

# NSFfunding.com

P.O. Box 2942  
West Lafayette, IN 47996



June 13, 2006

COMMUNICATED 8:50 a.m. @fax 219-933-2805

Clerk, Lake County Superior Court  
232 Russell Street  
Hammond, IN 46320

Dear Sir or Madam,

SUBJECT: FILING OF "FINDER'S INDEPENDENT ACTION TO DISBURSE JOHN DOE TRUST"

Pursuant to T.R. 5(E)(2), I submit for filing in Sibley v. City of Hammond, Lake Superior Court, Room 1, Cause No. 51815, the attached "Finder's Independent Action to Disburse John Doe Trust."

Sincerely,

A handwritten signature in black ink that reads "Francis K. Fong".

Francis K. Fong

Encls.

Cc: IR Commissioner Everson c/o [Chester.R.Blair@IRS.Gov](mailto:Chester.R.Blair@IRS.Gov); Governor Daniels @Fax 17-233-3064; Dr. Beering c/o [ludolph@nsf.gov](mailto:ludolph@nsf.gov); Mr. Patrick Galvin, counsel for Mercantile National Bank @Fax 219-933-0471; Purdue University president Jischke via [president-Jischke@purdue.edu](mailto:president-Jischke@purdue.edu); and successor Trustee Tula Kavadias @Fax 219-662-0881.

STATE OF INDIANA            )  
  ) SS        In the Lake Superior Court  
LAKE COUNTY                )         Room No.1, Sitting in Hammond  
  )         Cause No. 51815

W. C. SIBLEY, et al, vs. CITY OF HAMMOND, et al.

FINDER’S INDEPENDENT ACTION TO DISBURSE JOHN DOE TRUST

In support of his “Motion to Appoint Independent Master to Account for Taxes Owing to the Internal Revenue Service and Indiana Department of Revenue” filed 1-30-04 herein, Finder (“Fong”) moves this Court to disburse the John Doe Trust and states:

1. The said trust in the sum of \$261,664.89 is the res of a multimillion-dollar pool used by Purdue Research Foundation (“PRF”) to do for-profit business reported by Dr. Steven Beering, PRF director and chair of National Science Board (“NSB”). It consists in part of Woodmar’s surplus funds in Woodmar Realty Company, U.S. District Court, Reorganization No.3151, in the sum of \$48,903.81 escheated 6-28-73 to Treasury.

2. Fong incorporates herein the letter of 6-13-06 to Dr. Beering c/o National Science Foundation General Counsel Lawrence Rudolph hereto attached.

3. In 2004, the Clerk in Woodmar showed proof that Dr. Beering correctly reported that the said Woodmar surplus funds were stolen from Treasury. They were unlawfully<sup>1</sup> transferred back to the Clerk’s registry and paid into the John Doe Trust herein, as affirmed in this Court’s order of 6-8-93 at ¶3, and reaffirmed in this Court’s entry of 5-30-96 upon briefing by counsel for Mercantile National Bank, of which sat PRF and Purdue trustees president Don Powers as head of its executive committee.

4. The record herein shows proof that the late Honorable Robert Smart and trustee successor Tula Kavadias sought to pay Mercantile (owner of a mere 34 out of the 2,561 claims filed) the *entire* res to launder the \$261,664.89 and violate 18 U.S.C. § 1985 with intent to violate §§ 7201 and 7206 of the Internal Revenue Code.

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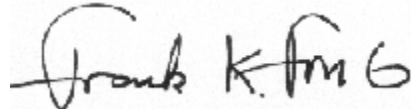
<sup>1</sup> See, “Proof of Claim of Fong as Finder with Absolute Title” filed 2-24-04 in Woodmar, at 5 fn.7.

5. Dr. Beering attributed this money laundering to Judge Posner in the attached letters, stating: “[As long as the claimants were alive,] Judge Moody was paid \$5,000 \*\*\* for not having Mrs. Woods paid the Woodmar surplus fund, which would otherwise have been paid pursuant to an order signed February 16, 1978 by [Judge] McNagny.”

6. Mrs. Woods and the last of the Woodmar claimant died in 1981 and 1998, respectively. On 5-7-04, Judge Moody “granted” the stolen funds to these long-dead claimants, but found for Fong’s conclusion of law in its entirety as follows.

