

**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT KENAI**

DAVID HAEG,)	
)	
Applicant,)	
)	
v.)	POST-CONVICTION RELIEF
)	Case No. 3KN-10-01295CI
STATE OF ALASKA,)	(formerly 3HO-10-00064CI)
)	
Respondent.)	
)	
<hr style="width:40%; margin-left:0;"/>		
(Trial Case No. 4MC-04-00024CR)		

**7-7-11 OPPOSITION TO JUDGE MURPHY’S MOTION TO QUASH SUBPOENA
OR ALTERNATELY TO ALLOW TELEPHONIC TESTIMONY AND MOTION
THIS COURT CONSIDER AND DECIDE HAEG'S 8-22-10 OPPOSITION TO
PETER MAASSEN REPRESENTING ANYONE IN THIS PROCEEDING OR
CASE AND 8-22-10 OPPOSITION TO MAASSEN’S 8-18-10 MOTION TO
QUASH SUBPOENAS OR ALTERNATELY TO ALLOW TELEPHONIC
TESTIMONY**

VRA CERTIFICATION: I certify this document and its attachments do not contain the (1) name of victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

COMES NOW Applicant, DAVID HAEG, in the above case and hereby files this opposition to Judge Margaret Murphy’s motion to quash subpoena or alternately to allow telephonic testimony. In addition, since Haeg was not given time to prepare a proper opposition/ motion, Haeg asks this court to consider his previous opposition to Maassen representing anyone in this case and to consider Haeg’s previous opposition to quashing Judge Murphy’s subpoena. This previous opposition/motion, which was never ruled on, is attached. See attachment #1.

Information

On November 21, 2009 Haeg filed an application for Post Conviction Relief (PCR) claiming that Judge Murphy, while she presided over Haeg's trial and sentencing, was chauffeured by Trooper Gibbens, who was the main witness against Haeg.

On July 9, 2010 Superior Court Judge Stephanie Joannides held a scheduling conference to set a date for an evidentiary hearing on whether Judge Murphy could preside over Haeg's PCR proceedings or if Judge Murphy must be disqualified for cause. See court record. At this conference Judge Joannides asked how many witnesses Haeg wished to testify, Haeg replied approximately 15, and Judge Joannides stated she would schedule the evidentiary hearing for both August 25 and 26, 2010. Haeg asked Judge Joannides how to subpoena adverse witnesses including Judge Murphy, AAG Peterson claimed Haeg could not subpoena a sitting judge, and Judge Joannides stated that it was well established PCR applicants could subpoena and question the judge who presided over the case being contested - and suggested Haeg talk to the court clerks on how to subpoena. In addition Judge Joannides ordered that Haeg be allowed to supplement his claim Judge Murphy must be disqualified. During this conference AAG Peterson stated, "this may be a career ender for Judge Murphy." See court record.

On July 25, 2010 Haeg filed a MOTION TO SUPPLEMENT THE CASE TO DISQUALIFY JUDGE MURPHY FOR CAUSE. This supplement provided shocking evidence that Judge Murphy, Trooper Gibbens, and Judicial Conduct

investigator Greenstein had conspired to cover up the fact Judge Murphy was chauffeured by Trooper Gibbens while Judge Murphy was presiding over Haeg's case. See court record.

On July 28, 2010 the Anchorage Superior Court issued 7 subpoenas, including one to Judge Murphy. See court record. (Judge Joannides had ordered the State to produce Trooper Gibbens so he was not in the 7 subpoenas.)

On August 16, 2010 Peter Maassen entered an appearance on behalf of Judge Murphy and Magistrate David Woodmancy, whom Haeg had also subpoenaed. See court record.

On August 17, 2010 AAG Peterson filed a motion to quash the subpoena of Scot Leaders, who conducted the State prosecution of Haeg. See court record.

On August 18, 2010 Haeg opposed the quashing of Leaders subpoena. See court record.

On August 18, 2010 Maassen filed a motion to quash the subpoenas of Judge Murphy and Magistrate Woodmancy or to alternately to allow telephonic testimony. See court record.

On August 22, 2010 Haeg filed an 8-22-10 OPPOSITION TO PETER MAASSEN REPRESENTING ANYONE IN THIS PROCEEDING OR CASE AND 8-22-10 OPPOSITION TO MAASSEN'S 8-18-MOTION TO QUASH SUBPOENAS OR ALTERNATELY TO ALLOW TELEPHONIC TESTIMONY. See court record.

On August 25, 2010 Brent Cole (Haeg's first attorney during Haeg's prosecution) filed a motion to quash his subpoena. See court record.

