

23-76

ORIGINAL

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IN THE  
SUPREME COURT OF THE  
UNITED STATES

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PALANI KARUPAIYAN et al

---Petitioners

V.

INFOSYS Americas et al

---- Respondents

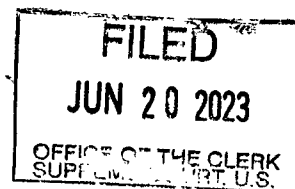
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On Petition for a Writ of Certiorari  
to the United States Court of  
Appeals for the Third Circuit  
Docket-23-1304

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**PETITION FOR A WRIT OF  
CERTIORARI**

Palani Karupaiyan.  
Pro se, Petitioner,  
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Philadelphia, PA 19132  
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212-470-2048(m)



## I. QUESTION PRESENTED

Petitioner's prayed reliefs were

- i) National importance of having the US Supreme Court decide or conflict with USSC ruling, or importance of similarly situated over millions of citizens or the first impression is raised at USSC.

Petitioner's prayed over 20 reliefs were as Writ of Mandamus or Prohibition or alternative so the questions were part of three test condition requirement of the Writs.

- ii) When Salahuddin v. Cuomo, 861 F. 2d 40 - Court of Appeals, 2nd Circuit 1988 ruled that

*"this Court [USCA 2nd Cir] has repeatedly cautioned against Sua Sponte dismissals of pro se civil rights complaints prior to requiring the defendants to answer".*

Dist Court sua sponte dismissing the complaint before defendants to answer and USCA3 failed to vacate Sua Sponte Dismissal is error.

- iii) When Moses H. Cone Memorial Hospital v. Mercury Constr. Corp., 460 US 1 - Supreme Court 1983 @footnote[6] ruled that

*More fundamentally, a Court of appeals has no occasion to engage in extraordinary review by mandamus "in aid of [its] jurisdiction[n]," 28 U. S. C. § 1651, when it can exercise the same review by a contemporaneous ordinary appeal.*

See, e. g., Hines v. D'Artois, 531 F. 2d 726, 732, and n. 10 (CA5 1976).

Following USCA3's ruling conflict with USSC

*Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See In re Nwanze, 242 F.3d 521, 524 (3d Circuit. 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal") (citation omitted).*

## II. PARTIES TO THE PROCEEDING

PALANI KARUPAIYAN; P. P.; R. P. are petitioners

Respondents are

INFOSYS BPM; INFOSYS AMERICAS; INFOSYS  
TECHNOLOGIES LTD;

CREDIT SUISSE GROUP; NEXT LEVEL  
BUSINESS SERVICES INC;

SALIL PAREKH, individually and in his official  
capacity as MD, CEO of the Infosys;

N.R. NARAYANA MURTHY, individually and in his  
official capacity as co-founder, promoter, ex-CEO, of  
the Infosys;

E. SHAWN O'DONNELL, individually and in his  
official capacity as Manager - Client Services Group  
of the Infosys;

THOMAS GOTTSTEIN, individually and in his  
official capacity as CEO of the Credit Suisse Group;

SUDHAN N. MURTY, individually and in her  
official capacity as Promoter of Infosys, wife of  
Murthy;

ROHAN MURTY, individually and in his official  
capacity as Promoter of Infosys, son of Murthy;

AKSHATA MURTY, individually and in her official  
capacity as Promoter of Infosys, daughter of Murthy;

RISHI SUNAK, individually and in his official  
capacity as co-founder, promoter, ex-CEO, of the  
Infosys;

NANDAN M. NILEKANI, individually and in his  
official capacity as co-founder, ex-CEO, of the  
Infosys;

ROHINI NILEKANI, individually and in her official  
capacity as promoter of the Infosys, wife of Nandan

M. Nilekani; JANHAVI NILEKANI, individually  
and in her official capacity as promoter of the  
Infosys, daughter of Nilekani;

NIHAR NILEKANI, individually and in her official capacity as promoter of the Infosys, son of Nilekani;  
S. GOPALAKRISHNAN, individually and in his official capacity as co-founder, promoter, ex-CEO, of the Infosys;

SUDHA GOPALAKRISHNAN, individually and in her official capacity as promoter of the Infosys and wife of S. Gopalakrishnan;

MEGHANA GOPALAKRISHNAN, individually and in her official capacity as promoter of the Infosys and daughter of S Gopalakrishnan;

SAROJINI DAMONDARA (SD) SHIBULAL, individually and in his official capacity as co-founder, promoter, ex-CEO, of the Infosys;

KUMARI SHIBULAL, individually and in her official capacity as promoter of the Infosys and wife of SD Shibulal;

SHRUTI SHIBULAL, individually and in her official capacity as promoter of the Infosys and daughter of SD Shibulal;

GAURAV MANCHANDA, individually and in his official capacity as promoter of the Infosys and husband of Shruti, son in law of SD Shibulal;

MILAN SHIBULAL MANCHANDA, individually and in his official capacity as promoter of the Infosys and grandson of SD Shibulal;

SHREYAS SHIBULAL, individually and in his official capacity as promoter of the Infosys and son of SD Shibulal;

BHAIRAVI MADHUSUDHAN SHIBULAL, individually and in her official capacity as promoter of the Infosys and daughter in law of SD Shibulal;

DINESH KRISHNASWAMY, individually and in his official capacity as co-founder, promoter, Head of QC of the Infosys;

ASHA DINESH, individually and in his official capacity as promoter of the Infosys and wife of Dinesh Krishnaswamy;

DIVYA DINESH, individually and in his official capacity as promoter of the Infosys and daughter of Dinesh Krishnaswamy;

DEEKSHA DINESH, individually and in his official capacity as promoter of the Infosys and daughter of Dinesh Krishnaswamy;

DANIEL DOE, individually and in his official capacity as Project Manager of the Credit Suisse Group;

UBS Group AG ("UBS");

SWITZERLAND ("SWISS")

### III. TABLE OF CONTENTS

|  |     |
|--|-----|
| I. Question Presented .....  | i   |
| II. Parties to the Proceeding .....  | iii |
| III. Table of Contents .....   | vi  |
| IV. Table of Authorities.....  | xi  |
| V. Petition for a Writ of Certiorari.....  | 1   |
| VI. Opinion(s)/order(s)/Judgment(s) BELOW (from<br>Dist Court and USCA3).....                                | 1   |
| VII. Jurisdiction.....   | 1   |
| VIII. Constitutional and Statutory Provisions<br>Involved.....   | 2   |
| IX. Statement of the Case .....  | 3   |
| a) Dist Court Proceeding and ruling .....  | 3   |
| b) USCA3 Proceeding and ruling .....   | 3   |
| X. Infosys Business Model .....  | 4   |
| a) In India.....   | 4   |
| b) In USA.....   | 4   |
| XI. Infosys Business wrongdoings .....   | 5   |
| XII. Purpose of outsource/ Tax evasion of Infosys,<br>and US Corporation.....                                | 5   |
| XIII. Pinpointing, Past Perjury work visa<br>Violation of Infosys and its promoters.....                     | 6   |
| XIV. Infosys's Promoters wrongdoings .....   | 6   |
| XV. All Writs Act, 28 U.S.C. § 1651(a) .....   | 6   |
| XVI. Reliefs should be granted under Rule<br>8(a)(3)/Rule 54(c) or without Rule 12(b)'s<br>requirement ..... | 7   |

|        |  |           |
|--------|--|-----------|
| XVII.  | Why USCA3 was not able to grant the Appellant's Writs/Injunction(s) reliefs.....   | 7         |
| XVIII. | USSC's Writ against Lower Court(s).....  | 9         |
| XIX.   | USSC's Rule 20.1 and Rule 20.3.....  | 9         |
| XX.    | Three test Conditions for grant the Writs (of Mandamus, prohibition or any alternative) .....  | 10        |
| XXI.   | Pro se pleading standards.....   | 11        |
| XXII.  | Reasons For Granting the Writ(s) .....   | 12        |
| a)     | <b>Writs against Switzerland ("Swiss").....</b>  | <b>12</b> |
| 1)     | Order that Swiss should not interrupt the US Judicial process when a matter is subjudiced.....   | 12        |
| 2)     | Order that Swiss Govt should deposit \$30 billion to US treasury.....  | 13        |
| 3)     | Order that Swiss based banks should not do Wealth/Asset Management Business in USA. ....   | 14        |
| b)     | <b>Writs against UBS .....</b>   | <b>15</b> |
| 4)     | Motion to add UBS as Defendant/respondent.....   | 15        |
| 5)     | Order that UBS should deposit money worth of Credit Suisse stock value to US treasury. ....  | 16        |
| 6)     | UBS should not involve Money laundering/any financial crime against USA. ....  | 17        |
| c)     | <b>Against Infosys/Credit Suisse/UBS .....</b>   | <b>17</b> |
| 7)     | Writ against Infosys/UBS and it's or affiliates, that they should not discriminate the US citizenship and in-favoring of foreign national(s) against US Citizen in |           |



