

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

Montgomery Blair Sibley,

Plaintiff,

Case No.: 6:19-cv-06517-FPG

SIBLEY’S VERIFIED MOTION TO EXPEDITE

vs.

Chauncey J. Watches, *et al.*,

Defendants.

_____ /

Plaintiff, Montgomery Blair Sibley (“Sibley”), pursuant to Local Rules of Civil Procedure 7(d)(1) and the authority of 28 U.S.C. §1746, moves this Court for an Order expediting the determination of Sibley’s Motion for Partial Summary Judgment and states:

SUMMARY OF ARGUMENT

Prompt resolution of Sibley’s pending and fully briefed Motion for Partial Summary Judgment is both necessary and warranted to avoid substantial adverse effects to Sibley as the loss of Sibley’s Fundamental and Constitutional right to self-defense in the home constitutes irreparable injury that this Court is obligated to address. That obligation to address is particularly heightened as New York State has closed its Courts to Sibley so he is unable to seek redress in that forum. Finally, the recent and past death threats to Sibley compel this Court to immediately restore to him that which New York has taken from him: the right to self-defense in his home with a pistol.

I. NEW YORK IS IRREPARABLY INJURING SIBLEY

“The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373, (1976). The same is true for Second Amendment freedoms as well. Notably, in *District of Columbia v. Heller*, 554 U.S. 570, 635 (2008) the Court equated the First and Second Amendments:

The First Amendment contains the freedom-of-speech guarantee that the people ratified, which included exceptions for obscenity, libel, and disclosure of state secrets, **but not for the expression of extremely unpopular and wrong headed views.** **The Second Amendment is no different.** Like the First, it is the very product of an interest balancing by the people – which Justice Breyer would now conduct for them anew. And whatever else it leaves to future evaluation, **it surely elevates above all other interests the right of law-abiding, responsible citizens to use arms in defense of hearth and home.** (Emphasis added).

Here, however “wrong headed” Defendant Watches may consider Sibley’s longitudinal litigation stratagems, they cannot rise to a level that strips the “law abiding” Sibley of his “use of arms in defense of hearth and home.” By doing so, New York has – and continues – to unquestionably and irreparably injure Sibley.

II. NEW YORK HAS CLOSED ITS COURTS TO SIBLEY

Sibley’s only New York State Court relief from the **March 9, 2020**, Decision of Defendant Watches is through the vehicle of an Article 78 proceeding. However, the Court to which that application is to be made has closed its doors to Sibley as a result of the Chinese Virus. In particular, the Fourth Department has issued an Order indicating that: “Until further

notice, hard copy filings will not be permitted.”¹ Emails to the Fourth District Court bounced as memorialized in Exhibit “A1”. The receptionist answering the Fourth Department telephone could only direct inquiries to the above-referenced Order. Moreover, New York does not permit the electronic filing of Article 78 proceedings. (See email from nyscef@nycourts.gov attached as Exhibit “A” hereto.) As such, this Court presents the only judicial avenue Sibley has to secure his right to self-defense in his home with a pistol.

III. PAST, RECENT AND LIKELY FUTURE THREATS TO SIBLEY COMPEL THIS COURT TO ACT WITH DISPATCH

A. SIBLEY LIFE HAS BEEN THREATENED IN THE PAST

Deborah Jeane Palfrey, known as the “D.C. Madam” by the news media, operated Pamela Martin and Associates, an escort agency in Washington, D.C. from 1994 through 2006. She was convicted on **April 15, 2008**, of racketeering, using the mail for illegal purposes, and money laundering. Two weeks later, facing a prison sentence of five or six years, she was found hanged. Sibley represented Ms. Palfrey in both her civil and criminal matters. In that capacity Sibley came into possession – and still possesses – a list of some 10,000 clients and escorts of Pamela Martin & Associates. By a **2007** federal court order, Sibley was enjoined from releasing those names upon threat of criminal contempt. A copy of that injunction is attached hereto as Exhibit “B”.

On **January 11, 2016**, given his belief that the names of the clients and/or escorts of Pamela Martin & Associates had relevance to the upcoming Presidential and/or Congressional

¹ Retrieved from: <https://ad4.nycourts.gov/press/notices/5e73df6ca52d6c750412f7ad>

elections, Sibley filed his “*Motion To Modify Restraining Order To Permit The Release Of Telephone Records Received Pursuant To Subpoenas But Never Made Public And Other Records.*” A copy is attached hereto as Exhibit “C”. That Motion lists the institutions and companies that the clients of the D.C. Madam hailed from and illuminates the massive scope of sexual misconduct by highly placed government and private sector individuals to which Sibley has documentary evidence.

