

**IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT  
IN AND FOR SARASOTA COUNTY, FLORIDA**

Joseph D Gilberti PE, and individual  
and licensed Engineer,

Plaintiff,

v.

**Case No.: 2015 CA 006544 NC**

72 PARTNERS, LLC, a Florida limited  
Liability Company; CECIL DAUGHTREY,  
JR., and individual; and PATRICIA  
DAUGHTREY, an individual,

Defendants.

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**PLAINTIFF'S MOTION TO TAKE JUDICIAL NOTICE**

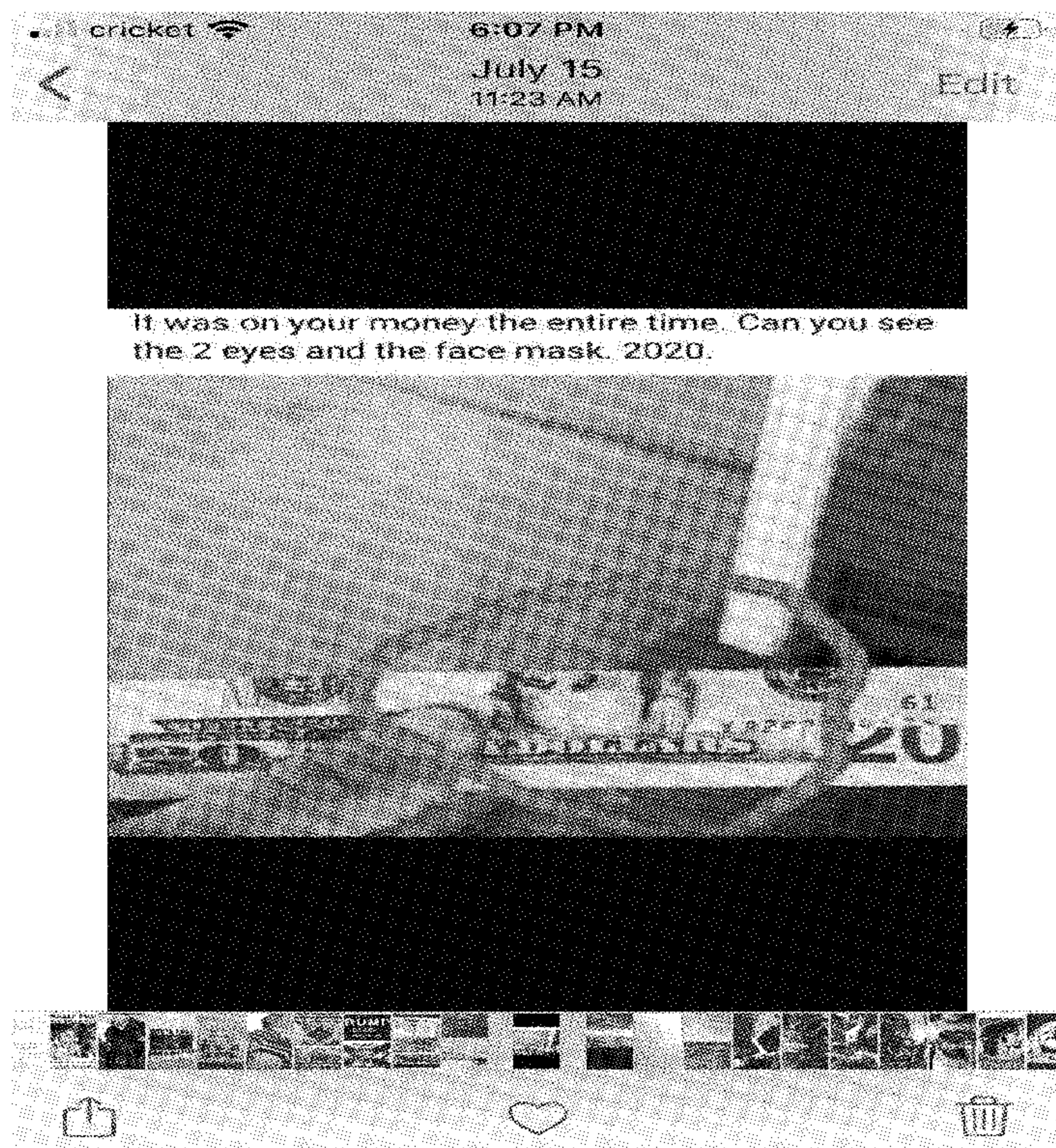
**GOV RON DESANTIS, SWFWMD, SARASOTA LEADERS HIDING ENDLESS MEDICINE RESOURCE  
AND UNIQUE ENDLESS PRIMARY WATER CYCLE AQUIFER WITH FEMA DURING FAKE  
CORONAVIRUS PANDEMIC CREATED BY THE FEDERAL RESERVE BOARD, FLORIDA LEADERS  
AND THEIR CORRUPT JUDGES, COPS, SCHOOL BOARDS, AGENCIES AND COURTS**

Plaintiff hereby submits Judicial Notice regarding Racketeering by Governor Ron Desantis, Swfwmd, Sarasota County Courts and Commissioners, 72 Partners, their lawyers, in a massive Racketeering and Terrorism Enterprise of corrupt lawyers, cops and attorney Politicians hiding and attacking America's No1 National Defense resource (endless Underground river of Blue Gold hidden 50yrs by EPA and Dept of Interior) for foreign Terrorist Corporations such as but not limited to Monsanto, Rothschild World Bank, BRICS Bank, Israel Chemical LTD/Mosaic Phosphate, Dow Chemical and General Electric to destroy American.

Included is prior correspondence and evidence with Engineers work product on this case that was used to offer relief in Hurricane Mathew, IRMA and Sandy that was attempted by Plaintiff's witness and Health Department Director, Jon Iglehart in Fort Myers.

Sarasota County, Southwest Florida Water Management, members of the Defendant, such as but not limited to Kenny Harrison of 72 Partners, who sits on Peace River Water shed

boards, Babcock Ranch committee for Water supply and an Enterprise are PURPOSELY working to hide this Resource putting millions of Americans at Risk with Gov Ron Desantis, Obama, Biden, Bush Family, Trump, Clinton, via Gilberti vs Ron Desantis, et al., case 19-cv-00282 by hiding National Defense, medicine production and endless Clean Water with Florida Leaders, Trump, Biden, Obama and all Washington to ATTACK Floridians with Florida Leaders, cops and Judges. This case is now in appeal that was refused ALL DISCOVERY to kill more Americans with Cancer rates, viruses in pathogens on Water supply and radioactive arsenic rivers such as Peace River, Bradenton River, Alphia River, Hillsborough River, Colussahatchee River, St John's River throughout the State where other underground pure Alkaline Blue gold rivers exist. They have used the Smith-Mundt Act to fake the timed Terrorism and now a Coronavirus that is shows a mask on the refaced \$20bills since 2003. The same bills you fold with Twin Towers. So again, Florida & US Leaders, School Boards, Hospitals, Ron Desantis are lying again to attack America.



**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy was filed at the Sarasota Clerk E-file systems of the foregoing which was furnished via email this 28<sup>th</sup> day of August, 2020 to:

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/s/ *Joe Gilberti*

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**EXHIBIT A**

Gilberti vs Ron Desantis Racketeering Case  
Hiding US Resources with timed Terrorism involving Trump, Biden, Pence, Bush, Clinton,  
Obama, Sanders and ALL Florida Leaders

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH  
CIRCUIT

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No. 20-12512

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*JOSEPH D. GILBERTI, JR., P.E.*  
*Plaintiff /Appellant,*

v.

*RON DESANTIS, GOVERNOR OF FLORIDA, et al.,*  
*Defendants /Appellees.*

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On Appeal from  
the United States District Court for the  
Middle District of Florida  
Case No. 2:19-cv-00282-SPC-MRM

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**APPELLANT'S INITIAL BRIEF**

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Date: August 13, 2020

*/s/ Joe Gilberti*

Joseph D. Gilberti, Jr., P.E.

Plaintiff/Appellant

385 Donora Blvd

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813-470-6000

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**CERTIFICATE OF INTERESTED PERSONS**  
**AND CORPORATE DISCLOSURE STATEMENT**

Pursuant to 11th Cir. R. 26.1-1, Appellant Joseph D. Gilberti, P.E., (“Appellant” or “Plaintiff”) certifies that, to the best of counsel’s knowledge and in addition to any identified by Appellee, the following persons and entities have an interest in the outcome of this case:

1. Ron Desantis, Governor of Florida, *Defendant/Appellee*
2. Timothy Newhall, *Counsel for Defendant/Appellee*
3. Mosaic Fertilizer, LLC, *Defendant/Appellee*
4. The Mosaic Company, *Defendant/Appellee*
5. David Weinstein, Greenberg Traurig Law, *Counsel for Defendant/Appellee*
6. Environmental Protection Agency (EPA), *Defendant/Appellee*
7. Luis Prats, *Counsel for Defendant/Appellee*
8. Brian C. Porter, *Counsel for Defendant/Appellee*
9. Stantec Consulting Services, Inc., *Defendant/Appellee*
10. Seth P. Traub, *Counsel for Defendant/Appellee*
11. Progressive Water Resources, Inc., *Defendant/Appellee*
12. William P. Convey, *Counsel for Defendant/Appellee*
13. Gary R. Shendell, *Counsel for Defendant/Appellee*
14. Hazen and Sawyer, D.P.C., *Defendant/Appellee*
15. Gregory S. Martin, *Counsel for Defendant/Appellee*

16. Joseph D. Gilberti, Jr., *Pro Se Plaintiff/Appellant*

Pursuant to Fed. R. App. P. 26.1, Appellant certifies that no publically listed or traded company or corporation holds any ownership interest in Appellant, or has any interest in the outcome of this case.

Date: August 13, 2020

/s/ Joe Gilberti

Joseph D. Gilberti, Jr., P.E.  
Plaintiff

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### **STATEMENT REGARDING ORAL ARGUMENT**

Pursuant to Circuit Rule 28-1(c), Plaintiff-Appellant hereby requests oral argument before this Court. Resolution of these issues would be facilitated if the Court had the opportunity to question the parties and hear elaboration on the briefing. This case presents important issues relating to the standard for assessing damages in determining the existence of diversity jurisdiction and issues of federal question jurisdiction for a Florida regional water supply infrastructure over four counties using polluted surface rivers causing cancers, viruses and diseases while hiding a unique centralized underground endless alkaline spring water river of clean antioxidant ready to drink out of the ground antioxidant water mixture, potential unique global medicine production.

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### **JURISDICTION STATEMENT**

The lower District Court's subject matter jurisdiction or lack thereof, is the ultimate issue on appeal in this matter. For reasons further espoused in Appellees argument, the District Court claims is lacks subject matter jurisdiction (without any discovery) based on a similar case *Gilberti vs Federal Reserve, et al.*, (that also skipped all discovery to hide this US Resource) which claims this corrupt Enterprise of Florida leaders, agencies and more efforts to hide Global Fresh water production knowledge this Sarasota site reveals; claiming everything falls under 'Patently Insubstantial' claims of 'Conspiracy'. Now we have a permit coming in so they lied with the lawyers, Judges and more.

The appellant claims the Appellees hidden a Florida underground River generating endless cancer preventing cleaner drinking water resources (deep underground rivers of endless antioxidant spring water – Blue Gold) to serve the taps of massive communities and regions in Florida within months; was improperly dismissed, **COURTS AND JUDGES AVOIDED ALL DISCOVERY**, to hide the underground unique resource that helps millions of Americans.

Pursuant to 28 U.S.C. § 1291, this Court maintains appellate jurisdiction over this appeal, timely filed July 7, 2020, from final judgment entered May 15, 2020 and reconsideration on June 8, 2020.

## **STATEMENT OF THE CASE**

### **I. Background**

The Complaint, which is titled “Racketeer Influenced and Corrupt Organization Act (‘RICO’),” names Defendants, all of which Appellant asserts that Defendants are “purposely designing massive unsustainable infrastructure systems between polluted rivers systems while hiding lower [Floridian] endless Alkaline spring water on Tax dollars with continuing service contracts in the Sarasota-Tampa[-] Fort Myers regions of West Florida.” (Id. at 1-2). See *Gilberti vs Ardurra, et. al.*, headed to US Supreme Court that ignored all Discovery with continuing service engineers just like this case and the *Gilberti vs Federal Reserve, et al.*, case in Washington DC also headed to the US Supreme Court.

The Complaint alleges that Defendants-Appellees “formed a strategic alliance with MOSAIC and local Agencies, Hospitals, Hospital Foundations, Leaders, Banks[,] and Pharmaceutical groups to keep Cancer rising.” (Id. at 9). For instance, according to Gilberti, “[a] proposed 15 County, 60 City Transmission System to serve Tampa to South Florida antioxidant spring water is hidden by all Florida Leaders and the Defendants to keep Cancer and Opioids rising as an epidemic in Florida and USA.” (Id. at 5).

In addition, the Complaint states that, after Hurricane Charley struck Florida in 2004, Defendants “conspired to hide a critical US underground river . . . in an

effort to build RV Griffin Reservoir claiming water shortages that is essentially a ZIKA pond and future Water supply Terrorist attack from an old Phosphate mine exposed to Drones and low flying pesticide planes exactly [where] 9-11 Terrorist practiced two weeks before the 9-11 attack.” (Id. at 10-11).

Gilberti claims that “[t]his ongoing scam to sell medicine [and] kill people with increasing Cancer Rates from increasing polluted raw water resources poisoned businesses, schools, [and] residents for approximately a 40[-]year period, and billed business and residents at rates that were one of the highest in the nation for toxic water that was unsuitable for use.” (Id. at 10).

The Complaint includes “RICO Action Allegations” in which Gilberti alleges that Defendants have violated 18 U.S.C. § 1962, which is a criminal racketeering statute. (Id. at 9). In addition, the Complaint includes claims under the Florida Pollutant Discharge Prevention and Control Act, as well as common law claims for strict liability and nuisance. (Id. at 25-29).

These courts with the Department of Education, Department of Justice, Congress, Media and more are PURPOSELY hiding pure Water resources generated from the Earths Core, not the rain cycle above. The major difference between Blue Gold and Spring Water from Earths surface Rain cycle (the second cycle filled with contamination). These secret veins or underground rivers are everywhere and the CDC, EPA and Florida Leaders are using Terrorist Acts with

Israel terrorist lawyers of Greenberg Traurig Law and a group of Crazy Florida leaders attacking this resource under the radar.

Since this case was ILLEGALLY dismissed with a group of Judges in US Middle District, a new case is filed out of State on multiple Circuits, Federal Districts and Judges for civil rights including this US Court of Appeals, 11<sup>th</sup> Circuit due to related cases that passed through mentioned above via *Gilberti vs Ardurra et al.*

Now that the FDEP permit is coming in and major Energy and Oil consultants have partnered this Case is VERY REAL and skipped all discovery with the corrupt US Middle District Judges all under investigation by many, including the US Military.

## **II. Discussion**

Appellant, a licensed Professional Engineer in the State of Florida with ownership and access to a unique and endless drinking water resource (unique underground River-Aquifer), Joseph D. Gilberti. (“Appellant”) filed the complaint in the United States District Court for the Middle District of Florida, seeking a letter of recommendation by Defendants with correspondence of the same to local municipal and water supply clients, to hook up this much cleaner and safer raw drinking water resource (alkaline spring water with lower bills) to protect a four county region serving millions of US Citizens very poor arsenic treated water with

limitations on capacity and problems during Hurricanes and lower utility bills to US citizens.

Appellant's initial action was dismissed by the District Court for lack of subject matter jurisdiction to hide the resource to pump arsenic treated ground water, rivers filled with pathogens that carry viruses and build future terrorist attack reservoirs in the swamp exposed to drone/anthrax attacks; breaching FEMA Stafford Act 6.11.

### **III. Statement of the Facts**

Both sides are competitors in the market for professional engineering and land infrastructure design and improvements and/or services, with each providing plans and designs for pipeline extensions, development, infrastructure and entitlement laws, such as state and federal statutes, judicial decisions, and administrative rules and regulations.

Appellees are contractually engaged with the State of Florida and Federal agencies that fund infrastructure in the Peace River Manasota Regional Water Supply Authority and the Tampa Bay Water supply Authority (the "Appellees") to provide design of pipelines, water treatment, location of raw resources, permitting pursuant to both State and Federal laws, standards and practices to protect the Public which the infrastructure serves.

Appellees are maintaining their continuing Engineering service contracts with tax dollars with local Counties and Peace River Water Authority by PURPOSELY hiding this secret underground river with their lawyers, to increase needs for designs, causing more diseases, cancers and problems in the region that feeds other large Corporate structures, like Big Pharma, Bottling, home filtered systems, cancer treatment, fertilizer production, sludge management, large reservoir construction.

Any exposure of this unique hidden resource means multiple Leaders, locals Engineers, their multi-million dollar consulting contracts, the other Racketeering cases on Governor Ron Desantis, EPA, FEMA, Dept of Interior, Sarasota County, Desoto County, Moffit Tampa, Sarasota Hospital will be exposed for hiding such a Worldwide valuable natural resource located 2000' below Appellants land in Sarasota county.

The District Court dismissed Appellants' claims for lack of subject matter jurisdiction, calling the entire project in permit, the unique underground river and corruption to hide ENDLESS NATURAL spring water to the tap versus treated polluted rivers (Peace River, Hillsborough River, Bradenton River, Alaphia River, Caloosahatchee River) with Federal mining spills involving radioactivity, Red Tide, Arsenic and many dangerous contaminants that cannot be removed entirely in the water supply.

#### **IV. Statement of the standard of scope of review**

This Court “review[s] a district court’s dismissal of a complaint for lack of subject matter jurisdiction due to the notion without any discovery this Water Resource, which can be verified in one hour is a quintessential “bizarre conspiracy theory” that precludes courts from exercising subject matter jurisdiction. This court should reverse the dismissal and allow extensive review to determine multiple jurisdictions that may be needed, VALIDATE THE US RESOURCE for potential medicine changes for Humanity, it capacity from both sides of the case as both sides are licensed engineers.

The Court has subject matter jurisdiction, despite Defendants’ claim to the contrary. In *Morrison v. Amway Corp.*, 323 F.3d 920, 925 (11th Cir. 2003), the Eleventh Circuit cautioned

“that the district court should only rely on Rule 12(b)(1) ‘[i]f the facts necessary to sustain jurisdiction *do not implicate the merits of plaintiff’s cause of action.*’ *Garcia*, 104 F.3d at 1261 (emphasis added). If a jurisdictional challenge does implicate the merits of the underlying claim then: [T]he proper course of action for the district court ... is to find that jurisdiction exists and deal with the objection as a direct attack on the merits of the plaintiff’s case.... Judicial economy is best promoted when the existence of a federal right is directly reached and, where no claim is found to exist, the case is dismissed on the merits. This refusal to treat indirect attacks on the merits as Rule 12(b)(1) motions provides, moreover, a greater level of protection for the plaintiff who in truth is facing a challenge to the validity of his claim: the defendant is forced to proceed under Rule 12(b)(6) ... or Rule 56 ... both of which place great restrictions on the district court’s

discretion...*Id.* (quoting *Williamson v. Tucker*, 645 F.2d 404, 415-16 (5<sup>th</sup> Cir.1981))”

Normally, the question of jurisdiction and the merits of an action will be considered intertwined where, as here, “a statute provides the basis for both the subject matter jurisdiction of the federal court and the plaintiff’s substantive claim for relief.” *Id.* at 926 quoting *Sun Valley Gasoline, Inc. v. Ernst Enters.*, 711 F.2d 138, 139-40 (9th Cir.1983).

#### **V. The Engineer has alleged actual harm.**

As stated above, the “The Engineers” Complaint alleges personal and consumer harm and injury in paragraphs 217 through 257. Multiple witnesses are available on a professional and citizen level to testify of the Terrorism timed acts surrounding court dockets in Tampa District 12, 13, 20, 17 and US Middle District Bankruptcy courts, involving US Marshals, Lawyers, Cops, FBI as well as witnesses willing to testify from the Florida Department of Health and Environmental Protection who went to each County and asked to connect this Water Resource during Hurricane IRMA and prior too, and witnessed an overwhelmed response of corruption by City Managers, County Attorneys and Leaders blocking staff professionals, hired consultants and Media from helping expose spring water to the tap vs treated water the Engineer is proposing with lower water bills and to simply verify the resource in a few hours time.



Multiple witnesses are also willing to testify that they spoke to ex-Governor Rick Scott at the Water Forum and handed him the Water Readings as well as other described in the Complaint, who is hiding it with the CDC and World Health Organization and PAHO. That case will be copied as a related cases in a week once case number is provided in an OUT OF STATE filing on Judges and more.

The lower court has relied on ongoing cases where, again, no discovery was ever presented, and the term 'Patently Insubstantial' was used, to stonewall the exposure of the World Resource, demonstrating a potential long term effort of lower water level of service to create a eugenics operation involving Cancer Treatment, big Pharma, bottling, fertilizer, massive dirt moving reservoir systems industries, in Water supply to regions of Citizens.

### **SUMMARY OF THE ARGUMENT**

Appellant's claim and case never reached discovery nor simply had the defendant engineers be deposed their knowledge of this critical raw drinking water resource located in the center of their decades of water supply design using polluted arsenic Peace River, Bradenton River and Carlton WTP in the Sarasota-Manatee-Charlotte county region. Corrupt Tampa Circuit 13 and Sarasota Circuit 12 are both collectively hiding this World Resource with Appellees, Developers, Israel Mosaic Phosphate, FPL, Duke Energy, PRECO Electric, SWFWMD, multiple Judges across West and South Florida with their lawyers in an ACT OF

TREASON to pump bad water to millions of homes and businesses; are riding Judge Ketanji Brown Jackson (A US Terrorist Judge who purposely hid this Water supply with Obama and Rick Scott since 2012) from another ongoing Racketeering cases in Washington DC, Gilberti vs Federal Reserve, et al, case 19-cv-00738, tied to a Pedophile ring in Florida with US Cops and corrupt lawyers in the US Military and the Gilberti vs Ron Desantis, et al, Case in Middle District Florida 19-cv-00282 which was stayed to save discovery cost (NO DISCOVERY ON ANY RICO CASES thus far to hide this resource with Lawyers, Judges and attorney Politicians to kill US Kids with Cancer Rates) the case before services and/or simple initial discovery could be reached to determine potential multiple jurisdictions due to the multiple facets this secret underground river can affect. With discovery, all defendants engineering staff will agree to the connection request, as this is trivial, as the lawyers for the appellant and potentially the administration level of the engineering firms trying to appease their clients to hide the resource and avoid potential criminal arrests, the lower level design engineers are being sheltered from the case and discovery.

If the Engineering Corporation owners and Florida Governor Ron Desantis (looking for Water with Israel consultants in Florida?) were put on the spot in deposition they would agree the resource should have been used over 35yrs ago and many deaths from cancer rates took place in the region. The lawyers are

hiding the resource due to a massive Enterprise infiltrated within our State, County, and Federal agencies, funding programs and cancer treatment industry in Florida where retirees migrate for decades. A complaint should not have to list all proof of the case, as discovery and testimony in trial from experts can justify that ready to drink alkaline spring water, which is endless, is a much higher LEVEL OF SERVICE for raw water supply resources to the masses and communities. The Defendants are professional engineers and are hiding cleaner resources to create higher design fees, cancer rates with their constituents, as related to the other two Racketeering cases involving municipal contracts, large developers, private groups and corporation the defendants serve and/or contract with for water supply treatment, transmission and design services.

Not only is this underground River is producing massive quantities of ready to drink alkaline spring water never seen on Earth in regards to mineral levels, it has geological indicators of many more that can be found across Earth and America to simulate a connection program for citizens. Massive underground rivers of Alkaline spring water from Earth, piped to existing water treatment plants using polluted raw resources, and in turn lowering cancer rates, water bills and health risks to metropolitan regions of America.

The Appellant has third party results that verify this resource who are licensed on the field of water supply. The Florida Health Department IS NOW

ISSUES A PERMIT FOR PHASE 1, but the Political wall in Florida to keep the drinking water bad, with lawyers, to sell medicine, cancer treatment and higher utility bills, causing viruses in pathogens from polluted rivers filled with Mosaic radioactive mining spills, fills Sarasota Hospitals, has been an ongoing untouched epidemic for decades. No corporation, leader or individual will dare take on this massive money machine that depends on sick and dying Americans and poor water supply to the tap and bottles.

A new Civil Rights, Torts and Racketeering complaint was filed OUT OF STATE this week on multiple Florida Judges, agencies and large corporations who have a Eugenics and Terrorist Enterprise centrally networked in Tampa at Central Command in Florida down to South Florida to destroy kids and families with higher diseases, viruses and cancer rates; which we see now is connected across America and Washington hiding a critical unique underground resources in Blue Gold Water, healthier foods and much more efficient Energy production.

This unique hidden underground resource known by the US Navy, Rick Scott, Ron Desantis via Defendants-Appellees and their campaign contributors like FPL and Seminole Tribe casinos will show they hide this knowledge to hide many more similar resources of like and kind, across America which NASA and the Dept of Defense, EPA and FEMA are hiding from THE PEOPLE, including Washington DC, Camp Leguene, Flint Michigan, Mexico, Texas, Panhandle, California, New

Mexico, Israel, Africa, South America, China, India and other Nations in the dessert, from its geological indicators.

Oil Consultants who verified the resource can provide data in Discovery within the Agencies over the years at the Department of Interior, EPA, Army Corps of Engineers, Southwest Florida Water Management District, who hid this Resource with the Bush Family, Congressional Leaders, Lawyers, Engineering consultants with NASA and various Universities to create medicine, vaccines, diseases, higher Cancer Rates from poor raw treated water resources. This Water culling created more reasons for Colleges, tuitions, games that ties to Racketeering our Federal funds to do 501(c)(3) Cancer Research Grants at USF-Moffit Tampa, to study sick and dying children, families, and animals from purposely treated radioactive rivers to the Tap versus this endless Antioxidant spring water to the Tap to millions of tourist and Americans.

This new case will show Discovery with Professional Engineers with years of experience in Water Supply versus a Harvard Lawyer Judge Kentanji Brown Jackson, from Miami Florida who knows we have water problems and of my presentations to Miami-Dade on July 15, 2014 at Commission, Item 1E1 and Broward County on April 12, 2016. Judge Kentanji Brown Jackson is from Harvard like Obama and is friends with the Defendant ex-President Barrack Obama, who hid this Resource with the Bush Family, Rick Scott, Ron Desantis,

Congress, as we can show with witnesses who stated these local west Coast Florida's Leaders and cops said they saved this for Jeb Bush to be the next President prior to Trumps 2016 run. This was stated in front of 5 witnesses in the Chambers of City Council of North Port, Sarasota in 2014.

This project has been delivered to multiple Cities and will show a Massive enterprise of Florida Leaders, US Leaders attacking America as these underground resources are hidden across the nation by Elite tied directly to a massive **Pedophile ring in Florida** from Orlando to Palm Beach, Broward, Dade and up along the West Coast of Florida involving US Judges, Pam Bondi, Department of Education, Department of Justice, DCF, Cops, media groups and major land developers.

### **ARGUMENT**

#### **A. Authority and Standard for Expedited Discovery Requests**

District courts have broad discretion over discovery issues arising before them, *Carefirst of Maryland, Inc. v. Carefirst Pregnancy Centers, Inc.*, 334 F.3d 390, 402 (4th Cir. 2003), including those related to the timing of discovery requests. *Hinkle v. City of Clarksburg*, W.Va., 81 F.3d 416, 426 (4th Cir. 1996) (“District courts enjoy nearly unfettered discretion to control the timing and scope of discovery.”); *Dent v. Montgomery Cty. Police Dep’t*, 745 F. Supp. 2d 648, 663 (D. Md. 2010) (“District courts have broad discretion to manage the timing of discovery, and the only formal limitation on this discretion with respect to

consideration of motions to amend scheduling orders is that the moving party demonstrate good cause.”) (internal citations omitted).

The Federal Rules of Civil Procedure also authorize courts to adjust the discovery timeline and to order expedited discovery. Dimension Data N. Am., Inc. v. Netstar-I, Inc. 226 F.R.D. 528, 530 (E.D.N.C. 2005); Malon v. Franklin Fin. Corp., No. CIV A 3:14cv671, 2014 WL 5795730 (E.D. Va. Nov. 6, 2014); Tribal Casino Gaming, Enterprise v. W.G. Yates & Sons Construction Co., No. 1:16CV30, 2016 WL 3450829, at \*3 (W.D.N.C. June 16, 2016). Fed. R. Civ. P. 26(d)(1) expressly provides that a party may obtain discovery before a Rule 26(f) scheduling conference Case 8:17-cv-00361-TDC “when authorized . . . by court order,” as does Local Rule 104.4. Federal Rules of Civil Procedure 30(a), 33(b), 34(b) and 36 also permit the court to adjust the timing requirements imposed under Rule 26(d) and to expedite the time for responding to discovery requests.

Courts frequently grant expedited discovery in conjunction with preliminary injunction motions, particularly when plaintiffs are at risk of irreparable harm. See, e.g., Malon v. Franklin Fin. Corp., CIV A 3:14cv671, 2014 WL 5795730, at \*3 (E.D. Va. Nov. 6 2014) (granting expedited discovery to plaintiff prior to anticipated preliminary injunction motion, where plaintiff had made showing of irreparable harm); Asheboro Paper & Packaging, Inc. v. Dickinson, 599 F. Supp. 2d 664, 668 (M.D.N.C. 2009) (noting that the court had granted expedited

discovery relating to issues raised by the plaintiff's request for injunctive relief before the preliminary injunction hearing or dismissal); see also Ciena Corp. v. Jarrard, 203 F.3d 312, 324 (4th Cir. 2000) (remanding to the lower court with instructions to provide the defendant an opportunity to conduct expedited discovery in order to file a motion to dissolve a preliminary injunction or dismissal); Dan River, Inc. v. Unitex Ltd., 624 F.2d 1216, 1220 (4th Cir. 1980) (describing expedited discovery in the district court in preparation for preliminary injunction hearing).

Although “specific standards for evaluating expedited discovery motions are not set out in the Federal Rules of Civil Procedure,” a “standard based upon reasonableness or good cause, taking into account the totality of the circumstances” is consistent with the Rules and should be applied when “plaintiff requests expedited discovery in preparation for a preliminary injunction determination.” NetStar-1, Inc., 226 F.R.D. at 531-32 (collecting cases); accord, e.g., Chryso, Inc. v. Innovative Concrete Sols. of the Carolinas, LLC, No. 5:15-CV-115-BR, 2015 WL 12600175, at \*3 (E.D.N.C. June 30, 2015) (noting that “[t]he Comments to the Rules of Civil Procedure Case 8:17-cv-00361-TDC Document 63 Filed 02/22/17 recognize that it may be appropriate to allow expedited discovery when a party seeks preliminary injunctive relief”).

**B. Plaintiffs' Narrow Request for Expedited Discovery is Reasonable and Supported by Good Cause**



**1. Plaintiff's Request is Reasonable in Light of the Posture of this Case and the Timing of Underlying Events.**

Plaintiff is receiving a 9-mile intercepting Blue Gold transmission permit to serve the West Florida infrastructure by FDEP in Fort Myers (call Jon Iglehart – Director). Therefore claims of ‘Patently Insubstantial’ are actually acts of Treason, harboring years of terrorist attacks on Plaintiff, his family and clients to hide this Global medicine resource and knowledge from America with ALL FLORIDA LEADERS and hundreds of Judges, clerks and more.

Plaintiffs’ request for expedited discovery is reasonable given Plaintiffs’ intention to seek a temporary restraining order and preliminary injunction against the defendants and any future improvements to the regional waters supply to avoid tainting of new pipes with bad treated water supply from radioactive Mosaic Mining spill rivers these west Florida Counties are being paid off by with Mosaic mining compacts with Greenberg Traurig and Dave Weinstein, and the Defendants who serve the local counties and their drinking water supply infrastructure and treatment designs.

Plaintiffs’ request for expedited discovery is reasonably timed in light of the surrounding Political and Dept of Justice corruption tied to US Terrorist acts on record timed to subdue the Plaintiff days after the find of the secret underground

river by Tampa Circuit 12, Sarasota Circuit 12, Tampa Middle District Judges and Lawyers and the Appellees.

**2. Plaintiffs' Request is Narrowly Tailored.**

The discovery Plaintiffs are seeking on an expedited basis is not burdensome. Plaintiffs seek documents relating to the creation and implementation of the 4-10 County interconnect water supply where this massive hidden underground Resource of Ready to drink spring water is centralized. This Resource was hidden by Defendants-Appellees, their attorneys and local Leaders, Judges and attorney Politicians with local FEMA, EPA, Southwest Florida Water Management District, Sarasota staff and leaders during three Hurricanes, via Hurricane Mathew, IRMA and Sandy. These documents are already in the government's possession, but were hidden with the continuing service engineers Corporate offices (Appellees) as described in this RICO complaint in appeal. Moreover, the validity of the hidden underground has not been challenged by any qualified professional outside this local area where the Racketeering Enterprise is taking place to attack all Americans considering the medicine opportunities.

**PROTECTING AMERICANS AT THE TAP AND TAMPA McDILL AFB**  
**SOLDIERS TO AVOID ANOTHER CAMP LEJEUNE**

Plaintiff and discovery with new filed Racketeering regarding stay on World Engineers can show the Florida and surface water rivers subject to radioactive

mining spill, illegal dumping in the Swamp, drone warfare, pesticide spray, multiple mixing fertilizers, Cesium 134 and 137 from Fukushima that has reached our Oceans through the Gulf Stream that mix with discharging Rivers can be far worse than Camp Lejeune on any give day or moment. All subject to Terrorist acts, that can be simply avoided by connecting to deep underground safe rivers of Blue Gold Spring Water not exposed to Atomic bomb let off in the atmosphere decades ago and more.

Below is an contaminated waters supply article to show how ‘Patently Important’ this case and related cases discovery is to this District and the entire Nation and how our Federal Reserve Central Banks and agencies with large Foreign owned engineering firms like the Defendants are purposely hiding these unique deep underground water resources to sell Medicine, make our Nation sick, in debt with a nasty pool of Judges, Lawyers, Florida Leaders and NASA located in Florida also caught hiding this resource for decades. This article and study sets a simple question on why Trump, Obama, Bush, Clinton, US Candidates, Media and Leaders are hiding this endless underground US Resource from our citizens and Military personal to destroy our Country’s future and its critical raw drinking waters supplies with the Appellees and their Lawyers tied to multiple Racketeering Big Pharma Eugenics Enterprises.

Case discovery and FOIA must be provided as this secret underground endless unique drinking water supply resource is SUBSTANTIAL to America, its Citizens, Soldiers and is under attack similar to camp Lejeune Water issues shown below.

### **Camp Lejeune Water Contamination Lawsuit**



*Two of eight water treatment facilities supplying water to the Camp Lejeune Marine Corps Base in North Carolina were contaminated with volatile organic compounds from 1957 through 1987. Those potentially at-risk for developing or illness as a result of the contamination include Marines, Sailors, their families and civilian employees who were on base anytime between 1957 and 1985.*

### ***Causes of Camp Lejeune Water Contamination***

*Water from the Tarawa Terrace Treatment Plant and the Hadnot Point Treatment Plant were found to be contaminated primarily by two toxic chemicals.*

*The Tarawa Terrace Treatment Plant was contaminated by perchloroethylene (PCE), a colorless liquid most commonly used for dry cleaning. The source of this contamination was found to be the waste disposal practices of an off-base dry cleaning company. The PCE levels at the Tarawa Terrace Treatment Plant highly exceeded current standards between November 1957 and February 1987, according to the Agency for Toxic Substances & Disease Registry.*

*At the Hadnot Point Treatment Plant, the water was contaminated by trichloroethylene (TCE), a volatile anesthetic. Underground storage tank leaks,*

*industrial area spills and water disposal sites are believed to have been the sources of the TCE contamination.*

### ***Side Effects of Contaminated Water Exposure***

*There has been suggestive evidence of a link between extended exposure to PCE or TCE and serious and often fatal diseases, including:*

- *Liver cancer*
- *Kidney cancer*
- *Breast cancer*
- *Bladder cancer*
- *Ovarian cancer*
  
- *Prostate cancer*
- *Cervical cancer*
- *Lung cancer*
- *Leukemia*
  
- *Non-Hodgkin's lymphoma*
- *Liver disease*
- *Miscarriages*
- *Birth defects*

*In 2013, the Centers for Disease Control's Agency for Toxic Substances & Disease Registry released the findings of a study first started in 2003. The study concluded that children born to mothers who drank the contaminated water at Camp Lejeune were four times more likely to suffer birth defects, such as spina bifida. These babies also had a slightly elevated risk of childhood cancers, such as leukemia.*

### ***Mercury Found in Camp Lejeune Water***

*In September 2012, 12 pounds of elemental mercury were found at the Hadnot Point Water Treatment Plant at Camp Lejeune. The water plant was offline for several weeks to clean up the mercury.*

*Officials believe that the possible source of the mercury contamination was water pressure meters containing elemental mercury that were removed from the plant in the 1980s.*

*Some common side effects of mercury exposure include:*

- *Coughing, sore throat*
- *Nausea, vomiting*
- *Vision problems*
- *A metallic taste in the mouth*
- *Increase in blood pressure*

*Unfortunately, pregnant women and new mothers can pass mercury on to their unborn and newborn children. Young children are also more likely to become exposed to mercury vapors as they breathe faster and have smaller lungs than adults.*

*If you believe that your loved one was affected by mercury exposure at Camp Lejeune, you may be entitled to file a claim for injuries or illness suffered. Our legal team can help you determine your options and how to file a claim so you can obtain the compensation you deserve.*

### ***Camp Lejeune Contamination Chemical Waste***

*Camp Lejeune was home to those serving the United States Marine Corps as well as family members who lived on the base. During this time, these people were ingesting and bathing in tap water every day that was contaminated with dangerous chemicals. Years later, these former base residents and their families began to see a development of cancer and other health issues. As more and more information became available, a few red flags were raised in regard to chemical waste disposal and the knowledge of this hazardous act.*

*Some of those residents who lived on the Camp Lejeune base and drank the contaminated water stated they believed officials knew about the presence of dangerous chemical substances within the tap water. These allegations led to further investigations to determine who in fact was aware of the Camp Lejeune water contamination.*

*As of August 2012, The Janey Ensminger Act was signed into law by President Obama. This act ensures that the people who have suffered from the Camp Lejeune water contamination are eligible for medical treatment. The Act will apply to approximately 750,000 people who have suffered from medical issues following their stay at Camp Lejeune.*

*(f) Disease associated with exposure to contaminants in the water supply at Camp Lejeune. If a veteran, or former reservist or member of the National*

*Guard, was exposed to contaminants in the water supply at Camp Lejeune during military service and the exposure meets the requirements of § 3.307(a)(7), the following diseases shall be service-connected even though there is no record of such disease during service, subject to the rebuttable presumption provisions of § 3.307(d).*

*(1) Kidney cancer.*

*(2) Liver cancer.*

*(3) Non-Hodgkin's lymphoma.*

*(4) Adult leukemia.*

*(5) Multiple myeloma.*

*(6) Parkinson's disease.*

*(7) Aplastic anemia and other myelodysplastic syndromes.*

*(8) Bladder cancer.*

**DIGITAL LINKS SHOWING WATER FLOWING FROM SECRET UNDERGROUND RIVER OF ENDLESS UNIQUE SPRING WATER**

The following links and websites below show files from Plaintiff and the US Resource flowing naturally from a deep underground river which is NOT “Bizarre Conspiracy” or ‘Patently Insubstantial’, but VERY REAL and CRITICAL TO AMERICA’S Medicine, Job Growth, National Defense and Security.

1. <https://gilbertbluegold.com/> Go Daddy with water flowing and timed Terrorism acts
2. <https://vimeo.com/user101035581> Vimeo w water flowing and Public presentations.
3. <https://www.dropbox.com/sh/9blc6sjtn4iuefc/AAD6lISquw0xUDdLWpN1y94-a?dl=0>

Dropbox link of 4-3-2013 Down the Hole Video on 1509' deep well dug in 1969. 12 days later Plaintiff was kidnapped on Boston Bomb day by Greenberg Traurig, Obama, Pam Bondi and Central Command with a bond hike for a misdemeanor from a Jog email 5hrs prior to explosion. Sudden bond goes to \$300,000 and Plaintiff in a Hole where family can't find him for 50days while Enterprise attacks in land in Sarasota District 12 and their corrupt lawyers and Judges on Mosaic Phosphate payroll.

4. <https://www.dropbox.com/sh/orzbzagdmkej3a/AAAO4XH5cdOHwxvyQ65-uB-Ga?dl=0>  
Dropbox link of FDOT alignment plans and study sent July 2014 for 300mile Transmission and Phase one connection with only a 8mile pipe that ties to a 4 County system in 18months feeding millions with Antioxidant spring water and creating new medicine and millions of Real jobs. Hidden by Florida and US Leaders with DOJ and Media to destroy Americans.

### CONCLUSION

The District Court's dismissal of all of Plaintiffs' claims should be reversed and remanded and allow the case to move to discovery to determine if the water supply is real VERSUS 'Patently Insubstantial' since the **FDEP permit by the Fort Myers division is being approved**. Also World and Federal consultants, including US Military General have been handed this project recent permit progress and past terrorism by Judges, Cops and Florida developers/power corps and School boards.

Within months millions of taps can have filtered spring water with one pipe connection, as the resource is centered in a four county regional water supply infrastructure as shown on the complaint.



The District Court's failure to analyze the discovery phase to justify the claims and jurisdiction and provide written findings to justify the dismissal of each claim was an abuse of discretion.

**CERTIFICATE OF COMPLIANCE**

This brief complies with the typeface and type-style requirements of Fed. R. App. P. 32(a)(5) and (6), and was prepared with a proportionally spaced 14-point Times New Roman font. This brief complies with the type-volume limit of Fed. R. App. P. 32(a)(7) and, excluding those portions exempted under Fed. R. App. P. 32(f), contains thirty (30) pages.

Date: August 13, 2020

/s/ Joe Gilberti

Joseph D. Gilberti, Jr., P.E.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 13th day of August, 2020, I filed the foregoing with the Clerk of the Court of the 11<sup>th</sup> District Court of Appeals at 56 Forsyth Street, N.W., Atlanta, Georgia 30303, by US Certified Mail, which will send a notice of electronic filing to all counsel of record.

/s/ Joe Gilberti

Joseph D. Gilberti, Jr., P.E.

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813-470-6000 direct

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UNITED STATES COURT OF APPEALS FOR THE ELEVENTH  
CIRCUIT

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No. 20-12512

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*JOSEPH D. GILBERTI, JR., P.E.*  
*Plaintiff /Appellant,*

v.

*RON DESANTIS, GOVERNOR OF FLORIDA, et al.,*  
*Defendants /Appellees.*

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On Appeal from  
the United States District Court for the  
Middle District of Florida  
Case No. 2:19-cv-00282-SPC-MRM

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**APPENDIX**

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Date: August 18, 2020

/s/ Joe Gilberti

Joseph D. Gilberti, Jr., P.E.

Plaintiff/Appellant

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**INDEX OF APPENDIX**

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CERTIFICATE OF SERVICE	

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 18th day of August, 2020, Appellant filed the foregoing with the Clerk of the Court of the 11<sup>th</sup> District Court of Appeals at 56 Forsyth Street, N.W., Atlanta, Georgia 30303, by US Certified Mail, which will send a notice of electronic filing to all counsel of record.

*/s/ Joe Gilberti*

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APPEAL, CLOSED, MAIL

**U.S. District Court  
Middle District of Florida (Ft. Myers)  
CIVIL DOCKET FOR CASE #: 2:19-cv-00282-SPC-MRM  
Internal Use Only**

Gilberti v. Ron Desantis et al  
Assigned to: Judge Sheri Polster Chappell  
Referred to: Magistrate Judge Mac R. McCoy  
Demand: \$9,999,000  
Cause: 28:1332 Diversity-Racketeering (RICO) Act

Date Filed: 05/08/2019  
Date Terminated: 05/15/2020  
Jury Demand: Plaintiff  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Diversity

**Plaintiff**

**Joseph D. Gilberti, Jr.**  
*P.E., an individual and licensed  
professional engineer*

represented by **Joseph D. Gilberti, Jr.**  
385 Donora Blvd  
Ft Myers Beach, FL 33931  
813/470-6000  
PRO SE

V.

