendants comply fully, with the Court order of December 31, 2008, to the best of there ability, verified, and filed, the answers with the court. And notified the Plaintiffs Attorney, the documents are ready for your review, how do you want to proceed with viewing the documents.

101. Plaintiffs Attorney again argues that Defendant’s did not Answer the Interrogatories fully and completely per the court, and again he argues “you cannot object, you are not an Attorney”.

102. Although Gold's Object to the Interrogatories being overbroad, open ended, and harassing, Gold still answered the interrogatory as ordered by the Court.
103. Gold also arranged for the 15 boxes of documents to be made available at a Business Suite, at the Franklin Inn, for review and marking. The Plaintiffs rejected this offer flatly and never countered with any other option for locations, or methods, to examine the 15 boxes of documents. After notification the documents are ready for viewing the Frey Plaintiff's refused to respond in any manner.
104. April 19, 2010 again Plaintiffs files Motions for sanctions on the basis the Answers were evasive and not complete.
105. Defendant Gold at argument court tells the Court, the Plaintiff's will not come and view the documents, further citing production requests are so broad, and open ended, Gold's do not know what is being requested. The Interrogatories were purposely constructed to be vague and open ended, for the purpose of creating confusion, and harassing the Gold's. This is the same modus operandi, used by Mr. Petrikis against Gold's previous Attorney's, who repeatedly complained, and eventually just ignored Counsel Petrikis requests.
106. Attorney Petrikis, argues in Court, that Mr. Gold, and Mr. Muse of Pilgrim Coal Company are playing a shell game with the documents and will not turn them over. Mr. Petrikis goes on to tell the Court that Mr. Muse and his Attorney told him they gave the requested documents to Dennis Gold.
107. August 3, 2010 The Court Orders an Decreed:
- a. The Gold Defendants are ordered to file a full and complete verified written response to Plaintiff's First Request for Production of Documents with 30 days of the entry of this order.

- b. The Gold Defendants are ordered to file full and complete answers to Plaintiffs First Set of Interrogatories Directed to the Gold Defendants within 30 days of the entry of this order.
 - c. All Gold Defendants shall make available for inspection and copying all documents responsive to Plaintiffs First Request for Production of Documents within 30 days of the entry of this order.
 - d. The Counter Claim of the Defendants is dismissed (*"\$2.5 Million counter" claim emphasis added*)
 - e. Evidence of affirmative defenses or in support of new matter as set forth in the Answer, New Matter, and Counterclaim of the Gold Defendants is precluded.
 - f. The Muse Defendants are ordered to turn over any documents specified in the Orders which are in their possession, if any, within 30 days of the entry of this order.
108. August 4, 2010, Deposition of John R. Frey, at this Deposition, scheduled now for quite some time, Gold is informed by Steven Petrikis that "for your information, your counter suit was dismissed by order of the Court yesterday afternoon".
109. Defendants again comply fully with the Court order of August 3, 2010, but Plaintiffs Counsel refuses to come and view the documents. Telling Gold just give us the documents we want, not all 15 boxes. Defendants Gold explains I don't know what you want, so how can I give you anything in the way of documents. Further, Gold was never ordered to sort any documents the Court language was clear, "Make them Available". Mr. Petrikis never filed any Motion, or argued in any fashion concerning Discovery burden, he just unlawfully refused show up, to a Court Ordered presentation, or respond in any manner.

110. January 19, 2011, Plaintiff while being completely obstructive in the previous Court Orders, again files a motion for sanction citing the Gold Defendant did not comply with the Court Order of August 3, 2010.
111. Gold's files a Motion opposing the Sanctions on the basis that Plaintiff is not cooperating, and harassing them, compounded by the wanton refusal, of the Plaintiff to come and view the documents.
112. Mr. Petrikis again, argues in Court that Mr. Muse, of Pilgrim Coal, and Mr. Muse's Attorney, both told Mr. Petrikis, that they gave the documents to Mr. Gold and that he has them. These fabricated and intentionally false statements made to the Court by Mr. Petrikis, resulted in the unjustified sanctions by the Court, including Gold's counter claim, and other damages suffered by Gold.
113. Mr. Petrikis stated under oath on April 9, 2012, admitted that neither; Mr. Muse, or his Attorney made any such statement about giving the documents to Gold. Additionally, at this Evidentiary Hearing, Mr. Petrikis admitted to refusing to come and view the documents ordered to be made available by the Court Order. When asked why he refused to come and view the documents Mr. Petrikis stated " I was afraid you would sue me"
114. March 29, 2011, Order of Court to hold Defendants Dennis and Bonny Gold in Contempt, ordering that within 20 days Dennis and Bonny Gold shall produce to the Plaintiffs' counsel at their own expense, copies of the following documents;
- a. All documents responsive to Request 11 through 27 of the Request direct to the Muse Defendants and attached to Plaintiffs' Motion as Exhibit D
 - b. All documents responsive to Requests 1,5, and 8, directed to the Gold Defendants and attached as Exhibit E to Plaintiffs' motion.
 - c. Specific documents from which the answer to interrogatory No.s 1, 3, and 5 may be derived and label as such.

- d. All documents relating to the calculation of \$7.64 per share as referenced in Interrogatory No. 7
 - e. Plaintiff is award \$1,000.00 in Attorney Fees.
115. Defendant again complies fully with the Court Order within the time frame required. Despite the fact, in the latest draft of the Court order (written by Mr. Petrikis), the description of the documents being requested changed to something different than the original Court Orders. Gold was telling the Court, and Mr. Petrikis, that the previous document requests were intentionally ambiguous and open-ended for the purpose of harassing Gold. This was an intentional manipulation by Counsel to dupe the Court into applying more sanctions for production of documents that were never before requested.
116. April 19, 2010 Plaintiff files a Motion with the Court for additional sanctions citing Gold failed to answer the Interrogatories fully and completely per the Court Order, and the documents produced are documents not responsive to the requests.
117. Gold Defendant files a Motion to Oppose Sanctions, and the Court sets a date for argument.
118. Mr. Petrikis, at Argument Court cites an evasive and total failure by the Gold Defendant's to answer the Interrogatories. Further arguing Counsel's inability to get these documents has spoiled his case. The Court ordered the Gold's to "Produce and Make Available the Documents for Copying", which they did on several occasions. Further, Mr. Petrikis filed five previous motions to take Foreign Depositions, to secure the same information sought from parties that he knew had the information. Including publicly traded companies bound by the rules of the Oxley Sarbanes Act, governing preservation of financial records for public traded companies. Mr. Petrikis's evil motive, was to use discovery complaints to create sanctions and hardship against a Pro Se litigant unfamiliar with legal procedure.

