

# EXHIBITS

A-6 to Z-6

1 A Based on my knowledge listening to experts. We had an  
2 individual come here from the Federal Reserve that said these  
3 types of trading programs do not exist.

4 Q Isn't it true that the Federal Reserve expert also said  
5 that no debenture programs are stock-based?

6 A I'm not sure if he said that.

7 Q Well, I -- all right. Government Exhibit 1, then, is  
8 that your criteria for determining whether or not we made an  
9 investment which matched Government Exhibit No. 1?

10 A If the criteria was whether it matched Government Exhibit  
11 No. 1, then yes. The criteria that it would match Government  
12 Exhibit 1 would be that criteria.

13 Q All right. So in other words, you're saying that if it  
14 did not match Government Exhibit No. 1, it was not counted as  
15 an investment in this program?

16 A In that particular type of program. I mean, money was  
17 placed in many different places, hundreds of different  
18 places.

19 Q But in order to get to the basis for the criminal charges  
20 in this case, I'm trying to determine from you if you did not  
21 count any of the investments if they didn't match Government  
22 Exhibit No. 1?

23 A I'm not sure, didn't count any of the investments. I  
24 traced the money to a thousand different locations, and some  
25 of them went to the Bahamas, some of them went to Las Vegas,

SUPPLEMENTAL DICTATION BY DET [REDACTED]  
0108020126  
Job #41113

b6 -7  
b7C -7

ADDITIONAL INFORMATION:

On 8/14/2001 at 2 PM I did go to the residence of [REDACTED] and [REDACTED] in order to attempt and interview with them. Upon speaking to them at their home at [REDACTED] they did advise me that they had retained attorney [REDACTED] of Hudsonville to represent them. They did advise me that they did wish to speak to me but they did not feel it would be correct to do so without their attorney being present and advised me to speak to him in order to set up an interview. Upon speaking to Mr. [REDACTED] and explaining the complaint to him he indicated that his clients would be available to be interviewed at his office on 8/31/2001 at 2:15 PM.

b6 -2  
b7C -2

INTERVIEW WITH [REDACTED]

On 8/31/2001 I did meet with [REDACTED] and their attorney [REDACTED] [REDACTED] office in Hudsonville. I advised [REDACTED] that I wished to speak to her in regards to the embezzlement complaint and further wished to go through with her several checks that I had received from the victim to get an explanation from her of what they were for. I first asked her to relate to me some employment history with Access Financial. She indicates that she had known Jan Marcusse for several years and began employment with her she felt in July of 1998. She states that at that time she was the only one working for them and that Jan was in partnership with [REDACTED]. She states at that time until December 1998 she believes, she was paid \$300 a week and was written a check from either Jan or [REDACTED] for that amount. She states that in what she believes to be August of 1999 she moved to a house on Port Sheldon St. in Georgetown twp. at which time Jan requested that the office be moved to her house. She states that the agreement that she and Jan had at that time was that she was supposed to deal with the clients for Access Financial and that Jan would tell her what to tell them and that Jan would handle the investment of the money which was coming in. She states the office was now in her house and when she tried to talk to Jan about establishing a pay system Jan indicated to her that she could pay herself whatever she wanted to since the business would be run out of her house. She states further that Jan had told her that she had turned the company over to her to deal with and that if she needed money just take it out and cut a check for cash. She stated that this is the process in which all monies were paid to employees and also to Jan with either in the form of a business check, not a payroll check, or a check made out to cash which was cashed by [REDACTED] and TOT to whomever in the form of cash. She states that at no time was there a payroll account established. I asked her if she ever had any type of employment agreement, any negotiated wage, or if there was any type of written policies, procedures, or guidelines for the business to which she stated that there was no employment agreement. She tried numerous times to talk to Jan about wages for herself, but the

Marcusse-709

EXHIBIT B-6

answer that she would get all the time would be "take what you need". She states that there were no written guidelines, policies, or anything of that nature even though they had been asked for. She states, and her husband agreed, that for a time period when he was employed by the company he was paid an agreed upon \$7,500 a month for several months as were several other people who were working the phones.

[redacted] states that in April of 2001 the office equipment was moved b6 -2  
From the house on Byron Road to the address on 44th Street. They b7C -2  
were taken off the accounts and they were done working for the company.

I asked [redacted] how much she had made in 1998-1999 for the company. [redacted] then showed me two W-2 forms, one for 1998 showing a gross income of \$180,000 and one for 1999 showing a gross income of \$240,000. [redacted] then explained that these were W-2 forms made up by Jan Marcusse so that she, [redacted], could go to the bank to get a loan for a house in Allegan for Jan Marcusse. She states that Jan was bankrupt and has poor credit and that the house loan, the house, and the utilities at that time were all put in [redacted] name. She states that Jan had been secondary on the title for the house and they had done a quick claim deed several months ago and now b6 -1,2  
owns the house, they believe, yet [redacted] is primary on the loan and b7C -1,2  
that Jan was making the payments on the loan. She states that all utilities are currently in her, that being [redacted] name. They then showed me a 1998 tax form they had filed and she stated that she had been given a secondary W-2 form for the correct amount which she had paid taxes on and that was \$8,996. She states that the fake W-2 forms were strictly used in an attempt to show greater income than what she had in order to facilitate the loan. I asked her to explain to me how the business worked. Both [redacted] and [redacted] said that since they have met with [redacted] and a tax attorney whom [redacted] had set them up with they now understand that what they had done appears to be illegal and that they did not realize it at the time. They then stated that based on the information they received it appears to be some type of a "PONCI SCHEME". I again asked them to explain to me how the business operated.

[redacted] states that in actuality there were two businesses: one being Access Financial, in which [redacted] and [redacted] who were b6 -2  
on the account; and the second being Sanctuary Ministries which b7C -2  
[redacted] Jan Marcusse, and [redacted] were on the account.

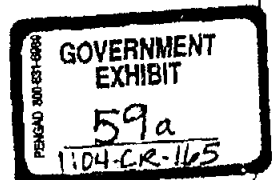
[redacted] stated that people would come to them and they would not b6 -2  
solicit. She states that clients would come and sign papers b7C -2  
stating that they were not solicited. She states that they would then take their money, promise them a 10% return per month or a 120% return per year, they would give them the choice of placing the money into the Sanctuary Ministries account, which they state would make it tax deductible, or the Access Financial account. She states that all money eventually would go to the Access Financial account and may first go through Sanctuary Ministries and then be

Marcusse-710

EXHIBIT B-6

1 MOORE: THIS IS SPECIAL AGENT SAMUEL J. MOORE. TODAY'S  
2 DATE IS JULY 6, 2001. MY TIME IS CURRENTLY 1:56  
3 P.M. FOLLOWING THIS PREAMBLE WILL BE A  
4 CONVERSATION BETWEEN A COOPERATIVE WITNESS AND  
5 WES AND DIANE BOSS. DO YOU CONSENT AT THIS TIME  
6 TO HAVING YOUR CONVERSATION RECORDED?  
7 CW: YES I DO.  
8 (BACKGROUND NOISE) (DOOR OPENING, BERPING NOISE,  
9 DOOR SHUTTING, VEHICLE STARTING, VEHICLE MOVING)  
10 (VEHICLE STOPPED, BACKGROUND NOISES, DOOR  
11 OPENING, SHUTTING, WALKING NOISES, DOOR OPENING)  
12 (SEVERAL MINUTES PASS)  
13 JAGER: MARY CALLED.  
14 CW: MARY ISN'T COMING?  
15 JAGER: YEAH.  
16 CW: HOW COME, DID SHE SAY?  
17 JAGER: HUH?  
18 CW: HOW COME, DID SHE SAY?  
19 JAGER: SHE COULDN'T GET AWAY.  
20 (PAUSE) (WATER NOISES)  
21 (TV IN BACKGROUND)  
22 JAGER: TOO BAD SHE DIDN'T CALL EARLIER WHILE WE WERE  
23 THERE IN LOWELL ABOUT THOSE FIREWORKS. (U) WAS  
24 GOING ON (U) GONE OVER THERE TONIGHT.  
25 (U) (BACKGROUND NOISE)  
26 CW: YEA, WES AND DIANE SHOULD BE COMING PRETTY QUICK  
27 NOW. THEY'RE NOT HERE YET.  
28 (TV IN BACKGROUND)  
CW: WELL YOU CAN ALWAYS CHANGE YOUR MIND ABOUT GOING

Marcusse: Corcoran Supp. Decl. Exhibit A



AO 106 (Rev. 7/87) Affidavit for Search Warrant

# United States District Court

WESTERN DISTRICT OF MICHIGAN

In the Matter of the Search of  
(Name, address or brief description of person, property or premises to be searched)

## APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

Access Financial Group  
a/k/a Access Financial and/or Access Group  
0-151 - 44th Street, Suite A2  
Grandville, MI 49418

CASE NUMBER: 1:01-M-95

b6 -4  
b7C -4

I \_\_\_\_\_ being duly sworn depose and say:

I am a(n) Special Agent of the Federal Bureau of Investigation and have reason to believe  
Official Title

that  on the person of or  on the property or premises known as (name, description and/or location)  
Access Financial Group, a/k/a Access Financial and/or Access Group, located at 0-151 - 44th Street, Suite A2,  
Grandville, Michigan. Further described as a business office. (See attached photographs)

in the Western District of Michigan  
there is now concealed a certain person or property, namely (describe the person or property to be seized)  
See Attachment A.

Which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)  
Property that constitutes evidence of the commission of a criminal offense; Property designed or intended for use or which  
is or has been used as the means of committing a criminal offense.

concerning a violation of Title 18 United States code, Section(s) 1341 and 1343

The facts to support a finding of Probable Cause are as follows:  
See attached affidavit on the attached sheet and made a part hereof.

Certified as a true copy  
By Ronald C. Weston Sr. Clerk  
Deputy Clerk  
U. S. District Court  
Western Dist. of Michigan.  
12/18/01

Sworn to before me, and subscribed in my presence

12-18-2001  
Date

Honorable HUGH W. BRENNEMAN, JR.  
Name and Title of Judicial Officer

This form was electronically produced by Elite Federal Forms, Inc.

