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I am sending this email on Christmas Eve to let everyone know that this past year, like the year before and the year before that, has been another one full of crushing personal and professional hardship for me brought on by the litigation and conspiracies you've all played a part in the theft of my property and the Fraud Upon the Court which you all, to some degree or another, have played a part in. If you are receiving this email it's because you should know that yesterday I filed an *Ex Parte* motion to unstay my *Pro Se* complaint in federal court

[Case No: 18-cv-0325-GPC-MDD](#) and look to have what you have all been a party to presented to a competent judge.

So while you all enjoy your Christmas with your friends, family and colleagues and welcome in the New Year, rest assured I will not be doing so. What you have subjected me to has cost me, in addition to a \$261K judgement I now owe Geraci on a sham lawsuit, everything I have ever held dear to me as people I have known and loved abandoned me over what they have come to decide has been my error in judgement. My failure to make a deal. My failure to read the tea leaves and as shown in this Flowchart I created, [Geraci v Cotton Flowchart](#) my failure to bend to superior forces. What I have expected them to believe and rely on is not only extraordinary it is, if you hadn't experienced it firsthand, unbelievable so I guess I can't really blame them for giving up on me. But I can blame everyone who has received this email for what's happened to me and for that I want you to be aware of the following;

Attorney Kenneth Feldman; I have been told today that it is impossible for you to be as unethical every other attorney included in this email (except DA Jorge DelPortillo). Let me break down the conspiracy for you, it begins and ends with attorney Jessica McElfresh, who emailed her client about how she was obstructing justice and got charged with obstruction of justice. She had to enter a plea agreement, **see attachment (1)**, with District Attorney Jorge DelPortillo, cc'ed herein that specifically would have prevented her from representing Geraci in the 6220 appeal, yet she did so anyway.

I first went to McElfresh to defend me in the suit against Geraci, not knowing she was a co-conspirator of Austin. I PAID for her services, I have the billing statements. She referred me to David Demian of Finch, Thornton & Baird, who along with McElfresh, are the two most corrupt and reprehensible individuals that stand out even among a vile group of violent criminals and deceitful professionals who violate their fiduciary duties to their clients and the courts.

BOTH OF THEM WERE MY ATTORNEYS IN REPRESENTING ME AGAINST GERACI!

Demian never told me he had shared client's with Geraci's firm, Tax & Financial Center, Inc. Any doubt about Demian being deceitful and corrupt has been stripped away by his actions when he represented me. All you have to do is review my pro se complaint against Geraci and Berry and compare it to the first and second amended complaints filed by FTB on my behalf! Without authorization Demian dropped the conspiracy charge against Geraci and Berry and he also dropped the allegations that Geraci cannot own a marijuana CUP because he had previously been sanctioned for illegal activity. Only an attorney seeking to sabotage his case would have dropped those allegations, they are case dispositive and he cannot come up with any evidence to rationalize those actions! Geraci and Berry both testified to those very facts at trial.

Demian also sent me an email saying I "should" say that Geraci was acting as my agent when he submitted the CUP on my property without disclosing his or my interest in the property and he did so in Berry's name without disclosing Geraci's name.

Demian I will not settle with you under any conditions and there will be a day where you will be on the stand along with your criminal associates who aided and abetted you in this scheme, Witt and Bhatt will also be held accountable. As well as the other Partners at FTB who knew about what was going on and helped you cover it up by hiring Feldman. You all have had your chances to come clear and chose not to. Wherever you go for the rest of your careers I will make sure everyone you work with knows that you are the type of attorneys that conspire against their own clients and lack the integrity and morals. You are exponentially worse than the criminals you protect, you literally pervert the justice system and make it impossible for normal people to use the justice system to achieve justice.