119. Under Oath Mr. Petrikis stated that to acquire the information he sought in discovery from the Hanson Company (publicly traded), it would have cost \$8,000-\$10,000. This is compared to the nearly \$20,000 in litigation fees, plus Court administration costs, spent over five years in countless frivolous motions, meant to harass and defame the Gold defendants. This clearly demonstrate the Abuse of Process utilized by Metz Lewis in this case.
120. Defendant Gold at Argument Court, now informs the Honorable Court, that in an effort to comply with the pervious Court Order, and end this intentional abuse of discovery. Mr. Gold elicits the help of his former Attorney, Robert Martin. Mr. Martin agreed to ghost write the answers to the Interrogatories, as a personal favor to the Gold's. It was those "Professionally" produced, "full in-depth" answers to the Interrogatories that were reported to be "insufficient" and evasive by Mr. Petrikis. This failure by Steve Petrikis to recognize the in-depth answers, and degree of Professional writing of the Interrogatories, coupled with his immediate transition to the production request of the Hanson documents, after Gold revealed who wrote the answers to the interrogatories, demonstrates that Mr. Petrikis never reviewed the Interrogatories prior to the Argument Court date, for requesting additional sanctions.
121. Defendant Gold at the afore mentioned argument court, informs the Court who actually did the work, and asks the Honorable Court, if an Attorney as accomplished and respected as, Robert Martin Esquire, can't answer the Interrogatories to the Plaintiffs satisfaction, then how could this Court justify sanctions their egregious sanctions, and expect a Pro Se litigant to accomplish this apparently impossible task of answering the interrogatories.
122. Mr. Steve Petrikis, realizing it's now apparent that he never even reviewed the latest Answers to the Interrogatories, before filing for additional sanctions, turns the Court's

attention to the production of the "Hanson" documents, claiming the Gold's in concert with the Muse's, are "hiding" the documents from us, refusing to give us the very documents that will prove our damages.

123. Gold's move for a motion of an Evidentiary hearing to examine ALL the facts in this vexatious litigation for the purpose of exposing the Frauds committed upon this Court and upon the Golds.

124. Prior to the Argument Court date Defendant Gold Subpoenas Mr. Petrikis, (duces tecum), to bring the documents earlier produced by the Gold Defendants, and deliver them, to the Court Room the day of the Argument Court scheduled for October 26, 2011.

125. Mr. Petrikis, fails to bring the documents, despite the Subpoena, telling the Court, he as "spent to much money already" on this discovery, and he was not going to make copies of the documents, therefore he ignored the Subpoena. Further informing the Court, "if the Court wants the four boxes, the Court will need to take security of them". This was an intentional and methodical burden, placed on the Court, so the Court would not force Counsel to comply with the Subpoena, and produce the documents that were purported to be in his car. This intentional Breach of Professional Duty, prevented the Gold's from demonstrating to the Court proof they did in fact comply with the Court's orders.

126. On the October 26, 2011 in Argument Court, to determine the need for an Evidentiary Hearing, Gold brings to the Court an exact replica copy of the 4 boxes of documents produced. During his argument, Mr. Gold demonstrates to the Court how the documents were categorized within the boxes and separated by BLUE sheets of paper with labels on them describing what segment of the Court Order the section of documents addressed. One of the Blue sheet Mr. Gold pulled from the box during his demonstration was labeled "STO receivables" Mr. Gold then pulled the document from behind the Blue sheet

showing the STO financial report reflecting the "STO receivables" which was requested. No objection, or argument was made by Mr. Petrikis concerning the existence of "Blue Sheets" during this demonstration. In addition, Mr. Petrikis, in fear his willful and wanton scheme was about to be revealed, offered to withdraw his motion for sanction and give the Gold's more time to produce the "Hanson" documents. This evidence and demonstration to the Court, clearly shows Mr. Petrikis, never reviewed the documents before filing the most recent motion for sanctions.

127. Gold objected to the offer by Counsel to withdraw his motion for sanctions, telling the Court, "if the Court grants us more time, we will be right back in here next year arguing the same issue". The Court thereby granted Gold's request for an Evidentiary Hearing for February 8, 2012.
128. Gold Subpoena several witnesses for the Evidentiary Hearing including the City Police Officer who investigated the break-in at the offices of STO LLC, and the District Attorney who refused to prosecute the crime.
129. Mr. Petrikis filed a Motion to quash those Subpoenas on the basis it did not pertain to the discovery issue before the court.
130. On the morning of the Evidentiary Hearing, the Court narrowed the scope of the Evidentiary Hearing, without notice to Gold, or granting Gold opportunity to challenge the change in the Court Order.
131. Mr. Petrikis was Subpoena to produce at the Evidentiary Hearing, the 4 boxes of documents exactly as he received them.
132. When Mr. Petrikis arrived at the Court with the Boxes, despite the clear language to produce the documents exactly as he received them, the evidence was tampered with. All the Blue Sheets contained in the boxes, that Mr. Gold demonstrated to the Court on

October 26, 2011, were removed, additionally false evidence was fabricated to buttress their previous deceit upon the Court.

133. Mr. Petrikis falsely stated "that's just how the boxes arrived at my office".

134. Mr. Petrikis buttressed his deceit upon the Court by the following statements of the Court transcript;

a. P48L8 Mr. Petrikis concludes his testimony at 3:00 PM (the hearing started at 1:50 PM) After returning from recess Mr. Petrikis says to the Court " Your Honor, I had concluded my testimony prematurely and in looking through my notes I realized there is a significant area I would request an opportunity to provide that testimony" The Court Permits – Mr Petrikis goes on to say P48L21 "the only thing that I removed from the boxes was Mr. Gold's \$1,000 check that he paid...." This false statement was made to buttress his deceitful plan, and conceal his tampering with the evidence. It's also important to note up until this point in time NO ONE ever accused him, or anyone, of taking anything from the boxes. So why did he feel compelled to offer to the court "Your Honor, I had concluded my testimony **prematurely** and in looking through my notes I realized there is a **significant area** I would request an opportunity to provide that testimony"

135. Mr. Steve Petrikis while under oath confirms that he was the first person, and only person to open the boxes. Going into great detail about how hard they were to open.

136. When asked what he did with the Blue Sheets he falsely answered there were no Blue Sheets in the boxes, and the only thing he took out of those boxes was the check. He even went further to point to the box containing the check.

137. Gold produced to Mr. Petrikis two fedex delivery tickets, showing four boxes being delivered to Mr. Petrikis's office, and one Fedex letter envelop. Mr. Petrikis could not answer how the check got from the Fedex Envelop into the un-opened box.