Yes  No  
\_\_\_\_\_  
Signature of Affiant

b6 -3,4  
b7C -3,4

at Grand Rapids, Michigan  
City and State  
12/18/2001  
\_\_\_\_\_  
Signature of Judicial Officer

Marcusse-200 EXHIBIT D-6

31. [ ] stated to Detective [ ] that she was also an investor and that she had been instructed to set up an account with herself as a church(508(C) corporation), it was called the Wings of Angels. [ ] indicated to Detective [ ] that she wishes that she could get her money back. [ ] states that approximately 120 churches(508(C) corporations) were set up and that she was involved in helping them get set up.

b6 -1,7  
b7C -1,7

32. [ ] stated to Detective [ ] that at no point were W-2 forms ever filed and there was no specific payroll account. [ ] stated that on one instance when the health insurance company required some type of specific proof that there were actual employees at Access Financial, Marcusse instructed [ ] to use a computer program to make up fake W-2's.

b6 -1,2,7  
b7C -1,2,7

33. In their August 14, 2001 interview with Detective [ ] both [ ] and [ ] acknowledged that they now realize that it appears that they had been involved in some type of Ponzi scheme.

b6 -2,7  
b7C -2,7

34. [ ] [ ] and [ ] attorney, in a letter dated September 8, 2001 to [ ], Ottawa County Prosecutor's Office, acknowledges that his clients will be charged with some criminal offense and refers to Access Financial as a Ponzi scheme of the first order. He also points to Jan Marcusse as the creator of all this loss to the 500 approximate investors.

b6 -1,2,7  
b7C -1,2,7

35. [ ] states in this same letter that his clients informed him that the Access Financial's computer hard drives are set up to be erased with a couple of keystrokes in the event of signs of a police investigation.

b6 -1  
b7C -1

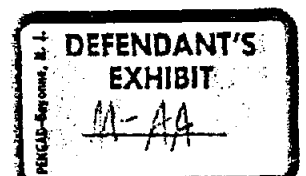
36. [ ] told Source 2 that he had enough dirt on Janet Marcusse to send her to prison for life. This comment was made by [ ] shortly after he discovered that the July, 2001 newsletter had been distributed to investors and had accused him and [ ] of embezzling over one million dollars from Access Financial. When Source 2 told [ ] that people were not receiving their monthly income checks and that some lives were being hurt, [ ] replied to Source 2, you don't begin to know how much.

b6 -2  
b7C -2

**BAHAMAS CD PROGRAM (SSBT) Stock Trading Program**

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>
10-21-98	250,000	FCR
12-2-98	30,000	FCR
12-2-98	170,000	Access
12-11-98	40,000	FCR
12-18-98	70,000	Access
2-12-99	300,000	Access
4-6-99	85,000	Sanctuary
4-26-99	100,000	Access
4-27-99	100,000	Sanctuary
5-18-99	125,000	Access
6-1-99	25,000	Access
6-25-99	100,000	Access
6-25-99	100,000	Sanctuary
7-1-99	490,000	Sanctuary
7-13-99	300,000	Sanctuary
7-15-99	400,000	Sanctuary
7-16-99	100,000	Sanctuary
7-20-99	75,000	Sanctuary
7-20-99	75,000	Access
8-3-99	150,000	Access
8-12-99	100,000	Sanctuary
9-7-99	150,000	Sanctuary
9-10-99	100,000	Access*
9-15-99	155,000	Access
9-22-99	75,000	Access*
10-22-99	42,000	Access
10-22-99	150,000	Access
11-2-99	42,000	Access
11-15-99	75,000	Access
11-16-99	42,000	Access
11-19-99	85,000	Access
11-30-99	100,000	Access
12-7-99	25,000	Sanctuary
<b>TOTAL</b>	<b>\$4,226,000</b>	

\* Sent to Florida and Tugboat but credited to the program





1 A That is the listing of dates and amounts and from which  
2 account the money was sent.

3 Q Okay. And that's something you prepared; is that  
4 correct?

5 A Yes.

6 Q All right. And earlier before the break I mistakenly  
7 indicated the government had prepared it; is that right?

8 A Yes, this is something I --

9 Q The government did not prepare that?

10 A No.

11 Q All right. What records did you use in order to prepare  
12 that exhibit?

13 A I used the bulk exhibits from the statements from Access  
14 and the statements from Sanctuary Ministries and the  
15 statements from Freedom Church of Revelation, and each one of  
16 these will have a corresponding wire transfer on the same date  
17 from the account listed.

18 Q So that would essentially be a summary exhibit of the  
19 actual accounts?

20 A Yes.

21 MR. KACZOR: Okay. I'd move for its admission,  
22 Your Honor.

23 MR. SCHIPPER: Objection, Your Honor. There is no  
24 payee on there whatsoever. Additionally, Your Honor, it does  
25 not come -- he points to these boxes. It did not come from

1 these boxes. She listed several other -- Revelation  
2 Ministries and several other things that aren't a part of this  
3 that she then used to put that together. I'd object. There's  
4 not a foundation of authenticity to have that admitted, Your  
5 Honor.

6 THE COURT: She indicated she prepared it and it  
7 represents her work product. It appears, then, that it's  
8 relevant and material. The objection goes to the weight that  
9 may be given to it. It will be received subject to the weight  
10 to be given to it.

11 MR. KACZOR: Thank you, Your Honor.

12 BY MR. KACZOR:

13 Q Can you tell us, then, over what period of time how  
14 much -- over what period of time what amount of money was  
15 invested into the Bahamas CD Program?

16 A Once we became more comfortable with the program, the  
17 information coming in and all of that, we put it in based on  
18 what was coming in into the program from our side and then  
19 based on the returns that we were getting from the Bahamas  
20 side. So ultimately by the end of 1999 or about a year and  
21 three months' worth of sending funds over there, we determined  
22 that the thing was self-sufficient enough to continue to roll  
23 with the returns that we were getting to more than adequately  
24 cover what was coming in as far as new deposits as long as it  
25 didn't get over a certain amount. And I'm sure that was just

1 A All right. That was into 0529467490.

2 Q Same account, right?

3 A Yes.

4 Q Now, you see an address on Bulk Exhibit 219?

5 A Yes.

6 Q Address of account?

7 A That --

8 Q You -- let me just ask the question.

9 A I'm sorry.

10 Q Do you see an address on Bulk Exhibit 219?

11 A Yes.

12 Q Whose address or what is that address? Is that an office  
13 or what is it that?

14 A The first address on there, 3168 Bellaire Drive, Las  
15 Vegas, Nevada, was the address of Mr. Winfield Moon.

16 Q Okay. And the second address, the Sub II account  
17 address?

18 A Was my address in Michigan.

19 Q Okay. I just want to show you, this has not been  
20 marked, but I'd just ask if you can identify what these are.

21 A The first one is one of two pages of a business account  
22 application for Worldwide Capital, LLC, with the Bellaire  
23 Drive, Mr. Moon's address on it, stating limited liability  
24 company along with my signature. I don't know where Page 2  
25 is. Then there are some statement copies from Worldwide

1 E-Capital. This one is dated ending date March 31, and it  
2 covers the month of -- basically it starts at February --

3 Q Let me just ask you, basically we've got Bulk Exhibit 219  
4 for this particular account?

5 A Yes.

6 Q What I've handed you are statements from this account  
7 that come from the bulk exhibit; is that correct?

8 A Yes.

9 Q So these were already introduced into evidence through  
10 the government, right?

11 A Yes, I believe so.

12 MR. SCHIPPER: Excuse me, Your Honor. I would  
13 object to that. There are certain documents within this 219  
14 bulk that were made copies of. Mr. Kaczor gave me last night  
15 Bulk Exhibit 219 with the attachments, and there are several  
16 pages that aren't from our records, that are slipped in here  
17 that are not from our records at all. So this is not a copy  
18 of Bulk Exhibit 219 and the attached documents.

19 MR. KACZOR: Your Honor, it's my understanding it  
20 was and that the account numbers match, but I'm more than  
21 willing to put this to the side and during the break perhaps  
22 Mr. Schipper and I can talk about it because he didn't raise  
23 this this morning at all.

24 MR. SCHIPPER: We mentioned it to him last night.  
25 When Ms. Goeman looked at these, she immediately, and so did

1 Mr. Flink, said these are not part of our records. These are  
2 not part of 219. But we can discuss it at break.

3 MR. KACZOR: All right. Thank you.

4 THE COURT: You've got them portioned out, those  
5 that are and those that aren't?

6 MR. SCHIPPER: Yes, I do, Your Honor. They're  
7 tabbed.

8 THE COURT: Let's take them up later, then.

9 BY MR. KACZOR:

10 Q All right. Ultimately you invest, then, you indicated a  
11 little less than \$2 million?

12 A Yes.

13 Q Okay. When is that sent and how? I mean, what is the  
14 procedure? Talk to me about that, or testify, excuse me.

15 A How was that invested?

16 Q Again, I'm trying to chronologically take you through it.  
17 Now, you've indicated what the program is. You've indicated  
18 that I think Sanctuary Ministries has invested a little less  
19 than \$2 million, correct?

20 A Yes.

21 Q When was that invested and in what increments?

22 A All right. In February and March of 2001 the funds were  
23 brought, wire transferred from Access and Sanctuary Ministries  
24 to the Las Vegas account, the Worldwide E-Capital. There was  
25 also another -- I believe there was about a million and a half

1 that came into the Worldwide E-Capital account, and then there  
2 was another \$660,000 that came from Sanctuary in Grand Rapids  
3 to Sanctuary Ministries' account in Las Vegas.

4 Q Okay. Let me stop you there. Could we go to 95? We  
5 talked about this a little bit yesterday. You're specifically  
6 talking about -- is it this \$600,000 that wire transfers to  
7 Worldwide E-Capital?

8 A Yes. There were some funds that were wire transferred  
9 from Access or Sanctuary, without having the bank records in  
10 front of me I don't recall which, to my personal account and  
11 then wire transferred to the Worldwide E-Capital, LLC account.

12 Q All right. Once this money, this particular \$600,000,  
13 gets to the Worldwide E-Capital account, what is done with it?

14 A What was done with it is it was placed into Mr. Moon's  
15 investment product. And if you were to look at the bank  
16 records, you would find that that is what did happen to the  
17 funds.

18 Q Okay. So you didn't use this to buy cars or houses?

19 A Oh, no.

20 Q Or use it for your own personal good?

21 A No, it was invested with Mr. Moon's investment.

22 Q And this is part of the larger investment, correct?

23 A The \$600,000 is, yes.

24 Q Part of -- because you said it was just less than \$2  
25 million?

WELLS FARGO BANK NEVADA, N.A.  
P.O. BOX 6995  
PORTLAND, OR 97228-6995

Page 1 692  
Statement Date:  
March 31, 2001

052-9467490

**WORLDWIDE E CAPITAL, LLC**  
**SUB-II ACCOUNT**  
**3838 118TH AVE**  
**ALLEGAN MI 49010-9448**

If you have any questions about this statement or your accounts, call: 800-225-5935 (1-800-CALL-WELLS).