7. The said stolen funds are lost property, 1 Am.Jur.2d *Abandoned Property* §5 at 11, “that which the owner has involuntarily parted with through theft \*\*\* and the whereabouts of which is unknown to the owner.” *Benjamin v. Lindner Aviation, Inc.*, 534 N.W.2d 400, 406, citing *Flood v. City Nat’l Bank*, 218 Iowa 898, 905, 253 N.W. 509, 513 (1934). Fong, as finder of the said stolen property, acquires such property interest or right will enable him to keep it against all the world but the rightful owners. *Ibid*, §18 at 23 n.52, citing *Williams v. State*, 165 Ind. 472, 75 N.E. 875, 876 (1905).

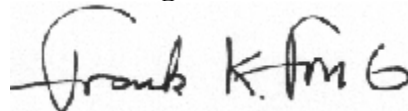
Respectfully submitted,



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Francis K. Fong, Finder/Claimant  
NSFunding.com  
P.O. Box 2942  
West Lafayette, IN 47996

Certificate of Service. I certify that, on 6-13-06, I served a copy of this paper upon IR Commissioner Everson c/o [Chester.R.Blair@IRS.Gov](mailto:Chester.R.Blair@IRS.Gov); Governor Daniels @Fax 17-233-3064; Dr. Beering c/o [ludolph@nsf.gov](mailto:ludolph@nsf.gov); Mr. Patrick Galvin, counsel for Mercantile National Bank @Fax 219-933-0471; Purdue University president Jischke via [president-Jischke@purdue.edu](mailto:president-Jischke@purdue.edu); and successor Trustee Tula Kavadias @Fax 219-662-0881.



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Francis K. Fong



NSFfunding.com

P.O. Box 2942  
West Lafayette, IN 47996

June 13, 2006

Mr. Lawrence Rudolf  
General Counsel  
National Science Foundation  
4201 Wilson Boulevard  
Arlington, VA 22230

Via email [lrudolph@nsf.gov](mailto:lrudolph@nsf.gov)

Re: Patterned activity for shortening  
transcript to grant \$48,903.81 sum

Dear Mr. Rudolf,

Please forward this and the attached request to Dr. Beering for his report to the Treasury Secretary of Dr. Jischke's attribution to "Reviewer No.8" of the shortened transcript for the PX 45 tape, the subject of the contempt action by the attached notice of the court in CP-162.

The issue relates OIG's "coordinated action with DOJ" to shut down [www.NSFfunding.com](http://www.NSFfunding.com) to Dr. Fisher's (OIG senior counsel) and the taxing agents' patterned activity in wire and mail fraud enabled by their theft of my U.S. mail to the IRS dating back to 1997. In addition to Dr. Beering, two other NSB members are key to this issue. Mark Wrighton, chair of NSF's site-visiting team that affirmed my chlorophyll water splitting reaction results, should know the seriousness of "Reviewer No.8" as a motive for the patterned activity. Mike Ross, my colleague at Purdue, knew well my work confirming Nobel Laureate Melvin Calvin's finding of 1959 with Alexander Wilson. Therefore, dark photosynthesis has, for half a century, been a fraud imposed on the community by the corrupt funding practices financed by Purdue Research Foundation, as reported by Steve as Purdue president and PRF director.

For purposes of updating [www.NSFfunding.com](http://www.NSFfunding.com), please note the time in which I would like to receive a copy of Dr. Beering's written report to the Secretary.

Sincerely,

A handwritten signature in black ink that reads "Francis K. Fong". The signature is written in a cursive, somewhat stylized script.

Francis K. Fong

Encls.

# NSFfunding.com

P.O. Box 2942  
West Lafayette, IN 47996



June 13, 2006

Dr. Steven C. Beering, Chair  
National Science Board  
C/o Mr. Lawrence Rudolf, General Counsel  
4201 Wilson Boulevard  
Arlington, VA 22230

Via email [ludolph@nsf.gov](mailto:ludolph@nsf.gov)

Re: Report to Secretary on shortening  
transcript to grant \$48,903.81 sum

Dear Dr. Beering,

I request that you report, in writing, to the Treasury Secretary your report on the PX 45 tape of Purdue Research Foundation's payments to taxing and OIG officers. Failing to comply with this request, you may be in violation of Code § 7214(a)(8). On 7-16-04, IRS Director Hunt authorized the Treasury to pay me to bring to trial and punishment anyone violating the Code.