Contrary to Austin's testimony at trial, it is not legal for Geraci to own a MO CUP - the only reason they got away with it is because Judge Wohlfeil is the Forrest Gump of state judges, who based on his limited intellect is being paid far beyond what he is worth at \$167K annum salary. Mr. Feldman, you pay your first year associates more than he makes after 30 years of practicing law. By the time this is over, he will be revealed for the true puppet he is being played by Weinstein and to stupid to know it. You know you cannot rely on a judges order when you know it was procured by fraud.

I can not forgive Wohlfeil for what he put me, my and my family through as a result of his incompetence. I'm not even a lawyer and I know that a contract requires MUTUAL ASSENT and a LAWFUL OBJECT! Weinstein made Wohlfeil look like a puppet dancing on his strings, too dumb to even understand what was going on in front of him. He's a disgrace of a judge. I wonder how many innocent people Wohlfeil screwed over by his incompetence because he was played by smarter attorneys like Weinstein? It is a truly depressing thought.

Feldman, you filed a motion to dismiss that you knew was helping hide FTB's malicious acts of conspiring against their own client! You teach classes on ethics, if you fail to do the ethical action immediately and inform Judge Curiel, I am naming you personally in my amended complaint. Pursuant to 42 USC Section 1986. Your failure to act is evidence of your guilt.

I would also ask you to keep in mind that Ferris & Briton is a cesspool of legal 'professionals' that exists for aiding their unethical clients who want to take unethical actions and is corrupt all the way through from their managing partner, Weinstein, to their "I was forced to take part in a malicious prosecution action by Weinstein" associates Toothacre and Kulas, their deceitful paralegal Debra Barker, who falsified proofs of service to break the attorney-client privilege with my attorneys, to even their scumbag client, attorney James Crosby.

Feldman, don't you think it is strange that Geraci's counsel before Judge Curiel, the only attorney STUPID enough enough to file an Answer, is a solo practitioner who works in the same building as Ferris & Briton and is their former client for whom they got a judgement in the hundreds of thousands of dollars! Here see **attachment (2)** Crosby's federal answer. Only someone that F&B had leverage over would be stupid enough to file an Answer in the federal action when the MSJ in state court was pending and NOT assert fraud or mistake as an affirmative defense. Crosby is the stupidest attorney among all the attorneys here - the idiot perpetuated a fraud upon Judge Curiel, I can't wait to see him try to explain, the

way Weinstein does, that it is a "coincidence" that Geraci hired him or some other reason for why Geraci's allegations of November 3, 2016, don't constitute affirmative defenses of fraud or mistake.

Berry submitted the CUP as part of a fraudulent scheme by not disclosing Geraci as the true owner of the CUP being sought - she testified to this in open court. Geraci has been sanctioned. Austin testified that it is legal for Geraci to have a CUP. But if that was true, Demian would not have dropped those allegations from my complaint. And McElfresh, if not a scumbag attorney that destroys lives, would not have represented Geraci in the appeal and she would have raised the daycares in the appeal. But she did not. Neither did Abhay, because it was a sham appeal to make it look like Geraci wanted Magagna's CUP denied, when in reality he needed it denied to mitigate his damages to me by millions! McElfresh is simply a criminal and she's going to go to jail now that there is evidence she breached her plea agreement. Unless the City wants to cover this up and allows her to knowingly break the law and not hold her accountable in an effort to sweep all this underneath the rug. Whoever gives those orders at the City is probably the corrupt individual at the City behind the scenes.

Attachment (3) is a settlement offer from Ferris & Britton **AFTER** Emperor Wohlfeil denied my MSJ. Any reasonable attorney right now would know that having just defeated an MSJ, saying that it is **'economical'** to transfer the whole case to federal court **makes no sense!** You get your judgement in state court and then you raise Res Judicata in federal court. You don't go through the time and cost of discovery all over again in federal court.