138. The fact is the check was never the in the box, proving that Mr. Petrikis was setting stage, to conceal his tampering of evidence, which he knew would become an issue once he and his client's falsely testified that no "Blue Sheets" were in the boxes.
139. At the same Evidentiary Hearing Mr. Petrikis's Client Elaine Frey, testified that per Mr. Petrikis request she and her husband traveled to the Metz Lewis Offices, to review the documents, subsequent to Mr. Petrikis opening the boxes.
140. Mrs. Frey testified there were no Blue Sheets in the boxes when she reviewed them.
141. Defendant Gold produced two sworn witnesses, that testified when the sealed boxes left Gold's possession they were completely taped shut, and the Blue Sheets were in the boxes just as earlier described.
142. Mrs. Frey continued her testimony saying that she and her husband made an "exhaustive" list of the documents in the boxes and that list was presented as evidence at the Evidentiary Hearing, and identified as P5. This inventory process reportedly took several hours.
143. After a review of the "STO Receivables Report" that Mr. Gold demonstrated to the Court was in the boxes on October 26, 2011, it was Mrs. Frey's sworn testimony that the "STO Receivables" report was not in the box, she went further to say 90-95% of the items inventoried on the Exhibit P5, the "exhaustive" list, were documents they already had in their possession and not what they wanted, therefore, the Gold's did not comply with the Court's order.
144. Upon further cross examination Mrs. Frey was asked to review the "exhaustive" inventory list, which Mr. Petrikis, entered into evidence as P5.
145. Mrs. Frey testified that this "exhaustive" list was comprised of all the documents contained in the 4 boxes of discovery sent to them by the Gold's, per the Court Order.

146. Mrs. Frey, under questioning by her Counsel, further testified that a document titled "Second Request for Production of Documents" was in fact within one of the four boxes.
147. Under Cross Examination, when asked to point out where on the "exhaustive" Inventory list, was the document titled "Second Request for Production of Documents" which she earlier testified was in the boxes. She could not find it on the list. It was intentionally removed from the list because it was the directory for the boxes and how the contents complied with the Court Order, and corresponded to the BLUE SHEETS.
148. While under questioning by her Counsel, Mrs. Frey admitted to the existence of a "General File Folder" within one of the four boxes. Forgetting it was one of the items she intentionally did not include in the "exhaustive" Inventory List.
149. Under cross examination, Mrs. Frey was asked to demonstrate where on the "exhaustive" list is the "General File Folder", again, she could not find it on the list. This evidence of Court compliance by the Gold's, was intentionally omitted from the Inventory list, because it was in direct answer to Production Requests 13, 14, 27, & 28 as per the Court Order.
150. Mrs. Frey while still under oath, realizing she was caught falsifying the evidence, and omitting items that would disprove their claims, offered the excuse "the only thing we put on the "exhaustive" list were items that where in direct response to the court order". While in her earlier sworn testimony she states, that "90-95% of the items inventoried on the "exhaustive" list, Exhibit P5, were not what we wanted and did not comply with the Court's order". This contradicted testimony is evidence of the concerted plot devised by her, and her counsel of evidence tampering.
151. Subsequent to the Evidentiary Hearing, The Court ruled to impose \$10,000 fine on the Gold Defendants for failure to comply with the Court order. The Court completely ignored the contradicted testimony of the Frey's and their Counsel and citing that the

Gold's submitted a letter stating it was mailed when in fact it was not truly mailed. (a clerical error occurred when Gold's submitted the original draft of a letter into evidence, (that admittedly, was not mailed), because Gold's actually mailed the final draft instead, which the Plaintiffs acknowledge receiving.

152. Mr. Petrikis to bolster his deception before the Court, argued on several occasions, stating the Muses and their Counsel informed Mr. Petrikis, that Gold had the documents they were requesting because they gave to him. This purported act of "document swapping" was later referred to by the Court as a "shell game" being perpetrated by the Gold's and the Muse's.
153. At the Evidentiary Hearing, under sworn testimony, Mr. Steve Petrikis, admitted that the Muses, and/or their Counsel never told him that Dennis Gold had the documents, or that they gave the documents to Gold. Mr. Petrikis's repeated allegation were intentionally false statements, made before the Court, for the sole purpose of embarrassing, slandering and defamation, in a scheme to win dismissal of the Counter Claims against his clients, through discovery fraud.
154. Under sworn testimony Mr. Petrikis stated that for ten years he has never received the documents per his repeated request for the "STO Receivables as of December 19, 2001". Citing that if he had this evidence he could prove his conspiracy theory, because this evidence shows there was sufficient cash to pay the Pilgrim Coal loan and avoid the Sheriff Sale of STO LLC. Evidence in fact, shows clearly, he had in his possession this exact information for nearly 10 years, contradicting his falsely sworn testimony.
155. Mr. Petrikis states on the record, that he cannot demonstrate damages to his clients because he has been denied access to the "Hanson" discovery documents, which he first refers to as the "Hanson Documents", then three years later, refers to as the "Hanson Invoices", then after another two years, refers to the same documents as the "Hanson

Audit Reports". Mr. Petrikis now states he has developed a new theory, to prove his clients damages and all he needs is the calculation sheets used by Mr. Gold to determine stock value (\$7.64/share) of the proposed new company to be born from the "debt/equity" merger of STO LLC back in 2001. (see paragraph _69_)

156. Mr. Gold repeatedly, over a ten year period, informed Mr. Petrikis there were no calculation sheets, and that Mr. Gold did the calculation mentally. With full knowledge, of Mr. Gold's position that these 'calculation sheets' did not exist. Mr Petrikis falsely purported to the Court, that Mr. Gold in his 2002 deposition, stated "that the sheets do in fact exist", or did exist. What Mr. Gold actually said in his deposition was that "he (Mr. Gold) did the calculations" period.

157. The purpose of the afore mentioned calculation, was to determine a fair market value of the new company, allowing the Gold's, or the Frey's, to buy back controlling interest in the new company at a predetermined set price. This \$7.64/share price, was suggested by the Muses, and calculated by Gold in his head, to the fairness of the price. The factors determining this share value, was current outstanding debt owed to Pilgrim Coal, the value of \$500,000 working capital infusion, the present day value of money, and the risk/reward aspect of the merger, owed to the Muse group. All of these factors were used to determine the \$7.64/share value of the new company. The value of STO LLC was already established by "professional evaluation" and "legal evaluation" to be \$1.00 at the time of the Sheriff Sale.

