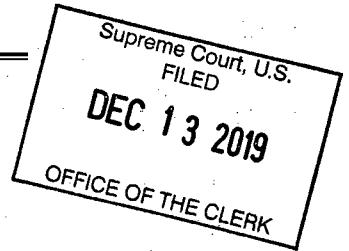


No. 19-775

In the  
Supreme Court of the United States



PHILIPPE BUHANNIC,

*Petitioner,*

v.

NEW YORK SOUTHERN DISTRICT FEDERAL COURT,  
*Respondent.*

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On Petition for an Extraordinary Writ of Certiorari  
to the United States District Court  
for the Southern District of New York

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**PETITION FOR EXTRAORDINARY  
WRIT OF MANDAMUS**

---

PHILIPPE BUHANNIC  
*PETITIONER PRO SE*  
AVVENTURA 318  
ROUTE DES CREUX 100  
1936 VERBIER SWITZERLAND  
(917) 716-3542

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DECEMBER 13, 2019

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### QUESTION PRESENTED

Whether the Federal court has the right based on an obvious prejudice and bias to refuse due process to a foreign *pro se* litigant. The denial is so obvious, persistent and omnipresent in this case that this court must correct this quickly to have still a meaningful constitution as the rights denied to the foreign *pro se* litigant are constitutional in nature: due process, right to appeal, etc.?

**LIST OF PROCEEDINGS BELOW**  
**PROCEEDINGS IN THE SOUTHERN DISTRICT OF NEW YORK**

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*Buhannic v.*  
*American Arbitrage Association (AAA) et al.*  
Case No: 1:18-cv-02430-ER  
Case Opening Date: March 19, 2018  
Decision Date: September 27, 2019

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*Buhannic et al. v. Tradingscreen Inc. et al.*  
New York Southern District Court  
Case No: 1:18-cv-05371  
Case Opening Date: June 14, 2018  
Decision Date: September 27, 2019

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*Buhannic et al. v. Tradingscreen Inc. et al.*  
New York Southern District Court  
Case No: 1:18-cv-05372-ER  
Case Opening Date: June 14, 2018  
Decision Date: September 27, 2019

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*Buhannic v. Friedman*  
Case No: 1:18-cv-05729-RA  
Case Opening Date: June 25, 2018  
Decision Date: February 7, 2019

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*Buhannic et al v. Tradingscreen Inc. et al*  
New York Southern District Court  
Case No: 1:17-cv-07993-ER  
Case Opened: October 17, 2017  
Decision Date: July 27, 2018

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*Buhannic et al v. Tradingscreen Inc. et al.*  
New York Southern District Court  
Case No: 1:18-cv-07997-ER  
Case Opening Date: August 31, 2018  
Decision Date: September 27, 2019

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*Buhannic v. Tradingscreen Inc.*  
New York Southern District Court  
Case No: 1:18-cv-09351-ER  
Case Opening Date: October 12, 2018  
Decision Date: No Decision

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*Buhannic v. Tradingscreen, Inc. et al.*  
New York Southern District Court  
Case No: 1:18-cv-09447-ER  
Case Opening Date: October 16, 2018  
Decision Date: September 27, 2019

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*Buhannic v. Tradingscreen, Inc. et al.*  
New York Southern District Court  
Case No: 1:18-cv-10170-ER  
Case Opening Date: November 1, 2018  
Decision Date: September 27, 2019

**RELATED PROCEEDINGS IN THE UNITED STATES COURT  
OF APPEALS FOR THE SECOND CIRCUIT**

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*Buhannic v. Friedman*

United States Court of Appeals for the Second Circuit  
No. 19-365  
Decision Date: August 1, 2019

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*Buhannic v. Tradingscreen Inc.*

United States Court of Appeals for the Second Circuit  
No. 19-531  
Decision Date: April 23, 2019

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*Buhannic v. Tradingscreen Inc.*

No. 18-2274  
United States Court of Appeals for the Second Circuit  
Decision Date: October 11, 2019

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## OPINIONS BELOW

Petitioner seeks an extraordinary writ of mandamus pertaining to the following cases in United States District Court for the District Court of New York (App.4a, 12a):

