

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Michael Alan Bruzzone, *Petitioner*

and

James McManis and William Faulkner attorney associates of Intel Corporation
and District Court Judge William Alsup, on individual fraternal association with
jurists, law, academia concealing organized crime infiltration of Intel Corporation

Respondents

ON PETITION FOR WRIT OF CERTIORARI to the
UNITED STATES COURT OF APPEALS for the NINTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Michael Alan Bruzzone
Civic Servant of the Federal Trade Commission
Advocate for "lawful class" at 42 U.S.C. § 1981(a)(b)
U.S. Attorney designate; 31 U.S.C. § 3730(b)(1) at (c)(3)
(FCA) Relator Original Source
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QUESTIONS PRESENTED

Can federal judge's intentionally error to conceal economic espionage subject 18 U.S.C. §§ 1832, 2382 questions harms country and citizen's presents three refined questions in this evolution of Petition for Writ of Certiorari originating 17-6008.

I. In a non intervened 31 U.S.C. § 3729 qui tarn, federal recovery value > \$10,000 this relator original source at 31 U.S.C. § 3730(b)(1)(c)(3) is contracted by Northern California District Chief United States Attorney {retired} to steward investigation and recover said theft, in this assignment confirmed by U.S. Dept. of Justice, recognized by Congress at U.S. Constitution 9th, acknowledged by Federal Circuit on attributed ORDER, in parallel can in-District Judge's vicariously make their own law to "limit status and rights of person initiating [said] action" stating in related ORDERS designated original source is "not a relator" and the "United States is no way involved"?

II. Can Federal and Ninth Circuit Judges negate, and U.S. attorneys operating within Northern California District disregard the Congressional False Claims Act on techniques that aid to abet corporate 'price fix' procurement overcharge theft from the United States General Services Administration at 15 U.S.C § 1, 15 and 18 U.S.C. §§ 2, 371, 1341, 1956, 1962c, Title 48 §§ 303, 3.303.

III. At FRCP 60(d)(3) can jurists stir up confusion in the very legal services market original source is directed by U.S. Attorney for securing qui tarn counsel? No private attorney will risk representing the federal government when Judges manufacture their "un-relator". This novel swindle presents an exceptional question on devices this 25 year federal investigator fears will rapidly spread, promoted by defendant political placements in and beyond Northern California District, stifling Federal False Claims Act relators, related investigations, federal theft recoveries' across the country.

PARTIES to the PROCEEDING

Michael Bruzzone, *in pro se*, is attorneys of Federal Trade Commission enlisted discovery aid on industry witness; FTC v Intel Corp. Dockets 9288 and 9341 15 U.S.C. § 5 investigations, and currently attorneys Docket 9341 consent order monitor. Is designated original source v Intel Corp. "Intel Inside® microprocessor in box and computer case "metered discriminatory buyer price fix cost charge" on December 10, 2008. Confirmed U.S. Department of Justice March 2011, recognized by Congress June 2007, May 2011, other dates. Acknowledged original source by Court of Appeals for the Federal Circuit October 2014 subject procurement theft valued > than \$10,000 and at 28 U.S.C. § 1346(a)(2) whose contractual aspects and definitions are beyond the jurisdiction of a District Court Judge? Validation; EUCC 37.990 v Intel Corp., Inside Inside® "avoidable consumer cost" charge recovery \$1.43 billion May 2009. Bruzzone is recognized on letter, by 31 States Attorneys General as Intel Inside® price fix original source, expert or witness. Supports an additional 82 private plaintiff actions at 42 U.S.C. § 1981(a)(b) "lawful class" v. Intel associates "lawless" accomplices at 18 USC §§ 3, 4, 371, 1341, 1512. 1513, 1516, 1519, 1956, 1961, 1962c, 42 U.S.C § 1985(1)(2)(3).

James McManis and William Faulkner; represented by Ms. Janet Everson and Ms. Suzie Tagliere, Murphy, Pearson, Bradley, Feeney, 88 Kearny Street, 10th Floor, San Francisco, CA 94108; associate attorneys for Intel Corporation.