158. Mr. Petrikis through falsely manipulating the language in Court pleadings, depositions, and drafting his own version of Court Sanctions, duped the Venango County Court into granting, as part of the contempt sanctions, a completely unsubstantiated value of the STO LLC Company, at \$7.64/share. Further, by granting a "share" value to a Limited Liability Company, itself is contradictory, since LLC do not have "shares", and

coupled with no professional or expert testimony to support this sanction, is of itself a basis for appeal. The Court granted this sanction simply out of frustration of the Judicial burden, slander of the Gold Defendants, and the Judicial burden this case has created for the Venango County Court, which is a direct result of;

- a. Mr. Petrikis agreeing to take a case for a retainer fee of \$25,000/year (based on his testimony) while all the while knowing this amount was deficient for adjudicating a case without creating unfair delays to build the retainer balance.
- b. Mr. Petrikis, requesting and demanding delay's caused by his involvement with other cases that were more profitable and took precedent over this case.
- c. Mr. Petrikis's failure to effectively and fairly manage his case load.
- d. Mr. Petrikis's mind set that a legitimate cause of action is not required, as long as your opponent has deep pockets, and you're a "Good Story Teller".
- e. After tens years of discovery no material facts have been discovered to demonstrate, suggest, or prove, one single cause of action, plead by Mr. Petrikis, therefore the only option left for the Plaintiffs is fraud.

159. Mr. Petrikis in his sworn testimony, testified falsely that he NEVER received, or had knowledge of the "STO receivables" information, yet facts unequivocally demonstrate he has been given this information three separate times, since 2001. He only now denies possession of this information, to bolster his self-proclaimed new "theory" of proving his clients damages, without the use of facts, professional opinions, or any other instruments of proof, typically required in a Court of Law.

160. Some might call this successful abuse of the system "good lawyering" but they are of the same ethically deficient members of our society that call money laundering "creative accounting". It doesn't make it any less illegal.

161. The actions by the Plaintiffs in the afore mentioned case has been harassing, defaming, and meant solely to oppress the Gold Family, their business, and direct violation of; Due Process, rules of civil procedure, duty of professional responsibility, and the constitutional rights to life, liberty, and the pursuit of happiness afforded to the Gold's as Citizens of the United States of America.
162. This intentional delay of due process is a result of Metz Lewis agreeing to take this case for \$25,000/year when they new the litigation expenses in this case would require 5-6 years of retainer fees. Once it was found that no evidence exists to support their cause of actions, then the manipulation of the system began, so as to avoid taking the responsibility for their actions, and for the damages caused to the Gold's.
163. On August 4, 2010, under sworn testimony Mr. John Frey falsely stated that he never received payment for employment services he provided while in the employ of STO LLC. When asked, what was the Bi-monthly checks he received each month while working for STO LLC, he stated they were payments for loans, from him to the STO LLC. When asked to produce the supporting loan documents, or evidence, of these loans, their counsel refused and is obstructing this discovery to this day.
164. A Subpoena was served upon the Frey's and their Counsel to produce the afore mentioned loan documents referencing the loans and the Bi-monthly payments made to Mr. John Frey as he testified to in his deposition. Counsel for the Frey's, filed a Motion to Quash the Subpoena so has to prevent the discovery of the Payroll wage Fraud, that Counsel and his Clients are perpetrating upon the Gold's through the Court.
165. Additional Subpoenas have been filed three times for production of discovery documents, forcing the Frey's and their Counsel to release Income Tax Returns. Although Counsel promised in 2004 to produce the tax returns, when he discovered at Argument Court, the Frey's fail to report the payroll wages on Federal Income Tax,

Counsel for the Frey's have intentionally, willfully, and with total disregard to the burdens placed upon the Gold's, have obstructed the production of said tax returns.

166. The Frey Plaintiffs through their Counsel knowingly, and with wanton misconduct filed false statements within the Pleadings including the verification of known false statements for the sole purpose of buttressing their deceit upon the Court.

167. Further, evidence shows several delays and extensions requested by Metz Lewis only because they were busy on other cases, that apparently were more profitable.

I – Cause of Action BREACH OF PROFESSIONAL DUTY

COUNT 1 - Rule 3.4 Fairness To Opposing Party And Counsel

Defendants; Metz Lewis Law LLC, a.k.a. Metz Lewis Brodman Must O'Keefe LLC, Mr.

Leroy Metz, Mr. Steve M. Petrikis, Mr. Michael Robic

Rule 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

- (a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act;*
- (b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law;*
- (c) knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists;*
- (d) in pretrial procedure, make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party;*

168. The averments contained in paragraphs 1 through 167 of this Complaint are incorporated by reference as if fully set forth herein.

169. At the Evidentiary Hearing of February 8, 2012 and concluding on April 9, 2012 Mr. Steven Petrikis admitted to making false and misleading statements to the Court.
170. Mr. Petrikis in concert with his Clients, the Frey's, and served by Court Subpoena, produced to the Court as evidence, documents known to be false and misleading, including false inventory reports, production of discovery documents that were intentional and unlawfully altered.
171. During the afore mentioned Evidentiary Hearing, Mr. Petrikis, despite being a co-obligor, to the five (5) Court orders, testified under oath for the first time in ten years, the reason he would never come and view the discovery documents produced by the Gold's was, "because he was afraid Mr. Gold would sue him". This concern was never mentioned, or argued to the Court until the Evidentiary Hearing revealed evidence proving his willful, wanton obstruction to the Court orders. This was an act of conspiracy designed to an ultimate end, of using discovery sanctions, to eliminate legal claims against his clients, run up unjust legal expenses, and delay due process.
172. Mr. Petrikis at the Evidentiary Hearing conspired with his client's John and Elaine Frey, producing known false testimony, submitted as evidence, by Metz Lewis, to be a true and correct inventory of all the discovery documents produced in the four boxes. Under cross examination it was proven the exhaustive "Inventory List" was actually a false and misleading representation of the actual contents in the boxes.
173. Mr. Petrikis knowingly, and with malice, and deceit, refused to cooperate with the five court orders to produce discovery directed to the Gold's, by refusing to come and view the produced documents, then making false and misleading statements to the Court about the production.
174. Mr. Petrikis and members of his firm knowingly, and deceitfully, concealed documents stolen from the offices of STO LLC, in a conspiracy, which was covertly

concealed, with intentional delays until the Statute of Limitations ran on the criminal act. Despite several attempts to recover the documents by Gold's Counsel. The sole purpose of this action, and several other unlawful acts, was to destroy Dennis Gold, his family, and the business and market value of Dennis Gold's technology and developing business.

I – Cause of Action BREACH OF PROFESSIONAL DUTY

COUNT 2 - Rule 3.3: Candor Toward the Tribunal

Rule 3.3: Candor Toward the Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.

175. The averments contained in paragraphs 1 through 174 of this Complaint are incorporated by reference as if fully set forth herein.

176. Despite repeated warnings to stop the false allegations, from opposing counsel, and the Gold's, and with total disregard for the sanctity of the obligations of an officer of the Court, Metz Lewis, knowingly, in concert with their clients, filed false verifications in attempts to buttress their conspiracy, and slander the Gold Defendant's for the sole purpose of winning favor of the Court.

