

BADGER FLATS GAZETTE

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"SILENCE IS GOLDEN"



"SILENCE IS GOLDEN"

First coined by John D. Rockefeller, it means "no apology to the public is necessary." A buddy of his, William Vanderbilt, chimed in with the crass *up yours* line of "the public be damned."

They're likely chanted by McClatchy Newspapers, owner of The Los Banos Enterprise and The Merced Sun Star, while sucking up political advertising dollars for covering up uncivil civil servants' hi-jinks.

The current civil servant cover up by McClatchy concerns the deadly toxin MTBe and a public claim filed against Merced County officials by Mr. Marion Santos, owner of Santos Ford/Toscano RV (biggest payer of LB City Sales Taxes).

Our story picks up on Christmas Day '07 when the LBE slipped in an article with gross omissions of relevant facts concerning the quest of California Dairies Inc./Los Banos Foods seeking a reduction of approximately \$160,000.00 of its water rate to survive the MTBe contamination.

City councilmen are going along with a ruse to let corporate Chevron and erstwhile Merced County uncivil civil servants off the liability hook under the guise of helping CDI/LBF. The worst is yet to come from the mouths of City officials. Read on.

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Shhhh!

MERCED COUNTY OFFICIALS & "THE MTBE COVER UP"

BY GENE FORTE



Overview: The Badger has been waiting for uncivil civil servants and their buddies at McClatchy Newspapers since the October 2007 issue "The Buck Stops Here!" to fall into their own stew.

It takes patience. Letters become the metaphorical "paper trail" for you now to follow.

But, before we jot on down the paper trail with newcomers to the story, let's briefly recap what's gone on so far.

In October 2007, The Badger was the first to inform citizens that California Dairies' Los Banos Foods (LBF) at 1155 Pacheco Blvd



had their water well contaminated with MTBe (**Methyl tertiary-butyl ether**).

Readers learned that the contamination had been due to a leaking underground fuel storage tank belonging to the corporate owned Chevron at 1164 Pacheco Blvd, directly across the street from LBF.

The Badger didn't pull out an *Acme-handly-dandy-MTBe-detector-o-meter* that enabled it to figure out where the MTBe came from.

The facts were gathered from files of the Merced County Department of Environmental Health (MCDEH) and a government website called GeoTracker (Fig. 1a and 1b on pages 4 and 5).

The Badger doesn't actually wonder why brainiac city leaders are spending money on an outside environmental firm as Councilman Faria states, "to determine the best course of action to take regarding our water supplies and the Los Banos Foods water supply contract."

There is no insight that can be provided by an environmental remediation firm about discounting a water contract from the City to Los Banos Foods.

But, they certainly can provide the City of Los Banos with a whopper of a bill to listen to stupid questions. (Take a look at an old newspaper article called "Lodi's Losing Gamble" on page 37 for a glimpse of the future. Los Banos' civil servants seem to be going down the same path as Lodi.)

(MTBe, see page 3)

Forward Done Backwards

by Gene Forte



In every Badger, I try to nutshell my thoughts for easy reading of intertwining events taking place. If I do so too much, the essence of what I believe is important for citizens to consider is lost. Details are important in my telling stories. It is for that reason that I have decided to finally write a full length book.

The theme "Silence is Golden" is meant to convey that the media you have been conditioned to trust to keep a watchful eye on government actually works in tandem with civil servants to conceal the corruption. My interview with the associate Dean of the USC Annenberg School of Journalism gives insight to the image of journalists in our culture. Images are in most cases not reality and more like mirages.

The media's pay off is political advertising and all of the benefits of being the propaganda machine for what I call are the good ol' boys. As example, few citizens realize that the vast majority of all media in the country is controlled by a handful of media moguls.



For all intents and purposes, it is a government sanctioned monopoly for the government's benefit. It is the media who gets politicians elected by coyly brainwashing you into voting for who the government wants you to elect. Citizens walk away thinking that they made an informed decision based upon what the media informed them of. Remember, from *Mr. Smith Goes to Washington to Tomorrow Never Dies*, it was the media mogul that controlled everything.

You will be given glimpses as to how the Grand Jury system, which is supposed to be under the control of citizens, is not and is just another sham. Across the next months,

you are welcomed to witness exactly how far out of control our civil servants are as The Badger continues to pull back the curtain on civil servants of Merced County and the State of California

In this Badger, you will see the actual emails/letters between me and City officials revealing what I consider their nonsensical game of avoiding answering questions directly.

The Councilman Faria merry-go-round is a good example, and I am



greatly disappointed with Councilman Faria thus far. I have been run around by far more artful dodgers than

Councilman Faria, and I am hopeful that he will change his ways. I would like to think that there is still hope for him, but I cannot say anything positive unless I actually see the proof by his actions.

Readers may recall that I had at one time publicly stated that I thought Faria had the potential of being a fine mayor. I now take that back and reassess my position. Councilman Faria is emulating what he thinks makes a good politician by not giving straight answers, and always feeling strongly both ways. Good politicians make poor representatives of the people.

Perhaps, my first opinions were prejudiced by my watching him sing and play the piano so beautifully at church, and the fact that I like him personally.

You will find a letter that I have authored to Mr. David O'Reilly, CEO of Chevron (Page 59) and a letter to Mr. William Vaughn City attorney (Pg. 60), trying to avert City officials from tossing \$160,000.00 of city revenues out the window to help Chevron out.



Silence is Golden delves into newspapers getting political advertising bucks. It shows how McClatchy Newspapers/Los Banos Enterprise has kept concealed Marion Santos' claim made against Merced County civil

servants that he alleges tried to muscle him out of money to cover up their playing footsy with Chevron.

Lost in Space is where The Los Banos Enterprise travels when information about uncivil civil servants is dropped in their lap. Citizens are told nothing about it.

Would you Believe.... asks if you really think that the City officials did not read, or know about the content of The Buck Stops Here! from October 2007 which went into detail about the MTBe contamination of Los Banos Foods by the corporate owned Chevron.



Elsie & Los Banosans v. The 500lb Gorilla talks about the clout of Chevron to have cases dismissed against them because Supreme Court Justices own their stock and how the influence comes right here to Merced County to affect citizens' pocketbooks.

Tommy Jones Sued makes citizens aware of the lawsuit filed against Mr. Tommy Jones, not as Mayor of the City but as an individual and clarifies that the City of Los Banos has not been sued.

The Cookie Crumbles gives my perspective on the Charles "Cookie" Thornton killing of civil servants in Kirkwood, Missouri.

Don't be intimidated by the size and please be patient as you may need to jump from page to page to follow the story. The Badger is made to be read over and over. Each time you read it, you may think about something in a way that you didn't consider before.

The next few months are going to find me knee deep in civil servant alligators I am wrestling, and I make no promises as to when or how soon another Badger will be available.

But, The Badger always comes out when the good ol' boys least expect it.

THE END



(MTBe, from page 1)

NOW HERE'S AN IDEA!

Now, here's an idea for our City Hall civil servants, or maybe it's just too wild! But, since it might gain about \$160,000.00 in water revenues for the city, maybe it's worth a shot?



Why don't our civil servants have City Attorney Bill Vaughn call the corporate Chevron

offices and tell them to pay the City of Los Banos the difference between the regular business water rate and the discounted water rate contract they plan to give to Los Banos Foods?

What if Chevron asks, "Why should they?"

Have Mr. Vaughn clip out a copy Fig. 1a of GeoTracker (page 4) that shows that the Merced County Department of Environmental Health (MCDEH) determined that the MTBe contamination to LBF was caused by Chevron.

Mr. Vaughn is a plenty smart and frugal fella. He may even suggest the City save the long distance call to Chevron and his billable time and ask that Los Banos Foods call them instead to ask for the check directly.