Northern California District Judge Mr. William Haskell Alsup , *et singular in publica, et declaratoria dictuir quaeritis*; pursuant 28 U.S.C. § 455(a)(b)(1)(5)(iv) represented by Ms. Sara Winslow Chief who is qui tarn 09-00679 contract officer at Civil Division, and Assistant United States Attorney Mr. James Scharf, 150 Almaden Blvd., Suite 900, San Jose in Silicon Valley, California 95113

in accordance with 28 U.S.C. § 2403(a) this Petition is served on the Solicitor General of these United States, Room 5616, Dept. of Justice, 950 Pennsylvania Ave., N.W., Washington D.C., 20503-0001; copied Speaker of the House Pelosi, Chair and Ranking Member Senate Judiciary Committee, House Energy/Commerce Committee, House Oversight and Reform Committee.

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CONSTITUTION, STATUTES, PROCEDURES

Core on the questions –

Constitution 9th amendment; disparagement of Congressional aid

28 U.S.C. § 1331; federal question, bounds of District Court jurisdiction

28 U.S.C. § 1345(a)(2)(b)(1); if, when, where Court of Claims jurisdiction?

31 U.S.C. § 3729; federal false claims act

31 U.S.C. § 3730(b)(1)(c)(3); responsibility / activities of parties

18 U.S.C. § 1516; interference in a federal audit

18 U.S.C. § 1961; racketeering activity

18 U.S.C. § 1962(c)(d); conspiracy aiding robbery, collection of unlawful debt

Federal Rules of Civil Procedure 60(b)(3); attorneys fraud

Federal Rules of Civil Procedure 60(d)(3); disabling justice process

FRCP 60(a)(b)(4) (operating beyond jurisdiction) judgments are VOID?

Ancillary –

Constitution 5th; federal contract taking (pendant Court of Claims)

Tort – 15 U.S.C. § 1, 2, 15(a); jurists promoting legal service market boycott on trade restraint(s) denying essential facility, representation.

18 U.S.C. § 2(a)(b); principles, commission of an offense

18 U.S.C. § 3; when accessory after the fact

18 U.S.C. § 4; specific misprision of felony

18 U.S.C. § 371; conspiracy to commit offense, defraud

18 U.S.C. § 1001a(1)(2)(3); false statements, entries, schemes

18 U.S.C. § 1341; frauds and swindles

18 U.S.C. § 1345(1); injunction against fraud (notation; sought)

18 U.S.C. § 1505; obstruction of proceedings before departments

18 U.S.C. § 1510; obstruction of criminal investigations

18 U.S.C. § 1512; witness tampering

28 U.S.C. § 455(a)(b)(1)(5)(iv) multi-basis for judicial recusal

42 U.S.C. § 1981(a)(b); civil rights under color of law

42 U.S.C. § 1983 (pendant State matter at U.S. Constitution 14th)

42 U.S.C. § 1985(1)(2)(3); on law when corporate political conundrum

OPINIONS on LAW and STATUTE

Northern California District Judge and negation by Ninth Circuit Judge(s) are here raised operating beyond jurisdiction pursuant federal 2008, 2009, 2013 'qui tarn' contract matter to recover theft valued in excess of \$10,000 to United States. Includes District Court Judge(s) and associate attorneys of corporate defendants inventing; 1) novel techniques that deny the existence of a federal false claim's contract and its designee, 2) investigative discoveries and findings of fact under color of law, and 3) do negate the public fact of claimant's relator original source engagement in qui tarn contract assignment authorized by Congress pursuant Federal False Claims, Sherman and Clayton Acts.