Gina Austin:

At trial you called Joe a liar, but Chris Williams knows that you spoke with him at his event and that you confirmed the November Document is not a sales contract. Joe and Chris, I am sorry about calling you out on this, **but I am not going to stand by and do nothing** and you both have testimony I need and that proves Austin committed perjury when she said she would not speak to Joe at your Chris's event because of attorney-client privilege. There is no privilege as there was no litigation at that time, but even if there was, she broke it by discussing it with both of you. And Chris, you hired Austin to speak at that event and she was your attorney and so was Abhay, so your testimony is going to make it clear that Austin is perjuring herself as well as Abhay.

Attorney Matt Shapiro: I have proof you sell weed for Magagna. **Magagna threatened Corina Young because she knows that you sell weed for him.** Nguyen, Young's attorney, PROMISED to provide Young's testimony that Magagna had threatened her and that Bartell was going to get the CUP at my property denied by the City. Magagna has been represented by Austin AND Abhay Schweitzer (Geraci's Point for the CUP Contract at my 6176 property) on the 6220 Federal Blvd. - **attached (4) Ex 147-059** are Abhay's (TECHNE) own billing statements which shows he researched the Cuddles Day academy and absolutely knew they were located within 1,000 feet of the two daycares.

Attachment (5) are the emails between Shapiro and Jake showing what a duplicitous individual Shapiro is when he admits that he lied about working for Magagna, and then when he realized he could not cover up the lie, began to assassinate his clients character with statements to Jake that Young is a pothead whose testimony can't be trusted.

Attached (6) is Abhay's testimony from trial (attached 4 pages 70-71) is a fraudulent attempt to deny he knew about the Daycares. Schweitzer and McElfresh knew when they prepared the appeal that Magagna's location did not qualify, but they left that out of the appeal. The SDMC that prohibits daycares within 1,000 feet daycares. They both knowingly failed to do so at the public hearings even when someone mentioned the daycares at the public hearing.

Attorney Michael Weinstein: bad move trying to inflate Geraci's damages to cover up his bribes to corrupt City officials that you could not put in the public record.

Attached is a site map report commissioned from Title Pro showing the two day care centers being within 1,000 feet of the 6220 property! The City knew about the two daycare because someone raised it at the public hearing. Attorney Phelps for the City is not stupid, he is just as guilty by not raising these issues to the courts attention by not speaking up, helping a crime be committed in an attempt to cover up the City's

corrupt actions in this matter. What a coincidence the City filed a forfeiture action on my property a month after Geraci files a lawsuit, then makes me an offer which I did not know at the time made me legally ineligible to own an interest in a MO CUP.

Attorney Michael Phelps: You are perhaps my greatest disappointment in all of this. Scumbag attorneys like Austin, McElfresh and Weinstein are to be expected, but I reviewed my emails with you and it's obvious to me you knew Geraci's case was frivolous, so when I communicated I was being threatened you should have told the judges that there was a high likelihood that it was Geraci and his agents! You let them take violent actions against me, my family, and people close to me - I am going to make it my goal to report all my communications with you to the state bar when this is over so that after their crimes are proven, it will be clear that you have a callous disregard for the safety and lives of innocent individuals, not just my own, and you lose your law license. Wohlfeil may be an idiot, but you are a malicious individual that is not fit for the job you hold.

It offends deeply that you sat at my trial the entire time as a "public servant" when you were there helping Geraci defraud me of my property using the courts. I rank you third in unethical despicable attorneys only behind McElfresh and Demian.

It was not until after trial that my attorney Andrew Flores came to the full realization you were all conspiring against me and he could prove it, he is the real owner of the 6220 MO CUP. He found the evidence of McElfresh in the damages receipts submitted by Geraci at trial. That was the first time we reviewed FTB's actions and realized it is not that FTB is stupid, it is that they they are corrupt. **I went to McElfresh, a co-conspirator of Austin, for legal representation, and she referred me to FTB. One unlucky decision that has led to all this shit.**

6220 Property Owner John Ek, As you know I reached out to you is a series of phone calls and emails back in May 2018 to warn you about the litigation going on between Geraci and myself and the suspicious nature that Aaron Magagna had contacted you and began a competing CUP application on your property. I've broken down the hearing and approval process that occurred for [The Magagna/DSD 6220 CUP Approval Process](#) for you to consider in greater detail. The only reason I'm taking the time to bring you up to speed on this is because I HAVE known you for better than 20 years and in my heart of hearts want to believe you are not actively participating in this scheme with these people.

