

21-5306 ORIGINAL
IN THE SUPREME COURT OF THE UNITED STATES

In re Richard Arjun Kaul, MD
Petitioner

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On Petition for a Writ of Prohibition to the U.S. District
Court for the District of New Jersey in Case No. 21-CV-
10363 - FLW - TJB

Richard Arjun Kaul, MD v. Philip Murphy et al.

PETITION FOR WRIT OF PROHIBITION

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Dated: July 25, 2021

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The Kaul Cases

K1: Kaul v Christie: 16-CV-02364 -VOLUNTARILY DISMISSED

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K11-1: Kaul v Federation: 21-CV-00057 – OPEN

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P1: Kaul/Patel v Crist/State of New Jersey: 19-CV-08946 - CLOSED

P2: Kaul/Patel v Crist/Allstate: 19-CV-09232 - CLOSED

Legal Standard of Review

All Writs Act 28 U.S.C. § 1651 - Writ of Prohibition

United States v. Hoffman, 71 U.S. 4 Wall. 158 158 (1866)

Larocca v Lane, 37 N.Y.2d 575

Related British/House of Lords jurisprudence:

R v Bow Street Metropolitan Stipendiary Magistrate Ex parte Pinochet Ugarte (No.2) (1999).

Parties to The Proceeding

Richard Arjun Kaul, MD is the Petitioner in this action. The Respondents are: (1) Philip Murphy; (2) Christopher J. Christie; (3) Gurbir Grewal; (4) Robert McGuire; (5) Doreen Annette Hafner.

Relief Sought

Petitioner, RICHARD ARJUN KAUL, MD (“Kaul”) seeks an order from this Court to the United States District Court for the District of New Jersey, that prohibits all judges from any participation/involvement to any degree in any aspect of Kaul v Murphy: 21-CV-13063, and assigns the case to any district court, outside of the Third Circuit.

Issue/Question Presented

Commencing on April 2, 2012, Kaul's fundamental human rights under both international and American law have been egregiously violated by administrative/state/bankruptcy/federal courts within the geographic boundaries of the State of New Jersey. Kaul's constitutionally protected right to life, liberty and property have been, and continue to be violated by, amongst others, judges within the United States District Court for the District of New Jersey. The injuries caused by this decade of violations, one conducted by and within courts located in the State of New Jersey, are detailed in Appendix A.

Question: In continuing to violate Kaul's fundamental and constitutional human rights, does the law strip the judges and the District of New Jersey of their jurisdiction and authority.

Statement + Facts Necessary to Understand Petition

The decade-long violation of Kaul's fundamental human and constitutional rights by The Kaul Cases Defendants has caused loss of life, liberty and property. The violation has been malicious, willfully purposed to destroy Kaul (jail/deportation/death) and is ongoing. The Defendants perpetration of this scheme was only made possible by the collusion/conspiracy of administrative/state/bankruptcy/federal/appellate courts within the State of New Jersey and the Third District of the United States District Court. One of the principal motivations for the corruption of the District of New Jersey and the U.S.C.A. for the Third Circuit, is the fact that Defendants Allstate/TD/Geico (Berkshire Hathaway) have knowingly violated, and continue to violate, the Sarbanes-Oxley Act. The risk to these Defendants of a criminal investigation for judicial corruption is far outweighed by the immense and uncontrollable risk of the corporate decimation that would definitively follow any legal/regulatory/shareholder action, and its attendant publicity, consequent to the Defendants ongoing fraud on the US securities market.

The following evidence constitutes a "substantial claim" and provides "ancillary" factors. See Larocca v Lane, 37 N.Y.2d 575, that comport with principles applied in granting a writ of prohibition, one of which is that where a petitioner submits an arguable, substantial, and novel claim that