Ultimately, the D.C. Circuit Court of Appeals upheld the Order of the District Court directing the Clerk to strike Sibley’s *Motion To Modify Restraining Order* from the docket. This left Sibley permanently enjoined without the ability to seek modification of the injunction.²

Significant to the instant Motion, is that on **February 18, 2016**, a bullet was fired through the window of Sibley’s then-residence in Gaithersburg, Maryland. A copy of the police report documenting that incident and a photograph of the bullet hole is attached hereto as Exhibit “D”. The filing of the *Motion To Modify Restraining Order* and subsequent bullet hole were concomitant.

B. SIBLEY’S LIFE HAS RECENTLY BEEN THREATENED

On **February 23, 2020**, Chris Burks, a resident of the shared housing unit at which Sibley lives, threatened to kill Sibley and other residents with a knife. He was subsequently arrested, and, thanks to New York’s new bail law, was released the next morning with a protective order barring him from returning to the shared housing unit. A copy of that protective order is attached as Exhibit “E”. Nonetheless, the following morning, Burks entered the shared

² See *In re: Montgomery Blair Sibley, Petitioner*, U.S. Circuit Court, D.C. Circuit Case No.:1:07-cr-00046-RWR-1. May 3, 2016.

housing unit, pounded on Sibley's door and threw a noxious substance under the door. Though subsequently arrested for violating the protective order,³ he was again released under New York notorious bail laws and is presently being held only on a probation violation warrant.

Accordingly, Sibley has a reasonable concern that Mr. Burks may again return to the shared housing unit and continue his threatening and harassing behavior. To leave Sibley without a pistol to defend himself in his residence is beyond the power of the State of New York.

C. SIBLEY HAS GOOD REASON TO BE CONCERNED ABOUT FUTURE THREATS

First, as in 2016, given the looming federal elections this coming November and, in particular the ascendancy of Joseph Biden as a potential candidate for the Presidency, Sibley will once again be faced with Hobson's choice of his duty as a citizen against his allegiance to the rule of law. It is reasonable to suspect that once again Sibley will be the target of death threats if he reveals his singular knowledge of the underside of Washington, D.C. politics to the expected detriment of those whose livelihood arises from inside the D.C. Beltway. Yet Sibley believes it is his duty as a Citizen to raise the "hue and cry", an established tenet of Anglo-Saxon law at least as early as the 13th century.

Second, last Fall, Sibley was approached by Alexander Malkevich, an agent of Valdimir Putin, seeking the information Sibley possesses from the D.C. Madam's case and other information in Sibley's possession. Sibley reported the contact to the Federal Bureau of Investigation. The result was an international incident as the Federal Bureau of Investigation

³ See: <https://www.newsbreak.com/news/00JHE8Pw/steuben-county-man-arrested-twice-in-one-week-on-harassment-and-criminal-contempt-charges>

detained Alexander Malkevich⁴ at Dulles International Airport as he sought to leave the United States. A copy of Sibley’s letter to the FBI and subsequent Press Coverage of the detention is attached as Exhibit “F”.

CONCLUSION

Blackstone said it best: “[Self-defense is] justly called the primary law of nature, so it is not, neither can it be in fact, taken away by the laws of society.” 3 William Blackstone, *Commentaries* 139. For the reasons aforesaid, Sibley’s right to self-defense has been impermissibly denied to him by New York and this Court must now expeditiously return that right to him by entering the requested mandatory injunction permitting Sibley to possess his handguns in his home.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on the ___ day of March, 2020.

MONTGOMERY BLAIR SIBLEY
Plaintiff
189 Chemung Street
Corning, N.Y. 14830
(607) 301-0967
montybsibley@gmail.com

By: _____
MONTGOMERY BLAIR SIBLEY

⁴ “During another trip to Washington for the U.S. midterms in November 2018, Malkevich was detained for questioning at Washington’s Dulles Airport and the next month was added to the U.S. sanctions list for attempted election interference. . . .Malkevich is likely just one of an untold number of players who form part of Russia’s “concert of chaos,” said Alina Polyakova, an expert on Russian political warfare at the Brookings Institution. She said it is hard for Western observers steeped in countries with rule of law and checks and balances to understand how Moscow operates especially the degree of strategic freelancing that goes on within Russia and in its operations abroad.” Retrieved from: foreignpolicy.com/2019/07/10/the-evolution-of-a-russian-troll-russia-libya-detained-tripoli/

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing will be sent via the Court's CM/ECF filing system when docketed by the Clerk to: (i) Gary Levine, Assistant Attorney General, NYS Office of the Attorney General, 144 Exchange Boulevard, Suite 200, Rochester, NY 14614 and (ii) David H. Fitch, Underberg & Kessler LLP, 300 Bausch & Lomb Place, Rochester, NY 14604.