If my idea is too complicated for Councilman Faria and the other geniuses at City Hall to grasp, maybe citizens should consider throwing the whole bunch out and start from scratch. Citizens certainly wouldn't be losing anything.

IT'S A COVER-UP STUPID!

You know when things just don't make sense, there is usually a very simple explanation.



In this case, it all boils down to our own city civil servants trying to cover the butts of other county civil servants that The Badger caught trying to muscle Marion Santos.

The Badger reported that Santos filed a Merced County Claim against the MCDEH and the Merced County District Attorney's office.

The claim alleged Santos had been threatened with criminal prosecution to cover up the malfeasance or incompetence of MCDEH in handling the remediation of the MTBe contamination to the Los Banos Food wells caused by the corporate owned Chevron station at 1164 Pacheco Blvd.

After the Badger report came out, Santos' claim was rejected by the county in November '07. It was not rejected after any investigation, but by what is called "operation of law."

It is a sleight of hand whereby civil servants avoid holding other civil servants accountable by letting the period to take action lapse, and the rejection becomes automatic.

THE ENTERPRISE LOST IN SPACE?

So where was McClatchy Newspapers' The Los Banos Enterprise and the Merced Sun Star while all of this was going on?

Well, besides gathering up political advertising bucks to sucker you into voting, one of their reporters was calling The Badger to find out how bad it was for their good ol' boy civil servant buddies.



On October 17th, 2007, Reporter Scott Jason of McClatchy Newspapers/Merced Sun -Star asked if The Badger would provide the proof that Merced County DA threatened Santos with criminal prosecution. Within hours, Jason had the information, and The Badger has not heard from Jason since, despite multiple requests. See Fig. 2a (below and 2b—2f (page 6-8).

Santos was contacted by Jason who referred Jason to The Badger article "The Buck Stops Here!" Gene Lieb of the Los Banos Enterprise told Santos that Jason was doing a story on the MTBe contamination of Los Banos Foods and the county claim of Santos.



Lieb told Santos that Jason said he had talked to all of the other people involved, such as District Attorney Morse, and was just waiting to speak with Santos again. Santos never heard from Jason again.

No story ever materialized.

(MTBe, see page 7)

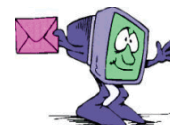
Subject: Request for DDA Maclear Letter/Santos Claim, etc.

From: geneforte@badgerflats.com

Date: Wed, Oct 17, 2007 9:39 am

To: sjason@mercedsun-star.com

Bcc: geneforte@sbcglobal.net



October 17th, 2007

Hello Jason:

Thank you for the phone call this morning.

In response to your request for the DDA Maclear letters (September 2006 & August 2007) I will be sending such via fax due to problem with our a scanner this morning.

You will find attached to this email a copy of The Badger Flats Gazette which I request you refer to as the source of your information.

If you have any further questions, please feel free to call.

Thank you.

Gene Forte
The Badger Flats Gazette

Fig. 2a—Email to Jason after his call to Gene Forte. Jason received the information confirming DDA Maclear threat.

Risk Management

CHEVRON #9-0769 (LOS BANOS)
 1164 PACHECO BLVD
 LOS BANOS , CA 93635
CASE STATUS: OPEN
SHOW THIS SITE ON MAP
RETURN TO REPORT MAIN MENU

LOCAL AGENCY (LEAD AGENCY) - CASE #:
2443
 MERCED COUNTY LOP - (ELS)
REGIONAL BOARD - CASE #: 5T24000045
 CENTRAL VALLEY RWQCB (REGION 5F) -
(WWG)
CONTACT: WARREN GROSS - (559) 445-
 5116
CUF REIMBURSEMENT
AMOUNT: \$1,490,000
RB RECORD FILE #:

<u>CASE TYPE</u>	<u>BENEFICIAL USE</u>	<u>BASIN (CALCULATED)</u>
DRINKING WATER AQUIFER	MUNICIPAL AND DOMESTIC SUPPLY INDUSTRIAL PROCESS SUPPLY	SAN JOAQUIN VALLEY (5-22)

VULNERABILITY BASIS
 WITHIN A 1000 FT RADIUS OF A DRINKING WATER WELL OR SURFACE WATER BODY USED AS A SOURCE OF DRINKING WATER.

MTBE THREAT CLASSIFICATION
 A - HIGHEST PRIORITY

MTBE THREAT DESCRIPTION

MTBE CLEANUP CLASSIFICATION
 1 - ~0-5 YEARS TO REACH DOWNGRAIDENT RECEPTOR

MTBE CLEANUP DESCRIPTION

DRINKING WELLS IMPACTED
 1

IMPACTED DRINKING SOURCE DESCRIPTION
 INDUSTRIAL WELL AT FOOD PROCESSING FACILITY WITH DETECTABLE LEVELS OF MTBE (UP TO 11 UG/L AS OF 12/8/03). DETECTIONS OF MTBE JUST ABOVE DETECTION LIMIT (0.5 UG/L IN APRIL OF 2006.

NEAREST SURFACE WATER BODY (CALCULATED) **DISTANCE TO SURFACE WATER (CALCULATED)**

ECOLOGICAL RISK DESCRIPTION

RB RECORD FILE #

PLUME/CONTAMINANT DESCRIPTION

SOIL DESCRIPTION

PRIORITY

CASE DESCRIPTION

Fig. 1a—Geotracker Luft Report—Risk Management from <http://geotracker.swrcb.ca.gov/reports> for Corporate Chevron located at 1164 Pacheco Blvd. It cannot get any clearer that the corporate Chevron is responsible for contaminating the Los Banos Foods processing facility water well with MTBe. Councilman Faria said that he didn't ask MCDEH about it because he knew already. He later contradicted himself.

Risk Management

SANTOS TEXACO #2 (LOS BANOS)
1009 PACHECO BLVD E.
LOS BANOS , CA 93635
CASE STATUS: OPEN
[SHOW THIS SITE ON MAP](#)
[RETURN TO REPORT MAIN MENU](#)

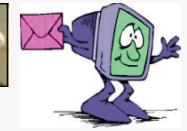
REGIONAL BOARD (LEAD AGENCY) -
CASE #: 5T24000507
CENTRAL VALLEY RWQCB (REGION 5F) -
(WWG)
CONTACT: WARREN GROSS - (559) 445-5116
LOCAL AGENCY - CASE #: 24238
MERCED COUNTY LOP - **(ELS)**
CUF REIMBURSEMENT AMOUNT: \$429,453
RB RECORD FILE #:

<u>CASE TYPE</u>	<u>BENEFICIAL USE</u>	<u>BASIN (CALCULATED)</u>
DRINKING WATER AQUIFER		SAN JOAQUIN VALLEY (5-22)
<u>VULNERABILITY BASIS</u> ABOVE AN AQUIFER, WHICH IS A SOURCE OF WATER SUPPLY FOR A COMMUNITY.		
<u>MTBE THREAT CLASSIFICATION</u> B - SECOND HIGHEST PRIORITY		
<u>MTBE THREAT DESCRIPTION</u>		
<u>MTBE CLEANUP CLASSIFICATION</u> 2 - ~5-20 YEARS TO REACH DOWNGRADE RECEPTOR		
<u>MTBE CLEANUP DESCRIPTION</u>		
<u># DRINKING WELLS IMPACTED</u> 0		
<u>IMPACTED DRINKING SOURCE DESCRIPTION</u>		
<u>NEAREST SURFACE WATER BODY (CALCULATED)</u>	<u>DISTANCE TO SURFACE WATER (CALCULATED)</u>	
<u>ECOLOGICAL RISK DESCRIPTION</u>		
<u>RB RECORD FILE #</u>		
<u>PLUME/CONTAMINANT DESCRIPTION</u>		
<u>SOIL DESCRIPTION</u>		
<u>PRIORITY</u> 3 - THIRD HIGHEST PRIORITY, CLASS 3		
<u>CASE DESCRIPTION</u> APN #026-182-020 HOLES OBSERVED IN THE 7500 GALLON GAS UST LOCAL OVERSIGHT PROGRAM SITE #24238		

[Geotracker Home](#) | [Site/Facility Finder](#) | [Case Finder](#) | [MTBE/Case Reports](#)

Fig. 1b—Geotracker Luft Report—Risk Management from <http://geotracker.swrcb.ca.gov/reports> for Santos Chevron (listed as Santos Texaco) located at 1009 E. Pacheco Blvd. Santos did not contaminate LBF with MTBe.