*Buhannic v.*

*American Arbitrage Association (AAA) et al.*

Case No: 1:18-cv-02430-ER

*Buhannic et al. v. Tradingscreen Inc. et al.*

Case No: 1:18-cv-05371

*Buhannic et al. v. Tradingscreen Inc. et al.*

Case No: 1:18-cv-05372-ER

*Buhannic v. Friedman*

Case No: 1:18-cv-05729-RA

*Buhannic et al v. Tradingscreen Inc. et al*

Case No: 1:17-cv-07993-ER

*Buhannic et al v. Tradingscreen Inc. et al.*

Case No: 1:18-cv-07997-ER

*Buhannic v. Tradingscreen Inc.*

Case No: 1:18-cv-09351-ER

*Buhannic v. Tradingscreen, Inc. et al.*

Case No: 1:18-cv-09447-ER

*Buhannic v. Tradingscreen, Inc. et al.*

Case No: 1:18-cv-10170-ER

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## JURISDICTION

This case has clearly breached the rights of Mr. Buhannic under the 5th and the 14th amendment of the US constitution and numerous other parts of the US constitution and rules of justice. Mr. Buhannic has fundamentally been stolen his property of north of 60% of the company he created through a mixture of outright corruption in Delaware where the judge was bought out, collusion in the Supreme court of New York and New York appeal court and exposed to a significant discrimination as a foreign national and Pro se person and massive due process issues under Delaware, New York but also sadly the Federal court system in New York in a way that effectively is breaching his right to be protected by due process against these acts.

This Petition for Extraordinary Writ of Mandamus is filed pursuant to Sup. Ct. R. 20.4(a). This Court has jurisdiction under 28 U.S.C. § 1651.

---

## CONSTITUTIONAL PROVISIONS

### U.S. Const., amend. XIV, § 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor

shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

---

#### **RULE 20 STATEMENT**

##### **A. Name and Function of Parties to Whom Mandamus is Sought to be Directed**

Petitioner seeks mandamus issued to Judge Edgardo Ramos, United States District Court for the Southern District of New York ("Southern District").

##### **B. Petitioner seek the following relief:**

For the reasons to follow Mr. Buhannic respectfully requests that this Court grant the relief requested, based on the US Constitution to reestablish an environment where due process exist and is not entirely denied to foreign *pro se* litigant as it has been in this case, declare that these courts have breached Mr. Buhannic constitutional right to due process and appeal and to:

1. The recusal of Judge Ramos from the case and a concentration of all actions linked to this case of outright theft front of the relevant court in Federal court but outside of the Southern district that has demonstrated a level of inefficiency and collusion unmatched in modern time with a really independent judge that can handle a case rapidly.

2. Allow the plaintiffs a change of court to another Federal court, for all the cases, given the full Diversity scenario away from the manipulations of the State courts and the total inefficiency of the current New York Federal court Southern district. This centralization of all actions into the relevant jurisdiction the Federal court and away from the current inefficient court would go a long way, given the heavy breaches of due process, to reestablish a certain level of fairness in the system and credibility in the process.
3. To allow the Plaintiffs to file the discrimination lawsuit against justice Friedman as organized by law and refused illegally by the Federal appeal court on no basis but outright collusion.
4. To allow the Plaintiffs to exercise their appeal right for all the cases that were manipulated by the clerk office of the New York Southern district and where he was denied his appeal right.
5. Any further relief that the Court might deem appropriate as the Court deems just and proper.

Given the multiple due process breaches and the systematic refusal to apply the law and the US Constitution, the petition for a writ of certiorari should be granted.

### **C. Why Petitioners Have Filed for Relief in This Court**

Petitioners have sought remedy in the United States Court of Appeals for the Second Circuit. See 2nd Circuit Docket Nos. 19-365, 19-531, 18-2274. The only remaining court of higher authority is the Supreme Court of the United States.

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### **STATEMENT OF THE CASE**

#### **Preliminary Statement**

This is a straightforward case. Philippe Buhannic ("Buhannic") seeks to enforce his constitutional rights of due process protected by the constitution that have been denied to him in the most horrible manner by a series of courts whose bias and prejudice is so deeply rooted in the system that they have breached the constitutional right of Mr. Buhannic as a foreign *pro se* litigant as they consider wrongly that the constitution does not protect him

Worse the actors of this farce feel so certain that they are unreachable that they are going extremely far in the illegality and of their manipulative actions, and fear nothing from a system that they feel they master and can play against a foreign *pro se* litigant with no resource as the system is more interested in protecting its own faulty members than achieving justice. This is the ultimate in bad faith and insulting to intelligence and the principles of the US Constitution.

