

No.\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

LAKHDEEP DEOL,  
Petitioner,

v.

GARY W. DEPRETA; DAWN M. DUROSS; DAVID B.  
LATOUR,  
Respondents.

On Petition for a Writ of Certiorari to the United  
States Court Appeals for the Fourth Circuit

**PETITION FOR A WRIT OF CERTIORARI**

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(i)  
**QUESTIONS PRESENTED FOR REVIEW**

The questions presented are ripe for the Court's guidance on at least four unresolved or underdeveloped aspects of civil litigation, namely conflict in fundamental assumptions of pleading law by lower courts, conflict in what constitutes to be sufficiency in legal proceedings, conflict in interpretation of discovery law by lower courts, and the nature and extent to which a third-party intervenor should be allowed to interfere in civil litigation between two private parties.

1. Whether the decision of the U.S. Court of Appeals for the Fourth Circuit conflicted with this Court's binding and governing precedent in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009).
2. Whether the decision of the U.S. Court of Appeals for the Fourth Circuit conflicted with the decision of the U.S. Court of Appeals For the Ninth Circuit in *Faulkner v. ADT Security Services, Inc.*, 706 F.3d. 1017 (2013).
3. Whether the decision of the U.S. Court of Appeals for the Fourth Circuit conflicted with the decision of the U.S. Court of Appeals for the Seventh Circuit in *Sundstrand Corp. v. Standard Kollsman Industries, Inc.*, 488 F.2d 807, 7th Cir. (1973).
4. To what extent should a third-party, which is not named as a party in a civil lawsuit or in any cause of action therein, should be allowed to intervene or interfere in or disrupt a civil lawsuit between two private parties.

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II. Review is warranted because the decision by the Panel of the U.S. Court of Appeals for the Fourth Circuit conflicts with and is contradictory to a published opinion of the U.S. Court of Appeals for the Ninth Circuit in <i>Faulkner v. ADT Security Services,</i> <i>Inc.</i> , 706 F.3d. 1017 (2013), that other Circuit Courts follow. This Court should determine the scope of pleading criteria for pleadings in a trial court, and also provide guidance on when an appeals court should remand a matter to a trial court for amendment to a plaintiff's pleadings.	
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IV. Review is warranted to determine the extent to which a third-party, which is not named as a party in a civil lawsuit or in any cause of action therein, should be allowed to intervene or interfere in or disrupt a civil lawsuit between two private parties. In Petitioner's lawsuit and appeal, such a third-party, Cisco Systems, Inc., interfered extensively and illegally in lower court proceedings. The Court should prescribe parameters of involvement by a third-party intervenor, to be followed by lower courts.

V. Review is warranted because this Case presents an opportunity for the Court to improve the federal civil litigation system. This Case presents at least four questions of exceptional importance that are unresolved or underdeveloped and are ripe for the Court's evaluation and guidance. The questions presented affect thousands of complaints that are filed in federal trial courts every year, and they meet the criteria for Rule 10(a) and Rule 10(c) of this Court's rules for considerations for deciding to grant a petition for writ of certiorari.

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**JURISDICTION**

The U.S. Court of Appeals for the Fourth Circuit issued its appeal judgment on May 30, 2018. A copy is included in the appendix. In its judgement, the appeals court erroneously affirmed the trial court's decision on Sept. 15, 2017.

The U.S. Court of Appeals for the Fourth Circuit issued its adverse decision on a petition for rehearing en banc on July 23, 2018. A copy is included in the appendix. The appeals court also denied a motion for reconsideration on Sept 12, 2018, pertaining to a petition for panel rehearing. A copy is included in the appendix.

The jurisdiction of this Court to review the judgment of the Fourth Circuit Court of Appeals is invoked under 28 U.S.C. § 1254(1).

The U.S. District Court for the Eastern District of Virginia, Alexandria Division, issued an erroneous judgment against Petitioner, on September 15, 2017, by granting Respondents' motion to dismiss with prejudice Petitioner's Complaint. A copy of the judgment and the order is included in the appendix.

## STATEMENT OF THE CASE

Petitioner Lakhdeep Deol respectfully prays that a writ of certiorari be granted to review the judgment of the U.S. Court of Appeals for the Fourth Circuit in this Case.

Four aspects of civil litigation were revealed as unresolved or underdeveloped in legal interpretation and theory, during the course of appeal and litigation of Petitioner's suit in equity.