177. Mr. Petrikis himself personally testified under oath that he removed nothing from the Evidence submitted "except the check". Upon further questioning Mr. Petrikis held steadfastly that he removed nothing from the boxes, evening going so far as to point out

the box the check was removed from. It was then that Mr. Gold produced two Fedex delivery tickets; one for the four boxes delivered, and one for the Fedex envelop package which contained the check. Mr. Petrikis could not have possibly removed the check from the sealed boxes, the check was never in the boxes, making his sworn statement a fraud.

178. Two witnesses testified that blue divider sheets, were in fact, in the boxes separating the documents, before they were taped shut, and delivered to the Metz Lewis law firm by Fedex.

179. Elaine Frey falsely Testified, that upon review of the boxes by both she, and her husband John, said the boxes did not contain Blue dividers.

180. Mr. Petrikis testified under oath that he was the first, and only person to open the boxes, and falsely testified that no blue sheets were present in the boxes.

181. On February 8, 2012, Elaine Frey falsely testified that during a sworn deposition, Mr. Muse stated that "Dennis Gold has the documents you want they're in his possession". This false statement was made in concert with her Attorney Steven Petrikis who at the time believed he could avoid sworn testimony, at the Evidentiary Hearing, albeit, a strong effort by Mr. Petrikis to avoid testimony, Mr. Petrikis was forced to testify.

182. Mr. Petrikis falsely stated in Court, on multiple occasions, that the Hanson Documents that he needs to prove damages in his case, were being concealed by Mr. Charles Muse, and Dennis Gold. Mr. Petrikis repeatedly stated that Mr. Muse told him in deposition that he gave the Hanson Documents to Dennis Gold, that Dennis Gold has the documents you want. During questioning while under oath at the Evidentiary Hearing Mr. Petrikis faced with showing the Court where in Mr. Muse Deposition such a statement exists, admitted that his statements over the past five years concerning this matter, were intentionally false statements. This was an intentional false fabrication born by Mr. Petrikis, and buttressed by his coconspirator and client Elaine Frey.

183. Mr. Petrikis at the Evidentiary Hearing, was reprimanded by Mr. Muse Attorney for continuously making false statements.
184. Mr. Petrikis utilized a technique of slanderous, known to be false statements, and perjury, to win sanctions in the Court. With the knowledge and full confidence that “immunity from prosecution under testimony” would protect any action brought against him. While the less experienced Pro Se litigant, was relying on Perjury laws, and Rules of Civil Procedure to protect his rights in the Court.
185. The Metz Lewis Firm, has falsely claimed, among other things, that his client John Frey never received payment for services while employed at STO LLC. This knowingly false claim, under the Pennsylvania Wage Payment and Collection Act, of the alleged unpaid wages, which would included substantial penalties, that can be collected from the Members of STO LLC. It is very clear within the evidence produced and the existing signed affidavits of payroll processors, at STO LLC, Mr. John Frey received a check on the 15th and 30th of each month, for services rendered, consistent with all other STO LLC employees. The attempt by Metz Lewis to falsely collect alleged unpaid wages is a direct act of Fraud, and falsification of testimony.
186. Repeated attempts by the Dennis Gold to acquire tax returns of the Frey’s have been repeatedly obstructed. These tax returns would demonstrate either, tax evasion, or payroll collection fraud. The Metz Lewis refusal to allow access to the tax returns, or alleged loan documents, is a direct willful and wanton violation of Rule 3.3 Candor Toward the Tribunal, and Rule 3.4 Fairness to Opposing Party and Counsel.

I – Cause of Action BREACH OF PROFESSIONAL DUTY

COUNT 3 - Rule 4.4 Respect For Rights Of Third Persons

Rule 4.4 Respect For Rights Of Third Persons

(a) In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

187. The averments contained in paragraphs 1 through 186 of this Complaint are incorporated by reference as if fully set forth herein.

188. Mr. Petrikis admitted under sworn testimony that he refused to come and look at the Production documents for a period of nearly five (5) years, despite his filing several motions for sanctions, resulting in excessive delays in due process. These actions are violations of R.P.C. Rule 4.4, and were willful, wanton, and meant to harass, and embarrass Dennis Gold.

189. Metz Lewis in their conspiracy to conceal the stolen documents, make false statements to investigating Officers (F.B.I.). Thereby violating the rights of Dennis Gold for legal protection of property and assets by law enforcement.

190. As a proximate result this Plaintiff as suffered substantial money damages.

191. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances

I – Cause of Action BREACH OF PROFESSIONAL DUTY COUNT 4 - Rule 3.7 Lawyer as Witness

Rule 3.7 Lawyer as Witness

(a)

A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness unless:

- (1)the testimony relates to an uncontested issue;
- (2)the testimony relates to the nature and value of legal services rendered in the case;

or

- (3)disqualification of the lawyer would work substantial hardship on the client.

(b)

A lawyer may act as advocate in a trial in which another lawyer in the lawyer's firm is likely to be called as a witness unless precluded from doing so by Rule 1.7 or Rule 1.9.

Comment:

- [1]Combining the roles of advocate and witness can prejudice the tribunal and the opposing party and can also involve a conflict of interest between the lawyer and client.

192. The averments contained in paragraphs 1 through 191 of this Complaint are incorporated by reference as if fully set forth herein.

193. Mr. Petrikis violation of Rule 3.7 (a) is a direct result from his willful and wanton acts deliberately perpetrated against Gold from the beginning of the Venango County case.

194. Plaintiff Gold on December 31, 2008, filed Motion in Venango County Court to disqualify Mr. Steven Metz from the case on the grounds that Mr. Steve Metz could not possibly adjudicate the case to completion without breaking the Rules of Professional Duty, or violation the law. With Mr. Steve Petrikis knowing that Plaintiff Gold would most likely bring an action against him if he continued representing the Frey Defendants he should have recused himself from the case to safeguard the Professional Integrity of the Court, and to prevent his ultimate violation of Rule 3.7.

195. The act of violating his duties under the Rules of Professional Duty unfairly predudice the Court against the Gold Plaintiffs testimony. When comparing Plaintiff Golds repeated contradicting testimony of Mr. Petrikis actions, the Court was obligated by Professional courtesy, to apply a stronger weight of validity to Attorney Petrikis's false testimony, because of the Rules of Professional Duty and the implied penalties for violation of these rules.

196. During Mr. Petrikis sworn testimony at the Evidentiary Hearing his uncontrolled testifying to facts known by Mr. Petrikis to be false and misleading prejudiced the Court against Plaintiff Gold.