By: _____
MONTGOMERY BLAIR SIBLEY

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on the 26 day of March, 2020.

MONTGOMERY BLAIR SIBLEY
Plaintiff
189 Chemung Street
Corning, N.Y. 14830
(607) 301-0967
montybsibley@gmail.com

By: _____


MONTGOMERY BLAIR SIBLEY

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By:



MONTGOMERY BLAIR SIBLEY

Undeliverable: Article 78 Question

2 messages

postmaster@nycourts.onmicrosoft.com <postmaster@nycourts.onmicrosoft.com>
To: mbsibley@gmail.com

Wed, Mar 18, 2020 at 10:00 AM

Your message to ad4-clerk@nycourts.gov couldn't be delivered.**ad4-clerk** wasn't found at **nycourts.gov**.**mbsibley****Office 365****ad4-clerk****Action Required**

Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft](#).

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of

Exhibit "A1"

Montgomery Blair Sibley

Mar 19, 3:12 PM

Greetings, I need to file a 1250.13 Original Special Proceeding in the 4th Department. The NYSCEF system seems ...



Montgomery Blair Sibley

Mar 19, 3:13 PM



nyscef

nyscef@nycourts.gov

Mar 19, 3:16 PM

**EMAIL** montybsibley@gmail.com**To:** Montgomery Blair Sibley**Re:** [Link to other people or deals ...](#)**RE: 1250.13 Original Special Proceeding**

The appellate divisions are not accepting original proceedings through NYSCEF yet. Please proceed as you normally would. I guess that means paper.

Sorry for the inconvenience.

Thank you,

Chris

From: Montgomery Blair Sibley <montybsibley@gmail.com>**Sent:** Thursday, March 19, 2020 3:13 PM**To:** nyscef <nyscef@nycourts.gov>**Subject:** 1250.13 Original Special Proceeding

Greetings,

I need to file a 1250.13 Original Special Proceeding in the 4th Department. The NYSCEF system seems only to allow filing of appeals. How do I commence to file this Original Proceeding when all the questions related to filing an appeal.

Thanks.

Montgomery Blair Sibley

607-301-0967

▪

Please be CAREFUL when clicking links or opening attachments from external senders.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Criminal No. 07-46 (GK)
	:	
DEBORAH JEANE PALFREY,	:	
	:	
Defendant.	:	

ORDER

On March 19, 2007, the Government filed an *Ex Parte* Application for a Temporary Restraining Order and a Protective Order, and Request for a Hearing. On March 22, 2007, the Court granted the original Application and issued an Order (“March 22, 2007 Order”) after determining that there were “reasonable grounds to believe that harassment of an identified witness exists or that such an order is necessary to prevent such harassment.” March 22, 2007 Order at 1. The Court ordered that Defendant “and her agents and attorneys shall not act, or cause any act to be done, to further the civil action . . . and shall not engage in any other similar acts or actions against Government witnesses, agents and investigators.” *Id.* On May 9, 2007, the Government filed an *ex parte* Supplement¹ to its Application (“Supplement”) in order to clarify and extend its original request.

On May 6, 2007, approximately six weeks after issuance of the original March 22, 2007

¹ The Government also filed a Motion to Seal this Supplement. Because the Court is clarifying its March 22, 2007 Order in light of evolving developments, there is no need to seal either the Government’s Supplement or this Order. This Order will be before the Court at the May 21, 2007 Status Conference.

Temporary Restraining Order, Defendant's lawyer in her civil cases² sent a letter to Attorney General "Alberto Gonzalez [sic]" and emailed a copy to the Assistant United States Attorneys assigned to this case. In that letter, Defendant's civil counsel gave the Attorney General of the United States an ultimatum; he "insist[ed]" that the Attorney General undertake the immediate interview and appointment of a Special Counsel, and that he identify the "career Justice Department prosecutor" mentioned in a recent ABC News report as well as "what, if any, role that individual played in the investigation and prosecution of [Defendant]." Supplement Ex. A at 2. The letter-writer threatens that, if the Attorney General does not comply and notify Defendant's civil counsel of his response within five days after the date of the letter, by May 11, 2007, the prior "limited distribution" of the telephone records from Defendant's business to ABC News and the Washington Independent Writers Association "will change." *Id.* at 2-3. Specifically, the letter-writer states that "the reporting will be much more extensive as all of the years of the escort service telephone records will be released and . . . the 'standards and practices' committees of the recipient organizations, journalists and internet bloggers who will receive these records have decidedly different professional standards than that of ABC News." *Id.* at 2.