a court [had] exceeded its powers because of a collision of unquestioned constitutional principles, he may, in the first instance, seek redress by prohibition. See 37 N.Y.2d at 581, 338 N.E.2d at 611, 376 N.Y.S.2d at 99. An analysis of the “ancillary” factors involves a consideration of: (i) the gravity of the harm caused by the excessive power – if the District of New Jersey/U.S.C.A. – Third Circuit were permitted to adjudicate K11-9, Kaul would forever be deprived of his right to vindicate his violated Constitutional rights; (ii) the availability or unavailability of an adequate remedy on appeal, at law, or inequity – the Defendants have corrupted the judicial apparatus within the U.S.C.A. for the Third Circuit, and many of the judges within this circuit have political/economic/personal/professional connections to The Kaul Cases Defendants, and the evidence proves they are substantially conflicted. Thus, Kaul is foreclosed from procuring any remedy to the deprivation of his rights, on appeal, at law or in equity; (iii) the remedial effectiveness of prohibition if such an adequate remedy does not exist – a writ of prohibition is the only remedy to attempt to prevent any further violation of Kaul’s rights. The “substantial” and “ancillary” factors submitted by Kaul, and as interpreted by the prevailing law, do substantiate the issuance of writ of prohibition to the judges within the District of New Jersey.

Standard of Review/Legal Authority for grant of writ

28 U.S.C. § 1651

28 U.S.C. § 2241: This petition constitutes an element of Kaul's one hundred and nine (109) month (license suspended June 2012) legal effort to regain his illegally deprived livelihood, and thus his life, property and LIBERTY, and is in effect also a petition for a writ of Habeus Corpus pursuant to 28 U.S.C. § 2241. Kaul has been wrongfully 'imprisoned' since June 2012, and the District of New Jersey, in collusion/conspiracy with The Kaul Cases Defendants is perpetuating the violation, by its continued attempts to be involved in the cases, and its continued obstruction of Kaul's efforts to become 'un-imprisoned'.

Reasons for Granting the Writ

A writ of prohibition will be in aid of the Court's jurisdiction and the District of New Jersey is foreclosed from exerting any jurisdiction over the case:

The Court's jurisdiction extends to protect Kaul's Constitutional rights, from an ongoing violation, and if the Court were not to preempt or cause to cease the violation, until it had furthered the irreversibility and permanency of injury, then the Court's jurisdiction over the violation, and its protection of Kaul's Constitutional rights, would be irredeemably deprived. However, if the writ is granted, the ongoing violation will cease, and the Court's jurisdiction to protect Kaul's Constitutional rights will be exercised in a timely and protective manner, consistent with Constitutional principles that empower the Court with its discretion to grant a writ.

The District of New Jersey and its judges remain in an adversarial position with Kaul, pursuant to K11-1/K11-3, and are thus constrained by the due process/impartial tribunal clauses of the Constitution from any administrative or ministerial function within any of The Kaul Cases and can make no argument to the contrary.

Exceptional circumstances warrant the exercise of the Court's discretionary powers, and a writ of prohibition is the only remedy to prohibit the breach of natural justice, that would be caused if the case were tried in the District of New Jersey

From April 2, 2012 to the present, Kaul has been the subject of an "ongoing pattern of racketeering", conducted through the executive/legislative/judicial branches of the State of New Jersey and bankruptcy/district courts within the District of New Jersey, and a "pattern" that has extended into the NYSE, the SEC and across the globe. The injuries caused and continuing to be caused to Kaul by the Defendants and the District of New Jersey, constitute "exceptional circumstances" in and of themselves, but the extreme examples lie in the fact that his requests to have investigated the crimes of The Kaul Cases Defendants have been either ignored or denied, his liberty illegally violated, and his life almost ended. Kaul has sought relief in this Court on two (2) prior occasions, and on one his plea was denied and the other was returned for correction of filing deficiencies. These facts stem from the success of Kaul's minimally invasive spine surgery practice (2002-2012), that occurred in part because in 2005, he invented a procedure that revolutionized the field of outpatient spine surgery. Since Kaul commenced litigation on February 22, 2016, he has been denied any discovery, had all of his substantive motions denied, while every substantive motion filed by the Defendants was granted. Every case,

except K11-2, that Kaul filed in courts outside of New Jersey was transferred to the same judge in the District of New Jersey-Newark, over Kaul's strenuous objections (March 2016-Present) that he would not receive justice in New Jersey.

