

# NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

TEXAS, ET AL., Original Plaintiffs;

STEPHEN P. WALLACE, Private Attorney General, And All US Taxpayers adversely affected, Additional Plaintiffs,

VS.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

APR 2 6 2018

CLERK U.S. DISTRICT COURT
By

Deputy

CASE #: 4:18-cv-00167-O Jury Trial Demanded

UNITED STATES OF AMERICA, ET AL. Original Defendants;

JOHN S. MCCAIN, Individually; Additional Defendant.

EXTRAORDINARY MOTION FOR SUMMARY JUDGMENT AGAINST JOHN S. McCAIN FOR ADDITIONAL PLAINTIFFS' DAMAGES TO BE ASSESSED @ PROVE-UP HEARING, AS ORIGINAL PLAINTIFFS HAVE FAILED TO TIMELY REPLY/REBUTT SAID NECESSARY PARTIES STANDING, THUS HAVE WAIVED/CONFESSED SAID JUDGMENT, WITH ALTERNATIVE ADMINISTRATIVE REMEDY PROFFERED FOR JOHN S. McCAIN, WITH BRIEF IN SUPPORT

Come now Additional Plaintiffs whom have just received Texas A.G. Paxton's "*Plaintiff's Response to Emergency Motion to Strike*" @ [Dkt. # 23], yet with *No Reply nor Rebuttal* of [AP] PROPOSITION that "BUT FOR NOT INCLUDING JOHN S. McCAIN in the Instant Action as THE NECESSARY PARTY" for his "ultra vires ACT", the COMPLAINT is "*Defective on its FACE*".

## **SUMMARY JUDGMENT STANDARD**

"A Motion for Summary Judgment should be granted only when it is clear that there is no genuine issue of fact to be tried and inquiry concerning the facts is not desirable to clarify the application of law".

#### **ALTERNATIVE ADMINISTRATIVE REMEDY**

Additional Plaintiff's proffer to Settle/Withdraw from the COMPLAINT should Additional Defendant, John S. McCain, FILE his "FORMAL RECISSION" of his [JULY 28<sup>th</sup>, 2017], (1:45am) "NAY VOTE", to Majority Leader McConnell, with a "YAY VOTE", sua sponte & instanter.

<u>NOTE:</u> Currently the House Intelligence Committee and prospective [2<sup>nd</sup> Special Counsel] Prosecutors have confirmed, "Beyond a Reasonable Doubt", that there was "<u>NEVER ANY INTELLIGENCE TO SUPPORT THE DOSSIER THAT McCAIN, ET AL., PROFERRED TO THE FBI".</u> (enclosure)

Wherefore, [AP] move the Court and Judge O'Connor to GRANT [AP] MOTION FOR SUMMARY JUDGMENT as to John S. McCain, with Instructions for McCain to ANSWER said MOTION within [7 days] of USPS Receipt. Potentially the entire COMPLAINT will Be MOOT, saving US Taxpayers "tens of Millions" in Litigation; Appeals and Emotional Duress.

via USPS Expres Mail
#EMOZIO3Z 689 US

Respectfully submitted,

eshen & Wallaw

Stephen P. Wallace, Private Attorney General

1116 Sheffer Road Apt. F Aurora, Illinois 60505 (331) 575-2341

Cc: John S. McCain c/o Certified Mail #: 7016 3560 0000 9302 1584 US Administrative Office of the Courts WHITE HOUSE COUNSEL

### **CERTIFICATE of SERVICE**

I certify that I forwarded a Verified Copy to Texas Attorney General Paxton for his circulation to All Attorney General's & John S. McCain

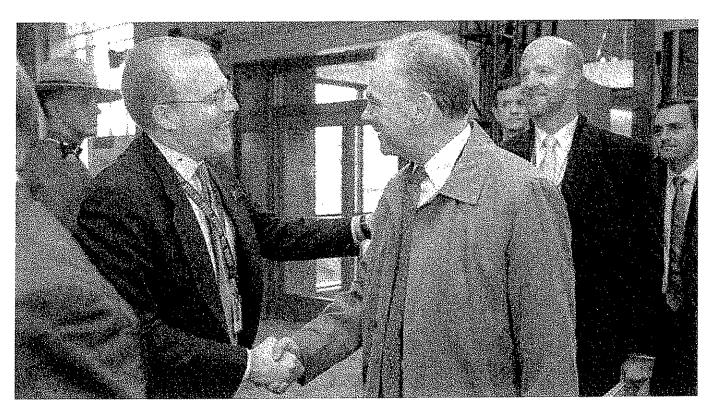
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STATE DEPARTMENT - 19 hours ago

# McCain associate takes Fifth on Trump dossier questions



By Catherine Herridge, Pamela K. Browne, Cyd Upson | Fox News



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A former State Department official and associate of Sen. John McCain has invoked his Fifth Amendment right not to testify in connection with questions from the House Intelligence Committee about the anti-Trump dossier's Russian sources, according to a law enforcement source.

David J. Kramer, who is a central player in how the unverified Trump dossier made its way to the FBI in late 2016, testified before the committee in December in a closed-door session, indicating he had information about the dossier's sources. A subpoena was issued for mid-January, as first reported by The Washington Examiner.

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The law enforcement source confirmed, however, that Kramer did not appear and has exercised his Fifth Amendment rights.

Yet Kramer gave a videotaped deposition last December in separate civil litigation against BuzzFeed about the dossier and his contact with the former British spy who compiled it, Christopher Steele. Steele was hired by opposition research firm Fusion GPS to write and research the dossier, with funding from the Democratic National Committee and Clinton campaign.

According to British court records obtained by Fox News as part of its ongoing investigation of the Trump dossier, Kramer was personally briefed in late November 2016 by Steele in Surrey, England. After that briefing, Steele told the British court that an arrangement was made so that Fusion GPS – co-founded by Glenn Simpson – would provide hard copies of the dossier to McCain via Kramer. Shortly afterward, the dossier was given to the FBI, which already had its own copy from Steele.





Kramer greets Sen. John McCain at the Halifax International Security Forum (Halifax International Security Forum)

Steele has refused to testify before Congress. Senate Judiciary Committee Chairman Chuck Grassley, R-Iowa, and Sen. Lindsey Graham, R-S.C., have sent a criminal referral to the Justice Department asking them to investigate whether Steele lied about the dossier's distribution and his media contact.

Fox News has repeatedly reached out to Kramer, and this week posed four questions to Kramer's Florida attorney Marcos Jimenez, who is handling one of the defamation suits filed by Russian technology oligarchs against BuzzFeed for publishing the unverified dossier in January 2017. Fox News asked why Kramer took the Fifth; why he's no longer cooperating with the committee; why