Although Defendant's lawyer in her civil cases does not spell out exactly what steps he and his client will take if the Attorney General of the United States does not respond to his ultimatum within the prescribed five-day time frame, the clear inference to be drawn is that there will be a wholesale release of all telephone records possessed by Ms. Palfrey.

² Counsel for Defendant in her civil cases has conceded, presumably accurately, that he "cannot appear in the Criminal Case as he does not possess the requisite expertise to make a LcrR 44.5(b) certification." Petition for Writs of Mandamus, Proceudendum Ad Justicium, Certiorari and Prohibition at 10, *In Re Deborah Jeane Palfrey*, No. 07-5107 (D.C. Cir. Apr. 9, 2007).

Because of the ultimatum contained in the letter sent to the Attorney General, the Court agrees with the Government that Defendant's civil counsel is threatening action that would violate this Court's March 22, 2007 Order. In order to ensure that the Defendant and her counsel in her civil cases have clear notice of what action is prohibited, the Court is ordering both the Defendant and her agents and attorneys, including counsel in her civil cases, Montgomery Blair Sibley, to not release, further distribute, or otherwise provide to any person or organization the phone records of Pamela Martin & Associates and/or the phone records of Deborah Jean Palfrey.

Because this matter was decided *ex parte*, it may be revisited at the Scheduling Conference scheduled for May 21, 2007, where Ms. Palfrey will be represented by recently appointed, highly experienced counsel who has actively prosecuted and defended numerous criminal cases.

WHEREFORE, it is this 10th day of May, 2007, hereby

ORDERED, that Defendant and her agents and attorneys, including her civil counsel, Montgomery Blair Sibley, shall not release, further distribute, or otherwise provide to any person or organization the phone records of Pamela Martin & Associates and/or the phone records of Deborah Jean Palfrey.


Gladys Kessler
United States District Judge

Copies via ECF to all counsel of record

and by fax to:

Montgomery Blair Sibley
(202) 478-0371

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

PLAINTIFF,

VS.

DEBORAH JEANE PALFREY,

DEFENDANT.

Criminal Case Number: 07-046-JR

**MONTGOMERY BLAIR SIBLEY'S MOTION
TO MODIFY RESTRAINING ORDER TO
PERMIT THE RELEASE OF TELEPHONE
RECORDS RECEIVED PURSUANT TO
SUBPOENAS BUT NEVER MADE PUBLIC AND
OTHER RECORDS**

_____/

Montgomery Blair Sibley ("Sibley") moves for an Order Modifying the existing Restraining Orders in this matter which have, since 2007, restrained him from releasing certain information he obtained in this matter and to permit him to release the telephone records received pursuant to a subpoena issued in this matter but heretofore never publicly revealed and other records, and for grounds in support thereof states as follows:

I. BACKGROUND

At various times in the above matter, Sibley served as legal counsel to the Defendant, Deborah Jeane Palfrey. In that capacity, Sibley issued subpoena duces tecums to a number of different organizations one of them being Verizon Wireless. On December 14, 2008, Judge Robertson set a status hearing. At that hearing, the following exchanges took place:

THE COURT: Now, the next part of this the next thing I want to turn to is the **subpoenas duces tecum that the defense is issuing**. And these are being issued ex parte, and the defense is entitled to some protection of its own about who it's subpoenaing, but Mr. Sibley, **I have to tell you that I have received inquiries from two or three of the persons and institutions that you've served**, and then there is one motion to quash that I think everybody is aware of – two motions to quash. Well, the so called omnibus motion I have not received. When did you file that? (Emphasis added).

MR. SIBLEY: Your Honor, I would ask the privilege of approaching the Court and answering that question ex parte.

THE COURT: I'll hear you at the bench.

(Whereupon, an EX PARTE BENCH CONFERENCE was held on the record, transcribed under separate cover.)

(END BENCH CONFERENCE.)

THE COURT: The government's omnibus motion to quash was filed yesterday; there is another motion to quash that was filed a day or two ago. Mr. Sibley points out, quite correctly, that he hasn't really had an opportunity to respond to them yet. I think the right thing to do is to pass that issue. But, but a number of the subpoenas that have been issued have been issued returnable tomorrow.

MR. SIBLEY: Correct, Your Honor. It was an odd date, but. . .

THE COURT: I don't know what kind of an order you would call a temporary quashal order, **but I'm quashing all of the subpoenas until we get an opportunity to decide on the government's motion to quash.** So it's a quash without prejudice. The subpoenas remain in effect, but the return date is off. (Emphasis added).