In K11-1 Kaul is suing the District of Newark, and in K11-3, Kaul is suing the judges within the District of New Jersey, for misconduct outside the scope of their official duties. The plausibly pled claims have not been dismissed, transferred to New Jersey nor denied by the Defendants, and have an "assumption of truth". Thus, if any of the judges or the court were involved in any aspect of any of The Kaul Cases it would constitute a willful and ongoing violation of Kaul's constitutional right to an impartial tribunal and due process, and therefore does deprive the District of New Jersey of jurisdiction. These protections are not only enshrined in the Constitution but constitute the substance of Articles 8 and 10 of the Universal Declaration of Human Rights (1948). Kaul's case is a fundamental human rights case , in which the violators include judges/politicians/law enforcement attorneys within the District of New Jersey, the very individuals that society expects, and has empowered to protect against human rights violators. Since April 2, 2012, Kaul has been subjected to tyranny, abuse of power, denial of justice, deprivation of human rights and the equivalent of a wrongful imprisonment, because he

built a successful minimally invasive spine surgery practice, that helped thousands of Americans with debilitating spinal pain.

Kaul's efforts to appeal to U.S.C.A. for the Second Circuit have been obstructed, in that his notice of appeal, received in the S.D.N.Y. on July 1, 2021 via FedEx, was not published to the docket, and any appeal of K11-9 from the District of New Jersey would be futile, and provide an inadequate remedy to the ongoing violation of Kaul's constitutional and human rights, and the illegal deprivation of critical years of his profession, now standing at almost a decade. Kaul was forty-seven (47) in 2012, and on the cusp of expanding his work globally. The Kaul Cases Defendants maliciously used the US wires and the authority of state to transmit the knowing fraud to almost every state/federal healthcare related agency in the world, including the FBI, the DEA, the National Practitioners Data Bank and every state medical board, the purpose being, as the evidence proves, to eliminate him (jailed/deported/killed) and his ability to earn a livelihood anywhere in the world.

K11-9, as one of The Kaul Cases, is of immense interest to the public and the American medical profession, because it has exposed the rampant corruption of state medical boards and other state/federal regulatory agencies by for-profit corporations, that has caused thousands of physicians to be illegally deprived of their life, liberty and property. An

element of the “HIPIC-FC” (K11-2: D.E. 65 Page 43 of 48-Appendix D) scheme is to confiscate the assets of targeted physicians (predominantly ethnic minorities/immigrants), to deprive them of their constitutional right to mount a legal defense. America incarcerates more physicians per capita than any other country in the world.

This public interest factor, pursuant to Rule 11, provides that a petition for “extraordinary” relief be granted “upon a showing that the case is of such imperative public importance as to justify deviation from normal appellate practice and to require determination in this Court.”

As plausibly pled in K11-1/K11-3, the judges and the court in the District of New Jersey have been coopted by The Kaul Cases Defendants into obstructing their prosecution by Kaul, and in the process illegally subverting the power of the United States District Court, and thus the United States, to perpetrate an “ongoing” racketeering scheme that violates Kaul’s human/constitutional rights, and continues to cause injury to his life, liberty and property.

The above facts violate Kaul’s right to natural justice, and thus the District of New Jersey and its judges are foreclosed from any adjudicatory or

ministerial involvement in any aspects of any of The Kaul Cases, including K11-9.

The facts evidence that adequate relief cannot be obtained in any other form or from any other court and that the District of New Jersey and its judges have, in collusion and conspiracy with The Kaul Cases Defendants, committed a massive 'Fraud on the Court' of the United States, an ongoing violation that only a writ of prohibition will injunct.