This Court's intervention and guidance is required to resolve or to further develop these four aspects of civil litigation.

These four aspects pertain to interpretation and theory of pleading law, sufficiency in legal proceedings or what is sufficient to file a suit in equity in a federal trial court and how to proceed through various stages, interpretation and theory of discovery law, and the role that a third-party intervenor or interferer should be allowed to play in a suit in equity between two private parties.

In the appeals court, the U.S. Court of Appeals for the Fourth Circuit, the appeals court issued a decision to conflict with four important precedential opinions, two from this Court and two from other Circuit Courts, when it dismissed Petitioner's Appeal on May 30, 2018. The deciding Panel misinterpreted important tenets of civil litigation precedence and law, and erroneously affirmed the trial court's decision. Petitioner had filed an appeal in the appeals court on Sept. 19, 2017.

Petitioner sought rehearing regarding the Panel's decision. On July 23, 2018, the appeals court issued an adverse decision regarding a petition for rehearing en banc. On Sept. 12, 2018, it denied a motion for reconsideration regarding a panel rehearing.

The appeals court had erroneously overlooked a petition for panel rehearing, which Petitioner also filed along with a petition for rehearing en banc.

In the trial court, the U.S. District Court for the Eastern District of Virginia, Alexandria Division, the trial court rendered a decision to conflict with the holding in four relevant precedential cases and several governing rules and laws. The trial court also failed to correct a third-party's unethical and malicious interference in the legal proceedings.

On Sept. 15, 2017, the trial court erroneously dismissed Petitioner's Complaint, as it granted Respondents' motion to dismiss with prejudice Petitioner's Complaint. Respondents' motion did not contain any accurate legal statement, and, in addition, it contained numerous false allegations against Petitioner that were entirely irrelevant to the lawsuit.

Petitioner filed his Complaint in the trial court on June 15, 2017. The Complaint correctly and truthfully pleaded two causes of action against Respondents, namely a cause for tortious interference and a cause for statutory and/or common law conspiracy. The Complaint satisfied all legal standards as prescribed by federal civil litigation laws and rules, including Federal Rules of Civil Procedure (Fed R. Civ. P), as well as requisite laws and holding for the Virginia jurisdiction. Petitioner sought damages for both causes of actions, and, in addition, also sought punitive relief.

## REASONS WHY A WRIT OF CERTIORARI SHOULD BE GRANTED

I. Review is warranted because the decision by the Panel of the U. S. Court of Appeals for the Fourth Circuit conflicts with and is contradictory to this Court's binding and governing precedent in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009).

The Panel's decision on May 30, 2018, to affirm the trial court's erroneous judgment on Sept. 15, 2017, conflicts with and is contradictory to the opinions published by this Court in two precedent setting rulings, in *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). The Panel failed to take into consideration these two rulings during its evaluation of Petitioner's Appeal, and the Panel's judgment was incorrect and devoid of legal basis.

In *Bell Atlantic Corp. v. Twombly*, this Court opined that:

“....*In keeping with these principles, a court considering a motion to dismiss can choose to begin by identifying pleadings that, because they are no more than conclusions, are not entitled to the assumption of truth. While legal conclusions can provide the framework of a complaint, they must be supported by factual allegations. When there are well-pleaded factual allegations (emphasis added), a court should assume their veracity and then determine whether they plausibly give rise to an entitlement to relief.*”

In *Ashcroft v. Iqbal*, two years later, the Court reaffirmed its opinion regarding the pleading criteria.

The Panel disregarded the standards for filing a complaint in a federal trial court and the procedural assessments as decided by this Court. Petitioner's Complaint met the standards decided in *Bell Atlantic Corp. v. Twombly* and *Ashcroft v. Iqbal*. The Court decided the scope and interpretation of Rule 8 pleading standards of Federal Rules of Civil Procedure.

Petitioner's Complaint filed in the trial court on June 15, 2017, satisfied the criteria as decided by this Court. Petitioner's Complaint contained **numerous well-pleaded facts and factual allegations** that were properly vetted and based fully in fact and in law. At least **seventeen recitals** stated specific and direct facts and factual allegations. In addition, at least **thirty-four recitals** provided specific supporting facts and factual allegations. In all, over **fifty-one recitals** in the Complaint stated direct or supporting facts and factual allegations regarding Respondents' wrongdoing and misconduct. Petitioner had provided numerous facts with examples regarding Respondents' tortious interference and the usage of improper methods, how the tortious interference was perpetrated including through business conspiracy, and what malevolent effects the tortious interference and business conspiracy created on Petitioner's job prospects, job expectancy, business relations, and economic advantage and benefit. Further, Petitioner had provided specific information regarding his income and salary level, to be used as the basis for determining relief.

