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STATEMENT OF ISSUES

1. Whether the circuit court had jurisdiction due to fraud.
2. The circuit court failed to address the issue of jurisdiction when raised.
3. Whether Quixtar, Inc. had a valid contract to acquire this arbitration award against the Andersons.

FACTUAL BACKGROUND

4. In April 1999, case #96-175-CIV-ORL-3ABF (18) in the UNITED STATES DISTRICT COURT, Middle District of Florida, Orlando Division, a judgment was issued to the Andersons. **(File pg. 127-291)**
5. On September 29, 1999, Lee Luster (videographer) filed an amended counterclaim against Hal Gooch (high ranking Amway/Quixtar distributor and board member) that included a videotape in Luster's possession that displayed Gooch shooting a highly protected black baboon on an Amway sponsored African Safari. **(File pg. 127-291)**
6. The amended counterclaim stated that on the videotape Hal Gooch and his partner Parker Graybil stated as they approached the black baboon Gooch had just shot "LOOK, It's JESSE JACKSON and his fingers and PEETER are like a little black boy". **(File pg. 127-291)**

7. To avoid the publicity of the videotape, Amway, Gooch, Christopher and others, conspired to/and deceived the Andersons, Luster and defrauded the court.
8. In March 2000, the Andersons' judgment was used to open case #00-6357Zloch in the UNITED STATES DISTRICT COURT, Southern District of Florida.
9. In September 2000 case #00-6357Zloch produced a document called ORDER ON PLAINTIFFS' MOTION TO SEIZE MAHALEEL LUSTER'S CHOSE IN ACTION, hereafter "the ORDER". (**File pg. 335-351**)
10. The ORDER was concealed by Amway/Quixtar, Inc., Hal Gooch, Donald E. Christopher (Anderson's former attorney) and others from the Andersons, Lee Luster and the court it was to be executed.
11. The ORDER was addressed to case #94-09881 (3) in the 17th Judicial Circuit, in and for Broward County, Florida, for the Andersons to be "immediately substituted in as real parties in interest" to pursue three (3) of the seven (7) counterclaims Luster owned against Gooch. The Order was ignored, concealed, **not** executed or even entered into the state court record.
12. Once the deception was initiated, Amway/Quixtar, Inc., Hal Gooch and Donald E. Christopher (posing as the Andersons' attorney) began an attack on the Andersons to

bury all the evidence of this fraud upon the court and
Obstruction of justice.

13. The ORDER was concealed until June 2003 and entered as
an exhibit (3 years late) into case #94-09881(3) during a
"non-jury trial". (File pg. 335-351)

14. Donald E. Christopher lied under oath in that "non-jury
trial" committing perjury, by claiming to have never
received the ORDER. (File pg. 335-351)

15. In August 2004, the Andersons terminated Michael Young
McCormick (Andersons' second lawyer) as their counsel and
received their case file to discover a file disk from
Donald E. Christopher (Andersons' first lawyer). This file
disk was dated/created June 7th, 2004 and contained the
Order dated September 6th, 2000 with Donald E.
Christopher's Date and office stamp confirming the
perjury. (File pg. 335-351)

STATEMENT OF CASE

Did the circuit court have jurisdiction due to fraud?

The evidence of record confirms fraud upon the court by
concealing the federal court order dated September 6th, 2000.
The fraud upon the court in 2000 was perpetrated by the
officers of the court. Mr. Christopher, on Amway's behalf,

concealed the Order to acquire the embarrassing videotape from Luster. An examination of the docket would reveal the Order was never entered in the record of the state court. Also, to reinforce the fraud upon the court of 2000, Mr. Christopher, in a non-jury trial, in 2003 lied under oath committing perjury claiming to never have received the Order. Then the opposing counsel, later that same day in the same trial, entered the Order of September 6th, 2000 as an exhibit. **(File pg. 335-351)** Therefore: **Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court".** In Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that

are presented for adjudication." Kenner v. C.I.R., 387 F.3d 689 (1968);

7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."

It is obvious that the current action required by Amway/Quixtar, Inc. of this circuit court against the Andersons is an extension of the fraud perpetrated upon the court in 2000 and 2003. The misuse of corporate arbitrators is in itself a continuation of that fraud. Every order from every court or arbitration involving any contract between Amway/Quixtar, Inc. and the Andersons is therefore void due to fraud.

The circuit court failed to address the issue of jurisdiction when raised.