|   |    |
|---|----|
| employment or in application for<br>employment.....   | 17 |
| 8) Order that (i) Infosys/UBS should not<br>outsource US Corporate Jobs (ii) Infosys<br>should insource all the US Corporate IT/BPO<br>project back to United States within 6<br>months of this Court order (iii) Infosys<br>should not involve in Tax evasion and Money<br>Laundering against United States and its<br>Local govt(s) ..... | 19 |
| 9) Order that i)Infosys/UBS/Credit Suisse<br>should not access to H1, L1 work permit visa<br>from Dept of Labor/ United States<br>Citizenship and Immigration Services<br>("USCIS") ii) Invalidate all the H1, L1 visas<br>obtained by Infosys/UBS/Credit Suisse .....  | 20 |
| 10) Order that Infosys/UBS/Credit Suisse<br>should deposit to US treasury the 3 times of<br>Money Infosys took out of United States by<br>Outsourcing and lock/jail the Infosys's<br>promoters/CxOs, Credit Suisse CxOs until<br>all the money recovered and deposit to US<br>treasury .....  | 21 |
| 11) Left Blank .....  | 22 |
| 12) Order that Each Infosys/UBS [Credit<br>Suisse] should pay the petitioner \$15 million<br>dollars for [r]easonable money for time and<br>effort of the [P]laintiff, pain and suffering<br>and all expenses and costs of this action. ....  | 22 |
| 13) Order that each Infosys/UBS/Credit<br>Suisse should pay the petitioner for failure to<br>hire, Title VII, Age Discrimination ,<br>Disability status/ GINA, US citizenship   |    |

|   |           |
|---|-----------|
| discrimination, favoring foreigner against<br>US Citizen, and Section 1981/ 1988 claims.....  | 23        |
| <b>a) Against Lower Courts.....</b>   | <b>26</b> |
| 14) Order to vacate the sua sponte order of<br>dismissal the complaint and remand the case<br>to lower court for further proceeding. ....   | 26        |
| 15) Order to appoint guardian ad litem or<br>alternatively pro bono attorney .....  | 27        |
| <b>b) Relief for Children.....</b>  | <b>31</b> |
| 16) Order that each Infosys, UBS should<br>pay \$20 million dollar to the each Minor<br>Petitioners PP and RP (“Minor Petitioners”)..   | 31        |
| <b>c) Against Promoters of Infosys .....</b>  | <b>32</b> |
| 17) Writ against the Infosys Promoters<br>that globally recover all moving/non-moving<br>properties/ assets, investments, bank<br>accounts of Infosys promoters into US<br>Treasury. .... | 32        |
| 18) Individual defendants should file<br>Income tax and Wealth Tax with US since<br>the first travel or past 20 years they traveled<br>to USA. ....                                       | 34        |
| 19) Transfer the ownership of Infosys USA<br>and its Affiliate’s operations and Infosys<br>India and its Affiliate’s operations to<br>Petitioner Karupaiyan .....                         | 34        |
| 20) Order that Deposit all the Infosys’s<br>Stock (“INFY”) to US treasury. ....   | 35        |
| <b>d) Against Rishi Sunak.....</b>  | <b>36</b> |
| 21) Order that i)Rishi Sunak should not<br>contest any political election and/or be in<br>part of any Govt for 20 years. ii) Rishi Sunak  |           |

|   |    |
|---|----|
| should be removed from his Prime Minister position of UK. iii) All Mr Sunak, moving and non-moving property, cash, any and all investment including stock, bonds, offshore account/investment need to be recovered and deposited in US treasury .....   | 36 |
| e) Jailing order.....   | 38 |
| 22) Order that i) Individual Infosys promoters Respondents, ii)Rishi Sunak iii) THOMAS GOTTSTEIN Credit Suisse CEO should be jailed until all recovery completed, deposited with US treasury. iv) Permanent protection order for petitioner against Infosys promoters and John does CxOs of UBS/Credit Suisse. .... | 38 |
| XXIII. Conclusion .....   | 40 |

#### IV. TABLE OF AUTHORITIES

##### Cases

|   |       |
|---|-------|
| <i>ANKENBRANDT, as next friend and mother of L. R., et al. v. RICHARDS et al</i> 504 U.S. 689 (1992) .....  | 28    |
| <i>Bankers Life &amp; Casualty Co. v. Holland</i> , 346 US 379 - Supreme Court 1953.....  | 9, 11 |
| <i>Bayron v. Trudeau</i> , 702 F.2d 43, 45 (2d Cir.1983);.  | 26    |
| <i>Bell v. Hood</i> , 327 U. S. 678.....  | 25    |
| <i>Bethel School District No. 403 Et Al. V. Fraser, A Minor, et al .</i> 478 U.S. 675 (1986) .....  | 28    |
| <i>Board Of Education Of The Westside Community Schools (Dist. 66) et al. V. Mergens, By And Through Her Next Friend, Mergens, Et.</i> 496 U.S. 226 (1990), ..... | 28    |
| <i>Bontkowski v. Smith</i> , 305 F. 3d 757 - USCA, 7th Cir. 2002.....   | 7     |
| <i>Bontkowskiv. Smith</i> , 305 F.3d 757, 762 (7th Cir. 2002).....  | 7     |
| <i>Boyer v. CLEARFIELD COUNTY INDU. DEVEL. AUTHORITY</i> , Dist. Court, WD Penn 2021.....   | 7     |
| <i>Cheney v. United States Dist. Court for DC</i> , 542 US 367 - Supreme Court 2004.....  | 11    |
| <i>CJLG v. Barr</i> , 923 F. 3d 622 - Court of Appeals, 9th Circuit 2019 .....  | 30    |
| <i>De Beers Consolidated Minesv. United States</i> , 325 U. S. 212, 217 (1945).....   | 9     |
| <i>De Beers Consolidated Minesv. United States</i> , 325 U. S. 212, 217 (1945). .....   | 11    |
| <i>English v. MISYS INTERNATIONAL BANKING SYSTEMS, INC.</i> , Dist. Court, D. NJ 2005 .....   | 18    |
| <i>Erickson v. Pardus</i> , 551 US 89 – Sup. Ct 2007 .....  | 11    |
| <i>Espinoza v. Farah Mfg. Co.</i> , 414 U.S. 86, 88 (1973).   | 18    |
| <i>Estelle</i> , 429 U.S., at 106, 97 S.Ct. 285 .....   | 11    |

|  |               |
|--|---------------|
| <u>Ex parte Peru</u> , 318 U.S. 578, 585, 63 S.Ct. 793, 87 L.Ed. 1014 (1943) .....   | 9             |
| <u>Fries v. Barnes</u> , 618 F.2d 988, 989 (2d Cir.1980) .....   | 26            |
| <u>Hines v. D'Artois</u> , 531 F. 2d 726, 732, and n. 10 (CA5 1976) .....  | ii, 8, 10, 27 |
| <u>Hobby Lobby Stores, Inc. v. Sebelius</u> , 568 US 1401 - Supreme Court 2012.....  | 1, 11         |
| <u>Hodge v. Police Officers</u> , 802 F. 2d 58 - Court of Appeals, 2nd Circuit 1986.....   | 28            |
| <u>Hohn v. United States</u> , 524 US 236 - Supreme Court 1998.....  | 1             |
| <u>Holt Civic Club v. City of Tuscaloosa</u> , 439 U.S. 60, 65-66, 99 S.Ct. 383, 58 L.Ed.2d 292 (1978) .....   | 7             |
| <u>In re Gault</u> , 387 U.S. 1, 36-37, 87 S.Ct. 1428, 18 *632 L.Ed.2d 527 (1967) .....  | 30            |
| <u>In re Nwanze</u> , 242 F.3d 521, 524 (3d Cir. 2001).ii, 10, 27  |               |
| <u>Jacob WINKELMAN, a minor, by and through his parents and legal guardians, Jeff and Sandee WINKELMAN, et al., v. PARMA CITY SCHOOL DISTRICT</u> , 550 U.S. 516- 127 S.Ct. 1994 (2007).28 |               |
| <u>Lassiter v. Dep't of Social Servs. of Durham Cty.</u> , 452 U.S. 18, 27, 101 S.Ct.2153, 68 L.Ed.2d 640 (1981) .....   | 30            |
| <u>Maclin v. Freake</u> , 650 F. 2d 885 - Court of Appeals, 7th Circuit 1981.....  | 28            |
| <u>Mathews</u> , 424 U.S.....  | 30            |
| <u>McDonald v. Santa Fe Trail Trans. Co.</u> 427 U.S. 273,287, 96 S.Ct. 2574, 49 L.Ed.2d 493 (1976) ....   | 24            |
| <u>Montgomery v. Pinchak</u> , 294 F. 3d 492 - USCA, 3rd Cir. 2002 .....   | 28            |
| <u>Moses H. Cone Memorial Hospital v. Mercury Constr. Corp.</u> , 460 US 1 - Supreme Court 1983 ...i, 8, 10, 27  |               |
| <u>Novak v. World Bank</u> , 20 Fair Empl.Prac.Cas. (BNA) 1166, 1167 (D.D.C.1979) .....  | 18            |

|   |        |
|---|--------|
| <u>Novak v. World Bank, No. 79-0641, 1979 U.S. Dist. LEXIS 11742 (D.D.C. June 13, 1979)</u> ..... | 18     |
| <u>Osei-Afriye v. The Medical College of Pennsylvania, 937 F.2d 876 (3d Cir. 1991)</u> .....      | 27, 30 |
| <u>Pa. Bureau of Correction v. US Marshals Service, 474 US 34 - Sup Ct 1985</u> .....             | 6      |
| <u>re US, 139 S. Ct. 452</u> .....  | 9      |
| <u>Robidoux v. Rosengren, 638 F. 3d 1177 – USCA9 2011</u> .....                                   | 30     |
| <u>Roche v. Evaporated Milk Assn., 319 U. S. 21, 26 (1943)</u> .....                              | 9      |
| <u>Rosado v. Wyman, 397 U. S. 397, 403, n. 3 (1970)</u> ....                                      | 1      |
| <u>Salahuddin v. Cuomo, 861 F. 2d 40 - Court of Appeals, 2nd Circuit 1988</u> .....               | i, 26  |
| <u>Sullivan v. Little Hunting Park, Inc., 396 US 229 - Supreme Court 1969</u> .....               | 19, 39 |
| <u>Tabron v. Grace, 6 F. 3d 147 - Court of Appeals, 3rd Circuit 1993</u> .....                    | 28     |
| <u>Texas &amp; N. O. R. Co. v. Railway Clerks, 281 U. S. 548, 569-570</u> .....                   | 26     |
| <u>Unites States of America v. Infosys. 13cv634 US Dist Ct, ED of Texas</u> .....                 | 6      |