Subject: Santos Claim, Forte Claim, Link to Badger Flats Gazette, "The Buck Stops Here"
From: geneforte@badgerflats.com (Add as Preferred Sender) 
Date: Thu, Oct 18, 2007 7:51 am
To: Scott Jason <sjason@mercedsun-star.com>, Gene Lieb <GLieb@Losbanosenterprise.com>
Bcc: geneforte@sbcglobal.net

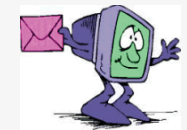


Scott:
 You will find the link below to the most recent edition. I left a copy of it for you with Mr. Lieb at The Los Banos Enterprise yesterday.

Thanks.
 Gene Forte

http://www.badgerflats.com/pdfs/The_Buck_Stops_Here.pdf

Subject: Badger Flats Gazette/Santos Claim/Forte Claim/Interview & Comments
From: geneforte@badgerflats.com (Add as Preferred Sender) 
Date: Wed, Oct 31, 2007 8:11 am
To: Scott Jason <sjason@mercedsun-star.com>
Bcc: geneforte@sbcglobal.net



October 31st, 2007

Dear Mr. Jason:

I would like to interview you and seek your comments as to why you and the Merced Sun-Star have not reported upon the Merced County claim filed by Mr. Marion Santos against Merced County DA Larry Morse and members of the Merced County Department of Environmental Health.

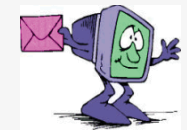
I would also like to interview you seek your comments as to why you and the Merced Sun-Star have not reported upon my Merced County claim filed against Merced County DA Larry Morse and members of the Merced County Department of Environmental Health.

Please respond as soon as possible and let me know when a good time to conduct the interview would be so that I may include your comments in my article in the Badger Flats Gazette.

Thank you.

Gene Forte

Subject: Badger Flats Gazette/No Response to Request for Comments
From: geneforte@badgerflats.com (Add as Preferred Sender) 
Date: Thu, Nov 01, 2007 10:02 am
To: Scott Jason <sjason@mercedsun-star.com>
Bcc: geneforte@sbcglobal.net



November 1st, 2007

Mr. Jason:

I have not yet had a response to my request for an interview with you seeking your comments as to why the Merced Sun-Star and yourself have not reported upon the Merced County claims of Mr. Santos and myself.

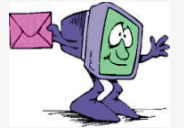
Please respond so that I may include your comments in my article.

Thank you.

Gene Forte
 Badger Flats Gazette
 209-829-1116

Fig. 2b-2d—Emails to Jason requesting an interview as to why McClatchy has not reported upon the Merced County claim of Santos saying that civil servant DDA Maclear threatened Santos with criminal prosecution. Maclear denied he did and says he couldn't.

Subject: Failure to Communicate with Badger Flats Gazette
From: geneforte@badgerflats.com (Add as Preferred Sender) 
Date: Fri, Nov 02, 2007 1:59 pm
To: Scott Jason <sjason@mercedsun-star.com>
Bcc: geneforte@sbcglobal.net



Mr. Jason:

This is now the third or fourth time that I have attempted to obtain comments from you to include in my article as to why the Merced Sun-Star has failed to report upon either the Merced County Claim of Mr. Marion Santos, or my Merced County claim which are related.

You have not responded in any way.

The two essential stories of interest to the public I believe are:

1. Mr. Marions Santos, the number 1 payer of City Taxes of Los Banos claims he was threatened with criminal prosecution by the Merced County District Attorney in order to cover-up negligence and malfeasance by Merced County Department of Environmental Health with private remediation firms.
2. Investigative newspaper reporter (me) defamed and muscled by Merced County DA for exposing threat of criminal prosecution of Mr. Marion Santos and that the investigative research done by me is what Mr. Santos' claim is based upon.

It seems that McClatchy Newspapers would be screaming bloody murder and that their First Amendment Right of Freedom of the Press was being violated if the same was done to them, or any other newspaper.

Is McClatchy Newspapers saying The Badger Flats Gazette, or I as a reporter for it, should not be protected under Freedom of the Press because I have a lawsuit against McClatchy alleging it of defaming me and actively covering up public official corruption?

Again, I request for you to respond to my inquiry for comments to be included in my article in the Badger Flats Gazette.

I respectfully remind you that I showed you professional journalistic courtesy in providing two letters of Deputy DA Macclear within minutes of your request.

Thank you.

Gene Forte

Fig. 2e—Fourth email requesting failure of McClatchy Newspapers to report. McClatchy continues to cover up any allegations of civil servants malfeasance with private remediation firms.



(MTBe, from page 3)

WOULD YOU BELIEVE.....

That after over 7,000 copies of "The Buck Stops Here!" were distributed throughout Los Banos (including City Hall) and downtown businesses for over two months, none of the city council members knew about the MTBe problem at Los Banos Foods reported by The Badger?



Councilman Tom Faria was quoted as saying,

"I knew we had an arsenic problem around here, but I hadn't heard about an MTBe problem."

Los Banos Public Works Director Dwayne Chisam declared,

"The MTBe problem likely comes from gas stations that used to be located on Pacheco Boulevard near Los Banos Foods."

Mayor Jones was quoted saying (and came darn close to uttering a coherent sentence),

"I think anytime we're looking at a way to retain our businesses it's definitely in the right direction."

The Enterprise article said,

"City Manager Steve Rath has publicly

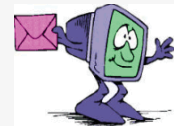
stated that Los Banos Foods is the city's largest tax provider, adding further incentive to accommodate the business."

Councilman Mike Villalta, not wanting to appear to be snoozing at the wheel, questioned Chisam whether allowing Los Banos Foods to use 500,000 gallons of water a day would increase citizens' water rates. Chisam reportedly assured Villalta it would not.

(Note: The Badger was not at the council meeting and is relying upon the purported accuracy of the December 25th, 2007 article by The LB Enterprise.)

(MTBe, see page 8)

Subject: No Response to Multiple Requests by Badger Flats Gazette
From: geneforte@badgerflats.com (Add as Preferred Sender) 
Date: Mon, Nov 05, 2007 12:47 pm
To: Scott Jason <sjason@mercedsun-star.com>
Bcc: geneforte@badgerflats.com,



November 5th, 2007

Mr. Jason:

Please respond to my request for comments as to why you and the Merced Sun-Starr are not reporting upon the claims of Mr. Marion Santos and myself against the Merced County DA's Office and the Merced County Department of Environmental Health (MCDEH).

I have noticed you are writing about contamination issues and each article seems to be a PR puff for the water board, as an example:

"The state's water board is set to clean up the soil and water in a South Merced neighborhood that was contaminated by leaking underground oil tanks decades ago." (**Councilman opens oil-spill discussion Residents will get an opportunity to learn about the cleanup efforts By SCOTT JASON**)

The claim of Mr. Santos is very timely and relevant when it alleges collusion by MCDEH and MCDA to hoodwink the public of funds with private environmental remediation firms.

Again, please respond so that I may include your comments in my article in The Badger Flats Gazette.

Thank you.