**Defendant**

**Ron Desantis**  
*Governor, State of Florida*

represented by **Timothy L. Newhall**  
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**Defendant**

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**Defendant**

**Mosaic Fertilizer, LLC**

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**Defendant**

**Environmental Protection Agency**

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**Defendant**

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**Defendant**

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**Defendant**

**Hillsborough County State Attorneys  
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**Defendant**

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**Defendant**

**Peace River Manasota Water Supply  
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**Defendant**

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**Defendant**

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**Defendant**

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*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/08/2019	<u>1</u>	COMPLAINT racketeer influenced and corrupt organization act against 72 Partners, LLC, DeSoto County Board of County Commissioners,



		Environmental Protection Agency, Hillsborough County State Attorneys Office, Mosaic Fertilizer, LLC, Peace River Manasota Water Supply Authority, Luis E. Rivera, Ron Desantis, Sarasota County Board of County Commissioners, Sarasota Memorial Hospital, Southwest Florida Water Management District, The Mosaic Company with Jury Demand Filing fee \$400, receipt number FtM013706 filed by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(RMT) Modified on 5/10/2019 to edit docket text (drn). (Entered: 05/09/2019)
05/08/2019	<u>2</u>	NOTICE of pendency of related cases per Local Rule 1.04(d) by Joseph D. Gilberti, Jr. Related case(s): no (RMT) (Entered: 05/09/2019)
05/10/2019	<u>3</u>	<b>STANDING ORDER: Filing of documents that exceed twenty-five pages. Signed by All Divisional Judges on 5/10/2019. (drn)</b> (Entered: 05/10/2019)
05/11/2019	<u>4</u>	<b>RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 - track 2. Notice of pendency of other actions due by 5/28/2019. Signed by Judge Sheri Polster Chappell on 5/11/2019. (jmc)</b> (Entered: 05/11/2019)
05/11/2019	<u>5</u>	<b>INTERESTED PERSONS ORDER Certificate of interested persons and corporate disclosure statement due by 5/28/2019. Signed by All Divisional Judges on 5/11/2019. (jmc)</b> (Entered: 05/11/2019)
05/16/2019	<u>7</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>5</u> Interested persons order by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Mailing Envelope)(drn) (Entered: 05/20/2019)
05/20/2019	<u>6</u>	NOTICE of pendency of related cases re <u>4</u> Related case order and track 2 notice per Local Rule 1.04(d) by Joseph D. Gilberti, Jr. Related case(s): yes (Attachments: # <u>1</u> Mailing Envelope)(drn) (Entered: 05/20/2019)
05/20/2019	<u>8</u>	SUMMONS issued as to 72 Partners, LLC, DeSoto County Board of County Commissioners, Ron Desantis, Environmental Protection Agency, Hillsborough County State Attorneys Office, Mosaic Fertilizer, LLC, Peace River Manasota Water Supply Authority, Luis E. Rivera, Sarasota County Board of County Commissioners, Southwest Florida Water Management District, The Mosaic Company. (drn) (Entered: 05/20/2019)
06/12/2019	<u>9</u>	MOTION to Dismiss Complaint with Prejudice by Luis E. Rivera. (Fernandez, Lara) (Entered: 06/12/2019)
06/12/2019	<u>10</u>	NOTICE of Appearance by Timothy L. Newhall on behalf of Ron Desantis (Newhall, Timothy) (Entered: 06/12/2019)
06/12/2019	<u>11</u>	MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint by

		Ron Desantis. (Newhall, Timothy) Motions referred to Magistrate Judge Mac R. McCoy. (Entered: 06/12/2019)
06/12/2019	<u>12</u>	<b>ENDORSED ORDER granting Defendant Ron DeSantis' <u>11</u> Motion for Extension of Time to File Responsive Pleading to Complaint. Defendant Ron DeSantis must file a response to the Complaint (Doc. <u>1</u>) on or before 6/28/2019. Signed by Magistrate Judge Mac R. McCoy on 6/12/2019. (McCoy, Mac) (Entered: 06/12/2019)</b>
06/12/2019	<u>13</u>	NOTICE of hearing: Preliminary Pretrial Conference set for 8/6/2019 at 11:00 AM in Ft. Myers Courtroom 5 C before Magistrate Judge Mac R. McCoy. Notwithstanding any prior Order of the Court, the parties shall file a joint Case Management Report no later than 7/29/2019. To the extent Fed. R. Civ. P. 16(b)(2) so requires, the Court finds good cause to extend the time period for entering the Case Management and Scheduling Order until after the Case Management Report is filed and the Preliminary Pretrial Conference is held. (jmc) (Entered: 06/12/2019)
06/12/2019	<u>14</u>	<b>ORDER GOVERNING THE PRELIMINARY PRETRIAL HEARING. Signed by Magistrate Judge Mac R. McCoy on 6/12/2019. (jmc) (Entered: 06/12/2019)</b>
06/13/2019	<u>15</u>	<b>INTERESTED PERSONS ORDER Certificate of interested persons and corporate disclosure statement due by 6/27/2019. Signed by All Divisional Judges on 6/13/2019. (RMT) (Entered: 06/13/2019)</b>
06/13/2019	<u>16</u>	SUMMONS issued as to Sarasota Memorial Hospital. (RMT) (Entered: 06/13/2019)
06/13/2019	<u>17</u>	MOTION to dismiss for lack of jurisdiction by 72 Partners, LLC. (Snyder, Ryan) (Entered: 06/13/2019)
06/17/2019	<u>18</u>	MOTION to dismiss for lack of jurisdiction <i>with Prejudice</i> by DeSoto County Board of County Commissioners. (Kelly, Carlos) (Entered: 06/17/2019)
06/17/2019	<u>19</u>	MOTION to dismiss for lack of jurisdiction <i>and failure to state a claim</i> by Mosaic Fertilizer, LLC, The Mosaic Company. (Weinstein, David) (Entered: 06/17/2019)
06/17/2019	<u>20</u>	NOTICE of Appearance by Elizabeth M. Fernandez on behalf of Southwest Florida Water Management District (Fernandez, Elizabeth) (Entered: 06/17/2019)
06/17/2019	<u>21</u>	MOTION to stay <i>Proceedings Pending Resolution of Appeal in a Related Case</i> by Southwest Florida Water Management District. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Fernandez, Elizabeth) (Entered: 06/17/2019)

06/17/2019	<u>22</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>15</u> Interested persons order by Southwest Florida Water Management District identifying Corporate Parent Southwest Florida Water Management District for Southwest Florida Water Management District.. (Fernandez, Elizabeth) (Entered: 06/17/2019)
06/18/2019	<u>23</u>	MOTION to Dismiss Complaint or in the Alternative Motion for More Definite Statement by Peace River Manasota Water Supply Authority. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Bolves, Brian) (Entered: 06/18/2019)
06/19/2019	<u>24</u>	MOTION to dismiss for failure to state a claim by Southwest Florida Water Management District. (Fernandez, Elizabeth) (Entered: 06/19/2019)
06/20/2019	<u>25</u>	NOTICE of Appearance by Luis Ernesto Rivera, II on behalf of Luis E. Rivera (Rivera, Luis) (Entered: 06/20/2019)
06/20/2019	<u>26</u>	<b>ORDER granting Southwest Florida Water Management District's <u>21</u> motion to stay proceedings pending resolution of appeal in related case. All proceedings in this case are STAYED until parties advise the Court that a mandate has been received from an appellate court in Case No. 1:19cv738; the parties shall notify the Court within seven (7) days of entry of the mandate. Signed by Judge Sheri Polster Chappell on 6/20/2019. (AEH) (Entered: 06/20/2019)</b>
06/21/2019	<u>27</u>	<b>INTERESTED PERSONS ORDER Certificate of interested persons and corporate disclosure statement due by 7/5/2019. Signed by All Divisional Judges on 6/21/2019. (RMT) (Entered: 06/21/2019)</b>
06/24/2019	<u>28</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>27</u> Interested persons order by 72 Partners, LLC. (Snyder, Ryan) (Entered: 06/24/2019)
06/25/2019	<u>29</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>27</u> Interested persons order by Ron Desantis. (Newhall, Timothy) (Entered: 06/25/2019)
06/25/2019	<u>30</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>5</u> Interested persons order by Luis E. Rivera. (Fernandez, Lara) (Entered: 06/25/2019)
06/25/2019	<u>31</u>	RESPONSE in Opposition re <u>24</u> MOTION to dismiss for failure to state a claim , <u>23</u> MOTION to Dismiss Complaint or in the Alternative Motion for More Definite Statement filed by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Mailing Envelope)(RMT) (Entered: 06/26/2019)

06/26/2019	<u>32</u>	NOTICE of pendency of related cases re <u>4</u> Related case order and track 2 notice per Local Rule 1.04(d) by DeSoto County Board of County Commissioners. Related case(s): Yes (Kelly, Carlos) (Entered: 06/26/2019)
06/26/2019	<u>33</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>15</u> Interested persons order by DeSoto County Board of County Commissioners. (Kelly, Carlos) (Entered: 06/26/2019)
06/26/2019	<u>34</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>15</u> Interested persons order by DeSoto County Board of County Commissioners. (Kelly, Carlos) (Entered: 06/26/2019)
06/27/2019	<u>35</u>	NOTICE OF RESCHEDULING HEARING: The Preliminary Pretrial Conference hearing previously scheduled for 8/6/2019 at 11:00 AM is rescheduled. New scheduling date and time: Preliminary Pretrial Conference set for 8/20/2019 at 11:00 AM in Ft. Myers Courtroom 5 C before Magistrate Judge Mac R. McCoy. (jmc) (Entered: 06/27/2019)
06/27/2019	<u>36</u>	NOTICE canceling Preliminary Pretrial Conference hearing scheduled for 8/20/2019. Case is stayed per Doc <u>26</u> .(jmc) (Entered: 06/27/2019)
06/27/2019	<u>37</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>15</u> Interested persons order by Peace River Manasota Water Supply Authority. (Bolves, Brian) (Entered: 06/27/2019)
06/27/2019	<u>38</u>	NOTICE of pendency of related cases re <u>4</u> Related case order and track 2 notice per Local Rule 1.04(d) by Peace River Manasota Water Supply Authority. Related case(s): Yes (Bolves, Brian) (Entered: 06/27/2019)
07/02/2019	<u>39</u>	MOTION to lift stay proceeding by Joseph D. Gilberti, Jr. (RMT) (Entered: 07/03/2019)
07/02/2019	<u>40</u>	OPPOSITION to defendant's motion re <u>24</u> MOTION to dismiss for failure to state a claim filed by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Mailing Envelope)(RMT) (Entered: 07/03/2019)
07/03/2019	<u>41</u>	NOTICE by Sarasota County Board of County Commissioners re <u>19</u> MOTION to dismiss for lack of jurisdiction <i>and failure to state a claim Sarasota County Board of County Commissioners' Notice of Joinder with Defendant Mosaic's Motion to Dismiss Complaint</i> (Pearce, David) (Entered: 07/03/2019)
07/09/2019	<u>42</u>	PROOF of services to racketeering by Joseph D. Gilberti, Jr (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Mailing Envelope)(RMT) (Entered: 07/09/2019)
07/10/2019	<u>43</u>	NOTICE of Appearance by Jennifer Lodge Grosso on behalf of Sarasota

		Memorial Hospital (Grosso, Jennifer) (Entered: 07/10/2019)
07/10/2019	<u>44</u>	CERTIFICATE of counsel re <u>5</u> Interested persons order by Jennifer Lodge Grosso on behalf of Sarasota Memorial Hospital (Grosso, Jennifer) (Entered: 07/10/2019)
07/10/2019	<u>45</u>	<b>ORDER denying <u>39</u> Motion to Lift Stay Proceeding <u>39</u>. Signed by Judge Sheri Polster Chappell on 7/10/2019. (SMG)</b> (Entered: 07/10/2019)
07/11/2019	<u>46</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>15</u> Interested persons order by Sarasota County Board of County Commissioners. (Pearce, David) (Entered: 07/11/2019)
07/11/2019	<u>47</u>	NOTICE of pendency of related cases per Local Rule 1.04(d) by Sarasota County Board of County Commissioners. Related case(s): yes (Pearce, David) (Entered: 07/11/2019)
07/12/2019	<u>48</u>	NOTICE of pendency of related cases per Local Rule 1.04(d) by Ron Desantis. Related case(s): yes (Newhall, Timothy) (Entered: 07/12/2019)
10/03/2019	<u>49</u>	NOTICE of Appearance by Lucy Elizabeth Brown on behalf of Environmental Protection Agency (Brown, Lucy) (Entered: 10/03/2019)
10/04/2019	<u>50</u>	<b>INTERESTED PERSONS ORDER as to Environmental Protection Agency. Certificate of interested persons and corporate disclosure statement due by 10/18/2019. Signed by All Divisional Judges on 10/4/2019. (drn)</b> Modified on 10/4/2019. Document filed in error - disregard. (drn). (Entered: 10/04/2019)
10/28/2019	<u>51</u>	MOTION to Dismiss Plaintiff's Complaint by Environmental Protection Agency. (Attachments: # <u>1</u> Affidavit)(Brown, Lucy) (Entered: 10/28/2019)
10/30/2019	<u>52</u>	RESPONSE in Opposition re <u>51</u> MOTION to Dismiss Plaintiff's Complaint filed by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Mailing Envelope)(drn) (Entered: 11/01/2019)
05/01/2020	<u>53</u>	NOTICE by Southwest Florida Water Management District re <u>26</u> Order on Motion to Stay <i>and of Mandate issued April 30, 2020 by the US Court of Appeals for the District of Columbia Circuit</i> (Attachments: # <u>1</u> Exhibit Mandate issued by USCA District of Columbia Circuit, # <u>2</u> Exhibit Order) (Fernandez, Elizabeth) (Entered: 05/01/2020)
05/01/2020	<u>54</u>	NOTICE by Mosaic Fertilizer, LLC, The Mosaic Company re <u>26</u> Order on Motion to Stay (Attachments: # <u>1</u> Exhibit A - Mandate, # <u>2</u> Exhibit Comp B - Dismissal Order and Memorandum Opinion, # <u>3</u> Exhibit C - March 3, 2020 order, # <u>4</u> Exhibit Comp D - COA Orders denying Petition for Rehearing)

		(Weinstein, David) (Entered: 05/01/2020)
05/13/2020	<u>55</u>	NOTICE of Filing by Joseph D. Gilberti, Jr (Attachments: # <u>1</u> Exhibit complaint, # <u>2</u> Exhibit, # <u>3</u> Mailing Envelope)(RMT) (Entered: 05/13/2020)
05/15/2020	<u>56</u>	<b>ORDERED: Joseph D. Gilberti, Jr.'s complaint (Doc. <u>1</u>) is DISMISSED. The Clerk is DIRECTED to terminate all pending motions and deadlines, enter judgment, and close the case. Signed by Judge Sheri Polster Chappell on 5/15/2020. (AEH) (Entered: 05/15/2020)</b>
05/15/2020	<u>57</u>	JUDGMENT (Signed by Deputy Clerk) (drn) (Entered: 05/15/2020)
05/29/2020	<u>58</u>	MOTION to Vacate <u>56</u> Opinion and order, MOTION to Set Aside Judgment <u>57</u> Judgment by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit)(drn) Motions referred to Magistrate Judge Mac R. McCoy. (Entered: 06/01/2020)
06/03/2020	<u>59</u>	<b>ORDERED: Plaintiff Joseph D. Gilberti's Motion to Vacate Order and Set Aside Judgment for Fraud on the Court (Doc. <u>58</u>) is DENIED. Signed by Judge Sheri Polster Chappell on 6/3/2020. (AEH) (Entered: 06/03/2020)</b>
06/08/2020	<del>5</del> <u>60</u>	MOTION to Change Venue / Transfer Case, MOTION for Reconsideration re <u>56</u> Opinion and order by Joseph D. Gilberti, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit)(drn) (Entered: 07/06/2020)
07/06/2020	<u>61</u>	NOTICE OF APPEAL as to <u>56</u> Opinion and order, <u>59</u> Order on Motion to Vacate Order on Motion to Set Aside Judgment by Joseph D. Gilberti, Jr. Filing fee not paid. (Attachments: # <u>1</u> Exhibit A)(drn) (Entered: 07/06/2020)

UNITED STATES DISTRICT COURT  
FOR MIDDLE DISTRICT OF FLORIDA

Civ. No. 2:19-cv-282-FEM-38 MRA

JOSEPH D. GILBERTI, JR., P.E., an  
Individual and Licensed Professional Engineer,

Plaintiff,

v.

GOVERNOR RON DESANTIS,  
Governor, State of Florida,

and

THE MOSAIC COMPANY and MOSAIC  
FERTILIZER, LLC, ENVIRONMENTAL  
PROTECTION AGENCY, SARASOTA COUNTY  
BOARD OF COUNTY COMMISSIONERS,  
DESOTO COUNTY BOARD OF COUNTY  
COMMISSIONERS, HILLSBOROUGH COUNTY  
STATE ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE RIVER  
MANASOTA WATER SUPPLY AUTHORITY,  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT, 72 PARTNERS,  
LLC, LUIS E. RIVERA,

Defendants.

COMPLAINT

DEMAND FOR JURY TRIAL

FILED  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
SARASOTA, FLORIDA

2019 MAY -8 PM 12:11

FILED

RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT ("RICO")

Plaintiff JOSEPH D. GILBERTI, JR., P.E., hereinafter "THE ENGINEER," is an  
Individual, filing for a complaint against DEFENDANTS or "Enterprise", allege as follows:

INTRODUCTION

1. THE ENGINEER brings this action against DEFENDANTS for a Violation of  
RICO, 18 U.S.C. § 1961-1968, *et seq* (a), (b), (c) and (d). THE ENGINEER seeks damages  
from DEFENDANTS who are working in a massive Florida Statewide Enterprise and group of  
Media Networks who are essentially hiding secret underground rivers of endless Unique  
Alkaline Spring Water (herein after called "Blue Gold") that is critical Public healthcare, Safety,

Welfare, Job Creation, National Debt, overall Sustainability, National Defense and US Energy production.

2 This Enterprise is working to hide and/or steal these secret underground Blue Gold Resources for both foreign and domestic groups using the Department of Justice, FBI & CIA employees, Seminole Tribe Casino owners, Power Corps like FPL, Duke Energy with corrupt Florida and US Judges, Lawyers and Police Departments for Foreign and Domestic Terrorist Groups. This Enterprise is collectively manipulating and laundering US Tax dollars, using State and Federal routed Funds to steal unique lands and hide Natural and Endless Drinking water to fill cancer centers with bad manmade treated water from Polluted ground water and Rivers, to sell medicine, cancer centers and healthcare machines while killing millions of People over decades. Defendants have targeted this US Resources with our Tax Paid agencies using internal employees, local Law firms connected with Banks with Foreign Terrorist Groups and Organization to steal prime underground and land locations for real estate hidden from the American People.

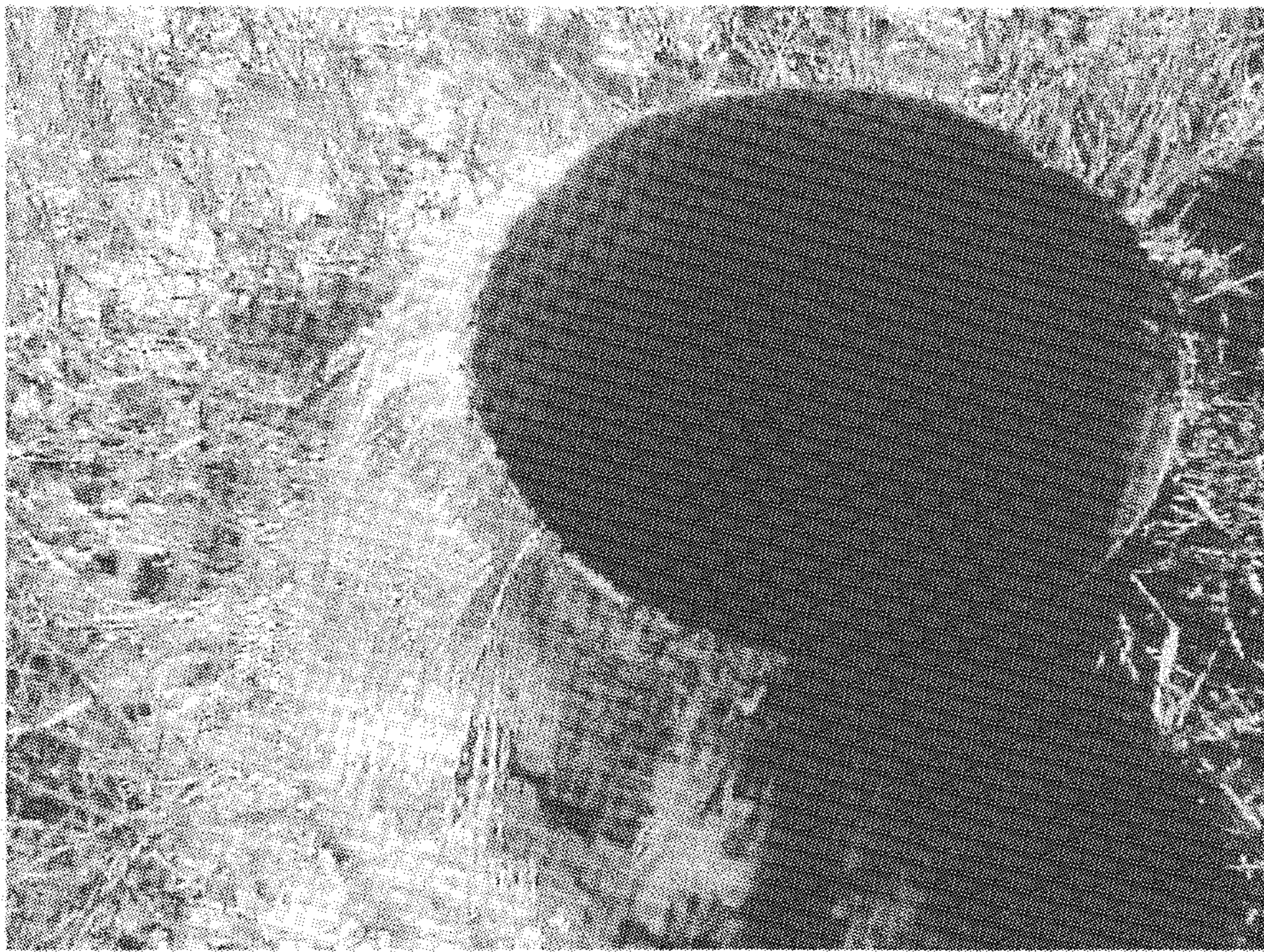
3 The Enterprise above is connected with another overlapping Enterprise filed in US Federal Courts in Washington DC (**Gilberti vs Federal Reserve et. al., Case 19-cv-00738-KJB**) against the FEDERAL RESERVE and many Environmental Agencies, that is moving to appeal in the **Federal Appeals Circuit for the District of Columbia** regarding JURUSTICTION from Judge Ketanji Brown Jackson who never even looked at the facts or the US Resource and may be in conflict due to Political issues with President Trump and being appointed by ex-President Obama and Harvard Law this case will prove is hiding this US Resource for decades with Moffit Cancer Centers, St Joseph's and Moffit Research-USF in Tampa and many US and World Universities. These Enterprises hid critical US National Defense and an ENDLESS underground Antioxidant Spring Water Resource with NASA and



EPA showing critical geological indicators that teach America and other Nations how to find many more in Days, essentially ending World Hunger and many reasons for migration and Wars. These Unique hidden underground resources create World sustainability in days and ending reasons to printed money by the Federal Reserve and Rothschild World Bank Zion from lowering escalated fuel cost and inefficiency from shipping international trade commodities from limited natural resources, food, water and medicine across the World from Nation to Nation that was created by hiding these Resources with programs derived from FALSE Global Warming initiatives like the Kyoto Protocol that is linked to the purposely caused BP Oil spill this case can prove. A Global economic crisis was created by the DEFENDANTS and this Enterprise.

4 DEFENDANTS are in a powerful Enterprise working with Global Groups, such as but not limited to Rothschild Federal Reserve IMF Banks, Bilderberg Group, Rockefeller, J.P. Morgan, Israel Mosaic Phosphate, Florida and US Banks, State and Federal Courtrooms, Judges, Federal and Florida County Clerks, Police Departments, Hospital Districts, large Land Developers, Drinking Water and Environmental Regulatory Agencies, US and State Tax base programs, such as the Florida Forever Trust Fund, Department of Transportation, State Revolving Fund for infrastructure extensions Drinking Water Supplies. These Groups have worked together to monopolize and control Elections, Media, Campaign funding, Development, Housing markets, businesses, infrastructure spending, unnecessary Medicine and Opioid production-sales-marketing, by pumping much lower Level of Service drinking water, to condemn millions of Homes, Businesses, Tourists and Citizens with Cancer rates; in an effort to steal Medicaid, sell Medical equipment with inside trading from Cancer and Disease rate projections from poor raw Water Supply and bottling resources, building Cancer Centers and more Hospitals, profiting from bottling when Tap can be more healthy, causing pollution and RED TIDE, collectively and essentially causing a massive Healthcare and National Debt crisis.

4. Access to a secret endless Underground River of Antioxidant Spring Water "Blue Gold" hidden since 1969 by the Department of Interior, Southwest Florida Water Management, Tampa Central Command, General Development Corp and Rothschild IMF Banks who fund our Federal Reserve with others is shown below. Live videos available with underground experts claiming nothing on Earth is even close to this World resource for America! And it's FREE as Water is FREE! It's the Cost to get to the Tap and THE ENGINEER reserves rights to make sure medicine is lowered in cost and World Bottling to pay for our Nations needs for Kids, Schools, Healthcare and cleaning up the Oceans and Rivers Mosaic Phosphate and the DEFENDANTS Destroy to kill our Water supplies and Children.



1969 Floridan Well (Earth Coring) dug 1509' deep accessing Oceans beneath the Earth located at my Land at 9438 Daughtrey Road, Sarasota Florida 34266. This Well was hidden and in permit files for SWFWMD for decades

See Unique Underground River natural ready to drink spring Water Antioxidant readings that can be verified in ONE HOUR by any lab of the Courts choice as THE ENGINEER will grant access immediately to find more across the Nation in days.

Report #: 11712166  
 Date: 11/7/2012  
 P.O. Number: 102 CX

**ETR** Environmental Testing & Research  
 Laboratories

Sample as Client

Matrix: Well Water  
 Client: Local Daughtrey, J  
 Sample: 3418 Daughtrey Rd  
 Location: Sevier FL 34266  
 Phone: (978) 442-6666

This sample taken by Jose Gutierrez, E.C. on 10/28/2012 at 10:24:20 AM  
 on 10/28/2012. Point of collection: Well #2

**Health Scan Report**

Public Drinking Water  
 EPA Limits

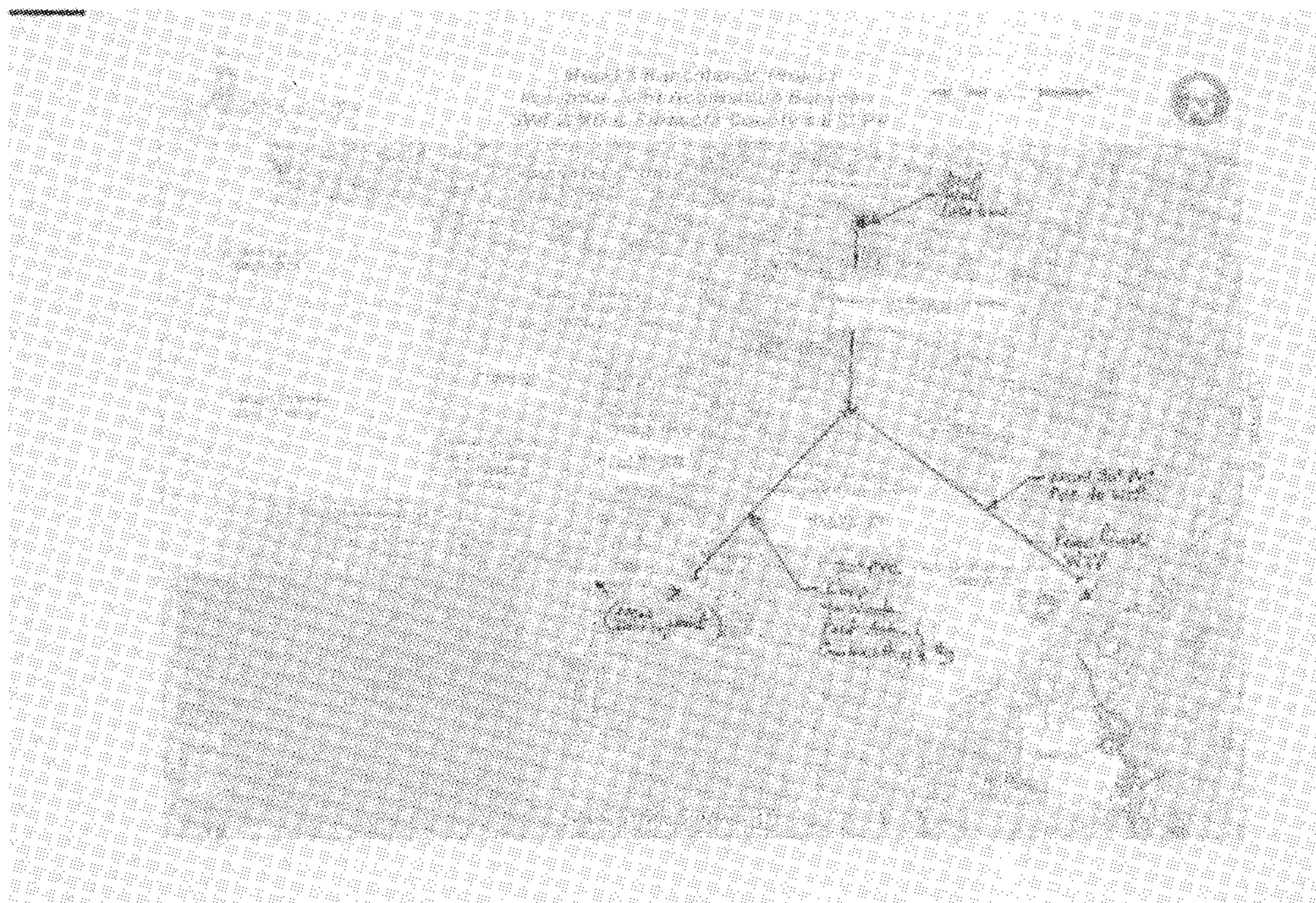
	Results		Public Drinking Water EPA Limits
<b>General Bacteria</b>			
Total Coliforms	Absent	Animal or Vegetational Disturbance	0
Fecal E. Coli	Absent	Animal Bacteria	0
<b>MicroAnalysis</b>			
MicroAnalysis	See Attached		
<b>General Chemistry</b>			
Sodium	74.85 mg/L	25.5 mg/L is Max. DEP Guidelines	200 mg/L
Potassium	4.17 mg/L	A Component of Soil	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	3.44 mg/L	Brown Stains, Filter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.80 mg/L	A Component of Hardness	No Limit
Calcium	116.25 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.05 mg/L
Lead	Not Detected	A Toxic Metal	0.05 mg/L
Zinc	Not Detected	A Toxic Metal	1.0 mg/L
pH	7.48 pH	Acid/Basic Determination	6.5 - 8.5 pH
Turbidity	0.42 NTU	Presence of Particles	No Limit
Color	Not Detected	Cloudy (5), Discoloration (10)	15 PCU
Odor	Not Detected	Odor Due to Contamination	1.0 T.O.M
Conductivity	1771.8 umhos	Electrical Resistance (Inversely)	No Limit
TDS	1062.4 mg/L	Total Dissolved Minerals Present	500 mg/L
Sulfate	Absent	Undissolved Solids	Present
Alkalinity	179.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.22 mg/L	A component of salt	250 mg/L
Hardness	288.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.22 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.487 mg/L	Indicator of Waste	No Limit
Sulfide	0.5143 mg/L	A Mineral, Can Cause Odor	200 mg/L
<b>Radiochemistry</b>			
Radon in Water	Not Detected	Massachusetts DEP Guidelines	10,000 pCi/L

59 Elm Hill Ave. Leominster MA 01453-4864 (978) 843-2941 (800) 344-3917  
 info@etr-labs.com www.etr-labs.com

Unique Alkaline Mineral Spring Water Readings tied to Secret Underground Ocean isolated under Daughtrey and Gilberti Sarasota lands hidden by SWFWMD, Sarasota-Charlotte-Desoto County, Peace River Manasota Lawyer, Engineers and consultants and EPA

5. DEFENDANTS hide this US Resource with Tampa Central Command and Florida Leaders for decades per our investigations and set up Tax base systems to pay hundreds of millions to ex-Commissioners, and Ranchers next door timed after Hurricane Charlie while

building the ZIKA Pond reservoirs like RV Griffin and Tampa CW Bill Young Reservoir in Hillsborough County with Tampa Bay Water Authority (The Tampa conflict Water Wars – see Florida Water wars). Below is millions spent to neighboring ranches on the same month THE ENGINEER and his clients land are attacked by the DEFENDANTS with a Levy to hide the US Resource from millions of People.

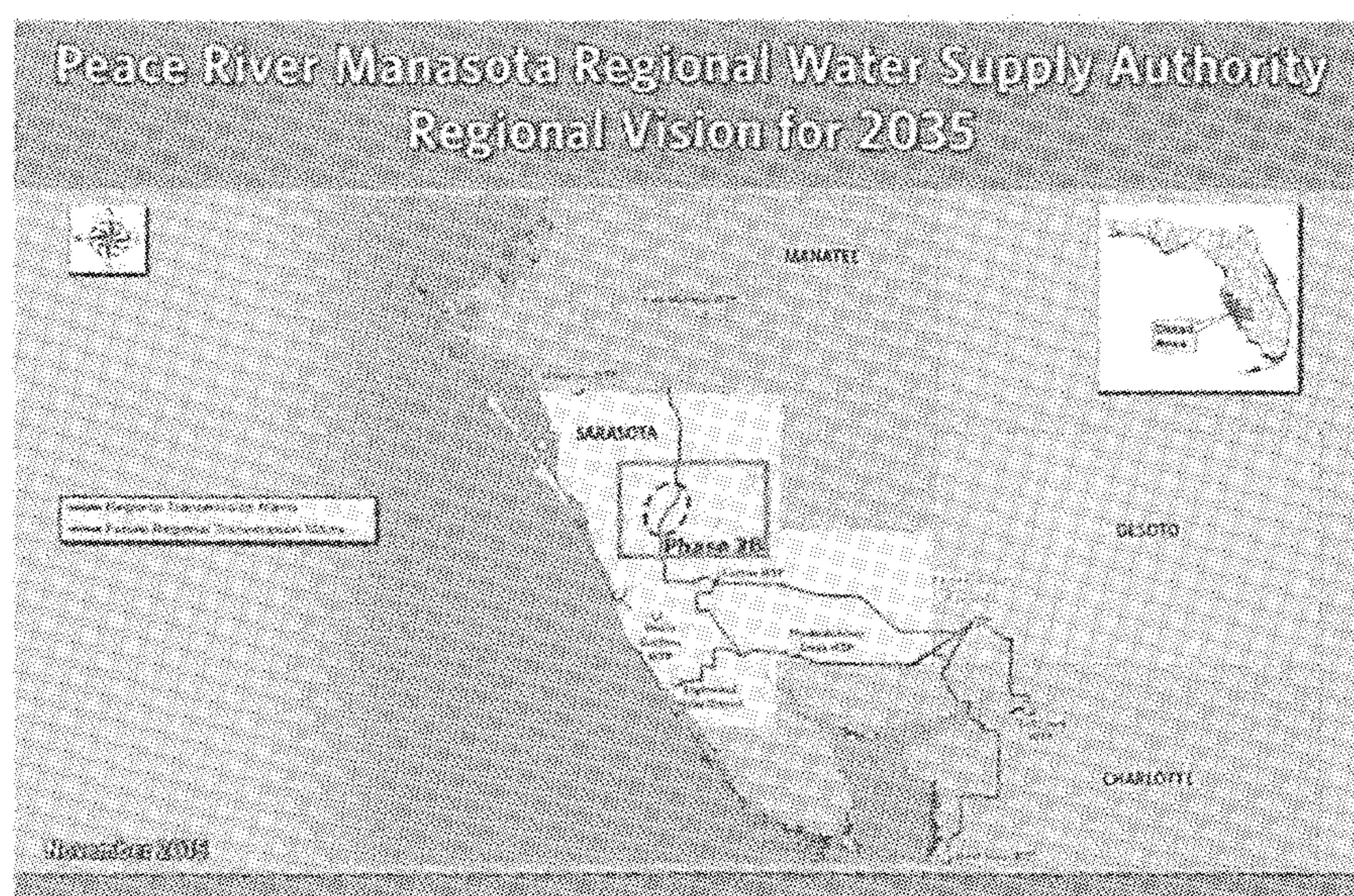


Millions in Florida Forever Trust funds to ex-Commissioner Longino next door same week Sarasota filed LEVY for \$120K to steal 2500acres of land with Resource w Swfwmd, Tax dollars illegally spent while US Resource attacked by DEFENDANTS

6. DEFENDANTS assist the Global elite to create a World Military and Big Pharma complex to move masses of People from Nation to Nation, causing border crisis and National debts to the World and US People by hiding these Secret Underground Access points to a vast secret Ocean of Antioxidant spring water and Energy production from Mankind.

7. A diagram of the Peace River Loop system designed in 1991 that planned this attack with the FEDERAL RESERVE BOARD and Rothschild IMF Banks with Blue Gold Bush Family through Tampa McDill Air Force base Deep State Military Complex, Israel Mosaic

Phosphate/Israel Chemicals LTD and Monsanto to build a Eugenics operation to poison regions of neighborhoods, create bottled water that causes more pollution with the EPA who also helped hid this with the FAKE Ice Comet Theory and Fake Global Warming initiatives like Kyoto Protocol that links to a purposely done BP Oil Spill this case discovery can prove. See diagram of Peace River loop system that can now have Earths' healthiest water to the Tap with lower water bills.

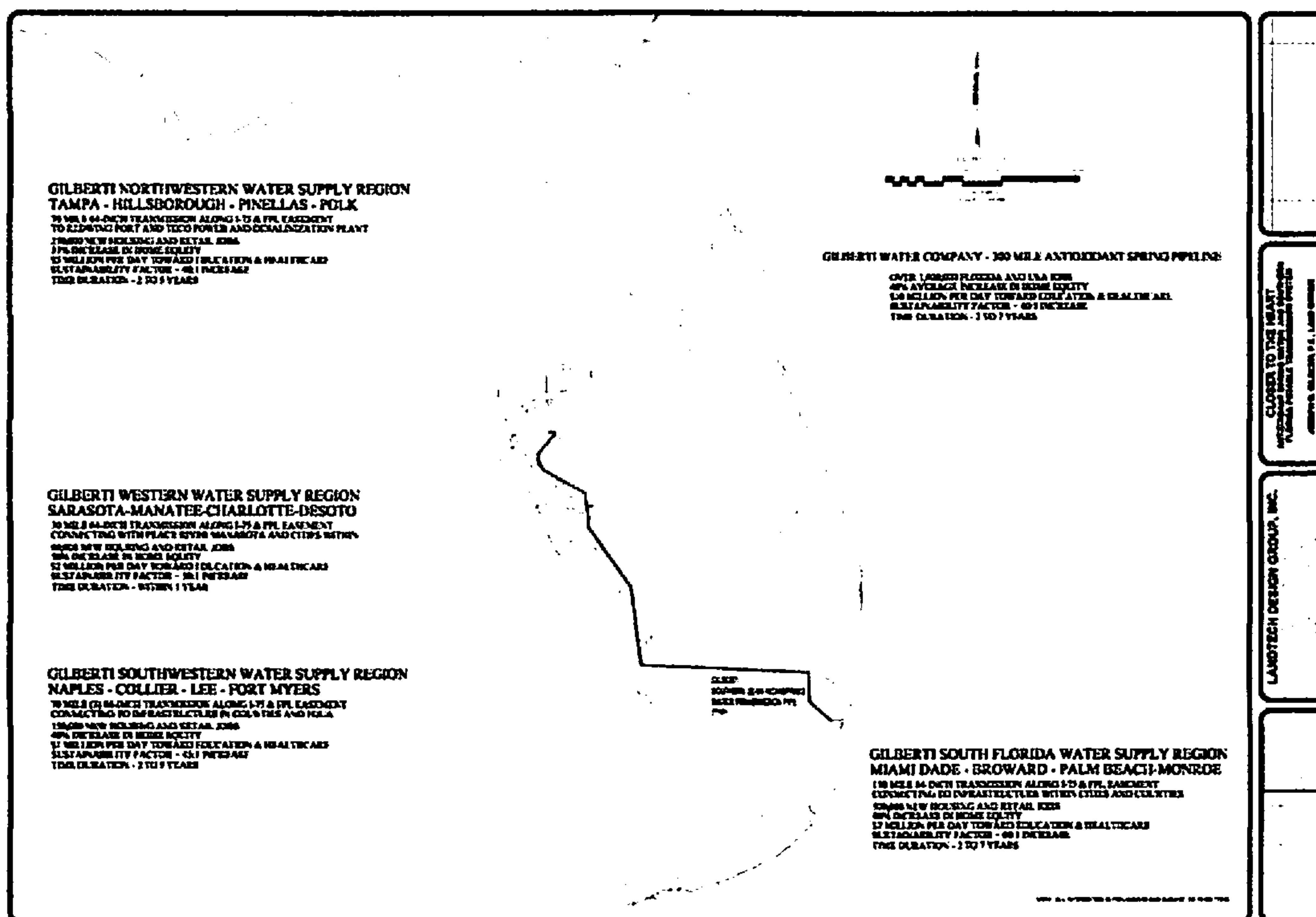


Four county commissioners via Sarasota, Desoto, Charlotte and Manatee County own this Regional system.

8. See LandTech Design Group, Inc., THE ENGINEERS corporation who filed a Notice of Intent to sue the EPA on December 19, 2018 where video links showing terrorism acts tied to Governor Rick Scott, Hillsborough State Attorney, Pam Bondi, Mark Ober, Chris Shaw, Judge Conrad, Judge Dominquez, Judge Mark Wolfe tied to the Enterprise during the Boston Bomb that was used in Tampa to raise THE ENGINEERS cyberstalking bond for Mosaic Phosphates lawyer from Greenberg Traurig, Dave Weinstein and Vin Marchetti timed with the attacking the critical lands, with a predatory loan forced used working with Sarasota to Tampa staff, leaders, local engineers and lawyers to impose a Sarasota Levy in the millions. The loaned

millions to a poor farmer, Cecil Daughtrey, THE ENGINEERS Client (see Sarasota Case 2011 CA 004209 NC and US Supreme Court Case 18-1110) who never had a Job, hence the Truth and Lending act and TILA many lawyers and the Trustee Luis Rivera skated around for years in the US Middle District courts, Sarasota courts and now in the US Supreme Court. This Notice of Intent was copied to Judge Leon in Washington DC Federal courts in a Motion to intervene on the Trump Shutdown case referenced in this Complaint.

9. A proposed 15 County, 60 City Transmission System to serve Tampa to South Florida antioxidant spring water is hidden by all Florida Leaders and the DEFENDANTS to keep Cancer and Opioids rising as an epidemic in Florida and USA. See Schematic below and FDOT Permit Tracking Number in District 1, 4, & 6 (FDOT Tracking No. 0032982 resubmitted on Feb 4, 2019 from submittals back to April 1, 2013 also to District 5 & 7 Tampa).



300-mile Antioxidant pipeline solves Florida North South Water Conflict submitted to FDOT in 2014

10. **DEFENDANTS steal donations for Moffit by keeping cancer rising and invest in Cancer machines, medicines on the Stock Market as they watch our dead children and families react to different water treatment mixtures mixing from different polluted rivers, different arsenic ground water resources and interconnecting systems like Peace River Manasota and Tampa Bay Water supply. Knowing Mosaic mining spills with Radioactive gypsum boards, hurricane spills and unknown spills in the swamp occur constantly. Just to feed the Doctors and Lawyers who kick it back to the Cops, Judges and Developers like Lennar, WCI, Palmer Ranch, Lakewood Ranch, Pat Neil Communities, Land Solutions, Land Holding South, Wheel Lock, Lee Pallardy, Culverhouse, High Hat Ranch, Moffit Cancer Centers, Benderson Development, Debartolo Development and many more as this case opens nationally.**

11. **DEFENDANTS violated the Florida Unfair and Deceptive Trade Practices Act by forming predatory loans on targeted large tracts of land that have secret underground endless alkaline spring water rivers to hide them from the Public and steal lands, see Sarasota ongoing Cases 2011 CA 004209 NC, 2015 CA 006544 NC and 2016 CA 000205 NC. THE ENGINEER'S client Cecil Daughtrey has petitioned to the US Supreme Court since October 2018 (US Supreme Court Case Docket 18-1110) on Terrorism Acts surrounding this US Resource, kidnapping of his THE ENGINEER by DEFENDANTS and Fraud by US Middle District courts with Lawyers and Trustee Luis Rivera II of Gray Robinson Law and Henderson Franklin Law in Fort Myers Florida.**

12. **In this particular area of west Florida, DEFENDANTS attacked THE ENGINEER and his clients Cecil Daughtrey Jr. and Robert Flint of Flint Farms in Sarasota, Desoto and Manatee Counties, on both sides of THE ENGINEERS land to prevent the 300mile Spring Water Transmission in FDOT and multi agency permitting since 2012 to serve over 10million taps from Sarasota to Miami down Interstate I-75 and US Hwy 27, from West Florida to South Florida.**

**DAUGHTREY** lacked the ability to repay the \$2.3million dollar predatory loan as he never had a Job nor realized the water resource's ability to connect to a Regional system or its critical Medical and Public need to provide cleaner and less expensive Drinking Water to millions of Taps of Hospitals, Homes, businesses and Schools. See US Middle District Cases ongoing **9:13-bk-14831-FMD Daughtrey vs Rivera** and **9:19-ap-00104-FMD Gilberti vs Rivera**.

13. The Following State and Federal cases in Florida, Georgia and Washington are tied to this Complaint in US Supreme Courts, US Florida Middle District Courts, Sarasota County Courts, Hillsborough County Courts, Broward County Courts, US District Court of Columbia and Georgia Courts:

- US Supreme Court case: 18-1110 Cecil Daughtrey, et ux., vs Rivera
- US Federal Court  
District of Columbia case: 19-cv-00738 Gilberti vs Federal Reserve, et. al
- Florida US Middle Dist case: 9:13-bk-14831-FMD Daughtrey vs Rivera  
9:19-ap-00104-FMD Gilberti vs Rivera, et. al,
- Georgia 11<sup>th</sup> Dist case: 2:15-cv-35-Ftm-29 Daughtrey vs Rivera
- Sarasota Cases: 2011 CA 004209 NC BSFL Holdings vs Daughtrey  
2015 CA 006544 NC Gilberti vs 72 Partners LLC  
2016 CA 000205 NC 72 Partners vs Joe Gilberti
- Hillsborough Cases: 12-CM-011299-A State of Florida vs Joe Gilberti  
13-DR-006408 David Weinstein vs Joe Gilberti  
13-DR-007061 Vincent Marchetti vs Joe Gilberti  
13-CM-008278-A State of Florida vs Joe Gilberti  
16-CF-010976-A State of Florida vs Joe Gilberti  
18-CF-004829-A State of Florida vs Joe Gilberti  
18-CF-005038-A State of Florida vs Joe Gilberti
- Broward County Cases: CACE 18-008568 Borges vs Cruz  
CACE 18-009607 Pollack vs Cruz



18001958CF10A State of Florida vs Cruz

17002130CF10A State of Florida vs Cory Gilberti

19-005019 Israel vs Desantis

Florida DOAH Cases: 17-003257PL –Fla Board of Engineers vs Gilberti  
18-003276 – Polk Regional vs Peace River-Swfwmd

Florida Board of Eng Case: 2016-029320 – Board of Engineers vs Joe Gilberti

US Federal Court  
District of Columbia Case 19-cv -00051 – John Doe vs Trump (shutdown)

14. The above cases show timed kidnapping by DEFENDANTS and Hillsborough County District 13 with Sarasota District 12, US Middle District, Broward District 17 on THE ENGINEER and his Family members with Terrorist attacks tied to Boston Bomb, Texas Fertilizer explosion, Pulse Bar shooting, Marjorie Stoneman Douglas using Greenberg Traurig Law, Mosaic Phosphate, Gov Rick Scott, State Attorneys, Public Defenders, Water boards, Florida Engineering Board that can show a full blown attack on THE ENGINEER'S rights from finding the World underground access to Oceans of Unique Spring Water. These Courts, Lawyers, boards and more are in an Enterprise to hide and/or steal the US Resource for Foreign Terrorist Corporations. All charges were forced to either be dropped on Joe Gilberti and his family or forced in duress to take a plea to save the land with the US Resource in Sarasota. The Enterprise across West Florida and US Middle District courts where dockets were timed after with bond hikes used to keep Gilberti or his family illegally incarcerated, and at times tortured until they give up on saving America or its critical US Resource. In these cases Judges ignored the US Resource as Pam Bondi, Andrew Warren, Mark Ober and DEFENDANTS in an Enterprise attacked our National Defense Constitution, created more laws to attack Gilberti (see Florida HB 1099) timed with attacking his licensure and family. Cory Gilberti was charged for AR-15 shooting of Cambridge Security building with NO PROOF but due to attorney fees and

never being in trouble in his life nor having a Gun, took a Plea in Duress and Fear for his life as he almost died in Broward Jails. More cases such where Gilberti intervened in Water Board lawsuits ran off once filed.

15. Below is a copy of email correspondence proving THE ENGINEER was setup and kidnapped by Hillsborough County District 13 staff (with help of Lee County and Sarasota County Dist 12 and 20, as well as Broward County District 17) where Public Defender Chris Shaw, the entire State Attorneys office, Mark Ober, Andrew Warren, Pam Bondi and Judges during the 2016 Election pulled a fake arrest to subdue THE ENGINEER when land cases were up in Middle District, 11<sup>th</sup> District Court of Appeals, and Sarasota Courts. The Enterprise worked with Cops, Media, Pulse Bar, Commissioners, Hospital boards and these lawyers, Judges and police to attack America. They filled out fake AR-15 death threats on Pulse bar week. Chris Shaw was the Public Defender for THE ENGINEER for the Boston Bomb bond hike on April 15, 2013 for Mosaic chief council at Greenberg Traurig and Sheriff Gee, Mark Ober and Pam Bondi with Obama administration who disappeared two day before. Chris Shaw is an arch Criminal with the Enterprise and Judges on the payroll of the Enterprise in with the DEFENDANTS. See exhibit below which ties to an entire case(s) of lies to attack THE ENGINEER, his land, America and kill millions with Cancer Rates, poor economy, bad food, foreclosures and bad medicine.

From: Catisha Smith <[SmithC@PD13.STATE.FL.US](mailto:SmithC@PD13.STATE.FL.US)>  
Date: 9/4/18 3:33 PM (GMT-05:00)  
To: christine Gilberti <[gilberti-4@hotmail.com](mailto:gilberti-4@hotmail.com)>  
Subject: FW: Zachary Self

-----Original Message-----

From: Mosakowski, Robert T. [[mailto:Mosakowski\\_R@SAO13th.com](mailto:Mosakowski_R@SAO13th.com)]  
Sent: Friday, August 31, 2018 3:24 PM  
To: Catisha Smith <[SmithC@PD13.STATE.FL.US](mailto:SmithC@PD13.STATE.FL.US)>  
Subject: FW: Zachary Self

Catisha, attached is the report written by US Marshall Zachary Self. Additionally, Mr. Shaw brought in his computer this afternoon. Our IT department spent over an hour going through it attempting to find the email but could not find it.

Thank you,

Robert T. Mosakowski  
Assistant State Attorney  
Deputy Chief of Felony Division B  
(813) 274-1732

**Proof no AR-15 threat was found but Judge Wolfe and State attorney forced plea to get to Sarasota case after 6months of Torture and confinement**

**FAKE POLICE REPORTS WITH AR-15 TIMED WITH PULSE BAR SHOOTING BY HILLSBOROUGH COUNTY DISTRICT 13**

16. Director of Florida Department of Environmental Protection (FDEP), Jon Iglehart helped THE ENGINEER submit the Phase 1 funding to the FDEP State Revolving Fund (SFR) to the Marjorie Stoneman Douglas building in Tallahassee on January 28, 2018, 17 days before the Parkland Marjorie Stoneman Douglas shooting happened while Gilberti is in a FAKE AR-15 death threat District 13 Hillsborough County bond game (similar to the Boston Bomb game and tied to it with same lawyers) created by Christopher Shaw the Public Defender in the 2012 Hillsborough Case with Greenberg Traurig Dave Weinstein. Christopher Shaw is on record pulling the Sarasota land and water files in civil cases and suddenly disappeared in 2013 just before Trial; for charges that were ultimately dropped involving Mosaic and Greenberg Traurig. Then Chris Shaw and Pam Bondi's gang turns around and files Fake AR-15 threats on Pulse Bar week at the same time Broward attacks Cory Gilberti with an AR-15 threat (see Broward Case State vs. Cory Gilberti 17002130CF10A). Then files false charges 8months later within days of the potentially FAKE Parkland shooting, which another lawsuit or modification of this complaint is coming as witnesses keep coming forward. These potential FAKE Acts of shootings utilizing the Smith-Mundt Act of 1948 modified in 2013 were used by the Enterprise, Deep State Leaders, Media and Courts to subdue THE ENGINEER, steal bond money, tax base from Schools and Florida Tax payers, influence control, Elections, Campaign agendas, US and Florida Judges, Cops, State Attorneys and Media that would affect Jury decisions in a Fake news atmosphere, hence forcing a plea after many months of illegal confinement and bond games. These false flags were used by the Enterprise to spend millions on special doctors and teach FEAR across America while the Enterprise capitalizes on subduing the Engineer and his lands for foreign Terrorist corporations such as Mosaic and FPL-Nextra, bottling corps like Nestle and more. All in an effort to subdue THE ENGINEER while timing other district court dockets with land grabs and ILLEGAL Compromises or even NO NOTIFICATION of hearings and such.