## Statutes

|   |          |
|---|----------|
| 18 U.S.C. § 1956, money laundering law .....                                  | 19       |
| 18 USC § 371 - Conspiracy to commit offense or to defraud United States ..... | 19       |
| 26 U.S. Code § 7201. Attempt to evade or defeat tax .....                     | 19       |
| 26 U.S.C. § 7203 and § 7206(1) .....  | 19       |
| 28 U. S. C. § 1254(1) .....   | 2        |
| 28 U. S. C. § 1651 .....  | 1, 8, 27 |
| 28 U.S.C. § 1654.....   | 27       |
| 28 USC § 1915(e)(2)(B)(ii) .....  | 2        |
| 42 U. S. C. § 1988.....   | 20       |

|   |      |
|---|------|
| 42 U.S.C. § 1981 .....                                    | 2    |
| 42 US Code § 1988.....                                    | 2    |
| 8 CFR 214.2(h).....                                       | 21   |
| 8 U.S.C. § 1182(a)(5)(A).....                             | 21   |
| <u>All Writs Act</u> .....                                | 1, 7 |
| The Americans with Disabilities Act.....                  | 2    |
| The Genetic Information Nondiscrimination Act.....        | 2    |
| The New Jersey Law Against Discrimination<br>(NJLAD)..... | 2    |
| <i>Title VII</i> .....                                    | 2    |

## Rules

|                            |    |
|----------------------------|----|
| Rule 12(b).....            | 7  |
| <i>Rule 12(b)(6)</i> ..... | 7  |
| <u>Rule 17(c)</u> .....    | 30 |
| Rule 54(c) .....           | 7  |
| <i>Rule 8(a)(3)</i> .....  | 7  |
| S.Ct. Rule 20.1 .....      | 9  |
| S.Ct. Rule 20.3 .....      | 9  |

## Constitutional Provisions

|                                 |    |
|---------------------------------|----|
| 14 <sup>th</sup> amendment..... | 30 |
| <i>FIRST AMENDMENT</i> .....    | 28 |

## V. PETITION FOR A WRIT OF CERTIORARI.

Petitioner respectfully prays that a Writ of Certiorari to review the opinion(s)/ judgment(s)/ orders of USCA3's (docket 23-1304 ) and US Dist Court for New Jersey- Newark div (Dist docket 21-20796 (ES) (ESK)) below.

## VI. OPINION(S)/ORDER(S)/JUDGMENT(S) BELOW (FROM DIST COURT AND USCA3)

1. USCA3's Opinion dated Apr 10, 2023 (**App.1**)  
Hon. HARDIMAN, RESTREPO, and BIBAS,  
Circuit Judges
2. USCA3's Order dated Apr 10, 2023 (**App.5**)
3. Dist Court Sua Sponte order dismissal of  
complaint Jan 27 2023. Ecf-9 (**App.6**)  
**Hon. Esther Salas USDJ; Hon. Edward s.  
Kiel USMJ**

## VII. JURISDICTION

In Hohn v. United States, 524 US 236 -  
Supreme Court 1998@ 258 ("Rosado v. Wyman,  
397 U. S. 397, 403, n. 3 (1970) (a Court always has  
jurisdiction to determine its jurisdiction)).

Hohn @264 ("We can issue a common-law  
writ of certiorari under the All Writs Act, 28 U. S.  
C. § 1651.)

Hobby Lobby Stores, Inc. v. Sebelius, 568 US 1401  
- Supreme Court 2012@ 643

*The only source of authority for this Court  
to issue an injunction is the All Writs Act,  
28 U.S.C. § 1651(a) and  
Following a final judgment, they  
[Petitioner] may, if necessary, file a  
petition for a writ of certiorari in this  
Court.*



**On Apr 10 2023, United States Court of Appeals for 3<sup>rd</sup> Cir entered opinion and Order. App.1 to App.5**

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

**VIII. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED.**

*All Writs Act, 28 U.S.C. § 1651(a)*

*Title VII,*

The Americans with Disabilities Act;

(iii) The Genetic Information Nondiscrimination Act;  
and

(iv) The Age Discrimination in Employment Act,  
42 U.S.C. § 1981,  
42 US Code § 1988 - Proceedings in vindication of  
civil rights

The New Jersey Law Against Discrimination  
(NJLAD)

New York State Human rights Law (NYSHRL)

New York City Human rights Law (NYCHRL)

18 U.S.C. § 1956, money laundering law

18 USC § 371 - Conspiracy to commit offense or to  
defraud United States

26 U.S.C § 7201. Attempt to evade or defeat tax

26 U.S.C. § 7203 and § 7206(1)

8 U.S.C. § 1182(a)(5)(A) and 8 CFR 214.2(h) (h1-b  
visa)

Foreign Account Tax Compliance Act ("FATCA")

**Foreign Bank Account Report (FBAR)**

Benami Transaction (Prohibition) Amendment Act of  
2016 (amended)

## IX. STATEMENT OF THE CASE

### a) DIST COURT PROCEEDING AND RULING

On Dec 30 2021, Plaintiff filed employment related complaint against the respondent(s) US Dist Court of New Jersey-Newark div and timely served the complaint to respondent(s).

On Jan 27 2023 Dist Court granted the forma pauperis and dismissed the complaint by *Sua Sponte* when no defendants appeared/ answered App.6

Timely Petitioner filed Notice of Petition for Writ of Mandamus, Prohibition or Alternative and Notice of Appeal.

Plaintiff filed Motion for reconsideration of dismissal of complaint and Petition for Writ of Mandamus, Prohibition or alternative under All Writs Act/ 28 U.S.C. § 1651 which was denied by text order.

### b) USCA3 PROCEEDING AND RULING

On Apr 10 2023, USCA3 entered NOT PRECEDENTIAL opinion (App.1) and ordered (App.5) entered.

USCA3's ruled that

- (i) "we will deny in part and dismiss in part the petition"
- (ii) Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See *In re Nwanze*, 242 F.3d 521, 524 (3d Cir. 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal")  
which is error by *Moses 460 US 1(1983)* Footnote[6]

## X. INFOSYS BUSINESS MODEL

Infosys is specialized in outsourcing the US corporate software development (IT Jobs)/ Back office Process (BPO) to their offshore development center in India.

### a) In India

1. Every year Infosys recruits many thousands college outs in India and give free complete training them for 3 years with salary, bring some of these trained engineers to USA in H1, L1 visas by labor certification perjury crime/fraud, US immigration fraud by perjury violation, US Citizenship discrimination and use these engineers against US based over 40 aged employees who have more experienced, expertise than Indian's Indian engineers. These engineers from India help the US corporate to transfer the IT/BPO jobs to India for outsourcing. This Modus operandi not only discrimination against US based over 40 ages employees/citizens, deny the employment to fresh college out of US citizen.

2. Infosys has offshore development center in India for the IT/BPO development on behalf for their business/IT development partner in United States (US Corporations)

### b) In USA

1. By Offshore development, Infosys and its business partners evade the tax liability against US and its Local Govts including payroll tax and properties tax.

2. Infosys has framework to help/helping and outsource the US corporation's Information technological Job (IT Jobs)/ Back office Business Processing outsourcing (BPO) to India and **for evade the tax liabilities, Immigration fees, Labor certification fees, tax liabilities including**

**payroll tax and false claims against United States and its Local Govts for money laundering purpose , Racketeer (Rico) crimes.** These US corporations are the client/IT development, business partners to Infosys.

3. Infosys does not own any properties in United States. In India, Infosys owes Over 2000 acres OF LAND WITH Office building for the purpose of outsourcing operation.

## **XI. INFOSYS BUSINESS WRONGDOINGS**

1. Infosys does outsource operation in all states of United States and has software development/ software implementation contract with most fortune 500 US corporations.
2. Infosys does cash delivery to the managers who work in the US corporations helped Infosys to outsource for the purpose of tax evasion including payroll tax, money laundering by outsourcing the US software development contracts. These money transaction happening/ happened secretly, silently, untraceably using outsourcing the IT Job/BPO jobs to India.
3. The Individual Respondents were individually also benefited by outsourcing, preferring/favoring foreigners against US citizen in employment because foreigners help the Infosys to outsource where the US citizen should not help the Infosys to outsource.

## **XII. PURPOSE OF OUTSOURCE/ TAX EVASION OF INFOSYS, AND US CORPORATION.**

The purpose of Infosys's outsourcing is to evade the Dept of Labor's Labor certification fee (which is perjury crime), Immigration fee, payroll tax to US and Local Govts, tax liabilities, properties tax to the Local

Govts in US, Secretly, untraceably transfer the money out of US in the name of outsource and pay the money/cash in India to the US corporate manager who agreed/helped the outsourcing.