It demonstrates that the system allows the actors to refuse effectively due process by hiding their sometimes-criminal acts committed by the Defendants

behind the most stupid presentation reasons, or just to ignore the rules as demonstrated in examples outlined in this case

Worse the litigant has also experienced massive corruption of the system in the benefit of the big corrupt law firms Morgan Lewis and Weil Gotschal which have established in the courts a network of dependent employees that will effectively guide the cases their way or in the case of the Chancery court in Delaware and New York supreme court, two courts where favors can be purchased from by sending bitcoins to the judge or giving tickets of sporting events to the clerks.

This case is a terrible eyesore on the US legal system and demonstrate a total lack of principles and legal respect by all the actors of the US legal system from lawyers to judges to clerks.



#### STATEMENT OF FACTS

From 1999 until his wrongful termination in late June 2016, in a coup organized by the minority Private Equity shareholder TCV with 18% of the shareholding to steal the value of the company unduly, Mr. Buhannic served as the Company's CEO and Chairman of its Board for 16 years, company that he created from scratch making tremendous personal sacrifices to create the leader in the Fintech space with his ingenuity, hard work and money worth at the top 650 M USD, now worth 0.

Thanks to the corrupt Judge Lester in Delaware he was illegally taken off as CEO and president and

chairman of the Board and denied illegally his rights as the largest shareholders to elect his representation and control the company. This criminal decision as it was "purchased" has allowed the TCV thieves to effectively buy the Board members that the Plaintiffs wanted to replace and to control the company with 18% of the shareholding illegally and to wreck the company to oblivion. Worse the TCV thieves have manipulated a totally corrupt system, where everything can be purchased, through corrupt big law firms Weil Gotschal and Morgan Lewis and to deny due process to the Plaintiffs in so many ways that it should be a benchmark case.

He is still a Board member today and is getting diluted to oblivion thanks to the efforts of the colluded and corrupt judges.

Generally, due process guarantees the following (this list is not exhaustive):

- Right to a fair and public trial conducted in a competent manner
- Right to be present at the trial
- Right to an impartial jury
- Right to be heard in one's own defense
- Laws must be written so that a reasonable person can understand what criminal behavior is
- Taxes may only be taken for public purposes
- Property may be taken by the government only for public purposes
- Owners of taken property must be fairly compensated

Thus, in this complaint, Mr. Buhannic seeks a correction of all the massive due process issues he has face and given the total lack of action and decisions that represent very serious due process failings, to move the case to a better Federal jurisdiction more independent and a less conflicted judge. This would go a long way towards reestablishing a level of coherence in the system that has proved to be prone to corruption at all levels and has denied clearly constitutional rights of the Plaintiffs and allowed the thieves at TCV to commit multiple criminal acts without any restraint as the big corrupt law firms they use, "own" the system.



## ARGUMENT

### Due Process Issues at the Federal Court

#### **POINT I. THE FEDERAL JUDGE, DESPITE AN EASY CASE STRUCTURE HAS REFUSED IN ONE YEAR TO TAKE ANY DECISIONS.**

The federal judge, despite the cases being organized for speed, has refused in one year to take any decisions putting the Plaintiffs interests in jeopardy even on obvious matters

Part of due process in any justice system is to have decisions taken depending of their complexity in due time. In this case the Federal court through judge Edgar Ramos, who was heavily conflicted and should have recused himself, decided to never take a decision despite the obvious and documented urgency of the situation. Despite request for urgent decisions he never moved a finger and just let the case rot.

Decisions that take an average of one to three days in any jurisdiction were voluntarily delayed for months by the court to serve partisan interests. The federal case was voluntarily organized by the Plaintiffs for speed by creating actions with one single subject and with an obvious way to decide and a very deep documentation given at the inception. Judge Edgar Ramos decided to block all proceedings and after more than one year, not a single decision on for instance obtaining corporate documents as a Board member, an obvious need to discharge their fiduciary duties, have been taken, to disadvantage the Plaintiffs on purpose. Decisions on employment matters that are extremely simple and in EVERY jurisdiction in the world are because they impact people on a fast track, have been voluntarily ignored and not even analyzed by a trial judge that is trying to put the Plaintiffs into an unacceptable situation and hurt them.

Fundamentally the Federal court despite its obvious full responsibility, given the full diversity, has refused to hear the case and is trying to protect Michael Bloomberg interest by not ruling and not doing anything. We show in Appendix C (App.27a) some of the links that exist between judge Ramos and Michael Bloomberg that were undeclared. These links should have guaranteed a recusal of judge Ramos.