Bianca Martinez, I have our messages and so does Joe about how Geraci promised you 10% in the CUP at my property then he screwed you. I know you have already spoken with Geraci and his attorneys, Andrew says there is no way you sent those messages about needing a "green light" to engage in settlement discussions unless you were coached by an attorney. And unless you told them that Joe was seeing Dr. Ploesser how else would they know to ask him if he had seen him? You are low, disclosing someone else's mental health to get what you want. I am just letting you know that if you deny those allegations, I am going to subpoena Matt and he will not lie for you and he knows how Bartell sexually harassed you, how Geraci screwed you over the 10%. If you lie, I will name you as a defendant as well AND subpoena your boyfriend Matt. There is no way he is going to risk committing perjury and ratifying a criminal conspiracy by denying you have made those statements for years. If he does, I will name him as a defendant too and see if he is willing to help you cover up your lies on the stand in federal court.

Attorney Natalie Nguyen: As you've already been made aware, I filed the TRO today. Note that in relief for prayer I am going to name you in my amended complaint. You knew I NEEDED Young's testimony, you PROMISED to provide it, then you just VIOLATED ethical duties to the court and ignored emails from my attorneys while you made time for Young to move out of the city so we could not serve her and compel her to testify. This was after you unilaterally canceled two depositions without consent. That makes you a criminal. My attorney Jake Austin has all your emails **attachment (7)** lined up and that you are helping deny me equal protection of the laws by obstructing justice does not get any clearer.

I DARE YOU TO RESPOND TO THIS EMAIL AND SAY THAT YOU NEVER PROMISED TO PROVIDE YOUNG'S TESTIMONY REGARDING MAGAGNA'S THREATS TO YOUNG.









With the exception of Andrew and Jorge, you are all disgraces as attorneys that are the main reasons why everyone hates attorneys. You will literally allow the lives of families of innocent individuals to be threatened by Geraci and his gang of thugs rather than do what is right.

In closing I want everyone to know there is no situation where I ever give up. You are all attorneys so you should understand this: Emperor Wohlfeil acted in excess of his jurisdiction by issuing a judgment that enforces an illegal contract. It is void. Any and all orders issued pursuant to that judgment are void. Res Judicata will NEVER apply no matter how many lawsuits are brought and denied by the inept Judge Wohlfeil. Sooner or later, me, Andrew, or someone else will get the federal court to look at this substantively and you can't rely on an order from a biased judge that is void on its face to justify your action or failure to take action when you knew my civil rights were being violated.

Attached as Exhibit 8 is an image I commissioned from Title Pro showing that 6220 is within 1,000 feet of two daycares. Someone at the City is corrupt - the City did not accidentally approve a marijuana business! By now I hope you all realize that I will not rest until I am vindicated which means you are all going to be exposed sooner or later.

Darryl Cotton

8 attachments

-  **1) McElfresh Deferred Prosecution Agreement.pdf**
166K
-  **2) Geraci Answer to Federal Complaint.pdf**
89K
-  **3) 06-10-19-Settlement-Offer-2.pdf**
320K
-  **4) TECHNE BILLING STATEMENTS Ex 147-059.pdf**
2717K
-  **5) 05-27-18-Shapiro-emails.pdf**
328K
-  **6) SCHWEITZER TESTIMONY re RADIUS CK pages 70-71.pdf**
940K
-  **7) Nguyen-emails.pdf**
846K
-  **8) Title Pro 6176 Image-8-09-19.pdf**
232K