There was no legal basis for the trial court's decision to dismiss Petitioner's Complaint on Sept. 15, 2017. Petitioner's Complaint was sufficiently pled, according to the standards established by the Court.

The Panel failed to take into consideration this Court's standards for filing and proceeding with a complaint in a trial court. The standards were fully

favorable and supportive toward Petitioner's Complaint. Further, federal trial courts do not apply pleading standards so prohibitively that a plaintiff with a set of meritorious claims is obstructed from obtaining relief.

If the Panel believed that Petitioner's Complaint contained a deficiency, then the Panel should have provided Petitioner an opportunity to amend the Complaint, through remanding the case to the trial court.

Review by this Court is warranted because the Panel misinterpreted fundamental pleading law and failed to correct the errors of the trial court below.

**II. Review is warranted because the decision by the Panel of the U.S. Court of Appeals for the Fourth Circuit conflicts with and is contradictory to a published opinion of the U.S. Court of Appeals for the Ninth Circuit in *Faulkner v. ADT Security Services, Inc.*, 706 F.3d. 1017 (2013), that other Circuit Courts follow. This Court should determine the scope of pleading criteria for pleadings in a trial court, and also provide guidance on when an appeals court should remand a matter to a trial court for amendment to a plaintiff's pleadings.**

The Ninth Circuit Court of Appeals made an important ruling in its judgment in *Faulkner v. ADT Security Services, Inc.*, 706 F.3d. 1017 (2013). In this appeal, the Ninth Circuit reviewed a case from a trial court and decided that the plaintiff-appellant should be provided an opportunity to amend his complaint. The Ninth Circuit remanded the case to allow the plaintiff-appellant to amend his complaint. The judgment, and its published opinion, is commonly cited, and followed as a precedent by other Circuit Courts.

The Ninth Circuit Court of Appeals in its opinion written by Hon. Robert D. Sack, Senior Circuit Judge, stated that:

*“...Upon ADT’s motion, the district court concluded that Faulkner’s pleadings failed to state a plausible claim upon which relief could be granted and therefore dismissed the action pursuant to Federal Rule of Civil Procedure 12(b)(6). Although we agree with the district court, we remand in order to give the plaintiff an opportunity to seek to amend his complaint to successfully plead a cause of action under the federal standards set forth in Ashcroft v. Iqbal, 556 U.S. 662, 129 S.Ct. 1937, 173 L.Ed.2d 868 (2009), and Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007).”*

The Ninth Circuit Court of Appeals correctly recognized that the interest of justice is served by allowing parties an opportunity to address any flaw or deficiency in their pleadings. The interest of justice is fairness, and a legal protocol should not immediately deprive a party of its right to pursue justice.

The Panel failed to take into consideration this decision of the Ninth Circuit Court of Appeals while reviewing and deciding Petitioner’s Appeal in its court. Instead, the Panel wrongfully sided with the trial court, which had erroneously and hastily dismissed Petitioner’s Complaint. The trial court did not allow Petitioner an opportunity to amend or address any deficiency. The trial court also hastened through a hearing on Sept. 15, 2017, pertaining to Respondents’ motion to dismiss with prejudice Petitioner’s Complaint, in its court and deprived Petitioner a full opportunity to present his case and address any perceived deficiency in his pleading.

The Panel overlooked this important decision by the Ninth Circuit while deciding Petitioner's Appeal. The Panel if it believed that Petitioner's Complaint was not sufficient should have allowed Petitioner an opportunity to amend his Complaint, according to the precedence established by the Ninth Circuit.

Review by this Court is warranted because the Panel's decision conflicted with the ruling of the Ninth Circuit in *Faulkner v. ADT Security Services, Inc.*, which other Circuit Courts also follow.

Review by this Court is warranted so that the Court can determine the scope of stringency standards for pleadings in a trial court, and also provide guidance on when an appeals court should remand a matter to a trial court for amendment to a plaintiff's pleadings.