### **XIII. PINPOINTING, PAST PERJURY WORK VISA VIOLATION OF INFOSYS AND ITS PROMOTERS**

In the past United States filed action against Infosys for perjury visa fraud which was settled outside of the Court. See 4:13cv634 – Unites States of America v. Infosys. 13cv634 US Dist Ct, ED of Texas. Murthy escaped from jail order and become back seat driver, continued in participating perjury crimes of Infosys against USA.

### **XIV. INFOSYS'S PROMOTERS WRONGDOINGS**

Infosys's promoters' respondents were living outside of India and holding Indian passport for the purpose of Tax evasion against USA, India and hosting country(s). e.g Infosys promotor AKSHATA holding Indian passport, living in UK and did not pay tax in UK.

From Infosys' promoters, only Nandan Nilekani become politician of India to tax evasion and not interested in the Infosys.

These infosys promoters who are family members of Infosys founder/ex-CxOs, illegally become obtained share of Infosys, become promoter for tax evasion against USA and India.

### **XV. ALL WRITS ACT, 28 U.S.C. § 1651(A)**

In Pa. Bureau of Correction v. US Marshals Service, 474 US 34 - Sup Ct 1985 @43

*The All Writs Act is a residual source of authority to issue writs that are not otherwise covered by statute.*

**XVI. RELIEFS SHOULD BE GRANTED UNDER RULE 8(A)(3)/RULE 54(C) OR WITHOUT RULE 12(B)'S REQUIREMENT**

In Bontkowski v. Smith, 305 F. 3d 757 - USCA, 7th Cir. 2002@762 "can be interpreted as a request for the imposition of such a trust, a form of equitable relief and thus a cousin to an injunction. Rule 54(c), which provides that a prevailing party may obtain any relief to which he's entitled even if he "has not demanded such relief in [his] pleadings." See Holt Civic Club v. City of Tuscaloosa, 439 U.S. 60, 65-66, 99 S.Ct. 383, 58 L.Ed.2d 292 (1978);

In Boyer v. CLEARFIELD COUNTY INDU. DEVEL. AUTHORITY, Dist. Court, WD Penn 2021

"Thus a prayer for an accounting, like a request for injunctive relief, is not a cause of action or a claim upon which relief can be granted. Rather, it is a request for another form of **equitable relief**, i.e., a "demand for judgment for the relief the pleader seeks" under Rule 8(a)(3) of the Federal Rules of Civil Procedure. D\*\*\*\*As such, it too is not the proper subject of a Rule 12(b)(6) motion. D\*\*\*Global Arena, LLC, 2016 WL 7156396, at \*2; see also Bontkowskiv. Smith, 305 F.3d 757, 762 (7th Cir. 2002).

**XVII. WHY USCA3 WAS NOT ABLE TO GRANT THE APPELLANT'S WRITS/INJUNCTION(S) RELIEFS**

In the Dist Court this petitioner filed i) Notice of appeal and ii) Notice of Petition for Writ of Mandamus, Prohibition or alternative.

USCA3 erroneously ruled that

*Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See In re Nwanze, 242 F.3d 521, 524 (3d Cir. 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal") (citation omitted)*

As per the Moses footnote [6], USCA3 shall not be able to grant the injunctive reliefs along with the appeal.

In Moses H. Cone Memorial Hospital v. Mercury Constr. Corp., 460 US 1 - Supreme Court 1983 @footnote[6].

*More fundamentally, a Court of appeals has no occasion to engage in extraordinary review by mandamus "in aid of [its] jurisdiction[n]," 28 U. S. C. § 1651, when it can exercise the same review by a contemporaneous ordinary appeal. See, e. g., Hines v. D'Artois, 531 F. 2d 726, 732, and n. 10 (CA5 1976).*

# **XVIII. USSC'S WRIT AGAINST LOWER COURT(S)**

*Bankers Life & Casualty Co. v. Holland*, 346 US 379 - Supreme Court 1953@383

*As was pointed out in Roche v. Evaporated Milk Assn., 319 U. S. 21, 26 (1943), the "traditional use of the writ in aid of appellate jurisdiction both at common law and in the federal Courts has been to confine an inferior Court to a lawful exercise of its prescribed jurisdiction or to compel it to exercise its authority when it is its duty to do so."*

*Bankers @383 there is clear abuse of discretion or "usurpation of judicial power" of the sort held to justify the writ in De Beers Consolidated Minesv. United States, 325 U. S. 212, 217 (1945).*

# **XIX. USSC'S RULE 20.1 AND RULE 20.3.**

In *re US*, 139 S. Ct. 452 - Supreme Court 2018 @ 453

S.Ct. Rule 20.1 (Petitioners seeking extraordinary writ must show "that adequate relief cannot be obtained in any other form or **from any other Court**" (emphasis added));

S.Ct. Rule 20.3 (mandamus petition must "set out with particularity **why the relief sought is not available** in any other Court"); see also *Ex parte Peru*, 318 U.S. 578, 585, 63 S.Ct. 793, 87 L.Ed. 1014 (1943) (mandamus petition "ordinarily must be made to the intermediate appellate Court").



USCA3 denied petitioners' petition and ruled that

*Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See In re Nwanze, 242 F.3d 521, 524 (3d Cir. 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal")*

The above USCA3's ruling is error when USSC ruled that Moses 460 US 1 - Supreme Court 1983 @footnote[6].

*More fundamentally, a Court of appeals has no occasion to engage in extraordinary review by mandamus "in aid of [its] jurisdiction[n]," 28 U. S. C. § 1651, when it can exercise the same review by a contemporaneous ordinary appeal. See, e. g., Hines v. D'Artois, 531 F. 2d 726, 732, and n. 10 (CA5 1976)*

Also the above Substitute the Test-1 of 3 tests requirement of grating the Writs in the US Supreme Court.

**XX. THREE TEST CONDITIONS FOR GRANT THE WRITS (OF MANDAMUS, PROHIBITION OR ANY ALTERNATIVE)**

Test-1: No other adequate means [exist] to attain the relief [the party] desires

Or it (injunction) is necessary or appropriate in aid of our jurisdiction (28 USC§ 1651(a))

Or "the party seeking issuance of the writ must have no other adequate means to attain the relief [it] desires";

**Test-2:** the party's `right to [relief] issuance of the writ is clear and indisputable

Or Bankers Life & Casualty Co. v. Holland, 346 US 379 – Sup.Ct 1953

*clear abuse of discretion or "usurpation of judicial power" of the sort held to justify the writ in De Beers Consolidated Minesv. United States, 325 U. S. 212, 217 (1945).*

Or Hobby Lobby Stores, Inc. v. Sebelius, 568 US 1401 – Sup.Ct 2012

*whatever the ultimate merits of the applicants' claims, their entitlement to relief is not "indisputably clear"*

Or the Petitioner must demonstrate that the "right to issuance of the writ is clear and indisputable." Cheney, 542 U.S. at 380-81, 124 S.Ct. 2576

Or Cheney v. United States Dist. Court for DC, 542 US 367-Sup.Ct 2004

*Defendant owes him a clear nondiscretionary duty*

**Test-3:** a question of first impression is raised.

Or

*"the issuing Court, must be satisfied that the writ is appropriate under the circumstances"*

## XXI. PRO SE PLEADING STANDARDS

Erickson v. Pardus, 551 US 89 – Sup. Ct. 2007  
@ 2200

A **document** filed pro se is "to be liberally construed," Estelle, 429 U.S., at 106, 97 S.Ct. 285, and "a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.


**XXII. REASONS FOR GRANTING THE WRIT(S)**  
**a) WRITS AGAINST SWITZERLAND ("SWISS")**

**1) Order that Swiss should not interrupt the US Judicial process when a matter is subjudiced.**

Test-2: when this case was subjudiced in the lower federal courts, when the petitioner/plaintiff prayed relief that Deposit all stock/share of Credit Suisse (in the stock market) to US treasury, [See.ECF-1, Compl@64], to prevent this recovery thru US Judicial Process, Swiss Govt did a **false shotgun marriage** between Union Bank of Switzerland ("UBS") and Credit Suisse **See. Appendix-F, App.19.** took away the US recovery from Credit Suisse.

Test-3: This false shotgun marriage is not the 1<sup>st</sup> time Swiss Govt interfere in the Swiss' Banks Tax fraud against US.

In Apr 2010, Swiss Finance minister lettered, interfered the US Authorities/DOJ who investigate the 52000 American rich hide billions of dollars of untaxed assets in secret Swiss accounts between 2000 and 2007. See [Also exhibited in Appendix-L] App.42

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|---|---|
|  | <a href="https://www.reuters.com/article/us-banks-ubs/special-report-how-the-u-s-cracked-open-secret-vaults-at-ubs-idUSTRE6380UA20100409">https://www.reuters.com/article/us-banks-ubs/special-report-how-the-u-s-cracked-open-secret-vaults-at-ubs-idUSTRE6380UA20100409</a> |
|---|---|

When Credit Susie violated 2014 plea agreement with the U.S. Department of Justice (DOJ) for enabling tax evasion by thousands of wealthy U.S.

individuals, See Appendix-I, App.26, [ **Senate Finance Committee Chairman Ron Wyden investigation**] US entitled to recover the loss from Credit Suisse, Swiss govt interfered by shotgun marriage (repeated).