Gene Forte

Fig. 2f—Final email to Scott Jason. If you want to get a few laughs, you should listen to Jason in the audio explaining what his story is about. Jason, in a report about higher prices for Christmas in Merced County, told citizens to expect the prices of Xmas lights to go up to \$5.00 per hundred. I got mine for \$1 buck a hundred at Lowes. My point is the man is moronic.



(*MTBe*, from page 7)

**SERGEANTS FARIA,
VILLATA, RATH,
CHISAM & JONES, ET
AL.**

The Badger was scratching its whiskers wondering how *not one* of the civil servants quoted in the LBE saw nothing, heard nothing, and knew nothing about the extensive Badger article concerning Los Banos Foods and the MTBe problem.



In an effort to help City civil servants find out what they missed, The Badger sent Faria, Villalta, Rath, and Chisam the letter found at Figure 3, page 10, with a copy of The Badger.

The package that was given to the civil

servants in question was a duplicate of one sent to Judge Hugh Flanagan, Supervising Judge to the Merced County Grand Jury.

The letter to Judge Flanagan requested an investigation of the tampering with both the Merced County Claim process and a Merced County Grand Jury Complaint by Merced County Supervisor Jerry O'Banion and Merced County Counsel James Fincher.

Not to leave you on a cliff hanger, but you can peruse the first two pages of the letter to Judge Flanagan at Figure 5, page 14-15 and his response, Figure 6, page 16.

It will be covered in more detail in future Badgers. A brief glimpse of what will be addressed can be garnered from the article entitled, "Merced County Grand Jury Useless as Teets on A Boar."

To date, Villalta and Rath have not responded directly in any way. Chisam, who

said he was going to be putting together a joint response, went missing in action until February 6th, 2008.

Take the time to compare the letter sent to Chisam (Fig. 3, page 10) and his response, (Figure 4, page 11) which basically was nothing short of irrelevant blah, blah. My response is on Figure 4b, page 12.

You should also keep in mind that the package of information Chisam was presented clearly indicated with supporting documentation that The City of Los Banos should not be offering to pay any damages caused to Los Banos Foods by the corporate owned Chevron.

When The Badger sends an email to a civil servant that should be able to be answered with a simple response, it becomes a painstaking game of cat and mouse. One email leads to another and ultimately to no

(*MTBe*, see page 9)



(MTBe, from page 8) understandable response from civil servants but only double speak. For an examples of this "double speak," also see Forte's exchange with Faria (Figure 7, beginning on page 18) and letter to the Water Board, Mr. Warren Gross (Figure 4c, page 13).

BADGER VENTURES OUT OF DEN

There is nothing that the Badger dislikes



more than venturing out to a meeting and watching civil servants jerking citizens' chains.

But, in an effort to make sure there would be no chance of plausible deniability (see definition below) by the esteemed civil servants of Los Banos of what was contained in the "Buck Stops Here!", I brought about 50

copies of it to the City Council meeting on January 16, 2008.

And, just to make sure that my point was clear concerning liability regarding the MTBe issue at Los Banos Foods, I said the following publicly during the "open mike" period (see below): THE END

Los Banos City Council Meeting on January 16, 2008, Gene Forte speaking:



"Hello, Council, Mayor.

My name is Gene Forte. I want to talk about and make comment about an article that came out in the Los Banos Enterprise, I believe on December 25th, regarding a matter that the City Council and city has taken under consideration— discounting the water rate, the business rate, to Los Banos Foods of California Dairies due to a contamination of MTBe inside of the well.

Mr. Chism, the public works director, said inside of the interview that he thought that the contamination was coming from a gas station that *used to be* on Pacheco Blvd.

Mr. Faria said that he was aware of arsenic problems in Los Banos but not of any MTBe contamination.

Mr. Villalta said that he wanted to make sure that everything was put on the table because he wanted to make sure the water aquifer wasn't somehow depleted more rapidly due to the water that was going to be used by Los Banos Foods.

It just so happened that in October of 2007, the Badger Flats Gazette had made an extensive article about the MTBe contamination at the Los Banos Foods. It provided inside of it the information that the contamination was caused by the Los Banos Chevron located at 1164 E. Pacheco Blvd. That's directly across the street.

That wasn't *my* determination, that was determined by Merced County Department of Environmental Health. Therefore, I would suggest that the council, before it considers going ahead and lowering the water rate to a business or any business in town, should go ahead and ask the question, where did the

contamination come from?

Now, it did astound me quite frankly. I did send a letter to Mr. Chism, Mr. Villalta, Mr. Rath, Mr. Faria. Mr. Rath has not responded to it. Mr. Chism has not responded to it. Mr. Chism said he was going to make a joint response for everyone.

I asked him, 'Did they happen to read the Badger Flats Gazette? Did any of their constituents tell them about it?' About 7,000 editions were spread out.

Copies were sent to the City Attorney, Bill Vaughn. There are stacks right here, and my God, nobody heard about it.

But you know, Mr. Cotta, who is head of the California Dairy Food operation out of Turlock, he read the Gazette and he knew about it! Know what I really believe?

I believe the members of the City Council already knew that there was contamination at Los Banos Foods, and I think they should suggest to the Corporate Chevron Gas Station, before we lower the rate, that they should put out the dime for it.

Why should *we* pay for it? Why should we pay for the loss that is caused to our city, or now to Los Banos Foods, because of Chevron? Make them the responsible parties, and let's not go ahead and skirt around the issue.

If there are any questions about any of this, I have some more copies of the Badger Flats Gazette.

It will tell you who you can contact – the person's name is Mr. Eric Swenson at the Merced County Department of Health. He was in charge of it. If you'd like to see the documents, over 15,000 documents I've reviewed, that were written by them stating that it does come from the Chevron gas station across the street, then I think we've just gone ahead and saved the city about

\$160,000 and gained about \$160,000 in revenue, if everybody goes ahead and makes sure they don't try to hide the issue.

In closing, and I appreciate the time, but, Mr. Rath, I expect answers to questions when I send them to you, as I do to every city councilman also. That's all I ask.

The next issue of the Badger Flats Gazette will include all the emails, and it's going to be a scorcher letting people know how things are not being reported correctly.

At the Los Banos Enterprise, they didn't say anything about the Merced County claim by Mr. Marion Santos. By the way, Supervisor Jerry O'Banion is going to have a complaint filed against him. For what? Tampering with the Merced County claim process and a grand jury investigation. But that is an entirely another story.

Thank you all for your time. Any questions?"

Mayor Jones: "Thank you for your comments."

Plausible deniability is the term given to the creation of loose and informal chains of command in governments and other large organizations. [Badger's comment: In other words, no clear line of responsibility is made].

In the case that assassinations, false flag or black ops, or ***any other illegal or otherwise disreputable and unpopular activities become public, high-ranking officials may deny any connection to or awareness of such act, or the agents used to carry out such act.***

http://en.wikipedia.org/wiki/Plausible_deniability

Badger Flats Gazette

Friday, January 04, 2008

Mr. Dwayne Chisam, LB Public Works Director
 Mr. Tom Faria, LB City Councilman
 Mr. Michael Villalta, LB City Councilman
 Mr. Steve Rath, LB City Manager
 Mr. Corey Pride, LB Enterprise

HAND DELIVERED WITH ENCLOSURES
 COVER LETTER ALSO BY EMAIL

Re: MTBe/Los Banos Foods, Los Banos Enterprise Interview

Dear Gentlemen:

I write this letter about a recent Los Banos Enterprise article dated December 25th, 2007 entitled "Water rate will be cut for business" concerning MTBe contamination and Los Banos Foods. It appears that none of you had the opportunity to read the October 2007 issue of The Badger entitled "The Buck Stops Here!" If you did, you would have had a lot more information to base your decision upon, and very possibly a few more options that you may not have considered.

Mr. Chisam would have known that the Merced County Department of Environmental Health (MCDEH) determined the source of the contamination to be the Chevron Gas Station located at 1164 Pacheco Blvd., not from "gas stations that used to be on Pacheco Blvd."