MS. CONNELLY: Your Honor, if I could just seek clarification on one issue, which in fact is in our under seal motion, although this subpoena was not pursuant to the Court's November 13th under seal order. **The defendant also issued a subpoena on the White House with a return date of February 19th, which never was, in fact, the trial date in this case.** The Court set the trial date as April, with a potential backup date of February if Judge Kessler could fit us in in February. The government's omnibus motion addresses that White House subpoena, but I would like to be able to let them know, is that also being temporarily quashed at this point? (Emphasis added).

THE COURT: Yes, everything is temporarily quashed until I look at your omnibus motion. . . .

However, on the December 14, 2008, morning that Sibley was at court with Judge Robertson, one of the subpoenas authorized by Judge Kessler had been answered. Among the subpoenas that Judge

Kessler had authorized in November 2008 was a subpoena to Verizon Wireless, to which Sibley had attached a list of 5,902 telephone numbers that had turned up in Defendant's telephone records. The subpoena had sought the account holder information for each telephone number that appeared in Verizon Wireless' records on the day the call was made to Defendant's escort service.

Thus, it was a surprise to Sibley that when he returned to his office after the December 14th hearing he found a FedEx package from Verizon Wireless containing a CD with Verizon Wireless' response to the subpoena: 815 account holders names, addresses, social security numbers, and home and business telephone numbers—all contained on an Excel spreadsheet. Each name represented a former escort or client who had a cell phone number that had called Defendant's escort service when that cell phone number was owned by that person. Stated another way, Sibley now had 815 new leads who had not, heretofore, been identified through the telephone records by anyone.

The names of the persons/entities identified was stunning. Among the entities whose corporate cell phone numbers showed up were:

- * Washington College
- * Jones Day Reavis and Pogue, a large law firm
- * Archdiocese of Washington
- * Hewlett Packard
- * Akin Gump Strauss, a large law firm
- * The Durst Law Firm
- * Philips Electronics North America
- * NXP Semiconductors USA, Inc. – Providing engineers and designers with semiconductors, system solutions and software that deliver better sensory experiences. Net sales of \$6.32 billion in 2007.
- * Patterson Belknap Webb, a large law firm
- * Defense Group, Inc. – is a high technology company, advancing public safety and national security through innovative research, new technologies, and systems assessments. DGI has key competencies in U.S. strategy and policy, intelligence, Weapons of Mass Destruction, vulnerability assessments, and homeland security, as well as

technologies and products that support first responder and medical communities.

- * The Roger Richman Agency Inc – The Roger Richman Agency, Inc. was purchased by Corbis’ owner Bill Gates in 2005 and is the preeminent licensing agency specializing in protecting and promoting the personae of world renowned entertainment and historic personalities.
- * U.S. Dept of Commerce
- * Internal Revenue Service
- * The Army Capabilities Integration Center – The Army Capabilities Integration Center (ARCIC) is the Army's leader in the identification, design, development, and synchronization of capabilities into the Army current Modular Force and the future Modular Force, bringing together all the Army agencies as well as Joint, Multinational, and other DoD agencies to manage rapid change. ARCIC supports TRADOC in providing adaptive soldiers, leaders and units by contributing to the development of doctrine, TTPs, and the collective training experience.
- * U.S. Army Training and Doctrine Command – TRADOC recruits, trains and educates the Army's soldiers; develops leaders; supports training in units; develops doctrine; establishes standards; and builds the future Army. TRADOC is the architect of the Army and "thinks for the Army" to meet the demands of a nation at war while simultaneously anticipating solutions to the challenges of tomorrow.
- * US Postal Service
- * USPS Information Technology
- * U.S. Coast Guard
- * Embassy of Japan
- * Constellation Energy – Constellation Energy, a Fortune 125 competitive energy company based in Baltimore, is the nation’s largest supplier of wholesale power and competitive electricity to large commercial and industrial customers, and a major generator of electricity, with a diversified fleet of power plants strategically located throughout the U.S.
- * Andersen Consulting
- * Department of Health & Human Services, Office of the Inspector, The National Geospatial Intelligence Agency – is a Department of Defense combat support agency and a member of the national Intelligence Community (IC). NGA develops imagery and mapbased intelligence solutions for U.S. national defense, homeland security and safety of navigation.