Swiss Banks' and its tax fraud activity is equal to economy in Swiss 40 times Switzerland's economic output see. Appendix-K, App.36, which encourage the Swiss Govt to politically, repeatedly interfere against US.

See. **Appendix-I, App.27,33** (Wyden Investigation Finds)

*Credit Suisse got a discount on the penalty it faced in 2014 for enabling tax evasion because bank executives swore up and down they'd get out of the business of defrauding the United States*

*This investigation shows Credit Suisse did not make good on that promise, and the bank's pending acquisition **does not wipe the slate clean.***

*The committee found that Credit Suisse violated key terms of its plea agreement [2014] with the Department of Justice.*

To protect judicial integrity in US, and best interest of the Nation, petitioner prays this Court for Order that Swiss govt should not interfere the matter under Sub Judice in USA.

**2) Order that Swiss Govt should deposit \$30 billion to US treasury.**

Test-2: At the time of false shotgun marriage between UBS and Credit Suisse, Credit Suisse operating the business was operating without any loss, had 15 billion dollars cash flow. US entitled to recover this 15 billion dollar as its loss/part of loss.

Test-3: To prevent the US to recover 15 billion cash flow of Credit Suisse as the loss/part of loss of US, Swiss Govt interfered by false Short gun marriage. For the reasons of Swiss Govt [repeated] interference against US and loss of US, also when the matter is under Sub Judice, petitioner prays this court order the Swiss govt should deposit 30 billion dollar to US treasury. Additional point/note to this court that Swiss Govt and Swiss Bank kept on doing the criminal wrongdoing against US repeatedly.

**3) Order that Swiss based banks should not do Wealth/Asset Management Business in USA.**

Test-2: Swiss based Bank (including UBS, Credit Suisse) are doing Wealth/Asset Management Business in USA, their business wrongdoings against US is continuing.

Test-3: Swiss based Banks continues in the business of tax fraud against US, violated the US based tax laws and plea agreements, Swiss govt Continues to interfere DOJ/US, interfere Sub Judice matter.

Along with the UBS, Credit Suisse doing business in USA,

*Several additional Swiss banks may be currently holding large secret offshore accounts for U.S. persons. Credit Suisse indicated to the committee that from November 2012 to February 2013, a U.S.-Latin American family transferred tens of millions of dollars out of Credit Suisse to a group of unidentified banks in Switzerland. Confidential sources informed the committee these funds were sent to Union Bancaire Privée, UBP SA (UBP) and PKB Privatbank AG (PKB) in Switzerland. Both have existing non-prosecution agreements with DOJ resulting from previous investigations of their involvement in tax*

*evasion cases. The failure to identify and report any accounts held by the family may constitute a violation of those non-prosecution agreements. In the case of UBP, this would represent the **third violation** of its non-prosecution agreement.*

See. App.26. Appendix-I (Senator Wyden report)

In See. App.38. Appendix-K, (Credit Suisse takeover hits heart of Swiss banking, identity)

*Now, many conservatives are reviving their calls for Switzerland to turn inward.*

*Christoph Blocher, a former government minister and power broker of the right-wing Swiss People's Party, blasted the Credit Suisse-UBS deal as "very, very dangerous, not just for Switzerland or the United States, but the entire world."*

*"This has to stop," he told French-language public broadcaster RTS. "Swiss banks must remain Swiss and keep their operations in Switzerland."*

For the stated reasons, petitioner prays this court for order that Swiss based banks should not do Wealth/Asset management business in USA.

#### b) WRITS AGAINST UBS

#### 4) Motion to add UBS as Defendant/ respondent

Test-2: By the Swiss Govt's **false shotgun marriage**, UBS acquired/absorbed the Credit Suisse.

Test-3: In this employment dispute case, Credit Suisse is employer to the petitioner/plaintiff. After UBS absorbed/acquired Credit Suisse, UBS become employer in this case (Integrated employer).

This prayer was denied in the lower courts, so petitioner prays this court to add UBS as defendant/Respondent employer and charge the claims/reliefs/prayers against UBS.

**5) Order that UBS should deposit money worth of Credit Suisse stock value to US treasury.**

Test-2: the petitioner/plaintiff prayed relief that Deposit all stock/share of Credit Suisse (in the stock market) to US treasury, [See.ECF-1, Compl@64], to prevent this recovery thru US Judicial Process, Swiss Govt did a **false shotgun marriage** between Union Bank of Switzerland ("UBS") and Credit Suisse **See. Appendix-F, App.19**, took away the US recovery from Credit Suisse.

Test-3: By UBS acquired Credit Suisse by **false shotgun marriage**, (as integrated employer to petitioner), UBS become parental/integrated entity should be responsible to US's loss(es).

In this Brief, UBS the parents/merged/integrated entity of Credit Suisse should be replace in the place of Credit Suisse. The shotgun marriage merged the UBS and Credit Suisse by \$0.82/share for \$3.2 billion which brings Total number of shares is 3,902,439,024. When this original complaint filed on Aug 20 2021, during the trail time, sometime per share price was at \$13.89. Credit Suisse manipulated the share value to \$2.66 because US should recover the loss from this stocks.

As said above, UBS is responsible this loss to US, as Parental/integrated entity to Credit Suisse, UBS should deposit the following money to US treasury.

Total Shares 3,902,439,024 x \$13.89 =

\$54,204,878,043.4

For the least argument, by the shotgun marriage day's value \$2.66

Total Shares 3,902,439,024 x \$2.66=  
\$10,380,487,803.8

Additionally penalty/fine due to repeated criminal violation UBS should deposit additional \$10 billion dollars.

Petitioner prays this court, with its best judgement, UBS should be ordered to deposit \$54,204,878,043 or \$20,380,487,803.043 to US treasury.

See **Appendix-I, App.27,33** (Wyden Investigation Finds)

*This investigation shows Credit Suisse did not make good on that promise, and the bank's pending acquisition does not wipe the slate clean.*

**6) UBS should not involve Money laundering/any financial crime against USA.**

**Test-2 and 3.** UBS's Wealth/Asset management business knowingly, intentionally involved in the (Criminal) Tax evasion business so petitioner is entitled to pray this relief with this Court. See. **App.42. Appendix-L. [Special Report: How the U.S. cracked open secret vaults at UBS]**

**c) AGAINST INFOSYS/CREDIT SUISSE/UBS**

**7) Writ against Infosys/UBS and it's or affiliates, that they should not discriminate the US citizenship and in-favoring of foreign national(s) against US Citizen in employment or in application for employment**

**Test-2:** Because of US Citizen should not help Infosys/UBS(Credit Suisse) to outsource the US corporate jobs, and foreign national employees should help Infosys to outsource, Infosys/ UBS framed the business model to refuse employment/ discriminate the US citizen in employment.



Foreigner employees, for their Job security, every effort to help Infosys/UBS/Credit Suisse to outsource US IT/BPO Jobs the US corporate IT/BPO Jobs, Infosys/UBS employed, favored foreigner over US citizen.

**Test-3:** Favoring foreigner against US Citizen in employment is discrimination.

In *Novak v. World Bank*, No. 79-0641, 1979 U.S. Dist. LEXIS 11742 (D.D.C. June 13, 1979), the plaintiff argued that defendant had a policy of discriminating against United States citizens in violation of Title VII's prohibition against national origin discrimination. The Court held that such a claim — i.e., discrimination against U.S. citizens — alleges discrimination based only on citizenship and thus was barred by the holding in *Espinoza*<sup>1</sup>. Id. at \*3. (Cited in *English v. MISYS INTERNATIONAL BANKING SYSTEMS, INC.*, Dist. Court, D.NJ 2005)

In *Novak v. World Bank*, 20 Fair Empl.Prac.Cas. (BNA) 1166, 1167 (D.D.C.1979), *Discrimination against a United States citizen in favor of an alien has been labeled reverse Espinoza*

By-product of discriminating the US Citizen, Outsourcing cause the tax evasion to the United States and local Govts, knowledge drain to Nation's STEM knowledge sector.

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<sup>1</sup> *Espinoza v. Farah Mfg. Co.*, 414 U.S. 86, 88 (1973).

8) **Order that (i) Infosys/UBS should not outsource US Corporate Jobs (ii) Infosys should insource all the US Corporate IT/BPO project back to United States within 6 months of this Court order**

**(iii) Infosys should not involve in Tax evasion and Money Laundering against United States and its Local govt(s)**

**Test-2:** By outsourcing US [Corporate] IT/BPO jobs, Infosys does/did tax evasion, Money laundering, evaded tax liabilities, against US and its local govts.

**Test-3:** The foreigner employee(s) to do the US Corporate Jobs, the potential employer need to get approved Labor Certification from Dept of Labor that No US Citizen is available to take that jobs. See 8 U.S.C. § 1182(a)(5)(A) and 8 CFR 214.2(h) (h1-b visa).

When the US corporate Jobs are outsourced, Infosys involves Tax evasion including Payroll tax against United States and its Local govts and violates 26 U.S. Code § 7201. Attempt to evade or defeat tax, 26 U.S.C. § 7203 and § 7206(1)

The business model of the Infosys that it encourage the US Corporate manages to Outsource so US corporate can evade taxes, these tax evaded money is paid to US corporate managers in India which is silently, secretly, untraceably happened/ happening. These Infosys / US Corporation's activities where violation in 18 USC § 371 - Conspiracy to commit offense or to defraud United States, 18 U.S.C. § 1956, money laundering law.