The short time the Andersons were being represented by an attorney (From Mid December 2006-January 2007), Anderson was concerned with the issue of jurisdiction. For some reason, Andersons' attorney would not challenge it. Anderson grew frustrated and knew the evidence they held against Amway/Quixtar, Inc. would incriminate Amway/Quixtar, Inc. and void any jurisdiction if presented. Anderson sent this evidence of fraud and criminal activity to his attorney with a

return receipt requested and he immediately withdrew from the case **(FR 086-088)**. The Andersons filed into the record a MOTION TO DISMISS DUE TO FRAUD dated February 26th, 2007 **(FR 335-351)** claiming no jurisdiction, stating, Amway/Quixtar, Inc. is also not a resident of the state of Florida and is in the wrong venue, due to a diversity of citizenship.

Did Quixtar, Inc. have a valid contract to acquire this arbitration award against the Andersons?

The law is clear that once someone has been attacked by an organization, with and because of fraud, fraud upon the court and/or obstruction of justice, ALL contracts are void. Thus: **37 Am Jur 2d at section 8 states**, in part: "Fraud vitiates every transaction and all contracts. Indeed, the principle is often stated, in broad and sweeping language, that fraud destroys the validity of everything into which it enters, and that it vitiates the most solemn contracts, documents, and even judgments.

Also: Amway/Quixtar, Inc. filed this case in December 2006 to confirm this second award they negotiated with their arbitrators against the Andersons. The first request in this case from Quixtar was to file the exhibits under seal. **(FR Pg. 004)** After an inspection of the exhibits the Andersons found the obvious. The exhibits included documents that were supposed to have valid signatures of the Andersons binding

them to arbitration. **(File pg. 292-334)** The documents were such poor quality the Andersons requested the originals according to the Florida laws of evidence **(Fl.St. 90.953)**. The request went ignored and the signatures on 4 of the 5 documents are suspected to be forgeries and obviously bear no resemblance to the Andersons signatures at all.

SUMMARY

The embarrassing video Luster produced of Gooch shooting the baboon in September of 1999 caused Amway/Quixtar, Inc. to resort to criminal practices and patterns of racketeering. From that day to this, Amway/Quixtar, Inc. has done everything in its power to cover-up the evidence of their crimes by attacking the Andersons. In this process, Amway/Quixtar, Inc. has exposed some criminal activity revealing textbook examples of/and patterns of racketeering. It would appear obvious that the officers of the court were influenced in concealing the Federal Court Order dated September 6th, 2000 and defrauding the state court's records. The Florida Courts now, it would seem, have become an accomplice to bury the evidence of this activity including the Andersons by false claims, enforcing a void contract and involving corrupted arbitrators. This is the third Florida state judge that has turned a blind eye and a deaf ear to the evidence and facts of this case. These Florida state judges, it would appear, have willingly allowed and assisted this attack by this Michigan Corporation through

extortion and racketeering to conceal their own involvement.

Whereas: **"Officers of the court have no immunity, when violating a Constitutional right, from liability for they are deemed to know the law" Owens v Independence 100 S.C.T. 1398.**

The ability and willingness for an organization to perform in this unlawful/unconstitutional manner should be of great concern for the people of the United States and certainly the citizens of the state of Florida.

CONCLUSION

The evidence is clear; this is a continuation of an attack to silence the truth and avoid justice. The manipulation of state court records and fraud upon the court in the year 2000 has voided all contracts and all state court jurisdictions enforced against the Andersons to this day. Therefore: **when "fraud upon the court" occurs, the orders of that court are void. U.S. v. Throckmorton, 98 U.S. 61, 25 L.Ed. 93 (1978); Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 64 S.Ct. 997 (1943).** When judges enforce jurisdiction they do not have, it is considered treason. Thus: **a judge that acts where he has no jurisdiction is "engaged in treason". U.S. v. Will 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980).** With the criminal activity once again exposed, forming the foundation of this case, this

appeals court would be limited to reversing this judgment and all previous void orders and judgments of the Florida courts against the Andersons. The evidence would dictate, for the sake of the tax paying citizens of the state of Florida, a full criminal investigation of all officers of the court and Amway/Quixtar, Inc. A foreign corporation such as Amway/Quixtar, Inc. should not have the ability to involve the Florida state courts in crimes of extortion and patterns of racketeering against Florida citizens.

Dated this ____day of November, 2007

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