**Your Accounts at a Glance**

Account Type	Beginning Balance	Deposits/ Credits	Withdrawals/ Debits	Ending Balance
Basic Business Checking 052-9467490	100,090.00	1,401,440.00	- 1,501,530.00	0.00

**Basic Business Checking 052-9467490**

Feb 28 Beginning Balance	100,090.00
Mar 22 Closing Balance	0.00

**Deposits and Credits**

Date	Transaction Detail	Amount
Mar 12	WT Fed#00642 National City Bank /Org = janet Marcusse Srf# 010312005029 Trn#010312032896 Rfb#	200,000.00
Mar 14	WT Fed#00255 National City Bank /Org = janet Marcusse Srf# 010314002485 Trn#010314011929 Rfb#	500,000.00
Mar 15	WT Fed#00352 Central Carolina B /Org = ernest Wilkins Srf# 20010315154507DD Trn#010315050421 Rfb#	5,000.00
Mar 15	WT Fed#01168 Marshall & Iisley /Org = capital Bank Srf# 010315003643 Trn#010315055811 Rfb#	25,000.00
Mar 15	WT Fed#00049 F & M Wisconsin /Org = discovery Church Srf# 010315110221M000 Trn#010315019214 Rfb#	50,000.00
Mar 15	WT Fed#00827 National City Bank /Org = sanctuary Ministries Srf# 010315008173 Trn#010315048856 Rfb#	50,000.00
Mar 15	WT Fed#00830 National City Bank /Org = access Financial Group Inc Srf# 010315008223 Trn#010315049208 Rfb#	80,000.00
Mar 15	WT Fed#00102 National City Bank /Org = sanctuary Ministries Srf# 010315001175 Trn#010315007441 Rfb#	200,000.00
Mar 16	WT Fed#00627 First Union Nat'L /Org = first Clearing Corporation Srf# 010316021265 Trn#010316034368 Rfb#	25,000.00
Mar 16	WT Fed#00598 Wachovia Bank, N.A /Org = J E Cameron DDS Srf# 010107502354 Trn#010316009401 Rfb#	35,000.00
Mar 16	WT Fed#00019 Baylake Bank /Org = joey L Nowak Srf# 0221 Trn#010316042477 Rfb#	35,000.00
Mar 19	WT Fed#00088 National City Bank /Org = discovery Church Srf# 010319001368 Trn#010319007268 Rfb#	13,000.00
Mar 19	WT Fed#00009 Foothill Independe /Org = joan W Foster Or Henry Srf# 084175 Trn#010319047156 Rfb#	25,000.00
Mar 19	Deposit	38,440.00
Mar 20	WT Fed#04981 The Northern Trust /Org = edward D Jones Wire Account Srf# 010320040923 Trn#010320045490 Rfb# 038008825	100,000.00
Mar 22	Transfer From DDA # 000000670675891	20,000.00

Continued on next page

NOTICE: see reverse side for important information.



Worldwide E Capital, Llc  
Sub-If Account

Page 2 693  
Statement Date:  
March 31, 2001  
052-9467490

H

**Withdrawals and Debits**

Date	Transaction Detail	Amount
Mar 12	Wire Trans Svc Charge - Sequence: 010312032896 Srf# 010312005029 Trn#010312032896 Rfb#	- 10.00
Mar 14	Wire Trans Svc Charge - Sequence: 010314011929 Srf# 010314002485 Trn#010314011929 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315007441 Srf# 010315001175 Trn#010315007441 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315019214 Srf# 010315110221M000 Trn#010315019214 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315048856 Srf# 010315008173 Trn#010315048856 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315049208 Srf# 010315008223 Trn#010315049208 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315050421 Srf# 20010315154507DD Trn#010315050421 Rfb#	- 10.00
Mar 15	Wire Trans Svc Charge - Sequence: 010315055811 Srf# 010315003643 Trn#010315055811 Rfb#	- 10.00
Mar 15	Withdrawal Made In A Branch/Store	- 800,000.00
Mar 16	Wire Trans Svc Charge - Sequence: 010316009401 Srf# 010107502354 Trn#010316009401 Rfb#	- 10.00
Mar 16	Wire Trans Svc Charge - Sequence: 010316034368 Srf# 010316021265 Trn#010316034368 Rfb#	- 10.00
Mar 16	Wire Trans Svc Charge - Sequence: 010316042477 Srf# 0221 Trn#010316042477 Rfb#	- 10.00
Mar 16	Withdrawal Made In A Branch/Store	- 410,000.00
Mar 19	Wire Trans Svc Charge - Sequence: 010319007268 Srf# 010319001368 Trn#010319007268 Rfb#	- 10.00
Mar 19	Wire Trans Svc Charge - Sequence: 010319047156 Srf# 084175 Trn#010319047156 Rfb#	- 10.00
Mar 20	Wire Trans Svc Charge - Sequence: 010320045490 Srf# 010320040923 Trn#010320045490 Rfb# 038008825	- 10.00
Mar 21	Withdrawal Made In A Branch/Store	- 60.00
Mar 21	Withdrawal Made In A Branch/Store	- 270,000.00
Mar 22	Payoff Debit, Interest Without Fee	- 21,330.00

**Daily Balance Summary**

Date	Balance	Date	Balance	Date	Balance
Feb 28	100,090.00	Mar 15	410,010.00	Mar 20	271,390.00
Mar 12	300,080.00	Mar 16	94,980.00	Mar 21	1,330.00
Mar 14	800,070.00	Mar 19	171,400.00	Mar 22	0.00

Thank you for banking with Wells Fargo.

NOTICE: see reverse side for important information.





# Wire Transfer Confirmation

Date	MARCH 12, 2001
Account number	0529467490

WORLDWIDE E CAPITAL, LLC  
 3838 118TH AVE  
 ALLEGAN MI 49010-9448

For Questions or Address Corrections, Please Contact Your Store or Account Office

Transactions Description	Debit	Credit
II: 0312G1QG850C00064203121434FT01 IC: D/0529467490 TRN: 010312-032896 VALUE DATE: 03/12/01 CURRENCY CODE: USD TIME: 13:32:37.89 CURRENCY RATE: IG: JANET MARCUSSE 4128 BYRON RD HUDSONVILLE MI FROM: NATIONAL CITY BANK OF ABA/072000915 IB: 010312005029 II: FFC SUB II ACCT		\$200,000.00

TYPE	SUMMARY OF WIRES:	TOTAL
DEBITS	NUMBER 0	\$ .00
CREDITS	NUMBER 1	\$200,000.00



# Wire Transfer Confirmation

WORLDWIDE E CAPITAL, LLC  
3838 118TH AVE  
ALLEGAN MI 49010-9448

Date	MARCH 14, 2001
Account Number	0529467490

Page 1

For Questions or Address Corrections, Please Contact Your Store or Account Of

Transactions Description	Debit	Credit
WI: 0314G1QG850C00025503141109FT01 A/C: D/0529467490 TRN: 010314-011929 VALUE DATE: 03/14/01 CURRENCY CODE: USD TIME: 10:07:13.84 CURRENCY RATE: ORG: JANET MARCUSSE 4128 BYRON RD HUDSONVILLE MI FROM: NATIONAL CITY BANK OF ABA/072000915 FB: 010314002485		\$500,000.00

SUMMARY OF WIRES:		TOTAL
TYPE	NUMBER	
DEBITS	0	\$ .00
CREDITS	1	\$500,000.00

To: Janice From: Banker Connection WFSC (Confidential)

# Business Account Application

Maria Lorenzo N0328  
702-791-2557 S4719-011

Bank Name <b>WELLS FARGO BANK NEVADA, NATIONAL ASSOCIATION</b>	COID 825	Chk <b>Wells Fargo Bank (Member N.A.) Maryland Parkway Office, Aug 6453</b>	Cost Center 3012
Officer Name <b>MARIA LORENZO</b>	Officer number <b>N0328</b>	Phone number	

### Information About Your Accounts

Type of account <b>BASIC BUS CKG</b>	CHK	Account number <b>529467490</b>	Opening amount <b>100.00</b>	CKS
---	-----	------------------------------------	---------------------------------	-----

### Please Tell Us About Your Business

Business name and address  
**WORLDWIDE CAPITAL, LLC**  
**3158 BEL AIR DR**  
**LAS VEGAS**  
**NV 89109-1559**  
**US**

Business telephone number <b>702/796-6099</b>	Business fax number	TIN <b>88-0426263</b>	Organization type <b>LIMITED LIABILITY</b>
NAFTA Business Journal	Annual sales	Number of employees	

### This Section Needed for New Customers Only

Entity Organization by <b>ARTICLES OF INC</b>	Assumed name verification by <b>CALL SEC OF STATE</b>	BUSPDB located in the geographical area of 22877 if NO, state reason for selecting said <b>Y</b>
Agency verification by <b>NONE</b>	Business type: Manufacturing, Service, Retail, Wholesale, Agriculture <b>SERVICE</b>	Description of product or service sold
Partners/Trade Name	Major Suppliers/Creditors	

International transactions? If yes, list type of transactions

Yes  No

### Customer Membership and Check Reporting Agency Information for the Entity

Identification type/number <b>MIDLNM62236859179</b>	Check reporting status	Previous bank member <b>WELLS FARGO BANK NEVADA, NA</b>	<b>DK</b>
--	------------------------	--	-----------

### Request for Taxpayer Identification Number and Certification (Substitute Form 990)

Certification: Under penalties of perjury, I certify that:

- The number shown on this form is my correct Taxpayer Identification Number, and
- UNLESS I HAVE CHECKED ONE OF THE BOXES BELOW, I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an Individual Retirement Arrangement (IRA), and payments other than interest and dividends.)

I am subject to backup withholding  I am exempt from backup withholding

*Janet M Marcusse*

### Agreement: Authorized Signer

Signature description

### Agreement: Authorized Signer

By signing this application, I acknowledge that I have received a copy of the terms and conditions governing this account and agree to be bound by them. Also, for non-Bank products, I have received a prospectus and understand that the products I am purchasing are not deposits or other obligations of the Bank, are not insured or guaranteed by the Bank, and are not insured by an Agency or instrumentality of the United States, such as the Federal Deposit Insurance Corporation (FDIC), and involve investment risk, including possible loss of principal. I also certify that the information contained in my application is correct and I agree to be bound by the terms of agreements for any additional services requested with this application, including those contained on the back page of this application. In the event of any dispute arising under this Agreement, I agree to be bound by the terms of the dispute resolution program, including arbitration, as more fully described in the Business Account Fee and Information Schedule. I understand that, under this program, at my request or the request of the Bank, disputes must be resolved by an arbitration proceeding before a neutral arbitrator. If arbitration is requested, I do not have the right to a jury or court trial to resolve the dispute.

Name of authorized signer and title  
**JANET M MARCUSSE**

*Janet M Marcusse*

182

GOVERNMENT EXHIBIT

219a

1:04- CR165

1 argumentative and asked and answered.