I find it somewhat incredible that Mr. Faria had not read, or glanced at one of the 5,000 copies of the October issue that focused upon the MTBe at Los Banos Foods and Mr. Marion Santos' Merced County claim about it. The claim alleges that either through negligence or malfeasance MCDEH had botched the remediation of Los Banos Foods contamination and was trying to cover it up by threatening Mr. Santos with criminal prosecution. You will each find a complimentary copy enclosed, and I ask that you inform me if you had read it before you had your interview with the Los Banos Enterprise.

In an effort to help Mr. Villalta "tie everything in" and "get it all out in the open," he is being provided (as is each of you) a December 6th, 2007 document with supporting exhibits which was sent to Judge Hugh Flanagan, Supervisor to the Merced Grand Jury. It provides evidence that Merced County Counsel James Fincher, Merced County Supervisor Jerry O'Banion and MCDEH Director, Jeff Palsgaard, may have attempted to tamper with a Grand Jury Complaint and the Merced County Claim process of both Mr. Santos and myself. (There is an addendum errata being prepared by AEC to Exhibit #6).

It would seem reasonable that if MCDEH is found to be responsible for bungling the remediation job that ultimately closed down the LB Foods Well, they should foot the bill for the additional water costs.

It is incredulous that the Los Banos Enterprise can say they are making citizens aware of the MTBe cabal which now envelopes Los Banos Foods without mentioning a word about Mr. Santos' claim.

I will be contacting each of you individually for an interview and comments. If you have any questions, please feel free to call.

Sincerely,

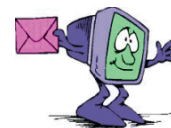
Gene Forte

Enclosed: Badger Issue, The Buck Stops Here Issue/ Document (with exhibits) to Judge Hugh Flanagan

Page - 1 -

688 Birch Court, Los Banos, California 93635
 Phone: (209) 829-1116 Fax: (209) 829-1952

Figure 3—Letter sent with a copy of the Badger Flats Gazette, The Buck Stops Here, along with a document which Councilman Faria referred to it as "a comprehensive and well-assembled collection of relevant materials that deserves my attention." Faria then acts like he has no clue that the MTBe contamination was caused by the corporate Chevron.



Subject: MTBE
From: "Dwayne Chisam" <dwayne.chisam@losbanos.org>
Date: Wed, 6 Feb 2008 09:16:15 -0800
To: "'Gene Forte'" <geneforte@sbcglobal.net>
CC: "'Sharon Hogan'" <Sharon.Hogan@losbanos.org>

DRAFT

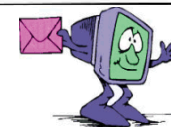
Dear Mr. Forte:

On behalf of the City of Los Banos as City Engineer and Public Works Director I am responding to your inquiries and concerns regarding water quality issues relative to Los Banos Foods request to connect to the City's domestic water supply system. I have completed the review of the documents that you have provided to me. As you may already know the City currently relies solely on groundwater sources for its domestic water supply and is sensitive to water quality issues that may affect that supply. Currently with the careful siting of wells and selection of aquifer production zones, the City has been successful in developing groundwater sources meeting the domestic Water Quality Standards. In reviewing the materials relative to the Santos/Chevron corporate underground storage tank cleanup issues, I have concluded that the City's domestic water system has not been adversely impacted whatever the source of the contamination in the localized area of interest to you. Of course the larger issue to the City of Los Banos is what affect the events cited in your materials may have on the ability of the City to continue to supply safe and potable water to the citizens of Los Banos. I have requested that the City Attorney monitor the pending claim filed by Mr. Santos to assure that the public's interest is protected. I note that you made a public records request of the County of Merced. Would you be willing to share all of the documents that were furnished to you pursuant to the Public Records Act? Thank you for bringing this matter to my attention.

Figure 4—Response from Chisam that is not responsive to my letter.

Subject: Chisam Letter
From: geneforte@badgerflats.com
Date: Wed, Feb 13, 2008 10:09 am
To: William Vaughn <cityattorney@losbanos.org>

Hello Bill:



I received an email from Dwayne Chisam wherein he stated:

"I have requested that the City Attorney monitor the pending claim filed by Mr. Santos to assure that the public's interest is protected."

Would you please inform me:

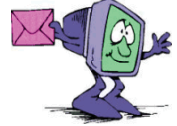
1. How you are specifically "monitoring the pending claim"?
2. How your "monitoring" of the claim would specifically "assure that the public's interest is protected"?

Thanks.

Gene

Figure 4a—Email to City Attorney Bill Vaughn.

Subject: Re: Corporate Chevron MTBe Contamination to Los Banos Foods Water Well
From: Gene Forte <geneforte@sbcglobal.net>
Date: Wed, 13 Feb 2008 10:27:11 -0800
To: dwayne.chisam@losbanos.org



Hey Dwayne:

Sorry I didn't get back to you sooner but I have had a very nasty cold for the past 10 days.

I believe that I have a copy of the Public Records stuff on CD and of course you can have a copy of it.

I will try to drop a copy of it by City Hall by the end of the week.

With that said, in reference to your response it appears you didn't either read the package carefully enough, or you didn't read The Badger I gave you "The Buck Stops Here!" because you miss my point that I know I made very, very clear.

Did you read "The Buck Stops Here"?

The whole point of my contact with you and the City Council was to tell you that the City should not be discounting the business water rate to LBF for the damages caused to LBF by the MTBe contamination of their well found by MCDEH to have been caused by the corporate Chevron at 1164 Pacheco Blvd. unless the City is guaranteed that Chevron is going to pay what ever that discount is.

Also, I ask you:

1. Do you think the City should incur a loss of water revenues due to the MTBe contamination problem caused to LBF by Chevron?

I look forward to your response.

Thanks.

Gene

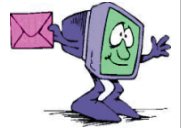
Figure 4b—My response to Chisam's email (Fig. 4), page 11.



THE DA VINCI CODE: WHY THE GRAND JURY PROCESS DOESN'T WORK

- (1) Each fall, applications for service are received by the Jury Commissioner and reviewed by the Grand Jury Judge.
- (2) By court policy, and at the discretion of the Grand Jury Judge, up to seven members of the previous year's jury may serve a second term to provide continuity.
- (3) The Grand Jury Judge appoints a foreperson to preside at meetings.
- (4) Some subjects to be investigated are brought about by letters from citizens regarding complaints of alleged mistreatment by officials, suspicion of misconduct, or governmental inefficiencies. Such complaints are kept confidential.
- (5) A large portion of the public mistakenly believes that an individual appearing before the Civil Grand Jury, particularly a public official, suggests malfeasance or misfeasance. This entails having public officials appear before the jury to provide information to the jury relative to their departments or offices.
- (6) The Grand Jury Judge, the District Attorney, the County Counsel, and the State Attorney General act as advisors, but cannot limit actions of the jury, except for illegality.
- (7) Members of a Grand Jury are sworn to secrecy, thus assuring all who appear that their complaints will be handled in an entirely confidential manner.
- (8) The law provides that every Grand Juror must keep secret all evidence adduced before the Grand Jury, anything said by a Grand Juror, or the manner in which a Grand Juror may have voted on a matter. By law, it is a misdemeanor to violate the secrecy of the Grand Jury room. A Grand Juror must not confide any information concerning testimony of witnesses or action of the jury even to a spouse or close friend. "Leaks" concerning Grand Jury proceedings inevitably will impair or even destroy the effectiveness of Grand Jury efforts.