In 2018 Defendant Christie recommended to President Trump, that Paul Matey be appointed to the U.S.C.A. for the Third Circuit. From 2010 to 2015, Paul Matey, Esq, acted as deputy chief counsel to then Governor Christie, this being a time period in which The Kaul Cases Defendants conspired to commit, and did commit crimes against Kaul, that involved violations of RICO and Kaul's constitutional rights. Thus, any courts/judges within the U.S.C.A. for the Third Circuit are forever foreclosed from any adjudicatory or ministerial role in any aspects of any of The Kaul Cases, and the Court, therefore, is foreclosed to Kaul in the interests of natural justice. See R v Bow Street Metropolitan Stipendiary Magistrate Ex part Pinochet Ugarte (No.2) (1999). The disqualification of Lord Hoffman by the House of Lords, consequent to his directorship of Amnesty International in the case of ex-Chilean President, Augusto Pinochet. It is no coincidence that every petition Kaul has made to the U.S.C.A. for the Third Circuit, seeking to prevent a violation of his Constitutional rights, by judges within the District of New Jersey, has been denied, and as Kaul plausibly asserts in K11-2, the U.S.C.A. for the

Third Circuit, did conspire with the District of New Jersey, to manipulate the procedural posture of K1, with the intent of preventing Kaul from either prosecuting the case in the district court, or procuring appellate jurisdiction. This particular element of the grand scheme of judicial racketeering, commenced in approximately 2019, and continued until Kaul voluntarily dismissed the appeal in July 2021. The Kaul Cases Defendants, in collusion and conspiracy with judges in the District of New Jersey/U.S.C.A. for the Third Circuit, have converted the United States District Court into a “racketeering enterprise”, through which they conducted a “pattern of racketeering”, that involved the commission of hundreds of the RICO predicate acts of mail fraud/wire fraud/bribery/obstruction of justice/public corruption/judicial corruption.

Summary of Appendices

Appendix A – July 22, 2021: 21-CV-10326: Opposition to Defendant Boston Partners Motion to Dismiss:

The knowing/willful violation of the Sarbanes-Oxley Act by Defendants Allstate/TD/Geico (Berkshire Hathaway), has caused all The Kaul Cases Defendants, consequent to RICO, to become both civilly/criminally liable. Their only tactic, as they are now defenseless, is to attempt to transfer K11-9/K11-2 to the District of New Jersey, to the remit of one of the K11-3 Defendant judges, in order to prevent further public exposure of the SOX violation, a financial crime that is already known to the CEOs/CFOs of the S/P 500. The District of New Jersey, the U.S.C.A.-Third Circuit and their judges, have, since February 22, 2016, provided cover for a criminal scheme that commenced in 2006, and constitutes an “ongoing pattern of racketeering”, in which The Kaul Cases Defendants have converted the executive/legislative/judicial branches of the State of New Jersey, the United States District Court, the NYSE and the SEC into “racketeering enterprises”, through which they have committed thousands of the RICO predicate acts of perjury/mail fraud/wire fraud/obstruction of justice/money laundering/securities fraud/kickbacks/extortion/kidnapping/retaliation/evidence tampering/witness tampering. The conduits and cover for these crimes have been and are administrative/state/bankruptcy/federal courts within

the State of New Jersey and the Third Circuit of the United States Court of Appeals. The global integrity of the US securities market is harmed by the involvement of the District of New Jersey in any of The Kaul Cases.

Appendix B – June 9, 2021: 21-CV-13063: Complaint:

Defendant Christie was served in K11-2 on May 26, 2021 at his law office in Morristown, New Jersey. On May 27, 2021, Kaul was illegally arrested/imprisoned/maliciously prosecuted, as pled in the Complaint. Witness to the arrest was a Dr. Evangelos Megariotis, a colleague of Kaul, with whom Kaul just happened to be on a phone call when nine (9) armed men illegally and without warrants entered his place of work. Kaul had Megariotis on speaker-phone for the duration of the events, and Megariotis did talk directly with one of the armed men. On the morning of May 28, 2021, Kaul submitted a letter into K11-2 (D.E. 18/19) that details these events and identifies Dr. Megariotis as a witness to the crime. In the afternoon of May 28, 2021, the fiancée of Dr. Megariotis was contacted via telephone by two men purporting to be DEA agents, who wanted to talk with her about Dr. Megariotis, regarding an investigation they had supposedly initiated against him. She felt threatened and intimidated, and thus did, on July 12, 2021, testify before a grand jury impaneled in the District of New Jersey. The Kaul Cases Defendants, in recognizing their immense civil/criminal liability, in part because of their violation of Sarbanes-Oxley, and Kaul's civil rights, did commit the RICO predicate act

of retaliation, in collusion/conspiracy with New Jersey based federal agencies, purposed to eliminate Dr. Megariotis as a witness, through indictment and imprisonment. In the commission of this act of retaliation and attempted witness tampering/intimidation, The Kaul Cases

Defendants did convert these New Jersey based federal agencies into a “racketeering enterprise”, a principal purpose being to conceal the Defendants securities fraud crimes from the global investment market.