Oppositions feat is achieved on District Court judicial ORDERS leveraged by defendants to publicly portray, in a non-intervened qui tarn¹, non-existence of its contractually obligated relator original source thus disregarding Congressional False Claims act at *Vermont Agency of Natural Resource v United States ex rel, Stevens* 529 U.S. 765 (2000) supra 162 F.3d 1985; "An adequate basis for Steven's standing is found in the doctrine that the assignee of a claim has standing

¹ Pursuant description 'qui tarn' in *Estate of Mark Duxbury*, Deceased, Sojourner T. Duxbury, Appellant, Chinyelu Duxbury, Respondent, Court of Appeals, Washington, Division 2, No. 42933-1-II, June 19, 2013; FCA 'qui tam' is judges' original source claim description of relator before intervention decision. 'Qui tarn' acknowledgement following intervention or designation pursuant non-intervention "original source" to proceed as State steward in the matter to matter's fruition.

to assert injury in fact suffered by the assignor. Because the FCA can reasonably be regarded as effecting a partial assignment of the Government's damage claims, the United States' injury in fact suffices to confer on Stevens" as it does Petitioner Bruzzone, "standing".

Pursuant *Kelly v Boeing*, 9 F.3d 743, 748 (9th Circuit 1993), "In cases where the government initially elects not to take over the action, the court "may nevertheless permit the government to intervene as a later date upon showing of good cause." *Id.*, §3730(c)(3). "In permitting late intervention, the court may not limit the status and rights of the relator" and "hold[s] that the FCA effectively assigns the government's claims to qui tam plaintiff's . . . FCA's qui tam provisions operate as an enforceable unilateral contract". "The terms and conditions of the contract are accepted by the relator upon filing suit. If the government declines to prosecute the alleged wrongdoer, the qui tam plaintiff effectively stands in the shoes of the government. Because the government clearly is capable of establishing injury-in-fact, causation, and readdress-ability, qui tam plaintiffs satisfy these Article III requirements as well . . . the entire purpose of the FCA's qui tam provisions is to employ the help of individuals to uncover fraud against the government. We hold that the FCA's qui tam provisions do not run afoul of Article III . . . the Supreme Court explained "the law of Article III standing is built on a single basic concept – the idea of separation of powers." "Standing ensures the federal courts maintain their properly limited role in a democratic society by requiring cases are presented in adversarial context

historically viewed capable of judicial resolution”, *Flast v Cohen*, 392 U.S. 83, 95, 88 S. Ct 1941, 1949, 20 L.Ed.2d 947(1968).

“Qui tam plaintiff’s have the requisite personal stake in the outcome of the case to ensure that the issue(s) are presented sharply and that more than “vindication of the value of interests of concerned bystanders is at issue”.

By resolving these suits, federal courts are not intruding into areas committed to other branches of government. Instead, they are merely accommodating a congressional policy decision that relators may sue [steward] on behalf of the government for violations of the FCA”. Short of dismissing a qui tam action [*pro se* notation; from the active case docket but not as a filing], the government can only seek limitation of relator’s participation in a case. 31 U.S.C. § 3730(c)(2)(C). However, the concept of removal does not make sense in the qui tam context, in which there is no “office” from which to remove the relator and subsequently fill with someone else; Cf *Morrison*, 487 U.S. at 664, 108 S. Ct at 2605 (procedures for terminating “office” of independent counsel)”. In contrast to independent counsel, relators are not replaceable”. “We recognize the general rule that under Article III, courts may not exercise executive or administrative duties of a non-judicial nature”, *Buckley*, 424 U.S. at 123, 96 S. Ct. at 684. The purpose of this rule [is] “to maintain the separation between the judiciary and the other branches of the federal government by ensuring that judges do not encroach upon the executive or legislative authority” see *Morrison*, 487 U.S. at 608-81, 108 S. Ct. at 2613, and pursuant to this writ of Certiorari, where Judge Alsup

portraying Bruzzone “not a relator” and “United States no way involved” although contractually bound administratively, and as “real party of interest” interferes in qui tam contract on statute by confusing potential counsel. “The Court holds; at 2) the qui tam plaintiff has the right to conduct the action and dismiss or settle the case without consent of the Attorney General”, see *U.S. ex rel. Fender v Tenet Healthcare Corp.*, 105 F. Supp. 2d 1228, 1233, N.D, Ala. 2000.