- * Reed Smith – a law firm that represents many of the world’s leading companies in complex litigation and other highstakes disputes, crossborder and other strategic transactions, and crucial regulatory matters. With lawyers from coasttocoast in the U.S. as well as in the U.K., continental Europe, Asia, and the Middle East, the firm is known for its experience across a broad array of industry sectors. The firm counsels 28 of the top 30 U.S. banks and 10 of the world's 12 largest pharmaceutical companies.
- * USAISC – U.S. Army Information Systems Command
- * LogicTree–provides innovative IVR solutions for the Transit and 511 markets.
- * The National Drug Intelligence Center – established by the Department of Defense Appropriations Act, 1993. Placed under the direction and control of the Attorney General, NDIC was established to “coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations.”
- * Atlantic Research Corporation Political Action Committee
- * Fauquier Bank
- * Lockheed Martin MS2– MS2 provides surface, air, and undersea applications on more than 460 programs for U.S. military and international customers
- * A director of the Defense Contract Management Agency
- * A commander of the 332rd Expeditionary Maintenance Group, Balad Air Base, Iraq
- * A high ranking officer of Colonel Pipeline Company which had reached a Settlement for Oil Spills in Five States
- * An Environmental Protection Agency employee
- * A former president of the National District Attorney Association
- * A Hewlett Packard Director who had made substantial contributions to U.S. Senate races
- * An attorney with the prominent Akin Gump law firm (the law firm that fired “Abbey.” an employee upon learning she was an escort for Defendant)
- * A director of the Association of Foreign Intelligence Officers
- * An attorney with Patterson Belknap Webb & Tyler, another major law firm with deep Washington, D.C. ties
- * A state representative from Louisiana
- * A member of the Maryland Public Service Commission
- * A NASA astronaut
- * A special envoy for Middle East Security appointed by Condoleezza Rice

Plainly, Sibley had the ability – and the intention – to bring a parade of former clients, companies and government agencies in front of the jury to establish either that: (a) no sex was had, or (b) that if sex for money was involved, then “Why Just Jeane?” Additionally, Verizon Wireless provided to Sibley the account information for some forty (40) escort agency telephone numbers listed in the 2007 Verizon Yellow Pages as operating in the Metro D.C. area.

However, given that Judge Robertson had just quashed all of Sibley’s subpoenas, it was – and remains – unclear as to what was the legal status of this Verizon Wireless subpoena response. Moreover, a number of prior and subsequent restraining orders were issued in this – and the ancillary civil suits – regarding disclosure of information obtain in this matter. *Viz*: For example, the March 22, 2007, Post-Indictment Restraining Order, a copy of which is attached hereto.

II. MOTION TO PERMIT PUBLIC RELEASE OF RECORDS IN THIS MATTER

Sibley is scheduled to teach a course on Privacy Law¹ at Northern Virginia Community College starting on February 17, 2016. As part of that course, Sibley will be discussing the privacy implications arising out of the instant case including, the issues arising from the perspective of the customers of Defendant’s escort service, the private and public agencies that received subpoenas and the national security issues involved. Accordingly, utilization of the Verizon Wireless subpoena response would be valuable as a teaching aid in this regard as it highlights the lack of privacy in commercial sex behavior and the proof of Sibley’s proposition that we do not have a *justice system* but *just-a-system* geared to protecting the empowered from the claims of the dis-empowered.

Noteworthy is that: (i) since 2007 there has not been a major escort service prosecution by the federal government in the District of Columbia yet (ii) brazenly advertising in the 2016 Yellow

¹ See: <http://www.privacycomplianceconsulting.com/privacy-law-course>

Pages are twenty-two (22) escort services which have been operating with impunity since the 2007 prosecution of Defendant Jeane Palfrey. A copy of the 2016 Washington D.C. Yellow Pages is attached.

This apparent disparate treatment of the Defendant's escort service raises a public policy rationale for the release of such information regarding public and or quasi-public actors as Sibley believes that within that presently sealed-from-the-public record contains the answer to the question: Was Defendant Deborah Jeane Palfrey's prosecution politically-motivated and is this Court part-and-parcel of keeping that knowledge from the public? As John F. Kennedy famously said: "The very word 'secrecy' is repugnant in a free and open society; and we are as a people inherently and historically opposed to secret societies, to secret oaths, and to secret proceedings."

Here, by keeping the relevant Verizon Wireless information sealed from public view – particularly during this election cycle – deprives the People of the information they may deem material to the exercise of the People's right to vote and continues what is in essence a "secret proceeding" for no legitimate public purpose.

III. CONCLUSION

WHEREFORE, Sibley respectfully requests an order modifying the Restraining Orders to permit the use and/or public release by him of: (i) the records received from Verizon Wireless and (ii) upon a showing of good cause and after judicial review, such other documents contained in the materials seized by the government and/or received pursuant to other subpoenas issued in this matter.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served by U.S. First Class mail upon: Channing D. Phillips, United States Attorney for the District of Columbia, 555 4th St., N.W., Washington, D.C. 20530 this January 11, 2016.