17. DEFENDANTS in an effort to sell Opioid and Cancer Centers collectively used Tax dollars to lower the LEVEL OF SERVICE (**See multiple Florida Racketeering Cases filed just last month across Florida such as in Brevard County Case 6:19-cv-00145-PGB-TBS**) of Water Supply and to hide the secret underground River of Unique and ENDLESS Antioxidant Spring Drinking Water and to destroy American Families, sell medicine and Opioids, and prevent other Nations and US States from understanding this knowledge under this land that finds many more in days with its geological indicators DEFENDANTS knew of for over 40yrs.

18. DEFENDANTS worked in an Enterprise to stop the 300mile Pipeline, permits and project by THE ENGINEER, hence condemn millions of homes and businesses during a Historical recession during Obama, Clinton and Bush Administrations. Taking advantage of millions like a typical mobster Racketeering operation does in times of crisis while filling our homes with Opioid sales and Obama-Bush-Clinton Healthcare LIES and higher costs of Insurance premiums to feed Hospital investment groups and Big Pharma Hedge funders backed by Rothschild Federal IMF Banks and their partners.

19. DEFENDANTS forced THE ENGINEER'S Clients with areas of this underground secret river, which is part of the Project, into a Levy with Sarasota County and a syndicated group of Terrorist Lawyers, Developers and members of US Agencies. While processing the forced Levy on Cecil Daughtrey from an ILLEGAL Mortgage or TILA, the Enterprise used Tax Base dollars for the last of the Florida Forever Trust Fund in June 2010 on Longino Ranch next door spending over \$16million with Southwest Florida Water Management District and Sarasota County for a ranch that is useless to tax payers, which could have been used to connect this Resource to over 3million residents over 9yrs ago after Hurricane Charlie destroyed the Peace River system for years. Many children, Pets and US Citizens died of Cancer who would have

potentially never obtained Cancer or beat the Cancer with this world Medicine water mixture tied to a vast deeper underground Ocean. This Vast Ocean is global but can only be accessed by Natural Meteor Impacts that causes deep leaks. (See Oceans beneath the Earth and Gilberti KT Hypothesis and multiple University studies). Many homes and businesses would have prospered instead of foreclosing causing divorces, home breakups, and domestic violence. And intern, prescribing Opioids and unnecessary medicines being advertised across America and now to our Children who don't need them. In an effort to employ Doctors, Psychiatrist and fools and end real job creators and economic drivers like Construction and building alkaline cancer reducing or preventing homes from these endless unique resources to the Tap.

20. DEFENDANTS purposely attacked and circled around THE ENGINEER and his lands and his client's lands while taking his work and most likely attacking other sites across the Nation while THE PEOPLE are hidden from the World Knowledge exposed. They have shutdown internet sites timed with critical data, hide presentations to Commissioners by changing out Meta Data Software and falsifying dates, until that was found then quickly fixing it and change personnel or contract vendors involved. All in an effort with DEEP STATE terrorist Judges, Lawyers, Police, Investment groups, agencies attacking THE ENGINEER with the secret underground resource.

21. DEFENDANTS want to hide the fact they built hundreds of millions in pipes and massive Zika Pond called RV Griffin Reservoir after Hurricane Charlie to poison millions of Taps in a 4County Peace River Manasota Water Supply interconnecting infrastructure system with RED TIDE Peace River water and/or Arsenic ground Water raw resources from Carlton WTP, Punta Gorda WTP and Peace River WTP, to raise water bills, increase cancer rates to the West Florida region at million of Taps for Homes, Hospitals, Schools and Businesses.

22. DEFENDANTS with their Enterprise used consulting engineering companies such

as but not limited to, Stantec, King Engineering, Johnson Engineers, HDR and Corollo Engineering to hide the secret underground vast and unique US natural drinking water Resource with staff members of multiple Counties listed with DEFENDANTS that will soon grow with discovery in this case and others tied to it listed.

23. DEFENDANTS spent hundreds of Millions of US Tax dollars wheeled down from over printed money on neighboring lands Carlton, Walton and Longino Ranch (ex-Sarasota County commissioner Buster Longino adjacent to THE ENGINEER and Daughtrey lands) to hide this Resource for two decades with Southwest Florida Water Management, Sarasota County, local continuing service engineers and environmentalists, civil servants, Universities and Washington Federal Reserve IMF Banks to fill Cancer Centers, run up a National debt crises and foreclose homes across Florida and America during an unnecessary War from 9-11 these groups are tied to in Florida with Bush Family (Blue Gold Bush Family). This Sarasota-Manatee-Desoto secret underground resource and site teaches America how to find many more in days with its geological indicators via historical Meteor Impacts providing leaks or access to deep Oceans beneath Earth far past Oil drilling and Mankind's technology. This site can be verified in ONE DAY. The Courts, Universities, Labs and DEFENDANTS can simply perform a Water Quality Health scan and pump report in hours and have data emailed to any US Leader or University in ONE DAY.

24. DEFENDANTS used Government Shutdowns by President Obama in 2013 for computer HP Glitch for ObamaCare timed with Dockets of software changes in E-file systems to hide Notification of Trials with Sarasota county on a critical case against THE ENGINEER and his clients, while Tampa District 13 is kidnapping Gilberti with Greenberg Traurig chief council for Mosaic Phosphate who is next to their lands with the secret underground River of Unique Water never seen on Earth. This water can be verified in ONE HOUR and not one THE

**ENGINEER or Leader is willing to do it as they are afraid to HELP AMERICA from these Terrorist Enterprises and DEFENDANTS. Obama shutdown was timed on Columbus Day October 14, 2013, to hide a critical Trial on National Holidays, using sudden appointed retired Judges in Sarasota, software transitions on Sept 9, 2014, to hide Trial notifications, utilizing Clerk Meta Data Software changes for the April 1, 2013 Florida E-File mandate in County Clerk systems to hide notification of Trials.**

**25. DEFENDANTS worked in a syndicated group manipulating dockets, and timing them with kidnapping THE ENGINEER in Hillsborough County on days of Boston Bomb Terrorism attack with fraudulent bond hearings, for Mosaic's Chief Lawyer Dave Weinstein of Greenberg Traurig, at the time of Sarasota land Trials without proper notification, while orchestrating this e-file game and multiple judge rotation and racket. More on this corrupt racket is explained in further detail, and was disclosed in open courts, filed at the US Middle District Courts, Sarasota circuit courts and US Supreme courts regarding the same.**

**26. DEFENDANTS filed fake police Reports with Hillsborough and Tampa Police, Hillsborough County State Attorneys office District 13, as well as Broward County Scott Israel on THE ENGINEER and their family members involving Boston Bomb Marathon Explosion, AR-15 threats timed the week of the Pulse Bar shooting and our Marjorie Stoneman Douglas shooting as part of the revised Smith-Mundt Act to process timed prosecutions and bond hikes with Sarasota and US Middle District land cases, to steal the land and hide the US Resource from America with Terrorist Lawyers, Judges, Developers and Foreign Banks-Investors part of the Enterprise.**

**27. DEFENDANTS utilized their Enterprise to create confusion and use media momentums on Elections, School Board groups, to attack THE ENGINEER, the US hidden Resource and to create a false issue of gun control.**



28. DEFENDANTS with Deep State crooked police officers, Lawyers, Judges and State Attorneys falsely accused THE ENGINEER to force a plea timed in duress while lands are being attacked in 11<sup>th</sup> District Courts of appeals in Georgia and Sarasota County where MOSAIC has influence with Greenberg for over 20yrs via mining compacts and Florida Water Wars. A massive group of Lawyers, Judges, Police officers, Firemen, School board officials with Leaders have helped DEFENDANTS as an Enterprise as this Resource under THE ENGINEER'S land may dictate World Medicine much higher in value LEVEL OF SERVICE in Water supply to billion of People as these access points are hidden all over the Globe.

29. DEFENDANTS while attacking the lands in Sarasota and US Middle district courts with a gang of Lawyers, Media news groups (such as Fox News, ABC News, Channel 2 News, SNN News, Wink News, Politico), Judges and Bankers have hidden multiple permit petitions, taken review fees and retired or rotated civil servants and Judges timed with Subduing THE ENGINEER to reset the project and momentums as well as scaring away investors and civil servants who were trying to help, such as FDEP Director Jon Iglehart in Fort Myers and many more. DEFENDANTS with this Enterprise and US Media, Leader and banks are conspiring an effort to keep Cancer rising a the Tap of over 10million Florida Homes, keep foreclosures rising, causing businesses to fail from poor Water resources and RED TIDE issues, and holding up millions of Jobs and True overall sustainability.

30. DEFENDANTS violated the Florida Unfair and Deceptive Trade Practices Act by making a loan to the Daughtrey's, THE ENGINEER'S client and used the US Middle District Trustee Luis Rivera to include THE ENGINEER'S Land in its ILLEGAL compromise that has caused Litigation and being hidden by a Union Bank Blanket bond of \$48,000,000.00 dollars since 2014. DEFENDANT was aware that Daughtrey lacked the ability to repay the loan. All in an effort to damage THE ENGINEER'S land, Pipeline project and millions of Americans by

**stealing and hiding the US Resource.**

**31. DEFENDANTS failed to deliver all material disclosure required by The Truth in Lending Act (“TILA”) and Regulation Z, including, among other things, failing to clearly and accurately disclose (1) the amount financed, (2) the finance charges, (3) the annual percentage rate, including any variable feature disclosure, (4) the number, amounts, and timing of payments scheduled to repay the obligations, and (5) the total payments using these terms in violation of Regulation Z.**

**32. DEFENDANTS violated the Florida Fair Lending Act, section 494.0078, et seq. (“FFLA”) by, among other things, extending credit to the Daughtrey’s to steal THE ENGINEER’S Land with access to the secret underground Resource, hidden 40yrs by DEFENDANTS, and stop THE ENGINEER’S ongoing Public Need project, without any regard for THE ENGINEER’S clients Daughtrey’s ability to pay back the loan. FFLA prohibits lenders from engaging in any pattern or practice of extending loans to borrowers based on the borrowers’ collateral without regard to the borrowers’ ability to repay the loan, including the borrowers’ current and expected income, current obligations, and employment.**

**33. DEFENDANTS have worked collectively in a CIVIL CONSPIRACY to steal property owned by the Daughtrey’s and THE ENGINEER was, and still is, worth substantially more than the amount of the predatory Loan (with an invalid Mortgage and Survey); contains wetlands and other natural conditions that make it desirable for acquisition as part of an Environmental Land Acquisition and Protection Program; and has a deep well (tied to a massive underground River in an isolated area) located within its boundaries, the control of which by certain persons or entities could cause such persons or entities to achieve, or maintain, a monopoly power with regard to the areas’ water supply.**

**34. DEFENDANTS are in violation of the Florida Deceptive and Unfair Trade**

Practices Act (“FDUTPA”).

35. DEFENDANTS are in violation of the Florida Consumer Collections Practices Act (“FCCPA”). Rob Harper, Brian Philpot, BSFL Holdings, Lee Pallardy, Thomas Howze, Kenneth Harrison, Lawrence Hall, Spenser Hall and 72 Partners LLC knew, or should have known, that the Mortgage did not create a legitimate security interest in the real property owned by the Daughtrey’s and THE ENGINEER.

36. DEFENDANTS with Kenny Harrison and Southwest Florida Water Management District (Swfwmd) are in CONFLICT with this site as Kenny Harrison sat on Swfwmd Peace River Board after Hurricane Charlie to build the unnecessary RV Griffin 6 Billion gallon Reservoir for Peace River Manasota Water Supply Authority in 2006 to 2009, knowing of the Daughtrey land and Resource for decades being a neighbor next to the land for over 40yrs. Harrison Cattle LLC leases land at the RV Griffin parcel since 1970’s when the EPA was formed to hide this Unique underground Rivers with US Geological Survey, General Development Corp, Department of Interior and the Army Core of THE Engineers for a taking with Mosaic at this time when population demanded it. A long range Racketeering operation tied to Global UN Water Wars and Blue Gold Bush Family to control Water, Food, Medicine, Development and Federal spending with unique Raw Resources.

37. DEFENDANTS are associated with an Racketeering and Corrupt enterprise, which from approximately January, 2010 through the present has functioned as a continuing unit and has been engaged in an ongoing and continuing course of conduct with the common purpose of obtaining an ownership or other interest in the Daughtrey’s’ land, and/or for the purpose of achieving or maintaining a monopoly power. In furtherance of such goals, the enterprise engaged in a pattern of criminal activity including, but not limited to, violations of Chapter 838, Florida Statutes, relating to bribery and misuse of public office, and violations of §817.54,

Florida Statutes, by obtaining the Mortgage, Note and other Loan Documents by false pretenses. participated and/or conspired to participate in said enterprise through a pattern of criminal activity and/or the collection of an unlawful debt.

38. DEFENDANTS have worked with local Leaders and Media to hide a much higher Level of Service of Endless Alkaline Spring Water supply with lower water bills; and Unique Water Mixtures that affect Medicine production to Taps of millions of Homes, businesses, Healthcare facilities and Schools to increase cost to Healthcare, National Debt, Medicaid and create Cancer Centers and through increased Cancer rates and diseases.

39. DEFENDANTS in Desoto County with MOSAIC stole THE ENGINEERS plans for a new Mosaic Fertilizer Rodeo Arena at the Turner Center in Desoto County with the Arcadia Rodeo Board, Desoto County commissioners and Staff, Judge Don T. Hall and Judge Parker while current Engineers like Bart Arrington who now works for THE MOSAIC Company was Desoto County chief Engineer. DEFENDANTS purchased a 15 acre parcel with Arcadia Rodeo Board from Desoto County Commission while Commissioners Elton Langford, Commissioner Buddy Mansfield sat on both sides of the contract signed by Donald Conn the Desoto county attorney, knowing the Rodeo Board and County Commission were selling to each other to pull a 501c3 grant from the Federal Government. This County attorney Donald Conn and Mosaic are now proposing a 22,000 acre Phosphate mine next to THE ENGINEERS Property where the underground river feeding the local water aquifers will be destroyed by Mosaic's radioactive mining our US Resource forever. The DEENDANTS are fully attacking Americas Natural resources using deep state Engineers, Judges, Lawyers, Cops and Agencies with the Federal Reserve to kill Americans at the Tap. This Desoto-Manatee-Charlotte-Sarasota leadership, staff with Southwest Florida Water Management Lawyers, Engineers and consultants and Peace River are working to kill children with Cancer rates, condemn rivers, homes, fish and wildlife with the

**EPA in the name of Clean Water acts, Environmental campaign promises and Elections.**

**40. The Desoto Rodeo Board and Desoto County while targeting THE ENGINEER lands for MOSAIC in 2011 for the Greenberg Traurig Fort Meade vs ACOE lawsuit for MOSAIC settlements is too easy to see. DEFENDANTS trade parcels with hidden resources for settlements and mining compacts. Currently MOSAIC is attempting to mine and destroy this US Resource with a 22,000 acre proposal in Desoto County adjacent to the underground river. The public is in an outrage as they have already destroyed numerous aquifers for their so-called Phosphate needs when the reality it they import 85% of the potash from Morocco and Mississippi River to Apollo Beach Tampa Port then train it to their handling facilities. Proving they are purposely destroying America's resources and racketeering trade with foreign groups to poison or Taps tied to a Medical industry that hides behind the Hospitals. The Doctors and Foundation are investing in stocks for Medical equipment and Bio-Tech food demands from the rise in Cancer and diseases from the Tap, bankrupting the Insurances and Hospitals, or essentially writing it off and diminishing the tax base struggling from bail outs and over printing by Federal Reserve. The National Water supply bleeds into everything for Healthcare, Energy production, food production and Economic growth, all being taxed by Federal Reserve to destroy Americans.**

**41. DEFENDANTS are working involved in the promotion of medicine sales through Poor Water Supplies promoting Eugenics through profits tied to the Big Pharma complex; combined with a condemnation of homes, real estate tracts and Infrastructure funding manipulations in a massive land capturing scheme, to steal critical Raw Resources in Minerals and Waters supply to sell medicine and unnecessary bottled water for Foreign and domestic Wall Street Corporations.**

**42. DEFENDANT have influenced Federal Courts, Florida and US Leaders, Retail**

**Banks and Media to hide a Global Clean Water and Energy Resource and its knowledge that lowers the needs for borrowing their printed money, War Machines, Medicine production and Healthcare cost to America and all Nations.**

**43. The primary group quarterbacking the RICO for the DEFENDANTS is THE MOSAIC PHOSPHATE and MOSAIC FERTILIZER, Rothschild IMF Banks, Big Pharma groups, 72 Partners LLC, Power and Energy Corporations who are hiding many more secret underground antioxidant spring water rivers like this one owned by THE ENGINEER in Sarasota County. DEFENDANTS know of many more underground alkaline spring water rivers across America and are hiding them from the Public to increase healthcare cost, utility bills and control the future of which parcels get served higher grade drinking water until they capture remaining parcels in prime locations.**

**44. DEFENDANTS are in a group to keep cancer and diseases rising at the Tap and bottled water production for local Hospital and Cancer Center Medicaid real estate expansions, Cancer Research and University grants, employment of Healthcare Doctors and staff, New equipment payoffs, Pill Mill profits, to keep insurance premiums at a high to contribute in higher crime rates through helping and assisting in a statewide Opioid crisis generated from contaminated Water supply from poor Raw Water Resources.**

**45. DEFENDANTS have known of these secret underground Resources from geological investigations for Oil and Gas drilling past aquifers and these massive underground resources.**

**46. DEFENDANTS have targeted many Aquifers for their Phosphate production and Big Pharma complex to destroy millions of American homes and Families.**

**47. DEFENDANTS, specifically THE MOSAIC COMPANY and MOSAIC**

FERTILIZER (herein also referred to as "MOSAIC") is known in West Florida for contamination of Raw Water supplies for Drinking Water and Aquifers by their destructive phosphate mining operations.

48. DEFENDANTS are hiding this Unique and Endless Water Mixture from the US President and Military to condemn Americans with Chemical treated Water, Bad Medicine, oppression and foreclosures to destroy the basic Right to Life, Liberty and the Pursuit to Happiness.

49. DEFENDANTS are putting all Americans at Risk as this site knowledge, Water Mixture, Energy Production and Sustainability allows other Nations to find their access points to Oceans beneath Earth of endless spring water to open ending World Hunger. They are holding up World knowledge that creates potential World Peace which lowers the needs for Migration of millions of People who lack Resources, the need for Barrier Walls with Maintenance Cost, and cause millions of Deaths of Children each year from a Global Water Crisis the DEFENDANTS have created.

### PARTIES

#### PLAINTIFF

50. Plaintiff, **Joseph D. Gilberti, Jr., P.E.**, "THE ENGINEER" is a Professional Civil Engineer and Land Consultant located in Lee County, Florida with a mailing zip code of 33931 whose President, of LandTech Design Group, Inc. and owns lands in Sarasota County with a critical underground Aquifer with medicine changing readings that are capable of delivering Antioxidant Spring water supply to over 10million taps from Tampa to Miami. Millions in documents submitted to FDOT and leaders across the State and USA for years. See THE ENGINEER website at <https://gilbertibluegold.com/>

51. THE ENGINEER is a property owner who has access to a secret hidden endless

underground spring river approximately 2000ft below his Ranch, tied to a much deeper Global vast Ocean from geological and water quality indicators shown in permit petitions and lab results over the past years from a private well that accesses a massive underground River in the Rock, tied to a much deeper Ocean or Engine, located on his Agricultural Property. This isolated area bleeds onto Daughtrey and Robert Flint properties at the Tri-County monument.

### **DEFENDANTS**

52. In general note should be taken that a syndicated group of individuals within the Government and Federal Reserve are the culprits and not the entire Agency or Bank. Defendants may counterclaim other defendants and join THE ENGINEERS side once they verify the US hidden underground Resource below THE ENGINEERS land and potentially many more it shows America how to find in days via Gilberti KT Hypothesis. Defendants are specifically listed on the cover sheet and furthermore described as follows:

53. DEFENDANT **Governor Ron Desantis, Governor of the State of Florida** has been a leader in Florida at the Congressional level for years and is not Governor and knows of this Water supply from Governor Rick Scott and Gilberti Motion to Intervene on cases in Broward County Scott Israel vs Desantis, Case 19-005019 filed on April 25, 2019. A Governor and a Soldier has an ethical duty and knows with common sense that endless spring water to the Tap of millions vs RED TIDE Treated Water should be addressed in this region for Water supply IMMEDIATELY, especially when its surrounded by Obama and Rick Scott terrorism games and issues timed with subduing THE ENGINEER. Governor Ron Desantis website is at <https://www.flgov.com/>

54. DEFENDANT **The Mosaic Company** is a corporation organized and existing under the laws of the state of Delaware, having its principal place of business at 3033 Campus Drive, Plymouth, Minnesota 55441.



55. The Mosaic Company owns property adjacent to plaintiffs properties at the Sarasota-Desoto-Manatee Tri County area in Desoto county proposing a 22,000acre phosphate and potash mine for the specific purpose of sending the raw materials to self-owned processing facilities, similar to The Mosaic Company's New Wales Facility located in Mulberry, Florida. Mosaic's Website can be found at <http://www.mosaicco.com/>

56. The Mosaic Company is on track to DESTROY America's potentially most valuable Water mixture as they have done in the past, for foreign investors tied to Israel and Saudi-Arabia. Although the corporate office is in America is owners are foreign and potential terrorist considering the actions, manipulation of our Tax paid agencies with the DEFENDANTS.

57. The Mosaic Company owns and operates phosphate and potash mines for the specific purpose of sending the raw materials to self-owned processing facilities, including The Mosaic Company's New Wales Facility located in Mulberry, Florida.

58. **Mosaic Fertilizer, LLC** is a corporation organized and existing under the laws of the state of Delaware, having its principal place of business at 3095 County Road 640 W, Mulberry, Florida 33860.

59. At chemical plants, phosphoric acid and byproduct gypsum are produced by reacting phosphate rock (fluorapatite) with sulfuric acid. Gypsum is formed as a fine-grained precipitate that must be filtered from the phosphoric acid product. Most of Florida's chemical plants produce sulfuric acid on site, from native sulfur that they import through the Port of Tampa. Great amounts of byproduct heat are produced in the process. In the past, Florida's phosphate chemical plants were large consumers of energy. As fuel prices have risen, virtually all of the facilities have installed cogeneration facilities to generate electricity from waste heat. Now they produce more electricity than they need; and sell the excess power. Large volumes of

water are used in the production of phosphoric acid. An effluent, consisting of water with a very low pH and very high concentrations of dissolved solids, results from reaction of phosphate rock with sulfuric acid. The reaction is exothermic; so the resulting effluent is very hot. The effluent can be reused; but it must be cooled. Typical Central Florida chemical plants circulate effluent through series of ponds and ditches to cool it by evaporation.

60. Mosaic Fertilizer, LLC owns and operates many Phosphate facilities in West Florida that are known to destroy Drinking Water Aquifers, for an operation produces finished phosphate products used in crop fertilizers and animal feed. See gypsum stack that destroys Aquifers in heavy storms as these Huge facilities are Unnatural and are destroying the Public Health and Safety of millions of Americans to fill Cancer centers and Moffit Cancer Research studies for Universities such as USF, UF, FSU, Harvard, Yale, Notre Dame and many more as part of a massive Big Pharma complex and Eugenics operation covered up by old retirees in Florida and its market for Cancer bleeding into our young children and families.

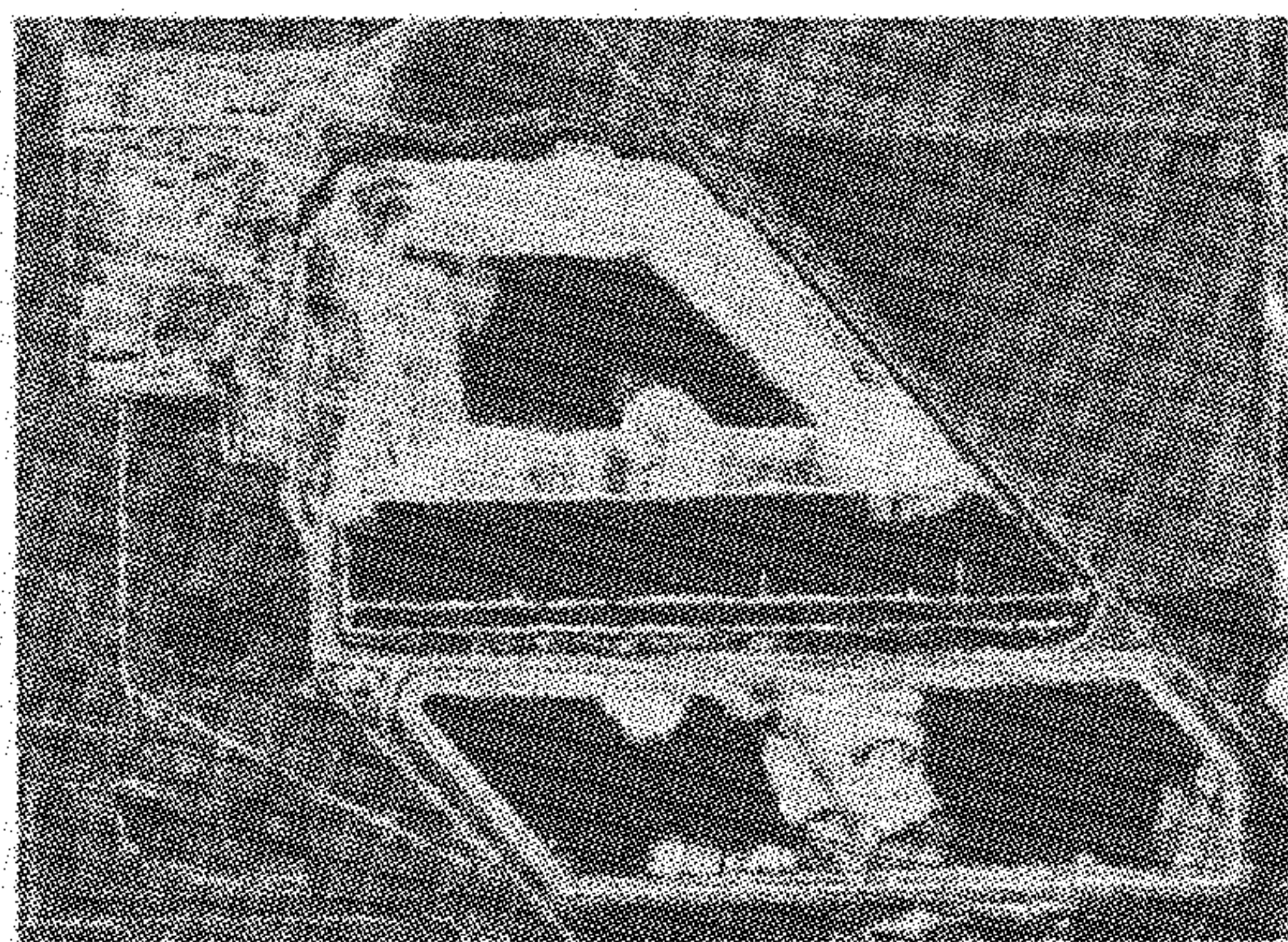


Figure A. Aerial Photo of a chemical plant and its associated gypsum stacks and cooling water ponds.

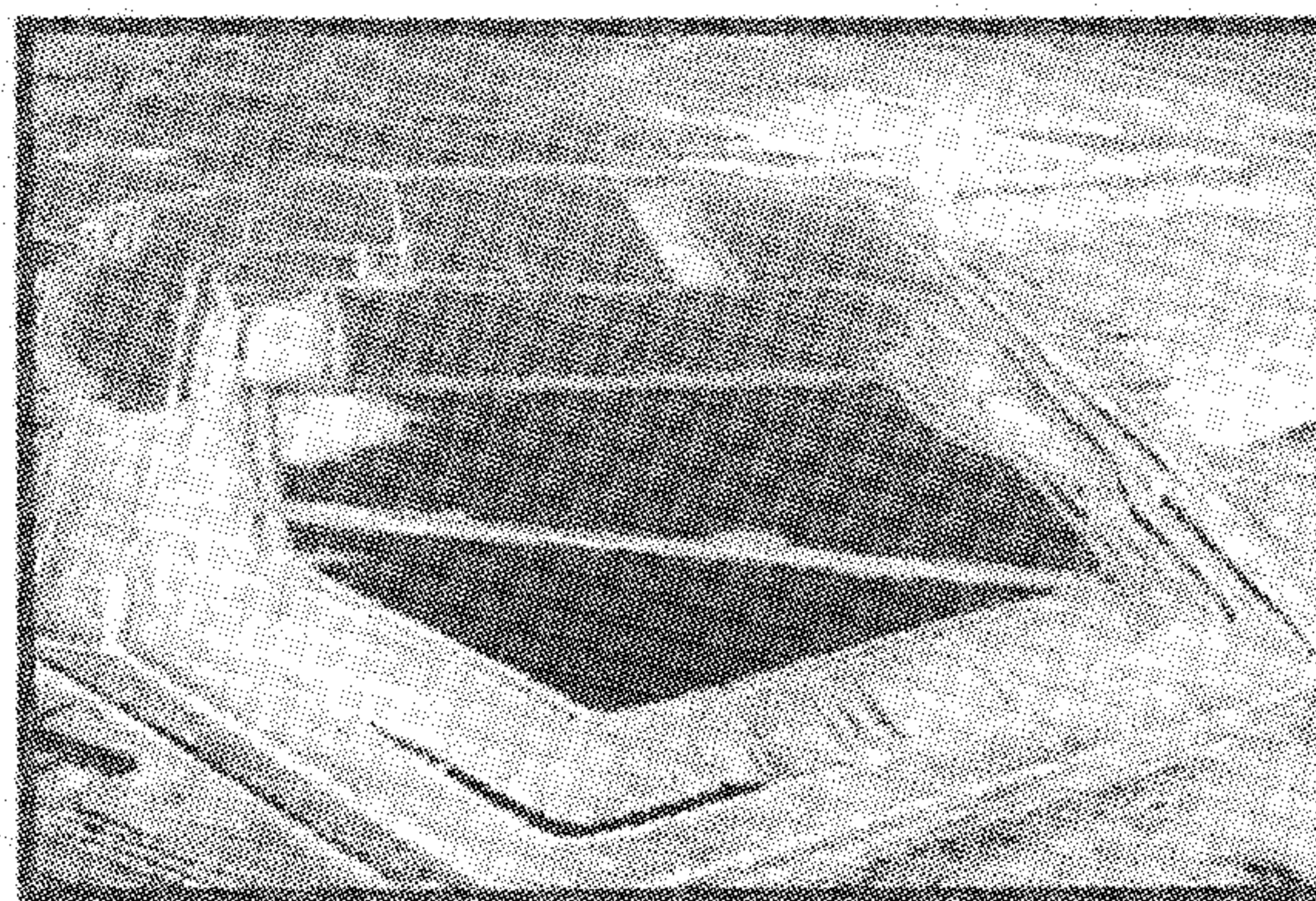
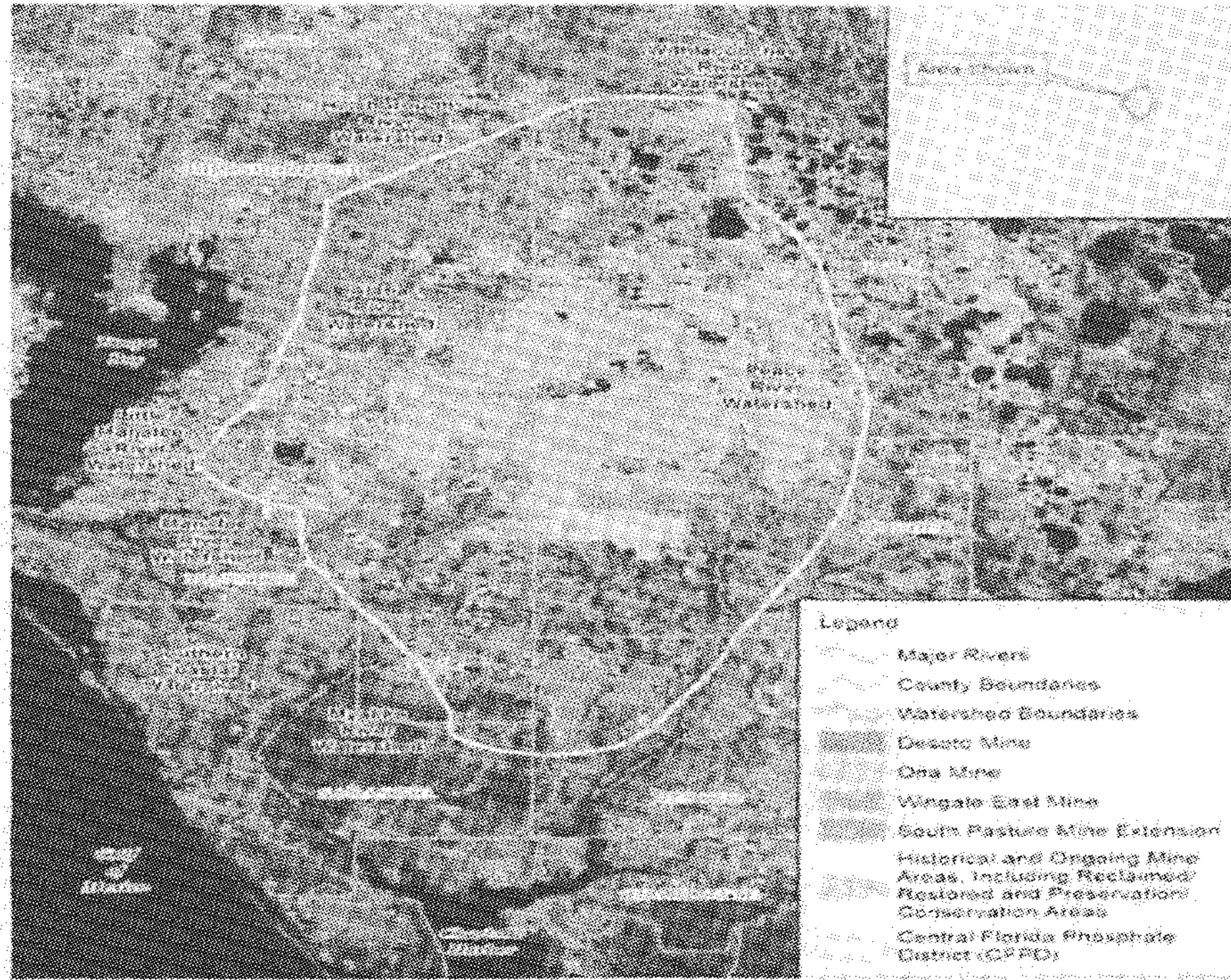


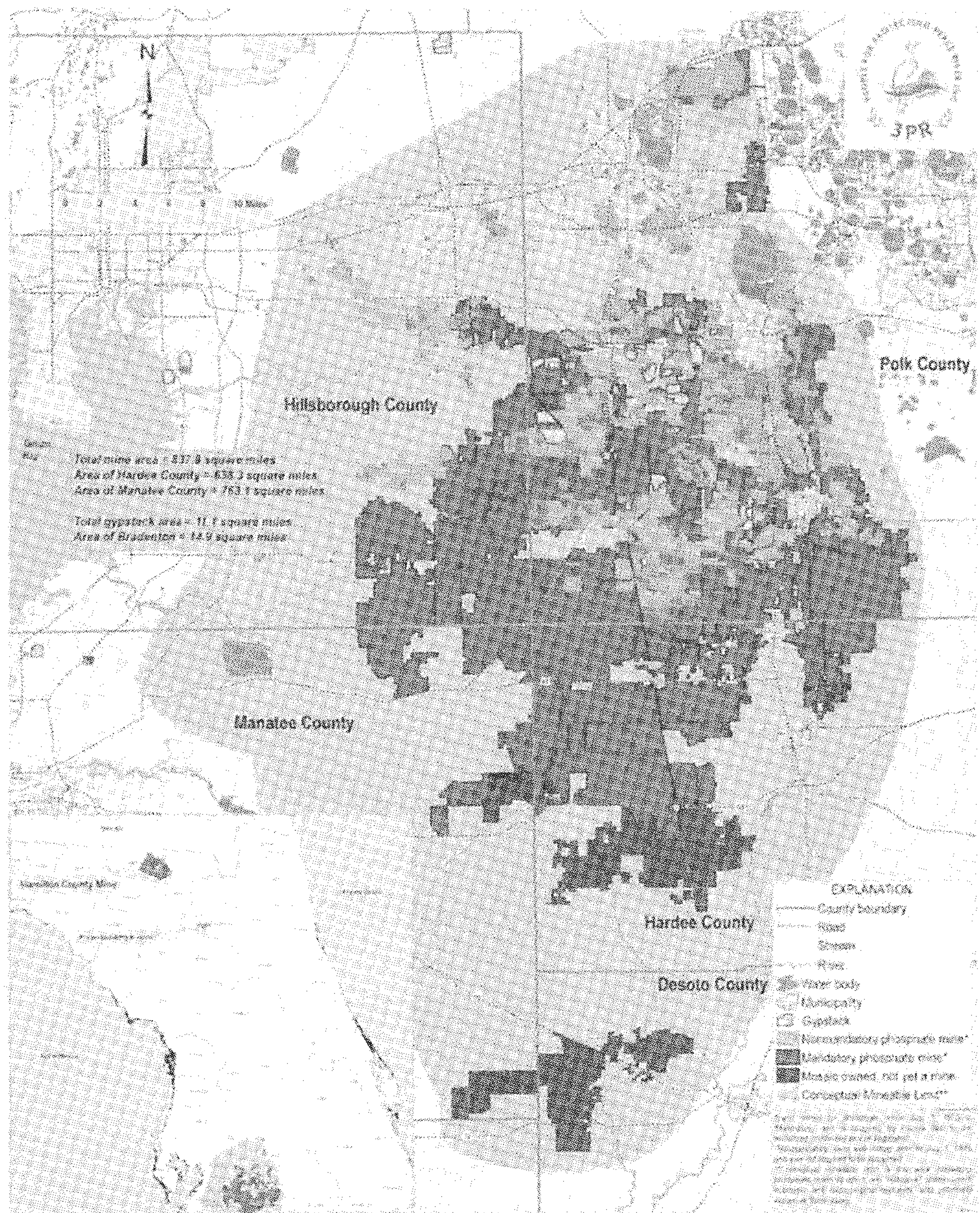
Figure B. Oblique view of a gypsum stack and Cooling water ponds.

Twenty-two gypsum stacks have been built at 14 chemical plants in, and adjacent to, the Central Florida Phosphate District. Their locations are shown in Figure C. Most chemical plants import anhydrous ammonia and combine it with phosphoric acid to make various fertilizers and animal

feed ingredients. Some phosphate chemical plants have been equipped with uranium extraction circuits to recover uranium as a byproduct.

Figure C





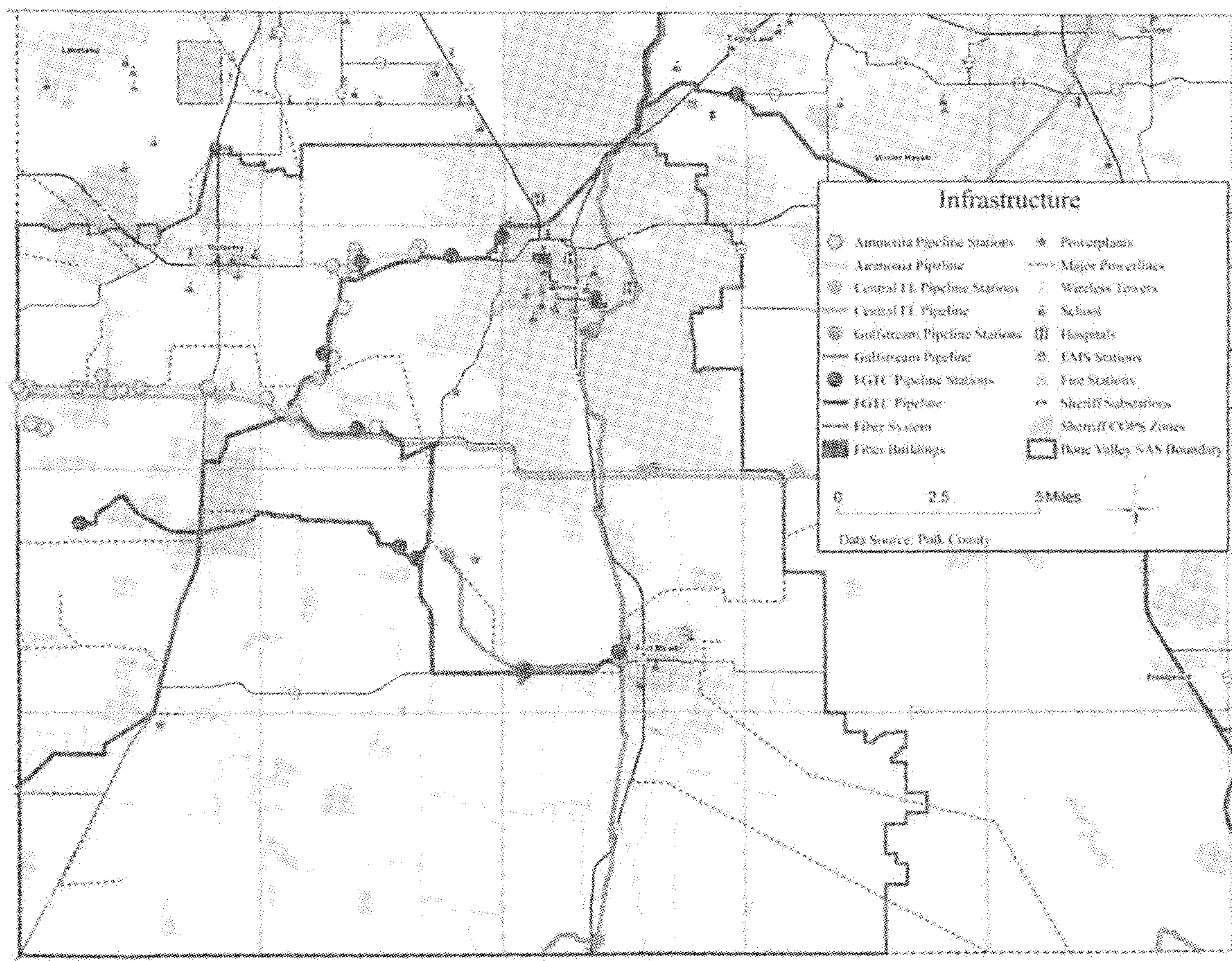
**Phosphate mines and phosphogypsum stacks (gypstacks) of Florida**

The bottom of this Phosphate area shown ends at THE ENGINEERS property where Mosaic and Desoto County are planning another Attack on America's No1 Drinking Water never seen before on Earth. No Water mixture is even close for Magnesium and Calcium and this Eugenic operation was part of getting this specific site under THE ENGINEERS land in Sarasota for over 40yrs!

61. Above is a picture of the DEFENDANTS and Enterprise who place mines next to Schools and homes to fill cancer centers and create RED TIDE blooms at the mouth of Rivers exiting to West Florida Coastal Waters from Tampa to Lee County along the Peace River Corridor. Southwest Florida Water Management District and the Department of Interior formed the EPA in 1974 with the Bush Family influences and FEDERAL RESERVE BOARD to create colleges, Medicines, Deaths, Wars and more as this World knowledge THE ENGINEER provides with Gilberti KT Hypothesis changes Water Origin Theory and teaches other Nations how to find millions more in days. DEFENDANTS perfectly planned for Hurricanes and spills along rivers to blame RED TIDE on sickness that is really RADIOACTIVE Water supply by DEFENDANTS to kill millions over decades and it getting worse. DEFENDANTS are in an enterprise to hide the contamination setups planned to create a massive cancer cluster from Tampa to south Florida to employ Doctors, Lawyers, sell medicine and medical machines, etc., at the cost of millions of lives over decades on Americans and Tourist and to overspend on unnecessary infrastructure to pay off investors like FPL and Duke energy during elections times to vote within States and Federal funds to keep the RACKET moving on Water supply Eugenics tied to Big Pharma and Military complex.

62. Below is a diagram of numerous pipelines interconnecting Mosaic mines transecting fuels and Ammonias pipelines along neighborhood right-of-ways and roads that leak into water tables and rivers killing fish and wildlife. These lines are indicators of the DEFENDANTS enterprise that used Florida Forever Trust funds next to THE ENGINEERS land after Hurricane Charlie for Longino, Walton and Carlton ranch to connect an old gypsum stack at RV Griffin in Desoto County from Carlton WTP to Peace River WTP. The DEFENDANTS are mimicking the same systems in the northern Phosphate district to fill cancer centers with Moffit with Progress Energy Nuclear power plant spills in Crystal River, then using poor water supplies

to fill Cancer centers from showers in homes inducing radioactive treated water and poor bottled water now using Tap water too.



63. Mosaic's Four Corners Mine produces phosphate rock from phosphate-rich sediments of the Miocene-Pliocene Peace River Formation. Including the old American Cyanamid Fort Lonesome operation, the mine consists of approximately 62,000 acres located in Hillsborough, Manatee, and Polk Counties, Florida. Average annual production is about 7 million metric tons per year. Draglines are used for mine excavation; currently 7 are in operation. Mining depths range from 40 to 80 feet. Approximately 30 feet of overburden, consisting primarily of quartz sand, are stripped to expose the phosphate-rich sediments (matrix) of the Miocene-Pliocene Peace River Formation. Excavated matrix is slurried with water and pumped by pipelines to on-site beneficiation facilities, where phosphate rock is separated from gangue

materials consisting primarily of quartz and various clay minerals. Beneficiated phosphate rock is transported from the mine by rail and truck to Mosaic's fertilizer manufacturing facilities in Central Florida and Louisiana.

64. The Four Corners mine project was originally planned by the WR Grace Corporation (Grace). International Minerals and Chemicals (IMC) approached Grace and proposed doubling the size of the project and became a 50% partner. Grace was to be the managing partner. The engineering firm Davy McKee was hired to build the project. Plant design began in 1979, construction in 1981, and could have been complete and ready to run by 1982. Unfortunately the phosphate rock market went into a down cycle and the plant did not actually start up until January of 1985 (with 3 draglines). Market conditions were still weak, and Grace shut the plant down in February of 1986 with no near-term plans to restart, virtually all employees were released. Within a few years Grace left the industry and sold off their holdings to various companies including the 50% ownership of Four Corners to IMC. Shortly after the sale, IMC started operation on a 10/4 schedule in January of 1989, it switched to a 7 day/week schedule in January 1994 and has operated continuously (except for several short inventory reductions periods) since then. During the IMC era, Four Corners went from a 4-dragline to a 6-dragline operation, and certain areas of beneficiation underwent debottlenecking to accommodate the increased matrix tonnage. Later, during the Mosaic era, 2 more draglines were purchased for a total of 8. The maximum annual tonnage produced was 8.1 million tons in fiscal 2011/2012. The company name changed several times along the way. In 1993 IMC and Agrico merged to form IMC-Agrico, later becoming IMC Fertilizers; and in 2004 they merged with Cargill to become Mosaic.

69. In April of 1991 a Heavy Media plant was started up to remove dolomite (MgO) contaminants from the coarser-grained pebble product. It operated on an as-needed basis for

approximately 50 months, until 1997, when the mining strategy was changed and lower grade matrix was no longer mined. The Heavy Media plant has not operated since.

70. In 2007 a Central Screening station (pre-washer) was constructed in the Lonesome mining area to facilitate pumping matrix at a lower cost to the Four Corners plant. It was taken out of service in 2015 as mining in the Lonesome area began tapering down. The Four Corners beneficiation plant consists of two nearly independent trains – a north plant, and a south plant. At each plant feed (sand-sized grains of phosphate rock) is washed, sized, and separated from gangue minerals by two fine flotation, and one coarse flotation circuits. Originally a spiral section was used to upgrade the ultra-coarse feed, but after the merger with Agrico an economic analysis showed it was better to produce a low cost screen oversize called Intermediate Phosphate (IP).

71. Major Grace and IMC contributors on the mine design team included Charlie Green, the project design manager, and Claire Olson, Howard Adams, Jim Lawver, George McKereghan, Mac McClintock. Operations managers of the Four Corners Mine have included Gene Armbrister (the original manager for Grace and IMC), Bob Kinsey, Steve Olson, Howie Stoughton / Gene Armbrister (co managers), Charles Morris, Don Tompkins (Mosaic), Howie Stoughton, Bruce Bodine, Karen Swager, and Alan Lulf, the current manager.

#### **THE FLORIDA PLATFORM**

72. The Florida Platform is delimited by the 200 m (600 ft) isobath at the shelf break to the approximate location of the Paleozoic suture beneath southern Georgia and Alabama (Figure E). The Suwannee–Wiggins Suture (Thomas et al. 1989) is the proposed location where terranes with African affinities are welded to the North American Plate (Chowns and Williams 1983; McBride and Nelson 1988; Woods et al. 1991). The basement rocks of the Florida Platform are a fragment of the African Plate that remained attached to the North American Plate



when rifting occurred in the Jurassic and range in age from late Precambrian-early Cambrian to mid-Jurassic (Barnett 1975). Excellent reviews of the geology of the basement are provided by Smith (1982), Arthur (1988), Smith and Lord (1997), and Heatherington and Mueller (1997). Barnett (1975) provided a structure contour map of the sub-Zuni surface. This surface equates to what is now recognized as pre-Middle Jurassic. Barnett's interpretation of the basement surface has it occurring as shallow as approximately 915 m (3000 ft) below mean sea level (msl) in central-northern peninsular Florida. The basement surface dips west and southwest toward the Gulf of Mexico basin, to the south into the South Florida basin, and to the east into the Atlantic basin. The basement surface reaches depths of more than 5180 m (17,000 ft) below msl in southern Florida (Barnett 1975).

73. The platform, deposited unconformably on top of the basement, is constructed of Middle Jurassic to Holocene evaporite, carbonate, and siliciclastic sediments deposited on a relatively stable, passive margin of the North American Plate. The age assignments for the Middle Jurassic to Holocene formations are, at times, tentative propositions due to limited, or lack of, paleontological evidence in some formations. The age determinations for some of the younger units, for example the Pliocene Tamiami Formation, are based on a vast amount of paleontological evidence. This, in part, is responsible for differing interpretations of when, where, and how much sediment was deposited across the platform (see and compare Salvador [1991b] and Randazzo [1997]).

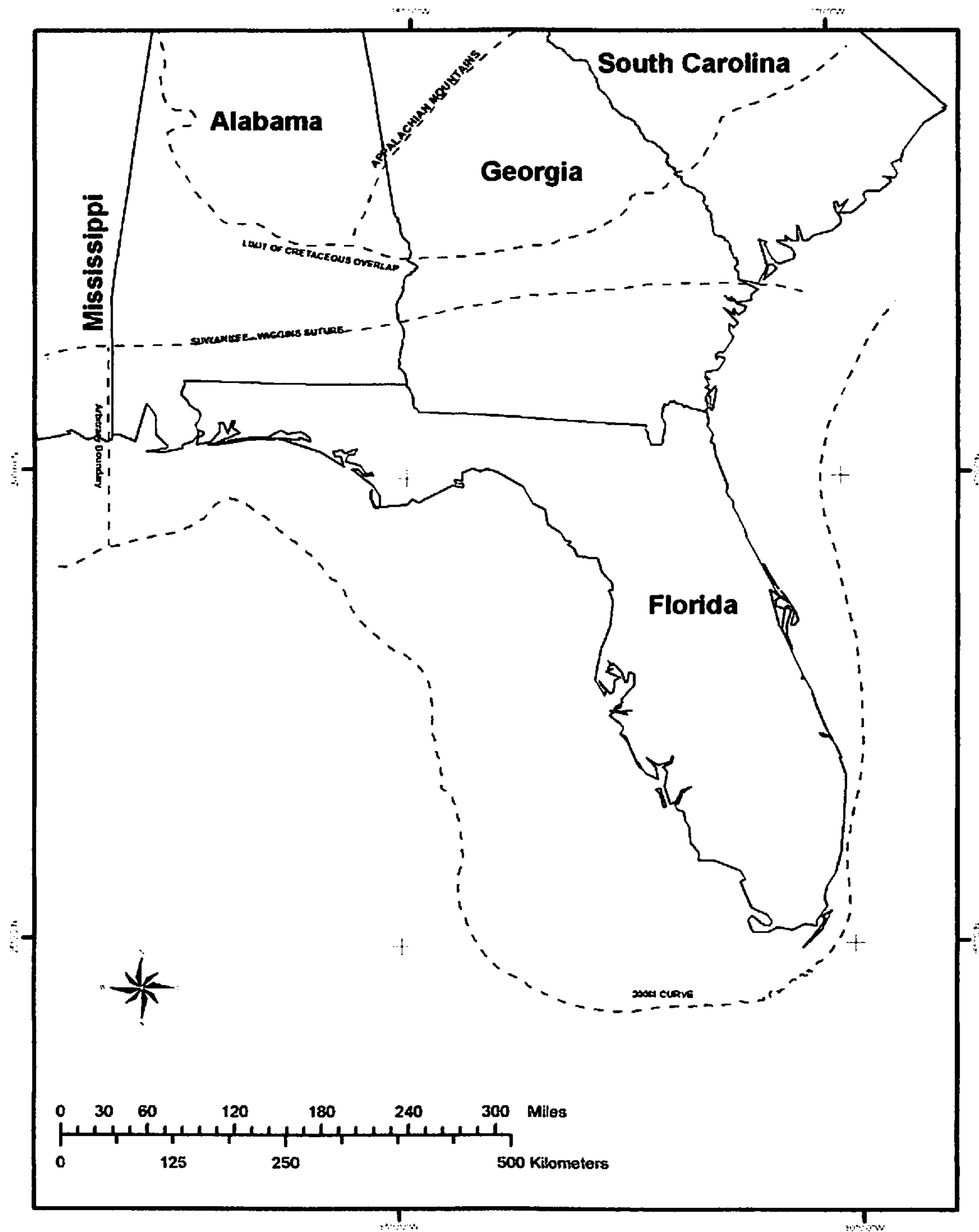
#### **FLORIDA PLATFORM STRUCTURE UNDER MOSAIC ATTACK**

74. The Florida Platform has been a relatively stable portion of the trailing edge of the North American Plate since the mid-Jurassic. Winston (1991) stated that the Mesozoic and Cenozoic structural movement on the Florida-Bahama Platform was entirely negative. Florida's arches, or structural highs, were not formed by uplift but as the result of subsiding more slowly

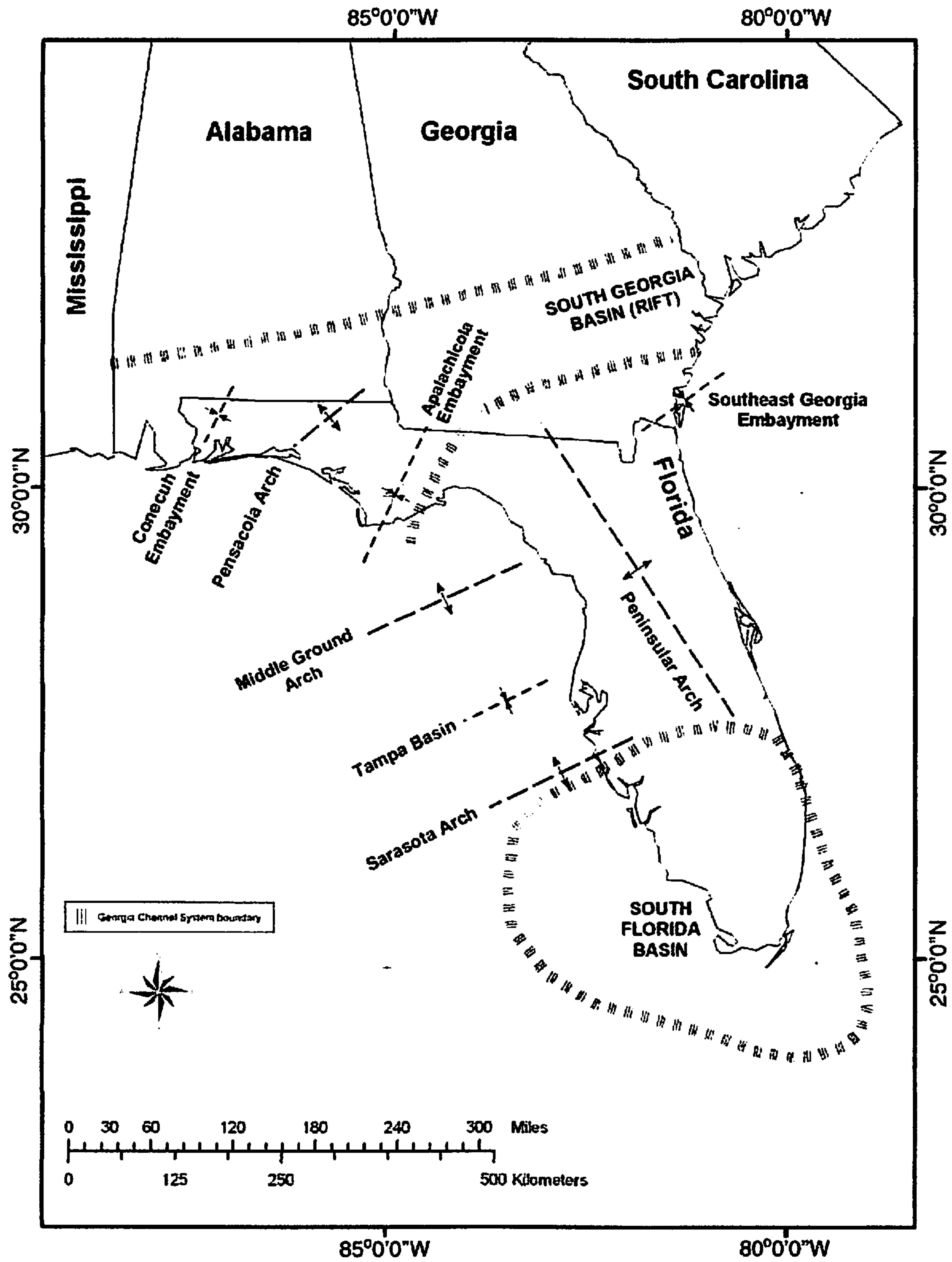
than the flanking basins. However, faulting of the basement rocks created many of the structural features recognized on the pre-mid-Jurassic surface (Barnett 1975; Smith and Lord 1997). Faults disrupting the Upper Jurassic sediments have been identified in northwestern Florida; some displacements exceed 305 m (1000 ft) (Lloyd 1989). Miller (1986) recognized a number of known or suspected Cenozoic faults that affect the Floridan Aquifer System. Duncan et al. (1994) identified faulting in the Lower to Middle Eocene Oldsmar Formation. A number of hydrogeologic and geomorphic investigations have proposed the existence of faults (Wyrick 1960; Leve 1966; Lichtler et al. 1968; Pirkle 1970; White 1970). The faults in the Cenozoic section have very limited displacement, generally less than 30.5 m (100 ft) and are difficult to identify due to limited displacement, well control, few “marker” beds, erosional disconformities, and karstification. Little has been said concerning folding of post-mid-Jurassic sediments on the Florida Platform. Missimer and Maliva (2004) believe that folding is more widespread on the Florida Platform than is presently recognized due to the limited amount of detailed subsurface data. They recognized folding with associated fracturing and faulting in the sediments of the Intermediate (Miocene-Pliocene sediments) and Floridan Aquifer systems (Eocene-Oligocene sediments) on the southern portion of the platform. They postulated that the interaction of the Caribbean and North American plates in the Late Miocene to Pliocene produced the folds, fractures, and faults. The oldest features recognized as affecting deposition of post-mid-Jurassic sediments on the platform are expressed on the pre-mid-Jurassic surface (Arthur 1988). The Mesozoic structural features affecting deposition of sediments include a series of basins or embayments and arches (figure 2). Some of these features affected deposition into the mid-Cenozoic (for example, the South Florida basin; Scott 1988). Other features affected the deposition into the late Cenozoic (for example, the Apalachicola Embayment; Schmidt 1984). The Peninsular Arch affected deposition from the Jurassic through the Cretaceous and was

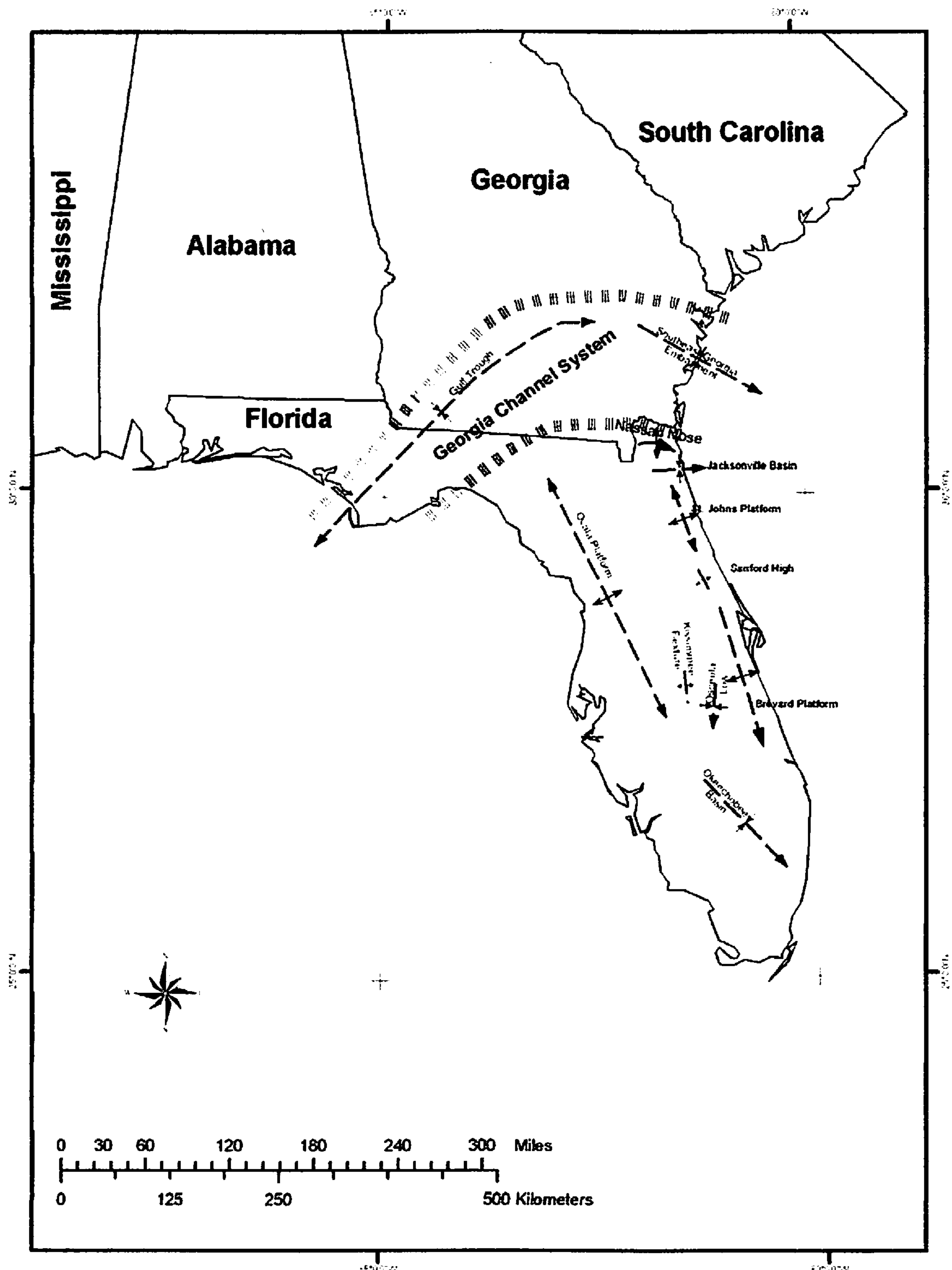
intermittently positive during the Cenozoic (Miller 1986). The Cenozoic structural features affecting deposition are shown in figure 3. One of the more interesting structural features of the Florida Platform is a southwest-tonortheast trending low that has affected deposition from the mid-Jurassic until at least the Middle Miocene. Some portions of the feature continued to affect deposition through the Pleistocene. This feature has an extended list of names that have been applied to all or parts of it. An excellent review of the names applied to the feature was presented by Schmidt (1984) and Huddlestun (1993). However, Georgia Channel System is the name that has been applied to the entire sequence (Huddlestun 1993) (figs. 2, 3).

75. The Georgia Channel System had its origin in the formation of the South Georgia Rift in the Triassic–Jurassic (Huddlestun 1993). From the Late Cretaceous through the Paleocene, this area was the boundary between carbonate deposition to the south and siliciclastic deposition to the north. By the Eocene, the Appalachian Mountains had been highly eroded leaving relatively low hills and significantly reduced siliciclastic sediment transport via streams and rivers. In the Eocene and Oligocene, as the result of a greatly reduced siliciclastic supply, carbonate deposition extended across the Georgia Channel System. The channel system was then infilled by predominantly siliciclastic sediments in the Late Oligocene to the Early Miocene in response to uplift in the Appalachians (Scott 1988). The material in this section for Mosaic mines and Florida platforms was taken from Public record Mosaic Phosphate reports via Field Trip Guide Book No. 67. The following exhibits and more information regarding the same can be provided in Discovery of the Complaint. Note should be take that these studies hide critical issues of Water Origin theories that these Mining and Energy corps have hidden from Mankind and the Tax payers for their Enterprise operation for decades.



**Figure E. Limits Florida Platform remaining from the KT Event or Yucatan meteor impact that created the Gulf of Mexico and kill the last of the Dinosaurs**





PANHANDLE			N. FLORIDA		S. FLORIDA			SERIES	SYSTEM	ERATHIEM	AGE (Ma)			
Undifferentiated Holocene - Pleistocene Sediments			Undifferentiated Holocene - Pleistocene Sediments		Undifferentiated Sediments			Holocene	Quaternary		0.01			
Citronelle Formation	Intracoastal Formation	Miccosukee Formation	Nashua Formation		Anastasia Formation	Miami Limestone	Key Largo Limestone	Pleistocene						
Coarse Clastics	Jackson Bluff Formation		Cypresshead Formation		Fort Thompson Formation									
					Bermont Beds			Miocene				Neogene	Cenozoic	2.6
					Caloosahatchee Formation				Pliocene					
					Tamiama Formation			Pliocene						
					Bone Valley Member	Long Key Formation	Stock Island Formation		Miocene	Neogene	Cenozoic			
Pensacola Clay			Coosawhatchie & Statenville Formations		Peace River Formation			Miocene				Neogene	Cenozoic	
Choctawhatchee Formation			Charlton Member		Hawthorn Group				Miocene	Neogene	Cenozoic			
Intracoastal Formation			Hawthorn Group		Hawthorn Group			Miocene				Neogene	Cenozoic	
Shoal River Formation			Marks Head Formation		Hawthorn Group				Miocene	Neogene	Cenozoic			
Bruce Creek Limestone					Tampa Member			Oligocene				Paleogene		23.0
Oak Grove Sands					Arcadia Formation				Oligocene	Paleogene				
Chipola Formation					Nocatee Member			Oligocene				Paleogene		
Torreya Formation					Suwannee Limestone				Oligocene	Paleogene				
Dogtown Member					Suwannee Limestone			Oligocene				Paleogene		
Sopchoppy Member					Ocala Limestone				Eocene	Paleogene				
Chattahoochee Formation			Penney Farms Formation		Ocala Limestone			Eocene				Paleogene		
St. Marks Formation					Avon Park Formation				Eocene	Paleogene				
Chickasawhay Limestone					Oldsmar Formation			Eocene				Paleogene		
Suwannee Limestone					Cedar Keys Formation				Paleocene					
Bucatunna Clay Member					Cedar Keys Formation			Paleocene						
Byram Formation					Rebecca Shoals Dolomite				Paleocene					
Bridgeboro Limestone								Paleocene						
Marianna Limestone									Paleocene					
Bumpnose Limestone Member								Paleocene						
Ocala Limestone									Paleocene					
Lisbon Formation								Paleocene						
Tallahatta Formation									Paleocene					
Wilcox Group Undifferentiated								Paleocene						

76. At all times relevant, Mosaic Fertilizer, LLC operated the New Wales Facility and Four Corners that destroyed a water aquifer to nearby homes and other Phosphate mines in

Manatee, Polk, Hillsborough and now proposed in Desoto County at the direction and under the control of its parent, The Mosaic Company.

77. CW Bill Young in Hillsborough County is being used at a Water Supply that is a old gypsum stack that since failed and cracked within years to feed these same lawyers and engineers to senselessly tax millions and raise water bills with a ZIKA pond, timed to move millions and dirt with elections and mining compacts in a effort to set up a future Water supply terrorism attack in the Swamp where drones and low flying pesticide planes can attack millions in just minutes with anthrax. Failing FEMA Stafford Act 6.11 and the DEFENDANTS duty to protect and be proactive in protection for the drinking water resources in the United States and Florida.

78. Under the direction and control of its parent, Mosaic Fertilizer, LLC has operated and continues to operate the New Wales Facility and many more mines permitted and with mining compacts with the DEFENDANTS with disregard to public health, cancer rates at the tap, protection of our National Defense resources and environmental safety.

79. Israel owns Mosaic Phosphate for years and Rothschild Federal Reserve IMF Bank. Barrack Obama timed both real and fake terrorism acts with US Media (See Smith-Mundt Act) and used their Government Shutdown leverage during our Sarasota case with a Meta Data transfer game for E-File mandate with Sarasota county clerk of courts to hide a Trial on October 14, 2013 on Columbus Day during the Obama HP Glitch Shutdown with the Enterprise. Nobody showed up on THE ENGINEERS side as there was no notification and if there was it was lost in the software transfer as THE ENGINEER had lawyers looking daily as this whole trial would have prevailed via an Invalid Mortgage on a critical US Resource against THE PEOPLE to pump dirty water to millions was now exposed. The enterprise uses shutdowns with Federal Reserve where Presidents and Congress need to print more money and time their agendas on items and



land grabs of this nature with the Media deterring everyone. The Enterprise managed to run up a \$22 Trillion dollar deficit, charging \$600bil/year in interest on only \$1.7tril collected by 300 million people in America. Causing each man, woman and child to owe over \$600,000/each that can never be paid back, while hiding our Critical drinking water and knowledge to find access points to a vast secret underground Ocean. **DEFENDANTS** while hiding this **RESOURCE** with Federal agents in the FBI, such as Mr. Mueller and also EPA, FEMA, Dept of Defense in Tampa Central Command, Obama, Bush, Clinton and Media influence attacking **THE ENGINEER** and President Trump who is trying to help stop this Eugenics in Florida and America. The FEDERAL RESERVE and its funders like Rothschild IMF Bank basically own our US dollar, the Leaders and Media hiding this World Water Resource and knowledge and have used Mosaic and Blue Gold Bush Family to target this LAND for decades; since the Peace River Loop option was initiated in 1991 or even as early as the General Development Corp fall out that platted the entire west Coast in the 1970's when the EPA and Department of Interior knew of the well dug as far back as 1969. See Department of Interior reports and Keller Williams reports where **DEFENDANTS** located the well in 1972 and illustrated it in another Sarasota and Southwest Florida study in 1987. Bottom line if this Water is the Healthiest by far ever seen on Earth, tied to an underground Ocean, Rothschild owns every nations debt except Cuba, Iran and North Korea and this is how they infiltrate America. By using Courts, Banks, Agencies and more to hide our Resource to poison our Children and Homes at the Tap. Rothschild funds the Federal Reserve Bank which can be found at <https://www.federalreserve.gov/>

80. Rothschild developed the State of Israel, in the 1940's by stealing Palestine in a World War II agreement that pulled America into the War and created an Oil War in the middle east for the next 50yrs that was used to core Earth and find these access points most likely at

each underground Base across America. Rothschild and Israel who own the money basically owns The Mosaic Company with its Israel Chemicals LTD groups who poison these US Drinking Water Resources with unnecessary Phosphate digging that doesn't produce enough yield hence the import at Tampa Apollo Beach port of 85% of the product. When THE ENGINEER received deeds, Saudi-Arabia bought into MOSAIC one month later, with a group of Terrorist who practiced in Sarasota two weeks before 9-11 and are tied to the DEFENDANTS in many aspects of America's Central Command decisions to attack after 9-11 to cause a war with no proof of Weapons of Mass Destruction to simply print over \$10Trillion to fund the War and cause the US Dollar to drop while promoting bottled water culling, massive medicine commercials and Cell phones to the people to basically take down America from the inside and homes.

81. Rothschild Federal Reserve IMF Central banks were sending Trillions of dollars our Nations monies to other nations using the US Federal Reserve act of 1913 that was written when the entire Country wasn't even worth 1% of that number. Obama, Clinton, President Bush and his family (See Bush-Michigan Nestle compacts) are selling our resources to these Global Elite and foreign nations to destroy America and get Rich while now attacking our most valuable resource with this gang in Florida and the DEFENDANTS. In Fact, George Bush Jr. was in Sarasota the day of the 9-11 attack while Jeb Bush was Governor writing policies of Florida Water Wars in the National Resource Defense Council that describes Water rich areas can now sell to water poor areas as population demands increase with Pollution issues the EPA has created. We have witnesses that say Bush and Vern Buchanan of Sarasota have been targeting this site to open it for a potential Jeb Bush presidency since 2012. Obama essentially worked for Bush, as both parties are playing this Resource under Rothschild control otherwise another Shutdown begins and media attacks the pawns or Politicians who are attacking THE PEOPLE by

hiding endless unique alkaline mineral spring water to millions of Taps.

82. **Environmental Protection Agency (EPA)** – In general an Agency that regulates Water and Air for America formed in 1974 to protect America's Natural Resources through Legislative laws such as but not limited to, the Clean Water Act which can be found on their website at <https://www.epa.gov/>

83. The EPA was provided a Notice of Intent (NOI) to sue by THE ENGINEER on December 19, 2019 then suddenly a Federal Shutdown for a Wall in Mexico that this System would pay for 10x over was activated. A **Motion to intervene on the Trump Shutdown lawsuit 19-cv-00051** was filed by THE ENGINEER in early January 2019.

84. EPA breached for following Federal Environmental Laws in this Regions and across America once THE PEOPLE realize ICE Comet theory for Water Origins was a Lie to hide what this site proves via Ocean Beneath the Earth. Which changes 90% of all Environmental laws affecting most US Production, Automotive production, Global Warming lies, Water Supply, Military, Production assembly, Steal Businesses and Corporate cost, taxes and general Corporate overhead that can be mitigated to higher citizen salaries across America. Ice Comet theory essentially hides the fact Earth is generating Water from a deeper cycle in the mantel like Volcano lava versus a ridiculous idea that Ice comets came to Earth? Where did the Ice come from and don't you think the sun would burn it off by now with the Core on both sides of the Ice. See THE ENGINEER Website [Gilbertbluegold.com](http://Gilbertbluegold.com) for details and realize this water is showing water readings of Magnesium and Calcium with a Live Water Alkaline reading from a Tilted platform from the KT Event that killed the Dinosaurs 65million years ago, so this Water is not running out. Since this impact Mammals showed up which are made up primarily of Calcium (Bones) and Magnesium (Muscle). Obviously with Satellites and heat seen from Space these Resources produce, NASA with EPA, DEFENDANTS and UN hid this knowledge

to capture them from visuals of heat in space for 40yrs, killing billions of People with Wars and Eugenics. Now Mankind can locate these with existing Oil logs, underground Base locations, bottling and Phosphate mining locations to lower trade distances and cost to Mankind for Food and Energy. EPA breached the following and more to be shown as complaint grows and is modified with other preparing Class Action on DEFENDANTS.

**Clean Water Act Notice of Intent to File Suit**

Section 505(a)(2) of the Clean Water Act (CWA) and  
Section 1449(a)(2) of the Safe Drinking Water Act (SDWA)

- i. Failure to Utilize Higher Level of Service for Raw Water Resources from EPA and Peace River Manasota Water Authority Florida hidden Underground Alkaline Endless Spring Water River and improper use of State Revolving Funds, US Grants to build potential Terror attack above Sky Reservoirs (ZIKA Ponds) via RV Griffin Reservoir after Hurricane Charlie pursuant to Title 42 U.S.C. to protect the Public Safety and Welfare of US citizens at the Tap of a 4 to 6 County Regional System.
- ii. Harboring known US Terrorist Attacks surrounding this critical medicine changing Unique underground Spring water mixture and Resource and its court docket timing to kidnap THE ENGINEER Gilberti while attacking his land and his clients land with Florida Dept of Justice and Leaders.

85. **Florida Department of Environmental Protection (FDEP)** – Adopted in 1983 with later revisions of Rules for Water supply and Resource permitting regulations, pursuant to the EPA Clean Water Act of 1974. Website can be found at <https://floridadep.gov/>

86. **Sarasota County Board of County Commissioners (SCBCC)** – Sarasota County is where the hidden US Resource exist and is part owner of the 4-County Peace River Regional Water Supply system who after Hurricane Charlie with Swfwmd and the Enterprise spent millions on Florida Forever Trust funds for Environmental land acquisitions (ESLAP) next door to ex-commissioner Longino. Lisa Carlton and Walton Ranch to hide this US underground resource and build a ZIKA Pond RV Griffin Reservoir following the Mosaic and Tampa Bay

**Water pattern with CW Bill Young to use radioactive gypsum stacks for water storage of mining spill rivers to lower the lever of service, sell bottled water and cancer to the region.**

**87. Desoto County Board of County Commissioners (DCBCC) - Desoto County helped Charlotte County, Manatee County and Sarasota county build a ZIKA Pond RV Griffin Reservoir on the Swfwmd owned RV Griffin site in Desoto county, following the Mosaic and Tampa Bay Water pattern with CW Bill Young to use radioactive gypsum stacks for water storage of mining spill rivers to lower the lever of service, sell bottled water and cancer to the region. Desoto county and Arcadia Rodeo Board used THE ENGINEER to start plans at the Turner Center for a Mosaic Rodeo that is used to pay the Enterprise so Mosaic can open a 22,000 acre phosphate mine next to THE ENGINEERS land to destroy the US Resource identical to the pattern in the last 40yrs in Tampa. The models for the Northern phosphate district show the southern phosphate district was to move to this US Resource in 2012 so they are right on track to destroy America's No1 Resource or steal it for foreign Terrorist groups while millions are exposed to radioactive waters supply in both bottling and taps in the entire west Florida regions due to interconnecting counties with poor resources. See land issues of Commissioner buying from Rodeo boards with Mosaic helping receive Federal grants on parcels purchased with commissioners on both sides of the closing.**

**88. Hillsborough County State Attorneys Office – Multiple lawyers from this office worked with the Public defenders office, Judges in Tampa District 13, Sarasota District 12, Lee County District 20 and Broward District 17 to subdue THE ENGINEER and his family members timed with Terrorist attacks, including the Boston Marathon, Texas Fertilizer explosion, Pulse Bar Shooting and Parkland Marjorie Stoneman Douglas shooting. Many witnesses are available to prove this office with Hillsborough County sheriff filed fake police reports and many Judges hid the Water supply (over 30 State and US Judges) along the way for**

the Enterprise. Over 100 Police officers and firemen are involved that will be listed at a later date as discovery opens.

89. **Sarasota Memorial Physician-Hospital Organization, Inc.** is a Florida Not for Profit organization that is located on 1700 South Tamiami Trail, Sarasota, Florida 34239. This Hospital employs and/or contracts multiple Doctors hiding this Resource for their Enterprise interest, such as but not limited to now or in the past Dr. William Sydney King, MD who hired THE ENGINEER with a local Real Estate Developer Timothy Mapp. These two formed a company called Eagle Feather Mine, targeted this site for the Enterprise back in 2009 and are still working with the Enterprise and this Hospital to keep the Level of Service of Water Supply down to steal Medicaid with other Enterprises tied to Medicaid Fraud Rick Scott and other systems such as Moffit Cancer and equipment to test cancers invested with Hedge funders on Wall Street.

90. **Peace River Manasota Water Supply Authority (PRMWSA)** – A 4-County owned Regional Water supply authority who took over infrastructure from General Development Corp. The following explains their history. This area is using techniques called Take or Pay where Cities are forced to buy 3x the Treated water to pay down revenue bonds, and the treated Water is pumped back into the ground through ASR Wells causing more Arsenic drinking water to justify their overbuilding and Cancer game with Fitch ratings. Peace River Manasota Water Authority website can be found at <http://www.regionalwater.org/>

*In 1979, General Development Utilities (GDU) constructed a 6.0 millions of gallons per day (MGD) Water Treatment Plant between the Peace River and Kings Highway in Desoto County to serve their customers in Lake Suzy, Port Charlotte and the City of North Port. In 1987, those water plant facilities (PRF) were expanded to 12.0 MGD, supported by an intake structure on the Peace River, a 600 thousand gallon reservoir and 12 Aquifer Storage and Recovery (ASR) wells. General Development Corporation*

*(GDC) and their subsidiary GDU had financial problems and, according to the 1991 Revenue Bond Issuance docs, GDC was in bankruptcy proceedings. Several concerns led the Authority, Charlotte County, Desoto County and North Port to begin considering ways to acquire the GDU Facilities in earnest: water and sewer rates; the need for service expansion; state-mandated requirements that utility and other infrastructure be in place to serve future development; and the lack of local, public control over the operation and planning of the GDU facilities. All three local governments/municipalities initiated a condemnation suit to accomplish this, which resulted in a series of negotiations and agreements, which ended up in court. This further resulted in an Order of Taking rendered by the court, ordering Charlotte County to take over the assets of GDU in Charlotte County and the PRF in 1991. Charlotte County purchased those assets and was made solely responsible for financing the entire acquisition, which we accomplished with 2 bond issuances (1991 and 1994) totaling approximately \$136M for all capital improvements. The May 21, 1991 an Acquisition Agreement between Charlotte, Desoto, Manatee and Sarasota counties, the Authority and the Southwest Florida Water Management District (SWFWMD) required Charlotte County, as part of the agreement, to transfer all ownership and control of the recently upgraded PRF to the Authority. The water produced by the PRF, 10.758 MGD, was dedicated to Charlotte County. A determination of the capital cost of Charlotte County's bond issuance related to the PRF asset was determined in 1994 to be \$34,594,850, of which SWFWMD contributed \$1.8M and the remaining balance of \$32,794,850 was the financial responsibility of the Authority to pay back to Charlotte County. An annual payment was to be made by the Authority to Charlotte County until the quick-take-related bonds were retired in approximately 30 years. The Authority collects this money every year from all members who received a portion of the original 12.0 MGD- PRF capacity and sends a check to*

*Charlotte County. Since Charlotte County received 89.65% of the original capacity, we provide the majority of the payment to ourselves. On March 8, 1996 the Authority and participating members executed the Amended Peace River Option (PRO) Water Supply Contract. This agreement funded a 6 MGD expansion of the PRF, the addition of 9 more ASR wells and a 42" pipeline to Sarasota County. A water supply contract allocated 2 MGD of the 6 MGD expansion to Charlotte County. By the time this expansion was completed in 2001, the PRF had the ability to deliver 18.0 MGD to its customers on an average day, 24.0 MGD on peak days. In October 2005, a brand new Master Water Supply Contract (MWSC) was approved by the Authority members/customers, which superseded all prior water supply contracts and allocated debt service cost for all existing Authority infrastructure. During this same time, it was envisioned by the members/customers to expand the water supply facilities once more to meet increased demands, so language addressing the Authority's Regional Expansion Program (REP) to build a second 6 billion gallon (BG) reservoir and make capital improvements to the PRF were included in the MWSC. Initial bonds were issued in 2005, in order to begin design and construction on what eventually became what exists today as a 48 MGD conventional surface water treatment facility, supported by a 120 MGD intake on the Peace River, a 6.5 BG off-stream raw water storage system, and 21 aquifer storage recovery wells (capacity 6.3 BG). Additional bonds were issued in 2010 by the Authority to finish paying for the capital improvement, which Charlotte County opted out of and made a cash payment to the Authority instead. Charlotte County received an additional water supply allocation of 3.342 MGD out of the 14.8 MGD expansion project, for a grand total allocation of 16.12 MGD by 2009. In 2010, the Authority invited THE Engineering consultant HDR to conduct a field inspection of the PRF, in order to determine repair and maintenance needs. As a result of that inspection, HDR submitted a report to the Authority on*



*10/29/10, describing work that should be completed in order to extend the life of the assets and allow them to continue providing reliable water treatment through the next 20-year period. Most of the assets needing repairs were part of the original 1991 plant and the Engineers Opinion of Probable Project Cost (EOPPC) for all the work was \$9.5M. No new capacity would be created as a result of the repair work, only repair and upgrades to the various components. This information was then shared and discussed with the members/customers over the course of the next year and The Authority Board voted to embark on an Engineering design study. This effort was completed by Black & Veatch, beginning with a Design Technical Memo, dated 3/12/13, with a new EOPPC of \$11.7M. Due to the fact that the identified PRF repair work was a vast and expensive undertaking and that some of it was recommended strictly for the sake of convenience rather than necessity, Charlotte County asked one of their Engineering consultants, Jones Edmunds, in the Spring of 2013, to assist CCU staff with field inspections of the PRF assets identified as requiring rehabilitation work, in order to better understand the project. Conversations about how the work costs should be allocated among the member/customers were being held at Authority/customer staff level, with some participants demanding that Charlotte County pay for 89.65% of the cost. Cost allocation discussions needed to be finalized so the improvement work could proceed forward. On 6/17/13 Jones Edmunds submitted a Technical Memo to CCU, describing their review and evaluation of the proposed improvements to the PRF. In their determination, most of the effort proposed to be accomplished was typical renewal and replacement (R&R) work for a facility that had been successfully operating for more than 30 years. While the proposed major unit process improvements recommended to be done may have improved operational efficiency, they did not increase plant capacity, and was, therefore, ordinary R&R. Of the total \$11.7M EOPPC, the value of this part of the project construction work effort*

*was estimated at \$4.9M. Jones Edmunds also determined that some of the recommended improvements could be classified as R&R –Reconstruction of Major Components or a Modification to improve Operation and Maintenance (O&M), in that they use new technology to improve operational efficiency. Examples of this classification included the demolition and replacement of the existing alum building/tanks and caustic building/tanks in order to consolidate them into one single location. Of the total \$11.7M EOPPC, the value of this part of the project construction work effort was estimated at \$6.8M. While Jones Edmunds was evaluating the technical details of the PRF repair work, Charlotte County asked attorney Ed de la Parte, Jr. to provide an opinion on the facility improvement project and how the costs should be recovered by the Authority. Mr. de la Parte completed his review of all relevant documents and provided his legal opinion to Charlotte County on 7/31/13. Documents examined included the Interlocal Agreement between Charlotte, Desoto, Manatee, Sarasota and Hardee counties, dated 2/26/82; a new Interlocal Agreement between Charlotte, Desoto, Manatee and Sarasota counties to re-establish the Authority, dated 2/1/84; the Amended Interlocal Agreement among the 4 local governments, dated 5/21/91; the Second Amended Interlocal Agreement Creating the Peace River/Manasota Regional Water Supply Authority, dated 10/5/05; the Peace River/Manasota Regional Water Supply Authority Master Water Supply Contract, dated 10/5/05, the 10/29/10 HDR Report on the 1991 Facilities Rebuild; the 3/12/13 Black & Veatch Design Technical Memo; various worksheets supplied by the Authority on proposed project cost allocations; and the 6/17/13 Jones Edmunds Technical Memo. Upon completing his review of above-said documents, Mr. de la Parte opined that for the portion of the project deemed ordinary R&R by Jones Edmunds (\$4.9M), the only legal method for the Authority to recover costs is through the Base Rate Charge: Non-Capital Cost Component, which is the rate established by resolution of the Authority*

*for payment of all R&R costs of the Authority Water Supply Facilities, among other things. Mr. de la Parte further stated that, short of amending the MWSC, since the \$6.8M portion of the project classified as R&R –Reconstruction of Major Components or a Modification to improve Operation and Maintenance (O&M), there are no other rates existing for the Authority to use to recover these types of project costs except ordinary R&R, which is recovered through the Base Rate Charge: Non-Capital Cost Component. This charge is based on customer metered water usage and shall be allocated as the same charge per thousand gallons used for each customer (common rate method). Therefore, referring to the Water Allocation Quantities, Charlotte County should be charged 49.23% of this portion of the identified costs, which is, historically, how all R&R work costs have been allocated in the past. In summary, all private and public water utilities needing to renew, repair, rehabilitate, replace or upgrade their facilities that serve all their customers, use their rates to recover costs and accomplish the work. Once Charlotte County was ordered, in 1991, to transfer ownership and control of the Peace River Facilities to the Authority for operation and maintenance, it became their responsibility to make sure all of the facilities were kept in good running condition to deliver contractual water demands to their customers. As each additional expansion was phased in, all components became an integral part of a whole system working together to treat, store and deliver water to the customers. Authority rates were designed to make sure each customer was charged a fair and equitable prorata share of the costs to operate and maintain the system. Charlotte County has been paying their fair and equitable share of the O&M/R&R costs as well as the capital construction debt for 22 years. The “Capital/ Debt Component” portion of our Base Rate Charge is less per thousand gallons than some of the other customers of the Authority because it was cheaper to build water treatment facilities in 1986 than it was in 1998 or 2008 when other customers finally decided to order water from The*

*Authority. Charlotte County has never had any other options for water supply except The Authority's PRF, unlike Sarasota or Manatee counties or the City of North Port who have their own water treatment plants. The PRF was designed to serve Charlotte County from the beginning of its inception, virtually making The Authority a sole source provider. As a result, Charlotte County's water rates are much higher than Sarasota County's, Manatee County's or North Port's. In FY14, Charlotte County's allocation for the Non-Capital (O&M/R&R) costs is \$4.7M out of a \$9.5M budget. Charlotte County still holds all the debt for the original 1991 PRF and incurred more debt for each subsequent expansion, sometimes through participation with The Authority's bonds and sometimes through other borrowing sources.*

91. **Southwest Florida Water Management District (Swfwmd)** – A Water Supply Regulatory Agency that is given Jurisdiction in the West and Central Florida Region from FDEP and DOI for Water Resources, funding for infrastructure, water supplies, wetlands and regulatory approvals for developers, Municipalities and more. The State website can be found at <https://www.swfwmd.state.fl.us/>

92. **72 Partners LLC** is a Florida Limited Liability Corporation group of west Florida bankers, real estate and appraisers consisting of Lee Pallardy, Thomas Howze, Kenneth Harrison and Lawrence Hall or are also named individually on the complaint. The website can be found at <https://www.leepallardyinc.com/>

93. *Lee Pallardy of 72 Partners LLC* from the Tampa Notre Dame Rough Rider Debartolo alumni is a private Real Estate broker and land appraiser who has continuing service contracts, performed works and has influence on the Enterprise actors tied to the Courts, Water Agencies, Bankers for Governmental agencies that attacked America and THE ENGINEER by hiding this resource so MOSAIC and ROTHSCHILD can control it and keep it from the World. This group influenced media, School Boards, Judges and Cops to perform terrorism or fake

terrorism attacks timed with subduing THE ENGINEER with the following groups as they desire as follows:

- a. Hillsborough County
- b. City of Tampa
- c. Pinellas County
- d. Manatee County
- e. Carlton Fields Jordan Burt
- f. de la Parte & Gilberti, P.A.
- g. Greenberg Traurig
- h. Holland & Knight, L.L.P.
- i. Farm Credit of Central Florida
- j. Bank of America
- k. Wells Fargo
- l. The Bank of Tampa
- m. Florida Department of Environmental Protection
- n. Florida Department of Transportation
- o. South Florida Water Management District
- p. Southwest Florida Water Management District
- q. U.S. Bankruptcy Court, Middle District of Florida
- r. U.S. Department of Justice

Many of the above list who Pallardy serves are DEFENDANTS in this case and other cases with THE ENGINEER, have permit plans for years, or have known of this Resource through ongoing Cases, such as Judge Delano in US Middle District case with Luis E. Rivera Trustee 9:13-bk-14831-FMD, Wells Fargo Bank who stole thousands of THE ENGINEERS money with Scott Freyre filed at the said US Middle District case with Luis Rivera who helped hid this Bank Fraud and the Union Bank blanket bond via more lawsuits, Swfwmd, FDEP, US Department of Justice on Gilberti constitution rights with Hillsborough County, Greenberg Traurig Dave Weinstein representing Mosaic as stated in Complaint, etc. The list will grow as this RICO discovery opens as THE ENGINEER is just filing the tip of the Iceberg of this massive Racketeering operation of Eugenics and Water Supply hidden to destroy Americans.

94. *Thomas Howze of 72 Partners LLC* is a third Generation Manatee county bank owner of the original bank in Manatee called Community Bank of Manatee. This bank was bought out with a merger with a new State Bank called C1 Bank where groups in Tampa

including Alex Sink and more have been targeting this site and washed bad notes just before the merger in 2011. Thomas Howze and Lee Pallardy live next door to each other in Myakka City Manatee county and have targeted this land for MOSAIC and DEFENDANTS for decades per our witnesses and discovery. These Bankers wanted to secure this Resource then go public to control development and medicine production, as well as local momentums in Voting and Medical sales. Thomas Howze Director of CI Bank website can be found at <https://www.bbb.org/us/fl/tampa/profile/bank/c1-bank-0653-90122818/details>

95. *Kenny Harrison of 72 Partners LLC* leases land from Southwest Florida Water Management District at the Peace River RV Griffin Reserve since 1974, sits on the Babcock Ranch board where both entities have targeted THE ENGINEERS land and his clients land Daughtrey for decades with the Enterprise and other Enterprises tied to the Eugenic of Water supply. Kenny Harrison has been a neighbor of this land for decades and knew of the US Resource before THE ENGINEER and the Daughtrey's and was placed by the Enterprise with 72 Partners to serve a Global Corporate enterprise through Mosaic Phosphate and Rothschild World Bank.

96. **Luis E. Rivera Trustee**, of Gray Robinson Law (initiated acts at Henderson Franklin) Lara Hernandez, Andrew Rosin, Receiver and Ryan Snyder Law committed Fraud on the Courts, falsified Title policies, promoted an INVALID Mortgage without any Title research, created a Compromise while hiding full payoff to all creditors to steal the Resource for DEFENDANTS. These lawyers and Trustee breached their fiduciary duty by undervaluing the land, hiding the US Resource as follows. His website can be found at <http://www.gray-robinson.com/attorneys-professionals/luis-e-rivera>

Abuse of Trust: Breach of Fiduciary Duty by the Trustee:

- a. This case is significant because it implicates the rights of parties to a bankruptcy case in the context of legal malpractice. The timing of the legal malpractice is significant. Whether a party's legal rights will be limited or

expanded will depend on the timing of events. If malpractice occurred before liquidation, the malpractice claim, and the proceeds flowing from it, belongs to the estate. In this situation, the estate is expanded to include any legal claims against the bankruptcy attorney who commits fraud, misrepresentation, or any other kind of malpractice that is injurious to the value of the estate. Third Party claims are in discovery against the Trustee working with 72 Partners LLC and local leaders to hide this resource in Sarasota case and a recent Notice of Intent to sue the EPA.

- b. The Trustee, his subcontractor lawyer Lara Hernandez and his Receiver Andrew Rosin (who has been in RICO claims for stealing lands before in Oklahoma and North Carolina) failed to report litigation to the Union Bank Blanket bond of \$48,740,000.00 on their reports to Judge Delano in US Middle District Courts. While charging against and escrow and filing fake police reports timed with taxes due on the land. Receiver has not reported but two monthly reports in 4yrs while allowing trespassers on the Property to damage the US Resource. Currently a Writ of Certiorari to the US Supreme Court has been hidden from the US Middle District Judge.
- c. Throughout the entire Daughtrey Bankruptcy the Trustee lied about who was attending 341 meetings, hid the Chapter 11 exits provided with plans and permits from our professional THE ENGINEER and never got any true experts to determine the land, mineral and Water Supply value. As well as its ability to pay back all Parties of Interest.
- d. The Trustee was never qualified to determine value of Phosphate minerals, Mining compacts nor Water Supply and ignored all of it to service, permitting and millions in THE Engineering work paid for by the Debtor to the local water supply region. The Trustee was grossly negligent in not hiring the proper THE Engineers and consultants to determine the property value and its exits as a function of permits, minerals, water supply future revenues and true value.
- e. The minerals on the property were deeded to the THE ENGINEER Joseph Gilberti PE years before the bankruptcy filing. The Trustee stole them in the compromise causing more litigation and hid the Water Supply from millions of Citizens to collect a quick service fee.
- f. The Trustee never notified the \$48,000,000 Union Bank blanket bond for surety and within weeks after the compromise lawsuits hit from Parties of Interest in the millions, which the Compromise allows.
- g. The Trustee caused more litigation and distress to the Debtors who are capable of paying all creditors with this Unique Resource in Chapter 11. The Trustee and lower Courts hid the Water Supply critical for Medicine and America from the Public and Courts, with Debtors lawyers to steal the land, calling a massive underground River deep below simply a 'Well'.

**JURISDICTION AND VENUE**

97. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1332 and 2201 and may exercise supplemental jurisdiction under 28 U.S.C. § 1367. Since claims are made to the Governor Ron Desantis and the land with the US Resource is located in Florida Middle District this court has Jurisdiction. Although lands under attack are in West Florida, many more of these resources exist throughout the nation, such as near Flint Michigan, New Mexico, Texas, Alabama, Washington DC and across Earth. There also may be a conflict of Interest in US Middle District since Lee Pallardy of 72 Partner's works for US Middle District and agencies in Florida on the DEFENDANT list. Another complaint is heading into the Southern District as the 300mile Alkaline spring water mineral pipeline connects West Florida to South Florida via Jeb Bush National Resource Defense Council on Florida Water Wars and the Florida North South Conflict.

98. Venue is proper pursuant to 28 U.S.C. § 1391.

99. This Court has personal jurisdiction over each DEFENDANT as each purposefully availed itself of the privilege of exploiting forum-based business opportunities and the exercise of personal jurisdiction is consistent with the U.S. Constitution.

**RICO ACTION ALLEGATIONS**

**PLAINTIFFS' RICO CASE STATEMENT PURSUANT TO THE LOCAL  
RULES' STANDING ORDER IN CIVIL RICO CASES**

Plaintiffs hereby file their RICO Case Statement as required by Local Rules as follows:

1. **The alleged conduct that is claimed to be in violation of 18 U.S.C. 196 (a), (b), (c) and/or (d).**

99. Plaintiffs assert claims listed in Introduction and below for violations of 18 U.S.C. Sec. 1962 (a), (b), (c) and (d). The individual RICO Defendants named herein formed a



strategic alliance with MOSAIC and local Agencies, Hospitals, Hospital Foundations, Leaders, Banks and Pharmaceutical groups to keep Cancer rising from Water Supply LOW Level of Service with poor RAW Water resources. DEFENDANTS collectively and politically through local THE Engineering, Environmental and Consulting selections by Hillsborough, Pinellas, Polk, Pasco, Manatee, Desoto, Charlotte, Lee, Hendry, Polk County(s), as well as Municipal Cities within, Peace River Manasota Water Authority, Tampa Bay Water and Southwest Florida Water Management worked together to collect massive amounts of Revenues by making millions sick with higher cancer rates, more Medicine sales, bad medicine production with poor water resources and inflating Medicaid cost and Water bills.

100. Competitive Negotiation Acts for the Engineering and Consulting services from an old group of locals tide to General Development Corp, past and present Phosphate mining owners and operators, infrastructure contractors, media outlets, Court appointed Judges and State attorneys, Police Chiefs, County officials, water boards, local Developers, Hospital foundations, and more with the intent and purpose hiding Critical US underground Alkaline spring water rivers (herein after called "Blue Gold") to millions of Taps and businesses to increase Cancer rates, home foreclosures, land foreclosures, selective funding to developers, infrastructure projects with unsafe designs, Medicaid fraud billings, higher utility bills and medicine sales through a pattern of racketeering activity.

101. DEFENDANTS misrepresented the suitability of the toxic Desalinization Plants, Peace River, Pesticide planes, Arsenic Ground Water resources heavy more expensive chemically treated water, with costly water shortage designs to millions of residents in Florida from Tampa to Fort Myers and abroad. This ongoing scam to sell medicine, kill people with increasing Cancer Rates from increasing polluted raw water resources poisoned businesses, schools, residents for approximately a 40 year period, and billed businesses and residents at rates

that were one of the highest in the nation for toxic water that was unsuitable for use. After Hurricane Charlie in 2004 DEFENDANTS conspired to hide a critical US underground River on THE ENGINEER and Cecil Daughtrey's property known since 1969 and registered at the Department of Interior and DEFENDANTS data base in an effort to build RV Griffin Reservoir claiming water shortages that is essentially a ZIKA pond and future Water supply Terrorist attack from an old Phosphate mine exposed to Drones and low flying pesticide planes exactly were 9-11 Terrorist practiced two weeks before the 9-11 attack. Failing all efforts to protect drinking water resources pursuant to Stafford Act 6.11 to be proactive in protection of water supply infrastructure from Terrorist attacks.

102. Defendants put millions at risk and stole over \$500,000,000.00 dollars of US Tax base to build a Regional System of Reservoirs that fill up in the summer rains and sit stagnant for 6months until a so-called Drinking Water shortage comes in the Seasonal peak demands. Using environmental concerns along the river withdraws to build future terror attack Reservoirs that once exposed can be converted to Power plants. All pre-planned to steal monies, inflate revenue bonds and utility bills and increase cancer rates to steal Medicaid and sell Medicine to where a massive Opioid epidemic exist across the State.

103. DEFENDANT performed these acts with Hedge funders behind the Big Pharma Insurance groups on Wall Street while blinding consumers during a US Historical Real Estate fall out in 2005 to 2009 when the Reservoir was built and still today its ongoing while permits of the secret endless Blue Gold have been processed since 2012 to 2019, through two full Presidential Elections.

104. DEFENDANTS work with local developers to wash development notes and promote a Florida Forever Trust Fund racket that again taxes the consumer to pull in land owners with high consulting fees and then take down their lands in foreclosure with their selective

political process and racket within the local Water Board agencies and corporative funding initiatives and/or Statewide Revolving fund at the Florida Department of Environmental Protection through Region 4 of the EPA. Furthermore, the individual RICO defendants conspired to balance Peace River budget through the sale of low cost Arsenic Peace River water known to be unsuitable for any use and treated with chemical and then mixed without monitoring with other treatment plans using different ground water resources such as Sarasota County Carlton Water Plant. They essentially treat the water in separate designs and water resources then mix them forming a new water quality that is not tested to increase cost and pretend they're are water shortages when they are massive underground Spring Water rivers of Blue Gold. These rivers are so massive compared to surface ground water and DEFENDANTS use local consultants and in house designers to hide the resources and/or damage them that get exposed with MOSAIC. The fail to provide the safest raw drinking water resources with lower cost pursuant to FDEP 62-555 (310) F.A.C. adopted by the EPA Clean Water Act of 1974, established by Federal, State and local water quality standards. The individual RICO defendants named herein, formed the strategic alliance with Department of Justice groups, lawyers, leaders and more to further the conspiracy and ultimately create a massive medicine sales and pill mill area in over half of Florida and the largest Cancer Cluster in America from Tampa to South Florida where retirees are nestled and used to hide the issue affecting our youth and middle age families.

2. **The identity of each defendant and the alleged misconduct and basis of liability for each.**

**Background Regarding Defendants, The Mosaic Company**

105. The Mosaic Company ("Mosaic") was established in 2004 following an agreement between Cargill, Inc. and IMC Global to form the new crop nutrition company.

106. Mosaic is incorporated in Delaware, has its headquarters in Plymouth, Minnesota,

and is publicly traded on the New York Stock Exchange using the stock moniker “MOS”.

107. Following its creation, Mosaic became the world’s largest producer and marketer of concentrated phosphate and potash crop nutrients, each of which is the product of Mosaic’s phosphate production facilities in Florida, Louisiana and Peru, and potash production facilities in New Mexico and Saskatchewan Canada.

108. Additionally, Mosaic obtains the raw phosphate rock for its processing plants from Mosaic-owned mines in Central Florida and Saskatchewan Canada.

**Background Regarding Defendant, Mosaic Fertilizer, LLC**

109. In May 2004, Mosaic’s predecessor, Cargill, Inc., registered Cargill Fertilizer, LLC as a foreign limited liability company with the Florida Secretary of State. Thereafter, Cargill Fertilizer, LLC began operating the phosphate processing plant located in Mulberry, Florida referred to herein as the “New Wales Facility”.

110. On October 25, 2004, Cargill Fertilizer, LLC changed its name to Mosaic Fertilizer, LLC (“Mosaic Fertilizer”). Mosaic Fertilizer continued and continues to operate at the New Wales Facility as a foreign corporation authorized to do business in the State of Florida.

111. Mosaic Fertilizer’s New Wales Facility is a phosphate fertilizer manufacturing plant, located at 3095 County Road 640, Mulberry, Florida 33860.

112. The New Wales Facility is 4,000 acres in size and produces 4.8 million tons of phosphate fertilizer and animal feed ingredients each year. It is currently the largest fertilizer manufacturing facility in the world.

113. The New Wales Facility, operated by Mosaic Fertilizer, is Mosaic’s primary source for phosphoric acid, the necessary ingredient in Mosaic’s phosphate fertilizers.

114. The Mosaic Company and Mosaic Fertilizer, LLC are collectively referred to herein as “Defendants”.

### **The Phosphoric Acid Process**

115. Phosphoric acid is the product of wet slurries, made by combining ground phosphate rock with concentrated sulfuric acid. This chemical combination creates phosphoric acid and calcium sulfate. Additional water is added to the slurry to separate the calcium sulfate and other insoluble materials from the phosphoric acid.

116. The separated calcium sulfate is commonly referred to as gypsum or phosphogypsum, and is a known byproduct of phosphoric acid wet processing. Phosphogypsum is radioactive due to the presence of uranium and radium (elements naturally occurring in the raw phosphate rock). The re-use or recycled use of phosphogypsum is prohibited by the EPA if the phosphogypsum has an average radium concentration of more than 10 picocuries per gram (pCi/g). In such an instance, phosphoric acid manufacturers are required to store the radioactive phosphogypsum indefinitely in open storage areas called gypsum stacks, or gypstacks.

117. MOSAIC gypstacks are created by pushing original, natural surface soils into large piles or mounds, which serve as the initial sides of the gypstack. The soil mounds create an earthen dam that receives and holds slurried phosphogypsum wastewater pumped from the manufacturing facility. Solid gypsum within the slurry settles to the base and sides of the gypsum stack and wastewater from the slurry is decanted into a cooling pond for later use in plant operations. The settled gypsum is then used to build up the original soil walls to increase the stack's height, allowing for increased storage capacity.

118. For every ton of phosphoric acid made, approximately 5 tons of phosphogypsum are produced. As a result, gypstacks are very large and have the capacity to hold millions of gallons of the slurried radioactive phosphogypsum.

119. Mosaic Fertilizer is required to store and maintain gypstacks onsite at the New Wales Facility because the facility produces phosphogypsum with radium concentrations

averaging between 20-35 pCi/g. Currently, the New Wales Facility has one operational gypstack— The South Gypsum Stack.

120. The New Wales Facility's South Gypsum Stack was built in two phases. Phase I was constructed in 1992 on 394 acres; it is located south of a cooling pond and is stacked 200 feet high. The construction of Phase II began in 2002, occupies 310 additional acres, consists of an east cell and a west cell, and is approved to have a final height of 300 feet. Additionally, Phase II provides for an increase to the height of the Phase I site from 200 to 300 feet high.

121. The South Gypsum Stack operates in conjunction with an unlined cooling pond system. Together the gypstack and cooling pond comprise the New Wales Facility's phosphogypsum stack system. Mosaic Fertilizer operates its phosphogypsum stack system under Industrial Wastewater Facility Permit Number FL0036421 issued by the Florida Department of Environmental Protection ("FDEP").

**Sink Holes created by Defendants to destroy Water supply resources**

122. On or around August 27, 2016, Mosaic Fertilizer employees noticed dropped water levels at the west cell within the South Gypsum Stack, suggesting a leak of stored radioactive phosphogypsum wastewater.

123. Shortly after the noted water loss, a sinkhole was observed. The sinkhole formed at the base of the west cell located in New Wales' South Gypsum Stack, which held radioactive and other chemical-containing wastewater. In the days and weeks that followed this observance, Mosaic Fertilizer notified the requisite regulatory authorities that radioactive wastewater was escaping from the gypstack.

124. On or around September 16, 2016, Defendants confirmed media reports of a sinkhole at the New Wales Facility, which provided the public with knowledge of the contamination for the first time, nearly 3 weeks after DEFENDANTS were aware that

radioactive wastewater was escaping from the west cell of the South Gypsum Stack and into the Floridan Aquifer.

125. Presently, the sinkhole is approximately 45 feet in diameter and several hundred feet deep. On information and belief, at least 215 million gallons of radioactive wastewater has escaped the South Gypsum Stack via the sinkhole.

126. The escaped radioactive and other chemical-containing wastewater is comprised of radionuclides, spent sulfuric acid, wastewater generated from cleaning phosphoric acid production pipes and equipment, acidic cooling water with high concentrations of phosphorus and fluoride, and other contaminants that settle in the gypstack as a consequence of Defendants' manufacture of phosphoric acid.

127. Solid gypsum contains a high concentration of radium-226, uranium, and other uranium decay products due to the separation and concentration of radionuclides that occurs during the production of phosphoric acid.

128. In addition to radionuclides, gypsum contains metals in concentrations which the EPA believes may pose a hazard to human health and the environment. The metals include, but are not limited to, arsenic, lead, cadmium, chromium, zinc, antimony, iron, and copper.

129. The Mosaic Company has confirmed that the escaped radioactive and other chemical-containing wastewater has entered Florida's main source of groundwater, the Floridan Aquifer and leaked into the Peace River system for decades. Greenberg Traurig Dave Weinstein defends Mosaic when Sierra sues the ACOE for an FDEP permit. Greenberg come in as a Co-defendant and typically settles in 11<sup>th</sup> District courts of appeals after charging \$250,000.00/month and eventually threatens the County the permit is within with a lawsuit and forces a Mining compact timed with Election and other Infrastructure momentums and real estate. These mining compacts payoff County commissioners and local THE Engineers to look

away at the operation and inspections leaving a low staff ACOE review and hence polluted drinking water resources and more Cancer rates or cancer causing developments from donated radioactive so-called remediation lands governed by Swfwmd another Defendant..

130. As recently as September 2015, Mosaic Fertilizer entered into a Consent Decree with the United States Environmental Protection Agency and the Department of Justice, which, in part, cited Mosaic Fertilizer for violations of the federal Resource Conservation and Recovery Act (RCRA), and required Mosaic Fertilizer to investigate “reasonable and practicable methods to reduce the volume of pond water within Mosaic’s main Cooling Pond that would be lost in the event of a sinkhole.”

131. On information and belief, as of August 2016, Mosaic Fertilizer had not taken the steps necessary to reduce the risk of 215 million gallons of radioactive wastewater from draining into the Floridan Aquifer via a sinkhole and may have caused many more as the EPA and FDEP are working with MOSAIC in syndicated investment groups tied to medicine sales and rotate Board members, staff and more to potentially hide additional areas where sinkholes are caused and are never reported until someone has the courage or money to litigate these Corporate monsters selling medicine with poor water supply resources and higher cancer rates.

132. MOSAIC is been involved in recent Class Actions with thousands of home owners on *destroying well fields, aquifers and River systems similar to multiple cases caused by MOSAIC in the Mosaic Phosphate District and is causing massive Florida home development issues of Cancer rising Region from Central Florida down to West Florida along the Peace River Corridor.*

133. MOSAIC has operations where many hospitals capitalize on Cancer and Medicaid revenues from *poor or damaged Water supply resources Peace River Water supply Regional Water Supply Authority and Tampa Bay Water Authority and as a result of*



**DEFENDANT'S actions in ongoing Mosaic Phosphate Mining compacts, poor THE Engineering design permit approvals and monitoring, millions have died or suffered from Cancers and diseases, lost land, homes and businesses.**

**134. MOSAIC with their council Dave Weinstein, Vin Marchetti and Don Crawford of Greenberg Traurig Law in Tampa attacked Plaintiff and his clients lands in Sarasota, Manatee and Desoto with a Tampa group tied to huge developers like Debartolo and Notre Dame, USF, UF, FSU, SMU, UM, Yale and Harvard Universities, named 72 Partners LLC and BSFL Holdings LLC (aka Land Holdings South of Lakeland Florida) have been setup with DEFENDANTS to attack LANTECH and his clients.**

**135. Mosaic is proposing a massive 22,000 acre Radioactive Phosphate mine in Desoto and Manatee County next door to this US Critical medicine changing resource to destroy it with the FEDERAL RESERVE BOARD and DEFENDANTS to destroy America and its Children, Homes and Economy to sell Opioids and fill Moffit Cancer centers with the DEFENDANTS. See exhibit and plans for approval on April 3, 2019 with criminal Lawyer in Desoto Donald Conn who has been targeting this Resource with Judge Hall, Judge Parker and a group of Tampa Judges like Dominquez, Judge Mark Wolfe, Judge Conrad, Pam Bondi, Obama, DEFENDANTS and more for foreign terrorist organizations. The Engineers and Leaders involved are fully aware of the historical damage this Mosaic company, Israel Chemicals LTD and its past lawsuits in the West Florida region do to Aquifers with Greenberg Traurig Law and DEFENDANTS.**



The Pink area shows the Desoto mine next to THE ENGINEERS land at the Desoto-Sarasota-Manatee Tri-County monument at the bottom of the Phosphate District planned for attack since 1991.

136. Hillsborough County State Attorneys office, Pam Bondi, Mark Ober, Julian Holt's office, Sheila Sanghvi SA, April Johnson, Robert Masonowski, SA and Chris Shaw public defender with almost 10 other tax paid staff lawyers and Judges in District 13, created seven FAKE Cases and bond hikes tied to the Boston Marathon and Texas Fertilizer explosion with Mosaic's Chief Council of Greenberg Traurig and private attorneys such as Dirk Weed in Tampa. These lawyers, Judges and Hillsborough County Sheriffs office filed fake arrests to subdue THE ENGINEER and steal the land with the Resource for MOSAIC and DEFENDANTS within days of discovering the secret US Resource that changes medicine and lowers water bills. Record cases timed with subduing Joseph Gilberti P.E. are timed within days

or even minutes of the Boston Marathon Explosion, Texas Fertilizer explosion, Pulse Bar Shooting, Marjorie Stoneman Douglas shooting and FDEP permitting of the 300mile Transmission systems are filed in many Courts in Sarasota, US Supreme Courts and US Middle District Courts. Many times after torture and death of family members, THE ENGINEER, THE ENGINEER Joe Gilberti was forced to take a Plea in Duress to get back to Sarasota to protect the land in cases and also in US Middle District court from the Trustee who hid the Resource and extra claims from the Union Bank Blanket bond. The Defendants are hiding the RESOURCE under THE ENGINEER'S property for potentially the Healthiest spring water ever seen on Earth with lower water bills to over 10million Florida Residents. With new mixtures for endless new medicine, computer and military needs and Energy production for Global Sustainability as this site teaches mankind how to find many more.

137. THE ENGINEER'S President Joseph D. Gilberti, P.E. had his personal Constitution rights taken and his family was attacked by DEFENDANTS to hide this secret US RESOURCE from millions of Florida Taps to keep Cancer and foreclosures rising, new Medicine for all America and hide it from to US Leaders in Washington DC and hundreds of Universities that need this sites geological indicators and knowledge to teach Mankind how to find many more, attacking the Public Health and Safety of Americans for their Medicine sales and profits for Fertilizer production or Medicaid fraud billings.

138. DEFENDANTS have targeted THE ENGINEER and millions of Americans by attempting to steal and continuously hide this endless underground secret unique Alkaline spring water river for years with syndicated groups within many local Agencies, Banks, Media, State and Federal Courts, County tax paid Leaders and Staff (both past and present), Police departments, Fire Departments, Hospitals, Universities, Environmental Activist like Sierra, Manasota 88, Arcadia Rodeo Board in Desoto county, FEMA, Homeland Security, FDEP and

EPA Agencies, local real estate developers, land brokers, consultants, lawyers, engineers and environmental scientist all aggressively hiding this US Resource with major Hedge funders tied to Hospital Foundations, Universities applying for Cancer 50c13 grants, such as USF-Moffit Centers, St Joseph's Hospital, Schriners and more.

139. DEFENDANTS list may grow as discovery evolves due to the massive affects this US Resource has on the entire United States and the Globe in Medicine production, US National Defense, Energy production, Healthcare reform and Sustainability for Food and Water as this site is generating Water from a titled platform from the KT Event that caused the Gulf of Mexico through the Yucatan Meteor impact over 65 million years ago. These geological indicators teach NASA and Nations how to find many more the Energy Corps and DEFENDANTS have hidden that can be utilized in the same way THE ENGINEER has on the Closer to the Heart 300mile Transmission plans submitted as early as 2012 to the DEFENDANTS and now resubmitted into the Florida Department of Transportation along I-75 Corridor, for the third time in over six years.

140. On or around July 2011, chief Council for MOSAIC, Dave Weinstein of Tampa Greenberg Traurig was on a Federally filed Fort Meade vs Sierra Case 3:10-CV-00564 at the same time he was working on Plaintiff's land and his clients land in a foreclosure defense in Sarasota county still pending, Case 2011 CA 004209 NC.

141. DEFENDANTS collectively hiding THE ENGINEER secret underground critical to health and medicine changing ENDLESS alkaline spring water resource, polluting rivers and other waters supply with MOSAIC and manipulating courts together to create cancers centers, fill Moffit Cancer center, study cancer kids and sick people, create diseases for unnecessary vaccines and sell medicine due to poor Tap and bottled water Raw Resources. While hiding the real true drinking water resources that are ready to drink right out of the ground. See their timeline of

events that flow with the timeline of the recession, LANTECHS hiring on the land for a mining permit in 2006 by Sarasota Doctors, the finding of the World hidden Resource in this Complaint and attached in Appendix II as well as shown in Sarasota Cases for Joseph Gilberti and US Middle District courts for Daughtrey vs Luis E. Rivera II Trustee, as well as Daughtrey's appeal to the US Supreme Court, and permits at the Counties and FDOT for the 300mile pipeline.

**TIMELINE OF ENTERPRISE SPENDING ON INFRASTRUCTURE**  
**SURROUNDING THE SECRET UNDERGROUND RESOURCE AND ENGINEER**

**Fort Meade vs ACOE & MOSAIC Case 3:10-CV-00564**

- **October 2006** | Charlotte County representatives filed comments to FDEP. This included a note commending the FDEP for recent improvements in the phosphate mining permitting process and recognizing that the application is a significant improvement over prior phosphate mining permits.
- **August 2008** | Lee County challenged the FDEP's approval of the permit, filing for a formal administrative challenge. Sarasota County joined as an Intervenor in September 2008.
- **November 2008** | A two-week hearing was held by the Division of Administrative Hearings in Tallahassee.
- **December 2008** | After evaluating extensive scientific expert testimony from both sides, the Administrative Law Judge (ALJ) recommended approval of Mosaic's applications for the ERP, CRP and two variances. Based on factual evidence, he found that Mosaic's proposed mining will not adversely affect water quality and quantity in the Peace River and Charlotte Harbor.
- **February 2009** | The FDEP issued its Final Order adopting the ALJ's Recommended Order and issued the permits.
- **February 2009** | Lee County filed an appeal.
- **March 2010** | Lee County's appeal was denied.
- **July 2010** | U.S. District Judge Henry Lee Adams Jr. issued an injunction "in part" against operations at the South Fort Meade Extension site, in response to a motion filed by the Sierra Club, Manasota-88, and People for Protecting the Peace River.
- **August 2010** | Mosaic filed an appeal of the Court's decision restricting its phosphate mining operations on the site.
- **November 2010** | District Court approved partial agreement between Mosaic and the Sierra club for mining on a limited portion of the property while appeal of the preliminary injunction was heard.
- **April 2011** | U.S. Eleventh Circuit Court of Appeals vacated the preliminary injunction and remanded the case to the District Court. Mosaic filed a notice in U.S. District Court stating our intention to begin uplands mining in the next phase of the South Fort Meade Hardee County Extension.

- **May 2011** | Mosaic filed a Motion for Summary Judgment and Opposition to the Plaintiffs' Motion for Summary Judgment.
- **July 2011** | U.S. District Judge Henry Lee Adams Jr. issued another Preliminary Injunction temporarily halting all mining on the Hardee County extension of our South Fort Meade mine. Mosaic appealed the District Court' injunction, and filed a Motion for Stay of the Preliminary Injunction while the appeal is pending. Mosaic also filed a Motion to Enforce the Mandate with the Eleventh Circuit Court of Appeals.
- **August 2011** | Mosaic files a "Notice of Renewing Motion to Expedite Ruling on Mosaic Fertilizer, LLC's Motion for Limited Stay of Preliminary Injunction Pending Appeal" with the District Court.
- **August 2011** | Plaintiffs file a response to Mosaic's Motion for Stay Pending Appeal in the Eleventh Circuit Court.
- **October 2011** | The Appellate Court denies Mosaic's motion for a stay without prejudice and states that Mosaic can resubmit the motion in 30 days if the lower court fails to rule by a November deadline. Mosaic's order for an expedited appeal was also granted.
- **November 2011** | Mosaic re-files the motion for stay with the court of appeals after District Court judge fails to rule on the motion for a limited stay.
- **January 2012** | Judge Adams/District Court denies Mosaic's motion for a limited stay. Mosaic awaits action from the Eleventh Circuit where a similar motion had already been filed.
- **February 2012** | Mosaic announces a settlement of South Fort Meade Phosphate Mine litigation.
- **March 2012** | The Federal District Court in Jacksonville approved the settlement agreement in the litigation challenging Mosaic's federal permit to mine the Hardee County extension of our South Fort Meade mine.
- **April 2012** | Mining in Hardee County began again.

142. As you can see above the DEFENDANTS are collectively involved in the region on water supply, mining lawsuits from spills, FDEP permitting, agency coordination on water resources, medicine and energy production, court expenditures and yearly media hypes for minor amount of mining jobs while the housing market plummeted; and cancer increased over 75% in ages 14 to 26 during this time. The housing market would have boomed if this Resource was exposed but DEFENDANTS wanted FULL CONTROL while ignoring thousands of kids dying in Cancer Centers while they continued to pretend they was no water available but Polluted resources and fancy treatment or storage techniques.

143. It is obvious that a much further and deeper group of criminals on both White Collar and blue collar levels will be added to this massive genocide and eugenics complaint in US Resources under attack by both foreign and domestic groups and that this case will surely

grow as discovery permits.

144. Many Florida Police chiefs, Judges, Lawyers, Developers, Agency Water board members, City and County managers, Executives recently have resigned who were exposed to this Resource and many pending lawsuits within Sarasota, US Middle District, 11<sup>th</sup> District Courts of Appeals, and now the US Supreme Court. Tax paid leaders seem to rotate nearby or even now have come across as witnesses to this massive criminal group involved, who are basically attacking America and millions of People at their homes and businesses either through water supply, unhealthy plastic bottles sales, medicine sales, utilizing polluted raw water resources and hiding the True endless clean resources for drinking water and over priced dangerous water treatment and utility bills..

145. During the timeline above MOSAIC'S chief council on the Fort Meade Case, Dave Weinstein took the Daughtrey vs BSFL Holdings LLC case and used it to sell the note within a block to their friends in Tampa, 72 Partners LLC who consist of Lee Pallardy, Thomas Howze (C1 Bank), Kenny Harrison (Peace River Board member for Southwest Florida Water Management), Laurence Hall and Spenser Hall (friends with Judge Hall in Desoto County) within days through assignment of an INVALID MORTGAGE. Dave Weinstein was at that time immediately fired due to conflicts as Joseph Gilberti lands and THE ENGINEER'S Clients land are the only land in the MOSAIC Phosphate District with mining permit and deep Floridan Well, the two essentials for a Future Fertilizer plant for their Southern Phosphate movement that started in 2012 and planned since 1990's. Demonstrating this land has been targeted for decades by the Elite and DEFENDANTS in that the Water reading as so far off the Chart of Health and tied to an underground River and/or Ocean via access from the KT Event or Yucatan meteor impact that lifted Florida out of the Ocean and created the Gulf of Mexico.

146. DEFENDANT and their attorneys at Greenberg Traurig falsified Police reports in

Hillsborough County with Sheriff Gee, Mark Ober SA, Sheila Sanghvi SA, see Hillsborough FRAUDULENT Case 12-CM-011299 to kidnap Plaintiff by influencing local Judges with DEFENDANTS to raise a whistleblowing misdemeanor bond for so called cyberstalking, from \$500.00 to \$300,000.00 dollars the day of the Boston Marathon explosion. Plaintiff sent a Jog email with prosthetic runners in Leon County with both ex-Governor Rick Scott, FDEP Director Hershel Vinyard in a Leon County Torch Run with FDLE that happened a few weeks earlier. Suddenly 5hrs and 3minutes later the explosion happens and FBI, Secret Service, helicopters and US Marshals attacked Plaintiff, his wife and family and threatened to shoot their dogs in front of many witnesses and neighbors.

147. Three of MOSAIC Land Use and Chief Litigators, Dave Weinstein, Vin Marchetti and Don Crawford who were fired from the land litigation were the so called victims. The arrest and bond for \$500 was on July 4, 2012 holiday. No contact was made with any victims for a year, but after EPA and Oil consultant Jim Murray of Amps Aquifer and Maintenance shows up and performed a Down the Hole video and gave us additional knowledge of the endless capacity and never seen before health quality for Water supply, DEFENDANTS with the Hillsborough Police attacked Plaintiff to subdue their adversaries with Fraud on the Courts.

148. LANTECH'S THE ENGINEER and President Joseph D. Gilberti, Jr., P.E. was tortured by DEFENDANTS in a 50 degree below isolated holding cell with no food, water or clothes while hiding reports with ARMOR Services within the Frankenberg and Orient Jails; not providing anyone of the Plaintiff family of Joseph Gilberti's whereabouts for days, putting his Children, Wife and clients in an emotional distress like no other could imagine. Over 120 Days of water boarding without contact with anyone or family for long periods of time.

149. DEFENDANTS planned and attacked THE ENGINEER in Tampa and his land and clients land in Sarasota District 12 just after THE ENGINEER discovered the secret



underground endless Alkaline spring water river could replace a polluted RED TIDE Arsenic River at Peace River Water Treatment plant in Desoto County (and old Arsenic filled General Development Water Plant) and the RV Griffin Reservoir Defendants build for over \$500,000.00 of stolen US Dollars in that they hid this Resource that had a well permit for decades.

150. DEFENDANT used US Tax Dollars, Florida Forever Trust funds to hide this Resource with Carlton, Longino and Walton Ranch owners, some of which were Commissioner for the DEFENDANTS in Sarasota County commission. DEFENDANT is paying themselves and friends to hide the Resource from THE PEOPLE for Decades to sell Medicine and keep Cancer rates and diseases rising in a Water Supply Eugenics operation.

151. DEFENDANT knows of years of mining spills along Peace River at the RV Griffin Parcel owned by Southwest Florida Water management District from \$500 to \$300,000 dollars with Judge Dominquez and Judge Conrad in Tampa District 13.

152. Tampa District 13 in Hillsborough County timed this bond hike with the Boston Marathon explosion and the Texas Fertilizer plant explosion the week of April 15, 2013 within days of the find (April 3, 2013) that shows a titled platform from the KT Event (Yucatan Meteor Impact) triggered unique and endless spring water in an isolated area of the Plaintiff's personally owned land in Sarasota.

153. DEFENDANT influenced Swfwmd and US Middle District attorneys to defame this US Resource in courts without any testing OR evidence and keep Water supply Level of Service lower so cancer rises in the area from Taps and bottled Water production, to sell Medicine, create Cancer victims and steal Medicaid with a huge Racketeering mob which includes State and US Leaders, such as Senator Rick Scott who is known for Medicaid Fraud.

154. DEFENDANT used Plaintiffs plans for a new MOSAIC Rodeo in Arcadia with illegally purchased lands in conflict with Desoto County commissioners who bought lands from

Arcadia Rodeo Board who were the same Commissioners (See Exhibit A). Desoto County Commissioner Elton Langford, Buddy Mansfield both sat on the Desoto Board of County Commission and sold the Turner Center parcel to Arcadia Rodeo Board while also being Board members on the Arcadia Rodeo board. All in an effort to build a new Rodeo using and stealing THE ENGINEER'S plans and efforts, before THE ENGINEER realized what was under his land and clients land in Sarasota which they knew of already.

155. MOSAIC is now proposing a 22,000 acre Phosphate Mine in Desoto county next to THE ENGINEER'S project and water supply land while he was subdued in Hillsborough County by their attorneys who work on Mining compacts for decades, where the victims of false charges that have since been dropped. The timed subduing THE ENGINEER to stop THE Engineering permits while attacking the land in Sarasota Courts with DEFENDANTS.

156. Plaintiff with their high powered Attorneys convinced State Legislatures to pass HB1099 in late 2011 after THE ENGINEER and his clients fired Greenberg Traurig for Conflicts with MOSAIC phosphate and their future attacks on Water supply resources, to up the laws for cyberstalking to Felonies knowing the Plaintiff would keep whistleblowing the secret US Resource. DEFENDANTS are being paid in a many ways through Mining Compacts, Infrastructure funding programs with the FDEP State Revolving Fund by a Foreign owned Mosaic Phosphate Corporation to keep this water from millions of Taps and the American People.

157. THE ENGINEER has the only land with a deep Floridan Well with this Water quality in the Mosaic Phosphate District for Sarasota County with an approved Swfwmd Mining permit, a deep Floridan well, the two essential items for a future Fertilizer plant.

158. Sarasota county is the only county that did not sign the Mosaic Mining compact out of multiple counties such as but not limited to Hillsborough, Manatee, Desoto, Charlotte,

Lee, Hardy and Hendry Counties along West Florida which are timed with US and State elections and used to swing Electoral votes with Multimillion dollar mining compacts. These Mining compacts donate poisonous park land or future developments and provide Checks to County Commissioners to 'LOOK AWAY' from FDEP mining permit operations that destroy local Water Supply aquifers and destroy the environment.

159. Dave Weinstein when working on the Fort Meade vs Sierra case in 11<sup>th</sup> District Court of appeals for Hendry County traded Peaceful Horse Ranch by Horse Prairie Creek lands as a settlement after trying to target THE ENGINEER'S and his clients land in July 2011. Dave Weinstein was fired for conflicts of Interest with Mining compacts in Region by Plaintiffs clients and Plaintiff.

160. DEFENDANT influenced Leaders, Media, Water Boards and Police to attempt to steal THE ENGINEER'S land, intellectual property AND hide this US National Defense Resource for foreign Terrorist groups tied to White Collar criminals in a Racketeering operation to sell medicine with Poor Raw Water resources and hiding the good Water resources. Creating more costs, cancer and oppression with local Lawyers, Bankruptcy Courts and more.

161. Record well permits on this secret underground resource were on file at Southwest Florida Water Management and FDEP.

162. Plaintiff lands in Sarasota next to DEFENDANTS lands with proposed Phosphate mining has an endless Unique Underground River 2000feet below in the Rock showing Alkaline Spring water readings with the highest Magnesium and Calcium ever seen on Earth available for over 10million Florida taps from Sarasota to Miami in permit at the Florida Department of Transportation and Florida Department of Environmental Protection.

163. DEFENDANT has known of the Raw Drinking Water Resource and has influenced local Police through its councils and local Mining compacts to subdue Plaintiff who is

a Professional THE ENGINEER performing plans, permit petitions and exposure of the hidden Raw Drinking Water Resource critical to Human health, lowering Cancer rates to the Tap, fixing Orange Citrus Greening and developing new Medicine to all Americans and Humanity due to its unique Water Quality readings.

164. DEFENDANT is known for damaging Florida Aquifers, such as a sinkhole developed at DEFENDANTS' New Wales phosphate fertilizer manufacturing plant located in Mulberry, Florida ("New Wales Facility"). The sinkhole is located on DEFENDANTS' property within an onsite storage facility under DEFENDANTS' direct control, and is the cause of radioactive and other chemical waste contamination in the Floridan Aquifer.

165. DEFENDANTS' conscious actions and omissions disregarded foreseeable risks to human health and safety and to the environment.

166. Residents in the communities that surround the New Wales Facility have legitimate concern for the integrity and safety of their water supplies as the toxic radioactive and other chemical wastewater is in the Floridan Aquifer causing, and will continue to cause, water contamination. Now DEFENDANT is moving in our Nations most valuable Raw Drinking water and medicine production resource at the Sarasota-Desoto-Manatee Tri-County monument at the Plaintiffs land on Sec 1 & 2 along S.R. 72 near 9438 Daughtrey Road, Sarasota Florida 34266.

167. THE ENGINEER brings this suit on behalf of themselves to recover damages from DEFENDANTS who recklessly and negligently managed, operated and stores toxic radioactive wastewater produced from DEFENDANTS' existing Statewide Phosphate mines and a proposed 22,000 acres a block from THE ENGINEER land which is to serve over 10million residents pursuant to the permit plans in petition since 2013 solving Florida North South Water conflict via National Resource Defense council in Florida Water Wars.

dangerous millions.

170. This Low LOS Peace River Infrastructure Loop Option formed in 1991 by DEFENDANTS to hide much higher LOS Water resources is combined with Banking Note

168. For 15 to 40 years, DEFENDANTS carried out numerous and repeated acts that furthered the conspiracy many of which, qualify as predicate acts under the Civil RICO statute, giving rise to RICO liability under 18 U.S.C. Sec. 1962 (c) and (d). The specific conduct and predicate acts carried out by the RICO defendants and enterprise actors are set forth below in greater detail in their applicable sections pursuant to Local Rule 12.1.

169. DEFENDANT uses local THE Engineers on Continuing Service contracts such as but not limited to, King Engineers, Jacobs Engineering, HDR, Johnson Engineering, Stantec Engineers, Corollo Engineers, Mosaic Phosphate in house engineers and consultants, who are continuing service contracts, as well as many more shown on the Capital improvement permits associated with the Peace River Manasota Regional Water supply and nearby developments by Pallardy, Pat Neil Development, Benderson Development, Debartolo Development, WCI, Palmer Ranch, Lakewood Ranch, Lennar Developers, Mosaic Phosphate, FDOT improvements and more, most of which are Florida corporations with its principal place of business in Tampa Florida. Some of these firms were previously named Wilson Miller, such as Stantec, or Post Buckley now Jacobs Engineers, King Engineers just sold, and other Engineers and their names as they have recently been shifting and running from the exposure THE ENGINEER has provided in permitting. DEFENDANTS in this action based on intentionally providing negligent professional THE Engineering services in researching Natural Resources for Drinking Water and preparing Peace River Manasota Regional water treatment facility and "Loop Option" to treat water from the Peace River, Carlton WTP, Punta Gorda Shell Creek then mixing the different poor water resources for a new mixture that is even more dangerous millions.

170. This Low LOS Peace River Infrastructure Loop Option formed in 1991 by DEFENDANTS to hide much higher LOS Water resources is combined with Banking Note

washing, timed with Federal Grants and Florida Forever Trust funds on neighboring lands to THE ENGINEER and his clients to bribe Ranchers in a collective conspiracy to get millions in cash from tax base to keep Cancer rising, using Less than Fee options for Development Rights in the name of Environmental protection and lowering of Urban Sprawl. See Sarasota Longino, Carlton and Walton Ranch closing timed with Daughtrey Levy in 2010 for the last of the Florida Forever Trust fund as RV Griffin reservoir in Desoto County was put online that moved dirt to pay off commissioners and Election liaisons for mining compacts, gambling compacts and Electoral Votes.

171. On file at FDOT and Municipalities Chambers-Minutes, THE ENGINEER Gilberti of THE ENGINEER submitted permits and met with representatives of Peace River Manasota Water Authority and Counties it serves multiple times, Sarasota, Charlotte, Desoto Commissioners Office and the FDEP and SWFWMD to discuss:

- a. using the underground endless Spring Water vs RED TIDE Polluted Peace River as a water source;
- b. the ability to perform the necessary upgrades to the Peace Water Treatment Plant to a spring water filtration plant and convert Reservoir to a Power plant;
- c. the ability to perform quality control
- d. the ability for THE ENGINEER to provide less expensive Spring water to half the State and over 15 Counties since 2012;
- e. Developing a take down of existing Revenue bonds with arsenic filled pipes and to STOP WORK on new Reverse Osmosis plants with RED TIDE Rivers with a cost analysis that generates millions of Jobs and less Cancer risks.

According to incomplete meeting minutes, “the conversation was guided with focus on THE Engineering, regulatory, and quality aspects...” of the items previously referenced and the following determinations were made:

- a. The Peace River would be more difficult to treat, and was reckless as a source;

- b. Peace River is a secondary source and fails in Hurricane issues as in Hurricane Charlie and breaches FDEP 62-555 (310) F.A.C.;
- c. Peace River fails the FEMA Disaster Recovery Stafford Act 6.11 as it's a potential Terrorist attack with RV Griffin Reservoir and should be converted to a power plant.
- d. All Water Shortages end with THE ENGINEER'S underground Resource and DEFENDANTS knew prior to Hurricane Charlie.
- e. The Peace River Water Treatment Plant did not have the capacity to treat and distribute sufficient water to meet the needs and forces a Take or Pay issue and treats water that is not needed in summer times and injects in back into the River causing ASR Wells to damage and Arsenic water supply.

3. **List the alleged wrongdoers, other than the defendants listed above, and state the alleged misconduct of each wrongdoer:**

172. DEFENDANTS listed in Parties of the Complaint and are purposely causing higher Cancer rates at the Tap and Bottled water by hiding secret unique underground Rivers of Natural ready to drink and ENDLESS Alkaline spring water.

173. The State of Florida directs, controls, and operates the Florida Department of Environmental Protection (FDEP) and the FDEP State Revolving Fund (SRF) who received plans for funding at the Marjorie Stoneman Douglas Building for Phase 1 on January 28<sup>th</sup>, 2018. The State of Florida Governor Rick Scott at the time has the readings from THE ENGINEER'S Cad Tech Rob Stampe since March 2013 and again through consultants and friend Cary Portner who sits on Governor Rick Scott (now Senator Rick Scott) International Trade Board in 2016.

174. Governor Rick Scott (now US Senator) ignored this Resource as he is a known

Medicaid Fraud leaders and lower level of service (LOS) water supply means more sick people as Tap Water Treatment is based on Cancer Rates, see EPA Health Advisories 2012, where LOS is set a 1 in 10,000 get cancer based on treatment. In this area that is much higher!

175. FEMA, EPA, DOI, FDEP, ACOE, Desoto and Charlotte County, Swfwmd, Duke Energy and Florida Power and Light (Nextera Energy) purposely ignored this hidden US Drinking Water Resource and permit petition to Fort Myers Director during Executive Order 17-235 offers made to provide FREE spring water during Hurricane IRMA to all West Florida citizens.

176. Gov Scott, Pam Bondi and Hillsborough State Attorney office coordinated with the Public Defenders office and dozens of Private lawyers and Circuit Judges to kidnap THE ENGINEER Joe Gilberti with fake AR-15 Police reports timed with Dockets for the Sarasota land cases, 11<sup>th</sup> District courts of appeal cases and US Middle District cases to steal the land for DEFENDANTS to hide from the Public and keep Cancer Rising. Many local Civil Servants, including the School Boards, FPL, Duke, Governor Rick Scott and FEMA was consistently more concerned with satisfying its own distorted perceptions of Politics, Votes, campaign contributions from Big Pharma, bottling corps for Major Elections they felt it was less risks to attack the poor Farmer Daughtrey's, with courts friends, the US Resource and THE ENGINEER. Making sure their Media and Police friends attacked and defamed THE ENGINEER to not expose the resource to Millions of people of Florida during Hurricanes; and did so to carry out the State and Local government's financially motivated cost-increasing scheme and Cancer infusion to millions of Taps through Lower LOS. Florida Department of Health (FDOH) is the state agency responsible for public health and regulates Water supply permits with or sometimes independent of FDEP. Instead of protecting public



health, FDOH deliberately hid this Resource in all Districts from Tampa to Miami except Fort Myers.

177. Hospitals and their Doctors are investing in Stocks for Bio-Tech devices through a public need at Moffit Cancer Centers and Hospitals from Tampa to South Florida being inundated with higher Cancer rates from PURPOSELY utilizing poor Water Resources with Heavy Treatment versus Ready to Drink endless Alkaline mineral spring water underground Rivers hidden all over Florida and the USA.

178. DEFENDANTS are claiming issues of Water Shortages, sea level rise and desalinization of Ocean water with Cesium 137 from Fukushima disaster that has migrated its way to America and Florida through the Panama Canal and Gulf Stream currents.

4. **Identity of the alleged victims and the manner in which each victim was allegedly injured.**

179. THE ENGINEER are residents, property-owners and business owners who at all relevant times from April 2013 to the present today are constantly under attack by DEFENDANTS, Tampa District 13 where falsified police reports on AR-15 threats were fabricated timed with the Pulse Bar Shooting, by ex-Pubic Defender Chris Shaw who represented Gilberti on the Boston Bomb game. Gilbert was kidnapped by DEFENDANTS approximately 12 days after finding the secret underground Resource and its abilities. THE ENGINEER copied a mass addy email Governor Rick Scott and FDEP Hershel Vinyard in a Jog Torch Run in Leon County with FDLE on April 15, 2013 morning, at 10:54 am. Suddenly the Boston Marathon explosion blew and Gilberti is surrounded by DEFENDANTS and US Marshals and taken for 260 days while the land was being attacked in Sarasota District 12 with a massive group of Lawyers, local Developers, Judges, Media, Banks and Leaders to hide this Resource from American and keep Cancer and diseases rising for Medicine sales, Medical equipment sales-leases at Hospitals, Stock dividends in each, to destroy the region an Promote a

**National Patter in Water Supply Eugenics, Big Pharma and Government overspending and borrowing from the Federal Reserve; hence weakening the Americans in Health and its Dollar. See Sarasota Cases 2015 CA 006544 NC and 2011 CA 004209 NC and 2016 CA 000205 NC.**

180. Millions of US Citizens, Children, Homes and Businesses from Tampa to South Florida are affected with higher Cancer rates, water bills and falsified Water Shortages, creating an oppression and foreclosure mill for over a decade since 2004 when this resource should have been connected after Hurricane Charlie. DEFENDANTS purposely installed major Cancer clinics, sold pill mills, destroyed lives and Homes that would have survived if this Resource was exposed.

181. THE ENGINEER clients Daughtrey and Flints as well as his friends and family were damaged by the brutal attacks on our personal monies stolen, time taken with falsified police reports timed with Terrorism attacks or FALSE Flags as DEFENDANTS utilized the Smith-Mundt Act of 1948, modified in 2013 and 2014 to setup FAKE news acts to subdue THE ENGINEER Gilberti with Tampa Hillsborough County and Lee County State Attorneys office.

182. The entire United States and Billions of World People have been deprived of these resources this site under THE ENGINEER land in Sarasota shows mankind how to find more in days. See Gilberti KT Hypothesis and Notice of Intent to Sue EPA submitted on December 19, 2019 and motion to intervene on Trump shutdown Lawsuit attached here with as part of US Middle District case 9:13-bk-14831-FMD Daughtrey vs Luis Rivera Trustee submitted in February 2019 to Judge Delano.

183. DEFENDANTS have worked with Banks such as Wells Fargo, Union Bank and more to hide Blanket bonds, falsified title policies in US Middle District courts with Ryan Snyder Law firms, with a known RICO criminal lawyer Andrew Rosin, Esq. and Luis Rivera

Trustee.

**5. A description of the pattern of racketeering activity or collection of unlawful debts alleged for each RICO claim:**

184. The following predicate acts by the RICO defendants constitute violations of 11 USC 152 (7), which states that “in a personal capacity or as an agent or officer of any person or corporation, in contemplation of a case under Title 11 by or against the person or any other person or corporation, or with the intent to defeat the provisions of Title 11, knowingly and fraudulently transfers or conceals any of his property or the property of such other person or corporation,” and violations of 11 USC 152(8), which states that “after filing of a case under Title 11 or in contemplation thereof, knowingly makes a false entry in any recorded information (including books, documents, records, and papers) relating to the property or financial affairs of the debtor.....”

- a. This was fraudulent in that all knew they were using Peace River and RED TIDE mixtures with unsafe, contaminated and toxic raw water source from the Peace River in furtherance of the over-arching fiscal scheme to balance the budget, with Take or Pay programs at all costs in conscious disregard of the health, property, and prosperity of the citizens of Florida.
- b. This acts were done in order to prevent the irate citizens of Florida from knowing that the money cost-cutting in water and electric bills with THE ENGINEER’S project and resource.
- c. If the City and citizens of Florida had known the truth about the toxicity of the Peace River water, and could have received the Healthiest Water, BY FAR than any other on Earth, many homes would have not lowered in Value. Just as Flint Michigan water lowered value, Gilberti Water Resource will raise equity and value. Bringing millions of Alkaline housing jobs to fill empty lots from General Development Corp who left vacant sprawl from the 1970’s from Tampa to Naples.

**Mail Fraud:** The predicate acts by the Individual RICO defendants constituting mail fraud in violation of 18 U.S.C. § 1341 which says “Whoever, having devised or intending to devise any scheme or artifice to defraud.....for the purpose of executing such scheme or

artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both” include:

- a. DEFENDANTS has, and continues to mail water bills to millions of residents in the Peace River Manasota four County region of West Florida, and per the Project that been stalled to 10million Florida Residents from Tampa to South Florida which fraudulently misrepresent that DEFENDANTS and Counties they serve are providing its residents with safe, clean water in exchange for consideration that are much LOWER LEVEL OF SERVICE and contain Radioactivity and contaminants over an above the EPA Standards. Essentially hiding spring water with lower bills and serving Arsenic ground water and RED TIDE River or Desalinization Salt Water with Cesium 137 from Fukashima at a higher cost. These bills, delivered by way of the U.S. mail, constitute mail fraud by the DEFENDANTS. Peace River Manasota and Cities they serve continues to mail water bills to this day despite the declared state of emergency in an attempt to refute liability in this matter.
- b. After Hurricane Charlie DEFENDANTS taxed millions for a new RV Griffin Reservoir costing millions more than if they connected the underground River, causing numerous developments to halt from Water supply while they moved dirt timed with Elections and Infrastructure to swing electoral votes during Obama Presidential elections.
- c. DEFENDANTS timed the improvements with Gas prices at a high, \$4.50/gal to escalate Revenue bonds and cost to build a 6billion gallon unnecessary above ground Reservoir that created a massive potential ZIKA pond and water supply subject to Terrorist planes and Drones in an area where 9-11 Terrorist pilots practiced, to poison nearby Residents, Schools, Businesses and Hospitals at the Tap at any given moment.

**Wire Fraud:** The predicate acts by the Individual RICO defendants constituting wire fraud in violation of 18 U.S.C. § 1343 (Fraud by Wire, Radio or Television) which says, “Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or

sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both” include:

- a. Plaintiffs incorporate all of the facts and acts set forth in sections i-vii under the mail fraud section as these statements and misrepresentations were also disseminated through wire-based communication mediums and resulted in fraudulent misrepresentations to Florida residents and the general public.
- b. After Hurricane Charlie, DEFENDANTS, who was subject to the went on TV to alert the public of the switch to the Flint Tier 3 Water for years in Punta Gorda and North Port knowing of the source when knowing the City’s water treatment facility was using Shell Creek, Carlton Arsenic ground Water and Peace River that had Mining spills and RED TIDE Radioactive mixtures for years and still today.
- c. Furthermore, as property owners in Sarasota, Manatee, Desoto, Charlotte, City of North Port, City of Punta Gorda, City of Venice, City of Longboat Key and City of Sarasota were receiving fraudulent water bills for water that the City, State and DEFENDANTS each had knowledge was a much less LOWER LOS vs and Cancer Antioxidant spring resource with NO WATER RESTRICTIONS, many of them paid their bills online through the local municipalities website with credit cards or by returning the bill by mail with an enclosed check that was processed by their banks.
- d. This Fraud today still continues by DEFENDANTS with permit petitions and public record presentations critical water readings from THE ENGINEER and third parties in conscious disregard of the health, property, and prosperity of the citizens of Florida Residents, Schools, Hospitals and Businesses.

All of the above predicate acts relate to ongoing Florida Forever Trust Fund, SWFWMD Corporative Funding Initiative, its consultants and Board members which were used by Governor Rick Scott to pay surrounding Ranchers, consultants and DEFENDANTS in a scheme to use tax dollars to steal US Resources and increase Cancer at the Tap.

**6. A detailed description of the alleged enterprise for each RICO claim:**

185. The individual enterprise Defendants acted as an enterprise within the meaning of 18 U.S.C. 1961(4) which defines “enterprise” as “any individual, partnership, corporation, associations or other legal entity, and any union or group of individuals associated in fact and although not a legal entity”

- a. The Individual RICO defendants are named at the top of the Complaint and Parties listed. Defendants here are employees and/or agents of various levels of State and Local government in the State of Florida and US Congress as well as major Wall Street groups, and local land developers, bankers, appraisers, environmental and Engineering consultants, bottling corps, Hospital foundations and more. Together, and through their various government roles formed an association in such as but not limited to the Florida Water Forum, Enterprise Florida and Sarasota Tiger Bay Club. The DEFENDANTS consisting of the individual RICO defendants named herein set forth in this complaint, used their authority and power to develop and carry out the fiscal scheme to use toxic polluted, radioactive Peace River water and arsenic Ground water raw resources instead of Alkaline endless spring water underground rivers (ready to drink). The Peace River was known to be unsuitable for use and expensive to properly treat, and DEFENDANTS want to steal the land, hide the volumes and sell medicine. They want to hide the knowledge that finds many more in days.
- b. DEFENDANTS purposely hid US Resources from millions of People that affect National Security, Economics and Government overspending and borrowing from the Rothschild IMF Banks at the Federal Reserve by holding back the sustainability and FREE Energy and Medicine this US Unique Resource provides to billions of World People.
- c. DEFENDANTS held up years of good Trade with other nations keep Wars moving as this site shows mankind how to find Endless Clean Water, hence endless food and reasons for World Peace and no enemies or boundaries. Why would Nations fight with endless Free Energy and Food this World Resource and its knowledge opens.
- d. DEFENDANTS collect over \$600 billion in Interest each year from \$20 Trillion in Debt that was only \$1 Trillion when RV Griffin Reservoir was installed instead of exposing this World Water and Energy knowledge this resource teaches the University system and all the innocent in the government.
- e. DEFENDANTS manipulated Tampa Central Command and Local Leader, Police, Judges, EPA, Swfwmd and Tampa Bay Water Authority to hide this Resource with the Bush Family who invests in Water Resources to hide them with Coke and Nestle to keep War Machines going and Migration of immigrants who don't have resources in their town for food and Water due to Weather and climate in colder areas.
- f. Bush and Texas are depriving Mexico of this World knowledge with Clinton and Obama administration for decades near the equator areas where more food and Energy can be generated to nearby areas of colder climates to reduce fuel cost and hauling, destroying overall US and Global sustainability.

7. **State whether you allege and describe in detail how the pattern of racketeering activities and the enterprise are separate or have merged into one entity:**

186. The DEFENDANTS have proven to the local, State and Federal Governments and

businesses if any person in America tries to help Millions with a Unique Natural and endless resource FREE to Mankind, they will attack and destroy everyone around them. Taking Constitutional rights, homes, and savings to deter all Police, Military and Leader from helping or doing what is right. It's like a virus spreading and they use the Cell phones, TV and Internet to pump up the conspiracy and keep the PEOPLE from helping.

187. The DEFENDANTS have continued to raise debt and Cancer rates to make Americans sick and keep those who are Patriots from helping with their Enterprise of Lawyers, Doctors, Bankers, Agencies and Engineering firms who have sold out Americans with the Media, to the Point even the Presidents and Congress are afraid to help.

8. **The alleged relationship between the activities of the enterprise and the pattern of racketeering activity, including a description of the manner in which the racketeering activities differs, if at all, from the usual and daily activities of its employees.**

188. The DEFENDANTS named herein formed an association in fact enterprise that executed a plan of redeveloping Peace River water plants, expanding nearby plants, extending the Loop Option at the Peace River Manasota Water Authority and Punta Gorda Shell creek through the FDEP Revolving fund and Federal borrowing.

189. The DEFENDANTS continued to fill cancer centers and sell medicine and their bio-tech stocks and machines with Leaders who own Hospitals like Rick Scott and local utility water infrastructure budget through the sale of Peace River polluted water. These individuals and government agencies that made up the enterprise also had separate and distinct roles from the enterprise itself, which included borrowing over \$500,000,000.00 dollars of US Funds across America to build Reservoirs and hid these much more massive Underground endless Rivers of Spring water. Paying off local ranchers with Florida Forever Trust funds to keep quiet as the DEFENDANTS attacked with Fraudulent Courts and timed dockets during Obama's HP Glitch

Federal Shutdown on Columbus Day October 14, 2013 in Sarasota Courts.

**9. The benefits, if any, the alleged enterprise receives or has received from the alleged pattern of racketeering.**

190. DEFENDANTS, specifically the Central Banks like Rothschild who fund the US **FEDERAL RESERVE BOARD** with the Enterprise have charged US Citizens billions of Dollars per years in Interest from hiding these US Resources for lending, Wars and Medicaid right offs by created 1000x more sick and dead families. Causing overall bad commerce, reduction in GDP, fear in the Streets with Cell phones, Cancer and medicine commercials, and medicine sales. DEFENDANTS have capitalized on bottling sales, land grabs, stock market inside trading, fertilizer production, and overcharging for healthcare to millions of Americans.

191. DEFENDANTS have capitalized on Key redevelopment and new development real estate for future growth that would have thrived with prior owners if this resource was exposed. DEFENDANTS have used Politicians and leveraged elections with hiding this Resource and flexing their influence in Florida courts and State Funding projects. Giving their friends the next Government Contract if you stay in line with the Enterprise.

192. DEFENDANTS have capitalized on military spending as Wars and Hunger would be massively reduced once this site opens the knowledge to find more via Meteor impacts to Oceans beneath Earth.

193. DEFENDANTS have destroyed water fronts with Fertilizer runoff enhancing RED TIDE in coast areas to buy lands much cheaper to sell at higher prices once they capture this Resource and limit any others from exposure, to create a New World Order of Rich Elite get the good water and the rest get Cancer, as done for the past 40yrs this case will show.

**10. Describe the effect of the activities of the enterprise on interstate or foreign commerce.**



194. The enterprise activities set for herein involved interstate or foreign commerce through the use of Wire and U.S. Mail that are channels of interstate commerce. Moreover, the association in fact enterprise set forth herein involved members from outside Florida and the US States and thus amounted to conduct that qualifies as interstate commerce.

195. The Mosaic Company and the enterprise ship in 85% of the raw Phosphate from Morocco at the Tampa Apollo Beach port while pretending to yield phosphate production in Florida near the same quantities but in actuality it's a front to destroy or capture critical water resources and hide them from the people or poison them as shown in many lawsuits across Florida and on sites Fort Meade or New Wales Facility. Causing enormous sink holes and contamination to millions of taps in water supply. Timing these lawsuits and settlements with Elections and mining compacts to swing electoral votes and leaders to their campaign contributions and Enterprise.

11. **If the complaint alleges a violation of 18 U.S.C. Section 1962(a), provide the following information:**

196. A pattern of racketeering activity” or through “collection of an unlawful debt” to establish, acquire an interest in, or operate “any enterprise” engaged in or affecting interstate commerce with infrastructure spending utilizing Poor Raw Water resources, stealing US Funds after Hurricanes claiming water shortages while collecting on medicine and bottling revenues. DEFENDANTS have printed money and derived income from a pattern of racketeering or collection of unlawful debt from higher water bills, Medicaid fraud, Florida Forever Trust funds to hide Resources and payoff the Groups tied to the Enterprise. Spending on bottled water that FEMA delivers to residents who could have FREE flowing water offered by THE ENGINEER during Hurricanes Mathew, IRMA and more. FEMA and the Enterprise purposely hid the

permits and letter to Fort Myers Health Department who was trying to help during IRMA so they can charge tax payers for bottled water and while knowing existing treatment plants off Peace River and other systems were delivering much worse potable water. The enterprise knows many were contaminated with cancer causing agents they don't even test for from the raw resource damage in Hurricanes, with intent to sell medicine, new vaccines, print money for unnecessary reservoirs (Zika ponds), etc.

197. The DEFENDANTS with Leaders used high cost Reservoirs that failed and are old radioactive gypsum mines pumping from arsenic and RED TIDE Rivers connecting to Sea Water along West Florida. DEFENDANTS purposely placed Nuclear power plants, like Progress Energy next to high quality underground rivers of spring water knowing they would tip over in Hurricanes like Fukushima did with a Tsunami in 2011. Spent moneys interconnecting poor rivers with heavy treated water supply then mixing the treated water without monitoring it to create new diseases and cancer centers or Moffit-USF Research centers stealing 503c1 grants to fill jobs for doctors and lawyers.

198. DEFENDANTS and the Enterprise then used or invested some part of that income in the establishment and operation of an enterprise, which was engaged in or its activities affected commerce to swing electoral votes and elections with Liaison attorneys, Associated Industries of Florida (AIF) and National Association of Manufactures (NAM) with the Florida Water Forum to fund Rick Scott elections with Mosaic, FPL and Duke Energy along with many Wall Street big Pharma groups shown in new RICO Cases across Florida regarding a major Opioid Epidemic.

199. DEFENDANTS in Desoto County with Judges Don T. Hall, Judge Parker and new Judges related to Lisa Carlton stole THE ENGINEERS plans for Mosaic Rodeo arena at the Turner Center in 2011 before THE ENGINEER knew what was under the land from a prior

client contract on Daughtrey lands for a mining permit at Swfwmd. THE ENGINEER was played by Desoto county and local Judges on the Rodeo Board who signed a land purchase of 15 acres at the Turner Center for a now constructed Mosaic Rodeo. In this purchase County Commissioners Elton Langford, Buddy Mansfield, Mr. Needs were County commissioner and Rodeo Board members with signatures from Donald Conn as the County attorney. So both sides were had leaders using tax dollars with Mosaic to buy lands and get Federal and State Grants with Mosaic employees and engineer Bart Arrington, P.E. who was the Desoto County engineer at the time. A Copy of this Agreement can be provided showing Judge Hall signature for the Rodeo board, with county commissioners purchasing from County Commissioners on the Rodeo board, see **Desoto county Instrument number 201114010685** dated 1/18/2011 at 3:55p.m. This setup a upcoming Mediation to open 22,000acres in Desoto County at Horse Prairie Creek and next to THE ENGINEERS land at the Desoto-Manatee-Sarasota line to destroy potentially America's No1 Asset in Drinking water and medicine production. These Commissioners are tied to Eugene Turner and Ray Smith who moved all the dirt for the 6billion gallon Water reservoir at RV Griffin State parcel where Swfwmd leases to Kenny Harrison of Harrison Cattle, LLC, (also member of 72 Partners, LLC on ENGINEERS Land and clients land in TILA and Fraud in US Middle District and Sarasota courts) and to Peace River Manasota Regional Water supply who stole millions to build this reservoir after Hurricane Charlie.

200. DEFENDANTS with Tetra Tech Engineers, and listed engineers in the complaint worked with City of North Port and City of Punta Gorda staff and leaders to hide this Resource to get over \$56million to expand the Shell Creek WTP in construction right now that could have spring water for only a \$12million dollar pipeline connection from Desoto to Punta Gorda already permitted by King Engineers and Swfwmd.

201. DEFENDANTS in this Enterprise get kickbacks from Mosaic mining compacts,

rodeo construction that was double the actual cost from Federal Grants, while keeping a Tier 3 Level of Service to all Punta Gorda and North Port families, almost 1million homes since 2004, over 15yrs to kill young adults, and children with Cancer from the Tap and showers.

**12. If the complaint alleges a violation of 18 U.S.C. Section 1962(b), provide the following information:**

202. The DEFENDANTS through groups like Rothschild, J.P. Morgan, Rockefeller and the US FEDERAL RESERVE Central Banks working with the UN and foreign terrorist control US media outlets and banks that hide this US Resource that teaches all America and other nations how to find more in days. THE MOSAIC Company with Cargill shipping phosphate, potash and coal down Mississippi River to Tampa ports for Mosaic for a polluting old Apollo Beach coal plant used to fuel the failed Desalinization plant (most likely pumping Cesium 137 from Fukashima inundations) was used to pay campaign contributions, liaisons, lawyers, contractors for a failed Water supply system, overcharging and taxing millions in the Tampa Bay Water Authority (see Tampa conflict via Florida Water Wars by Jeb Bush and the National Resource Defense council NRDC).

203. Racketeering through a long time known Tri-State Florida Water wars in the panhandle involving water supply groups hiding these secret underground Rivers in Alabama, Georgia and Florida to pay lawyers and tax Citizens while hiding the true water resources.

**13. If the complaint alleges a violation of 18 U.S.C. Section 1962(c), provide the following information:**

a. The individuals who are employed or associated with the enterprise:

204. See Defendants, Introduction and list of groups described in the Complaint that will grow with discovery and other lawsuits tied to this complaint throughout Florida and the United States. Many are shown in the Associated Industries of Florida, NAM, Water Forum and

throughout the Justice Departments in Florida who are tied to Law firms and local banks like C1 Bank and National Banks like Wells Fargo, Bank of America, and more.

- b. Whether the same entity is both the liable “person” and the “enterprise” under Section 1962(c)

205. The association in fact enterprise set forth herein consists of numerous individuals that are not part of a common entity, employer, or corporation but a Worldwide and National group tied to Wall Street, DEFENDANTS, Banks, Leaders, Campaign groups for Elections, Law firms, Universities, Hospital Boards and Foundations, Military contractors, Big Pharma contractors that is easy to track once discovery is opened for the listed DFENDANTS whom some have already testified in confidence through their staff and groups. Therefore the liable individuals who formed the enterprise are not both the liable person and the enterprise under 1962(c).

14. If the complaint alleges a violation of 18 U.S.C Sections 1962(d), describe in detail the alleged conspiracy.

206. The object of the conspiracy here is straight forward with the financial scheme involving the increased Cancer Rates and Medicine Sales, Medicaid Fraud, Real Estate takedowns, Tax base funding favored for their constituents and US Federal Reserve borrowing to right off Medical bills, foreclosure mills through the sale of toxic Peace River and high arsenic ground water resources used at bottled water and Tap water. Heavily Radioactive treated River was known to be contaminated at times between testing, Hurricanes, but sold to millions of Florida residents, government buildings, schools and Hospitals at the higher rates. Their goals was to build more Hospitals, sell more Medical Equipment for Stocks, kill People with Cancer and bad medicine from poor Water quality standards and regulations were knowingly violated and misrepresented to the public.

207. Furthermore, private engineering consultants for DEFENDANTS looked away to get the next paying Job in a recession and aided the enterprise by issuing reports that supported the reservoir construction after Hurricane Charlie when a Well permits at the Source was on file at Swfwmd at Peace River. The DEFENDANTS, and its suitability, even after the toxic conditions of MOSAIC mining spills and after Hurricane Charlie had surfaced and known to the individual RICO defendants. While connected Peace River to Carlton WTP making the Water mixtures even worse than before and more costly, the DEFENDANTS taxed the Florida People more to lower the level of service at the same time attempted to steal the US Resource for Israel Mosaic Phosphate and Rothschild Federal Reserve using Leaders, Media and more.

15. **The alleged injury to business or property**

208. THE ENGINEER'S Home, Clients properties and Every Florida home that was foreclosed from Tampa to Miami may have survived as since Hurricane Charlie. Just as Flint Michigan homes went down in value there is a proven correlation of drinking water quality to land and home values, with this potentially healthiest water ever seen on Earth, by Far, millions of Florida Homes would have stabilized in the Recession from 2004 to Today. Bailout monies from US Federal Reserve would not have been needed with World medicine export and GDP created from an Alkaline Housing boom this Resource and many more that are hidden would have been exposed by DEFENDANTS. With THE ENGINEER'S plans and resource homes would have gained equity instead of Cancer Rates and foreclosure mills from the DEFENDANTS actions and negligence to THE PEOPLE. DEFENDANTS attacked all of America as this Unique Resource teaches new medicine, Energy production and cannot be Manmade anywhere on Earth.

209. THE ENGINEER would have been pumping millions of dollars per day with lower water bills to millions of citizens while also providing millions in land planning to find many more in the United States and Worldwide for other nations with the knowledge hidden under THE ENGINEERS land. Almost 10-15yrs of pumping was missed as the Enterprise knew of the resource as far back as 1969 when the well was dug and the agenda with Swfwmd and the Department of Interior, Hillsborough county, Sarasota, Desoto, Charlotte and a pool of engineers to be listed planned with General Development Corp, the Bush Family, Tampa Central Command to set up this Mining and Eugenics operation with multiple Universities such as but not limited to USF, Yale, Harvard, Notre Dame, University of Florida, SMU, Northwestern and more. Creating a doctor, lawyer and insurance crisis today while millions died of higher cancer rates for their bottling game started by Reagan and Margaret Thatcher with Pierre in France, who made Water a commodity when it's supposed to be commons.

210. THE ENGINEER had his Father Joe Gilberti Sr. a 35year Government and FDOT Engineer show up dead in his home with the Down the Hole Video disks while Mosaic and Greenberg Traurig and Hillsborough County State attorneys and Public Defenders used a Jog email from THE ENGINEER for an FDEP Torch Run posted 5hrs before the Boston Marathon and only 12 days after the Underground River and unique readings were discovered on April 3, 2013 when Jim Murray of Amps Aquifer and Maintenance did a Down the Hole video with a \$200,000 dollar special camera and equipment. Mr. Murray said emails were being deleted off his computer in front of his eyes when the Water Readings were being sent by THE ENGINEER in late March 2013. Mr. Murray has been working for Federal and State government for Oil drilling, special designs for Military vessels, Aquifer maintenance for Palm Beach, Dade, Broward, Collier and other huge counties for Decades in Florida. His wife was President of the entire USA USGS boards for years! Mr. Murray described in 50yrs no water has ever been seen

like this site and its next to a potential platform from the KT event causing something never seen to come up just 1100 feet below the land, hence the World attacks and terrorism acts to subdue the Engineer by the DEFENDANTS to sell medicine and control millions of Rich and Blue collar families and Energy and Big Pharma corps.

**16. The direct causal relationship between the alleged injury and the violation of the RICO Statute.**

211. THE ENGINEER has suffered loss of Home, business, Reputation, monies, family members, emotional damages as well as his client from the DEFENDANTS massive Torts and US Terrorism acts to the United States of America and the US Resource. DEFENDANTS took almost 15 years of THE ENGINEER'S life and time with his Children to kill Americans with Cancer rates and overcharge for Medicine, Utility bills and have created a massive Fear in the area for Americans to live FREE of cancer and bullies the DEFENDANTS have flexed from the Courts, Jails, Police Stations and media in an effort to separate and divide America.

212. See damages stated in sections 1 to 197 above.

**17. The damages sustained for which each defendant is liable.**

213. As a direct and proximate result of plaintiffs relying on DEFENDANTS' misrepresentations of arrests to steal his land, attack his Country's Water supply for his Ethical concern for the safety and quality of DRINKING WATER for millions of Americans the value is endless and time cannot be replaced from this attacks. The DEFENDANTS and their attack to pump dirty water, build ZIKA pond reservoirs for their future FPL/Duke energy plants and more kickback from Peace River's water supply and decision to distribute toxic water to the residents of Florida, plaintiffs were caused to suffer property and punitive damage that will require substantial and costly repairs to replace corroded and stained arsenic filled pipes and water



infrastructure so as to ensure Florida's residents can resume using Water plants that now will be converted to Filtrations plants with Spring Water that is Naturally clean and acceptable source. The loss in value to plaintiffs' home, time with his family, dead family members, defaming of his name and company is also a direct and proximate result of the toxic disaster caused and created by the DEFENDANTS named herein. Cases like Bayshore High School where a large percentage of people died would have been much different if this source was connected versus contaminated wells or Water supply in the region. THE ENGINEER attended the workshops and spoke to Manatee Reps, University of Miami reps and presented on video and DEFENDANTS worked to insure the Media hid this US Resource to kill more children with Cancer rates.

214. Finally, plaintiffs were defrauded by the DEFENDANTS by misrepresentations that caused them to pay for water that was toxic to their homes and property at a higher cost than filtered alkaline mineral spring water that is an antioxidant without any water shortages. Plaintiffs also seek reimbursement for their loss of time for a resource that can be verified in one hour. While DEFENDANTS chose to hide this US Resource, its Global knowledge to keep Americans dying at the Tap with Cancer and Disease rates to create Healthcare costs, Opioid epidemics, Wars and migration issues this site and its Global knowledge fixes. Why would America hide endless Clean Water from its own People with all media and Leaders this long and hard when this site can be verified in minutes. Its US Treason on healthcare and Job growth as this creates an Alkaline Housing demand and real estate boom, new medicine and energy production.

**18. A description of the Federal causes of action, if any, and citation to the relevant statutes.**

- i. 42 U.S.C. § 1983 – SUBSTANTIVE DUE PROCESS – DEPRIVATION OF CONTRACTUALLY CREATED PROPERTY RIGHT
- ii. 42 U.S.C. § 1983 – PROCEDURAL DUE PROCESS – DEPRIVATION OF

**CONTRACTUALLY CREATED PROPERTY RIGHT**

- iii. 42 U.S.C. § 1983 –SUBSTANTIVE DUE PROCESS– STATE CREATED DANGER
- iv. 42 U.S.C. § 1983 – SUBSTANTIVE DUE PROCESS – BODILY INTEGRITY
- v. Section 505(a)(2) of the Clean Water Act (CWA) and Section 1449(a)(2) of the Safe Drinking Water Act (SDWA)
- vi. Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”).
- vii. Florida Fair Lending Act, section 494.0078, *et seq.* (“FFLA”)
- viii. Florida Consumer Collections Practices Act (“FCCPA”)
- ix. CIVIL CONSPIRACY

**19. A description of pendent state claims in the complaint, if any.**

- i. Fraud on the Courts and Terrorism using Smith-Mundt Act.
- ii. Breach of Fiduciary Duty as an US Agency to Protect the Public Safety, Welfare and Security of THE PEOPLE
- iii. Nuisance
- iv. Negligence
- v. Gross Negligence
- vi. Unjust Enrichment
- vii. Conspiracy and Racketeering of Federal Funds to pump Radioactive water and sell medicine to millions of innocent People. To fill Cancer centers with dead children.
- viii. Trespass
- ix. Intentional Infliction of Emotional Distress
- x. Negligent Infliction of Emotion Distress

**20. Any additional information plaintiff feels would be helpful to the Court in processing the RICO claim.**

215. Plaintiffs believe and wish to emphasize that a significant volume of highly relevant evidence supporting the claims herein will be obtained through discovery. Plaintiffs

reserve their right to supplement this form as this information comes to light so as to provide the Court with these additional facts. For example, criminal investigations into this matter are pending and have yet to disclose their findings or reports. In addition, plaintiffs had not had the chance to obtain email correspondence that will likely further reinforce every fact and allegation contained herein, as many of the individual defendants named herein have been moving to new companies, relieved from duty, rotated to new municipalities or firms, retired, etc.

216. Plaintiffs reserve the right to amend the DEFENDANTS and actions set forth above if discovery and/or further investigation reveal that any should be expanded, divided into specific enterprises regarding said issues that collectively are working in a mob, or modified in any way.

#### **CAUSES OF ACTION**

#### **FIRST CLAIM FOR RELIEF**

#### **STRICT LIABILITY PURSUANT TO FLORIDA POLLUTANT DISCHARGE PREVENTION AND CONTROL ACT (§ 376.313 Florida Statutes)**

217. Plaintiff incorporates by reference the allegations set forth above in paragraphs 1 through 122 as if fully restated herein.

218. Stop all funding for Water supply infrastructure from Sarasota to Fort Myers until this resource connection is tied into or has a connection agreement to provide much higher level of service to millions of home taps, hospitals, schools and businesses with lower water bills. This connection is approximately 12-18months of construction and approximately \$60 million dollars including all conversions from treatment plants to filtration plants with the pipe connections. Money is available and this project has been submitted to the State Revolving fund and the Defendants over the years while THE ENGINEER was attacked by the Enterprise.

219. Shutdown all DEFENDANTS operations in Florida in regards to Mosaic

Phosphate mines across Florida permanently for US TREASON and Eugenics with a Moratorium until this US Resource is exposed and many more hidden by the DEFENDANTS are found across the nation and the World to stop the Eugenics in Water Supply and pollution of Fish and Wildlife in rivers used for drinking Water and food production.

220. Call in all US Congress and put them on Lie Detectors of their knowledge of this Resource and 15 County permit pipeline servicing American today all they back to 9-11 in 2001 to determine who else knew in Wall Street, like Bill Gates and the World Health Organization who with the UN and the Kyoto Protocol may have purposely caused the BP Oil spill with the Ice Comet theory and EPA Global warming lies this site proves.

221. Stop all funding for Florida Water pipeline projects at FDEP until this Site is exposed to all America with US Media who is also a major Terrorist hiding this US Knowledge and Resource. And now it found to be tied to a massive Pedophile ring with the DEFENDANTS. Using Hollywood FAKE News through the Smith-Mundt Act modification in 2013 and 2014 by DEFENDANTS in US Congress.

222. At all relevant times, DEFENDANTS owned, operated and/or maintained the DEFENDANTS New Wales Facility and the South Gypsum Stack and nearby mines that have destroyed critical aquifers or stolen mineral rights and access to other potential hidden resources. The New Wales Facility, for example, the South Gypsum Stack is now the site of a massive sinkhole, which was first reported to government agencies in August 2016. As a result of the sinkhole, hundreds of millions of gallons of radioactive and other chemical-containing wastewater was discharged from the gypstack and entered the Floridan Aquifer.

223. At all relevant times, DEFENDANTS had a statutory duty to Plaintiffs and class members to maintain and operate the DEFENDANTS New Wales Facility and its South Gypsum Stack so as not to create and/or to allow the creation of hazardous conditions due to the discharge

of contaminants, as defined by Florida Statutes §§ 376.301(09), 376.301(10) and 376.301(12).

224. At all relevant times, DEFENDANTS breached their statutory duty by discharging, or causing to be discharged, radioactive and other chemical- containing wastewater into the Floridan Aquifer, which Plaintiffs and class members use as the water source for private drinking water wells, agricultural activities, and other uses, in violation of Florida Statutes § 376.30 to § 376.317. DEFENDANT is strictly liable to Plaintiff under § 376.313(3).

225. As the direct and proximate result of DEFENDANTS' statutory breach of duty, are unable to depend on groundwater pumped from the Floridan aquifer for their private well water for drinking water and other personal and business uses.

226. By reason of the foregoing, Plaintiffs and millions of homes incurred and continue to incur damages, including but not limited to property damage, diminution of property value, risk of loss of their private well water supply, loss of use and enjoyment, and other economic losses, in an amount to be determined at trial.

227. Freeze all Desoto County Mosaic plans for a 22,000 acre mine of Phosphate production next to this resource to prevent any damage as this water mixture affects World medicine in that it's the highest magnesium and Calcium ever seen in Ready to Drink Alkaline spring water. Mosaic mining in Florida is meaningless and nothing but a Political loafing game with lawyers and the Enterprise as they currently import 85% of the phosphate product from Morocco to the Apollo Beach Port of Tampa. There is no yield in these Southern District mines to take the risk of destroying America's No1 Aquifer (underground River of Blue Gold) at THE ENGINEER land in Sarasota. Attached is an analysis of upper and middle zones that are typically damaged by MOSAIC that could dip into the lower Floridan since we are next to a Tilted Platform from the KT Event that caused a massive FRACK, hence upper and lower zones are mixing. This Desoto County mine must never happen due to past negligence and the fact the Product is being imported and these operations are solely to destroy America's resources and

influence Elections with Mining compacts and river loafing with Lawyers, courts and media in the Florida Swing State regions.

## **SECOND CLAIM FOR RELIEF**

### **STRICT LIABILITY FOR ABNORMALLY DANGEROUS ACTIVITY**

228. Plaintiffs incorporate by reference the allegations set forth in paragraph 1 through 131 as if fully restated herein.

229. *DEFENDANTS are pumping treated lower level of service arsenic rivers instead of spring water to charge millions higher water bills and create cancer clusters. They are hiding many tests with frequency of test and lies. Why are we testing treated polluted water with shortages causing more fertilizer needs vs pure spring water with nothing in it that can use much less chlorine or even other techniques without chlorine due to the raw resource is already good to drink, such a ULTRAVIOLET LIGHT techniques.*

230. Sarasota County is buying polluted River water from Manatee County and Peace River Manasota Water supply at Peace River in Desoto County. Pumping from out of County when potentially the Worlds No1 Aquifer is under THE ENGINEERS land in Sarasota county much closer to its citizens. Sarasota County should be pumping to the other counties with the current 4-County loop system that is half complete.

231. The Engineers such as King Engineering, Stantec, Jacobs, HDR, Johnson engineers, Tetra Tech and all their continuing service contracts, companies associated with this current system must be cancelled.

232. Developers such as but not limited to Neil Communities, Benderson Development, Lennar Homes, WCI, Debartolo and more in the Region need to be investigated for their knowledge of this resource with the Enterprise as they sold homes knowing this water

was available and potentially helped fill cancer centers or sold medical space to their advantage to make money as well with the Enterprise, big Pharma Wall Street, Opioid Crisis across Florida that is directly related to the poor level of service of water supply, etc.

233. Recent studies show pharmaceuticals in water supply that are using recycled sewer or treated water from bad sources, this source THE ENGINEER provides doesn't have as its 2000' below the ground.

234. DEFENDANTS, as the owners and operators of multiple Phosphate mining operation that are a staged act as 85% Phosphate is shipped into the Tampa Apollo Beach Port from Morocco. It is simply a massive Racketeering act to destroy Water Supply, Rivers with RED TIDE and time hypes for Electoral Votes with settlements with Sierra vs ACOE cases from FDEP permits issued to Mosaic Fertilizer LLC or the The Mosaic Company. The DEFENDANTS, engage in abnormally dangerous activities by the manner in which they maintained and operated the phosphogypsum wastewater stacks such as at its New Wales Facility and Fort Meade— namely, the South Gypsum Stack at New Wales is a good example. The collapse of the stack and resulting discharge of radioactive and other chemical-containing wastewater within the South Gypsum Stack is the result of DEFENDANTS' overuse and dependence on the gypstack for long-term storage of billions of tons of radioactive waste byproduct produced from the manufacture of phosphoric acid.

235. DEFENDANTS use and practices associated with toxic radioactive wastewater storage at the Gypsum Stacks for water supply that is not limited but endless with THE ENGINEER (a) DEFENDANTS have created a high degree of risk of harm to others: particularly, residents and property owners who depend on the Floridan Aquifer for their private well water supply, (b) created a likelihood that the harm threatened by DEFENDANTS' activities would be great; (c) DEFENDANT created a risk of harm that could have been

eliminated prior to the creation of many mine sinkhole by the exercise of reasonable care but cannot now be eliminated; (d) were not a matter of common usage; and (e) were inappropriate to the place where and manner in which they were being carried on, in that they constituted a non-natural use of carelessness.

236. DEFENDANT'S facility(s) and future operations imposed and continue to impose an unusual and extraordinary risk of harm to millions of Citizens to create a Cancer Cluster at the Water supply to sell Medicine and steal Medicaid, attack our Citizens with Racketeering and Fraud on Agencies who are to protect Americans, Fraud on both State and Federal Courts with DEFENDANTS mob of interests surrounding THE ENGINEER who has control of the US RESOURCE and has offered is for FREE to the Public to the Tap of millions of Homes an Businesses. US Citizens are depending on THE ENGINEER and this RESOURCE that is a unique area under the Floridan Aquifer for their water supply.

237. As a direct and proximate result of DEFENDANTS' conduct of engaging in the abnormally dangerous activities alleged herein, substantial amounts of toxic radioactive wastewater has been released and continues to be released from DEFENDANTS' South Gypsum Stack located at the New Wales Facility, Riverview Facility as well as many others in the region.

238. THE ENGINEER has proposed a new Water Resource utilizing existing transmission pipes DEFENDANTS have already damaged with Peace River Water supplies and arsenic ground water resources vs Alkaline Mineral spring water resources. The harm sustained by Plaintiffs and class members is the result of DEFENDANTS' abnormally dangerous activities and was foreseeable by DEFENDANTS.

239. By reason of the foregoing, THE ENGINEER incurred damages, including but not limited to property damage, personal damages, punitive damages, family members who showed up dead while kidnapped in the Tampa Jails, and other economic losses, in an amount to



be determined at trial.

240. DEFENDANTS have worked with multiple courts who have friends in the Clerks and Judge chambers who influence these courts to ignore the Water supply that can be verified by THE Engineers and labs in days. They bring in Lawyers from Southwest Florida Water Management who hid this 40yrs but not Professional qualified Engineers or Hydrologist. All in an effort to keep Cancer and medicine sales rising, killing children and families, businesses with Low Level of Service Water supply.

241. DEFENDANTS are on record ignoring multiple permits, critical drinking water Level of service increase along with lower water and electric bill, in municipalities while rotating City and County managers to scare staff from helping open and exposing these resources. School Boards, Teachers, Firemen, Police and more know in the region but are deterred by Leaders, County attorneys, lawyers and media to stand down. US Media is specifically hiding this Resource from the People during Hurricanes with FEMA, USGS, EPA, MOSAIC and Florida Leaders like Medicaid Fraud Rick Scott, Marco Rubio, President Obama, US Congress and more. All failing their Oath to the United States to protect the Public Safety and Welfare of THE PEOPLE. This site teaches America how to find more and affects Medicine quality and costs.

### **THIRD CLAIM FOR RELIEF**

#### **NUISANCE**

242. Plaintiffs incorporate by reference each and every allegation set forth in paragraphs 1 through 134 as if fully stated herein.

243. This claim is brought under Florida and Federal law on behalf of Plaintiff.

244. DEFENDANTS, *through reckless and/or intentional acts and omissions alleged herein*, have contaminated the Floridan Aquifer and many Florida Water resources and the

project and its investors for THE ENGINEER through the DEFENDANTS media influence and power created a deformation attempt to keep Cancer rates rising and THE PEOPLE deterred from potentially the greatest Health Resource on Earth. It seems evident that a future Class Action may begin soon on DEFENDANTS as million of Americans are now figuring out this attack by DEFENDANTS in the West Florida and South Florida region since over 60 Cities and 15 Counties have been continuously petitioned at local Commissions, FDEP, FDOT, Circuit courts, Police Stations, Fire Stations, Schools Boards, Developers, Builders, Banks by THE ENGINEER.

245. DEFENDANTS' corporate practice of improperly storing dangerous volumes of radioactive phosphogypsum wastewater in the Phosphate mine Gypsum Stack located at the New Wales Facility and other facilities was unreasonable, unwarranted and unlawful.

246. The contamination of drinking water and Racketeering of Courts, Police and Media has interfered with the rights of THE ENGINEER to work on the 300mile Pipeline project and consolidate leaders and investors as they scare everyone off like a typical Racketeering Mob with Banks and Deep State Police.

247. DEFENDANTS influence Gov Rick Scott a known Medicaid fraud leader and now Florida Senator who was taking pictures with LANTECH'S missing Cad Tech Rob Stampe who is now suddenly married to the Walton Family who owns Wal-Mart. Rob Stampe worked for King Engineering who worked on the 4-County Peace River Water supply systems and Manatee County water treatment plant facility. When Mr. Stampe gave Gov Rick Scott the Reading before the Boston Marathon Attack he sent LANTECH at text saying "it's all about Nestle." Nestle Water bought Zephyrhills in Florida within the DEFENDANTS region for water supply resources where Bottling plants are also hiding these underground secret Rivers of Water supply of higher quality.

248. DEFENDANTS' reckless and/or intentional acts and omissions were unreasonable, unwarranted and unlawful, and constitute a continuous invasion of the property rights of THE ENGINEER and his work to permit and fund the 300mile pipeline down I-75 to South Florida solving the Florida North South Water Conflict via Florida Water wars as described in the Jeb Bush National Resource Defense Council (NRDC).

249. DEFENDANTS have filled out FAKE Police reports, bond hikes and hearing to force THE ENGINEER into a Duress plea to simply get back to the project. DEFENDANTS stole THE ENGINEER'S 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 8<sup>th</sup> Amendment Rights to subdue their Adversary, scare the public in the region from helping and harbored Terrorism attacks timed with cases referenced in this Complaint.

250. DEFENDANTS purposely sold Medicine, built Cancer Centers, sold Advertisements of Cancer Centers, Medicine knowing this Water supply is basically liquid medicine to the tap, can lower cancer and disease rates, create millions of Jobs for Americans. DEFENDANTS purposely hid this Resource for foreign and domestic enterprises attacking US Resources with US Media and Leaders, their backers and Courts.

### **PRAYER FOR RELIEF**

#### **On the basis of the claims set forth herein, Plaintiffs demand the following relief:**

247. THE ENGINEER ask the court to require Governor Ron Desantis, Sarasota County to visit the site and perform diligence on the endless underground Water Resource, pull all plans and water readings and force a connection agreement for this higher level of service to the tap of millions of homes. Common sense shows endless high capacity flow with natural alkaline spring water, with no water restrictions and lower water bills is far more sustainable than treated Peace River or Arsenic treated ground water currently at Carlton Water plant and Peace River Manasota water plant from Peace River.

248. THE ENGINEER asks the court for DEFENDANTS be reported to President Trump, US Attorneys Office, Congress and the US Military for Potential US Treason on US Critical Resources of US National Defense and Security for ignoring a simple issue and not performing a diligence on water supply through campaign elections, permits submitted, presentations with citizens and THE ENGINEER over the past years.

249. THE ENGINEER ask the Court to contact Washington Federal Reserve and send **\$10,000,000,000 dollars** for the West Florida pipeline (**additional \$10Billion for South Florida**) and system upgrades for Infrastructure, compensate what is fair for the engineers work and punitive damages within, so millions of Americans and Floridians have this unique Alkaline spring water to their taps, home equity and lower Cancer rates.

251. THE ENGINEER asks the court for IMMEDIATE and expedited monies to be provided by DEFENDANTS, (**FDEP State Revolving Fund \$60-100 million dollars**) to pay for the Phase-1 12mile Pipeline that ties into the Peace River Water supply infrastructure and stubs out the larger transmission to I-75 to satisfy another 8million South Florida residents, finish the loop option to Manatee that can eventually tie-into Tampa Bay Water Authority systems; submitted to Sarasota Utilities with tracking in 2014 and FDOT Districts 1, 3, 4, 5 & 6 for THE PEOPLE and the US Military to help install per Gilberti KT Hypothesis and US Infrastructure plan. Provide all Soldiers double wages working on the Pipeline and finding more for other regions (See Gilberti FDOT 300mile pipeline to South Florida in permit) and other nations to help end World Hunger, Oppression, Diseases and reasons for wars.

252. THE ENGINEER ask the court to pay punitive damages to THE ENGINEER and remove all fake charges done by Hillsborough county state attorneys office and have all State Attorneys, Lawyers, Judges, Law Firms, Engineering consultants, and Police involved with those cases who attacked THE ENGINEER at his home and his family be reported to the proper

authorities for investigation on why they would attack America's No1 Water, Food production and Energy Resources for foreign groups such as Mosaic and Rothschild Federal Reserve bank in Europe.

253. THE ENGINEER ask the homes that were foreclosed by DEFENDANTS across the West Florida Region that would have increased in value if this World Water knowledge was disclosed these past 15-20yrs when DEFENDANTS and RICO Enterprises knew, be returned to the families and/or an equal home in value be provided in value paid for in full (A FREE Home).

254. THE ENGINEER ask courts provide this critical information to all Universities and Research institutes to find more and open these Global Resources to all Nations who may also have access.

255. THE ENGINEER ask the court to seize all Sarasota case and investigate all Judges and Lawyers involved throughout the past 8years and 72 Partners for potential fraud on courts, hiding US Resources and condemning millions of Americans while potentially harboring Terrorist acts timed with subduing THE ENGINEER and attacking his family.

256. THE ENGINEER ask the court to pull all files listed, including the Hillsborough County files where Christopher Shaw, Dave Weinstein, Vin Marchetti, Lara Hernandez, and others listed filed fake police reports timed with land docket hearings and terrorist attacks with District 13, Rick Scott, Pam Bondi, ex-President Obama to hide this critical and unique underground river below the Engineer and Daughtrey lands for Mosaic Phosphate to keep poor water resources and treated junk water to the tap for decades. Hiding Spring water to pump polluted and treated Red Tide Peace River with their 20yr long Peace River Manasota Loop option and move dirt to unnecessary Federal funded Reservoirs at RV Griffin and CW Bill Young in Hillsborough County timed with Elections and money kickbacks from the Enterprise.

257. THE ENGINEER ask the court to consider what is appropriate for the lost of

homes and businesses or what is fair in lieu of sections 251 and 256 above.

**DEMAND FOR A JURY TRIAL**

Plaintiffs, for themselves hereby demands trial by jury on all issues so triable as a matter of right.

Date: May 3, 2019

/s/ Joe Gilberti

Joseph D. Gilberti, Jr., P.E.

Plaintiff

385 Donora Blvd

Ft Myers Beach, FL 33931

813-470-6000

Gilberti.water.company.fl@gmail.com

Cc: President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Honorable William Pelham Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

US Senate Committee on Homeland Security and  
Government Affairs  
340 Dirksen Senate Office Building  
Washington DC, 20510

**UNITED STATES DISTRICT COURT  
FOR MIDDLE DISTRICT OF FLORIDA**

**JOSEPH D. GILBERTI, JR., P.E.**, an  
Individual and Licensed Professional  
Engineer,

Plaintiff,

Civ. No. 19-cv-00282

v.

**GOVERNOR RON DESANTIS**,  
Governor, State of Florida,

and

**THE MOSAIC COMPANY and MOSAIC  
FERTILIZER, LLC**, ENVIRONMENTAL  
PROTECTION AGENCY, SARASOTA  
COUNTY BOARD OF COUNTY  
COMMISSIONERS, DESOTO COUNTY  
BOARD OF COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, **SARASOTA  
MEMORIAL HOSPITAL**, PEACE RIVER  
MANASOTA WATER SUPPLY  
AUTHORITY, SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT, 72  
PARTNERS LLC, LUIS E. RIVERA,

Defendants.

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**PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS  
FOR  
THE MOSAIC COMPANY, MOSAIC FERTILIZER LLC, SOUTHWEST  
FLORIDA WATER MANAGEMENT, DESOTO COUNTY AND PEACE RIVER  
MANASOTA WATER SUPPLY AUTHORITY**

Plaintiff JOSEPH D. GILBERTI, JR., P.E., hereinafter "THE ENGINEER," an Individual, hereby submits its opposition to Defendants' THE MOSAIC COMPANY, MOSAIC FERTILIZER LLC, SOUTHWEST FLORIDA WATER MANAGEMENT (Swfwmd), DESOTO COUNTY AND PEACE RIVER MANASOTA WATER SUPPLY AUTHORITY Motion to Dismiss the Complaint with Prejudice. The Engineers Complaint not only meets but

exceeds the standards governing the form of a complaint contemplated by Federal Rule of Civil Procedure 8(a), this Court has subject matter jurisdiction in this matter, and the Complaint sufficiently alleges harm and damage. Accordingly, Defendants' motion should be denied.

***I. The Engineer claims are sufficiently stated.***

Defendants move to dismiss the Engineer's Complaint for a) Failure to State a Cause of Action and b) Lack of Subject Matter Jurisdiction. In support of their Motion, Defendants argue that the Complaint lacks merit or is 'Patently Insubstantial' per Judge Brown Jackson in another Racketeering Case involving the Federal Reserve and others. Please see Motion to Lift Stay filed for details. This Judge looked at NOTHING ON THE CASE, but simply copied a template from another case and pasted in one day timed with our summons, without any diligence, experts or even time for parties in the claim to come to the Plaintiff side and counterclaim others or more groups involved. This US Resource shows mankind how to find more in days, and to call a Core in the Earth that ties to an underground River, with our experts showing a Down the Hole video of massive Fracks from a titled platform, is in total negligence and another FULL ATTACK on Americans and the Engineer. The defendants claiming 'Patently Insubstantial' and/or Fictitious, are simply riding another Judge or person who did nothing for expert discovery claiming a definition of deception; lacks any example of injury; and lacks a factual basis.<sup>4</sup> Defendants cite no valid authority to support the proposition that these or any other supposedly missing ingredients are, in fact, required in the Engineer's Complaint. Federal Rule of Civil Procedure 8(a) states that a complaint should contain "a short and plain statement of the claim showing that the pleader is entitled to relief," Fed. R. Civ. P. 8(a)(2), and that "[e]ach allegation must be simple, concise, and direct." Fed. R. Civ. P. 8(d)(1). The Supreme Court has explained that a complaint need only "give the defendant fair notice of what the plaintiff's claim is and the grounds upon which it rests." *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 512 (2002); *accord Atchison, Topeka & Santa Fe Ry. v. Buell*, 480 U.S. 557, 568 n.15 (1987) (under Federal Rule 8,



claimant has “no duty to set out all of the relevant facts in his complaint”). “Specific facts are not necessary in a Complaint; instead, the statement needs only ‘give the defendant fair notice of what the . . . claim is and the grounds upon which it rests.’” *Epos Tech.*, 636 F. Supp.2d 57, 63 (D.D.C. 2009) (quoting *Bell Atlantic v. Twombly*, 550 U.S. 544, 555 (2007)).

Thus, the Federal Rules embody “notice pleading” and require only a concise statement of the claim, rather than evidentiary facts. Accordingly, Defendants’ Motion would be considered properly filed only “where a plaintiff’s complaint is ‘unintelligab[le] (sic),’ not where a complaint suffers for ‘lack of detail.’” *Epos Tech.*, 636 F. Supp. 2d at 63 (citations omitted). The simplified notice pleading standard relies on liberal discovery rules and summary judgment motions to define disputed facts and to dispose of unmeritorious claims. *See Swierkiewicz*, 534 U.S. at 512. Indeed, courts have found that if the information sought by the motion is obtainable through discovery, the motion should be denied. *See, e.g., Towers Tenant Ass’n v. Towers Ltd. P’ship*, 563 F. Supp. 566, 569 (D.D.C. 1983) (denying motion for a more definite statement because details such as “dates, times, names and places” are “the central object of discovery, and need not be pleaded”).

Here, the Engineer’s Complaint is not unintelligible or confusing and does not violate Federal Rule of Civil Procedure 8(a)’s requirement of “a short and plain statement of the claim showing that the pleader is entitled to relief.” The Complaint clearly has a more than sufficient statement of the claim and more than meets the requirement that it be “short and plain.” For example, the Complaint specifically identifies the actions of Defendants and how those actions are wrongful.

The Defendants with the Enterprise not only attacked the Engineer and his project, clients and land, filed erroneous police reports with Dave Weinstein, Vin Marchetti, Don Crawford for cyberstalking that all were dropped after 268 days of incarceration after being fired on the Engineers land and his clients land. Defendants used their local influence to have Judge

Dominguez (now retired) to for NO REASON other than having Oil Consultants come to the land to verify the World Resource and its Medicine changing capabilities, issues a DRAMATIC a bond hike to capture the Engineer with the Enterprise. This Judge raises the bond for a Misdemeanor from \$500 to \$300,000 then recuses himself that day retroactive with a Jog email of FDEP and the Boston Bomb explosion! The Enterprise, Mosaic were trying to secure this for a Mining compact in Sarasota with Dave Weinstein who was representing Mosaic on the Sierra vs Fort Meade case in appeal at 11<sup>th</sup> District Courts on July 9, 2011 and working on this land on July 11, 2011 in Sarasota in a major conflict of Interest. Dave Weinstein of Greenberg Traurig who is a lawyer on this case was fired as he was attempting to forge a settlement with the Sierra for the Army Corps to trade this land owned by the Engineer and the hidden underground resource with a mining permit pulled by the Engineer at Swfwmd in 2009 shown in the complaint. Dave Weinstein who also was on these cases and was fired for conflict of interest on Mining compacts as this site owned by engineer and Daughtrey has a mining permit, phosphate and in the Mosaic Phosphate district, where Sarasota county was the only County that did NOT sign the multimillion dollar compact that is timed with Elections and Electoral vote games through Tiger Bay club and AIF groups, liaisons etc., in a Swing State.

This case regarding Mosaic and the defendants listed above needs minimal discovery to verify capital crimes to attack America with Media and Leaders faking or producing Terrorism acts to coordinate cross country bond hikes to secure resources with US Military in Tampa at Central Command for Blue Gold Bush Family. The Engineer spoke to the former CEO of Mosaic on his cell phone in early 2013 that said to be careful of Greenberg and now has Cancer as he retired. Discovery should move to specifics on bond hikes, bring witnesses who went to court hearings in disbelief that Judges and Leaders could stoop this low on America's healthiest water supply with Medicaid Fraud Rick Scott and Obama with his ObamaCare game. This case need experts in Water Supply and not a Judge in Washington, a Harvard friend of Obama who

copies identical templates from other Cases (**see case 17-cv-0307 Alex Cruz vs House of Representatives**), where this Judge seems to be placed when it a Political issue, and simply blasts out 'Patently Insubstantial' and an analysis of Law without any diligence to the case, such as here to simply order a Water Health Scan and pump report.

This Resource is more valuable than Petroleum and this Nation has fought decade of Wars, lost soldiers and loved ones over Petroleum, which is found with a Core in the Earth such as this 1500' deep Well. Judge Ketanji Brown Jackson in Washington cannot be the sole reason to push both cases into a procedure and ignore this Enterprise who has spent millions to hide this Resource and subdue the Engineer and his clients timed with either Fake or Real Terrorism acts. If these Terrorism acts perfectly timed to make America look stupid are REAL, then we have an even larger problem.

Judge Ketanji Brown Jackson sends out a DENIAL without any diligence on an obvious Water Supply that can be seen flowing on the internet or at the site by any human being with eyes and common sense, but what this well is tied to below needs an qualified Engineer or Well Driller verifying the Resource, which justifies the Enterprise actions, as this is PRICELESS to Americans, not a Harvard Lawyer, friends with Obama, which Obama is a defendant on this case, from a distant town in Political cases with President Trump stating Patently Insubstantial on the Muller case weeks before this case was filed. Due to the value and uniqueness of the Water mixture and capacity, medicine production, fraud that has taken, this Judge who is political with Trump cases made a CORRUPT MOVE ON AMERICA to hide the Water Resource and will be added to another Racketeering case and potential Class action by others. Her negligence and timing is identical to the negligence, timed corruptions and crimes of Lawyers and Judges in this Enterprise (that will grow with Discovery and should become Criminal) throughout the past 8yrs filing fake police reports, fake emails and never once ordering a qualified Engineer to test this Alkaline mineral spring water, lending money to a farmer in a

**TILA (See Motion to set aside Judgment on Pending Foreclosure in Sarasota related Case 2011 CA 004209 NC awaiting hearing and Case 2015 CA 004209 NC awaiting schedule for deposition of 72 Partners and their experts)**, with a case that never got a Trial that was held on Columbus Day during an Obama HP Glitch shutdown, and a Middle District Florida Trustee for Henderson Franklin Law, Luis Rivera who discharges a quit claim deed during a pending foreclosure with an invalid Mortgage on title in a TILA.

Desoto County with Judge Don T Hall, Judge Parker and the Arcadia Rodeo Board stole Engineer Gilberti Rodeo plans while convincing him to use Judge Don T. Hall's wife's firm Silverio & Hall, who the Engineer paid \$50,000 for one letter. Meantime they used the Rodeo plans, for a Mosaic Rodeo at the Turner Center with an illegal purchase of land as stated in the complaint. Depositions of Rodeo members and County commissioners and Mosaic engineers such as but not limited to Bart Arrington worked at Desoto County and had the water files for years. They group has been targeting this site since 1987 per witnesses at the Rodeo board, local leaders who retired and more, stating it was saved for Jeb Bush to make up for 9-11 attacks. Bush family has known of this Resource with Tampa McDill AFB and Vatican per investigations and witnesses for decades from the Cold war days. Even Sea World solicited this site in the 80's before Seagram's vodka sold to Pepsi and Universal Studios at Walton Ranch next door.

Please see **EXHIBIT A** with Peace River system that the Engineers land and his clients land with the aquifer resource is centralized and in permit since 2013 to FDEP and Sarasota, with review pending as the Engineer, his family and clients were constantly attacked **ILLEGALLY** by the Enterprise. **EXHIBIT B** also shows the mining permits the Engineer pulled with ACOE and with Swfwmd who also got all the water readings with FDEP and Mosaic many times over the years while Dave Weinstein attacked. This also shows the bond hike for the Tampa case timed with the Jog email sent 5hrs before the Boston bomb to over 50 Government recipients and developers that was dropped after many extensions as Dave Weinstein had to travel to Israel and

didn't have time for trial. Essentially Greenberg Traurig, Judges and lawyers are attacking the Engineer, the Resource and America with Foreign groups out of Israel. Mr. Weinstein also filed a restraining order a year after the cyberstalking charge but only days after the Engineer realized what he had under the property related to a Meteor impact, via KT event shown in the Mosaic Phosphate reports in the complaint. Many more groups are involved but this was to get the litigation started, and hopefully see some HONOR in the Judiciary vs creating a STAY and stopping everything again and simply order a health scan with our professionals present and others witnesses, hopefully testing it daily for three months or more.

## **II. *The Court has subject matter jurisdiction.***

The Court has subject matter jurisdiction, despite Defendants' claim to the contrary. In *Morrison v. Amway Corp.*, 323 F.3d 920, 925 (11th Cir. 2003), the Eleventh Circuit cautioned

“that the district court should only rely on Rule 12(b)(1) ‘[i]f the facts necessary to sustain jurisdiction *do not implicate the merits of plaintiff's cause of action.*’ *Garcia*, 104 F.3d at 1261 (emphasis added). If a jurisdictional challenge does implicate the merits of the underlying claim then: [T]he proper course of action for the district court ... is to find that jurisdiction exists and deal with the objection as a direct attack on the merits of the plaintiff's case.... Judicial economy is best promoted when the existence of a federal right is directly reached and, where no claim is found to exist, the case is dismissed on the merits. This refusal to treat indirect attacks on the merits as Rule 12(b)(1) motions provides, moreover, a greater level of protection for the plaintiff who in truth is facing a challenge to the validity of his claim: the defendant is forced to proceed under Rule 12(b)(6) ... or Rule 56 ... both of which place great restrictions on the district court's discretion....*Id.* (quoting *Williamson v. Tucker*, 645 F.2d 404, 415-16 (5<sup>th</sup> Cir.1981)”

Normally, the question of jurisdiction and the merits of an action will be considered intertwined where, as here, “a statute provides the basis for both the subject matter jurisdiction of the federal court and the plaintiff's substantive claim for relief.” *Id.* at 926 quoting *Sun Valley Gasoline, Inc. v. Ernst Enters.*, 711 F.2d 138, 139-40 (9th Cir.1983).

## **III. *The Engineer has alleged actual harm.***

As stated above, the “The Engineers” Complaint alleges personal and consumer harm and injury in paragraphs 217 through 257. Multiple witnesses are available on a professional and citizen level to testify of the Terrorism timed acts surrounding court dockets in Tampa District 12, 13, 20, 17 and US Middle District Bankruptcy courts, involving US Marshals, Lawyers, Cops, FBI as well as witnesses willing to testify from the Florida Department of Health and Environmental Protection who went to each County and asked to connect this Water Resource during Hurricane IRMA and prior too, and witnessed an overwhelmed response of corruption by City Managers, County Attorneys and Leaders blocking staff professionals, hired consultants and Media from helping expose spring water to the tap vs treated water the Engineer is proposing with lower water bills and to simply verify the resource in a few hours time. Multiple witnesses are also willing to testify that they spoke to ex-Governor Rick Scott at the Water Forum and handed him the Water Readings as well as other described in the Complaint. To show that Rick Scott and Nestle’ Waters with Israel Mosaic Phosphate and the Enterprise were coordinating Judges, Cops and Courts with the Enterprise, timed with Mining Compacts in the Region, to file falsified reports and subdue the engineer, harm his family, kids and clients, as well as millions of Americans with Water supply Eugenics to sell Big Pharma Opioids and Cancer Centers. See Racketeering Cases Plaintiff is preparing a Motion to Intervene in East Florida such as but not limited to **19-cv-00145 Brevard vs Purdue Pharma, et. al.**, where we can show treated recycled poop water used for Water supply vs these secret underground alkaline rivers has pharmaceutical drugs in the water supply. This epidemic is causing addiction in kids before they even try drugs and these underground Rivers of unique mixtures can be located in days by the Engineers land and knowledge under the land, across the World, hidden by NASA and the Enterprise. Another lawsuit to NASA and south Florida developers and more is being prepared as many HOA’s and Class Actions will trigger from this Enterprise who seems to think they are better than everyone else and can manipulate courts, mortgages, media and America in being

sick and flooding into Rick Scott Hospitals for Medicaid Fraud or ObamaCare? Why did Lee County Health systems build a new Children's Cancer center that knew of me and still hides this Resource with Lee county leaders involved with Dunbar and Fort Myers sludge issues. Everyone could have been heroes but instead the DOJ and Enterprise from a long standing General Development Corporation and Southwest Florida Water Management click with the Blue Gold Bush Family continued to destroy children with Greenberg Traurig influence and Judicial Power quarterbacked by Dave Weinstein, Vin Marchetti and Mosaic Phosphate lawsuits with Sierra vs ACOE mining compacts and Peace River loafing over the years with AIPAC, Henderson Franklin, Foley Lardner, Gray Robinson Law, Icard Merrill and many law firms associated with AIF and Water Forum in cases along peace river corridor.

#### ***IV. Conclusion.***

In short, the ENGINEER'S Complaint fully complies with the pleading requirements of Federal Rule of Civil Procedure 8(a) and provides Defendants fair notice of the charges against them and the grounds therefore. Discovery and argument will add further detail later and much is included in 21 other related cases and their discovery which is also ongoing; in fact, much additional supporting factual material was provided by Plaintiff in materials filed for Evidence by professionals in the field of Water Supply, engineering, Court Fraud that took place during an attack on the Engineer by District 13 Judges, Cops, State Attorneys, Public Defenders, Florida media and even Schools on his children. The Plaintiff and related agencies, which some are defendants, have staff professionals who testified on the Racketeering and are willing to come into this case with proof of the Terrorism tied and the validity, with a provided restraining order to protect their jobs and retirements, of the Water Resource being attacked by the Enterprise, along with more in these agencies as their bosses and consultants, which includes some or maybe all of the Defendants and more is to be seen in a proper discovery opportunity in a case that involves US Terrorism on Water Supply by Lawyers, Judges and Bankers. This Civil

Racketeering case should be converted to a Criminal proceeding on most defendants due the thousands to millions of US Citizen and other Nations affected by the poor level of service of Water Supply at the Tap with polluted treated Rivers vs Alkaline mineral spring water with lower water bills and cancer risks that are hidden across America and Earth.

This Court has subject matter jurisdiction in this matter and this complaint is tailored for the Florida Middle District due to location of the property and Engineer. The other Case 19-cv-00738 has Washington Jurisdiction due to the Federal Reserve Board location, US Congress hiding this during Hurricanes with EPA, FEMA and Leaders that funds these Agencies in various aspects, including Hurricane Relief, Reservoir construction grants, Florida State Revolving funding, Florida forever trust funding through Federal grants, Banks, a Nationwide Housing collapse this resource would have avoided, etc. Additionally, the “Engineer” has sufficiently alleged harm against him by the Enterprise. Accordingly, for the reasons set forth herein, the “Engineer” respectfully requests that the Court deny Defendants’ Motion to Dismiss the Complaint.

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy was filed at the US Middle District Clerk which produces an E-file systems to all registered defendants who appeared on this case of the foregoing which was furnished via email and US First Class Mail on this 29<sup>th</sup> day of June, 2019 to:

/s/ Joe Gilberti

Joseph D. Gilberti PE

Plaintiff

385 Donora Blvd

Ft Myers Beach, FL 33931

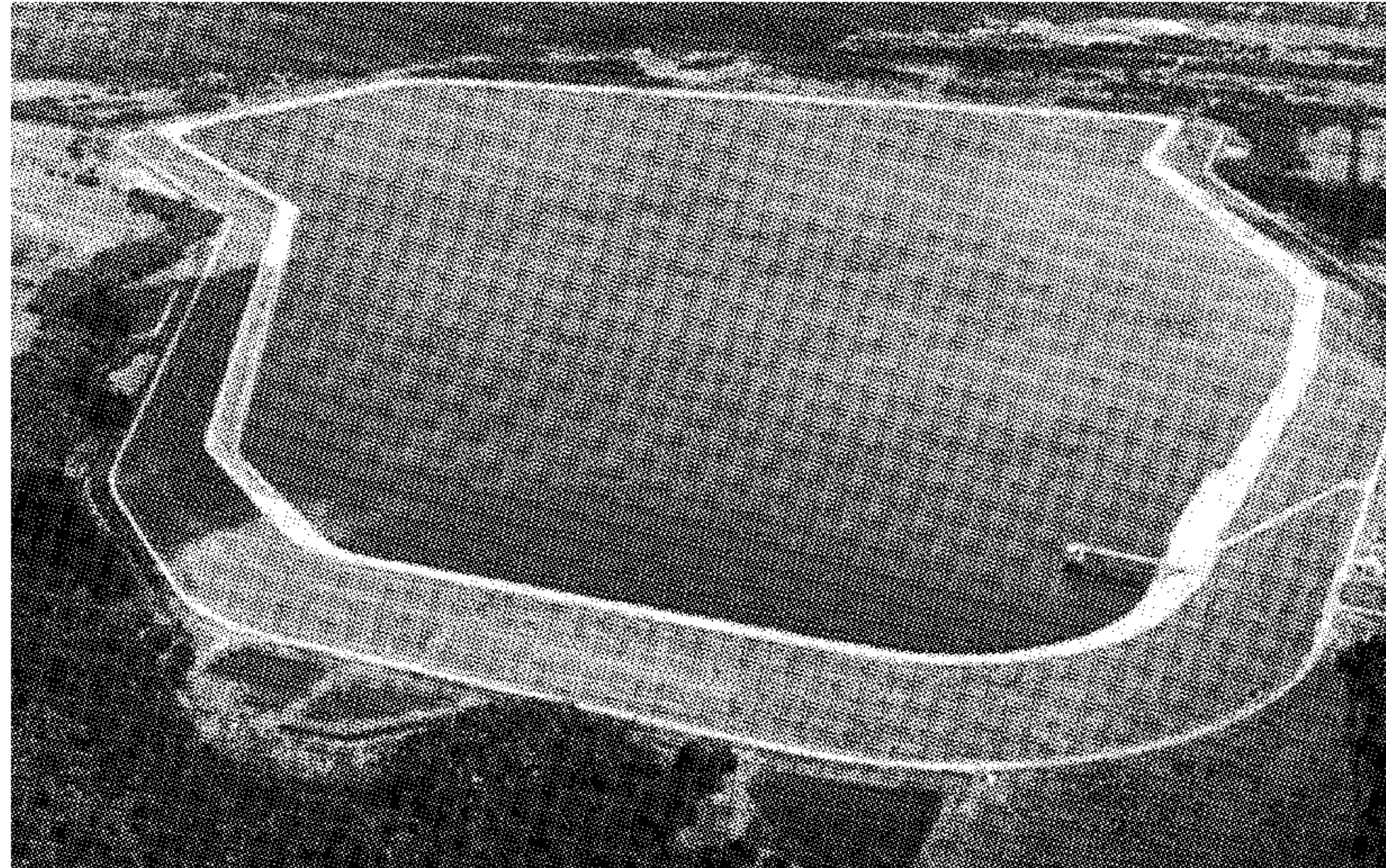
813-470-6000

Gilberti.water.company.fl@gmail.com



# EXHIBIT A

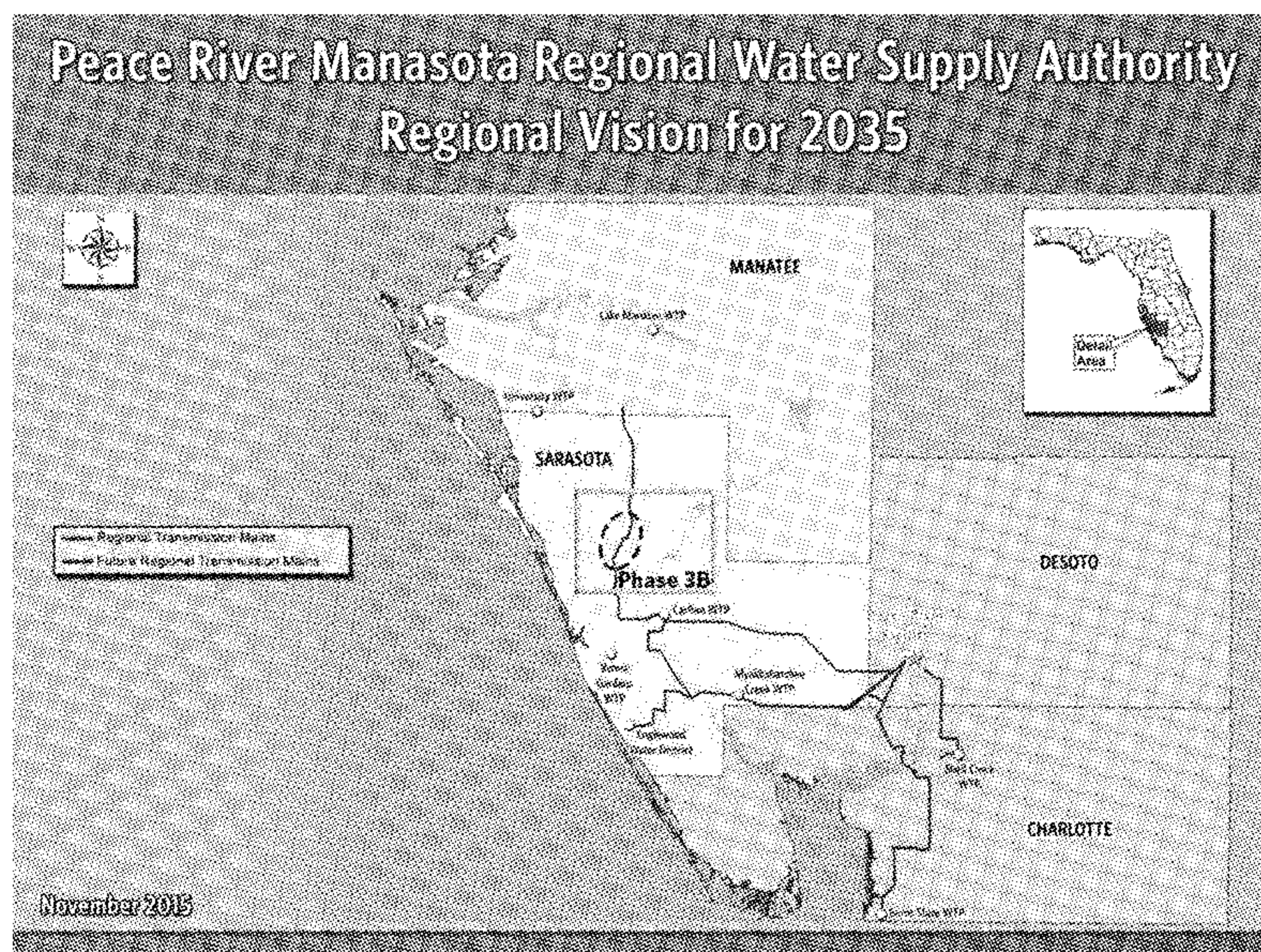
ZIKA Pond Reservoirs built to Hide Secret Underground River of Spring Water to fill Cancer Centers using a Lower Level of Service in the Swamp subject to Pesticide plans, drone attacks pursuant to Stafford Act 6.11



Peace River Manasota Water Supply System next to Daughtrey Lands hiding this Critical US Resource to fill Cancer Centers with US Families and Children from Radioactive Mosaic RED TIDE rivers water Supply

VERSUS

Endless less expensive Alkaline Mineral Spring Water Supply



Four county commissioners via Sarasota, Desoto, Charlotte and Manatee County own this Regional system with ONE PIPE in permit connect Alkaline spring water to 4 Counties with lower water bills from Gilberti lands.

SEE PERMIT PLANS IN **EXHIBIT B** FOR PIPELINE INTERCEPT BETWEEN PEACE RIVER WTP AND CARLTON WTP

Unique Alkaline Mineral Spring Water Readings showing highest Natural Magnesium and Calcium on Earth BY FAR tied to Secret Underground Ocean isolated under Daughtrey (Gilberti's client) and Gilberti Sarasota lands hidden by SWFWMD, Sarasota-Charlotte-Desoto county, Peace River Manasota Lawyer, Engineers and consultants and EPA

**ETR Environmental Testing & Research Laboratories**

Same as Client

Report #: 11712356  
 Date: 11/7/2012  
 P.O. Number: 102 Cx

Matrix: Well Water  
 Client: Carol Daughtrey Jr.  
 Sample: 9438 Daughtrey Rd  
 Location: Sidon FL 34286  
 Phone: (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM on 10/24/2012. Point of collection: Well #2

### Health Scan Report

	Results		Public Drinking Water EPA Limits
<b>General Bacteria</b>			
Total Coliforms	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
<b>MicroAnalysis</b>			
MicroAnalysis	See Attached		
<b>General Chemistry</b>			
Sodium	74.85 mg/L	20.8 mg/L is Mass. DEP Guideline	200.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	11.30 mg/L	A Component of Hardness	No Limit
Calcium	115.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.010 mg/L
Zinc	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid-Base Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (PCU, Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.8 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,063.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	175.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.23 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	881.45 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
<b>Radiochemistry</b>			
Radium in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing & Research Laboratories shall not be held responsible for any liability arising out of the use of our results.

55 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977  
 info@etrilabs.com www.etrilabs.com

Page 1 of 3

# EXHIBIT B

Tampa District 13 Cases with Dave Weinstein, of Greenberg Traurig and chief council for Mosaic on Sierra vs ACOE mining lawsuits related to Peace River water supply and SWFWMD showing bond hikes on Boston bomb day and Injunctions days after the find over year after fake cyberstalking arrest that was dropped after Sarasota-Desoto-Manatee Distinct 12 and US Middle District Judges stole 2000 acres of land without a Trial on Columbus Day Oct 14, 2013 during an Obama Federal Shutdown with 72 Partners and THE ENTERPRISE

CASE NUMBER: 12-CM-011299-A

STATE OF FLORIDA vs GILBERTI, JOSEPH DENNIS

Case Number: 12-CM-011299-A	Judicial Officer: Conrad, Nicholas. John
Uniform Case Number: 292012MM011299000AHC	Defendant: GILBERTI, JOSEPH D
Filed On: 2012-07-02	Amount Due: \$0.00
Case Type: MISDEMEANOR	
Case Status: CLOSED	
	Booking Numbers:
	12030452
	13017413
	2013-17413
	2012-30452

**CASE PARTY INFORMATION**

Party Type	Name	Attorney	Attorney Contact
Defendant	GILBERTI, JOSEPH D		
Plaintiff	STATE OF FLORIDA		

**CASE JUDGE INFORMATION**

Judge Assigned	Division	Date	Reason
Conrad, Nicholas. John	Division C	04/17/2013	Converted Record
Dominguez, V. James	Division A	07/02/2012	

**CASE OFFENSE INFORMATION**

Offense	Statute	Degree	Date
3	784.048(2)	784.048(2) STALKING	12/14/2011
	Arrest Date: 07/03/2012 Hillsborough County Sheriff's Office		
	Arrest Date: 04/18/2013 Hillsborough County Sheriff's Office		
2	784.048(2)	784.048(2) STALKING	12/14/2011
	Arrest Date: 07/03/2012 Hillsborough County Sheriff's Office		
	Arrest Date: 04/18/2013 Hillsborough County Sheriff's Office		
1	784.048(2)	784.048(2) STALKING	12/14/2011
	Arrest Date: 07/03/2012 Hillsborough County Sheriff's Office		
	Arrest Date: 04/18/2013 Hillsborough County Sheriff's Office		

**CASE WARRANT INFORMATION**

Warrant	Warrant Status	Location	Issue Date
CAPI-01404-13	INACTIVE WARRANT/PICK UP	CONVERSION WARRANT LOCATION	04/17/2013
WARI-01494-12	INACTIVE WARRANT/PICK UP	CONVERSION WARRANT LOCATION	07/02/2012
Status Date	Warrant Status	Comment	
04/17/2013	WARRANT/CAPIAS ISSUED		
04/22/2013	INACTIVE WARRANT/PICK UP		
07/02/2012	WARRANT/CAPIAS ISSUED		
07/09/2012	INACTIVE WARRANT/PICK UP		
Charge	Offense Description	Degree/Description	Offense Date
1	7840482-ASSA6000 (MF) STALKING	FIRST DEGREE MISDEMEANOR	
1	7840482-ASSA6000 (MF) STALKING	FIRST DEGREE MISDEMEANOR	

☪ CASE NUMBER: 12-CM-011299-A

STATE OF FLORIDA vs GILBERTI, JOSEPH DENNIS

2	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR
3	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR
1	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR
1	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR
2	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR
3	7840482-ASSA6000 (MF)	STALKING	FIRST DEGREE MISDEMEAN OR

CASE BOND INFORMATION				
Bond Number	Bond Type	Date	Status	Surety
IS6K570854	SURETY BOND	01/10/2014	INACTIVE	\$500.00
IS6K570853	SURETY BOND	01/10/2014	INACTIVE	\$500.00
IS6K570852	SURETY BOND	01/10/2014	INACTIVE	\$500.00
IS50K84756	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
IS50K81860	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
IS15K268766	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
IS15K268766	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
AB13077029	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
AB13077028	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00
AB13077027	SURETY BOND	01/10/2014	INACTIVE	\$15,000.00

CASE EVENT INFORMATION			
Event Date	Doc Index	Charge Number	Title
06/21/2016			FILE RECEIVED IN HOME LOCATION - RC PS
06/20/2016			FILE RETURNED TO HOME LOCATION - RC From Betty Parker @ CSC #101
04/26/2016			FILE SENT TO REQUESTING DEPARTMENT
04/26/2016			FILE AT RC - SEND TO CSC - ROOM #101 PARKERB (FBPE)
10/08/2015			FILE RECEIVED IN HOME LOCATION - RC PS
10/07/2015			FILE RETURNED TO HOME LOCATION - RC
09/11/2015			FILE RECEIVED IN REQUESTING DEPT - CAMP- 407 EAST ST PARKERB
09/08/2015			FILE SENT TO REQUESTING DEPARTMENT
09/04/2015			FILE AT RC - SEND TO CAMP- 407 EAST ST PARKERB
01/31/2014			PD APPLICATION FEE REMOVED FS 939.06 User ID=PDFEEADJ "Defendant: GILBERTI, JOSEPH DENNIS"

**CASE NUMBER: 12-CM-011299-A**

**STATE OF FLORIDA vs GILBERTI, JOSEPH DENNIS**

04/17/2013 CONVERTED MINUTE CODE  
PRJU-PRESIDING JUDGE Text: RECUSES HIMSELF Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: PRESIDING JUDGE  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
DEFT-DEFENDANT Text: WAS NOT NOTIFIED BY CLERK'S OFFICE OF THIS HEARING Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: DEFENDANT  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
ATTY-ATTORNEY: Text: STATED DEFENDANT WAS AWARE OF TODAY'S COURT DATE Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: ATTORNEY:  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
CARQ-CAPIAS REQUESTED Text: \$100,000.00 BOND EACH COUNT Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: CAPIAS REQUESTED  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
STR-STRIKE Text: MOP: 4/22/13 & NJT: 4/23/13 Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: STRIKE  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
DENP-DEFENDANT NOT PRESENT Text: Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: DEFENDANT NOT PRESENT  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
SET-SET Text: 5/6/13 @ 1:30 PM - BOND PURPOSES ONLY=ONLY NOTIFY THE BONDSMAN Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: SET  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
MTWA-MOTION TO WITHDRAW AS ATTORNEY Text: GRANTED Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: MOTION TO WITHDRAW AS ATTORNEY  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/17/2013 CONVERTED MINUTE CODE  
CNSP-COUNSELOR PRESENT Text: @AM Hearing: HEA-2013-04-17; Motion By: ; Ruling: Ruling Desc: COUNSELOR PRESENT  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/16/2013 HEARING SET  
Event Scheduled,HEA,17-APR-2013,08:00, Judge:DOMINGUEZ, JAMES V., Room:CR20, Room Location:NT, User ID = BLACKMON User ID=BLACKMON  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/10/2013 MOTION PENDING CASE SET  
Event Scheduled,MOP,22-APR-2013,13:30, Judge:DOMINGUEZ, JAMES V., Room:CR20, Room Location:NT, User ID = TUCKERAS User ID=TUCKERAS  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/10/2013 NOTICE OF HEARING  
APRIL 22 2013 @ 1:30 PM --- FILED BY DIRK WEED (FILED WITHOUT MOTION) User ID=TUCKERAS  
"Defendant: GILBERTI, JOSEPH DENNIS"

04/01/2013 MOTION  
MOTION FOR ORDER ALLOWING WITHDRAWAL OF COUNSEL OF RECORD - NO NOTICE OF HEARING FILED User ID=LOPRESTI  
"Defendant: GILBERTI, JOSEPH DENNIS"

03/18/2013 LIST OF EXHIBITS

**CASE NUMBER: 12-CM-011299-A**  
**STATE OF FLORIDA vs GILBERTI, JOSEPH DENNIS**

(8:30 AM - COURTROOM 20 2ND FLOOR 401 N JEFFERSON ST. TAMPA FL 33602)

07/30/2012 CONVERTED MINUTE CODE  
NJSF-NON-JURY SET FOR: Text: 09/04/12 8:00 AM Hearing: ARGN-2012-07-30; Motion By: ; Ruling: Ruling Desc: NON-JURY SET FOR;  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/30/2012 CONVERTED MINUTE CODE  
DPWC-DEF PRESENT WITHOUT COUNSEL Text: @AM Hearing: ARGN-2012-07-30; Motion By: ; Ruling: Ruling Desc: DEF PRESENT WITHOUT COUNSEL  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/23/2012 BASED ON AFFIDAVIT INFORMATION FILED  
User ID=TODDENS  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/09/2012 ARRAIGNMENT SET AND NOTICE SENT  
Event Scheduled: ARGN.30-JUL-2012,08:30. Judge: DOMINGUEZ, JAMES V., Room: CR20, Room Location: NT, User ID = JOHNSONWA User ID=JOHNSONWA  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/09/2012 DEACTIVATED WARRANT  
WARI-01494-12 User ID=JOHNSONWA  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/06/2012 SURETY BOND POSTED AND FILED  
User ID=AVILESH  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/06/2012 SURETY BOND POSTED AND FILED  
User ID=AVILESH  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/06/2012 SURETY BOND POSTED AND FILED  
User ID=AVILESH  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/04/2012 CANCEL WARRANT  
CAPIAS/BY ARREST User ID=JOHNSONWA  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/04/2012 CRIMINAL REPORT AFFIDAVIT  
User ID=JOHNSONWA  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/03/2012 CRA DATA SHARING RECORD RECEIVED  
User ID=DATASHARE

07/03/2012 COMMENT RECORDS  
M, W, 03/20/69. 508, 190, BRO, GRN, . , User ID=DATASHARE

07/02/2012 AT LARGE DO NOT RELEASE INFORMATION  
User ID=SHAWG  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/02/2012 WARRANT ISSUED  
BOND - \$500.00 EACH COUNT -- JUDGE SISCO User ID=SHAWG  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/02/2012 AFFIDAVIT FILED  
User ID=SHAWG  
"Defendant: GILBERTI, JOSEPH DENNIS"

07/02/2012 CRIMINAL REPORT AFFIDAVIT  
User ID=SHAWG  
"Defendant: GILBERTI, JOSEPH DENNIS"

**CASE NUMBER: 13-DR-006408**

**DAVID B WEINSTEIN VS JOSEPH DENNIS GILBERTI JR**

Case Number: 13-DR-006408  
Uniform Case Number: 292013DR006408A001HC Judicial Officer: Farr, Scott  
Filed On: 2013-04-25 Defendant: GILBERTI, JOSEPH  
Case Type: (DV) Stalking Amount Due: \$0.00  
Case Status: Close of ReOpen

**CASE PARTY INFORMATION**

Party Type	Name	Attorney	Attorney Contact
Respondent	GILBERTI, JOSEPH		
Petitioner	WEINSTEIN, DAVID B		

**CASE JUDGE INFORMATION**

Judge Assigned	Division	Date	Reason
Farr, Scott	Division H	04/25/2013	

**CASE EVENT INFORMATION**

Event Date	Doc Index	Charge Number	Title
10/08/2015			FILE RECEIVED IN HOME LOCATION - RC PS
10/07/2015			FILE RETURNED TO HOME LOCATION - RC
09/08/2015			FILE SENT TO REQUESTING DEPARTMENT
09/04/2015			FILE AT RC - SEND TO CAMP- 407 EAST ST PARKERB
08/01/2013			ORDER GRANTING (FAMILY) MOTION TO RELEASE EXHIBITS "Date Signed: 08/01/2013", "Judicial Officer: Farr, Scott"
06/11/2013			FILE RECEIVED IN HOME LOCATION - RC
06/07/2013			FILE SENT TO RECORDS CENTER FOR STORAGE
06/03/2013			FILE SENT TO REQUESTING DEPARTMENT
06/03/2013			FILE AT RECORDS CENTER - SEND TO FAM LAW TO SHAM FOR MOTION
06/03/2013			COPY OF MOTION TO RELEASE EXHIBITS "Petitioner: WEINSTEIN, DAVID B"
05/31/2013			MOTION TO - FOR RELEASE EXHIBITS
05/13/2013			FILE RECEIVED IN HOME LOCATION - RC
05/09/2013			FILE SENT TO RECORDS CENTER FOR STORAGE
05/07/2013			FINAL JUDGMENT INJUNCTION STALKING VIOLENCE EXPIRES 5-7-2013 "Petitioner: WEINSTEIN, DAVID B", "Respondent: GILBERTI, JOSEPH DENNIS", "Date Signed: 05/07/2013", "Judicial Officer: Lefler, Lawrence" Instrument Number: 2013180831
05/07/2013			EXHIBIT FILED IN COURT FILE PETITIONER #1 "Petitioner: WEINSTEIN, DAVID B"
05/07/2013			NOTICE OF APPEARANCE "Petitioner: WEINSTEIN, DAVID B"
04/30/2013			TEMPORARY INJUNCTION RETURNED SERVED "Respondent: GILBERTI, JOSEPH DENNIS", "Date 2: 04/26/2013"
04/25/2013			REQUEST FOR CONFIDENTIAL ADDRESS
04/25/2013			TEMPORARY INJUNCTION FOR STALKING VIOLENCE

Ⓢ CASE NUMBER: 13-DR-006408

DAVID B WEINSTEIN VS JOSEPH DENNIS GILBERTI JR

5/7/13 AT 1:30

"Date Signed: 04/25/2013", "Judicial Officer: Lefter, Lawrence"

04/25/2013	REQUEST FOR CONFIDENTIAL ADDRESS
04/25/2013	SRS NEW CASE FILED
04/25/2013	PETITION FOR INJUNCTION
04/25/2013	PETITIONER COPY COVERSHEET
04/25/2013	DOMESTIC VIOLENCE INTAKE FORM
04/25/2013	SHERIFF INFORMATION SHEET
04/25/2013	CIVIL COVER SHEET

Page 2 of 2

Printed On 8/29/2019 10:03:15 AM

Dave Weinstein, Vin Marchetti filed Injunctions on Gilberti a year after fake cyberstalking arrest days after Boston Marathon explosion while Gilberti is in the Hole in Tampa without any contact from Family and hidden by from Family by US Marshals, Tampa Judges and THE ENTERPRISE to attack America's No1 Water Supply with Israel Mosaic Phosphate next to this property



**ACTIVE ACOE/SWFWMD ERP MINING PERMIT IN SWFWMD DATA BASE MOSAIC  
PHOSPHATE DISTRICT CREATED AND DESIGNED BY ENGINEER GILBERTI IN 2009 IN  
THE MOSAIC PHOSPHATE DISTRICT WHERE SARASOTA NORA PATTERSON DENIED  
\$57MILLION FROM MOSAIC FOR MINING COMPACT; ATTACKED BY THE  
ENTERPRISE TO HIDE EARTH'S HEALTHIEST AQUIFER WITH ISRAEL TERRORIST  
LAWYERS AND THE ENTERPRISE**

**Application ID:**

701071

**Permit Number:**

10761.3

**Permittee:**

Joseph Gilberti, P.E.

**Project Name:**

Eagle Feather Excavation Pit®®®®®

**Permit Type:**

Standard General

**Status:**

Approved

**Activity Type:**

MINING

**Project Acres:**

78.00

**Owned Acres:**

642.00

**Application Received:**

August 18, 2014

**Permit Issued:**

August 19, 2014

**Expires:**

August 19, 2019

**Assigned Staff:**

Engineer - SHICKERSON

Environmental Scientist -

**Inspection:**

**Inspected By:**

Engineer -

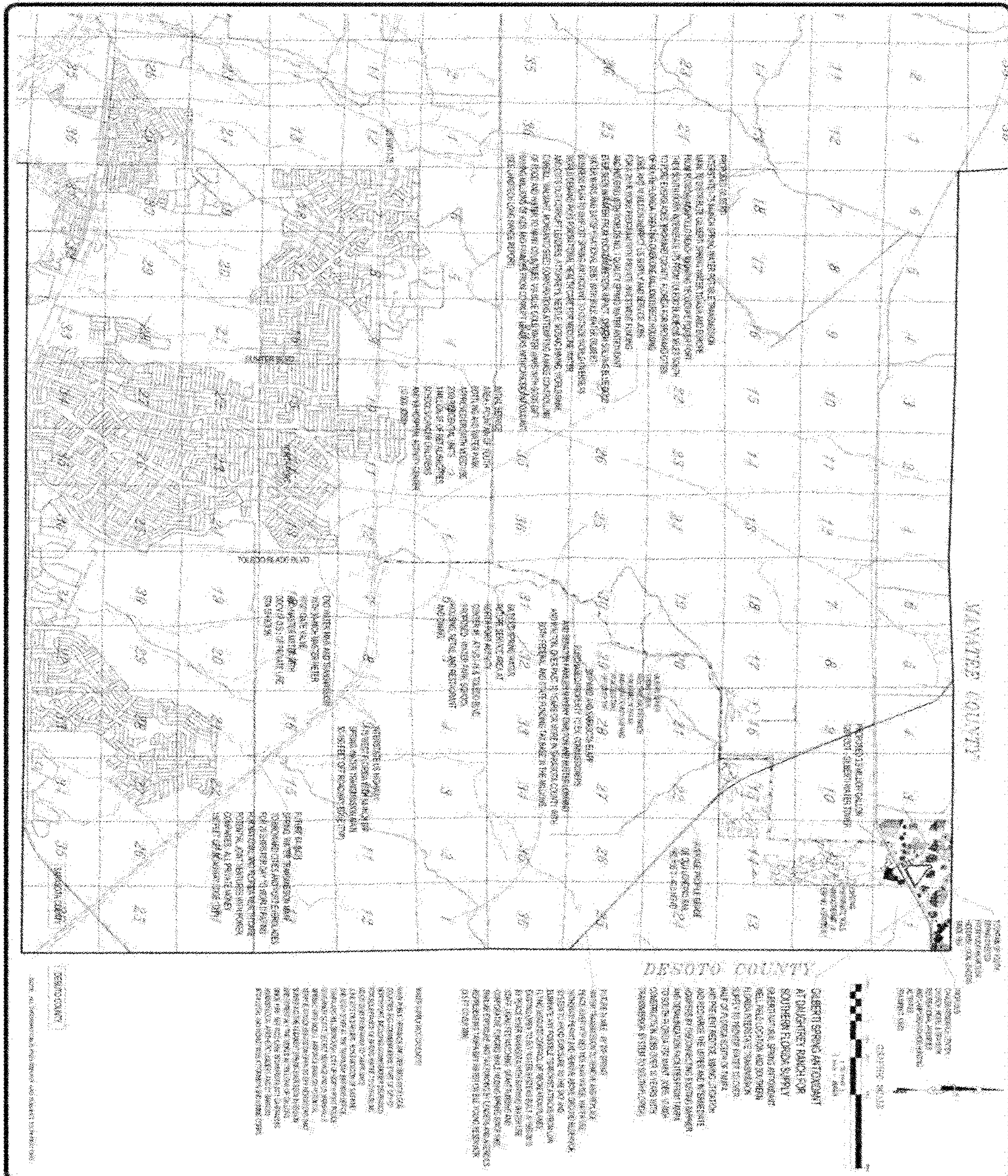
Environmental Scientist -

**Statement of Completion:**

**Operation Date:**

**WMIS Link:**

**PERMIT TRANSMISSION PLANS IN SARASOTA COUNTY UTILITY APPLICATION NO. 2014-142241 IGNORED BY THE COUNTY LEADERS AND STAFF, SWFWMD AND PEACE RIVER MANASOTA WATER AUTHORITY TO TAX CITIZENS WITH CANCER RATES, HIGHER WATER BILLS AND HIDE THE MEDICINE CHANGING GLOBAL RESOURCE ATTACKED BY THE ENTERPRISE**



1100 1st St. Sarasota, FL 34236 (941) 552-1100 www.landtechgroup.com

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH D. GILBERTI, JR. , P.E., an  
individual and licensed professional  
engineer

Plaintiff,

v.

Case No.: 2:19-cv-282-FtM-38MRM

RON DESANTIS, THE MOSAIC  
COMPANY, MOSAIC FERTILIZER,  
LLC, ENVIRONMENTAL  
PROTECTION AGENCY,  
SARASOTA COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
DESOTO COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE  
RIVER MANASOTA WATER  
SUPPLY AUTHORITY,  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT, 72  
PARTNERS, LLC and LUIS E.  
RIVERA,

Defendants.

---

**OPINION AND ORDER**<sup>1</sup>

Plaintiff Joseph Gilberti accuses Defendants of “manipulating and laundering US Tax dollars...to steal unique lands and hide Natural and Endless Drinking water to fill cancer centers with bad manmade treated water from Polluted ground water and Rivers,

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink’s availability and functionality, and a failed hyperlink does not affect this Order.

to sell medicine, cancer centers and healthcare machines while killing millions of people over decades.” (Doc. 1 at 2). In his 112-page Complaint, Gilberti alleges a bizarre and incomprehensible conspiracy to, among other things, cause cancer, kill children, increase opioid use, and damage the economy by “hiding secret underground rivers of Unique Alkaline Spring Water.” And he asks for relief that this Court cannot grant, like reporting Defendants to President Trump, obtaining \$10 billion from the Federal Reserve, enlisting the military to help install water supply infrastructure, and returning foreclosed homes to previous owners.

Several defendants moved to dismiss, but the Court stayed this case pending the results of Gilberti’s appeal of the dismissal of a nearly identical case he filed in the United States District Court for the District of Columbia. The D.C. District Court dismissed that case because federal courts do not have subject matter jurisdiction over “patently insubstantial” claims. *Gilberti v. Fed. Reserve Sys.*, No. 1:19-CV-738, 2019 WL 1901293, at \*2 (D.D.C. Apr. 29, 2019). The District of Columbia Court of Appeals affirmed, finding that Gilberti “alleged no plausible facts that would entitle him to relief.” *Gilberti v. Fed. Reserve Sys.*, No. 19-5264, 2020 WL 1487738 (11th Cir. Mar. 3, 2020).

Gilberti filed another substantially similar case in this District: *Gilberti v. Adrurra Grp. Inc.*, No. 8:19-CV-2012-VMC-AAS. It too was dismissed for lack of subject matter jurisdiction. The Eleventh Circuit affirmed, finding no error with the district court’s conclusion that Gilberti’s claims were patently without merit. *Gilberti v. Adrurra Grp., Inc.*, No. 19-15176, 2020 WL 1951663, at \*2 (11th Cir. Apr. 23, 2020).

The Court agrees with the other district and circuit courts that have evaluated Gilberti’s claims—they are “essentially fictitious” and “obviously without merit.” *Id.* at \*1

(quoting *Hagans v. Lavine*, 415 U.S. 528, 537 (1974)). As such, this Court lacks subject matter jurisdiction, and dismissal under Federal Rule of Civil Procedure 12(b)(1) is warranted.

Accordingly, it is now

**ORDERED:**

(1) Joseph D. Gilberti, Jr.'s complaint (Doc. 1) is **DISMISSED**.

(2) The Clerk is **DIRECTED** to terminate all pending motions and deadlines, enter judgment, and close the case.

**DONE** and **ORDERED** in Fort Myers, Florida this 15th day of May, 2020.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH D. GILBERTI, JR. , P.E., an  
individual and licensed professional  
engineer

Plaintiff,

v.

Case No.: 2:19-cv-282-FtM-38MRM

RON DESANTIS, THE MOSAIC  
COMPANY, MOSAIC FERTILIZER,  
LLC, ENVIRONMENTAL  
PROTECTION AGENCY,  
SARASOTA COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
DESOTO COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE  
RIVER MANASOTA WATER  
SUPPLY AUTHORITY,  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT, 72  
PARTNERS, LLC and LUIS E.  
RIVERA,

Defendants.

---

**OPINION AND ORDER**<sup>1</sup>

Before the Court is Plaintiff Joseph D. Gilberti's Motion to Vacate Order and Set Aside Judgment for Fraud on the Court (Doc. 58), in which he seeks relief from the Court's dismissal of this case.

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

This is one of several cases Gilberti filed alleging a global conspiracy to hide “secret underground rivers of endless Unique Alkaline Spring Water.” (Doc. 1 at 1). And like at least two of Gilberti’s other cases, the Court dismissed this case for lack of subject matter jurisdiction because it is essentially fictitious and obviously without merit. (Doc. 56). Gilberti asks the Court to set aside the dismissal order and vacate the resulting judgment due to fraud on the Court.

Federal Rule of Civil Procedure 60(b)(3) allows courts to relive parties from final judgments based on fraud. “To get relief under Rule 60(b)(3), the moving party must prove by clear and convincing evidence that the adverse party obtained the verdict through fraud, misrepresentations, or other misconduct.” *Jenkins v. Anton*, 922 F.3d 1257, 1270 (11th Cir. 2019) (internal quotation marks and citations omitted). “The moving party must also demonstrate that the conduct prevented [him] from fully presenting his case.” *Id.*

Gilberti’s fraud allegations are not entirely clear, but the crux appears to be that defendants “claim[] this whole US Resource doesn’t exist and is ‘Patently Insubstantial’ when in fact, its being approved for a Phase 1 spring water transmission facility with Florida Department of Environmental Protection.” (Doc. 58 at 7). But Defendants did not assert—and the Court did not find—an absence of spring water under Gilberti’s property. Defendants characterized Gilberti’s claims of a global conspiracy as patently insubstantial, not his claim that spring water exists under his land. Gilberti has not proven fraud by clear and convincing evidence.

Accordingly, it is now

**ORDERED:**

Plaintiff Joseph D. Gilberti's Motion to Vacate Order and Set Aside Judgment for Fraud on the Court (Doc. 58) is **DENIED**.

**DONE** and **ORDERED** in Fort Myers, Florida this 3rd day of June, 2020.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record



**UNITED STATES DISTRICT COURT  
FOR MIDDLE DISTRICT OF FLORIDA**

**JOSEPH D. GILBERTI, JR., P.E.**, an  
Individual and Licensed Professional  
Engineer,

Plaintiff,

**Civ. No. 19-cv-00282**

v.

**GOVERNOR RON DESANTIS**,  
Governor, State of Florida,

and

**THE MOSAIC COMPANY and MOSAIC  
FERTILIZER, LLC, ENVIRONMENTAL  
PROTECTION AGENCY, SARASOTA  
COUNTY BOARD OF COUNTY  
COMMISSIONERS, DESOTO COUNTY  
BOARD OF COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE RIVER  
MANASOTA WATER SUPPLY  
AUTHORITY, SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT, 72  
PARTNERS LLC, LUIS E. RIVERA,**

Defendants.

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**PLAINTIFF'S MOTION TO VACATE ORDER AND SET ASIDE JUDGEMENT  
FOR FRAUD ON THE COURT**

Plaintiff JOSEPH D. GILBERTI, JR., P.E., hereinafter "THE ENGINEER," an Individual, hereby submits a Motion to Vacate the Order and Set Aside Judgment for an Motion Judgment Order on May 15, 2020 before any discovery on this case was started nor was any discovery performed on the related cases, creating Fraud on the Court.

**INTRODUCTION**

The Engineer filed has filed three Racketeering cases that all skipped discovery in a highly political and critical US National Defense Resource being hidden from the Public for Drinking

Water and Energy production. The following brief timeline shows the Fraud by the opposing parties and a Racketeering Enterprise within the various agencies and all three branches of Government.

1. The First Case was *Gilberti vs Federal Reserve, et al*, filed on March 14, 2019 in the US District Court for District of Columbia, **Case 19-cv-00738**, it was dismissed by Judge Kentanji Brown Jackson before the summons were signed just days of the filing? This Judge looked at NOTHING and copied a Template she uses in approximately 5minutes of work to hide a Critical National Resource. The Judge ruled everything was ‘Fictitious’ and/or ‘Patently Insubstantial’ or made up and that the court had No Jurisdiction due to claims that are not real for US natural resources, that just because they are deep underground, the courts assumed that the resource(s) and claims don’t exist; or would not be under attack as described by an RICO Enterprise which now we can see involve over 75 Florida and US Judges assisting in these crimes against Humanity.

2. The appropriate professionals within the agencies and private parties in the Defense never had a chance to verify the critical resource due to lawyers and law-firms with agency and corporate administration sheltering the entire Statewide and National Healthcare and Defense issues from not only the professionals in engineering, water agency review, but the entire population of Florida and US Leadership regarding the Eugenics operation by hiding this endless resource to the Tap for over 50yrs now.

3. This resource is in permit with the Health Department Director at FDEP for final approval for Phase 1 to charge over ONE MILLION TAPS in months, with underground expert analysis by others, showing water readings never seen on Earth in raw Water Supply with endless capacity.

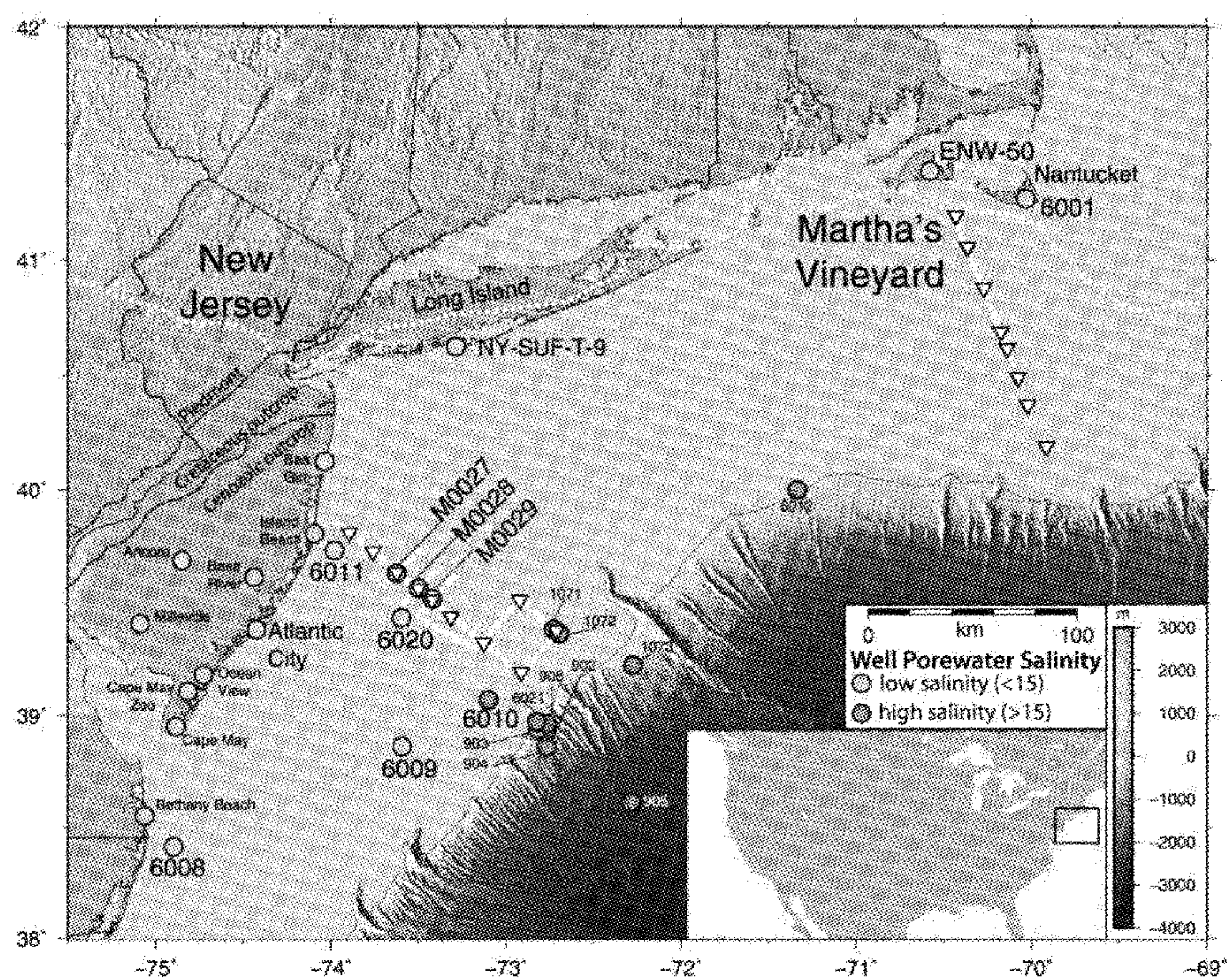
4. The unique resource yields a Water mixture affects medicine production and Florida healthcare in water supply the Washington courts and this court has failed review and

shunned all discovery taking Plaintiffs civil rights while working with Crooked School boards, Cops and US Marshals to hide this Resource and case with the entire Florida Leadership. This resource and its capacity affects the Level of Service for millions of US Citizens at the Tap for healthcare, cancer rates, viruses, diseases and macroeconomics in housing, construction and science.

5. The First case now in appeal **Case 19-2044** in the US Courts of Appeals, Federal District, was suddenly expedited for dismissal without any discovery, in this so called Coronavirus Pandemic timed with other cases in Tampa US Middle District regarding this project, and three other State cases in Sarasota and Lakeland, using attorneys, courts and more with a full fledged attack. This case is now headed to the US Supreme court with permits in hand for the resource that this court calls Patently Insubstantial, when its America's No1 National Defense resource..

6. The Second Racketeering case was this case referenced above was filed within a month or so from Case due to Judge Kentanji Brown Jackson's corruption with Washington, EPA, FEMA, Obama and many more. Any US Citizen can see this now with massive permit approval being processed in Fort Myers this week. The Second case is referenced above in the Florida US Middle District Court via *Gilberti vs Ron Desantis, et al.* involving the local hidden underground Resource in permit and review through multiple agencies and Counties. This hidden Drinking Water Resource over 2000' feet below can be verified in one hour, located in Sarasota Florida on Plaintiff's property located at **9438 Daughtrey Road, Sarasota Florida 34266 on Well No. 2** shown in Southwest Florida data bases and Department of Interior files since 1969 to 1972, with permits in 1998 to 2007 and new mining permits in 2009 still active. Discovery can show a Department of Interior-Swfwmd-Sarasota Study in 1987 with this information on the well and this resource. This unique Water Resource is critical to medicine and Water supply sustainability to the Tap with geological indicators and critical engineering

information qualified by many, that will show this court with discovery, that these massive underground Oceans have access throughout the Nation, that can be found in Days with NASA and existing Oil logs and more, which affects National Healthcare, National Defense and Job growth with the Federal Reserve and the case in Washington has filed upon. A recent article from Fox News came out just last week showing a massive underground Ocean with real empirical scientific information just off the East coast of the United States. Very similar to what the engineer has described and provided Fox News in 2013 while under attack by Judges in Tampa District 13 and US Middle District. See Scientific proof below with diagram below provided by Government Scientist.



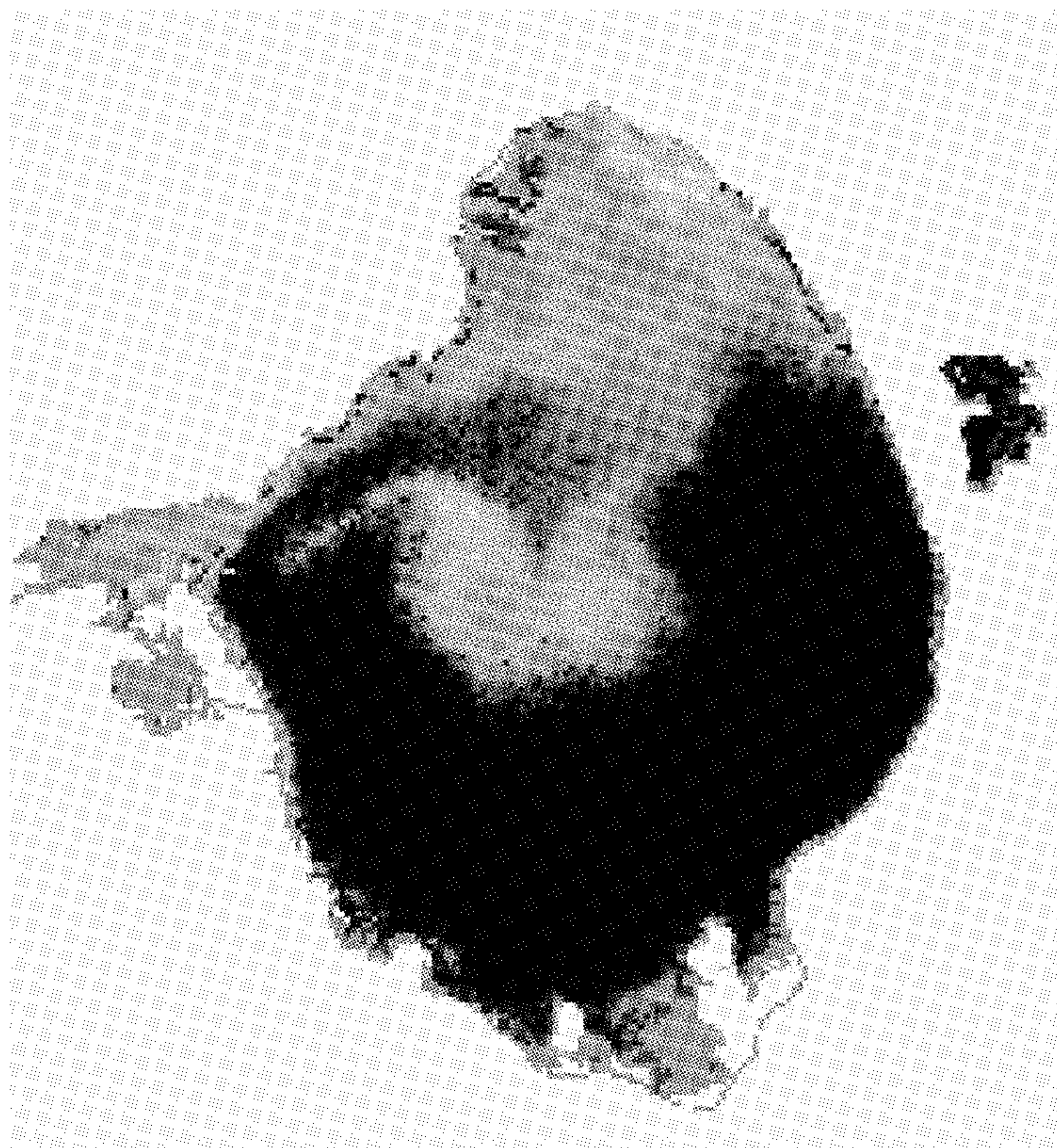
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hidden by Desantis and Florida Congress to kill fish and Citizens in the masses while attaching this Resource is an act of US Treason by Judges calling it “Patently Insubstantial” for their local Greenberg Traurig and Grey Robinson Law liaisons destroying Florida and hiding this World Water knowledge and Resource. See manmade US Navy bio-fuel by General Electric and Dow Chemical, with an Obama EPA \$300million dollar grant that mutated in the Air, this court and others are also hiding for Ron Desantis, Obama and potentially ALL Florida Leaders and some huge Home builders who sold Arsenic treated water homes vs. Spring Water homes. Such as but not limited to Lennar, Benderson, Pat Neil Homes, Culverhouse Palmer Ranch, Hi Hatt Ranch Turner and the Carlton Family, etc. Even Walt Disney is caught hiding this resource with Desantis and his Blue-Green Algae task force to destroy Florida. See Lake O below destroyed by the Defendants and Federal Reserve funded grants for a Global Warming Lie, this site proves.



Not only can Gilberti’s team clean this Blue-Green Algae with invention presented to FDEP and Congress who hide it, contaminating potentially all wells that they are now helping us on, but provide the healthiest water in the World but this court thinks its fake with no Engineers just Crazy terrorist US Navy Harvard-Yale attorney Florida Governors, Leaders, Judges and Lawyers

9. Even in a World Coronavirus Pandemic this court and Ron Desantis with all Florida leaders, School Boards, Universities and US Leaders can come together for ONE HOUR and verify this resource? Now that project is started I could care less about Florida Judges playing this resource as Millions will take of these courts as I am filing a Civil Case on all Courts and the Judges for US Treason who dismissed these cases and attacked America with a HUGE GROUP OF LAWYERS, COPS AND JUDGES attacking America with no real competence to hold office, this case and more coming with the permit will show the World and all Americans.

### **ARGUMENT**

#### **A. Fraud on the Court**

10. Before reaching the merits of this case, we address defendants' assertion that in the United States DC Circuit Court dismissed this case without any discovery claiming this whole US Resource doesn't exist and is 'Patently Insubstantial' when in fact, its being approved for a Phase 1 spring water transmission facility with Florida Department of Environmental Protection (FDEP), involving Fort Myers Director Jon Iglehart only miles form this courtroom, with Licensed Professional Engineers in the business, Judge Kentanji Brown Jackson and this Court failed to acknowledge, as the attorneys for the defense are hiding this US Resource with administrative employees in agencies and corporate structures of the defense list, Politicians, other Judges heading into new RICO on circuit and US Courts for civil rights.

11. The fact the resource is being approved by FDEP review shows the FRAUD ON THE COURT. We do not agree with defendants' interpretation of cost of litigation to stay this case to prevent additional discovery costs when no discovery on any case was allowed. Thus the time to move to an evidentiary hearing to open up discovery in not *laches*, the resource and Water Supply permits under review across the Street from this courthouse with the Director of Health Department at FDEP with a case EVIDENTIARY HEARING should be granted as this case has unclean hands.

12. The Defenses lawyers used an unclean Judgment by a far distance court due to agencies and Federal Reserve banks funding federal grant to hide this Resource with an RICO Enterprise.

13. The power to vacate a judgment that has been obtained by fraud upon the court is inherent in courts. Universal Oil Products Co. v. Root Refining Co., 328 U.S. 575, 580 (1946). Moreover, the federal civil rule governing relief from judgment does not grant anyone standing to bring independent actions but, rather, merely does not restrict any standing that party otherwise has. Herring v. Federal Deposit Insurance Corp., 82 F.3d 282, 285 (9th Cir. 1995). Independent actions to relieve a party from a judgment, order or proceeding are subject to the doctrine of laches. In the Matter of Whitney-Forbes, Inc., 770 F.2d 692, 698 (7th Cir. 1985); 11 Wright, Miller & Kane, Federal Practice & Procedure: Civil 2d § 2868 at 401-02 (2d ed. 1995). However, independent actions to set aside a judgment for fraud on the court are not barred by laches. See Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238, 246 (1944), overruled on other grounds, Standard Oil Co. of California v. United States, 429 U.S. 17 (1976). See also Wright, Miller & Kane, supra § 2870 at 412 ("There is no time limit on setting aside a judgment on [the ground of fraud upon the court], nor can laches bar consideration of the matter.").

14. In Hazel-Atlas Glass Co., 322 U.S. at 246, the Court granted the petitioner relief from a judgment even though the petitioner may not have exercised the highest degree of diligence because the fraud at issue did not concern only private parties but, rather, involved issues of great moment to the public and tampered with the administration of justice by institutions set up to protect and safeguard the public. Specifically, the petitioner established that a resource location, has meet with the Director of FDEP in Fort Myers and their Professional Licensed Engineers employed at FDEP, Nolin Moon, P.E., James Oni, P.E. who can also verify this is NOT 'Patently Insubstantial' but very serious, which also validates the timed TERRORISM to hide this Priceless World Resource with Judges and US Marshals, Ron



Desantis, Rick Scott, who are in the NAVY who is hiding it while potentially all wells are contaminated by their Manmade Blue-Green Algae fuel that has MUTATED IN THE AIR. (See **EXHIBIT A**) for plans and permits documentation demonstrating this Court and other Courts with opposing dismissed this case without any discovery, surrounded by Fraud and have interfered with petitioner's investigation to uncover the fraudulent scheme, and used a judgment by the Gilberti vs Federal Reserve, et al. case as the only way out to trickle down the fraud and corruption by lawyers and Judges to avoid all Discovery and taking more civil rights from the Plaintiff.

15. Because the power to vacate a judgment for fraud on the court is so great and free from procedural limitations, only a certain type of conduct falls into this category. Wright, Miller & Kane, supra § 2870 at 413-14. "Indeed, 'fraud upon the court' as distinguished from fraud on an adverse party is limited to fraud which seriously affects the integrity of the normal process of adjudication." Gleason v. Jandrucko, 860 F.2d 556, 559 (2d Cir. 1988). "The concept of 'fraud upon the court' embraces 'only that species of fraud which does or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases.'" Hedges v. Yonkers Racing Corp., 48 F.3d 1320, 1325 (2d Cir. 1995) (quoting Kupferman v. Consolidated Research & Manufacturing Corp., 459 F.2d 1072, 1078 (2d Cir. 1972). "Fraud upon the court must be established by clear and convincing evidence." King v. First American Investigations, Inc., 287 F.3d 91, 94 (2d Cir. 2002).

16. Intrinsic fraud is defined as "fraud which misleads a court in determining issues and induces the court to find for the party perpetrating the fraud. The classic case of intrinsic fraud is perjured testimony or presenting forged documents at trial. Allegations that a party failed to disclose documents also generally amount to intrinsic, rather than extrinsic, fraud." Extrinsic Fraud, on the other hand, is "fraud that induces a person not to present a case or deprives a

person of the opportunity to be heard.'" AS IN THIS CASE and all the related RICO cases on defendants. While the court noted in Raby and Chewning that "[i]n order to secure equitable relief on the basis of fraud, the fraud must be extrinsic," this is a case of Extrinsic Fraud on the Court by defendants.

### LEGAL STANDARDS AND ANALYSIS

17. Federal Rule of Civil Procedure 60(b)(3) "allows a court to grant relief from a final judgment because of 'fraud[,] ... misrepresentation, or misconduct by an opposing party,' but a motion made pursuant to 60(b)(3) must be filed within one year of the judgment, at the latest." *Jackson v. Thaler*, 348 F. App'x 29, 34 (5th Cir. 2009) (per curiam) (quoting FED. R. CIV. P. 60(b)(3); citing FED. R. CIV. P. 60(c)(1)).

Rule 60(d)(3) functions as a saving clause: it allows courts to "set aside a judgment for fraud on the court" without a strict time bar. The standard for "fraud on the court" is, as a consequence, demanding. "[O]nly the most egregious misconduct, such as bribery of a judge or members of a jury, or the fabrication of evidence by a party in which an attorney is implicated, will constitute fraud on the court." *Rozier v. Ford Motor Co.*, 573 F.2d 1332, 1338 (5th Cir. 1978) (citations omitted). Fraud under Rule 60(d)(3) "embrace [s] ... the species of fraud which does or attempts to[ ] defile the court itself." *Wilson v. Johns-Manville Sales Corp.*, 873 F.2d 869, 872 (5<sup>th</sup> Cir. 1989) (quotation omitted). *Id.* (footnote omitted).

Federal Rule of Civil Procedure 60 provides for relief from a civil judgment or order.

### UNCLEAN HANDS

18. Another argument to justify this Motion should Set aside is the "time honored equitable maxim that all courts have the inherent power to all things reasonable necessary to ensure that just results are reached to the fullest extent possible." This case and the other RICO cases show the Courts, Defense and Enterprise have shown unclean and avoided ALL DISCOVERY to hide this World Resource and the timed Terrorism attacks using Smith-Mundt Act and Lawyers to avoid any experts to review the resource this Court called FAKE? Recently our Supreme Court relied upon the equitable principle of unclean hands. The Court cited First Union Nat'l Bank of S.C. v. Soden, which

held that the doctrine of unclean hands will preclude a litigant from recovering in equity if that defense and Courts acted unfairly to the detriment of the other party, the Plaintiff and Engineer of Record in permit on a VERY CRITICAL US RESOURCE under Deep State attack by ALL LEADERS. Otherwise they would PROVE ME WRONG with some licensed Engineers! Meantime, FDEP in Fort Myers is just one little block away for all you Fort Myers Judges. So you can take off your Pretty Robe and walk down the block and talk to the Director Jon Iglehart and his staff, then drive down to the Lee Health Systems new 5-Story Children's Cancer center and ask them, America and God for forgiveness since thousands would have been saved with this Water mixture that affects medicine and LEVEL OF SERVICE at the tap of millions of homes.

19. Another RICO lawsuit has been drafted to be sent out of State on this court and others courts who called this resource and the timed Terrorism to subdue the Engineer after the find 'Patently Insubstantial' is being sued for Civil rights, FRAUD and Racketeering tied to this case and Terrorism after I've now seen the Judge(s) in Lee county, Ron Desantis, Biden, Trump, Obama, Congress, Florida Universities and School Boards; and all Florida Leaders, as they all know, ignore this resource in a Coronavirus Pandemic for US Navy attorney-ex wannabe Soldiers, hiding this Resource from the Entire Military and THE PEOPLE, and the Blue-Green Algae fix we have to promote viruses, diseases and cancers at the tap and bottled water using poor resources, with Medicaid Fraud Rick Scott (owns Hospitals in West Florida) to protect Election that produce NOTHING and the crooked US NAVY bio-fuel game.

### **CONCLUSION**

For these reasons, the final judgment/order should be vacated or set aside so the following can occur:

- a. And an extensive Evidentiary hearing be held in phases for initial discovery
- b. depositions to local engineers, Judges, US Marshals, local and State leaders, Swfwmd, Peace River, staff, FDEP agencies

- c. Depositions to FDEP agency staff now expediting and helping and consultants on the both the Blue-Green Algae fix and this 300mile pipeline to solve Florida Water Wars via the North-South Conflict.
- d. Hearings held with defendants and their licensed Engineer experts after validating this resource that takes literally a few hours.
- e. Provide legal time relief in discovery and help Pro-se litigant who is also permitting the most significant project in US History this State of Florida is hiding in a Pandemic from all Americans in a new medicine water mixture.
- f. And any other relief this court deems appropriate to stop this fraud by the Defendants.

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy was filed at the US Middle District Clerk which produces an E-file copy to all parties who entered the case thus far and filed a copy digitally to the presiding Judge of the foregoing which was furnished by uploading this document and supporting documents with the temporary E-file program for Pro-Se litigants in the Coronavirus Pandemic where Water Supply is essential this 29<sup>th</sup> day of May, 2020 to:

*/s/ Joe Gilberti*

Joseph D. Gilberti PE

Plaintiff

385 Donora Blvd

Ft Myers Beach, FL 33931

813-470-6000

[Gilberti.water.company.fl@gmail.com](mailto:Gilberti.water.company.fl@gmail.com)

**UNITED STATES DISTRICT COURT  
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**PLAINTIFF'S MOTION FOR CHANGE OF VENUE AND REHEARING TO  
VACATE ORDER AND SET ASIDE JUDGEMENT FOR FRAUD ON THE COURT**

Plaintiff JOSEPH D. GILBERTI, JR., P.E., hereinafter "THE ENGINEER," an Individual, hereby submits a Motion for Rehearing and Change of Venue to Vacate the Order and Set Aside Judgment for an Motion Judgment Order on May 15, 2020 before any discovery on this case was started nor was any discovery performed on the related cases, creating Fraud on the Court.

## **INTRODUCTION**

The Engineer filed has filed three Racketeering cases that all skipped discovery in a highly political and critical US National Defense Resource being hidden from the Public for Drinking Water and Energy production. The Courts in West Florida with Judges, Cops and Media have attacked Plaintiff and his family, clients and this resource collectively in an Enterprise to destroy Water supply and sell Cancer centers with Lee Health Care Systems and Tampa Moffit as described in related cases. The Judges are all hand picked with local corrupt leaders and Corrupt Governor Ron Desantis, ex-Governor Medicaid Fraud Rick Scott and Blue Gold Bush Family through Jeb Bush or his buddy Charlie Crist. The Judges in this case are under investigation and have PURPOSELY skipped all discovery to hide this US Resource in an Election year. This courtroom and its local leaders are under investigation for US Treason hiding this US Resource with Ron Desantis and Rick Scott.

### **ARGUMENT AND CITATION TO AUTHORITY FOR CHANGE IN VENUE**

In order to insure a defendant's right to a fair trial which is free from prejudice, Federal Rule of Criminal Procedure 21(a) provides: For Prejudice. Upon the defendant's motion, the court must transfer the proceeding against that defendant to another district if the court is satisfied that so great a prejudice against the defendant exists in the transferring district that the defendant cannot obtain a fair and impartial trial there. This Rule permits a defendant to request a change of venue in a case when he believes a fair and impartial jury cannot be obtained in the district where the alleged Racketeering crimes by Judges, Cops, Media and Governor Ron Desantis (RED Republican area of Fort Myers in a Presidential Election) is being committed right now during a Coronavirus Pandemic. We have Judges and this Courtroom looking away at Terrorism acts using the Smith-Mundt Act, then using conspiracy momentums on TV to call this US Resource and the Capital crimes by Lee County to Tampa Judges are committing on millions of Citizens and the Plaintiff.

District courts have discretion when deciding whether to change venue due to prejudicial pretrial publicity. *Ehrlichman v. Sirica*, 419 U.S. 1310, 1312 (1974); *U.S. v. Williams*, 523 F.2d 1203, 1208 (5th Cir. 1975).<sup>3</sup> The standards governing a change of venue derive from the due process clause of the Fourteenth Amendment, which safeguards a defendant's Sixth Amendment right to be tried by "a panel of impartial, 'indifferent' jurors." *Coleman v. Kemp*, 778 F.2d 1487, 1542 (11th Cir. 1985), cert. denied, 476 US. 1164 (1986) (citing *Irvin v. Dodd*, 366 U.S. 717, 722 (1961)). Furthermore, the Supreme Court of the United States recognizes instances where a trial court may be unable to seat an impartial jury, due to prejudicial pretrial publicity or inflamed community atmosphere. In such situations, due process requires that the trial court grant a Plaintiff's motion for a change of venue. *Rideau v. Louisiana*, 373 U.S. 723, 726 (1963); see also *Coleman*, 778 F.2d at 1542. Granting motions to transfer venue in these situations guarantees the fundamental fairness of the defendant's trial. *Id.*; see also *Murphy v. Florida*, 421 U.S. 794, 799 (1975).

#### **SUMMARY OF RELATED CASES ALSO IN FRAUD ON COURTS USING JUDGES**

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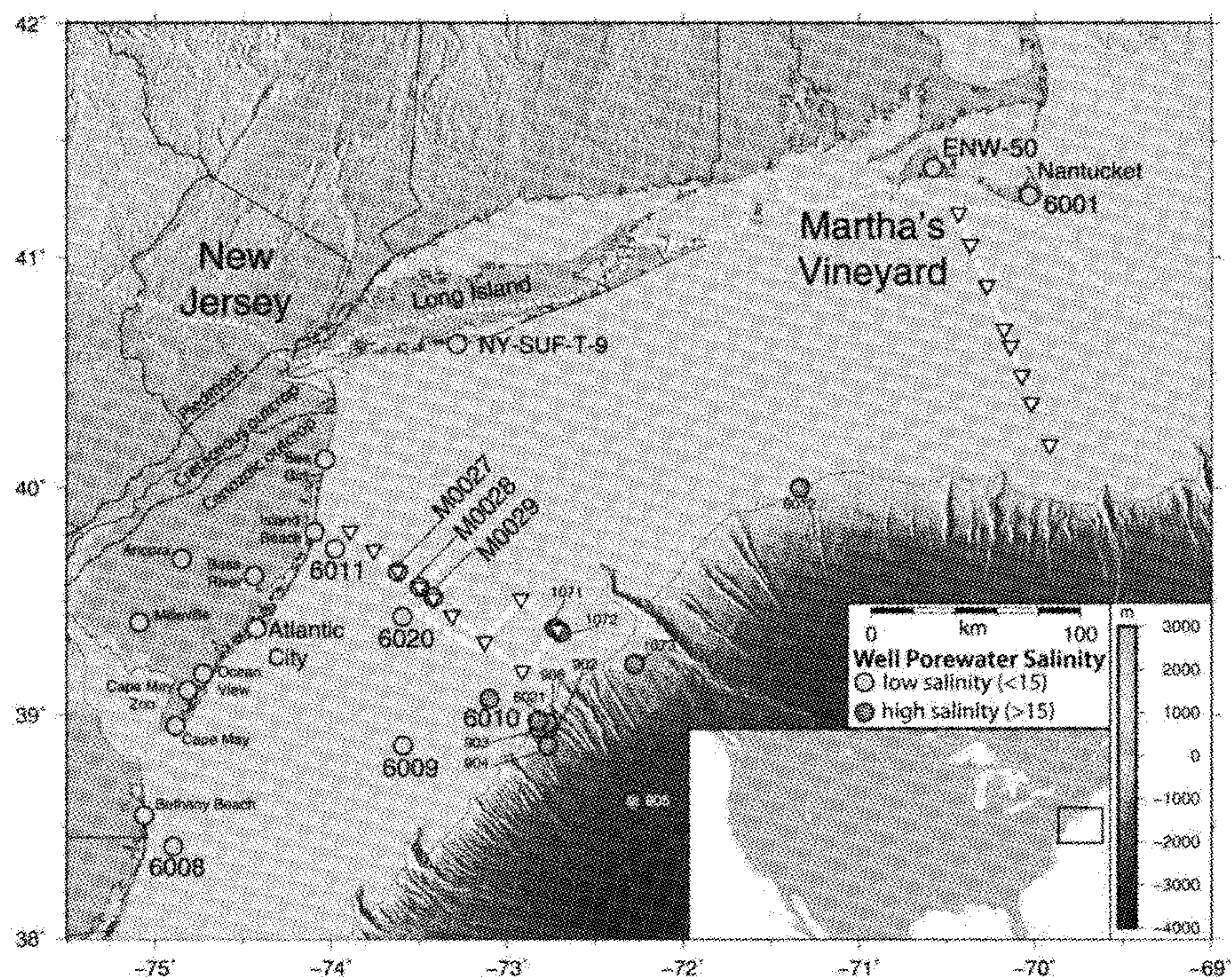
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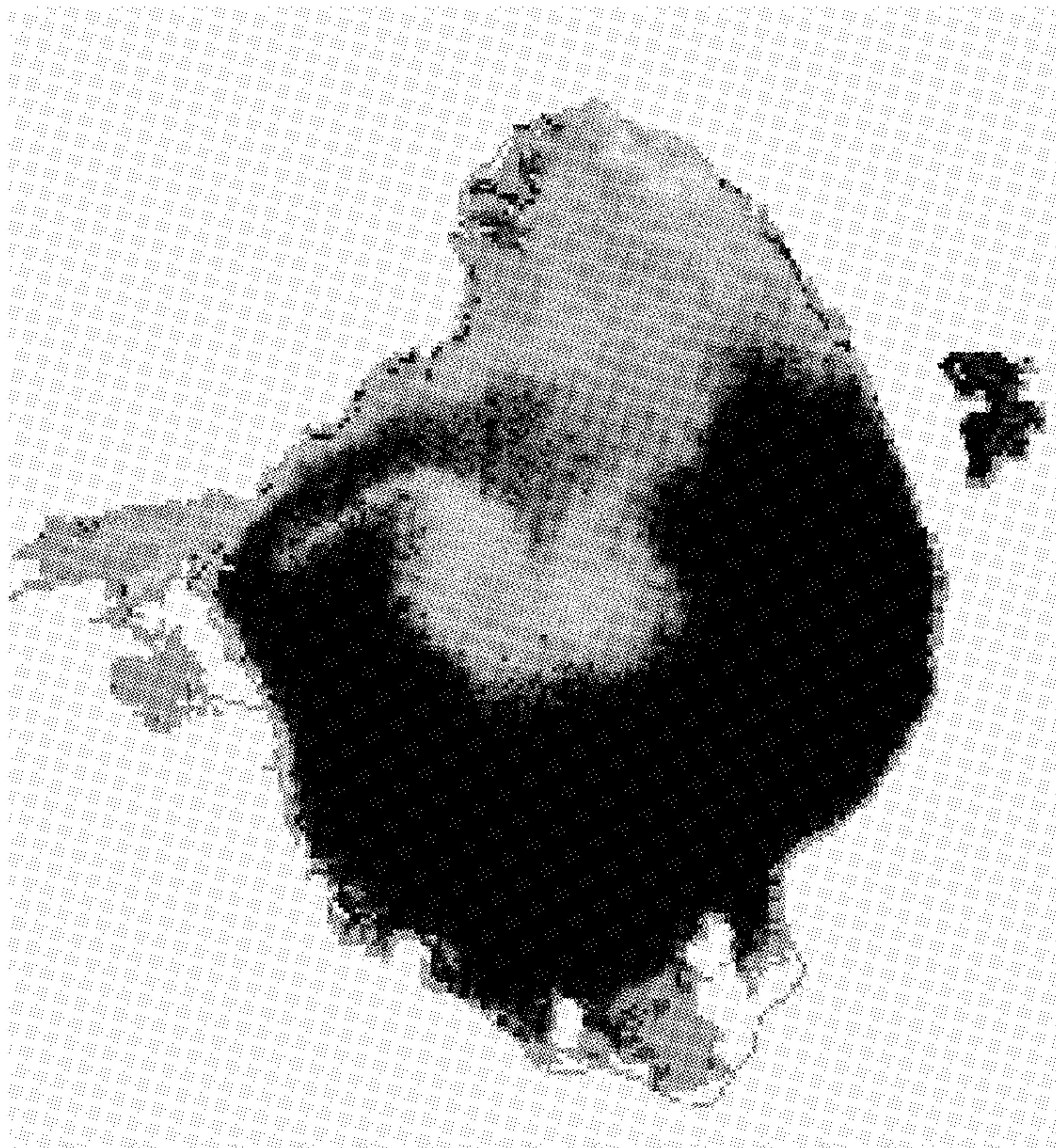
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Desantis and his Blue-Green Algae task force to destroy Florida. See Lake O below destroyed by the Defendants and Federal Reserve funded grants for a Global Warming Lie, this site proves.



Not only can Gilberti's team clean this Blue-Green Algae with invention presented to FDEP and Congress who hide it, contaminating potentially all wells that they are now helping us on, but provide the healthiest water in the World but this court thinks its fake with no Engineers just Crazy terrorist US Navy Harvard-Yale attorney Florida Governors, Leaders, Judges and Lawyers

9. Even in a World Coronavirus Pandemic this court and Ron Desantis with all Florida leaders, School Boards, Universities and US Leaders can come together for ONE HOUR and verify this resource? Now that project is started I could care less about Florida Judges playing this resource as Millions will take of these courts as I am filing a Civil Case on all Courts and the Judges for US Treason who dismissed these cases and attacked America with a HUGE GROUP OF LAWYERS, COPS AND JUDGES attacking America with no real competence to hold office, this case and more coming with the permit will show the World and all Americans.

## **ARGUMENT**

### **A. Fraud on the Court**

10. Before reaching the merits of this case, we address defendants' assertion that in the United States DC Circuit Court dismissed this case without any discovery claiming this whole US Resource doesn't exist and is 'Patently Insubstantial' when in fact, its being approved for a Phase 1 spring water transmission facility with Florida Department of Environmental Protection (FDEP), involving Fort Myers Director Jon Iglehart only miles from this courtroom, with Licensed Professional Engineers in the business, Judge Kentanji Brown Jackson and this Court failed to acknowledge, as the attorneys for the defense are hiding this US Resource with administrative employees in agencies and corporate structures of the defense list, Politicians, other Judges heading into new RICO on circuit and US Courts for civil rights.

11. The fact the resource is being approved by FDEP review shows the FRAUD ON THE COURT. We do not agree with defendants' interpretation of cost of litigation to stay this case to prevent additional discovery costs when no discovery on any case was allowed. Thus the time to move to an evidentiary hearing to open up discovery in not *laches*, the resource and Water Supply permits under review across the Street from this courthouse with the Director of Health Department at FDEP with a case EVIDENTIARY HEARING should be granted as this case has unclean hands.

12. The Defenses lawyers used an unclean Judgment by a far distance court due to agencies and Federal Reserve banks funding federal grant to hide this Resource with an RICO Enterprise.

13. The power to vacate a judgment that has been obtained by fraud upon the court is inherent in courts. *Universal Oil Products Co. v. Root Refining Co.*, 328 U.S. 575, 580 (1946). Moreover, the federal civil rule governing relief from judgment does not grant anyone standing to bring independent actions but, rather, merely does not restrict any standing that party otherwise has. *Herring v. Federal Deposit Insurance Corp.*, 82 F.3d 282, 285 (9th Cir. 1995). Independent actions to relieve a party from a judgment, order or proceeding are subject to the

doctrine of *laches*. *In the Matter of Whitney-Forbes, Inc.*, 770 F.2d 692, 698 (7th Cir. 1985); 11 Wright, Miller & Kane, *Federal Practice & Procedure: Civil 2d* § 2868 at 401-02 (2d ed. 1995). However, independent actions to set aside a judgment for fraud on the court are not barred by *laches*. See *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 246 (1944), *overruled on other grounds*, *Standard Oil Co. of California v. United States*, 429 U.S. 17 (1976). See also *Wright, Miller & Kane*, *supra* § 2870 at 412 ("There is no time limit on setting aside a judgment on [the ground of fraud upon the court], nor can laches bar consideration of the matter.").

14. In *Hazel-Atlas Glass Co.*, 322 U.S. at 246, the Court granted the petitioner relief from a judgment even though the petitioner may not have exercised the highest degree of diligence because the fraud at issue did not concern only private parties but, rather, involved issues of great moment to the public and tampered with the administration of justice by institutions set up to protect and safeguard the public. Specifically, the petitioner established that a resource location, has meet with the Director of FDEP in Fort Myers and their Professional Licensed Engineers employed at FDEP, Nolin Moon, P.E., James Oni, P.E. who can also verify this is NOT 'Patently Insubstantial' but very serious, which also validates the timed TERRORISM to hide this Priceless World Resource with Judges and US Marshals, Ron Desantis, Rick Scott, who are in the NAVY who is hiding it while potentially all wells are contaminated by their Manmade Blue-Green Algae fuel that has MUTATED IN THE AIR. (See **EXHIBIT A**) for plans and permits documentation demonstrating this Court and other Courts with opposing dismissed this case without any discovery, surrounded by Fraud and have interfered with petitioner's investigation to uncover the fraudulent scheme, and used a judgment by the *Gilberti vs Federal Reserve, et al.* case as the only way out to trickle down the fraud and corruption by lawyers and Judges to avoid all Discovery and taking more civil rights from the Plaintiff.

15. Because the power to vacate a judgment for fraud on the court is so great and free from procedural limitations, only a certain type of conduct falls into this category. Wright, Miller & Kane, supra § 2870 at 413-14. "Indeed, 'fraud upon the court' as distinguished from fraud on an adverse party is limited to fraud which seriously affects the integrity of the normal process of adjudication." *Gleason v. Jandrucko*, 860 F.2d 556, 559 (2d Cir. 1988). "The concept of 'fraud upon the court' embraces 'only that species of fraud which does or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases.'" *Hadges v. Yonkers Racing Corp.*, 48 F.3d 1320, 1325 (2d Cir. 1995) (quoting *Kupferman v. Consolidated Research & Manufacturing Corp.*, 459 F.2d 1072, 1078 (2d Cir. 1972). "Fraud upon the court must be established by clear and convincing evidence." *King v. First American Investigations, Inc.*, 287 F.3d 91, 94 (2d Cir. 2002).

16. Intrinsic fraud is defined as "fraud which misleads a court in determining issues and induces the court to find for the party perpetrating the fraud. The classic case of intrinsic fraud is perjured testimony or presenting forged documents at trial. Allegations that a party failed to disclose documents also generally amount to intrinsic, rather than extrinsic, fraud." Extrinsic Fraud, on the other hand, is "'fraud that induces a person not to present a case or deprives a person of the opportunity to be heard.'" AS IN THIS CASE and all the related RICO cases on defendants. While the court noted in *Raby and Chewing* that "[i]n order to secure equitable relief on the basis of fraud, the fraud must be extrinsic," this is a case of Extrinsic Fraud on the Court by defendants.

### **LEGAL STANDARDS AND ANALYSIS**

17. Federal Rule of Civil Procedure 60(b)(3) "allows a court to grant relief from a final judgment because of 'fraud[,] ... misrepresentation, or misconduct by an opposing party,' but a motion made pursuant to 60(b)(3) must be filed within one year of the judgment, at the

latest.” *Jackson v. Thaler*, 348 F. App’x 29, 34 (5th Cir. 2009) (per curiam) (quoting FED. R. CIV. P. 60(b)(3); citing FED. R. CIV. P. 60(c)(1)).

Rule 60(d)(3) functions as a saving clause: it allows courts to “set aside a judgment for fraud on the court” without a strict time bar. The standard for “fraud on the court” is, as a consequence, demanding. “[O]nly the most egregious misconduct, such as bribery of a judge or members of a jury, or the fabrication of evidence by a party in which an attorney is implicated, will constitute fraud on the court.” *Rozier v. Ford Motor Co.*, 573 F.2d 1332, 1338 (5th Cir. 1978) (citations omitted). Fraud under Rule 60(d)(3) “embrace [s] ... the species of fraud which does or attempts to[ ] defile the court itself.” *Wilson v. Johns-Manville Sales Corp.*, 873 F.2d 869, 872 (5<sup>th</sup> Cir. 1989) (quotation omitted). *Id.* (footnote omitted).

Federal Rule of Civil Procedure 60 provides for relief from a civil judgment or order.

### UNCLEAN HANDS

18. Another argument to justify this Motion should Set aside is the “time honored equitable maxim that all courts have the inherent power to all things reasonable necessary to ensure that just results are reached to the fullest extent possible.” This case and the other RICO cases show the Courts, Defense and Enterprise have shown unclean and avoided ALL DISCOVERY to hide this World Resource and the timed Terrorism attacks using Smith-Mundt Act and Lawyers to avoid any experts to review the resource this Court called FAKE? Recently our Supreme Court relied upon the equitable principle of unclean hands. The Court cited *First Union Nat’l Bank of S.C. v. Soden*, which held that the doctrine of unclean hands will preclude a litigant from recovering in equity if that defense and Courts acted unfairly to the detriment of the other party, the Plaintiff and Engineer of Record in permit on a VERY CRITICAL US RESOURCE under Deep State attack by ALL LEADERS. Otherwise they would PROVE ME WRONG with some licensed Engineers! Meantime, FDEP in Fort Myers is just one little block away for all you Fort Myers Judges. So you can take off your Pretty Robe and walk down the block and talk to the Director Jon Iglehart and his staff, then drive down to the Lee Health Systems new 5-Story Children’s Cancer center and ask them, America and God for forgiveness since thousands would have been saved with this Water mixture that affects medicine and LEVEL OF SERVICE at the tap of millions of homes.



19. Another RICO lawsuit has been drafted to be sent out of State on this court and others courts who called this resource and the timed Terrorism to subdue the Engineer after the find 'Patently Insubstantial' is being sued for Civil rights, FRAUD and Racketeering tied to this case and Terrorism after I've now seen the Judge(s) in Lee county, Ron Desantis, Biden, Trump, Obama, Congress, Florida Universities and School Boards; and all Florida Leaders, as they all know, ignore this resource in a Coronavirus Pandemic for US Navy attorney-ex wannabe Soldiers, hiding this Resource from the Entire Military and THE PEOPLE, and the Blue-Green Algae fix we have to promote viruses, diseases and cancers at the tap and bottled water using poor resources, with Medicaid Fraud Rick Scott (owns Hospitals in West Florida) to protect Election that produce NOTHING and the crooked US NAVY bio-fuel game.

### **CONCLUSION**

For these reasons, the final judgment/order should be vacated or set aside so the following can occur:

- a. Change Venue to Southern District of Florida where a fair look with much more citizens affected as this project was approved by Dade County Commission on July 15, 2014 and sponsored by Commissioner Sosa.
- b. And an extensive Evidentiary hearing be held in phases for initial discovery in Southern District Miami due to corruption in Lee County with Judges and Cops attacking Plaintiff, his Children and homes with masks cops caught in a Pedophile Ring with Wink News, DCF, Lee County School Board and Walt Disney; hence this case has NO DISCOVERY from corrupt court Judges.
- c. depositions to local engineers, Judges, US Marshals, local and State leaders, Swfwmd, Peace River, staff, FDEP agencies

- d. Depositions to FDEP agency staff now expediting and helping and consultants on the both the Blue-Green Algae fix and this 300mile pipeline to solve Florida Water Wars via the North-South Conflict.
- e. Hearings held with defendants and their licensed Engineer experts after validating this resource that takes literally a few hours.
- f. Provide legal time relief in discovery and help Pro-se litigant who is also permitting the most significant project in US History this State of Florida is hiding in a Pandemic from all Americans in a new medicine water mixture.
- g. Retain all filing as a new Class Action and Racketeering case for Civil Right against this Court's Judges as well as Local Lee, Tampa and Sarasota-Desoto Judges is being prepared and processed.
- h. And any other relief this court deems appropriate to stop this fraud by the Defendants.

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy was filed at the US Middle District Clerk which produces an E-file copy to all parties who entered the case thus far and filed a copy digitally to the presiding Judge of the foregoing which was furnished by uploading this document and supporting documents with the temporary E-file program for Pro-Se litigants in the Coronavirus Pandemic where Water Supply is essential this 8<sup>th</sup> day of June, 2020 to:

*/s/ Joe Gilberti*

Joseph D. Gilberti PE  
Plaintiff

385 Donora Blvd

Ft Myers Beach, FL 33931

813-470-6000

[Gilberti.water.company.fl@gmail.com](mailto:Gilberti.water.company.fl@gmail.com)

FILED

**UNITED STATES DISTRICT COURT  
FOR MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

2020 JUL -6 PM 2: 00

**JOSEPH D. GILBERTI, JR., P.E.**, an  
Individual and Licensed Professional  
Engineer,

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS FLORIDA

Plaintiff,

Civ. No. 19-cv-00282

v.

**GOVERNOR RON DESANTIS**,  
Governor, State of Florida,

and

**THE MOSAIC COMPANY and MOSAIC  
FERTILIZER, LLC, ENVIRONMENTAL  
PROTECTION AGENCY, SARASOTA  
COUNTY BOARD OF COUNTY  
COMMISSIONERS, DESOTO COUNTY  
BOARD OF COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE RIVER  
MANASOTA WATER SUPPLY  
AUTHORITY, SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT, 72  
PARTNERS LLC, LUIS E. RIVERA,**

Defendants.

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**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Plaintiff, Joseph D. Gilberti, Jr., in the above-named case, hereby files this Notice of Appeal to the Eleventh Circuit Court of Appeal, from this Court's Order entered May 15, 2020 and Reconsideration on June 3, 2020 (Dkt. No. 56 & 59). Please note a Motion to Reconsideration Order to be Set aside *en banc* and request for Change in Venue based on Court Fraud by Appellees and Judges within various west Florida Jurisdictions of both State Circuit and US Middle District courts with Attorney and Governor Ron Desantis and

Attorney Senator Rick Scott of the US NAVY hiding endless clean drinking (Alkaline Spring) water to millions of Taps was filed on June 8, 2020, was said to be missing by the Clerk of Court, then suddenly found by Clerk on June 29, 2020 as was to be docketed the same day but is still not shown on docket or Pacer forcing the Plaintiff to file this Notice of Appeal. This Appeal should be tolled or abated until said hearing of the last filing is addressed that the clerk and US Middle District courts are hiding since the FDEP Plans being permitted for spring water to the tap right now. **See Exhibit A attached.**

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was filed by US Certified Mail to the United States District Court, Middle District of Florida, Tampa Division, Office of the Clerk, located at 801 North Florida Avenue, Tampa, Florida 33602 which will furnish an electronic copy to defendants on the Service list with this Courts CM/ECF system on this 5<sup>th</sup> day of July, 2020 to:

/s/ Joe Gilberti  
Joseph D. Gilberti PE  
Plaintiff  
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Ft Myers Beach, FL 33931  
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Gilbertiwater@gmail.com  
www.gilbertibluegold.com