Congressional Federal False Claims Act 31 U.S.C. §§ 3729 - 3733, is widely regarded as an effective tool for combating waste, fraud and abuse in federal spending including as provided for by General Services Administration Title 48 §§ 303, 3.303 of the Federal Acquisitions Regulation governing federal procurement. Amendment of False Claims Act in 1986 intends citizens bring procurement and contract fraud to the attention of government, hold offenders liable for “reckless disregard”, “deliberate ignorance”, “false certifications” and supposedly increases protections against opposing factions engaged in retaliation including assassination attempts, poisonings, defamation, SLAPPING relator on corporate defendants propagandizing reversals promoted in public and legal news libeling United States and Bruzzone portrayed “not a relator” and “United States no way involved”.

Per Congressional statute, contract false certification at 31 U.S.C. § 3729(a)(1) liability – “(A) knowingly, and at “(B) makes, uses, causes too be made or used, a false record or statement of material to a false or fraudulent claim; and at (C) conspires to commit a violation of the aforementioned subparagraphs . . .”

Continuing at Congressional Federal False Claims Act 31 U.S.C. § 3730(4)(A)(iii) and (B), “(A) The Court shall dismiss action or claim under this section, unless opposed by the government, if substantially the same allegation or transactions as alleged in the action or claim were publicly disclosed – at (iii) from the news media, unless the action is brought by the Attorney General or the person bringing the action in an original source of the information”; *whom Petitioner Bruzzone is.*

(B) For purpose of paragraph, “original source” means individual who either (i) prior to public disclosure under (e)(4)(a) [notation; which Bruzzone conforms including acknowledged relation], has voluntarily disclosed to the Government the information on which allegations of and materially adds to the publicly disclosed allegations or transactions, and who has voluntarily proved information to the Government before filing under this section.

Pursuant contract disputes, at 28 U.S.C § 1346(a)(b)(1), “district courts shall have jurisdiction, concurrent with the United States Court of Claims at (2) not exceeding \$10,000 in amount, founded either upon Constitution, or any Act of Congress . . . “

Vicariously here, opposition act's to negate, propagandizing their non existent qui tam steward as “not a relator” and “no United States involvement” lacks consent of United States Attorney General and is repugnant to Congressional intent of the Federal False Claims Act and Congress. Is suspect by this federal

investigator the continuing, long time, Intel Corp. legal associates and placement's network crime at 18 U.S.C. §§ 2, 371, 1001, 1341, 1951, 1956, 1961, 1962c.

JURISDICTION

On November 26, 2019 United States Court of Appeal for Ninth Circuit decides Petitioners original appeal No. 18-17293 on the papers prejudicing confrontation. Bruzzone questioned Judge Alsup action dismissing Bruzzone as "not a relator" on jurisdiction, statute and clear error. Bruzzone sought Ninth Circuit ORDER informing District Court Judge Mr. William Haskell Alsup to amend and thus correct two false statements he has refused for seven years to correct associated with Northern California District Case matter 3:14-01279 WHA, Bruzzone v Intel Corporation and ARM Inc. Said two false statements are 1) Bruzzone "is not a relator" and 2) "the United States is no way involved". Ninth Circuit has twice danced around to ignore both question and remedy; originally at Ninth Circuit 17-16919 and here again at 18-17293.

Petition for Panel Rehearing is timely filed December 9, 2019. On February 24, 2020, before Circuit Judges Canby, Tashima, Christen, "Bruzzone petition for panel rehearing (Docket Entry No. 26) is denied. No further filings will be entertained in this closed case." Petitioner's writ seeking Certiorari is timely filed within 90 days of said ORDER on March 2, 2020. SUP. Ct. Rule 13.1.

Following denial of rehearing, on March 2nd, Bruzzone moved Ninth Circuit Chief Justice oversight through En Banc Review, served 28 copies, noticed Writ of Cert and attached Petition to Stay Mandate. As of this Petition for Writ of

Cert, Justice Thomas has not responded to Petitioner's request for executive oversight on full court review addressing said oversight clearly conflicting with in-circuit and intra-circuit decisions. Judges Canby, Tashima, Christen deny Stay of Mandate on Friday, March 13, 2020. The jurisdiction of this court is invoked under 28 U.S.C. § 1245(1).