197. As a proximate result this Plaintiff as suffered substantial money damages.
198. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

I – Cause of Action BREACH OF PROFESSIONAL DUTY

COUNT 5 - Rule 1.15 SafeKeeping of Property Breach of Fiduciary Duty
Defendants; Metz Lewis LLC, Steve Petrikis, Michael Robic.

Rule 1.15 Safekeeping Property

(a)The following definitions are applicable to Rule 1.15:

(2)Fiduciary.

A Fiduciary is a lawyer acting as a personal representative, guardian, conservator, receiver, trustee, agent under a durable power of attorney, or other similar position.

199. The averments contained in paragraphs 1 through 198 of this Complaint are incorporated by reference as if fully set forth herein.
200. The Defendants became a Fiduciary party to the Plaintiff Gold , under Rule 1.15 of the Rules of Professional Duty, under the Order of Court to receive, (receiver) and secure (trustee), the Notebook from the Lexington Police Department until proper ownership could be established
201. The Defendants knew or should have known after receiving the stolen documents from the Lexington Police Department these documents were not the personal property of their client John Frey, but rather the Trade Secrets of the Plaintiff and property of STO LLC.
202. The Defendants knew or should have known the Stolen Documents now in the Defendants possession constituted a Fiduciary Duty owed to the Plaintiff Gold.
203. Failure by the Defendants to comply with the Rules of Professional Duty was a willful wanton disregard to the Due Process Owed to Plaintiff Gold and others.

204. This willfull and wanton disregard to Rule 1.15 and intentional covert act of Evidence Obstruction was a Breach of Fiduciary Duty owed to Plaintiff Gold.
205. As a proximate result this Plaintiff as suffered substantial money damages.
206. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

II- CAUSE OF ACTION

Abuse of Process

All Defendants

207. The averments contained in paragraphs 1 through 206 of this Complaint are incorporated by reference as if fully set forth herein.
208. The Defendant's deceitfully evaded discovery of their willful, wanton actions against Gold, by unlawfully concealing information, making false statements to law enforcement, filing Court pleadings and signing verifications known to be false, tampering with evidence, and manipulation of discovery.
209. The Metz Lewis firm intentionally used the United States Court system, by filing needless motions, causing discovery delays, harassment, financial and emotional hardship, legal oppression, so as to prevent criminal acts committed by the Defendant's, from being revealed, or prosecuted.
210. The Metz Lewis firm intentionally used the procedures of the Court system to attempt the extortion of unjustified funds from a secured creditor with total disregard for the damaged caused to Gold and his personal property.

211. Mr. Petrikis knowingly, willfully, and with malice, abused his knowledge and proficiency of the Court system to harass, embarrass, defame, create financial hardship, and procedural delays for Gold.
212. The Metz Lewis firm to their benefit, intentionally and willfully, used their professional influence with Law Enforcement, and Court Officials, to aid them in their frivolous litigation and wanton destruction of Dennis Gold, his United States Patents, and business opportunities afforded to Mr. Gold through his patented technology.
213. As a proximate result this Plaintiff as suffered substantial money damages.
214. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

III- CAUSE OF ACTION

COUNT -1 Civil Conspiracy

Defendants-Metz Lewis law firm, Leroy Metz, Steven Petrikis, Michael Robic, Susan Smullin, Patricia, Boss, H. Elaine Frey, John R. Frey .

215. The averments contained in paragraphs 1 through 214 of this Complaint are incorporated by reference as if fully set forth herein.
216. On February 8th 2012, the Defendants collectively conspired to knowingly produce false evidence in the Court of Common Pleas Venango, Pennsylvania at an Evidentiary Hearing of the same date which continued by Court Order on April 9, 2012.

217. On February 8th 2012, the Defendants collectively conspired to knowingly produce false testimony, in the Court of Common Pleas Venango, Pennsylvania at an Evidentiary Hearing of the same date which continued by Court Order on April 9, 2012.
218. On February 8th 2012, the Defendants in a conspiracy to obstruct and delay justice, admitted under testimony they willfully, with malice, and for no valid, or legal reason refused, on several occasions, over a 5 year period to cooperate with Court Orders.
219. As a proximate result this Plaintiff as suffered substantial money damages.
220. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

III- CAUSE OF ACTION

COUNT -2 Civil Conspiracy

All Defendants

221. The averments contained in paragraphs 1 through 220 of this Complaint are incorporated by reference as if fully set forth herein.
222. On February 8th 2012, at the Evidentiary Hearing, it was revealed to Plaintiff Gold that the collective acts of the Defendants over the extended course of legal maneuvering and deceptive acts, in reality was a series of covert acts of willful, wanton destruction of Dennis Gold, with malice, and no regard to legal authority, or the damages suffered by others.
223. On February 8th 2012, at the Evidentiary Hearing, it became evident the Client and their Attorney, in concert, conspired to produce false testimony, false evidence, and the commission of perjury over several years of litigation.

224. Upon closer evaluation of the facts in this case, what was purported to be an action for adjudication of an alleged legal claim, was in fact, an act of revenge by the Defendants and their Counsel, for the sole purpose of destroying the character, and business enterprises of Dennis Gold, by manipulating the American Court System.
225. As a proximate result this Plaintiff as suffered substantial money damages.
226. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

IV-CAUSE OF ACTION

Unjust Enrichment

Defendants: John R. Frey, H. Elaine Frey, G. Robert Frey, Sue M. Frey, Metz Lewis LLC, Steve Petrikis.

227. The averments contained in paragraphs 1 through 226 of this Complaint are incorporated by reference as if fully set forth herein.
228. On February 8th 2012, the Defendant Steven Petrikis, in a conspiracy to obstruct Mr. Gold's ability to comply with the Court orders, admitted under testimony he willfully, for no valid, or legal reason refused, on several occasions, over a 5 year period to cooperate with Court Orders.
229. Mr. Petrikis further stated that despite Gold's repeated requests for his cooperation, he would not cooperate with Mr. Gold, now, or any time in the future. Thereby, violating the Rules of Professional Conduct, and obstructing Gold's ability, and legal right, to represent himself in the Court.

230. This action of willful Professional misconduct resulted in a Court Sanction upon Gold for \$11,000 legal fees unjustly paid to the Metz Lewis firm.
231. The afore mentioned sanction for legal fees, are a direct result of Professional misconduct and should in no way be allowed to be enjoyed by the parties of such egregious series of unjust acts.
232. As a proximate result this Plaintiff as suffered substantial money damages.
233. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

V-CAUSES OF ACTION

Fraud

Defendants; John R. Frey, H. Elaine Frey, G. Robert Frey, Sue M. Frey, Metz Lewis LLC, Steve Petrikis.