2 THE COURT: Sustained. Sustained.

3 BY DEFENDANT MARCUSSE:

4 Q Do you recall testifying in front of the grand jury  
5 trying to explain why I had gotten so little money?

6 A I could have, yes.

7 Q All right. Was, then, the 6 -- at the time do you recall  
8 that was around \$371,000 that you were explaining to the grand  
9 jury that I had gotten?

10 A Could have been, yes.

11 Q Over four or five years?

12 A Yes.

13 Q After that, then, is this when you added the \$600,000 to  
14 my total?

15 A I don't know when exactly we made up this particular  
16 chart, but we were trying to determine where the investors'  
17 funds went, and since that went into your personal account, we  
18 attributed that \$600,000 to you.

19 Q Is an LLC a personal account? A limited liability  
20 corporation, is that a personal account?

21 A The \$600,000 went into your Janet Marcusse personal  
22 account at National City Bank.

23 Q Isn't it also your testimony that it then went into  
24 Worldwide E-Capital, LLC?

25 A Some of the money was transferred into an account you

1 of Sanctuary Ministries or any of its subsidiaries?

2 A No.

3 Q Do you believe that you were always using your best  
4 efforts in placing the numerous investments that you talked  
5 about?

6 A Yes.

7 Q Up to the time that you were arrested for this, have you  
8 ever been arrested before?

9 A No.

10 MR. KACZOR: Thank you. I have no further  
11 questions, Your Honor.

12 THE COURT: Very well. We'll take a break at this  
13 time, ladies and gentlemen.

14 (Jury out at 10:40 a.m.)

15 THE COURT: The two of you will go over these  
16 exhibits that are at odds here during the little break here  
17 and then we'll proceed on from there.

18 MR. SCHIPPER: Yes, Your Honor.

19 THE COURT: Okay. Very well.

20 (Proceedings recessed at 10:41 a.m.; reconvened at 10:58 a.m.)

21 MR. KACZOR: I just wanted to report. You had  
22 asked us to meet during the break and talk about the  
23 exhibits. 219 is a bulk exhibit and I had some documents that  
24 appeared not to come from that bulk exhibit, so I've deleted  
25 those. I only have exhibits that come from bulk 219.

1           203 is another bulk exhibit, and I have two  
2 documents that are Mrs. Marcusse's copy of the same documents  
3 that are in 203. It's my understanding the government doesn't  
4 object to that, but you do want it known that they're her  
5 copies; is that correct?

6           MR. SCHIPPER: Well, I don't think they can come in  
7 as part of Bulk Exhibit 203 because they're not part of Bulk  
8 Exhibit 203.

9           THE COURT: Well, I'm only concerned because there  
10 were a couple exhibits here that I did not receive, like a Z.  
11 There was Z, Z was marked, but I don't think it was ever  
12 received because of some objections. And I guess the question  
13 on those is are they in or are they out or where are they?

14           MR. KACZOR: I think there were several that were  
15 not received and there were several that I marked and did not  
16 introduce, Your Honor.

17           THE COURT: Well, there were two that you introduced  
18 that were objected to and you agreed you'd work on them, and  
19 apparently you have sanitized them or whatever is necessary to  
20 get them in?

21           MR. SCHIPPER: Yes. The only -- he took out the  
22 ones that weren't part of 219. Now, 203 he has two documents  
23 that can't come in as part of 203 because they're not -- I  
24 mean, 203 is what it is. It's a summary of the documents that  
25 were used to create that summary. He's got two documents that

1 he says are her records which are parallel to two of the  
2 records within 203. I don't have a problem with that. They  
3 come in on their own, not as part of 203.

4 THE COURT: Okay. So they come in on Exhibit --  
5 what exhibit would that be?

6 MR. KACZOR: Your Honor, I don't know that we gave  
7 it an exhibit number because I had thought it was part of the  
8 bulk that was already introduced, and so I think we have to  
9 give it an exhibit number of M-BB, Your Honor.

10 THE COURT: All right. That's received, then.

11 MR. KACZOR: Thank you, Your Honor.

12 THE COURT: Anything else?

13 MR. KACZOR: I believe that's it.

14 MR. SCHIPPER: Nothing further, Your Honor.

15 THE COURT: Okay. Let's bring the jury in and we'll  
16 proceed with cross-examination first from the government.

17 (Jury in at 11:02 a.m.)

18 THE COURT: You may be seated.

19 You may proceed with cross-examination in this  
20 matter, Mr. Schipper.

21 MR. SCHIPPER: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. SCHIPPER:

24 Q Ms. Marcusse, you've testified now for about five hours  
25 telling your story of Access in a chronological fashion, and

1 A The sub account to the parent, Worldwide E-Capital --

2 THE COURT: Excuse me. Yes or no.

3 THE WITNESS: I was the sole signatory.

4 THE COURT: That's a yes or no.

5 BY MR. SCHIPPER:

6 Q That's a yes?

7 A Yes.

8 Q So when money came into that account with your name on  
9 it, you alone, you could do whatever you wanted with that  
10 money, couldn't you?

11 A It was invested. Why send it there? I would have left  
12 it in my own account.

13 Q Well, you did send it there. You admitted there was  
14 600 --

15 A To invest it. Why else would I send it there?

16 Q To invest it. That wasn't a gift. That wasn't a gift to  
17 you while you were in Las Vegas to spend from the church?

18 A Did I testify that it was? I testified that I invested  
19 it.

20 Q No, I'm asking.

21 A And you're keeping out part of the bank records that show  
22 that.

23 THE COURT: We'll take a break at this time, ladies  
24 and gentlemen, and we'll continue at 1:15. See you at 1:15.  
25 (Jury out at 11:57 a.m.)



1 THE COURT: Mr. Schipper, much too much commentary  
2 on your behalf that's unsolicited and really unnecessary.

3 You're hurting your case by arguing with the  
4 counsel. If it's a yes or no, ma'am, give him a yes or no.  
5 Anything more hurts you in front of this jury.

6 THE WITNESS: Yes, sir.

7 THE COURT: So just answer the questions and be on  
8 with it.

9 Mr. Schipper, no more of this. Take a breath of  
10 fresh air, walk around along bit, get some perspective, come  
11 back here and ask some more direct questions. We'll see you  
12 all at 1:15.

13 MR. KACZOR: Thank you, Your Honor.

14 (Proceedings recessed at 11:58 a.m.; reconvened at 1:25 p.m.)

15 MR. KACZOR: Could I say one thing, Your Honor, or  
16 ask one thing? When Mrs. Marcusse has completed all of her  
17 testimony, I will be resting my case and at that time I'd like  
18 to renew my Rule 29 motion, and I don't know if you want me to  
19 do it then or just do it at some later date and preserve it  
20 for then.

21 THE COURT: Yes, it will be deemed preserved until  
22 we get to the end of the day or sometime like that. Then just  
23 give me a signal and we'll take it up then.

24 MR. KACZOR: Okay. Thank you, Your Honor.

25 THE COURT: All right. Let's bring the jury in, and

1 Q You have no idea if Jan took that money, that two, three  
2 hundred thousand dollars in Vegas and had a huge party, do  
3 you?

4 A I have no idea.

5 Q Now, didn't you in fact at one point in time wire money  
6 in the summer of 2001 to Jan and/or to Billy Flynn in  
7 Luxembourg in Europe?

8 A That was done on the money orders. I've already  
9 testified to that. It was done through Western Union, so it  
10 had to be done on a personal basis.

11 Q Okay. I'll show you what's been marked as Government  
12 Exhibit 395. These are records from Western Union of those  
13 six transfers, six wire transfers. Do you see that?

14 A Okay.

15 Q And those are the wires that you wired to either Jan  
16 Marcusse or William Flynn in the summer of 2001, July of 2001;  
17 is that correct?

18 A Yes.

19 MR. KACZOR: Was that 395?

20 MR. SCHIPPER: It's 395.

21 MR. KACZOR: Thank you. Has this already been  
22 admitted?

23 MR. SCHIPPER: No, it has not. Would you like to  
24 see this?

25 MR. KACZOR: Do we have one?

: Janet - Mavis: Marcusse  
c/o 300 Williams Street  
White Cloud, Michigan [49349]  
(231) 689-7024

In Propria Persona  
Under Protest, Duress, Necessity  
Restricted and By Special Visitation Only

FILED - 05

05 JUN 13 PM 3:37

U.S. DISTRICT COURT  
WESTERN DISTRICT MICH  
BY 68

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA )  
 ) Case Number: 1:04-cr-165  
 v. )  
 ) ROBERT HOLMES BELL  
 : Janet Mavis: Marcusse, Sui Juris )

**MINISTRATIVE CLAIM TO CHALLENGE GOVERNMENT'S PROPOSED  
SUPPLEMENTAL INSTRUCTION NO. 1, CHURCH, FOR TAX PURPOSES,  
DEFINED, AS INACCURATE AND MISLEADING**

Section 501 (c) (3) accurately states "List of exempt organizations ... Corporations, and any community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster

COURT'S INSTRUCTION NO. \_\_\_\_

PROPOSED SUPPLEMENTAL INSTRUCTION NO. 1

**Church, For Tax Purposes, Defined**

The question of what constitutes a "church" for spiritual purposes in not before you.

However, the question of what constitutes a "church" for federal tax purposes may be.

You have heard evidence that the defendants claimed that their income was exempt from federal income tax laws because they called themselves a church or church auxiliary.

One cannot exempt their income from federal income tax laws by simply declaring oneself to be a church or a church auxiliary.

The law requires that to be a "church" or "auxiliary church" for federal tax purposes certain rules apply.

Under the law, one cannot be an exempt church organization unless it is organized and operated exclusively for religious purposes and no part of its net earnings inure to the benefit of any individual.

Source: 26 U.S.C.A. §§ 501(c)(3).

1 the conspiracy on appropriate tax returns.

2 "Gross income" means all income from whatever source  
3 it is derived, including wages and compensation for services,  
4 tips, compensation in the form of personal expenses paid for  
5 by the defendant's organization.

6 The defendant -- the law requires an individual to  
7 make and file a federal income tax return if that individual  
8 had gross income of more than a certain amount, depending on  
9 their filing status, whether or not such person owed any tax.  
10 Anyone with a gross income of more than \$13,400 was required  
11 by law to file an income tax return in years 1997 through  
12 2001.

13 The filing of a federal income tax return is not  
14 voluntary. An individual with gross income amounts charged in  
15 the indictment is required by law to follow -- to file an  
16 income tax return.