MONTGOMERY BLAIR SIBLEY
402 King Farm Blvd, Suite 125-145
Rockville, Maryland, 20850
202-643-7232
montybsibley@gmail.com

By: _____
Montgomery Blair Sibley

CODE MCPD Incident Report - 16008173

Date: 06/28/2019 11:40

Page: 1 of 2

Report #: 16008173 Montgomery County Police
Report Date: 02/18/2016 22:26 Start Date: 02/12/2016 08:00
End Date: 02/15/2016 08:00



16008173

Summary: DAMAGE PROPERTY - PRIVATE

Report Type: 1411 VANDALISM-DWELLING

Case Status: 16008173 02 - Open

Incident Location

Address: 17101 KING JAMES WAY

Intersection:

GAITHERSBURG, MD 20877

Response Area: 6P1 - Reporting Area: 429 - Lat: 39.136692 - Long: -77.206341

Addl. Info:

Incident Offenses

#1 Original Report 2902 DAMAGE PROPERTY - PRIVATE

Remarks: LONDONDERRY APARTMENTS

Officers Involved

Approving PSRA 1 SHEILA HUGHES - MCPD - 11650 - Original Report

Reporting SEPARATED MYRA SNOW - MCPD - 11878 - Original Report

Incident People

Victim MONTGOMERY BLAIR SIBLEY

Sex: M Race: W DOB: 10/14/1956 Age: 59 Original Report

Address: 17101 KING JAMES WAY APT 201 (Date of Info: 02/18/2016)
GAITHERSBURG, MD 20877

Home Phone: (301) 806-3439 (Phone Date of Info: 02/18/2016)



100644928

Incident Property

Total Value: \$0

Structure - Other

Damaged/Destroyed/Vandalized



110253669

Description: APARTMENT

Owner: SIBLEY, MONTGOMERY - 10/14/1956 - Victim - Original Report

Associated LEA Cases

LEA Case Number:

16008173

LEA Case Summary:

MCPD, Review Status: Review, Case Status: Open 02/21/2016, Workgroup: 6DPAT

Assigned To: No Officer Assigned

Exhibit "D"

Appendix Page #110

CODE MCPD Incident Report - 16008173

Date: 06/28/2019 11:40

Page: 2 of 2

Incident Narrative

Reporting SEPARATED MYRA SNOW - MCPD, ID # 11878

1

02/18/2016

22:26

Victim - MONTGOMERY BLAIR SIBLEY advised an unknown suspect shattered the stationary window located on the left of the balcony sliding glass door of his apartment. NFD



RECEIVED FILED 83

ORDER OF PROTECTION

PRESENT: Hon. Ruth A. Chaffee

PEOPLE OF THE STATE OF NEW YORK

against

Christopher Brks, Defendant (Date of Birth: [REDACTED])

- Youthful Offender (check if applicable)
- Docket No: _____
- Charges: _____
- Ex Parte Defendant Present in Court

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND THEN CONTINUES IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

THIS ORDER OF PROTECTION WILL REMAIN IN EFFECT EVEN IF THE PROTECTED PARTY HAS, OR CONSENTS TO HAVE, CONTACT OR COMMUNICATION WITH THE PARTY AGAINST WHOM THE ORDER IS ISSUED. THIS ORDER OF PROTECTION CAN ONLY BE MODIFIED OR TERMINATED BY THE COURT. THE PROTECTED PARTY CANNOT BE HELD TO VIOLATE THIS ORDER NOR BE ARRESTED FOR VIOLATING THIS ORDER.

TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of recognizance release on bail]
And the Court having made a determination in accordance with section 530.12 of the Criminal Procedure Law,

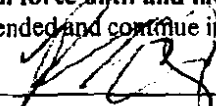
IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:
(Check applicable paragraphs and subparagraphs):

- [01] Stay away from (A) name(s) of protected person(s) or witness(es): Anthony Reynolds, Jr. and/or from the
(B) home of 109 Cherry St, Coalinga (C) school of _____
(D) business of _____ (E) place of employment of Anthony Reynolds, Jr.
(F) other _____
- [14] Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other electronic or any other means with [specify protected person(s)]: Anthony Reynolds, Jr.
- [02] Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, strangulation, criminal obstruction of breathing or circulation, disorderly conduct, criminal mischief, sexual abuse, sexual misconduct, forcible touching, intimidation, threats, identity theft, grand larceny, coercion or any criminal offense against [specify protected person(s), members of such person's family or household]: Anthony Reynolds, Jr.
- [15] Refrain from intentionally injuring or killing without justification the following companion animal(s) (pet(s)) [specify type(s) and, if available, name(s)]: _____
- [12] Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following _____ and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but in no event later than [specify date/time]: _____ at: _____
- 99] Specify other conditions defendant must observe for the purposes of protection: _____

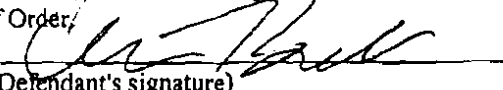
IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] suspended and/or [13C] the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes).