At Dr. Fischer's (NSF associate inspector general) request, I prepared a synopsis for an NSF-sponsored workshop on federal funding of dark photosynthesis, [www.NSFfunding.com](http://www.NSFfunding.com). The issue involves DOJ's (Tax Division) memorandum request for the FBI's forensic analysis of the PX 45 tape. You wrote that you "shortened" the transcript for that tape to enable *Posner*, 1992 U.S. App. LEXIS 23871. Unfortunately, Dr. Boesz (NSF inspector general) relied on that shortening to urge Judge Moody's use of *Posner* to "grant" the \$48,903.81 from Treasury to fictitious parties, the subject of the contempt action by notice of the court in CP-162 entered 12-30-98.

Dr. Jischke attributed this contempt action to the record on "Reviewer No.8," relating it to Dr. Fisher's (NSF OIG senior counsel) and the taxing agents' patterned activity in wire and mail fraud to defeat the NSF site-visit team's finding for my water splitting reaction in 1978, when the U.S. Attorney transferred then-living Woodmar claimants' ownership papers to NIPSCO (NiSource) to transfer back (steal) the \$48,903.81 from Treasury to pay into the John Doe Trust, along the lines you, a longstanding NIPSCO director, reported in the attached letters.

I wish to incorporate the patterned activity, made possible by the taxing agents' theft of my U.S. mail to the IRS up to this date, in my update of [www.NSFfunding.com](http://www.NSFfunding.com) for peer review by the NSF. Therefore, I would appreciate your written report to the Secretary by 6-30-06.

Sincerely,

A handwritten signature in black ink that reads "Francis K. Fong". The signature is written in a cursive, somewhat stylized script.

Francis K. Fong

Encls.

## PURDUE UNIVERSITY



STEVEN C. BEERING  
PRESIDENT

May 15, 1995

Dr. Francis K. Fong  
4828 Homewood Drive  
West Lafayette, IN 47906

Dear Dr. Fong,

I accept the terms of our Agreement stated in your May 12, 1995 letters. For purposes of our respective performance thereof, I summarize as follows my statement in our October 8, 1986 meeting.

In 1951, Purdue Trustees through Roger Branigin acquired the Lawler tract with federal reimbursement funds paid to Purdue Research Foundation, ("PRF") and improved it with additional federal funding obtained upon Purdue's news release of July 1959, contrary to fact, that the federally funded Lawrence Radiation Laboratory had demonstrated, in vitro, the dark photosynthetic cycle. Meanwhile, the Trustees built Purdue's Calumet Extension Center on Woodmar Realty land purchased in bankruptcy proceedings presided over by 7th Circuit Judge Swygert, and incorporated Purdue-Calumet Development Foundation ("PCDF").

Circuit Judge Walter Cummings' involvement dates back to 1965, when he brokered the sale of about \$14,000,000 in PCDF short term loan notes to Continental Illinois Bank and Bank of America of San Francisco. He pooled Woodmar's trust res with funds from State Farm's chop-shop operation. A \$20,000 sum was then allocated to pay the presiding judge in *U.S. v. Bursten*, who entered a plea for Ben Lesniak, PCDF directors' appointed head of the East Chicago Housing Authority Board of Commissioners for awarding federally funded building contracts to bidders offering the largest kickbacks. Five-figure sums were also paid to succeeding IR District Directors to secure PCDF's tax exempt status. Distributions were, in addition, made to the Cook Circuit Court and the Bankruptcy Court in Chicago in collusive proceedings.

After I mentioned Bank One's payments to influence SEC's investigation in TIAA's use of pension funds for trading JPM Industries securities, Judge Cummings came down with instructions for your termination. I was helpless when Judge Sharp, who had access to the funds from Woodmar and State Farm, implemented those instructions. He secured your lawyers' acquiescence to his adoption, for L88-30, the fake recording of the October 8, 1986 meeting passed by Judge Cummings and Mr. Duffey. By then, the \$20,000 payment had led to PCDF Director Jay Given's gangland execution ordered by fellow PCDF Director Robert Pastrick, and the Trustees were caught in Stuart & Branigin's connections to the Chicago Group (Mafia).

This letter is intended for you to retrieve, pursuant to our Agreement, the University's governance from the improper influence. I trust your good judgment in releasing it at an opportune time.

Sincerely,

A handwritten signature in cursive script that reads "Steven C. Beering".



## PURDUE UNIVERSITY



STEVEN C. BEERING  
PRESIDENT

May 19, 1995

Dr. Francis K. Fong  
4828 Homewood Drive  
West Lafayette, IN 47906

Dear Dr. Fong,

This will acknowledge receipt of your May 17, 1995 letter. I write to reaffirm the facts stated in that letter as having originated from my taped statements of October 8, 1986 on the Given murder.