17 The question of what constitutes a "church" for  
18 spiritual purposes is not before you. However, the question  
19 of what constitutes a "church" for federal tax purposes may  
20 be. You have heard evidence that the defendants claimed their  
21 income was exempt from income tax laws because they called  
22 themselves a church or a church auxiliary. One cannot exempt  
23 their income from federal income tax laws by simply declaring  
24 oneself to be a church or a church auxiliary. The law  
25 requires that to be a church or church -- or auxiliary church

1 for federal tax purposes, certain rules apply.

2 Under the law, one cannot be an exempt church  
3 organization unless it is organized and operated exclusively  
4 for religious purposes, no part of its earnings inuring to the  
5 benefit of any one individual.

6 You have heard reference to an "exempt 508 church."  
7 Section 508 is an implementation section providing special  
8 rules for Section 501(c)(3) organizations. Section 508 does  
9 not provide for an independent tax exempt organization.

10 As I have previously instructed, a defendant's good  
11 faith belief that their actions complied with the law negates  
12 an intent to defraud the United States, even if that good  
13 faith is not reasonable. You may consider the reasonableness  
14 of the belief in determining whether or not the defendant  
15 actually held that belief.

16 It is not a good faith misunderstanding if the  
17 defendant knows what the law is and disagrees with it, every  
18 citizen's duty being to obey the law whether they agree with  
19 it or not.

20 Now I will give you some instructions that apply to  
21 all three conspiracy charges.

22 With regard to the first element, a criminal  
23 agreement, the government must prove that two or more persons  
24 conspired or agreed to cooperate with each other to commit the  
25 crimes of conspiracy to commit mail fraud, conspiracy to

that all the overt acts in furtherance of a conspiracy need not be alleged in the indictment.” *United States v. Henson*, 848 F.2d 1374, 1385 (6th Cir. 1988). Indeed, the failure to file tax returns more than qualifies as a sufficient “overt act” in furtherance of a *Klein* conspiracy to frustrate or defeat the function of the IRS where, as it was argued and proved here, the act or omission was for the purpose of and part of a broader scheme to defeat the lawful functions of the IRS by dishonest means, executed in conjunction with a money laundering operation, in which honest filings with the IRS might have disclosed the mail fraud (Ponzi) scheme the laundering was intended to hide. *Cf. United States v. Williams*, 649 F.Supp. 1290, 1293-96 (M.D. Fla. 1986) (finding that failure to report income was part of larger scheme to evade taxes and avoid detection of profit skimming scheme) (citing *United States v. Enstam*, 622 F.2d 857 (5th Cir. 1980)). *See also United States v. Shermetaro*, 625 F.2d 104 (6th Cir. 1980) (finding a *Klein* conspiracy to frustrate IRS as part of effort to conceal Medicare kickback scheme). In light of the broad “failure to disclose” allegations in Count 42 and the related money laundering and mail fraud conduct specifically incorporated by reference into that Count, Marcusse cannot demonstrate prejudice to a substantial right warranting collateral relief.

**R. Ground Twenty-Two: Argument (1)**

Marcusse alleges the circumstances surrounding her pre-sentence report (“PSR”) violated her right to Due Process. (Dkt. No. 34, at 245-48.) Specifically, Marcusse argues that the PSR was unreliable because it was not based on trial testimony (*id.* at 246), and that

1 THE COURT: Z as in zebra?

2 MR. KACZOR: I believe it's Z, isn't it?

3 THE WITNESS: Yes, it is. We're missing the third  
4 page with the total.

5 MR. SCHIPPER: Your Honor, I'm going to object. I  
6 saw this document for the first time yesterday. This is --  
7 she's trying to introduce this as a summary document as we've  
8 done in the past with summary documents. Now, for summary  
9 documents, you have to have all of the documentation to back  
10 the summary.

11 THE COURT: I agree. Where's --

12 MR. SCHIPPER: So if somebody wants to review all of  
13 that, they can.

14 THE COURT: Where's the underlying?

15 MR. KACZOR: Your Honor, that's what I was trying to  
16 ask her, whether it came from what the government presented to  
17 us or whether it came from additional sources.

18 MR. SCHIPPER: She testified that a small portion  
19 did. I've reviewed the --

20 THE WITNESS: No, a large portion of it --

21 THE COURT: Excuse me.

22 THE WITNESS: I'm sorry.

23 MR. SCHIPPER: There are some of those documents --  
24 some of those numbers come from our documents, but about -- I  
25 haven't seen it again, but at least half of them come from we



1 don't know where. I mean, she just created the document.

2 THE COURT: Well, in order to introduce a summary  
3 exhibit, you have to proffer the underlying documents. So  
4 until they're proffered, I don't think it can be legally  
5 received.

6 MR. KACZOR: I understand that, Your Honor.

7 BY MR. KACZOR:

8 Q Can I just ask you if this is the third page of this?

9 A Yes, it is.

10 Q Okay. Let me ask you this. Do you have an  
11 understanding, and keep in mind I don't want any hearsay or  
12 from documents, but do you have an understanding of how much  
13 Sanctuary Ministries invested in the Crawford Project?

14 A Yes. It was \$4,186,700.

15 Q Four million how much?

16 A 186,700.

17 Q Okay. And from what -- during what period of time was  
18 this investment made?

19 A That was over four -- three to four years.

20 Q Okay. Give me the date, beginning date and end date.

21 A Roughly October of '98 to mid-2001, thereabouts.

22 Q Okay. Again, the question is did anything come from  
23 that? Did you ever receive investment money or a check or --

24 A We received a check in I believe it was March of 2001  
25 which was deposited into a Wells Fargo bank account.

# Bank of America



Bank of America, N.A.  
P.O. Box 798  
Wichita, KS 67201

Account Reference Information  
Account Number: 0047 7218 9048  
Tax ID Number: 75-2770727  
E O C Enclosures 0 44  
Statement Period 0025753  
03/01/01 through 03/31/01



00014451 I AM 0.278 12 31099 001 SCH999 I 3

AHC SANCTUARY MINISTRIES DBA  
AMERICAN HERITAGE CHURCH  
3838 118TH AVE  
ALLEGAN MI 49010-9448

Customer Service:  
Bank of America, N.A.  
P.O. Box 798  
Wichita, KS 67201  
Toll Free 1.866.BUSINESS(1.866.287.4637)

Page 1 of 2

### Account Summary Information

Statement Period	03/01/01 through 03/31/01	Statement Beginning Balance	3,243.17
Number of Deposits/Credits	6	Amount of Deposits/Credits	658,500.00
Number of Withdrawals/Debits	6	Amount of Withdrawals/Debits	660,274.49
Number of Deposited Items	0	Statement Ending Balance	1,468.68
Number of Enclosures	0	Average Ledger Balance	8,068.83
Number of Days in Cycle	31	Service Charge	0.00

### Deposits and Credits

03/26	100,000.00	Wire Type:Fed IN Date:010326 Time:0855 Fed Ref:000003 Seq:010326002906 Orig:Robert Weidenhamer Pmt Det:American Heritage Church Sanctuary Ministries Ac-4772189048 Obi=attn Leslie Welch - Vice Pre Sending Bank:No Cntry Mani	904003269002906
03/26	45,000.00	Wire Type:Fed IN Date:010326 Time:1333 Fed Ref:003855 Seq:010326012610 Orig:Mass Ministries Gre Pmt Det:Sanctuary Ministr ies None Given Ac-4772189048 Bbi=bank Of America L As Vegas NV Branch Sending Bank:Wells Fargo MN	904003269012610
03/27	13,500.00	Counter Credit	813002150463715
03/27	300,000.00	Wire Type:Fed IN Date:010327 Time:0927 Fed Ref:000171 Seq:010327003425 Orig:Access Financial Gr Pmt Det:Sanctuary Ministr ies Ac-4772189048 Bbi=credit To Account Sending Ba Nk:Natl City Kal	904003279003425
03/27	100,000.00	Wire Type:Fed IN Date:010327 Time:0900 Fed Ref:000121 Seq:010327002833 Orig:Sanctuary Ministrie Pmt Det:Sanctuary Ministr ies Ac-4772189048 Bbi=credit To Account Sending Ba Nk:Natl City Kal	904003279002833



# Bank of America



Bank of America, N.A.  
P.O. Box 798  
Wichita, KS 67201

H  
H

Account Reference Information  
Account Number: 0047 7218 9048  
Tax ID Number: 75-2770727  
E O O C Enclosures 0 44  
Statement Period 0025754  
03/01/01 through 03/31/01

## AHC SANCTUARY MINISTRIES DBA AMERICAN HERITAGE CHURCH

### Deposits and Credits - Continued

03/27	100,000.00	Wire Type:Fed IN Date:010327 Time:1109 Fed Ref:000253 Seq:010327006659 Orig:John A Wheeler Ogb = Pmt Det:American Heritage Church Sanctuary Ministries Ac-4772189048 Obi =att N Leslie Welch Vice Pres Sending Bank:Regions Bank	904003279006659
-------	------------	--	-----------------

### Withdrawals and Debits

#### Other Debits

03/26	20.00	Wire Transfer Fee	904003260002599
03/26	4.00	Wire Transfer Fee	904003260010929
03/27	660,000.00	Customer Withdrawal 03/27/01 Credit To Checking Desert Inn / Maryland Park 07013 NV	983803277500364
03/27	214.49	CheckCard 0325 Office Max 0000 Las Vegas NV 1000000190076216	905703250076216
03/27	30.00	Wire Transfer Fee	904003270002774
03/27	5.00	Wire Transfer Fee	904003270003370

### Daily Ledger Balances

03/01	3,243.17	03/26	148,219.17	03/27	1,468.68
-------	----------	-------	------------	-------	----------

#### Message Center

Thank you for banking with Bank of America.

1 know how to get -- you don't respond to each other. You just  
2 rise and say, I have an objection. My objection is we didn't  
3 provide it. You don't go back and forth with each other.

4 MR. SCHIPPER: He said it and started walking up to  
5 the witness.

6 THE COURT: You had the ability to object and you  
7 didn't, so that's the way we do things. You guys know that.

8 MR. KACZOR: I understand that. I apologize, Your  
9 Honor.

10 THE COURT: No, I'm not blaming you. I'm blaming  
11 more the government in this case.

12 MR. KACZOR: I didn't anticipate a problem with  
13 this, and maybe I'm a hundred percent incorrect. I have --

14 THE COURT: Why don't you discuss it for a little  
15 while and we'll come back in about ten minutes and continue  
16 with this.

17 (Proceedings recessed at 2:54; reconvened at 3:17 p.m.)