Subject: LOP 24238/Marion Santos
From: Gene Forte <geneforte@sbcglobal.net>
Date: Tue, 29 Jan 2008 12:44:06 -0800
To: Warren Gross <wgross@waterboards.ca.gov>
CC: Alan Pereira <alwest022@sbcglobal.net>, Jon Buck <jonbuck@advanced-ec.com>, Ron Duff <RDuff@waterboards.ca.gov>



January 29th, 2008

Mr. Gross:

I write this letter at the request of Mr. Santos informing you that he did return as anticipated but was greeted with service of a lawsuit for \$314,000 by Tetra Tech, Inc..

Therefore, the discussion of getting together with you to discuss further merry-go-round remediation assessment has not yet taken place. Mr. Santos has been inundated with the paper war now started by Tera Tech in the form of Interrogs, admissions, etc. and has yet chosen an attorney to represent him. If you don't know how that game is played it is suggested you review the City of Lodi fiasco with attorneys ripping off \$16million and counting instead of remediating the problem.

I have also not yet ascertained from Mr. Santos what he wishes to do concerning the non-responsive answers from yourself and Mr. Harlow.

With that said, Mr. Santos requests that you provide a list to himself and to Mr. Jon Buck of anything you think he may need to do to stay in compliance, and also provide a list of items you wish to discuss at the meeting you have proposed.

Regrettably, the USTF and those connected to it, you, Mr. Duff, MCDEH, CVRWQCB has done nothing to assist Mr. Santos in determining if the work done thus far by Tetra Tech, Moore Services, etc., under the direction of MCDEH was in fact actually needed or justifiable.

Notwithstanding such fact, all the civil servants attitude connected to this cabal is to "just move on" while the outrageous negligence and possible malfeasance of MCDEH continues to crush Mr. Santos.

Here are a couple of final questions that Mr. Santos requests an immediate answer:

1. Did MCDEH determine that the MTBe contamination to the wells of Los Banos Foods was caused by the Corporate Chevron located at 1164 Pacheco Blvd?
2. Did MCDEH ever conclusively determine that Santos' Chevron contributed to the MTBe contamination to the wells of Los Banos Foods?

Once Mr. Santos has received your responses to the two above questions.

If you have any questions please call.

Thanks.

Gene Forte

Figure 4c—Email to Mr. Warren Gross of the California State Water Board asking two simple questions.

Badger Flats Gazette

COPY

December 6th, 2007

Honorable Hugh Flanagan
 Merced County Grand Jury, Supervising Judge
 Superior Court of California
 627 W. 21st Street
 Merced, CA 95340

CERTIFIED MAIL

Re: Request for Investigation of Grand Jury Tampering & Merced County Claim Interference

Dear Honorable Hugh Flanagan:

I write this letter to request that you either investigate or request an investigation by the Attorney General's Office, or other appropriate investigative agency, of events which evidence that Merced County Counsel James Fincher (MCC Fincher) and Merced County Supervisor Jerry O' Banion (MCS O'Banion) have breached the confidentiality of and tampered with the Merced County Grand Jury (MCGJ) process, and interfered with the Merced County Claim process for the benefit of the Merced County District Attorney's Office (MCDAO) and the Merced County Department of Environmental Health (MCDEH).

Prior to my addressing the transparent track covering attempts of MCC Fincher and MCS O'Banion in their letter to Mr. Marion G. Santos, III dated November 14th, 2007, I will present a meat and potatoes summary of the events that reveal the smoke rising from their surreptitious conduct.

The old adage "where there is smoke, there is fire" applies. Your honor is being requested to peer into the smoke according to your judicial canon of ethics to do so.

TAMPERING WITH & BREACHING CONFIDENTIALITY OF GRAND JURY

On Wednesday November 7th, 2007, the MCGJ received complaints filed by myself and Mr. Marion Santos against the MCDAO and the MCDEH. (Exhibit "A", USPS Delivery Confirmation)

On Thursday November 8th, 2007 MCS O'Banion contacted Mr. Santos on behalf of himself, MCC Fincher, and MCDEH to arrange a meeting to "see if anything could be worked out before matters got out of control." (Exhibit "B" item #5, Declaration of Marion G. Santos, III)

On Monday November 12th, 2007 Mr. Santos sent a fax to MCS O'Banion asking if the proposed meeting was about his Merced County Claim, his MCGJ Complaint, or both. (Exhibit "C", Mr. Santos' fax to MCS O'Banion)

On Wednesday November 14th, 2007 MCS O'Banion responded by faxed letter to Mr. Santos saying that "he was unaware of the Grand Jury complaint and that Merced County Risk Management deals with claims". MCS O'Banion acknowledged his awareness that he "didn't believe it would be appropriate to talk about either." (Exhibit "D", MCS O'Banion faxed letter to Mr. Santos).

A comprehensive reading of the letter of MCS O'Banion to Mr. Santos discloses that MCS O'Banion was practicing the art of double speak, and contradicting himself from beginning to end.

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688 Birch Court, Los Banos, California 93635
 Phone: (209) 829-1116 Fax: (209) 829-1952

A few examples of such are:

1. MCS O'Banion informs Mr. Santos that Merced County Risk Management Department deals with claims while being aware that:
 - A. MCC Fincher advises the Merced County Risk Management Department on assessment of Merced County Claims.
 - B. MCC Fincher would be defending the MCDAO and the MCDEH in any subsequent litigation filed by Mr. Santos (or myself), after the claim was rejected.
 - C. Claims against Merced County are put before the Merced County Board of Supervisors for approval or rejection.

2. MCS O'Banion while admitting that it would be inappropriate for him to speak about the Merced County Claim communicates in writing to Mr. Santos that MCS O'Banion's:
 - A. efforts are centered upon getting the clean-up of the project on track rather than Merced County turning the project over to the Regional Water Quality Control Board.*
 - B. belief that a meeting with Mr. Santos and his counsel, MCC Fincher, Environmental Health Director Jeff Palsgaard, and himself would be beneficial in keeping the issue local.*
 - C. having a meeting is an attempt in coming to an amicable resolution regarding the clean-up of Mr. Santos' property.*

*Specific issue concerning the Merced County claim.

3. MCS O'Banion while he says that he is "unaware of the Complaint filed with the Merced County Grand Jury" by Mr. Santos fails to mention that:
 - A. MCC Fincher with whom MCS O'Banion was acting with is an advisor to the MCGJ and could have known of the complaint filed the day before.

To say that MCS O'Banion was being disingenuous with Mr. Santos would be too kind when a prudent person takes into consideration that MCS O'Banion was acting on the behalf of MCC Fincher and MCDEH Director Jeff Palsgaard in arranging the meeting.

The MCC Fincher/MGJ, MCS O'Banion, and MCDEH Director, Palsgaard, were privy to each other's actions and certainly should have known their actions were far worse than merely inappropriate.

For one to believe nothing inappropriate was being knowingly orchestrated by MCC Fincher, MCS O'Banion and MCDEH director Palsgaard one would have to believe that:

- A. MCS O'Banion did not discuss the information in or provide a copy of the fax he received from Mr. Santos to MCC Fincher, or MCDEH Director Palsgaard informing them that Mr. Santos was asking if the meeting was pertaining to either his Grand Jury complaint, the Merced County claim, or both.
- B. MCS O'Banion did not provide or discuss the content of his faxed letter to Mr. Santos with MCC Fincher and/or MCDEH's Palsgaard.

If a reasonable person was to conclude that:

- A. MCS O'Banion *did* discuss the content of Mr. Santos' fax to MCS O'Banion with MCC Fincher and/or MCDEH's Palsgaard.
- B. MCS O'Banion *did* discuss his faxed letter response to Mr. Santos with MCC Fincher and/or MCDEH's Palsgaard which concluded with:

Figure 5—2nd page of letter to Judge Hugh Flanagan, Supervising Judge of Merced County Grand Jury and the puppeteer.



SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

FROM THE CHAMBERS OF

HUGH M. FLANAGAN
JUDGE

December 18, 2007

Gene E. Forte
688 Birch Court
Los Banos, CA 93635

Re: Request for Investigation of Grand Jury Tampering & Merced County Claim Interference

Dear Mr. Forte:

This letter will acknowledge receipt of your certified mail dated December 6, 2007, which included an 8-page letter plus 13-exhibits. The Court has not reviewed all the exhibits but the Court did review your letter as we contemplated what would be appropriate activity to take pursuant to your request. It does appear that you have already contacted members of the Grand Jury, or at least submitted requests to the Grand Jury.

I am the Judicial Officer who is responsible for advising the Grand Jury for this year. I cannot however become involved in Grand Jury Investigations nor initiate my own investigations into matters of concern that address public officials. I cannot intercede during inquiries by the Grand Jury unless there is a specific request from the Grand Jury. I may not control the Grand Jury as to what is being reviewed or how an inquiry is being conducted.

One of the specific functions of the Grand Jury as a body is weighing allegations of misconduct against public officials to determine whether to present formal accusations requesting the removal from office, and acting as the public's "watch dog" by investigating and reporting upon affairs of local government.

I am therefore forwarding your correspondence and exhibits to the chairman of the Grand Jury for such further action, as the Grand Jury deems appropriate.

Very truly yours,


HUGH M. FLANAGAN
Judge of the Superior Court

HMF/mm

CC: Grand Jury

Figure 6—Response from Judge Flanagan to letter written him in Figure 5, page 14. There has been no response from the Grand Jury. They probably asked County Counsel Fincher if they can indict him and O'Banion. I bet Fincher told them no. What do you think?

THE ZEN OF BUILDING A BADGER CPO TRAP

(a tongue-in cheek tutorial by Gene Forte)



Digging For The Truth

It's time to learn how to build a formidable Badger Certified CPO Trap to defend your property, possessions, and loved ones against pesky marauding CPO's (corrupt public officials).

The CPO's nature not to hold each other accountable has created a virtual CPO population explosion now leading to a marauding frenzy.

Notwithstanding the CPO's best efforts to cover their looting and pillaging of citizens, 8 out of 10 Americans do not trust the government any farther than they could toss the Washington Monument.

This is why you should pay close attention to the fine art of building a Badger Certified CPO Trap. The old motto "an ounce of prevention is worth a pound of cure" should be heeded.

Remember, patience is a virtue and practice makes perfect (and don't give a dirty-rotten-CPO a second chance). Feel at peace and as confident as a young Kwai Chang Caine (the kick-butt Kung Fu-ing grasshopper). Be the trap because no matter what you do to avoid it, you will always be the prey for the CPO.



Realize that while you can practice "peace, love, dove" like a Flower Power child from Haight Ashbury, you have another life force within you. You will possess the Ch'i to metaphorically destroy several eternal organs of the scavenging CPO without getting blood on your flowers. Everything you need to know is already inside of you.

BEWARE TO WATCH YOUR BACK!
Your Badger Certified CPO Trap is



Minute Badgers In Basic Training

defending you against a dark force that will show you no mercy during its attack, or in its escape from the trap.

Remember, just because you're paranoid, it doesn't mean there isn't somebody out there trying to get you.

Now, let's get started by first getting your mind set with the proper attitude.

ZEN Rules to Follow for a Successful CPO Trapping Experience

Rule 1: Don't go out looking for trouble or become over anxious about trapping a CPO. Just like a Boy Scout, be prepared. Focus upon living a good life and attempt to reap the benefits of your hard work. The more successful you are, the more enticing you become to the parasitical CPO. The CPO will find you.

Just Obey The Law

Rule 2: Do not break or stretch any laws. The CPO has the ability when trapped by you during their attack to make it appear that you are breaking the law, not them. Do not give them any ammunition. Learn to weather their low punches, personal attacks, and not playing by the laws which you, on the other hand, must strictly follow. It may sound corny, but the truth ultimately does come out, even though it may be only after your death.

Rule 3: Don't become discouraged. When friends, relatives, and the general public tell you that you are waging a losing battle, life is short, you can't fight city hall, etc., go out and get a copy of the "Impossible Dream." Think about every movie you have seen, or book you have read where the good guy runs from the bad guys. You will find it a very, very short list.



Remind nay-sayers that "A coward dies a thousand deaths, a hero just once." Consider getting some new friends. Try to get rid of your relatives by singing the Impossible Dream off tune to them every time they come around while glaring at them maniacally with a kitchen pot on your head.

Rule 4: Be compassionate, but not a sap. Accept that the CPO's are nasty little creatures that can't help themselves. Simultaneously, accept that if you allow them to get away with harming you, they will wander down the road to hurt the next person. If you don't do

something to try to correct the error of their ways, then you are enabling them.

Rule 5: Don't feel guilty about crushing them. Remember not to seek vengeance or retribution. Always try to wipe the smile off your face if you fantasize about them being tarred and feathered or beheaded in your dreams. Rest assured, it will never happen in real life no matter how many times you pray for it, or how many curses you cast upon them. (If you do know any good curses that have been found useful, The Badger would be interested in hearing about them).

Rule 6: If Rules 1-5 don't blow your hair back, or are not your cup of tea, when you go to sleep at night, consider yourself a gladiator fighting for your life. Make those CPO's that tried to steal from you rue the day they were ever born.

BARE ESSENTIALS FOR CPO TRAPPING



1. **BAIT:** CPO's are not finicky stealers. They are attracted to anything you have of value, or the prospect of having, that is not theirs, i.e., money, property, or your access to it via relatives, family, friends or associates. Remember they will find you.

2. **EQUIPMENT:** Typewriter, computer, or other word processing device that will allow you to type letters to build what is called a "paper trail."

3. **PROTECTIVE EQUIPMENT:** Hand held recording device to turn on anytime you meet with a CPO with other CPO's that say they want to help you with your problem.



4. **EMERGENCY FIRST AID KIT:** A rubber mallet, tiny pin, or low voltage cattle prod, to either hit, prick or shock yourself anytime you start thinking that another CPO is going to go against another CPO you trapped stealing from you.

5. **BACK-UP MEDICAL SUPPLIES:** A large sledge hammer, ice pick, or high voltage cattle prod that could barbecue one of Tommy Lewis' herd instantly. Use it on yourself if you start checking McClatchy Newspapers' The Los Banos Enterprise to see if they have reported upon the information you gave them about the CPO you trapped.



REMEMBER: PRACTICE MAKES PERFECT

The art of trapping corrupt public officials is all in the power of the pen and the heart. THE END

Subject: Re: Interview Request/Los Banos Foods/MTBe/Santos Merced County Claim, etc.
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>
Date: Fri, 4 Jan 2008 17:53:24 -0800 (PST)
To: geneforte@badgerflats.com



Thanks for the letter Gene. I will go to City Hall and pick up the packet at my earliest convenience. I have not yet read the articles to which you refer in the Badger.

Tom

geneforte@badgerflats.com wrote:

Please find the attached cover letter which was included with the package left for each of you at City Hall today at approximately 2:15PM.

Thank you.

Gene Forte

Subject: PS
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>
Date: Fri, 4 Jan 2008 18:22:59 -0800 (PST)
To: geneforte@badgerflats.com



Hi Gene.

I just read the articles online. I will do as much independent research as I can on the issue. If you have any further related articles, documents, etc., I would very much appreciate your directing me to them.

Thanks again.
 Tom

Subject: Re: Interview Request
From: Gene Forte <geneforte@sbcglobal.net>
Date: Sat, 05 Jan 2008 11:12:22 -0800
To: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>



Hey Tom!

Are you saying that you not only didn't read anything about the MTBe problem at Los Banos Foods and Marion Santos' Merced County Claim against MCDEH in The Badger.....

but also no one around town who read it mentioned the matter to you? WOW!

I dropped off dozens of copies at City Hall and in the councils' chambers.

I guess it isn't such a small world after all and Los Banos isn't such a small town.....or are you just pulling my leg?