One critical correction is noted. Judge Moody, unlike other state judges, was paid \$5,000 by Owen Crumpacker's client, Abe Kushner, through Given's law firm. Moody's October 20, 1978 order purporting to jail Owen, Mrs. Woods' lawyer, and its companion order of November 29, 1978, disbaring him, were instrumental in Crumpacker's work with Judge McNagny for not having Mrs. Woods paid the Woodmar surplus fund, which would otherwise have been paid pursuant to an order signed February 16, 1978 by McNagny. The order disbaring Owen was the work of Given's law partner, Rudolph Val Dawson. McNagny then inadvertently disclosed Given's taking of bribes as a Purdue-Calumet director, resulting in the disbarment action against Given, whose subpoenas duces tecum signed by Judge Hack seeking evidence of the \$20,000 payment to the Bursten court resulted in Given's execution in 1981.

After Mrs. Woods' death, Mr. Crumpacker and Mercantile chose the successor trustee in Sibley as administrator for Mrs. Woods' estate, thereby enabling Judge Kanz's entry in Sibley of an order on June 8, 1993 for Judge Cummings' merge of the depleted Woodmar and Sibley funds with contributions from State Farm and the Chicago Mafia. The Kanz Order was fraud. It purports to deny Woodmar's petition to vacate the Order of June 18, 1976, but the only June 18, 1976 order was one granting Woodmar's motion for continuance. Also, it validates Woodmar's claim of bonds which had decades ago been turned over to the trustee in Woodmar. The merged funds on deposit at Mercantile were disbursed through Bank One, resulting in the White House's authorization of your inquiry involving Mr. McLucas. You already know that Judge Will was paid \$75,000 for L90-30. In the upcoming proceedings, you should be aware of Mr. Edward Rust's use of a contemplated unpaid medical account in your insurance claims to pay \$20,000 to Judge Sharp and his Magistrate.

I was present at Mr. Duffey's preparation of the Tyler testimony of April 28, 1988, when Judge Cummings called to confirm the exact wording. I was also present when Mr. Emerick obtained Dr. Perry's signature on the affidavit recanting his taped confession of Dr. Tyler's perjured testimony.

Sincerely,

A handwritten signature in cursive script that reads "Steven C. Beering".



## PURDUE UNIVERSITY



STEVEN C. BEERING  
PRESIDENT

May 19, 1995

Dr. Francis K. Fong  
4828 Homewood Drive  
West Lafayette, IN 47906

Dear Dr. Fong,

This is a friendly warning, in response to your relentless pursuit of the McLauchlan shooting death, as it relates to Judge Posner's merge of the Woodmar surplus fund with the John Doe Trust.

For decades the judges, Woodmar lawyer Owen Crumpacker, and the Mercantile Bank (controlled by Purdue Trustees President Don Powers) kept those two funds intact by stalling on the payment of claims. They waited until 1984, after the last of the claimants had died, and engaged Judge Posner to devise a program for investing the unclaimed funds. In July that year, Judge Posner entered an order enjoining Woodmar Realty Company from petitioning for the funds. He transferred the Woodmar fund from a Treasury account, and placed it in the John Doe Trust then on deposit at Mercantile. He received in excess of \$250,000 for his work. Significant sums from the multimillion-dollar combined funds were then paid by Mercantile to the successful Presidential Campaign for 1984. The remaining sums were invested in insiders' trading of JPM Industries securities funded also by TIAA pension funds.

Senator Lugar's commitment of the GAO review in the fall of 1989 prompted Judge Posner to order the McLauchlan contract to eliminate your only live witness. To finish you off, he also ordered my submission of the shortened transcript ("PX 45A") to match the abbreviated PX 45 tape, thereby eliminating your remaining evidence. In 1992, Judge Posner pressured Judge Thacker into aborting the evidentiary hearing in Tippecanoe Circuit Court and entering a judgment against you. Later that year the Seventh Circuit entered an injunction order to keep you from claiming the surplus funds as abandoned properties. A matchless operator who works with equal ease with scholars and underworld figures, Judge Posner is therefore committed to cause great harm to you and your family, if you are to persist along the lines stated in your August 1994 letter.

By this warning, I would respectfully suggest that you find closure to the endeavor which has consumed much of your professional and personal life. Also, I trust that, by my willingness to put in writing the facts underlying the agreement to murder Mr. McLauchlan, you will be convinced that I have played no role, active or acquiescing, in that agreement.