FACTS of this CONTROVERSY

Contracting Officer of United States, currently Chief Civil and Assistant Attorney Ms. Sara Winslow does not oppose Bruzzone federal false claim's filing in Northern California District 08-04169. On non-intervention following U.S. Attorney first amended re-filed No. 09-00679, then Chief U.S. Attorney for North California District Mr. Joseph Russoniello contractually designates Petitioner Michael A. Bruzzone § 3730(b)(1) at (c)(3) relator original source December 10, 2008. Assistant Attorney Ms. Winslow thereafter directs Bruzzone to secure case representation. Bruzzone does in 2013 filing qui tam 3:13-cv-03729 tests for U.S. Attorney intervention on EUCC 37.990 and FTC Docket 9341 affirmative procurement "price fix" determinations in 2009 and 2010 respectively.

Intel Inside® 'tied charge' price fix is the continuous 25 year 15 U.S.C. § 1, 18 U.S.C. § 1962c, and Title 48 violation begins March 1993. Is thought remedied by Intel Corporation 2018 year end, on Bruzzone insistence, seen in the removal of INTC 10K 'cost line item' Bruzzone identifies before Docket 9341 falsely certifying 'Intel Inside tied charge registered metering' as "cooperative advertising cost" of an Intel OEM processor sale. Said 10K false certification is relied by

Bruzzone, thereafter FTC and EUCC, to calculate Intel Inside® end buyer financial harm.

In March 2011, United States Department of Justice Director Mr. H. Marshall Jarrett confirms Bruzzone original source stewardship of said case matter. In April 2011 Office of Senator Dianne Feinstein confirms Bruzzone relator-ship, recovery for the people. In September 2013 Bruzzone secures attorney Mr. Bauer to test for U.S. Attorney intervention on Federal Trade Commission v Intel Corp. and EUCC 37.990 v Intel Corp. affirmative findings. United States Attorney Ms. Winslow rejects acting on EUCC 37.990 Intel public decision lacking Intel physical contract proofs. Bruzzone communicates with European Competition Commission Office of Secretary General February 2014 confirming wanted proofs will be available to Ms. Winslow following E.U. Court of Justice Intel final appeal decision. That decision is thought sometime this year according to Intel Corp. associate attorney Mr. Daniel Beard reported by Reuters on March 10, 2020.

Following U.S. Attorney's third declination of 13-03729 WHA, Court of Appeals for Federal Circuit acknowledges Bruzzone "relator original source v. Intel Corporation and ARM Inc" on October 7, 2014.

Thirty-one States Attorneys Generals, by letter 1999 through current, recognize Bruzzone as either Intel Inside® price fix witness, expert, or relator original source and steward over his 09-00679 and 13-03729 federal theft recovery

assignment(s) valued on Intel Corp. 10K false certifications at \$41,567,500,000 is Bruzzone discovery before the start of Docket 9341 in 2008.

Bruzzone has extended Intel Corp. Legal Dept. a \$350,000,000 federal Intel Inside® (FCA) price fix settlement thought requiring Congress approval and \$6.2 billion States AG's for citizens that is a world wide Intel Inside® recovery sum on four year civil RICO 18 U.S.C. §1962c. Bruzzone is FCA steward at 31 U.S.C. §3730(b)(1) at (c)(3) supra *Kelly v Boeing, Vermont Agency of Natural Resource v United States ex rel, Stevens*, enlisted by Congress, and a cognizable claimant at 15 U.S.C §§ 1, 5, 15 and 18 U.S.C. § 1964c entitled said Bounty" *United States v Reality Company*, 163 U.S. 427 (1896). As Congress advocate on States AG recovery for the people; "lawful class", are due recovery Intel Inside® price fix theft harm; \$10 per processor procured in retail box or computer chassis totaling \$6.2 billion on four year civil RICO. Strategically, Bruzzone federal false claims filing for United States leads States citizen's recovery. Unlike FCA requiring attorney representation on *Stoner*, no case precedent stops Bruzzone from filing the general consumer complaint² to which he is cognizable plaintiff party³.