On August 25, 2010 Judge Joannides granted Haeg's motion to disqualify Judge Murphy from presiding over his PCR proceeding. Judge Joannides ruled all motions to quash subpoenas were moot and witnesses did not have to appear in light of her granting Haeg's motion to disqualify Judge Murphy. In addition Judge Joannides ruled: "At this juncture, this court does not seek to resolve whether (1) Judge Murphy's contacts with Trooper Gibbens were inappropriate and/or occurred during the trial as well as the sentencing and (2) any of Haeg's concerns about what occurred at the Judicial Conduct Commission. These issues are best left for review within the PCR proceedings when claimed legal errors and alleged improprieties before the trial court are addressed." See court record.

On August 25, 2010 a representation hearing was held for Haeg in place of the evidentiary hearing. Witnesses, including Haeg's longtime business attorney Dale Dolifka, testified under oath of the overwhelming evidence of corruption they had personally seen in Haeg's case. See court record.

On August 27, 2010 Judge Joannides referred to the Judicial Conduct Commission 43 pages of evidence Haeg had provided that Judge Murphy, Trooper Gibbens, and Judicial Conduct investigator Greenstein had conspired to cover up that Judge Murphy was being chauffeured by Trooper Gibbens (the main witness against Haeg) while Judge Murphy was presiding over Haeg's case. Judge Joannides specifically stated: "This court was only tasked with resolving David

Haeg's disqualification request. It is not privy to the Commission investigation and statements made by the witnesses, Judge Murphy, or Trooper Gibbens. Therefore, it takes no position on the materials submitted herein. In addition, this order does not resolve any allegations of impropriety. Therefore, the attached materials are being submitted to the Judicial Conduct Commission for its consideration." Judge Joannides went on to detail how her own staff had certified the accuracy of the transcriptions (of tape recordings of Greenstein) and independently obtained the records from Haeg's trial that provided the basis for Haeg's allegations that Judge Murphy and Trooper Gibbens, to cover up the chauffeuring that took place during Haeg's prosecution, testified falsely during Greenstein's investigation of it – and that Greenstein falsified her own investigation to corruptly alter witness testimony so it conformed with the false testimony from Judge Murphy and Trooper Gibbens. In closing Judge Joannides specifically states: "Finally, in addition to his concerns regarding the alleged impropriety of Judge Murphy receiving rides from Trooper Gibbens, Mr. Haeg also explains that based upon his understanding of Judge Murphy's and Trooper Gibbens' representations to the Commission, he feels that they were not truthful about their contacts during the trial." See court record.

For nearly a year the Commission on Judicial Conduct refused to consider Judge Joannides referral, with Commission Chairman Judge Ben Esch claiming he did not think the referral was "genuine".

On December 8, 2010 Haeg's PCR case was assigned to Judge Bauman.
See court record.

On March 25, 2011 Judge Joannides referred 68 pages of certified evidence to the Commission on Judicial Conduct for its review. In addition to the evidence she tried to get the Commission to consider in her August 27, 2010 referral, Judge Joannides referenced the compelling new evidence of corruption, conspiracy, and cover up generated by Greenstein's "verified" response to Haeg's Alaska Bar Association complaint and the tape recording of Arthur Robinson – Haeg's attorney during his trial and sentencing. In her "verified" response Greenstein claims to have also contacted Robinson in addition to all the other witnesses Haeg had provided her. Robinson emphatically denied Greenstein contacted him and stated he also remembered Judge Murphy being chauffeured by Trooper Gibbens during Haeg's trial and sentencing – in direct opposition to Greenstein's claim no witness she contacted observed this. Now every single witness Greenstein claims to have contacted has testified that not only did Greenstein never contact him or her, she completely falsified what he or she would have testified to. Judge Joannides certified that she copied this new referral to: "David Haeg, Judge Bauman, Members of the Alaska Commission on Judicial Conduct, Assistant Bar Counsel Louise Driscoll, Assistant Ombudsman Kate Higgins, Marla Greenstein, Peter Maassen, Andrew Peterson, and original order sent to Kenai Court to be placed in filed." Judge Joannides stated she reviewed Greenstein's Bar response and requested to know if the CD of Robinson's conversation was made part of the

record of Haeg's PCR case. Finally Judge Joannides stated, ""These errors [in getting the Commission to review her referral] have further frustrated a long and fairly complicated case that required careful review. As the August 27, 2010 order states, my task was limited in scope. At the conclusion of my review, I granted Mr. Haeg's request to disqualify Judge Murphy from the Post Conviction Relief case because I found that, **at a minimum**, there was an appearance of impropriety." See court record.

On April 8, 2011 Judge Joannides issued an errata to her order of March 25, 2011 – correcting her erroneous statement that Robinson claimed Greenstein had contacted him – in fact Robinson had claimed Greenstein had not contacted him. See court record.

On June 28, 2011 Haeg subpoenaed Judge Murphy to a deposition concerning his PCR case. See court record.