The Federal court and its appeal court have breached their due process responsibilities in so many ways that it will become the example of what not to do in Federal court. The level of collusion of the court with partisan interests is unmatched in modern times.

The denial of due process by refusing accelerated action when logically requested was constant by Judge

Ramos. Given the complete lack of progress on any items even the cases that could be ruled in 2 minutes by a newly nominated judge like access to corporate documents as a Board member based on Delaware law, the Plaintiffs acted and requested accelerated action as shown in Appendix F. (App.39a). No answer was even given to their action in a flagrant denial of due process and to support their total collusion with the defendants. In one-year Judge Ramos never answered a letter, never answered an accelerated action request, has not moved the case in any way and has mostly stopped the case in the interests of his patron. A sham of a justice system especially in areas that are either very simple: documents production or essential and urgent like board members nomination and employment issues. Judge Ramos is fundamentally colluding with the Defendants for reasons that are very interesting.

## **POINT II. THE JUDGE HAS COLLUDED WITH THE DEFENDANTS.**

Judge Ramos has very deep relationship established with Michael Bloomberg who is a party in this case as he used his news agency to create a fake news against Mr. Buhannic. Mr. Buhannic was Bloomberg biggest client at Credit Suisse and also his biggest competitor later at TradingScreen and has been prohibited to rent a Bloomberg terminal since he created TradingScreen. A significant anti-competitive practice. Bloomberg wanted to give him a terminal only after receiving a copy of his business plan! Mr. Buhannic refused to comply and has been prohibited to have a terminal since 2000 for 19 years as he was always considered by Michael Bloomberg as one of his only

valid competitors. Judge Ramos should have recused himself in a normal due process to avoid conflict with his friendship with Michael Bloomberg (<https://www1.nyc.gov/office-of-the-mayor/news/230-03/mayor-michael-bloomberg-appoints-new-chairperson-five-new-members-the-commission-to>, etc.). Instead he has decided to stay on the case and to stop any resolution even the most trivial ones that requires 15 minutes of his attention like the information demand or the employment claims of Mr. Buhannic.

In Appendix D (App.29a) we have summarized the case subject, the date it started and the status and the level of complexity. The reading is a frightening look at the collusion of Federal court through inaction with the Defendants, allowing them to destroy and steal the company the Plaintiffs created with huge efforts and sacrifices.

Mr. Buhannic made multiple attempts to speed up the process, as shown in Appendix F (App.39a), especially on simple issues that were all ignored completely by Judge Ramos. See Appendix C (App.27a) for some examples of the delays despite some issues being extremely simple.

Fundamentally he has prohibited any resolution to satisfy his friendship with Mr. Bloomberg. He has breached due process in terms of efficiency, by hiding his conflict, by colluding with the Defendants and allowing them to strip the company of any value. The denial of due process by hiding conflict of interests is patent and is unacceptable here.

**POINT III. THE FEDERAL COURT IS TRYING SYSTEMATICALLY TO PUSH BACK THE CASES TO THE STATE COURT.**

Given the full diversity of this case, the Federal court should be the forum. It is only the manipulations of the Plaintiffs lawyers, despite clear instructions to be front of the Federal court, that did put them front of the state court.

Refusal to take the very solid discrimination case.

The federal court is the forum for subjects that are constitutional and for cases with full diversity. Despite obvious and proven full Diversity the court is trying desperately to help the defendants to push back the cases to the state court, where they own the court, in clear breach of due process and diversity rules.

In the worst example of collusion, the Federal Court Southern district terminated the case with no valid reason despite stunningly strong proof of the discrimination and the bias the Plaintiffs had to endure and also multiple proofs of the manipulation by justice Friedman of the transcripts, the ex-parte communication with the Defendants, her goal to starve the resources of the Plaintiffs and multiple other unacceptable practices for a judge. The Federal court has decided to not defend a foreigner *pro se* like they would an American citizen in clear breach of fairness and due process. The system is effectively protecting the criminal acts of the system.

As shown in Appendix A (App.1a) and Appendix B (App.11a) the Federal court at the appeal level is refusing to rule on a very clear case of bias and discrim-

ination with extremely heavy proofs that is a Federal area of responsibility.