History; Bruzzone in 1996, a verse Intel Corp. competitive field manager then for Advanced Micro Devices Inc., notifies telephonically Federal Bureau of Investigation Special Agent Mr. Jack Felski at San Jose, California Bureau Office

² See; <https://seekingalpha.com/instablog/5030701-mike-bruzzone/5200413-intel-inside-price-fix-recovery-for-plaintiffs-ags-standard-complaint>

³ See; <https://seekingalpha.com/instablog/5030701-mile-bruzzone/5203055-intel-inside-federal-orientation-academic-treatise>

on July 15, 1996 his Intel Corp. espionage and Intel Inside® end buyer “metered discriminatory pricing” program guide knowledge. Thereafter meets with Mr. Felski at San Jose Bureau Office in October 22, 1996.

May 1998 Bruzzone meets with Federal Trade Commission attorneys Mr. Robert Cook and Mr. Jeffrey Lin, at Washington D.C. headquarters, thereafter Bruzzone is enlisted by Mr. Cook as discovery aid supporting Mr. Lin on Docket 9288 v Intel Corporation 15 U.S.C. 5 investigation. In March/April 1999 Mr. Bruzzone first confers with Mr. Thomas Greene, then Assistant Attorney General Antitrust with California Department of Justice, now with U.S. Department of Justice Antitrust Division San Francisco. In March 2000 Bruzzone is lettered by California Office of Attorney General to work with Mr. Greene expressly to validate Intel Inside® as 15 U.S.C § 1 price fix. Bruzzone does so, on Inside® program guide and market manager structural knowledge systematically depicts too validate, on case law⁴, Intel Corp. reliance on combing contracts that nine years latter are established in EUCC 37.990.

Intel Corporation, FBI and Secret Service affiliate Dr. Harley Stock who is an Intel Corp. consultant, negate Bruzzone discoveries before, during and following FTC v Intel Docket 9288, and thereafter associated with 9341, portraying Bruzzone “paranoid delusional” and “harassing Intel”.

⁴ *ibid*

On May 13, 2009, before the conclusion of FTC v Intel Docket 9341, related EUCC 37.990 v Intel Corporation pursuant Treaty for Economic Functioning European Union Sections 101 and 102 delivers EU Court ORDER recovering \$1.43 billion in Intel Inside® “consumer avoidable” price fix cost charges for EU member nations. Intel Corp. has paid that recovery sum placed in an interest bearing EU account pending Intel Corp. appeal outcome at EU Court of Justice said to be in 2020. Intel Corporation can provide no proofs validating Intel Inside® as other than ‘registered meter discriminatory end buyer price fix cost’, charged to processor passed off to PC buyers, supporting Intel Corp. cartel channel administered route fee maintenance; on a brand fee reward, that ties PC Suppliers laterally over multi commerce transport bridges to channel sales outlets. On real time processor and monopoly surplus, volume sales are tied between PC Supplier direct, media direct and retail direct sales outlets on Intel contract promise of a brand fee payment when reporting each processor sold, valued on average \$10 per processor over 25 years. This nonsense admin cost is paid by the end buyer.

In relation trading partners in European Union, Bruzzone and constituents; afflicted industry, Congress of the United States, States of the United States and among 82 known plaintiff actions at 42 U.S.C. § 1981(a)(b) “lawful class” are confounded. Why Bruzzone relator original source designated case steward is having, for nearly a decade, such difficulty securing an attorney for the federal qui tarn? Either private practitioner or through wanted United States Department of Justice intervention to represent Bruzzone’ stipulated Intel Corp. Intel Inside®

recovery and settlement agreement. Yes, Intel Corporation negotiated settlement with United States because the matter has been litigated. Unless of course the desire for further Intel discovery? Intel Corp. can provide no proofs other than Intel Inside® contractually combining sales channels laterally to meter Intel processor flows across distribution bridges for a cartel administered price fix payment, is directly cost to Intel x86 microprocessor in box and microprocessor in computer chassis, paid directly by in excess of 4 billion end buyer's unknowingly robbed along highways of commerce includes the United States federal government.

