

IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

No. 114-1937

RESIDUARY TRUST UNDER WILL OF
GEORGE F. PENNOCK FOR THE
BENEFIT OF THE PROHIBITION PARTY

MOTION TO COMPEL ANSWER TO INTERROGATORIES

The undersigned Leroy J. Pletten, Secretary, Prohibition National Committee (PNC), for Motion to Compel Answer to Interrogatories, states as follows:

1. Interrogatories for response by the "Dodge group" Earl F. Dodge were filed 30 Nov 2005.
2. The Clerk of Court time-stamped them on 5 December 2005.
3. Robert A. Carpenter on 8 Dec 2005 acknowledged having received said Interrogatories
4. Response was thus due o/a 8 January 2006.
5. It is now 4 March 2006, and no response has been received.
6. Response is needed, as related to Earl F. Dodge's reported pattern of misconduct
 - A. including not accounting for PNC funds and property including its historical collection and funds from a prior estate (Sarah Ulmer's)
 - B. his record of having "pocketed" personal property of various individuals (for examples, see the Wagner affidavit, Exhibit A), leading to Dodge's reported ouster from other organizations, including political button and other collectors and/or at least one church, as more witness evidence is foreseeably be expected to establish.
7. Such behavior by Mr. Dodge is widely known (see news article "Architect of Oblivion," Exhibit B, http://www.prohibitionists.org/History/Bios/dodge/body_dodge.html). Dodge's behavior undermines ability to pose as a 'moral' authority and meet the terms of the Pennock Trust (to "promote" the Party vs to demean it), and is a factor in his not being re-elected in 2003.
8. The Interrogatories foreseeably will reveal the incidents cited by the Wagner affidavit and "Architect of Oblivion" article as the proverbial "tip of the iceberg" of Dodge's misbehavior pattern.

9. Wherefore, this Court is respectfully requested to compel response, immediate response, to the said Interrogatories.

BRIEF IN SUPPORT

Response will help end the burden being frivolously placed on this Court, by reason of the Bank's lawsuit attacking the victim of the 'identify theft' – as distinct from a proper Bank response to mail fraud, i.e., to support the victim by all appropriate means including but not limited to initiating or at least supporting filing of criminal charges against the would-be 'identity thief,' here, a reported habitual offender including against at least one previous estate (Ulmer's, see Exhibit B, page 3, third column, and page 4, first column).

The more delay, the more chance for a cunning habitual thief to develop rehearsed answers. No response has been submitted either by the Bank or by the "Dodge group's, to any of the victim's motions for dismissal and/or for summary disposition. Pursuant to Pennsylvania Bar Rule of Professional conduct 1.2(d), "A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent . . ." If an attorney cannot "assist" "criminal or fraudulent" "conduct," surely a Bank cannot do so!

The Prohibition National Committee (having previously in the interests of judicial economy, suggested that this frivolous litigation [targeting the victim not the perpetrator of the 'identity theft' at issue] be summarily decided upon the record, without the necessity of burdening this Court with telephone calls, hearing(s), oral argument(s), additional motions, and/or trial), continues in this vein, and suggests that this Honorable Court

- a. adjudicate this Motion on the record, as response is so obviously overdue,
- b. compel immediate response, or alternatively, make findings adverse to the "Dodge group,"
- c. dismiss this case with instructions (pursuant to the evidence already in the record) to the Bank to forthwith abide by the instructions of the undersigned as to funds disposition, and/or
- d. require the "Dodge group" to pay all litigation costs (including but not limited to court, travel, and attorney fees), both by the Bank and by the victim, so wrongfully incurred.

Respectfully,

4 March 2006

Exhibits:

- A. Wagner Affidavit
- B. "Architect of Oblivion Article

Leroy J. Pletten
Secretary
Prohibition National Committee
8401 18 Mile Road #29
Sterling Heights MI 48313-3042
(586) 739-8343

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CERTIFICATE OF SERVICE

I hereby certify that on this date, 4 March 2006, I transmitted the Motion to Compel Answers to Interrogatories (with Exhibits), by at least first class mail, postage prepaid, to

Clerk of Court
Orphans Court Division
Court of Common Pleas of Delaware County
201 W Front St
Media, PA 19063-2708

Sue D. Lomas, Esq.
Wolf, Block, Schorr, and Solis-Cohn LLP
1650 Arch Street, 22nd Floor
Philadelphia, PA 19103-2097

Robert A. Carpenter, Esq.
200 North Monroe Street
Media, PA 19063-2908

By: _____
Leroy J. Pletten, Secretary,
Prohibition National Committee

Re: Petition No. 114-1937

4 March 2006

Clerk of Court
Orphans Court Division
Court of Common Pleas of Delaware County
201 W Front Street
Media PA 19063-2708

Dear Clerk of Court:

Enclosed for filing is Affidavit of Dale E. Wagner and a Motion to Compel Answer to Interrogatories.

Three sets of documents are enclosed:

- a. one original for the record of each (Affidavit, Motion)
- b. one copy for the judge, and
- c. one copy for time-stamping and returning in the enclosed pre-addressed postage pre-paid envelope.

Thank you. Your assistance is appreciated.

Respectfully,

Leroy J. Pletten
Secretary
Prohibition National Committee
8401 18 Mile Road #29
Sterling Heights MI 48313-3042
(586) 739-8343

Enclosures:
3 sets of documents, a/s
1 return postpaid envelope