*In Sullivan v. Little Hunting Park, Inc., 396 US 229 - Supreme Court 1969 @ 239-240*

Compensatory damages for deprivation of a federal right are governed by federal standards, as

provided by Congress in 42 U. S. C. § 1988, which states:

*"The jurisdiction in civil . . . matters conferred on the district Courts by the provisions of this chapter and **Title 18**, for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect*

For the above reasons, petitioner prays this court for his above prayers to be granted.

**9) Order that i)Infosys/UBS/Credit Suisse should not access to H1, L1 work permit visa from Dept of Labor/ United States Citizenship and Immigration Services ("USCIS") ii) Invalidate all the H1, L1 visas obtained by Infosys/UBS/Credit Suisse**

**Test-2:** Infosys get H1, L1 work visa for the purpose of employ few foreign employees in US Corporate office as temp contract employees and these foreign employees help the US Corporation and Infosys to outsource the IT Jobs to India. These foreign employees play every tricks against US citizen employees including abuse of at-will termination outsourcing purpose.

**Test-3:** Infosys has over 350,000 employees globally. In India, Every year Infosys recruit many thousand college out, few year train them (paid training). Infosys has over 20,000 employees in the US which is its top client and revenue market. most of the Infosys' US employees were foreigner working in Sales/Marketing/office Administrative position to outsource the US Corp Jobs. As previously stated,

these temp work visa holders used/abused by Infosys/US Corporations to outsource US corporate job and consequently caused/for tax evasion and money laundering, US citizen discrimination and favor the foreigner against US citizen discrimination in employment.

This order should compel the Infosys to hire US citizens, Infosys will not discriminate the US Citizen, favor the foreigner against US Citizen in employment, prevent the tax evasion.

**10) Order that Infosys/UBS/Credit Suisse should deposit to US treasury the 3 times of Money Infosys took out of United States by Outsourcing and lock/jail the Infosys's promoters/CxOs, Credit Suisse CxOs until all the money recovered and deposit to US treasury**

**Test-2:** Infosys outsourced the US corporate jobs without US Dept of Labor certification<sup>2</sup> that when US citizen were available and able to take the Jobs and evade the USCIS fees, Payroll tax against US and local govts i.e Infosys illegally outsourced.

**Test-3:** Any wrongdoing with Dept of Labor certification is perjury crime. 8 U.S.C. § 1182(a)(5)(A) and 8 CFR 214.2(h) (h1-b visa)

By Illegal outsourcing, without Dept of Labor's Certification, Infosys did Tax evasion including payroll tax, money laundering, corrupt corporate business practices.

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<sup>2</sup> Foreigner to do the US based Job, [Potential employer to foreign employee(s), need to get Labor Certification from Dept of Labor that no US citizen is available to take the job so the potential employer need to hire foreigner. In outsourcing, Infosys/UBS did not get Labor certification, simply outsourced and evaded the tax including payroll tax.

Infosys CxOs and Ex-CEOs, Ex-CxOs should be lock until these 3 times outsourced money deposited to US Treasury. These Top officials, Infosys promoters were personally economically benefitted/gained.

So petitioner prays this Court to order that Infosys/UBS/Credit Suisse should deposit 3 times of money to US treasury, the money Infosys/UBS/Credit Suisse took out of US thru outsourcing and lock these Credit Suisse's CxOs, Infosys's CxOs, ex-CxOs, Infosys promoters until all money recovered and deposited to US Treasury. These perjury wrong doings were done knowingly, intentionally by these top officials, Infosys promoters. This Court should order these CxOs, promoters passport should be surrendered with DOJ.

**11) Left Blank**

**12) Order that Each Infosys/UBS [Credit Suisse] should pay the petitioner \$15 million dollars for [r]easonable money for time and effort of the [P]laintiff, pain and suffering and all expenses and costs of this action.**

Test-2: When Petitioner tried to get attorney to representation to file the case, the attorney told that employment cases were complicated and requested the petitioner for down payment which was not affordable to the petitioner when the petitioner is unemployed, disabled status, and pauperis.

**Test-3:** Without help of attorney, and attorney is unavailable to the petitioner, with petitioner spine injury, back pain, diabetic disability which eyes were blurring, petitioner drafted the complaint and this petition. For Petitioners multiple request, Lower Courts failed/denied to appoint attorney to the petitioners so petitioner proceeded this case pro se status.

So this Court should order the each Infosys/UBS to pay \$15 million the petitioner for the petitioner time, effort, pain and suffering for the petitioner(s) went thru in this proceeding.

**13) Order that each Infosys/UBS/Credit Suisse should pay the petitioner for failure to hire, Title VII, Age Discrimination , Disability status/ GINA, US citizenship discrimination, favoring foreigner against US Citizen, and Section 1981/ 1988 claims**

**Test-2:** undisputed facts were that Plaintiff applied employment with Infosys/Credit Suisse (UBS) and Infosys/Credit Suisse (UBS) scheduled, conducted the Job interview, petitioner went thru multiple level of interview and denied employment to the plaintiff/Petitioner because of Plaintiff is 49 years old US Citizen, disabled status, GINA status, Hindu black colored and Infosys/UBS wanted to employees' age at 30.

Still today Petitioner is unemployed due to Infosys/UBS discriminative wrongdoings such as US Citizenship discrimination, favoring foreigner against US Citizen, 42 U.S.C. § 1981/1988, Disability status, GINA status, Age discrimination.

**Test-3: Section 1981 protects U.S. Citizens by the reasoning of the Supreme Court in *McDonald v. Santa Fe Trail Trans. Co.* 427 U.S. 273,287, 96 S.Ct. 2574, 49 L.Ed.2d 493 (1976).**

- 1) i) US citizenship discrimination and ii) Favoring foreigner against US citizen and iii) failure to hire claim**

*See ECF-1, Compl@359) Because of Plaintiff is US citizen and defendant wanted to favor the foreigner against the US citizen in employment, defendant refused to hire the US citizen plaintiff and discriminated his US citizenship*

- 2) Race color and National origin discrimination**

*See ECF-1, Compl@322)*

*Because of Shawn yelling that the plaintiff black indian and because of Shawn is white race and he yelled "You black Indian go back to India, if you call again for job, I should kill you*

- 3) Discriminating Genetic status and Disability status**

*ECF-1, Compl@149*

*Requested remove one foreigner from project and give me that job so I will be able to buy medicine life threatening illness*

*Compl@133, 310 ,*

*Daniel asking medical, disability related question in the interview and refused hire.*

- 4) Age discrimination and Failure to accommodate 49 year old Age in respondent's team**

*See ECF-1, Compl@306*

*Because of Plaintiff is 49 is old and because other team members are on or around 30 years old who are willing to work 60 hrs a week, Infosys, credit Susie, [nlb] refused to hire the plaintiff because of his age 49*

**5) Fake interview/bait and switch**

*See ECF-1 Compl@315 to 319, 322*

*Defendant conducted the fake interview to falsely proof the US Authorities that no US citizen is available to take their job*

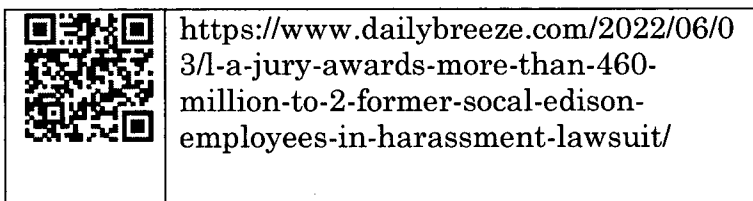
*Outsource the jobs.*

**6) Contempt of Court**

*See ECF-1, Compl@ 337-42*

*Shawn refused remove a work visa employee and give that job to me so I can pay obligated family support*

*Based on Southern California Edison verdict,*



this Court should order the Infosys/UBS to pay the petitioner as per the **Appendix-M. App.58**

In Sullivan @ 239-240

*We had a like problem in Bell v. Hood, 327 U. S. 678, where suit was brought against federal officers for alleged \*239 violations of the Fourth and Fifth Amendments. The federal statute did not in terms at least provide any remedy. We said: 239*

*"[W]here federally protected rights have been invaded, it has been the rule from the beginning*



*that Courts will be alert to adjust their remedies so as to grant the necessary relief. And it is also well settled that where legal rights have been invaded, and a federal statute provides for a general right to sue for such invasion, federal Courts may use any available remedy to make good the wrong done." Id., at 684."*

The existence of a statutory right implies the existence of all necessary and appropriate remedies. See Texas & N. O. R. Co. v. Railway Clerks, 281 U. S. 548, 569-570.

Infosys/UBS/Credit Suisse were integrated employer and did the wrongdoings combined, and they knew each other wrongdoing against the petitioner.