**III. Review is warranted because the decision by the Panel of the U.S. Court of Appeals for the Fourth Circuit conflicts with and is contradictory to the decision of U.S. Court of Appeals for the Seventh Circuit in *Sundstrand Corp. v. Standard Kollsman Industries, Inc.*, 488 F.2d 807, 7th Cir. (1973), wherein the Seventh Circuit established guidelines for interpretation of discovery law.**

The Panel failed in its interpretation of discovery procedures. The Panel also failed to take into consideration a ruling of the Seventh Circuit Court of Appeals that provided guidelines on the correct scope of discovery and avenues to the discovery procedure, in *Sundstrand Corp. v. Standard Kollsman Industries, Inc.*, 488 F.2d 807, 7th Cir. (1973).

Interpretation of discovery law is frequently a point of debate and argument in a federal trial court and an appeals court. Discovery is mostly governed by Fed. R. Civ. P. 26, and aspects of discovery are also

governed by Fed. R. Civ. P. 11. Discovery is a fundamental part of civil litigation and one of its most evaluated and reviewed, but several aspects of discovery law are still unresolved or underdeveloped.

The Seventh Circuit Court of Appeals in *Sundstrand Corp. v. Standard Kollsman Industries, Inc.*, ruled in favor of a plaintiff and granted a new trial to the plaintiff in the trial court, in a situation wherein the plaintiff had repeatedly been obstructed by the defendant and the trial court through misinterpretation of discovery procedures. A number of questions regarding discovery procedures were raised and evaluated during the Seventh Circuit's review of the trial court's discovery proceedings. The Seventh Circuit prescribed various guidelines on how a trial court should approach discovery, the responsibilities of a plaintiff and defendant and a trial court, and the scope of factual content or evidence to be disclosed or discovered by plaintiff at various stages of a suit in equity.

During the proceedings in the trial court for Petitioner's lawsuit, the trial court followed a discovery procedure that was erroneous and entirely inconsistent with established discovery procedure that federal trial courts follow. The trial court obstructed Petitioner from conducting critical aspects of discovery, misinterpreted the recognized pleading criteria for tortious interference and business conspiracy that had been established in the Virginia jurisdiction through four precedential cases and two statutes Virginia Code §18.2-500 and §18.2-499, and disallowed the discussion of known factual content. The trial court's stance on discovery was entirely at odds with discovery law and precedence.

Petitioner possessed additional known and available factual content to show in support of his

claims, in addition to the factual content shown in Petitioner's filings, namely the Complaint and the response to Respondents' motion to dismiss Petitioner's complaint. However, the trial court obstructed Petitioner from disclosing this additional factual content. Petitioner's then counsel, who had filed the Complaint on June 15, 2017, had omitted some of this content from the initial pleading, and he intended on disclosing this content during the discovery phase.

Petitioner also wanted to disclose to the trial court during a hearing on Sept. 15, 2017, that he possessed additional known and available factual content. However, Petitioner never received a chance to state as such to the trial court, as he was interrupted by the trial court, and he did not receive another chance to address the court. Petitioner was deprived of a fair and equitable hearing at the trial court.

The Panel failed to understand these critical errors by the trial court in its misinterpretation of discovery law.

The Panel also failed to understand the trial court's misinterpretation of the pleading criteria for tortious interference and business conspiracy in the Virginia jurisdiction. The trial court misinterpreted the pleading criteria for Petitioner's claims, in detriment to Petitioner, and in conflict with four precedential and governing cases in the Virginia jurisdiction.

Specifically, the holdings in *Glass v. Glass*, 321 S.E.2d 69, VA (1984), *Williams v. Dominion Technology Partners, LLC*, 265 Va. 280, 576 S.E.2d 752, VA (2003), *Maximus, Inc. v. Lockheed Info. Mgmt. Sys. Co.*, 254 VA 408 (1997), and *Dunlap v. Cottman Transmission Systems*, 287 VA 207, 754 S.E.2d 313 (2014) govern the legal standard for pleading tortious interference and business conspiracy in Virginia. Petitioner's Complaint had satisfied the legal standard as provided by these

four cases.

The Panel also failed to recognize that the trial court had obstructed Petitioner from conducting discovery. The trial court declined to issue a ruling or an order on disputed items in a joint discovery plan submitted by Petitioner and Respondents. An assigned magistrate judge declined to issue a ruling or a discovery order, so that Petitioner could proceed with discovery. The magistrate judge's chambers declined to provide any explanation for it. Due to the error of the trial court and the unexplainable lack of action of a magistrate judge, Petitioner was unable to make Initial Disclosures under Fed. R. Civ. P. 26, assign and undertake witness depositions, and disclose more material pertaining to specific recitals in Petitioner's Complaint.