STATEMENT OF THE CASE

Petitioner does question Northern California District system of associate jurists and attorneys concealing District Judge William Alsup suspect operating beyond jurisdiction at 28 U.S.C. § 1345(a)(2)(b)(1). Imposing stall on Congress and people pursuant N.C.D. 08-04169, U.S. Attorney first amended 09-00679 and Bruzzone N.C.D. 13-03729 non-intervened qui tam recovery attempts valued greater than \$10,000. On Bruzzone investigative discoveries validated, although highly discounted in the related matter; EUCC v Intel Corp., Intel Inside® price fix is recovered by EU, the sum of \$1.43 billion in May 2009.

District Judges at 28 U.S.C. § 455(a)(b)(1)(5)(iv) are questioned operating under the extra judicial influence of Intel Corporate associate attorneys and federal placements. Includes Secret Service Affiliate Stock and other actors with United States Attorney and California Department of Justice where law enforcement at *Bivens v Six Unknown Narcotics Agents*, 403 U.S. 388 (1971) seem obstructed on

Corporate methods of relator original source defamation unknowingly framed in larcenies, smuggling, suspect vehicular manslaughter of a police officer and other crime acts denied Petitioner's comprehensive discovery.

All do disable mechanics of Justice Process; FRCP 60(b)(3)(d)(3), pursuant Constitution 5th "contract taking" however "contract taking" is not a matter of this Petition pendant Court of Claims oversight.

Petitioner's sole question to United States Supreme Court pertains to Judge Alsup operating beyond jurisdiction? Does Judge William Alsup aid Intel Corp. and attorneys Mr. McManis and Mr. Faulkner by publicly propagating in public forum, legal news, legal services market, a federal contract violation erroneously portraying Bruzzone "not a relator" and "United States is no way involved"? Doing so regardless Judge Alsup, and corporate defendant's knowledge Bruzzone qui tarn filings N.C.D. 08-04169, first amended 09-00679, 13-03729 designating Bruzzone qui tarn steward "relator original source" by United States Attorney, United States Department of Justice and Congress.

THE SEVEN FALSE PORTRAYALS

Bruzzone is falsely portrayed "not a relator" incorporated and publicly disseminated through seven (7) Judge William Alsup ORDERS (see exhibits page 28); USDC 3:14-cv-01279 WHA Document 51 filed May 21, 2014, Document 58 filed June 17, 2014, Document 88 filed August 19, 2014; Document 94 filed September 2, 2014, No Document # filed September 21, 2015; Doc. 107 filed October 13, 2015, Doc. 114 filed November 30, 2015. Casetext.com, Court

Listener, Docket Alarm, EE Times, Find-A-Case, Fear Not Law, Juralindex, Justia Dockets and Filings, Leagle, Pacer Monitor, Seeking Alpha stock board, Unicourt all do republish in some form or promote public obloquy on said false portrayals.

At Document 51, page 2, line 22, "Pro Se Bruzzone is not a relator. The United States is no way involved with the action."

At Document 88, page 1 lines 21 through 26, "Pro se plaintiff Michael A. Bruzzone describes himself as "Relator" who became involved investigating alleged "antitrust and espionage violations occurring domestically in the x86 microprocessor industry," He alleged participating in Federal Trade Commission investigation of defendant Intel Corporation in 1998 and 1999 (Compl ¶¶ 18, 19, 21, 23). "But he is not a "relator" and the United States is not a party to this civil action."

At Document 94, page 2, begins line 5, "even though Bruzzone is not a relator, he refers to himself as "witness relator and claims that the United States is involved."

At No Document # September 21, 2015, page 1, begins line 17, "Although Bruzzone did not attend the hearing on the motion [Intel Corporation move to Declare Bruzzone Vexatious] he has now moved for reconsideration of that ORDER as well as an ORDER 'declaring he was not relator', for the fourth time", as if Bruzzone would make such a false statement "not relator" appears Judge's reversal of a material fact?

At Document 107, page 1, begins line 17, "although Bruzzone did not

“the enumeration in Constitution, of certain rights, shall not be construed to deny, or disparage others retained by the people”; by United States Attorney, Congress and the Federal Trade Commission.