#### a) AGAINST LOWER COURTS

#### 14) **Order to vacate the sua sponte order of dismissal the complaint and remand the case to lower court for further proceeding.**

**Test-2.** Dist Court dismissed the complaint by Sua Sponte nature before the defendants /respondents appear/ answer. **App.6.**

**Test-3:** *In Salahuddin v. Cuomo*, 861 F. 2d 40 - Court of Appeals, 2nd Circuit 1988 @43, when the Dist Court dismissed the complaint by sua sponte, USCA2 vacated the dismissal

*"this Court [USCA 2nd Cir] has repeatedly cautioned against Sua Sponte dismissals of pro se civil rights complaints prior to requiring the defendants to answer. See, e.g., Bayron v. Trudeau, 702 F.2d 43, 45 (2d Cir.1983); Fries v. Barnes, 618 F.2d 988, 989 (2d Cir.1980) (citing cases)."*

Also petitioner pray this Court to vacate the USCA3's order deny in part/dismiss in part the petition for Writ as well. App.5. because

In Moses H. Cone Memorial Hospital v. Mercury Constr. Corp., 460 US 1 - Supreme Court 1983 @footnote[6] ruled that

*More fundamentally, a Court of appeals has no occasion to engage in extraordinary review by mandamus "in aid of [its] jurisdiction[n]," 28 U. S. C. § 1651, when it can exercise the same review by a contemporaneous ordinary appeal. See, e. g., Hines v. D'Artois, 531 F. 2d 726, 732, and n. 10 (CA5 1976).*

Following USCA3's ruling is error

*Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See In re Nwanze, 242 F.3d 521, 524 (3d Cir. 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal") (citation omitted).*

Petitioner prays this Court to remand the case back to US Dist Court for further proceeding.

#### **15) Order to appoint guardian ad litem or alternatively pro bono attorney**

Test-2. Petitioners requested the Lower Courts to appoint guardian ad litem and/or probono attorney USCA Dkt#4 which was denied.

Appoint father Petitioner as guardian ad litem as well denied based on 28 USC§ 1654; Osei-Afriye v. The Medical College of Penn..vania, 937 F.2d 876(3d Cir. 1991)

Test-3. In *Montgomery v. Pinchak*, 294 F. 3d 492 - USCA, 3rd Cir. 2002 @ 502 ("Montgomery was not a sophisticated "jailhouse lawyer"). *Tabron v. Grace*, 6 F. 3d 147 - Court of Appeals, 3rd Circuit 1993 @ 156-157 (The plaintiff's ability to present his or her case is, of course, a significant factor that must be considered in determining whether to appoint counsel. See *Hodge*, 802 F.2d at 61; *Maclin*, 650 F.2d at 888).

In this case, Petitioner is homeless, live here and there, cars, an towed away. Suffering from spine injury.

In *Bethel School District No. 403 et al. v. Fraser, A Minor, et al.* . 478 U.S. 675 (1986) (minor is party and his father was appointed as Guardian ad litem. See @ FRASER 680. The father brought the action in the Dist Court for FIRST AMENDMENT constitutional violation. In *Board Of Education Of The Westside Community Schools (Dist. 66) et al. V. Mergens, By And Through Her Next Friend, Mergens, Et.* 496 U.S. 226 (1990), @233 ( Respondents, by and through their parents as next friends, then brought this suit in the United States District Court for the District of Nebraska for Constitutional violation. In *ANKENBRANDT, as next friend and mother of L. R., et al. v. RICHARDS et al* 504 U.S. 689 (1992) (mother is party and claimed as next friend to her minor daughter for tort claim.

In *Jacob WINKELMAN, a minor, by and through his parents and legal guardians, Jeff and Sandee WINKELMAN, et al., v. PARMA CITY SCHOOL DISTRICT*, 550 U.S. 516- 127 S.Ct. 1994 (2007),

In *Winkelman*, Parents on their own behalf and on behalf of Jacob, filed a complaint in the United States District Court for the Northern Dist of Ohio, later their appeal, without the aid of an attorney,

When the USSC examined *"The question is whether parents, either on their own behalf or as representatives of the child, may proceed in Court unrepresented by counsel though they are not trained or licensed as attorneys"*

And USSC ruled that (Winkelman @2007)

*"The Court of Appeals erred when it dismissed the Winkelmans' appeal for lack of counsel.*

*It is beyond dispute that the relationship between a parent and child is sufficient to support a legally cognizable interest [in the education of one's child];*

***In this case, Children childsupport rights is under 14<sup>th</sup> amendment, Children Educational rights.***

Winkelman @2008

*"party aggrieved" means "[a] party entitled to a remedy; esp., a party whose personal, pecuniary, or property rights have been adversely affected by another person's actions or by a Court's decree or judgment" ante, at 2003-2004.*

*"rights and remedies are parents properly viewed as "parties aggrieved," capable of filing their own cases in federal Court. They [Parents] are "parties aggrieved" when those rights are infringed, and may accordingly proceed pro se when seeking to vindicate them"*

Winkelman @2011

*"They will have the same remedy as all parents who sue to vindicate their children's rights: the power to bring suit. I agree with the Court that they may proceed pro se with respect to the first two claims"*

***In this case, Appellant Karupaiyan not only guardians of their children's rights,***

**Appellant Karupaiyan himself real party/plaintiff for his claims** which is unlike Osei-Afriye, USCA3's ruling against this case Appellant father.

In this case Prose father parental rights under 14<sup>th</sup> amendment, Washington v. Glucksberg, 521 U.S. 702 (1997), Troxel v. Granville, 530 U.S. 57 (U.S. 2000).

*Children has right on the Reverse of Parental rights*, 14<sup>th</sup> amendment **Equal Protection Clause**.

1) Rule 17(c) Robidoux v. Rosengren, 638 F. 3d 1177 – USCA9 2011 @ 1182

*“District Courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors. Rule 17(c) provides, in relevant part, that a district Court “must appoint a guardian ad litem or issue another appropriate order”.*

2) In CJLG v. Barr, 923 F. 3d 622 - Court of Appeals, 9<sup>th</sup> Circuit 2019, @632 “children have due process rights to appointed counsel. See, e.g., In re Gault, 387 U.S. 1, 36-37, 87 S.Ct. 1428, 18 \*632 L.Ed.2d 527 (1967)”

In CJLG @ 633-639

*“When determining whether there is a right to counsel in civil proceedings, like here, the Court must “set [the] net weight” of those three factors “against the presumption that there is a right to appointed counsel only where the indigent, if he is unsuccessful, may lose his personal freedom.” Lassiter v. Dep't of Social Servs. of Durham Cty., 452 U.S. 18, 27, 101 S.Ct. 2153, 68 L.Ed.2d 640 (1981). The Lassiter presumption is rebuttable. *Id.* at 31, 101 S.Ct. 2153”. Mathews, 424 U.S. at 348, 96 S.Ct. 893. The government*

*also has an interest in fair proceedings and correct decisions.*

*In CJLG @ 639,*

*“Providing counsel would be costly to the government, but the government already chooses to undertake similar costs here. It would also lead to fairer, more accurate decisions—decisions that a broader public might view as more legitimate”.*

Children fundamental needs and child supports order are under 14<sup>th</sup> amendment. Petitioners only source of income to pay child support is employment which was denied by respondents' employers.

For reasons above, petitioners pray this Court for above prayers to be granted.

#### b) RELIEF FOR CHILDREN

**16) Order that each Infosys, UBS should pay \$20 million dollar to the each Minor Petitioners PP and RP (“Minor Petitioners”).**

**Test-2:** Valid Children Support Court orders to support the need of Minor Petitioners and the Petitioner Karupaiyan need to pay the child support thru the income from software engineer job. Till today the Child support orders were active. Till today, the father petitioner is unemployed.

**Test-3:** Only source of Income to the Petitioner Karupaiyan is working as IT/Software engineer which was denied by Infosys/UBS for the purpose of outsourcing, discriminating US citizenship, favoring the foreigner against US citizen in employment. Since Infosys/UBS denied the employment, Karupaiyan was not able to pay the child support. When the petitioner requested the Infosys to remove the foreign from Job and give that job which was denied and

dishonored the family court order which is contempt of Court.

Children/Minor Petitioners rights were under 14<sup>th</sup> amendment constitutional rights which was violated by Infosys/UBS/Credit Suisse by denial of employment to US Citizen petitioner Karupaiyan.

Sullivan @ 239

*"[W]here federally protected rights have been invaded, it has been the rule from the beginning that Courts will be alert to adjust their remedies so as to grant the necessary relief. And it is also well settled that where legal rights have been invaded, and a federal statute provides for a general right to sue for such invasion, federal Courts may use any available remedy to make good the wrong done." Id., at 684."*

See: **App.22**. Infosys-Vanguard deal which moved 1300 IT jobs out of USA to provide 3000 to 6000 Jobs in India. Many hundred thousand family and children need were moved out to India in the name of Illegal outsource.

For the above arguments, petitioners pray this court for order that each Infosys/UBS (Credit Suisse) should pay \$20 million dollars to each the Minor Petitioners PP and RP

#### c) AGAINST PROMOTERS OF INFOSYS

**17) Writ against the Infosys Promoters that globally recover all moving/non-moving properties/ assets, investments, bank accounts of Infosys promoters into US Treasury.**

Test-2: The Infosys respondents illegally outsourced the US corporate Jobs without Dept of Labor certification that No US citizen is available to take

the Job and evaded payroll tax. By outsourcing, Infosys discriminated the US citizenship, favored the foreigner against US citizen.

Test-3: Infosys promoters were ex-CEO of Infosys who operated the business by criminal wrongdoings against US. These ex-CEOs moved the Infosys share to their family members, in-law's family members to evade the tax(es) against US and India. All the Infosys promoters living outside of India for tax evasion excluding Nilekani who become politician for the purpose of tax evasion. Narayana Murthy's family living and invested in UK, offshore tax heavens using this tax evaded money Rishi Sunak become Prime Minister of UK. Every promoters did/does similar investment outside of India and US for tax evasion.

For the these criminal wrongdoings including tax evasion, payroll tax evasion against US, these Infosys promoters were responsible for 3 times of money Infosys took out of US by outsourcing.