18 MR. GEZON: Your Honor, may we address a matter  
19 before the jury comes back in?

20 THE COURT: Just a minute.

21 MR. GEZON: Your Honor, it has to do with the last  
22 issue that you heard before we took a break. The record  
23 should reflect that in this investigation it has been  
24 testified to that we've been seeking the records of Access  
25 Financial and Sanctuary Ministries since the beginning of this

1 investigation. We executed a search warrant in December of  
2 2001 and found an empty office. We subpoenaed the records  
3 that we saw at Mr. Visser's office and they were never  
4 produced. We've subpoenaed Ms. Marcusse and asked her to  
5 bring those records to the grand jury and they were never  
6 produced.

7 During the course of pretrial discovery we offered  
8 all the government exhibits that we had been able to gather  
9 and they've been available. But Ms. Marcusse, Mr. Visser, and  
10 the other defendants pro se refused to look at those because  
11 they did not want to share their exhibits with us.

12 In the last couple, three days Mr. Kaczor has been  
13 giving us handfuls of purported documents that he wishes to  
14 introduce, and we have no idea what these are, where they're  
15 coming from, whether they're legitimate, so we have to take  
16 these one at a time as they come in. Much of this stuff we  
17 think is irrelevant. Some of it has no authenticity. It  
18 claims to be bank records from the Bahamas. We brought in the  
19 bankers to show that these were legitimate records. We would  
20 expect the same of the defense in this case. So from time to  
21 time we have to make a point that these records being produced  
22 now are not anything that the government ever saw before or  
23 had in the course of the investigation.

24 THE COURT: Okay.

25 MR. KACZOR: Your Honor, my response is honestly,

1 I'm trying to do the best that I can, and I meet with Mrs.  
 2 Marcusse and she gives me reams --

3 THE COURT: I'm not accusing you of anything. I  
 4 just wondered if you wanted to --

5 MR. KACZOR: I've been trying to provide them  
 6 everything that could possibly be an exhibit, and this exhibit  
 7 I understood came from them, but I understand that it doesn't  
 8 now and I'm willing to tell the jury that. I've narrowed it  
 9 down to exhibits that I think could be admitted. I've weeded  
 10 out all the ones that I as an officer of the Court believe  
 11 cannot be admitted.

12 THE COURT: Yes, all right. And the government has  
 13 the ability to voir dire and object just as the defense does  
 14 on the government's.

15 MR. KACZOR: Thank you, Your Honor.

16 THE COURT: Let's bring the jury in and continue.

17 (Jury in at 3:20 p.m.)

18 THE COURT: You may be seated.

19 Continuing with the direct examination of Ms.

20 Marcusse.

21 MR. KACZOR: Thank you, Your Honor.

22 THE COURT: You may continue.

23 BY MR. KACZOR:

24 Q Mrs. Marcusse, you explained the Bahamas CD Program and I  
 25 don't know that everyone's understood it, so I wonder if you

UNITED STATES OF AMERICA  
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

v.

Case No. 1:04-cr-165

Janet Mavis Marcusse, et. al.

EVIDENCE - PACK for  
Janet Mavis Marcusse with  
Case No. 1:04-cr-165 in  
UNITED STATES DISTRICT COURT.

RECEIVED  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
JUN 14 2005

05 JUN -9 PM 1:28

FILED - GR

Date: June ~ 09 ~ 2005

By: Janet Mavis Marcusse  
: Janet - Mavis: Marcusse

Certified as a True Copy  
Ronald C. [Signature], Sr., Clerk  
[Signature]  
U.S. District Court  
Western District of Michigan  
Date: 6-13-05

**SCANNED**

415

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

Janet Mavis Marcusse,  
Sui Juris

---

05 JUN 14 AM 11:11  
U.S. DISTRICT COURT  
WESTERN DISTRICT MICH  
S

Case No: 104-cr-165

COURT IS COMPELLED TO ACCEPT  
AS EVIDENCE TO JURY THE CERTIFIED  
EVIDENCE HEREIN UNDER FED RULES  
EVIDENCE RULE 902 SUBSECTION 4

Date: June 14, 2005

By: Janet Mavis Marcusse

Janet Mavis Marcusse,  
Sui Juris



1 MR. DEBOER: Not any more than the ones we've  
2 already called, Your Honor.

3 MR. DUNN: And for the record, Your Honor, my  
4 client rests also, sir.

5 THE COURT: Okay. And Mr. Visser I understand has  
6 no witnesses to call?

7 MR. GARTHE: That's correct.

8 THE COURT: Okay. So is it my understanding that  
9 other than one question of Ms. Marcusse, there will be no  
10 further evidence offered by the defendants?

11 DEFENDANT MARCUSSE: I just wanted -- excuse me.  
12 May I speak? I just wanted to put a verbal motion on the  
13 record. I filed some evidence packs yesterday that I would  
14 like given to the jury.

15 THE COURT: Evidence --

16 DEFENDANT MARCUSSE: Packs.

17 THE COURT: Packs?

18 DEFENDANT MARCUSSE: Yes, for lack of a better term.

19 MR. KACZOR: Your Honor, if I could describe,  
20 basically she has -- she's given me some documents that she  
21 wanted admitted into evidence. One I attempted to admit into  
22 evidence, which was the liquidation report from the Suisse  
23 Bank and & Trust. The other documents, I don't think the  
24 rules of evidence would allow their admission and I've  
25 explained that to her, and what she's attempted to do is by

1 filing them with the Court downstairs, she believes that  
2 because they've been filed, they're certified copies that  
3 should be allowed into evidence, and I was trying to explain  
4 to her that's not the -- just not the proper rule of evidence.  
5 It's not the way to get them in. But she did want the record  
6 to reflect that she had the additional evidence that wasn't  
7 able to be admitted.

8 THE COURT: Okay. You know, I haven't seen them, so  
9 I really can't rule on them. I'll take the question under  
10 advisement until after I've received a copy of them to see  
11 what they are so I can rule on them. But until I see them,  
12 I'm really not in a position to rule on them.

13 MR. KACZOR: She has them here and I can show them  
14 to you. But like I said, they're documents of questionable --  
15 I don't think questionable origin, but newspaper articles,  
16 that kind of thing, Your Honor.

17 THE COURT: Okay. Mr. Gezon, have you seen these?

18 MR. GEZON: We have not, Your Honor. We have no  
19 knowledge of this.

20 THE COURT: Okay. I can't intelligently rule on  
21 them until I see them.

22 Okay. Rebuttal testimony that you'll be --

23 MR. GEZON: Your Honor, I guess I think in view of  
24 the fact he wants to ask one more question and in view of the  
25 difficulty of getting Ms. Marcusse to limit herself to

<input checked="" type="checkbox"/> <b>Outgoing Wire</b> <input type="checkbox"/> <b>Incoming Wire</b>		U.S. Amount 300,000.00	Fee 15.00	Total 300,015.00
Bank # 56	Branch Name CROZSBSCR/MASONIC	Branch No. 340	Foreign Currency Information Foreign Amount    Currency    Foreign Rate	
Method of Payment <input checked="" type="checkbox"/> Debit Account # 628609348    or <input type="checkbox"/> Cash <input type="checkbox"/> Check Other		Beneficiary's Bank Information ABA# 02100089    Name CITIBANK		
If a customer is not debiting account, identify the customer's relationship to the bank by recording their account number:		City NEW YORK		State NY
<b>OUTGOING OR INCOMING WIRE</b>		<b>Method of Receipt</b>		
Sender/Originator's Last Name or Company Name SANCTUARY MINISTRIES		First Name X Credit Account # 36021989    or    Pay on Proper ID If Pay on Proper ID, note any special identification requirements.		
Sender/Originator's Address 19451 MASONIC		City ROSEVILLE		
State MI	Zip 48066	Phone 810-293-1053		
<b>OUTGOING WIRE</b>		<b>OUTGOING OR INCOMING WIRE</b>		
Sender/Originator's TIN		Recipient/Beneficiary's Last Name or Company Name SUISSE SECURITY BANK		
Last of TIN		First Name & TRUST		
Person Placing Order If Not Originator Last Name		If Recipient/Beneficiary is Company, Department/Individual to be notified.		
First Name		<b>INCOMING WIRE</b>		
Person Placing Order If Not Originator Address		Beneficiary's Agency Last Name    First Name		
City    State    Zip		Address for    Beneficiary    Agent		
Person Placing Order If Not Originator TIN		Address		
ID Type    ID Number		City    State    Zip		
COMMENTS: SWIFT CODE: CITI4533 TRANSFER INFO TO: SWISS MERCANTILE BANK CORP. A/C#213072 CR TO STIKS UNLIMITED		TIN for    Beneficiary    Agent		
Customer authorizes and requests Bank to execute this transfer request in accordance with the information written above. Customer further acknowledges that Customer has read and agrees to all of the terms and conditions set forth below hereof.		Identification for    Beneficiary    Agent ID Type    ID Number		
		Wire Ref # -2990-		Date Called 7-13-99
		Time Called NOON		Wire Rep Called
		Signature of Authorized Branch Person <i>George Stuebe</i>		
		Customer Signature <i>George Stuebe</i>		

All transfer requests shall be subject to the following terms and conditions:  
 Bank, in accordance with its procedures, will select such means and routes for the transfer of funds as Bank considers appropriate under the Circumstances.  
 Bank will not guarantee that transfer requests will be processed on a same-day basis. In any event, however, transfer requests will be processed no later than the second banking day (generally, Monday to Friday, excluding holidays) after the request is received.  
 Customer acknowledges that if the transfer request describes the intended recipient of funds inconsistently by name and account number, payment by the receiving bank might be made on the basis of the account number even if that account is not owned by the person named in the transfer request, and Customer is obligated to pay the Bank the amount which is directed to the account number given.  
 Bank shall not be obligated to act upon a transfer request unless there are sufficient funds in Customer's account.  
 Bank is relieved of liability if Customer does not review its bank statement and report any discrepancies between Customer's records of the transfer of funds and the bank statement in writing within twenty-one (21) days from the date the statement is mailed or otherwise made available to Customer by Bank.  
 Customer shall have no right to cancel or amend a transfer request after it has been received by Bank. However, Bank shall make a reasonable effort to act on Customer's request for cancellation or amendment of a transfer request prior to the time that Bank executes such transfer request, but shall have no liability if such cancellation or amendment is not effected. Customer shall defend and indemnify Bank and save Bank harmless from and against any loss, cost or expense of any kind arising out of any cancellation or amendment.  
 Bank shall be liable only for its failure to exercise ordinary care. Bank shall have no liability and shall be excused from any act, failure to act or delay in acting if such act, failure to act or delay is caused in whole or in part by circumstances beyond its control. In no event shall Bank be liable for any special, consequential, or incidental damage in connection with this transfer request, even if Bank has knowledge of such damages.  
 Customer shall compensate Bank for services performed by Bank pursuant to this request in accordance with Bank's current schedule of charges. Customer shall be responsible for any and all applicable federal, state and local taxes related to said compensation and the performance of services.  
 Bank shall be entitled to rely upon any written, oral or electronic notice or communication believed by it in good faith to be genuine and to have been signed or given by Customer. Bank shall not be required to act upon any notice or communication received from Customer, or to provide any notice or communication to Customer, with respect to any matter.  
 This request contains the entire agreement of the parties with respect to its subject matter, and may be amended, supplemented, or otherwise modified only in a writing signed by both Customer and Bank.  
 International transfer requests shall be subject to the following additional terms and conditions:  
 If a transfer requested by Customer is payable in U.S. Dollars, Bank does not guarantee that for correspondents or agents can or will make payment in U.S. Dollars, nor does Bank guarantee that there will not be a charge made by some other bank or other entity affecting the transfer issued or made hereunder.  
 In initiating the transfer request, Customer agrees that neither Bank or its correspondents shall be liable for any loss or damage due to errors, omissions, delays, loss or destruction in or through the mail, telegraph or cable of any country. In addition, Bank shall not be responsible for the acts or omissions of any of its correspondents, sub-agents or other agencies employed in making the transfer requested or for any loss caused by forces beyond the control of Bank. All transfers of non-receipt, late receipt or of any other type are subject to Bank's ordinary charges therefor and to charges, if any, of its correspondents.  
 If the transfer is payable in a foreign currency, Customer shall assume the risk of any fluctuations in the applicable foreign exchange rate and the amount of the credit shall be the amount in U.S. Dollars that can be purchased by the initial transfer amount under the then applicable foreign exchange rate.  
 The transfer requested by Customer is to be issued or accomplished at Customer's sole risk and is subject to all laws, rules or decrees of any domestic or foreign government, bank, postal authority or other agency which are in force at the time said transfer is made.

