

EXHIBIT JJ

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U.S. SUPREME COURT UNDER SCRUTINY:
Pioneer of Informational Arbitrage Files
Monumental Civil Rights Complaint

Manuel P. and Eva Asensio's Suit Seeks to Upend Hypocritical 'Domestic Relations Exception' Loophole that Shields New York State Chief Judge Janet M. DiFiore from Federal Scrutiny

NEW YORK, NY – TUESDAY, DECEMBER 4, 2018 6:48 A.M.

Manuel P. Asensio, President, Asensio & Company LLC, a pioneer of informational arbitrage strategies, has filed a lawsuit in the U.S. District Court, Southern District of New York under civil docket number 18-CV-10933 Asensio, et al v. DiFiore, et al. The action takes aim at the US Supreme Court's so-called "domestic relations exception ("DRE") to federal subject matter jurisdiction." The arcane DRE is purportedly based on a 160 year-old case. Asensio calls the DRE "a prejudicial expansion of government hidden under the US Supreme Court's Anti-American disclaimer of Article III jurisdiction." Charging conscious individual wrongdoing, Asensio names Janet DiFiore, Chief Judge of New York State, as lead defendant.

In discovery phase ahead of the filing of the suit, Asensio's research uncovered that in New York alone the DRE is responsible for an estimated \$350 million in annual unauthorized court-ordered fees for attorneys and legal guardians inserted into cases as political agents who intervene in family privacy and violate Americans' most essential liberties without apprehensions.

The DRE permits Chief Judge DiFiore to conceal her malicious scheme against civil and constitutional rights in New York State. The suit relies on a pre-trial investigation of Chief Judge DiFiore's judicial regulatory system that uncovered rampant deliberate judicial misconduct, a labyrinth of unlawful fee-revenue schemes couched as domestic relations protocols as well as a range of serious civil rights violations rooted in a system that has insulated

itself from any meaningful oversight via the DRE. The DRE makes it impossible for Americans to seek redress if he or she feels the state court has acted in bad faith and deliberately beyond the powers of government. Once inside the state's court system, parties involved in routine, normal post-divorce custody proceedings face exalted state governments that deliberately prolong and complicate "justice processes" that puts lucrative fee and political power brokering squarely ahead of civil rights and the well-being of children involved.

"A central component of the DRE is the imposition of political operatives into families," the complaint says.

"The DRE undermines constitutional and civil rights law and liberties that are indispensable to the survival of a free civil society," Asensio said acknowledging the uphill climb he faces just securing parenting rights for his daughter let alone taking on New York State and the entire federal court system. "There are hundreds of thousands of state residents who have been stripped of their US citizenship rights right here on American soil and have come out the other side – financially and emotionally broken and estranged from their children. And it has to end. This is a first step."

The above \$350 million estimate for New York State does not include wide-spread abuses of Title IV-D federal funding. This is believed to be the most thorough accounting of the sums of money involved in the broken system; Asensio's background as a short seller allowed him to analyze the entire maze of judges, officials, and policies, as he would a toxic company whose shares he intended to short, he explains.

To obtain a copy of the suit, go to
<http://rightabigwrong.org/federal-civil-rights-complaint/>

Contact: Manuel P. Asensio
(212) 702-8801
info@rightabigwrong.org

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JUDGE ABRAMS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Manuel P. Asensio, individually and as the parent
of Eva Asensio, a minor child,

Plaintiffs,

-against-

Janet DiFiore, Chief Judge of New York State;
Barbara Underwood, Attorney General of New
York State; Andrew M. Cuomo, Governor of New
York State; Adetokunbo O. Fasanya, New York
County Family Court Magistrate; and Emilie Marie
Bosak, individually,

Defendants.

18 CV 10933
CV

CIVIL RIGHTS COMPLAINT

JURY TRIAL DEMANDED

INTRODUCTION AND SUMMARY

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3 1. The Plaintiff, Manuel P. Asensio, files this pleading individually and on behalf of his
4 daughter, Eva Asensio, born October 14, 2004. It is an indisputable and undeniable fact that New
5 York State Chief Judge Janet Marie DiFiore (“Defendant DiFiore”) retaliated against the Plaintiffs
6 as a direct response to the Plaintiff’s investigations into Defendant DiFiore’s ongoing malicious use
7 of the federal courts’ so-called “domestic relations exception to Article III or federal subject matter
8 jurisdiction.” The Plaintiffs define the acronym “DRE” as the “domestic relations exception.”
9 Defendant DiFiore uses the DRE to protect her ability to use her powers¹ wantonly, as she has done
10 in the Plaintiff’s post-divorce judgment actions against Emilie Marie Bosak (“Defendant Bosak”)
11 and to protect her impermissible ‘use tax’ scheme and her malicious domestic relations process. The
12 process is entirely based on deliberate and malicious fabrications that are created without legitimate
13 jurisdiction, rules, controls, standards, or codes. The process’ central purpose is the fabrication of
14 charges, evidence, fees and judgments based on concealed impermissible ideological rules. The
15 Plaintiff defines the acronym “PIDRP” to mean Defendant DiFiore’s “prohibited and impermissible
16 domestic relations process.” The DRE is a counterintuitive, counterfactual, prejudicial and
17 unsupported blind sanctioning of Defendant DiFiore’s wanton crimes against the public.

¹ Defendant DiFiore is the Chief Judge of the State and the Court of Appeals. She is also the Chair of the Administrative Board of the Courts, which sets the state’s judicial standards and policies, the Head of the Office of Court Administration, and the sole state official responsible for the supervision of the Justice Department’s ethics and judicial conduct education. She holds the state’s only power under Judiciary Law §212(1) (h) to directly investigate judicial misconduct, while controlling, along with the governor, the state’s commission for the adjudication of judicial misconduct.