Infosys, its promoters and its ex-CEO/CEOs knowingly, intentionally did these wrongs. Especially in 13-cv-00634 United States of America vs Infosys Limited, Infosys settled the case outside of court for Visa fraud, they knew all their wrongdoings and they continuously did these wrongdoings.

Petitioner prays this court order to globally recover the Infosys Promoter respondents' all moving/non-moving properties/ assets, investments, bank accounts and deposit with US treasury. With this order, petitioner should take every effort to recover and deposit with US treasury.



**18) Individual defendants should file Income tax and Wealth Tax with US since the first travel or past 20 years they traveled to USA.**

Test-2 and Test-3: Individual defendants /respondents should file personal tax, wealth tax for past 20 years to USA and its local govts.

For the money/revenue generated in US, the Infosys promoter should file income tax/wealth tax. e.g Infosys promotor AKSHATA holding Indian passport, living in UK and did not pay tax in UK, or USA. or India.

**19) Transfer the ownership of Infosys USA and its Affiliate's operations and Infosys India and its Affiliate's operations to Petitioner Karupaiyan**

Test-2: Infosys business model is to outsource the US Corporate's IT/BPO jobs to India or outside of US for the purpose of i) tax evasion, including Payroll tax, against US and its Local govts and pay the tax evaded money to US corporate managers in India ii) Discriminating US citizen and favoring foreigner against US citizen because foreigner employees should every effort to outsource the project to India when US citizen refused to help Infosys to outsource.

Test-3: Now the Infosys's business model is setup to continue to tax evade against US and its local govts, discriminate US citizen, favor the foreigners against US citizen in employment.

In 4:13-cv-00634 United States of America vs Infosys Limited, Infosys settled the case outside of court and continuously doing crimes (tax evade, Perjury crime against Dept of labor, US Citizenship and Migration services) against United States and its

local govts, discriminating the US citizen in employment.

To escape from the crime and perjury crime (such outsourcing, money laundering, tax evasion, perjury crime against Dept of Labor, USCIS) against US the Infosys Executing officers including CxO were not living or having office in USA and continuously doing such crimes against United States. US citizenship discrimination and favoring foreigner against US Citizen in employment wrong doing also continuously, repeated done by Infosys. Also Infosys promoters hold Indian passport, did tax fraud, tax evasion against India and host countries. Only Nandan Nilekani promoter/Ex-CEO of Infosys become politician in India for the purpose of tax evasion and no more interest in Infosys.

To further prevent the Infosys do crime, tax evasion against US and local govts, US agencies, petitioner pray this court to transfer the Ownership of Infosys USA and its affiliate and Ownership of Infosys India and its affiliate to Petitioner Palani Karupaiyan so the petitioner should run the Infosys in USA and India non-profitable way, petitioner should pay the all tax evaded due to USA and India.

**20) Order that Deposit all the Infosys's Stock ("INFY") to US treasury.**

Test-2: Over 20 years, for purpose of Tax (including payroll) evasion by Infosys against US and local govts, perjury crimes against Dept of Labor, USCIS, Infosys ran the business and profited. Some year the profit margin were 28% percent when the US banks give saving a/c interest 1% or less.

Test-3: Over 20 years, the amount of Outsourced, Tax evaded by Infosys against US and local govts is more

than the Infosys stock (INFY, stock symbol) capital value \$64.4 billion which listed in US stock exchange NYSE as Infosys Ltd ADR.

To be is easiest and quiets recovery, petitioner pray this court for an order to transfer all the Infosys's Stock Value to US Treasury. As soon as this court grant on this matter, nobody should sell or buy the Infosys stock which need to be deposited into US Treasury.

d) AGAINST RISHI SUNAK

**21) Order that i) Rishi Sunak should not contest any political election and/or be in part of any Govt for 20 years. ii) Rishi Sunak should be removed from his Prime Minister position of UK. iii) All Mr Sunak, moving and non-moving property, cash, any and all investment including stock, bonds, offshore account/investment need to be recovered and deposited in US treasury**

Test-2: Sunak setup blind trust, Murthy family deposited/invested in this trust many billions of dollars. Also Sunak have offshore accounts/blind trust in tax haven(s) from the money from Murthy family and his wife. These all blind trust money, Sunak's offshore accounts money are gained by tax evasion against USA.

Rishi Sunak invested the tax evaded money, money from outsourced against US and

Rishi acting proxy ownership of Murthy family's and his wife money which were gained by tax evasion against USA. App.16.

Test-3: i) In India, Ms Jayalalitha, chief minister of Tamil Nadu, involved in corruption/misappropriate

wealth accumulation against India, Jayalalitha was jailed and banned from further contest election, becoming chief minister or any political elected position. The same judgment/order applicable to Rishi Sunak.

ii) Murthy, his wife Sudha, daughter Akshata (Rishi's wife) were Indian passport holder with Hindu religion and Rishi is Indian origin with Hindu religion. All of them use Hindu successive act to tax evasion against USA and India. Rishi Sunak and his Wife Akshta were Greencard/permanent resident holder of USA. iii) Whatever prayer requested to Infosys promoter. Same apply to Rishi Sunak because he is proxy owner of Murthy's family wealth which gained by tax evasion against US. **App.16, Appendix-E**

iv) Sunak's proxy ownership also violated the India's Benami Transactions (Prohibition) Act, 1988 and The Benami Transactions (Prohibition) Amendment Act, 2016 and violated 18 U.S.C. § 1956, money laundering law, 18 USC § 371 - Conspiracy to commit offense or to defraud United States, 26 U.S.C § 7201. Attempt to evade or defeat tax, 26 U.S.C. § 7203 and § 7206(1).

Rishi Sunak used tax evaded money against US, purchased the UK's local politician by tax evaded money to become UK's PM now so this court should order to remove Rishi Sunak from PM position.

Petitioner prays this Court for order i) to remove Rishi Sunak from PM of UK. ii) Rishi Sunak should not be allowed to contest any election for another 20 years and should not gain any politician position. iii) Recover any and all moving/nonmoving asset/wealth, bank accounts/ offshore accounts, investment of Rishi Sunak and deposit those recovery with US treasury.

## e) JAILING ORDER

22) **Order that i) Individual Infosys promoters Respondents, ii) Rishi Sunak iii) THOMAS GOTTSTEIN Credit Suisse CEO should be jailed until all recovery completed, deposited with US treasury. iv) Permanent protection order for petitioner against Infosys promoters and John does CxOs of UBS/Credit Suisse.**

**Test-2:** Infosys and Credit Suisse (UBS) business model and business model to outsource, US citizenship discrimination, Dept of Labor certification violation, tax evasion against US and its local govts were crime under

18 U.S.C. § 1956, money laundering law 18 USC § 371 - Conspiracy to commit offense or to defraud United States

26 U.S.C. § 7201. Attempt to evade or defeat tax

26 U.S.C. § 7203 and § 7206(1)

8 U.S.C. § 1182(a)(5)(A) and 8 CFR 214.2(h) (h1-b visa)

Foreign Account Tax Compliance Act ("FATCA")

**Foreign Bank Account Report (FBAR)**

**Test-3:**

**See Appendix-I, App.26 (Wyden Investigation Finds)**

*Credit Suisse got a discount on the penalty it faced in 2014 for enabling tax evasion because bank executives swore up and down they'd get out of the business of defrauding the United States*

See ECF-1, Compl@136

*Thomas Gottstein, Credit Suisse Group's CEO, "defined the policy for hiring foreigner[s] instead of U.S. citizen[s], money laundering, [and] [t]ax evasion."*

By the above Wyden finding, THOMAS GOTTSTEIN Credit Suisse CEO should be in jail.

After 4:13cv634 – Unites States of America v. Infosys. 13cv634 US Dist Ct, ED of Texas, the Infosys respondents kept-on repeated their criminal wrongdoings.

In Sullivan v. Little Hunting Park, Inc., 396 US 229 - Supreme Court 1969 @ 239-240

Compensatory damages for deprivation of a federal right are governed by federal standards, as provided by Congress in 42 U. S. C. § 1988, which states:

*"The jurisdiction in civil . . . matters conferred on the district Courts by the provisions of this chapter and **Title 18**, for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect*

Rishi Sunak being proxy owner of Narayana Murthy's family Infosys promoter's wealth/assets violated the Benami Transaction (Prohibition) Amendment Act of 2016, of India.

Multiple times, peoples hired by Infosys promoters, PAREKH, Rishi Sunak, Thomas Gottstein come close to the petitioner, threatening the life, attempted Murder and told that petitioner should not file case against them. The threat is kept on going on.

In India, any of the Infosys employee talked about how they were slaved by outsourcing, those people were thrown out of multi- storey buildings and

killed. Infosys has habit of killing people who talked about Infosys outsourcing and slavery.

For the above, petitioner prays this court to jail the Infosys promoters, PAREKH, , Rishi Sunak, THOMAS GOTTSTEIN until all recovery done and deposited with US treasury and Protection order for Petitioners against Infosys Promoters, Rishi Sunak and Thomas Gottstein.

Also this court should order these Infosys promoters defendants, Rishi Sunak and Credit Suisse CEO THOMAS GOTTSTEIN surrender their passport to US/DOJ until all recovery completed.

### XXIII. CONCLUSION

Petitioner(s) Palani Karupaiyan, PP, RP pray(s) the US Supreme Court for the Petition for a Writ of Certiorari should be granted.

Respectfully submitted.

*Palani Karupaiyan* *Palani Karupaiyan*  
*Jul 20, 2023*

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