Review by this Court is warranted because the Panel's decision conflicted with the decision of the Seventh Circuit in *Sundstrand Corp. v. Standard Kollsman Industries, Inc.*, wherein the Seventh Circuit provided guidelines for interpretation of discovery law.

Review by this Court is warranted so that the Court can provide definitive and clear guidance on how a trial court should interpret and approach the critical function of discovery.

**IV. Review is warranted to determine the extent to which a third-party, which is not named as a party in a civil lawsuit or in any cause of action therein, should be allowed to intervene or interfere in or disrupt a civil lawsuit between two private parties.** In Petitioner's lawsuit and appeal, such a third-party, Cisco Systems, Inc., interfered extensively and illegally in lower court proceedings. The Court should prescribe parameters of involvement by a third-party intervenor, to be followed by lower courts.

The Panel failed to take into consideration that an unnamed third-party, Cisco Systems, Inc. (“Cisco”), had contested the appeal in the Fourth Circuit Court of Appeals and the lawsuit in the trial court, and during the proceedings, it had engaged in numerous varieties of unethical and illegal behavior. Cisco was not named in any cause of action in the lawsuit, and Petitioner had not sought any relief or damages from Cisco.

The Panel failed to sanction Respondents’ attorney of record, Joon Hwang, Esq. (“Hwang”), a Cisco attorney retained from Littler Mendelson, after he filed perjurious and fraudulent corporate disclosures forms in the Fourth Circuit on Oct. 3, 2017, on which he falsely certified that no publicly traded company had a direct financial interest in the outcome of the litigation. **This was distinctly false**, as Cisco is a publicly traded company and it had a direct financial interest in the outcome of the litigation. Hwang’s objective was to deceive the Fourth Circuit so that it would not know that Cisco was involved with a direct financial interest. That day, Hwang engaged in federal perjury, according to 18 U.S.C. sections 1621 and 1623. The Panel, upon Petitioner’s notice in a reply brief, updated the appeals court’s local rule pertaining to corporate disclosure, in Feb. 2018, to more expressly describe corporate disclosure requirements for intervening publicly traded companies. However, the Panel failed to prosecute or sanction Hwang.

Cisco was also legally banned from participating in any litigation related action against Petitioner, per a contract that Petitioner and Cisco had signed in Nov. 2009. This contract contained an arbitration clause that banned Cisco from engaging in any litigation related action against Petitioner, and, further, it banned Cisco from filing any papers in a court against Petitioner. However, Cisco repeatedly breached this contract with

Petitioner by filing documents against Petitioner in the Fourth Circuit Court of Appeals and in the trial court. Further, Hwang stated **numerous falsities in the papers he filed against Petitioner**. In fact, there was no truth in the statements Hwang made against Petitioner.

Cisco's C.E.O. Chuck Robbins ("Robbins") and its General Counsel Mark Chandler, Esq. ("Chandler") were directly responsible for Cisco's involvement in retaining Hwang as an external Cisco attorney, and filing papers on behalf of Respondents. Effectively, Robbins and Chandler contested the lawsuit and the appeal against Petitioner by misusing Respondents as an illegal proxy. They filed papers against Petitioner in the Fourth Circuit and in the trial court, under Respondents' names, who were not fully consulted regarding the documents Robbins, Chandler, and Cisco were filing under their names. Further, Chandler's misconduct was certainly and fully in violation of attorney code of conduct.

Robbins and Chandler also engaged in repeated criminality against Petitioner while working with another attorney, Stephen Dellinger, Esq. ("Dellinger"), of Littler Mendelson, who was not licensed in the Virginia jurisdiction where Petitioner's lawsuit was filed and litigated. On various occasions, they made attempts to threaten or intimidate Petitioner, by criminally trespassing on Petitioner's private property in violation of a No Trespassing sign and a written notice Petitioner had issued to Cisco attorneys in the past. These attempts included sending an individual to trespass on Petitioner's private property, placing trash in Petitioner's city garbage bin, and parking two small vehicles in front of Petitioner's private property briefly, to indicate to Petitioner that they had sent individuals to physically harm Petitioner, in retaliation for filing the lawsuit and the appeal. These criminal incidents

encompassed violations of various criminal statutes in the North Carolina jurisdiction, and these criminal incidents occurred particularly on Dec 12, 2017, about Jan 8, 2018, and July 2, 2018, around or on Petitioner's private property. Robbins and Chandler provided Cisco monies to Dellinger to perpetuate such criminal acts, against Petitioner. Similarly, in the past, in July 2014, Robbins, Chandler, and Dellinger perpetrated criminal trespassing on Petitioner's private property, after Petitioner had sent a legal correspondence to a Cisco employee which briefly discussed Chandler's illegal behavior, including defrauding Cisco stockholders and embezzling and misusing Cisco monies.