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MEMO ENDORSED

COMPLAINT TO THE JUDICIAL CONDUCT COUNCIL OF THE SECOND CIRCUIT

February 11, 2019

VIA ECF and Email to Abrams_NYSDChambers@nysd.uscourts.gov

The Honorable Justice Ronnie Abrams
US District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom: 1506
New York, NY 10007

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/13/19

Re: *Asensio et al. v. DiFiore et al.*, no. 1:18-cv-10933-RA

Dear Judge Abrams:

Attached please find a draft of the Plaintiffs' **THE JUDICIAL COUNCIL OF THE SECOND CIRCUIT, COMPLAINT OF JUDICIAL MISCONDUCT** against Your Honor addressing Your Honor's "[c]ooperation and convincing Evidence of Ex Parte Communications with New York State Chief Judge, the Hon. Janet Marie DiFiore, to Justify Applying the Federal Court's Article III Disclaimer Referred to as the Domestic Relations Exception to Federal Subject Matter Jurisdiction ("DRE") to Defendant DiFiore's Manufacturing of Evidence and Falsification of Court Records and Orders, and Deliberate Violations against the Plaintiffs in New York State."

The Plaintiffs' respectful request the Your Honor consider the serious of her misconduct to the Plaintiffs in their lives and millions of minor children that are suffering from resentment such as the resentment Defendant DiFiore has fabricated in my former spouse through allegedly progressive policies that are in actual practice fabricated excuses for illegal conduct and corruption.

The Plaintiffs' respectful request the Your Honor consider what drove her to sign an order stating that the Plaintiff "has called-and attempted to visit chambers seeking in part to discuss the merits of the case." This is an entirely false and malicious claim. The Plaintiff has only been properly seeking an urgently needed hearing or conference call on his motion for interim emergency relief or, alternatively, for a stay, adjournment, or abeyance to allow the Plaintiffs to seek relief from Your Honor's misconduct. creates a false setup for justifying a prejudicial Order "that the Plaintiff cease calling chambers." This statement led to the article falsely stating that the Plaintiff "attempt[ed] to see and contact [Your Honor.]" Most reasonable people would say that denying the

1 Plaintiff's access to justice and then fabricating the claim the Plaintiff was seeking access for an
2 improper purpose is utterly intolerable conduct for a judge.

3
4 The Plaintiffs' respectful request the Your Honor consider that Your Honor is a lifelong New York
5 progressive. This case are is the result the progressive expansion of law into domestic relations
6 under the cover of the DRE. Judge Abrams' husband is employed as a prosecutor in the progressive
7 Mueller investigation that many reasonable citizens consider a complete liberal fabrication to
8 create agitation and resentment.

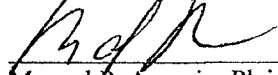
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10 Your Honor has disqualified herself from cases involving US President Donald J. Trump. There
11 is a bona fide concern as to whether even as distinguished but progressive a jurist as Your Honor
12 can is objectively determine a matter that is which is based on the very existence of the DRE.

13
14 Your Honor's conduct unfortunately bespeak sympathy and support for the DRE, the State
15 Defendants and Defendant Bosak and aggressive hostility towards the Plaintiffs. This conduct is
16 particularly distressing given the wonderful impact that Your Honor's father has had on her and
17 her brother's life. Why has Your Honor ignored the Plaintiff's pleading of interim relief? What
18 causes Your Honor's blindness to Defendant DiFiore is publically demonstrated disrespect for the
19 Plaintiffs' relationship in the Daily News and intentionally lying about circumstances that she has
20 personal knowledge?

21
22 Your Honor is blind to the pain and suffering that Defendant DiFiore's fabrications have caused
23 an innocent child and her father, the Plaintiffs. This bespeaks Your Honor's embedded partisan
24 views. Yet she has refused to recluse herself. This goes to proves that she has succumb to her
25 human fragilities.

26
27 The Plaintiff request that Your Honor recuse herself or the alternative request a stay, or an
28 adjournment, or abeyance to allow the Plaintiffs to seek relief from Your Honor's misconduct.

29
30 I do so swear the above to be true,

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32 
33 Manuel P. Asensio, Plaintiff

34 Distribution:

35
36 Emilie Marie Bosak

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38 The Honorable New York State Attorney General Letitia James, Chief of Staff and Deputy State
39 Attorney General Attorney. Brian K. Mahanna, tasha.bartlett@ag.ny.gov

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41 The Honorable Governor Andrew M. Cuomo, Governor's Chief Counsel and Principal Legal
42 Advisor, Alphonso David, alphonso.david@exec.ny.gov

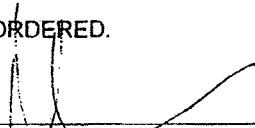
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44 The Honorable Chief Judge Janet M. DiFiore, ucs-correspondence@nycourts.gov, Head of the
45 Office of Court Administration, John W. McConnell, lcgreen@nycourts.gov

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- 1 Jonathan D. Conley, Esq., jonathan.conley@ag.ny.gov
- 2
- 3 Rachel Ambats, Esq., rachel.ambats.esq@gmail.com

Plaintiff's request for recusal is denied for the reasons provided in the Court's orders dated January 18, 2019 and February 1, 2019 (Dkts. 31, 40). As previously noted, this case will remain stayed pending resolution of Defendants' anticipated motions to dismiss, which are due February 14, 2019. Although Plaintiff's oppositions are presently due on February 21, 2019, he may have until March 21, 2019 to submit them. Defendants' replies shall be due ten days after Plaintiff files his opposition papers.

SO ORDERED.



Ronnie Abrams, U.S.D.J.
February 13, 2019