As part of the Defendants grand scheme of witness/evidence tampering, they did order Defendant/U.S.D.J. Wolfson, to obstruct Kaul’s prosecution of K11-9, by entering a knowingly false order of dismissal (D.E. 10-July 9, 2021). Their strategy is to delay/obstruct Kaul’s prosecution of K11-9, in the hope they can indict Dr. Megariotis, eliminate his testimony, undermine K11-9, and mitigate its threat to Defendant Murphy’s attempt to be re-elected to the Office of the New Jersey Governor, and Defendant Christie’s political career. However, the ultimate purpose of all this crime, is an attempt to conceal the securities fraud violations. The Kaul Cases

Defendants may have corrupted and taken control of state/federal politicians and state/federal investigative/prosecutorial/judicial agencies and the media, but they have NO control over the global investment community, many of whom now view Defendants Allstate/TD/Geico (Berkshire Hathaway) as immense liabilities and or threats.

Appendix C - July 6, 2021: 21-CV-10326: Letter-Kaul-SEC:

Defendant Grewal was transferred from the Office of the NJ AG to the enforcement division of the SEC, in an attempt not only to eliminate his usability, but to have him quash any securities fraud investigations regarding the Defendants SOX violations.

Appendix D – January 17, 2018 to May 3, 2021: Unrefuted and irrefutable evidence of judicial corruption within the District of New Jersey:

The documentary evidence within Appendix D unequivocally establishes that the District of New Jersey is deprived of jurisdiction, because it has willfully/knowingly violated, and continues to violate Kaul's fundamental human and constitutional right to life/liberty/property, in that it continues to obstruct Kaul's constitutionally protected right to reclaim his life/liberty/property, after a decade of illegal deprivation. Included within Appendix D is the recitation of fact that Kaul submitted to SCOTUS on November 5, 2020, in support of his petition for a writ of mandamus to the District of New Jersey, ordering it to adjudicate Kaul's letter (K1:D.E. 434-2 Page ID 10970) seeking permission to file twenty-two (22) motions for summary judgment. The petition, to Kaul's knowledge, was neither docketed nor returned to Kaul, but on November 5, 2020, all claims were dismissed by Defendant/U.S.D.J. Vazquez, except that against Defendant Mitchell. The two (2) reasons for this pertain to The Kaul Cases Defendants "No Exit" scheme (K11-4: D.E. 1 Page ID 44 of 95-within

Appendix D), and the fact that the law mandated entry of summary judgment against the K1 Defendants, most of whom are Defendants in K11-2. In the petition, Kaul did raise the issue of risk to the market capitalization of Defendants Allstate/TD/Geico (Berkshire Hathaway), regarding ongoing litigation, a risk that K11-2 has caused to become actualized, in that it exposes the Defendants securities fraud. Had the November 5, 2020 petition been granted, and K1 brought to settlement, the Defendants would likely not now be subject to serious criminal/civil liability, from amongst others, their shareholders.

Conclusion

For the above stated reasons, and because one of the judges is under judicial investigation pursuant to a complaint filed by Kaul, he does respectfully move this Court to issue a writ of prohibition to all judges in the District of New Jersey, prohibiting them from having any adjudicatory or ministerial involvement in any aspect of any of The Kaul Cases.

Kaul respectfully requests that this Court refer The Kaul Cases Defendants to American prosecutorial authorities, for having violated the Sarbanes-Oxley Act. Kaul will be referring the matter to the US Attorney for the Southern District of New York.

I, Richard Arjun Kaul, MD, the Petitioner, do hereby certify that the above statements are true and accurate to the best of my knowledge, and that if it is proved that I willfully and knowingly misrepresented the facts, then I will be subject to punishment.

Dated: July 25, 2021


RICHARD ARJUN KAUL, MD