Sincerely,

A handwritten signature in cursive script that reads "Steven C. Beering".





STATE OF INDIANA )  
 ) SS:  
COUNTY OF TIPPECANOE )

IN SUPERIOR COURT IN  
OF TIPPECANOE COUNTY

THE TRUSTEES OF PURDUE UNIVERSITY VS FRANCIS K. FONG  
CASE NO. 79D02-9708-CP-00162

On December 23, 1998 Francis K. Fong appeared in person. David Starkweather by telephone. Hearing on motion to continue to be heard December 28, 1998 at 3:00 p.m.

Francis K. Fong files Verified Petition For Rule To Show Cause Why Starkweather and Beering Should Not Be Held In Criminal and Civil Direct Contempt of Court with certificate of service.

Copy to counsel. kb

Entered this 30th day of December, 1998



\_\_\_\_\_  
GEORGE J. HEID  
JUDGE

CC:  
FONG, FRANCIS K.  
CAROL A. DAVILO

JOHN C. DUFFEY

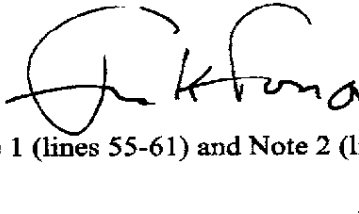
DAVID A. STARKWEATHER

FONG, FRANCIS K.  
4828 HOMWOOD DRIVE  
WEST LAFAYETTE, IN 47906

Enclosure G

To: IR Commissioner  
From: Frank K. Fong

Subject: Attached Note 1 (lines 55-61) and Note 2 (lines 62-66) to 1995 1040 return

 12-31-96

Note 1 (lines 55-61)

Pursuant to our § 7623 contract authorized by President Clinton, any and all federal income tax withheld, \$723.00 in this case, is to be refunded in addition to the "Treasury's repayment" stated in Note 2, *infra*, for lines 62-66.

Note 2 (lines 62-66)

Refund due-- all federal income tax withheld stated in Note 1, *supra*, plus Treasury's repayment in a sum of \$47,663.12 pursuant to our § 7623 contract authorized by President Clinton, 1/3 of the United States' recovery of the \$142,989.35 assessment communicated October 31, 1995 to Director John Ressler, Central Region, IRS, Covington, KY.

This assessment arose out of the \$41,106.02 sum pocketed by Assistant U.S. Attorney Gail Ginsberg and her husband, U.S. Bankruptcy Court Judge Robert Ginsberg, in In re McLean's Graphics Corporation, USBC, Chicago, Cause No. 84 B 0987. It is the first of a series of assessments in my investigation pursuant to the § 7623 contract of the systemwide funding scheme for using embezzled funds from bankruptcy court proceedings to bribe revenue officers and National Science Foundation ("NSF") Office of Inspector General ("OIG") employees to deprive the United States of its development of plant photosynthesis as an alternative energy source, as reported by Purdue University president Steve Beering on the PX45 tape and in his letters dated May 15 and 19, 1995. In 1990, Senator Lugar's Indianapolis staff attributed the slow progress of the GAO review to an arrangement for financing revenue officers and OIG employees in furtherance of the funding scheme. As part of that arrangement, Senator Lugar "brokered" TIAA's \$3.9 million in teachers pension fund used in conjunction with the embezzled Woodmar trust res from Treasury to trade up JPM Industries ("JPMP") share value for short selling. In consideration of the monies received from the unreported proceeds, revenue officers and OIG staff have acted in aid of Senator Lugar's arrangement for disbursing the embezzled funds from Treasury to Mercantile National Bank ("MNB").

The refund due is the United States' first installment repayment for my work unraveling 7th Circuit federal judges' tampering of the PX45 tape prompting Indiana Supreme Court ("ISC") Chief Justice Randall Shepard's signing an order prepared by TIAA counsel with which to supplant an ISC Writ of Mandamus issued January 10, 1994 to: (A) cover up Judge Posner's order of the MacLauchlan contract closed in connection with Lugar staff's written commitment for a GAO review of the funding scheme; and (B) obstruct my performance of the § 7623 contract and my agreement with Indiana Department of Revenue ("IDR") to recover the unreported federal and state taxes, respectively, arising from the funding scheme, for which I have obtained a court order in Sibley v. City of Hammond, Lake Superior Court Room One, Cause No. 51815 directing MNB to account for the said unreported taxes.