### Suisse Security Bank & Trust

(In Liquidation)  
P.O. Box N-7526  
Nassau, Bahamas

Telephone: (242) 302-4800  
Fax: (242) 322-3101

**HEAD OFFICE:**  
DeLands House  
2nd Terrace West  
Collins Avenue  
Nassau, Bahamas

**PROVISIONAL LIQUIDATOR:**  
Raymond Winder  
of Deloitte & Touche

November 11, 2002

Dear Client:

**Re: Suisse Security Bank & Trust Limited**

As you may be aware, the Governor of the Central Bank of The Bahamas, in exercise of his powers under Section 14(1)(a)(i) of the Banks and Trust Companies Regulations Act, 2000 revoked the banking and trust license of Suisse Security Bank & Trust Ltd. on 2nd April, 2001.

Consequent upon such revocation of license and by Order of the Supreme Court of the Commonwealth of The Bahamas, I was appointed the Provisional Liquidator of Suisse Security Bank & Trust Ltd. ("the Bank") on 9th April, 2001.

The Court has not as yet appointed an Official Liquidator of the Bank, as the former principals of the Bank have launched a legal challenge to the Revocation Order of the Central Bank and the subsequent winding-up proceedings. The hearing of the statutory appeal was scheduled to resume on Monday 11th November 2002 in the Supreme Court before the Honorable Mr. Justice Austin Davis, but has been adjourned until 9th January, 2003.

In the Order of appointment as Provisional Liquidator, the Court expressly restricted my powers as follows:

1. To forthwith take possession of, collect, and protect the assets of the said Company, but not to distribute or part with the same until further order.
2. To discharge rents, salaries, and other current expenses.
3. To require of any person who has in his possession documents or information in relation to the accounts, assets and securities or affairs of the Company and its clients, to produce the same.

November 11, 2002  
Client of Swiss Security

Page 2

- 4. To require any person who has information in relation to the accounts, assets, securities or affairs of the Company as the Provisional Liquidator may require in the exercise of his duties, to attend upon the Provisional Liquidator at such time and place as he may appoint and give to him all information he may require.
- 5. To do all other things necessary to preserve the assets and estate of the Company.

Due to the clear delimitations in the powers granted to me as Provisional Liquidator, I am unable at this stage to provide information to creditors as requested or take any steps outside the purview of the Court Order. Consistent with my duties, however, I have filed two reports so date with the Supreme Court, on the 24th August, 2001 and the 4th February, 2002. A third report will be filed in short order. These reports provide a statement of the actions taken by myself and include a detailed analysis of all funds received and disbursed; all disbursements have been approved by the Court. These reports may be a useful source of information to persons interested in finding out what has transpired in the liquidation as at the date of the reports. Presently, persons interested in obtaining copies of the reports must apply to the Court. Please be aware however that I will again apply to the Court for permission to issue these reports to you.

Please be informed that I have had, and continue to encounter, formidable obstruction and interference from the Bank's management, employees, shareholders, directors and attorneys. I have requested information and assistance from these persons, in accordance with the Order of my appointment, but such requests have been ignored. Based on my review, I have determined that not all of the Bank's assets are under my control. These, along with the length of time that has passed and the present position of the matters before the Court, have resulted in much loss to the Company, its depositors, and creditors.

In an effort to reduce further losses, take possession of and protect the assets of the Bank, I, on 9th August, 2002, filed an ex parte summons in the Supreme Court of The Commonwealth of The Bahamas for an Order seeking further directions from the Court as to my ability pursuant to the Order of my appointment.

In this regard, Mr. Justice Austin Davis granted an Order on 23rd October, 2002, expanding the powers of the provisional liquidator. This Order empowers myself, as Provisional Liquidator, to do the following:

- a. Carry on business to the extent that may be necessary for the benefit of the Bank's clients and in particular, upon the request of the Bank's clients, release the clients' International Business Companies' records to their newly appointed registered agent(s).
- b. Upon the request of the Bank's clients, to liquidate their security holdings which are being held by the Bank in a fiduciary capacity.
- c. Liquidate the security holdings of the Bank at such time as he may determine will be beneficial to the estate.

P.3

1-586-415-7078

JESSOP BUIER

NOV 18 02 02:34p

November 11, 2002  
Client of Suisse Security

Page 3

- d. Do all acts and execute in the name and on behalf of the Bank all deeds, receipts and other documents and for that purpose use, where necessary, the Bank's seal.

This order further provides that:

- e. Barclays Bank PLC, its employees, servants and agents, UBS Geneva, its employees, servants and agents and Suisse Security Investments Inc. (SSI) and Suisse Security Holdings Ltd. (SSH), their employees, servants and agents do provide all relevant account information relating to SSI and SSH, including but not limited to the following:
  - i. Copies of all documents including bank advices of all transactions originating from Suisse Security Bank and Trust Limited to SSH and SSI.
  - ii. Copies of all documents including all bank advices relating to any funds received by SSH and SSI for and on behalf of Suisse Security Bank and Trust Limited or others from 1st January, 2001 onwards.
  - iii. Names and addresses of all shareholders, officers and directors of SSH and SSI from 1st January, 2001 onwards.
  - iv. All written and electronic instructions from Suisse Security Bank and Trust Limited, SSH and SSI directing deposits, withdrawals and/or transfers.
  - v. An accounting of all transactions involving the bank accounts of SSH and SSI at UBS Geneva and Barclays Bank PLC, respectively, from 1st January, 2001 onwards.
- f. SSH and SSI, its account signatories and shareholders do provide the Provisional Liquidator with letters signed by them authorizing UBS Geneva, Barclays Bank PLC or any other institution to provide the Provisional Liquidator with information relative to the accounts maintained at UBS Geneva, Barclays Bank PLC and elsewhere in the name of SSH and SSI.
- g. The beneficial owners, management, employees, agents including the registered agents of SSH and SSI turn over to the Provisional Liquidator all funds held by these entities on behalf of the Bank or to provide the Provisional Liquidator with letters signed by them authorizing UBS Geneva, Barclays Bank PLC or elsewhere to turn over all funds held by SSH and SSI on behalf of the Bank to the Provisional Liquidator.
- h. Barclays Bank PLC and UBS Geneva do provide the Provisional Liquidator with any and all information relating to the accounts held by Barclays Bank PLC and UBS Geneva for and on behalf of SSH and SSI and of Suisse Security Bank and Trust Limited.

November 11, 2002  
Client of Suisse Security

Page 4

- i. Mr. Christopher Lunn, Chief Executive Officer and Director; Mr. Mohammed Harajeh, Director and Chairman; Mr. Terry Nash, Director; Mr. Alistair McKellar, Director; Derek Ryan, Esq., Corporate Secretary; Ms. Vanessa Lockhart, Head of Filing Department; Ms. Kay Biggs, Head of Visa Department; Tamiko Miller, Head of Corporate Department; Ms. Ketriss Walls, Reconciler and Mr. Archie Strachan, Head of Trading Department, do submit the required statement of affairs of the Bank, pursuant to Sections 155 and 156 of the Companies Act, 1992, as requested by the Provisional Liquidator by letters dated 29th March, 2001.
- j. The Bank's beneficial owners, management, directors, employees, agents including registered agents turn over all assets, records and the corporate seal of the Bank to the Provisional Liquidator.

Clients who have not already done so are asked to kindly submit to the provisional liquidator claims and evidence of their deposit balances and securities holdings. In jurisdictions where there is no Bahamian Consular representative or presence, the British Consular representative or presence should be used to notarize copies of photo identification. Please be advised that as the bank has not yet been wound up, there will be no distribution of funds at this point.

Yours very truly,

**SUISSE SECURITY BANK AND TRUST LIMITED**



**RAYMOND L. WINDER**  
Provisional Liquidator

RLW/jjm

1 account, none that was shown or gathered up by these, the  
2 hundreds -- or the 50 to 70 bank accounts that these fellows  
3 examined had that deposited anywhere in it. And if you look  
4 at her exhibits, you won't find any bank records showing that  
5 money deposited. Just her attempt to wave around a check to  
6 claim that she had \$25 million one day.

7           What else do we have? The Bahamas Program, the  
8 flagship program. Take a look at her stack of papers. See if  
9 there's one single bank statement in there. There's nothing.  
10 There's a bank brochure, a glossy thing you can pick up in a  
11 bank in the Bahamas, and one thing that's not signed by  
12 anybody and it says, "Dear Client." It doesn't have her name  
13 on it, doesn't have an account number on it, doesn't have  
14 anybody's name on it. Something she could have gotten off the  
15 Internet.

16           Winfield Moon. She takes the last, the last \$1.8  
17 million of the investors' funds and she gives it to this  
18 Worldwide -- or she sets up this account called Worldwide  
19 E-Cap and Winfield Moon, and by her own admission she sends it  
20 over to Europe, runs it through a couple of bank accounts over  
21 there. It comes back in 2002 at a time in 2002 when the  
22 investors are screaming, the place has folded. She takes it  
23 and puts it in her next get-rich-quick scheme. She gives it  
24 to Michael Carney to make a down payment on this land. Now,  
25 does that sound like something that you do to protect



# SUISSE SECURITY BANK & TRUST

## The Offshore Leader

As a client of Suisse Security Bank & Trust, you can now have complete confidence in the strength of our organization and in the safety of your account. Whether you are an individual or corporate client, we'll help you establish the type of account that matches your needs.