The three individuals, namely Chandler, Robbins, and Dellinger, engaged in criminal acts. Also, they maintained an anti-Christian stance and harbored malice toward Petitioner due to his devout Christian beliefs and expression of his Christian faith.

To date, Robbins and Chandler have not been disciplined by Cisco's Board of Directors for their criminal misconduct and for stealing Cisco monies to perpetrate criminal misconduct. Robbins and Chandler took Cisco monies, which belong to Cisco stockholders, and used those monies to pay Dellinger, to aid in perpetrating these criminal acts. Their misconduct, certainly illegal, was also completely unbecoming of a C.E.O. and General Counsel of a F100 public company.

In addition, Robbins and Chandler were also engaged in other unethical and illegal behavior, including, but not limited to, giving unmerited salaries and promotions to personal cronies or favorite employees, using Cisco monies; misusing Cisco monies in other ways; misusing their jobs at the company for their personal objectives; and misusing other Cisco company resources. Robbins is entirely devoid of ethics, integrity, or competence. Similarly, Chandler is also

entirely devoid of ethics, integrity, or competence.

Review by this Court is warranted because the Panel failed to take into consideration that Respondents' attorney of record, a Cisco attorney, had engaged in federal perjury and had marginalized the appeals proceedings. Under no circumstance should the Panel have allowed a counsel to effectuate perjury in a federal court, and not be subjected to disciplinary action. Further, Cisco was contractually banned from participating in litigation action against Petitioner, and the Panel failed to set aside Cisco's papers.

Review by this Court is warranted to determine the extent to which an unnamed third-party should be allowed to intervene or interfere in a civil lawsuit between two private parties. This is of particular concern when the objective of the third-party is to undermine the integrity of the legal process, undermine a citizen's access to avenues of the judicial system, and deprive a citizen from exercising his or her legal rights. The Court should provide parameters of involvement by a third-party intervenor, to be followed by lower courts.

**V. Review is warranted because this Case presents an opportunity for the Court to improve the federal civil litigation system.** This Case presents at least four questions of exceptional importance that are unresolved or underdeveloped and are ripe for the Court's evaluation and guidance. The questions presented affect thousands of complaints that are filed in federal trial courts every year, and they meet the criteria for Rule 10(a) and Rule 10(c) of this Court's rules for considerations for deciding to grant a petition for writ of certiorari.

This case presents an opportunity for the Court to improve the federal civil litigation system.

Every year, thousands of plaintiffs with truthful and meritorious claims file a complaint in federal trial courts. Any such plaintiff should be able to access the legal system, particularly through statutory and procedural laws and through holdings, in a fair, just, and consistent manner.

A plaintiff should not be deprived from obtaining justice, because of a lower court's misinterpretation of laws, ambiguity or lack of clarity in how the laws are written or interpreted, or a third-party's unsolicited and unnecessary malicious obstruction of a plaintiff's claims and suit in equity.

Specifically, Rule 10(a) qualifies in part that the Court gives consideration to a petition for a writ of certiorari if a U.S. court of appeals has entered a decision in conflict with the decision of another U.S. court of appeals on the same important matter, or has significantly deviated from the accepted and usual course of judicial proceedings or sanctioned such a deviation by a lower court. In Petitioner's Case, these considerations hold true.

In addition, Rule 10(c) qualifies in part that the Court gives consideration to a petition for a writ of certiorari if a U.S. court of appeals has decided an important question of federal law that has not been but should be settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court. In Petitioner's Case, these considerations also hold true.

Review is warranted because this Case presents an opportunity for the Court to improve the federal civil litigation system.

Review is warranted because this Case presents at least four questions of exceptional importance that are unresolved or underdeveloped, and are ripe for the Court's evaluation and guidance.

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**CONCLUSION**

Based upon the foregoing legal arguments, Petitioner respectfully prays that the Court grant the petition for a writ of certiorari.

The Court may wish to consider summary reversal of the decision of the U.S. Court of Appeals for the Fourth Circuit.

This is the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Respectfully submitted,

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