IT IS FURTHER ORDERED that this order of protection shall remain in force until and including [specify date]: 04/01/2020
but if you fail to appear when you are required to do so, the order may be extended and continue in effect until a new date set by the Court.

DATED: February 24, 2020



JUDGE / JUSTICE, as Presiding CAP Judge

Defendant advised in Court of issuance and contents of Order?
 Order personally served on Defendant in Court: 
(Defendant's signature)

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the Court to face penalties authorized by law.

Federal law requires that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

It is a federal crime to:

- cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member;
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect
(Note: there is a limited exception for military or law enforcement officers but only while they are on duty); and
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of physical force or a deadly weapon against an intimate partner or family member, even after this Order has expired. (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

Montgomery Blair Sibley

189 Chemung Street
Corning, N.Y. 14830
301-806-3439
mbsibley@gmail.com

October 26, 2018

FBI CORNING, NY
1 W Market Street
Corning, NY 14830

Re: Approach by Russian Agent

Greetings:

Please find enclosed (i) the email thread regarding a Russian journalist contacting me which has caused me concern and (ii) my previous encounter with the FBI regarding death threats against me.

Yours,

Exhibit "F"

Appendix Page #157

Cooperation proposal

26 messages

Александр Малькевич <alexander.malkevich@gmail.com>

Tue, Oct 9, 2018 at 10:55 AM

To: mbsibley@gmail.com

Dear Mr. Sibley

First of all, let me show a big respect for all your work. You are magnificent! Things you're doing for this great country are inspiring people all over the world.

And I'm one of them. My name is Alexander Malkevich, I'm an editor-in-chief and the head at usareally.com

Last month we reached the headlines of top [NYT](#), [WaPo](#), [Buzzfeed](#), [The Verge](#) and [Newsweek](#) with a series of controversial headlines. It's not a secret that MSM is only worth to use in a sentence with the "lying" prefix, so don't hesitate to ask us about anything you got questions about.

We really regret you've suffered much from the Deep State. This is something should never happen in civilized world. Yet, we are offering you help, as well as the cooperation, that will surely be useful both for you and for us.

Would you like to come to Russia, so you can share your experience with us, for instance - by participating in TV programs?

To tell you a secret, we (USA Really news agency) are going to file a lawsuit against censorship we've encountered in American social networks in general and on Facebook in particular, so, your skills might also be helpful in this field.

We are ready to take all the expences and ready to provide you with anything needed.

Waiting for your response.

Sincerely yours,

The Head of the 'USA Really' project

Alexander Malkevich

First Deputy Chairman of the Commission on Development of Information Community,

Mass Media and Mass Communications of the Public chamber of the Russian Federation

+7 (965) 750 20 00

Montgomery Sibley

From: Lawrence Sinclair [lws022737@hotmail.com]
Sent: Friday, August 08, 2008 3:56 PM
To: mbsibley@earthlink.net
Subject: FW: Voice Message

Thank You,

Larry Sinclair

<http://Larrysinclair0926.com>
<http://Larrysinclair.org>

From: Brenda.Born@ic.fbi.gov
To: lws022737@hotmail.com
Date: Thu, 7 Aug 2008 21:13:15 -0400
Subject: Voice Message

Hi Larry.....I wanted to let you know that I did receive your voice message. Sorry I missed your call, the battery died on my cell phone. I did call and talked with your mother. I understand her frustrations but there is nothing that I can do. She should be contacting her local police department.

As for the original threat against you holding the June 18th press conference, you may contact Patricia Stewart, United States Attorney's Office, Washington, D.C., 202-514-7064.

Please let me know if you have any questions-
Brenda Born

Alexander Malkevich, USA Really editor, detained at D.C. airport

www.washingtontimes.com



In this Thursday, April 19, 2018, photo, 'USA Really' editor Alexander Malkevich gestures while speaking at the plenary meeting of the forum "Society, Culture and Media" in St. Petersburg, Russia. As Americans prepare for another election, Russian troublemakers appear to ... [more >](#)

MOSCOW — Russia's Foreign Ministry is complaining that the interrogation of a website editor at a U.S. airport shows authorities are persecuting Russian journalists.

Alexander Malkevich, editor of the USA Really website, reportedly was detained and questioned for several hours Friday at a Washington airport and told that his site must register in the U.S. as a foreign agent. The website is funded by the sponsors of the Russian "troll factory" accused of interference in the 2016 U.S. vote.

Malkevich was released and traveled to Paris, according to state news agency RIA-Novosti.

A ministry statement on Sunday said the incident was “evidence of the campaign of pressure by the American authorities not only on the Russian press, but on any independent opinion about the United States.”

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