Well.....anyway... you will find the packet that was left for you at City Hall consists of almost 250 pages of evidence.

I appreciated your quick response, look forward to our interview and of course wish you and yours a very Happy New Year!

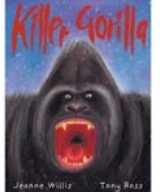
Gene Forte

ELSIE & LOS BANOSANS VS. THE 500lb. GORILLA, ET AL.
A Commentary by Gene Forte



Recently, a California Supreme Court case against Chevron was dismissed due to the Appellate justices owning stock in Chevron. Therefore, after 10 years of litigation and without legal finality to the case, it just vanished off the books.

Hundreds of Lockheed workers that had claimed physical ailments from working with Chevron chemicals are now left out in the cold.




Many Americans are unable to grasp the severity of such an anomaly. Professors at law schools say only, "It's very odd" making sure not to incur the wrath of California Chief Supreme Court Justice Ronald George.

All Chief Justice George said was, "This is a very unusual situation, and I hope it doesn't recur." What a crock!

The odds of the Supreme Court granting a hearing about a case is extremely rare. But then to dismiss the case, because the justices think that it would give the appearance of bias if they heard the case because they own stock in Chevron, is a cartoon from the Far Side.



 Don't you think their action of dismissing the case without a hearing is worse? It is outright bias and prejudice in favor of Chevron that they own stock in. Think about it.

It should give you a brain freeze. The case cannot be appealed to the Federal Court because there are *allegedly* no Federal issues. It shouldn't take a rocket scientist to figure out that the act of Chief Justice George and the California Supreme Court dismissing the case without a hearing should be the Federal issue itself.

(ELSIE, see page 19)

Figure 7—Series of emails with City Councilman Tom Faria. Come get on the merry-go-round.

(ELSIE, from page 18)



There is an interesting issue that arises, though, in trying to hold Chief Justice George and his band of scallywags

accountable. It is called absolute judicial immunity and a whole other topic.

It is no wonder why California Dairies/Los Banos Foods would rather come to the City of Los Banos with hat in hand requesting a lowering of the business water rate than butt heads with Chevron.



Los Banos Foods certainly cannot look for help from Merced County Department of Environmental Health officials caught draining the Underground Storage Tank Fund under the guise of protecting citizens from MTBe.



Other elected civil servants such as Los Banos City Councilmen who want-to-be future-Mayors will adhere to the code of silence of other civil servants with the McClatchy Gang riding shotgun and sheering the sheep for their future votes.

Should California Dairies/Los Banos Foods be afforded the respect and the help of a community that it helped in so many ways for so many years?

Absolutely.

The best way the citizens of Los Banos can help Los Banos Foods and themselves is not by slitting open a green vein, but by not letting the rampaging Chevron Gorilla, corrupt civil servants, and McClatchy Newspapers get away with the nonsense they're trying to pull.



California, when ranked according to gross revenues, is the 6th largest nation in the world. It is being run by corrupt government officials that would be put on trial in other countries (if they were lucky), found guilty of corruption, and then summarily executed. I kid you not.

(ELSIE, see page 20)

Subject: Re: Interview Request
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>
Date: Sat, 5 Jan 2008 11:46:27 -0800 (PST)
To: Gene Forte <geneforte@sbcglobal.net>



#4

No, I am not pulling your leg. You know, Gene, I have not had one single constituent contact on this issue until now, and staff only recently briefed us on their plans. Rest assured, however, I will not rest until I have resolved this matter to my satisfaction.

Also, did you not send the packets to Tommy, Anna, and Joe? Can you tell me why?

Once again, I appreciate your information. And if you could do me a favor and email me with the Badger link each time you publish? That way we can be sure it gets to us.

Thanks again.

Tom.

Subject: Re: Interview Request
From: Gene Forte <geneforte@sbcglobal.net>
Date: Sat, 05 Jan 2008 16:50:59 -0800
To: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>



#5

I will take you at your word.

I sent a copy of the cover letter ONLY to Mayor Jones and Bill Vaughn.

Anna and Joe were not quoted in the interview with the LBE and that is why I did not send them a copy of the document (yet).

Thanks.

Gene

Subject: Re: Interview Request
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net> (Responses in brackets)
Date: Sat, 5 Jan 2008 18:16:00 -0800 (PST)
To: Gene Forte <geneforte@sbcglobal.net>



#6

I will take you at your word. [Glad to hear that. My word is always given in honesty and sincerity, based on the best information I have at the time.]

I sent a copy of the cover letter ONLY to Mayor Jones and Bill Vaughn.

Anna and Joe were not quoted in the interview with the LBE and that is why I did not send them a copy of the document (yet). [Are you referring to the Dec. 24 Enterprise article?]

Thanks. [You're welcome.]

Gene

Figure 7—Continued series of emails with City Councilman Tom Faria.

Subject: Re: Interview Request
From: Gene Forte <geneforte@sbcglobal.net>
Date: Sat, 05 Jan 2008 22:19:25 -0800
To: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>



#7

Yes!

Tom, this is a very serious issue that is only a tip of the iceberg..

If you need assistance guiding you through the documentation you are welcome to come and sit with me at my home in my study.

You can ask me any questions you like to help bone you up on this matter of the USTF and LBF..

Gene

Subject: Re: Interview Request
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>
Date: Sat, 5 Jan 2008 23:17:15 -0800 (PST)
To: Gene Forte <geneforte@sbcglobal.net>



#8

Thanks Gene.

Subject: Is lower water rate a done deal?
From: Gene Forte <geneforte@sbcglobal.net>
Date: Mon, 07 Jan 2008 14:18:01 -0800
To: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>



#9

Hey Tom!

Has the lower rate for LBF been approved or is it just being contemplated?

If it is being contemplated when is it to be voted upon?

Thanks.

Gene

Subject: Re: Is lower water rate a done deal?
From: "Manuel \"Tom\" Faria" <manuelfaria@sbcglobal.net>
Date: Tue, 8 Jan 2008 09:33:17 -0800 (PST)
To: Gene Forte <geneforte@sbcglobal.net>



#10

Hi Gene.

I did a cursory read through of your packet. My concern as a councilman of Los Banos is that of any MTBE contamination in our water supplies. I appreciate the information and will be looking forward to any more that you discover during your inquiries. Please keep me in the loop of any findings on this contamination issue.

As for the water rate, we have given staff to negotiate it, but I am not aware as to the date that the contract is scheduled to come back to council for final approval.

Thanks again,
 Tom

(ELSIE, from page 19)



The thing that keeps them in power is the media that falsely calms the citizens and doesn't squeal on them while the judicial industry suckers Californians out of billions of dollars in legal fees in the courts seeking the elusive butterfly of justice.

The real hell of the matter is that every other state in the union follows the same pattern of California. I hate to say it, but the government is corrupt and quite frankly needs to be overthrown.



Citizens feel helpless in not knowing where to start to take our country back and are fooled into thinking that their vote in an election really counts. It doesn't and when you do vote, you're just encouraging the continued abuse of a government that has run its course.



Don't underestimate the power of the people, but don't be fooled by thinking that any politician you vote for really has your interest at heart. You're nothing but a bobble on a string that he, or she, is able to display showing they got you fooled and under control.

The conundrum for MCDEH is that it would also have to admit that they did in fact bungle the endless "remediation assessment" with private billion dollar remediation firms, such as Tetra Tech, Inc. Tetra Tech has now sued Marion Santos to try and collect over \$300,000.00 of remediation assessment they claim he owes.

Santos says that Tetra Tech knew the work was not needed; he was over charged and fraudulently coerced into a contract by the Merced County District Attorney's Office with his own attorneys, Somach, Simmons and Dunn that had an undisclosed marketing scheme relationship with Tetra Tech called TerraLocator.

There will be a MCDEH civil
 (ELSIE, see page 21)