### Protection for All SSBT Accounts

SSBT clients enjoy superior account protection for two reasons:

(1) All of SSBT's client deposits are held with its correspondent Tucker Anthony.

(2) All accounts held with Tucker Anthony carry the standard SIPC insurance and also enjoy substantial third party protection.

Tucker Anthony is a member of the Securities Investors Protection Corporation (SIPC) and under the Securities Protection Act, SIPC provides for its members up to US\$500,000 of protection per customer. All Tucker Anthony client accounts are protected over and above the standard industry coverage provided from SIPC. Unlike many excess coverage policies, this additional protection (known as "Net Equity" excess SIPC coverage) cover the total amount of fully paid securities and cash balances without limit, thus providing total protection for each customer's assets.

The additional coverage is underwritten by Asset Guaranty Insurance Company, a wholly-owned subsidiary of Enhance Financial Services group, Inc. which has a market capitalization of over 750 million US dollars. This excess coverage is triggered by the same terms and conditions as standard SIPC protection. Accordingly all securities and cash balances held in a client's account would be distributed to a client in the unlikely event of a SIPC liquidation. Securities purchased on margin, if any, would be distributed on a pro-rata basis after calculation of any debit balances.

*"We offer all our  
clients the  
confidence and  
protection of  
unlimited account  
protection."*

**Charges & Rates  
Schedule**



Effective As  
Of January 11, 1999  
Subject to change  
without notice

**Suisse Security Bank & Trust**

**Cash Management Standard Fees**

Wire transfer	1.0% (minimum US\$ 38)	Cashier's check	1.0% (min. US\$ 38)
Retained statements	US\$ 20 per month	Bank guarantees	Negotiable
Fax confirmations	US\$ 25	Fax statements	US\$ 25 per statement
Account reference	US\$ 100	Transfer investigation	US\$ 100
Check cancellation	US\$ 50 per request	Transfer cancellation	US\$ 50 per request
Check deposits	FREE		
Check collections	FREE (except for any correspondent charges)		
Bounced check	1/4% on check amount (minimum charge of US\$ 100)		
Cash withdrawals	1.5% (minimum US\$ 38) for USD withdrawals 2.0% (minimum US\$ 50) for non-USC withdrawals		

**Cash Accounts**

	Type 1	Type 2	Type 3	Type 4	Type 5	Type 6	Type 7	Type 8'
Monthly account fee:	\$2.00	\$5.00	\$18.75	\$7.50	\$12.50	\$16.25	\$21.25	\$25.00
Annual interest rate:	0%	2%	1%	3%	4%	5%	6%	Varies
Monthly service charge:	\$10	\$40	\$45	\$55	\$60	\$70	\$90	\$50
Minimum balance to avoid service charge: (* per currency)	\$500	\$4K	\$5K	\$15K	\$35K	\$75K	\$150K	\$9K

**Checking Accounts**

	Type 30	Type 31	Type 32	Type 33
Monthly account fee:	\$5	\$12.50	\$15.00	\$16.25
Annual interest rate:	0%	1%	2%	3%
Monthly service charge:	\$15	\$30	\$40	\$50
Minimum balance to avoid service charge:	\$2K	\$5K	\$15K	\$25K
Free checks per month:	3	5	10	20
Per check charge for additional checks:	\$1.50	\$1.50	\$1.50	\$1.50

**Interest & Overdraft Rates**

	Interest	Overdraft	
United States Dollar	Varies	18% p.a.	
German Mark	1.75% p.a.	18% p.a.	
French Franc	1.75% p.a.	18% p.a.	Call for information on all other currencies.
British Pound	2.00% p.a.	18% p.a.	
Canadian Dollar	1.75% p.a.	18% p.a.	
Swiss Franc	0% p.a.	18% p.a.	

**I.B.C. Incorporations**

	Incorporation Fee	Annual fee per IBC
Authorized share capital of up to US\$ 50,000	US\$ 529	US\$ 250
Authorized share capital of over US\$ 50,000	US\$ 1,380	US\$ 1,000
Shipping charges via U.P.S. (U.S. & Canada)	US\$ 39 per company	
Shipping charges via U.P.S. (Everywhere else)	US\$ 49 per company	

**Corporate Management Standard Fees**

Voice Mail Box	US\$ 9.95 per month	Fax mail box	US\$ 12.95 per month
Fax on demand box	US\$ 14.95 per month	Phone calls to U.S.	US\$ 1.95 per minute
Fax calls to U.S.	US\$ 1.95 per minute	Phone calls (non-U.S.)	Varies
Fax calls (non-U.S.)	Varies	Hold mail	US\$ 8.95 per month
Administrative work	US\$ 45 per hour	Notarize	US\$ 200 per item
Apostille	US\$ 260 per item	Legal advice	Varies
Photocopies	US\$ 0.25 per page	Nominee director	US\$ 100 per month
Client letter request (custom)	US\$ 25	Certified SSBT letter	US\$ 50
Resolution of subscriber copy	US\$ 25	Memo. & Arts. copy	US\$ 25 / 50
Additional share certificate	US\$ 10 / 25	Cert. of good standing	US\$ 50
Change of registered agent	US\$ 100	E-mail account	FREE

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

JANET MAVIS MARCUSSE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 12-01025 (CKK)
	)	
UNITED STATES DEPARTMENT OF	)	
JUSTICE, et al,	)	
	)	
Defendants.	)	
	)	
	)	

**MOTION FOR EXTENSION OF TIME TO FILE A PARTIAL DISPOSITIVE MOTION  
FOR DEFENDANT INTERNAL REVENUE SERVICE**

Defendant, Internal Revenue Service (“IRS”), by and through undersigned counsel, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 6(b)(1) for an enlargement to, and including, February 1, 2013 to file a dispositive motion addressing all claims made against the IRS in this action. The Defendant’s motion is currently due on October 26, 2012. Plaintiff is an incarcerated prisoner and therefore Defendant did not confer with her regarding this extension motion pursuant to Rule 7(m) of the Rules of the United States District Court for the District of Columbia. There is good cause to grant this motion.

This case arises, in part, out of Plaintiff’s requests to the IRS pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 for records relating to her criminal case. Plaintiff filed FOIA three requests with the IRS between May 12, 2009 and October 19, 2010, and the IRS responded, advising her that it did not have any documents responsive to her request. On October 12, 2012, IRS counsel learned that staff in its Criminal Investigation Division in Grand Rapids, Michigan had located more than 60 boxes of material that may be responsive to

Plaintiff's requests. All of the potentially responsive information was obtained or gathered during the course of a grand jury investigation, and thus is grand jury material subject to the confidentiality provisions of Rule 6(e) of the Federal Rules of Criminal Procedure. Some of the grand jury material was made a part of the public record at trial, however, and is no longer subject to Rule 6(e). IRS counsel estimates that there are approximately 120,000 pages of material and that approximately 9,000 pages may be released to the Plaintiff.

On October 19, 2012, undersigned counsel sent the Plaintiff a letter asking her to clarify the scope of her request, indicate whether she is interested in receiving all or part of the 9,000 pages of public material, and specify the format in which she would like to receive it. *See* Exhibit A. The IRS respectfully requests this enlargement of time so that it may confer with the Plaintiff about this newly-discovered material, separate the public information from the information that must be kept confidential pursuant to Fed. R. Crim. P. 6(e), format and duplicate any material sought by the Plaintiff, and release it to her in the format of her choice. The IRS proposes to process and release the material to the Plaintiff by December 31, 2012 and file its dispositive brief by February 1, 2013. The IRS believes that the additional time is necessary in order to fully process Plaintiff's request and ensure that the case is ripe for judicial review.

This motion represents Defendants' first request for an enlargement of time to file a partial dispositive motion regarding the claims against the IRS. This enlargement of time would impact the Plaintiff's deadline for filing an opposition to the motion and defendant's reply thereto. There are no other pending deadlines or court dates that this request for enlargement would affect. For the foregoing reasons, Defendant respectfully requests that it be afforded to, and including, February 1, 2013 to file a dispositive motion addressing the claims made against the IRS.

Date: October 19, 2012

Respectfully submitted,

RONALD C. MACHEN JR., D.C. Bar #447889  
United States Attorney  
for the District of Columbia

DANIEL F. VAN HORN, D.C. Bar #924092  
Civil Chief

By: /s/ Jenny Knopinski  
JENNY KNOPINSKI  
Special Assistant United States Attorney  
555 4th Street, N.W.  
Washington, D.C. 20530  
Tel: (202) 616-3285 Fax: (202) 514-8780  
Jenny.knopinski@usdoj.gov

6. IRS Memorandum of Interview "MOIs".

In addition, with respect to this request, you sought all documents, reports, pictures, exhibits, memorandums, letters, summaries, handwritten notes, recordings, and all other information concerning the subject.

In your October 18, 2010 FOIA request, you sought, in connection with the above-referenced criminal case, copies of wire transfer statements, cancelled checks and other bank records with respect to accounts at National City Bank, Wells Fargo Bank, Royal Bank of Scotland, and various other banks and financial institutions.

On October 12, 2012, IRS counsel learned that approximately sixty (60) boxes of documents currently located in Grand Rapids, Michigan may be responsive to your requests. All of the potentially responsive information was obtained or gathered during the course of a grand jury investigation using the grand jury process, and thus is grand jury material subject to the confidentiality provisions of Rule 6(e) of the Federal Rules of Criminal Procedure.

Grand jury material that is made a part of the public record at trial, however, is no longer subject to Rule 6(e) and may be provided to you. Attached is a list of all the exhibits that were introduced in the public record in the above-referenced criminal case. We can provide you with any of this public information as well as the underlying bulk bank records upon which the relevant summary charts are based. The combination of public record documents and their underlying bank records total approximately 9,000 pages.

Please let me know whether you would like copies of all public record information from the criminal trial as well as the underlying bulk bank records, or copies of those exhibits from the trial that you specify by exhibit number. In addition, please let me know the format in which you would like to receive the documents, paper or electronic (.pdf format on a CD/DVD), and if there are any special procedures that must be followed in sending this information to you.

Sincerely,

RONALD C. MACHEN JR., D.C. Bar #447889  
United States Attorney  
for the District of Columbia

By: /s/ Jenny Knopinski  
JENNY KNOPINSKI  
Special Assistant United States Attorney  
555 4th Street, N.W.