The New York court has been demonstrating a complete bias and discrimination, bordering on insulting the Plaintiffs, in multiple well proven instances against the national origin of the plaintiffs and the *pro se* status they were forced into by the New York court colluding heavily with the Defendants corrupt law firms Weil Gotschal and Morgan Lewis. Therefore an action in discrimination was started at the Federal court. The Southern district seems to be more preoccupied to limit the work and the number of cases and refused to hear the case in a flagrant denial of due process by Judge Ronnie Abrams. The plaintiffs appealed immediately and the clerk of the Federal court continue on its tradition on making impossible to appeal has created issues after issues, all complete bullshit, to prohibit this appeal to go through, by leveraging format presentation and menial points, to deny the constitutional right to appeal of the plaintiffs. For them forging transcripts, maintaining different treatments for indemnification, having ex-partes communication, etc. are not a serious base for discrimination on top of prohibiting the *pro se* to speak and insulting him and frightening all his interns into resigning. The Federal is on top of its subject in discrimination.

Despite the blatant discrimination against national origin and *pro se* status demonstrated by justice Friedman, on top of systematic doctoring of the transcripts and unacceptable double treatment between parties and ex-partes communication with the Defendants, not once but systematically. Worse the same judge has applied the law for the legal expenses indemnification differ-

ently between the two parties based on the same case and the same agreement to disadvantage the Plaintiffs and feed her complete collusion. The same judge prohibited the Plaintiffs a foreign *pro se* litigant to even present his case as reflected by the manipulated transcripts and allowed the Defendants lawyers she is colluding with to talk for hours on non-sense. We will pass on the insults and clear and obvious discrimination demonstrated during the sessions but manipulated in the transcripts as always by the judge, destroying evidence and supporting her collusion. Clearly there is no base for this action! This is normal justice at work in New York.

Based on the fact that the Plaintiffs are successful people, the Federal Appeal court has made also impossible to hear a case of discrimination in a clear attempt to protect the system from its failings and justice Friedman's from her unacceptable sometimes criminal behavior. Not only a lousy Federal judge rejected the case which was perfectly documented but the clerk office has prohibited the appeal on the lousy decision of the lousy judge, most likely a friend of justice Friedman trying to protect her from her own unacceptable behavior. Still today after multiple fixes to an appeal file that was totally compliant but that the clerk office in a drive to protect the system has created one more ridiculous rule than another to effectively prohibit a foreigner to proceed. This is a very bad reading of the US constitution as the clerk office and the judges in the federal court southern district have decided in a flagrant breach of due process that foreigners have no rights at all and that the big corrupt law firms rule the show. This is an unacceptable reading of the US constitution and of the intent of the founding

fathers in a system that has gone totally awry and is prone to corruption, collusion and breaches to due process routinely as no discipline exist for judges or lawyers at all.

In Appendix G (App.44a) we show the unacceptable behavior of the clerk office whereby the plaintiffs left the US every time with a resolution accepted by the clerk of all issues and the clerk chief Catherine O'Hagan Wolfe re-created issues while the Plaintiffs were in Europe to block again the process of appeal every time. Worse they never informed the Plaintiffs with due service, to put him at a disadvantage like in the discrimination case for instance, to prohibit a higher appeal on purpose.

These actions are coordinated and as well as the refusal of judges to hear cases on diversity or cases on discrimination in a flagrant breach of justice and in a voluntarily organized scheme to "take advantage" of the foreigner in favor of big corrupt law firms.

#### **POINT IV. THE FEDERAL COURT HAS FUNDAMENTALLY REFUSED THE RIGHT TO APPEAL.**

The Federal court has combined its effort to on one hand do nothing in one year in the cases front of the court with Judge Edgar Ramos, to prohibit the Plaintiffs to have cases on discrimination and other federal subject in a clear collusion with the Defendants that should be investigated, and leveraging the Federal appeal court to make all the appeals fail despite multiple fixes that were every time accepted and declared final by the clerks. The federal court has fundamentally refused the right to appeal by manipulating the formatting of the appeal to make it impossible for the

Plaintiffs that live outside of the US to effectively get an appeal in place.