234. The averments contained in paragraphs 1 through 233 of this Complaint are incorporated by reference as if fully set forth herein.
235. The Metz Lewis firm intentionally violated Rules of Civil Procedures, as set forth by the Judiciary, for the sole purpose to extort funds from a secured creditor, with total disregard for the damaged caused to Gold and his personal property.
236. Mr. Petrikis and members of his firm knowingly, and deceitfully, concealed documents stolen from the offices of STO LLC, in a covert conspiracy of intentional delays until the Statute of Limitations ran on the criminal act, despite several attempts to recover the documents by Gold's Counsel.

237. The sole purpose of these unlawful acts, was to destroy Dennis Gold, his family, and the business, and market value of Dennis Gold's patent's and developing business.
238. On February 8th 2012, the Defendants admitted under testimony that for no valid reason refused, to cooperate with Court Orders, on several occasions over a five-year period, in a conspiracy to obstruct and delay justice, these acts were done willfully, and with malice.
239. On February 8th 2012, the Defendants collectively conspired to knowingly produce false testimony, in the Court of Common Pleas Venango, Pennsylvania at an Evidentiary Hearing of the same date, which continued by Court Order on April 9, 2012.
240. Repeated attempts by Dennis Gold to acquire tax returns of the Frey's have been repeatedly obstructed. These tax returns would demonstrate either, tax evasion, or payroll collection fraud by the Defendant's. The Metz Lewis refusal to allow access to the tax returns, or alleged loan documents, is a direct willful conspirator act of Fraud.
241. Mr. Petrikis falsely stated in Court, on multiple occasions, that the Hanson Documents that he needs to prove damages in his case, were being concealed by Mr. Charles Muse, and Dennis Gold. Mr. Petrikis repeatedly stated that Mr. Muse told him in deposition that "he gave the Hanson Documents to Dennis Gold", that Dennis Gold has the documents you want. During questioning while under oath, at the Evidentiary Hearing, Mr. Petrikis faced with showing the Court where in Mr. Muse Deposition such a statement exists, admitted that his statements over the past five years concerning this matter, were false. This was an intentional fraud by Mr. Petrikis, upon the Court, and buttressed by his Client Elaine Frey's sworn statements of the same date.
242. On February 8th 2012, the Defendants collectively conspired to knowingly commit fraud by conspiring to produce testimony while under oath, in the Court of Common

Pleas, Venango County, Pennsylvania during an Evidentiary Hearing of the same date which continued by Court Order on April 9, 2012.

243. The Defendants fraudulently utilized Court actions to manipulate, conceal evidence, and delay proceedings, for the purpose of running out the Statute of Limitations.
244. Defendants knowingly and collectively filed Court pleadings, with signed false verifications to buttress their deceit upon the Court.
245. As a proximate result this Plaintiff as suffered substantial money damages.
246. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

VI-CAUSES OF ACTION

Negligence

Defendants; Metz Lewis LLC, Steve Petrikis, Michael Robic.

247. The averments contained in paragraphs 1 through 246 of this Complaint are incorporated by reference as if fully set forth herein.
248. The Defendants were negligent in their interference with the merger negotiations between Gold and the Muse financial Group. A "Certificate of Authority" granted Gold the sole Authority to negotiate and communicate with the Muses concerning terms of the merger and debt settlement. It was the unauthorized interference, and abuse of process, of Steven Petrikis that ultimately forced the Sheriff Sale.

249. The Defendants were negligent of their Professional Duty to cooperate with the Plaintiff's attempts to comply with the Court Orders, as issued by the Venango County Court.
250. The Defendants were negligent in filing motions for sanctions when in fact they never even bother reviewing the documents produced, or the Interrogatory answers, before filing for more sanctions.
251. The Defendants were negligent of their Professional Duty, when falsifying the Evidentiary Hearing documents, and providing false supporting testimony, rather than tell the Court the truth that they did not review the documents before filing the motion for sanctions.
252. The Defendants were negligent of their Professional Duty, when falsely reporting the value of the Hanson Contract to be this "wildly profitable contract" When in fact, they knew, or should have known, it was a contract that paid \$14,000/Month gross profit. While the STO Company overhead was approximately \$17,000/month, they were negligent in their financial evaluation of the company, and their client's asserted causes of action.
253. The Defendants were negligent of their Professional Duty, when they failed to retrieve the Hanson documents from the publicly traded Hanson Company.
254. The Defendants in 2007 thru 2011, were negligent of their Professional Duty, when failing to inquire, and request professional confirmation of the Hanson contract operating losses, as reported on the Company's Federal Tax returns, which was in Defendants possession since 2006.
255. The Defendants were negligent of their Professional Duty in demanding "audit reports" produced by individuals with no financial accreditations, rather than use the

Federal Tax Returns, already in their possession for the purpose their purpose of determining value of the Hanson Contract.

256. The Defendants were negligent of their Professional Duty for not making themselves available for reviewing the Hanson Documents produced by Gold, in 2007 per the first, of five Court Orders.
257. The Defendants were negligent of their Professional Duty for failing to encourage their clients to attend STO LLC meetings, and take prudent business action to safeguard the creditors, and employees of STO LLC.
258. The Defendants were negligent of their Professional Duty when refusing to return the "Company Notebook" immediately after discovering, that it was not their clients personal property.
259. The Defendants were negligent of their Professional Duty to effectively, and fairly, manage the Venango County Court Case 232-2000.
260. The Defendants were negligent of their Professional Duty to advance the expenses of the litigation, so as to timely and fairly litigate the case, rather than rely on the insufficient retainer of \$25,000/year, provided by their client, resulting in required manipulation, and intentional delays of the case resolution.
261. As a proximate result this Plaintiff as suffered substantial money damages.
262. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

VII-CAUSES OF ACTION

Barratry

Defendants; Metz Lewis LLC, Steve Petrikis, Michael Robic.

263. The averments contained in paragraphs 1 through 262 of this Complaint are incorporated by reference as if fully set forth herein.
264. The Defendants willfully and maliciously exploited the distressed emotional state John and Elaine Frey, for the purpose of furthering litigation expenses and extorting money from a wealthy, benevolent, Pittsburgh Muse family, through vexatious litigation, in the Venango County Court of Common Pleas.
265. The Defendants for the purpose of furthering litigation revenue and in absence of any factual evidence of their vicious claims, falsely advertised alleged facts, in open Court, so convincingly that the, Honor Judge White in his opinion of Court stated, "this case smacks of conspiracy", convincing the Court of millions of dollars of profits from the "wildly profitable" Hanson contract, illegally funneled to the Muse family, and some how benefited by Dennis Gold.
266. The Defendants modus operandi from the initial contact with the Frey's, was to encourage obstruction of Gold's efforts to save and grow the LLC, this obstruction by the Frey's and under direction of the Defendants included; refusal to attend meetings, falsifying statements to investigating officers, unfair business practices, slander of Dennis Gold to vendors, clients, and employees of STO LLC, all for the purpose of unjust enrichment leveraged through vexatious litigation.
267. The Defendants realizing they had no facts to support their cause of actions in the litigation, turned to demonizing Dennis Gold, for the sole purpose of inciting the Frey's to continue their retainer fees and participate in false court filings, with promises of a great pay day.
268. As a proximate result this Plaintiff as suffered substantial money damages.

269. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

VIII-CAUSE OF ACTION

Obstruction of Justice

Defendants; Metz Lewis LLC, Steve Petrikis, Michael Robic, John R. Frey, H. Elaine Frey, G.Robert Frey, Sue

M. Frey

270. The averments contained in paragraphs 1 through 269 of this Complaint are incorporated by reference as if fully set forth herein.

Conspiracy to Obstruct to Defraud (18 U.S.C. 371).

Section 371 contains

both a general conspiracy prohibition and a specific obstruction conspiracy prohibition in the form of a conspiracy to defraud proscription. The elements of conspiracy to defraud the United States are: (1) an agreement of two more individuals; (2) to defraud the United States; and (3) an overt act by one of the conspirators in furtherance of the scheme. The fraud covered by the statute reaches any conspiracy for the purpose of impairing, obstructing or defeating the lawful functions of any department of Government

by deceit, craft or trickery, or at least by means that are dishonest. The scheme may be designed to deprive the United States of money or property, but it need not be so; a plot calculated to frustrate the functions of a governmental entity will suffice.

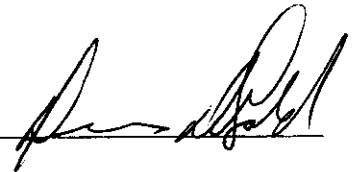
271. The Defendants knowingly falsified Court pleadings and in concert with their clients filed these verified and know to be false pleadings with the Court, for the sole purpose of buttressing their willful wanton conspiracy against the Plaintiff.

272. The Defendants knowingly altered evidence produced under Subpoena, and knowingly submitted this false evidence to the Court for the sole purpose of deceitfully impairing the functions of the Court Venango County, Pennsylvania, in the United States of America.

273. The Defendants with willful and with wanton disregard for the Plaintiffs rights of Due Process, knowingly and in concert with their clients, falsely testified under oath at an Evidentiary Hearing, for the purpose of obstructing Justice in the Court Venango County, Pennsylvania, in the United States of America.

274. The Defendants with willful and with wanton disregard for the Plaintiffs rights of Due Process, knowingly and in concert with their clients, unjustly defied Court Subpoenas to produce, and further obstruct, the production of evidence by unjustly withholding Federal Income Tax records, in the Court Venango County, Pennsylvania, in the United States of America.
275. The Defendants with willful wanton disregard for the Plaintiffs rights of Due Process, knowingly and in concert with their clients, filed frivolous Motions and Pleadings for the purpose of delaying litigation, and discovery, in the Court Venango County, Pennsylvania, in the United States of America.
276. As a proximate result this Plaintiff as suffered substantial money damages.
277. WHEREFORE; Plaintiff Dennis Gold demands Judgment for money damages against the Defendants, together with such other and further relief the Court may deem reasonable and just under the circumstances.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Dennis D. Gold', written over a horizontal line.

Dennis D. Gold, Pro Se

CERTIFICATE OF SERVICE

UNDER PENALTY OF PERJURY, I CERTIFY that a copy of the foregoing was provided by
regular Federal Express delivery to Parties listed Below on this _____ day of _____ 2014.

Metz Lewis Brodman Must O'keefe
535 Smithfield
Suite 800
Pittsburgh PA 15222

Susan Smollin
% Metz Lewis Brodman O'Keefe
535 Smithfield
Suite 800
Pittsburgh PA 15222

Mr. Steve Petrikis
750 Enterprise Rd.
Grove City PA. 16127

Mr. Leroy Metz
3180 William Pitt Way
Pittsburgh PA 15238

Mr. Michael Robic
11 Stanwix Street
Apt # 18
Pittsburgh PA. 15222

H. Elaine Frey
441 Wendy Way
Franklin PA 16323

John R. Frey
441 Wendy Way
Franklin PA 16323

James k. Miller
313 Meadow Brook Dr. S.E.
Huntsville, Alabama 35803

Robin Sue Miller
132 Wild # Rose
Gurley Alabama 35748

Dennis D. Gold
Pro Se
215 Big Oak Dr.
Franklin Pa 16323
301-980-6934

Sue M. Frey
647 Wears Valley Rd.
Pigeon Forge TN 37863

G. Robert Frey
a.k.a. Jack Carter
647 Wears Valley Rd.
Pigeon Forge TN 37863

STATE OF PENNSYLVANIA

COUNTY OF VENANGO

BEFORE ME personally appeared Dennis D. Gold who, being by me first duly sworn and identified
in accordance with law, did execute the foregoing in my presence this ____ day of _____
2014.

Notary Public

My commission expires:

In the U.S. District Court
For the Western District of Pennsylvania
Erie, Pennsylvania Division

Dennis D. Gold

Plaintiff

-V-

Defendants

Metz Lewis Law Firm, LLC

Steven Petrikis, Esquire

Patricia Boss

Susan Smollin

Michael P. Robic II, Esquire

Leroy L. Metz II, Esquire

James Hicks

John R. Frey

Elaine H. Frey

G. Robert Frey

Sue Frey

Case # _____

The Honorable Judge _____

COMPLAINT

Jury Trial Demanded

Dennis D. Gold

Pro Se

215 Big Oak Dr

Franklin PA 16323

301-980-6934

VERIFICATION OF COMPLAINT

STATE OF PENNSYLVANIA

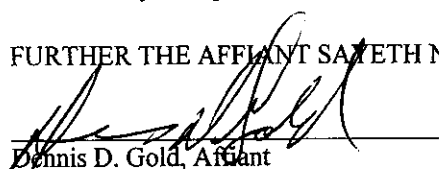
COUNTY OF VENANGO

BEFORE ME personally appeared Dennis D. Gold who, being by me first duly sworn and identified in accordance with Pennsylvania law, deposes and says:

1. My name is Dennis Gold, Plaintiff herein.

2. I have read and understood the attached foregoing complaint filed herein, and each fact alleged therein is true and correct of my own personal knowledge.

FURTHER THE AFFIANT SWEETH NAUGHT.


Dennis D. Gold, Affiant

SWORN TO and subscribed before me this ____ day of _____ 2012.

Notary Public, My commission expires: