

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Civil No. WMN 05 CV 1297
)
JOHN BAPTIST KOTMAIR, JR., et al.,)
)
Defendants.)

**UNITED STATES' FIRST SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
PROPOUNDED ON DEFENDANT SAVE-A-PATRIOT FELLOWSHIP**

Plaintiff, the United States of America, pursuant to Federal Rules of Civil Procedure 33 and 34, propounds the following interrogatories and requests for production of documents on defendant Save-A-Patriot Fellowship (SAPF). SAPF shall answer the interrogatories under oath, with a verification in the form attached hereto, and shall produce the requested documents to the undersigned counsel for the United States within thirty days after service of these discovery requests.

I. INSTRUCTIONS AND DEFINITIONS

A. Pursuant to Rule 26(e)(2) of the Federal Rules of Civil Procedure, your responses to these discovery requests should be supplemented if you obtain further information or documents before the time of trial.

B. The term "United States" refers to the United States of America and any of its employees, agents, representatives, and/or attorneys.

C. The term "IRS" refers to the Internal Revenue Service and any of its employees, agents, representatives, and/or attorneys.

D. The term “you” or “your” refers to SAPF and to any of its employees, agents, representatives, and attorneys.

E. The term “defendants” refers to SAPF and John Baptist Kotmair, Jr., both individually and doing business as SAPF and National Workers Rights Committee (NWRC), and to any of their employees, agents, representatives, and attorneys.

F. The singular form of a word shall be deemed to include the plural form, and the plural form of a word shall be deemed to include the singular form. Similarly, the masculine form of a word shall be deemed to include the feminine form, and the feminine form of a word shall be deemed to include the masculine form.

G. Where knowledge or information in your possession is requested, such request includes the knowledge of your agents, employees, representatives, and, unless privileged, your attorneys.

H. If any parts of the following discovery requests cannot be answered in full, answer to the extent possible and specify the reason for your inability to answer the remainder.

I. The terms “document” and “writing” are to be liberally construed to include all originals, copies, and non-identical copies (whether by reason of handwritten notations thereon or otherwise), of written or documentary materials, as well as recordings and sound reproductions, including but not limited to letters, notes, telexes, telecopies, facsimiles, photographs, correspondence, agreements, drafts, memoranda, contracts, books, records, journals, ledgers, minutes, telecopier logs or transmission receipts, financial statements, bank statements, telephone message slips, telephone invoices, computer print-outs, electronic mail messages, worksheets, drawings, specifications, invoices, or shipping papers. “Document” and “writing” shall also

include any file, document, data, words, or information, in draft or final form, on a computer disk or hard drive or in the memory of a computer network or mainframe or on a file server. Any such document is to be printed and produced on paper, as hard copy.

J. The term "person" includes a corporation, partnership, or other business association or entity, an unincorporated association, a natural person, or any government or governmental body, commission, board or agency.

K. The terms "communication" and "correspondence" mean any oral or written utterance, notation or statement of any nature whatsoever, by and to whomsoever.

L. Whenever you are asked to identify a document or writing, give the subject matter, length, date, author, addressee, and custodian of the original document. If any requested document was, but no longer is, in your possession or subject to your control, state what disposition was made of it and the reason for such disposition.

M. When identifying an individual, state his full name, present address, if known, and his present position and business affiliation. When identifying a person other than an individual, state whether such person is a corporation, partnership, or other organization and the name, present and last-known address, and principal place of business.

N. When identifying a statement or communication, describe the contents of the statement or communication in as precise and exact words as possible, state the date on which the statement or communication was made, and identify the person, persons, entity or entities who made the statement or communication and to whom the statement or communication was made.

II. INTERROGATORIES

1. Identify the person answering these interrogatories, requests for admission, and requests for production of documents.

2. Identify all bank accounts, mutual funds, investment funds, and other financial accounts in which SAPF has or has had an interest at any time since January 1, 2002. For each account, provide the financial institution's name and address, the name on the account, and the account number.

3. Identify all sources of income that SAPF has had, including the amounts of income, at any time since January 1, 2002.

4. Describe in detail the organization and management structure of SAPF.

5. Describe in detail the relationship between SAPF and NWRC.

6. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all members (both associate and full) of SAPF from January 1, 2000 to the present.

7. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all employees and other persons, including any caseworkers and paralegals, who have performed work or provided services of any kind for SAPF and its members (both associate and full) and customers from January 1, 2002 to the present.

8. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all persons who have held a management or supervisory position at SAPF from January 1, 2002 to the present.

9. For each person identified in response to the two preceding interrogatories, state the nature of the position held, the nature of the services performed, the dates of performance, and the amounts (if any) paid for such services.

9. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all persons for whom you have drafted letters to be sent to the IRS at any time from January 1, 2000, to the present.

10. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all persons for whom you have provided any tax-related services from January 1, 2000, to the present.

11. Identify by case name, court name, and docket number, all cases (bankruptcy or otherwise) in which SAPF or anyone working under its direction or supervision has drafted or assisted in the drafting of any court filing (including pleadings and other documents) from January 1, 2000, to the present.

12. Describe in detail the services and products SAPF provides to members (both associate and full) and others.

13. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all persons who have or have had an ownership interest in or the authority to determine the content displayed at the following domain names at any time since January 1, 2002: save-a-patriot.org, taxfreedom101.com, and taxtruth4u.com.

14. Describe in detail SAPF's relationship with all persons identified in response to the preceding interrogatory.

15. Describe in detail the Member Assistance Program.
16. Describe in detail the Victory Express.
17. Describe in detail the Patriot Defense Fund.
18. Describe in detail the Home-Study Program.
19. Describe in detail the Home-Business Opportunity.
20. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all participants in the Home-Business Opportunity.
21. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all participants in the Member Assistance Program.
22. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all participants in the Victory Express.
23. Identify, by name, taxpayer identification number (*i.e.*, Social Security or employer identification number), address, telephone number, and e-mail address all participants in the Patriot Defense Fund.
24. List, by recipient name, date of payment, and amount, all benefits or other payments made to any participant in the Member Assistance Program, the Victory Express, and the Patriot Defense Fund.
25. State whether SAPF owns or rents the office space at 12 Carroll Street, Westminster, Maryland.

26. If SAPF rents the office space at 12 Carroll Street, Westminster, Maryland, state the amount of rent and the method (*i.e.*, cash, check, or otherwise) by which the rent is paid.

27. Identify by name, address, telephone number, and e-mail address the owner of the building located at 12 Carroll Street, Westminster, Maryland.

II. REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Produce copies of all documents relied on or reviewed in answering the interrogatories.

2. Produce copies of all documents relied on or reviewed in answering the complaint.

3. Produce copies of all documents SAPF relies on, or that tend to support, negate, or otherwise relate to SAPF's defense of this action.

4. Produce copies of all statements for January 1, 2002, to the present from bank accounts, mutual funds, investment funds, and other financial accounts in which SAPF has or has had an interest.

5. Produce copies of all contracts and agreements between SAPF and NWRC.

6. Produce copies of all contracts and agreements between SAPF and Kotmair.

7. Produce copies of all correspondence to the IRS on behalf of any person that SAPF or anyone working with SAPF has drafted or assisted in drafting at any time since January 1, 2000.

8. Produce copies of all files or other records, including records kept in electronic format, pertaining to all SAPF members (both associate and full) and other persons who have purchased SAPF's products or services at any time since January 1, 2000.

9. Produce copies of all issues of *Reasonable Action* from January 1, 2002, to the present.

10. Produce copies of all bankruptcy petitions and other court filings that SAPF or anyone working with SAPF has drafted or assisted in drafting.

11. Produce copies of all audiotapes, videotapes, books, and other products that SAPF offers for sale.

12. Produce a copy of the Home Study Program.

13. Produce a copy of all documents, including any promotional literature, describing the Member Assistance Program.

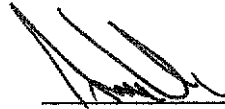
14. Produce a copy of all documents, including any promotional literature, describing the Victory Express.

15. Produce a copy of all documents, including any promotional literature, describing the Patriot Defense Fund.

16. Produce a copy of all contracts or agreements with SAPF members (both full and associate) and other persons regarding the Member Assistance Program, the Victory Express, and the Patriot Defense Fund.

17. Produce a roster or directory of telephone numbers for all persons who currently work for SAPF in any capacity.

ROD J. ROSENSTEIN
United States Attorney



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VERIFICATION

On behalf of Save-A-Patriot, I verify that the foregoing responses to the United States' interrogatories are true and correct to the best of my knowledge, information, and belief.

Signature

Printed or typed name

Title

Address

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing UNITED STATES' FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED ON DEFENDANT SAVE-A-PATRIOT FELLOWSHIP has been made upon the following by depositing a copy in the United States mail, postage prepaid, this 27th day of October, 2005.

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