Each and every time the chief clerk invented new issues to make it impossible for a foreigner *pro se*, with no presence in the US, to go through and have his appeals proceed. The Federal court has decided to hurt the plaintiffs in any way it can in a flagrant denial of due process for the most idiotic reasons. This is shown in Appendix F. (App.39a). Looking at the reasons why appeals were denied breaching the constitutional right to appeal despite once again systematic fixing by the Plaintiffs every time they were aware of a new rule imposed on them to make it difficult by the chief clerk. Fundamentally the chief clerk has denied in flagrant breach of due process the right of appeal, protected by the constitution, of a foreigner *pro se*. We guess that tickets or parties were the payment for these services like in the New York appeal court. Fundamentally the clerk office is paid to deny, through minute ridiculous presentation issues created on the fly, the appeal rights of the people that are foreigner and *pro se*.



#### REASONS FOR GRANTING THE WRIT

The issues raised in this case are critical to the effective functioning of the legal system of the United States. Due process needs to be enforced and need to be independent from who you are and as a foreign *pro se* litigant you should be entitled to it as much as a big corrupt law firm working for fees. Today between the corruption, the nepotism and the outright bias of

numerous levels in the system, this is not guaranteed, and it is critical to the wide public and the economy that these issues are fixed in the spirit and law of the US constitution.

There is nothing more important than to fix a system that has been selling itself to partisan interests and is colluding with some of the big law firms to give them an undue power that is challenging the most basic rules of Democracy.

This court must use this case where we have demonstrated an inordinate bias and prejudice as well as numerous cases of outright corruption, collusion and numerous dysfunctions of the system that makes it so faulty that outside of providing a good living to the people involved, mostly lawyers, it has failed totally the general public in rendering justice.

This court is facing a choice here: Act quickly and fairly and demonstrate that all the manipulations stop at its door and that it represents the last defense of Democracy, Justice and Due process and reestablish decisions that make sense or just let go and accept that the system is now controlled by people that can pay big corrupt law firms to manipulate the process and become an accomplice of the destruction of the legal environment created by the founding fathers.

There is no illusion here, inaction or half measures will not change the flow of history as the system is so biased the wrong way now, that judges feel they can escape from the law and are writing it, lawyers feel they can manipulate the system freely, with no consequences.

If by outright corruption an Entrepreneur can be stolen the property that he sacrificed so much to develop, just because judges and courts have been coerced into submission by money, influence and if an entrepreneur/manager can be the victim of blackmail, attacks and lose the ownership of his company despite having the vast majority of the capital (70%) as in this case because the minority Private Equity shareholder (18%) can afford with their customers money, expensive corrupt law firms to manipulate the corporate life of a company and steal the value created by the entrepreneur, then nobody will want to be an entrepreneur. Nobody will want to establish a new business in the USA. Nobody either will want to carry the risks attached to performing the fiduciary duties of a Board member any more given this case as a very solid indemnification agreement was fundamentally applied to the Defendants and not the Plaintiffs in a complete denial of justice. It is essential to maintain a system where contracts that are very clear are applied fully and cannot be manipulated by law firms playing their cards with courts going as far as corrupting the clerks and the judges like Weil Gotchsal and Morgan Lewis demonstrating a corruption uncommon in the poorest countries of the universe. It is critical to show that people with money acquired through outright theft cannot manipulate the system into submission through big corrupt law firm and that to *pro se* litigants that they have a chance to make their points if they are right.

The Federal court should take unbiased decisions, for the benefit of the wide public from pension fund to individual investors. These decisions or non-decisions as they were manipulated by big corrupt law firms

and are key to entrepreneurship protection and the needs of the general public and threaten the future by creating a breach into a very well documented jurisprudence. It is essential for this court to put a stop to the manipulation of the system by money and greed that will kill innovation and the jobs of the future.

This court is the last hope for justice but also more importantly to insure that the financing of innovation does not fall definitively in the hands of crooks equipped with big law firms and a strong pull in the lower courts where they managed to corrupt the courts to a level that is uncommon anywhere in the world. where even the simplest issues were manipulated through collusion, manipulation and outright corruption. Worse the lower courts also prohibited the indemnitee to benefit from due process and his appeal rights protected by the constitution. Make no mistake here, this is a benchmark case where the future of innovation financing will be decided that will impact generations to come in the USA. Accepting that these illogical and illegal decisions, going against almost every case law existing in all jurisdictions, stay in force will damage definitively the legal environment at a huge cost to society and will ensure that crooks well equipped with corrupt lawyers run the show at the expense of the creators, entrepreneurs and value generator. It will also tell the entrepreneurs to NEVER create a company based in the US given the risks involved. It is a seminal case that should be treated by the highest court in the land to give still hope to honest people that the dream of a better system that started in 1776, and for which my ancestors died for

in Chesapeake Bay and Yorktown, still exist in some heads, even remotely.

*"The true administration of justice is the firmest pillar of good Government"*

George Washington



### CONCLUSION

The total amount of the legal costs carried by Mr. Buhannic is north of five million USD, all spent for nothing, and the other side has spent a multiple of that completely indemnified by the company for the exact same cases and indemnification agreement, a parody of justice and due process. It is also important to note that these amounts were also paid by Mr. Buhannic as he is the 70% owner of the company that paid these fees and has been hijacked thanks to due process breaches by a group of sophisticated thieves leveraging big corrupt law firms.

The Federal court which main job in the Southern district seems to be to spend 90% of its efforts refusing cases instead of establishing a benchmark for solid and efficient justice, has created the Plaintiffs a number of issues to bring its cases forward that are breaching very badly due process and establish this court as a court where Plaintiffs can bring only cases that the court wants to hear. The discrimination case against justice Friedman is obvious, very well documented, despite her systematic doctoring of the transcripts and manipulations and should be a "slam dunk" to establish courts that are independent from pre-

judice against non-American and *pro se* litigants. The need for these cases to be front of the Federal court given the full diversity is also totally obvious but was denied by the Federal court.

The collusion of the lower court with the Defendants of justice Friedman as demonstrated heavily by the proceedings, even despite the doctoring by the judge itself of the transcripts, the double treatment on every subject, and else has denied clearly due process to Mr. Buhannic in an incredible number of cases like in ruling on her own recusal, given her bias and collusion, and has taken her decisions with only one intent: to exercise her bias and prejudice against Mr. Buhannic national origin and his status as *pro se*. Justice Friedman forced him to represent himself *pro se* and has manipulated the entire process through ex-partes communications and collusion to hurt Mr. Buhannic to apply her bias against his nationality and *pro se* status. Her actions are a litany of what not to do in terms of due process and the New York Appeal court has decided against all logic and the law to support her in this endeavor and has demonstrated a level of outright corruption not common in modern times anywhere in the world. Both courts have erred against basic principles of justice, the constitution, the agreements and have manipulated their way to try to hide all their attempts to circumvent due process rules as demonstrated in this filing.

What is especially unacceptable in this case is that the court that was created by Washington to avoid these flaws, the Federal court, has been almost worse and has refused to assist Diversity which is its function, and to provide a safe-haven to non-state people as

organized by Diversity. The collusion through non decision is a mark of this case.

To sum up, Mr. Buhannic has been denied totally his US constitutional rights to due process, to appeal and to fairness by a system more interested in denying his rights as a foreigner and protecting its members from the consequences of their illegal and anti-constitutional acts than exercising a fair justice.

These cases that all are interlinked are a flagrant demonstration of the due process failings of a system that is more interested in protecting itself and feeding lawyers than achieving a fair justice. The denial of due process has been so pervasive, so distributed across so many courts and judges that it is unfortunately an innate characteristic of a system that has gone awry. Even the court which was conceived and built to protect nonlocal litigants has failed and has breached almost any due process rule imaginable. These breaches are endangering the entire system in the US and making it a laughable stock for other justice systems. More importantly it makes the US legal system the place to avoid for foreigners as it is biased and owned by expensive and corrupt law firms that own the process through cushy jobs for judges at the end of career, outright corruption and discreet services rendered.

These failings and manipulations must stop in the interest of the credibility of the US legal system to be a major credible legal system. The level of corruption the plaintiffs have experienced in the Delaware, New York and the Federal courts both at the court level and the appeal court is unmatched in their 40+ very successful years career all over the world tackling

most major legal environments. The level of collusion between the system and the big law firms is unmatched. The complete lack of disciplinary power on judges and lawyers leave a system prone to collusion, payment for verdict and corruption that allows the people participating to know that they are fundamentally unreachable and not responsible front of the law. They can do whatever they please with a total disregard for the US constitution and the rights of the Plaintiffs, especially as Foreigners and *pro se*. It is an insult to the US constitution and breaches of so many of the basic due process rules that it is impossible to list all of them.

Respectfully submitted,

PHILIPPE BUHANNIC  
*PETITIONER PRO SE*  
AVVENTURA 318  
ROUTE DES CREUX 100  
1936 VERBIER SWITZERLAND  
(917) 716-3542

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