FIVE DOCUMENTS VALIDATE RELATOR ORIGINAL SOURCE

Five documents (see exhibits page 34) are known by Judge and Mr. William Alsup, Messrs. McManis and Faulkner and Intel Corp., establish Bruzzone relator-ship; **1)** December 10, 2008 explicit contract designating Bruzzone “relator” by United States Attorney Mr. Joseph Russoniello; **2)** December 13, 2010 correspondence from United States Assistant Attorney Ms. Sara Winslow confirming original December 10, 2008 commission to secure a law practitioner to represent Case No. 09-00679 filed under federal false claims act; **3)** May 21, 2011 U.S. Department of Justice correspondence to Senator Dianne Feinstein acknowledging USDOJ consent for Bruzzone to proceed unilaterally irrespective United States Attorney non intervention decision; **4)** May 21, 2011 email from Mr. Dan Wessell aid to Senator Feinstein “that as a relator you may still bring a lawsuit on behalf of the United States with your own attorney”; **5)** October 2014 ORDER cover page U.S. Court of Appeals for Federal Circuit acknowledging Bruzzone Relator Original Source v Intel Corp. and in the related retaliation matter ARM Inc.

REASON FOR GRANTING THE WRIT

Ninth Circuit Panel decision twice negates to hear and thereafter ORDER Judge William Alsup his correction; "Bruzzone is relator" and "United States is involved on statute requirement" conflicts with law findings of United States Supreme Court, and many circuits on the intent of Congress and Federal False Claims Acts to prosecute fraudsters. Noteworthy through the six year period Bruzzone is portrayed "not relator", Bruzzone moves nine times and Judge Alsup does deny correcting this error in ORDERS. In same period also known by United States Attorney, Intel Inside® price fix procurement theft grows by \$8 billion dollars demonstrating "injury in fact"- a harm that is both "concrete" and "actual . . . not conjectural or hypothetical"; *Whitmore v Arkansas*, 495 U.S. 149, 155.

On novel techniques and devices of North California District jurists, on effective demonstration do deter federal false claims case representation for six years, manufacturing their "un-relator", scares off attorneys unsure who is the relator. That relator is Mr. Bruzzone. Someone needs to set Intel Corp. associate jurist network straight by ORDERING JUDGE WILLIAM ALSUP TO CORRECT HIS ERRED STATEMENTS, or, too VOID at FRCP 60(d)(3) said ORDERS, not to deter adverse representation supporting federal government's relator Petitioner Bruzzone Intel Inside® price fix stipulated settlement with Intel Corporation. Returns too the United States and federal government Intel Inside procurement price fix overcharge.

as adequate to support a conclusion", *Richardson v. Perales*, 402 U.S. 389, 401 (1971).

If not for qui tam contract protection, relator steward might be systematically removed, in this cartel environment on attempts to physically eliminate the relator lacking discretion. Court [of appeals] must affirm that "the district court has made a clear error of judgment," applied partial, incomplete or "incorrect legal standard"; *Alexander v. Fulton County*, 207 F.3d 1303, 1326 (11th Cir. 2000). "Review under clearly erroneous standard is significantly deferential." Pursuant *Concrete Pipe and Products v. Construction Laborers Pension Trust*, 508 U.S. 602, 623 (1993), the appellate court must accept the trial court's findings unless it's left with the "definite and firm conviction that a mistake has been committed."

This petition for writ of certiorari should be granted.


Respectfully Submitted

Michael Bruzzone, petitioner in pro se

APRIL 27, 2020

FBI Original Source of Intel Network RICO in 1996
FTC Invited Field Report Docket 9288; 1998 – 2000
CDOJ and NYDOJ First to Report Intel Section 1 Violation in 1998
CDOJ Lettered to Work Report, Intel 15 USC 1 Violation in 2000
SEC Notice INTC Stock Market Rig, Accounts Fraud; 2007 – 2018
U.S. Attorney Northern District FCA Relator; 2008 and current
FTC Witness Analyst v Intel Corp. Docket 9341; 2009 and current
Court of Appeal Federal Cir. acknowledges 31 USC 3729 Relator; 2014