On July 6, 2011 Maassen again filed an entry of appearance on Judge Murphy's behalf and filed an expedited motion to quash Judge Murphy's subpoena or alternately to allow telephonic testimony. See court record.

On July 6, 2011 Judge Bauman ordered Haeg to file any opposition by 4:30 p.m. on July 7, 2011. See court record.

Discussion

The evidence of a massive injustice to Haeg by Judge Murphy and Trooper Gibbens during Haeg's trial and sentencing – and that this has subsequently led to a conspiracy and cover up involving Judicial Conduct investigator Marla

Greenstein – is shocking, overwhelming, and irrefutable. Not only did the main witness against Haeg chauffeur the judge presiding over Haeg’s trial and sentencing – they both lied to cover this up during the investigation of this Haeg requested. And then, Greenstein falsified every single witness’s testimony so it conformed to the testimony from the judge and witness against Haeg. And what is most disturbing of all is that the official court tape recording of Judge Murphy and Trooper Gibbens, at the very time in question during Haeg’s prosecution, proves beyond any doubt Judge Murphy and Trooper Gibbens are now lying when they claim no chauffeuring took place until after Haeg was sentenced.

It is apparent Judge Murphy is an absolutely critical PCR witness and that Haeg must be able to examine her in person while she is under oath. Judge Joannides’ rulings make it clear she also thought Judge Murphy was a critical PCR witness for Haeg and that Haeg must be allowed to compel her testimony.

Other arguments specifically refuting Judge Murphy’s claims are found in Haeg’s prior opposition (attachment #1) to quashing Judge Murphy’s subpoena.

As Haeg had done before he issued his previous subpoena, he called Judge Murphy June 27, 2011 to inquire about a date that would work for Judge Murphy. Haeg was told to decide the date and Judge Murphy would work around it. This precludes Judge Murphy from now claiming the date chosen will interfere with her duties.

Most important than anything above is the fact Judge Murphy is using her position as judge to assert a privilege against testifying at all or so she may testify

telephonically. In United States Auto Ass. V. Werley, 526 P2d 28 (AK 1974) it is clear a privilege cannot be used to protect someone in the perpetration of a crime or other evil enterprise.

“One of the widely recognized exceptions to utilization of the attorney-client privilege is that the privilege cannot be used to protect a client in the perpetration of a crime or other evil enterprise in concert with the attorney. Wigmore notes that this exception is for the logically sufficient reason that no such enterprise falls within the just scope of the relation between legal advisor and client. The mere allegation of a crime or civil fraud will generally not suffice to defeat the attorney client privilege. The general rule is that there must be a prima facie showing of fraud before the attorney-client privilege is deemed defeated. Once a litigant had presented prima facie evidence of the perpetration of a fraud or crime in the attorney-client relationship, the other party may not claim the privilege as a bar to the discovery of relevant communications and documents. A prima facie case is one in which the evidence in one’s favor is sufficiently strong for this opponent to be called to answer it. This definition can be rephrased as requiring that the evidence in favor of a proposition be sufficient to support a finding in its favor, if all the evidence to the contrary be disregarded.”

The prima facie evidence that Judge Murphy has committed a crime and is involved in an evil enterprise is overwhelming. This evidence is found in Judge Joannides certified referral to the Commission on Judicial Conduct, in Greenstein’s verified Bar response, and in the CD recording of attorney Robinson – all of which have been submitted to this court. See court record.

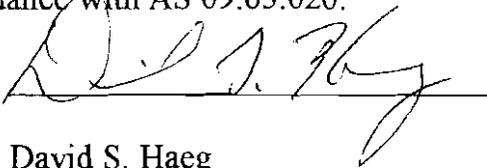
Because of this Judge Murphy cannot be allowed to use her privilege of being a judge to defeat Haeg’s constitutional right to question her in person.

Conclusion

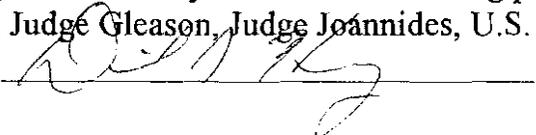
In light of the forgoing Haeg asks this court to deny Judge Murphy’s request that her subpoena be quashed or alternately to allow telephonic testimony. And, as promised, Haeg will continue to carefully document the growing

corruption and cover up in his case; will continue carefully exhausting all State remedies; and will, along with a growing number of those seriously concerned, eventually demand federal prosecution of everyone involved for corruption, conspiracy, and pattern/practice to cover up for attorneys, judges, and law enforcement who, using the color of law, are violating rights to unjustly strip defendants of everything.

I declare under penalty of perjury the forgoing is true and correct. Executed on July 7, 2011. A notary public or other official empowered to administer oaths is unavailable and thus I am certifying this document in accordance with AS 09.63.020.



David S. Haeg
PO Box 123
Soldotna, Alaska 99669
(907) 262-9249 and 262-8867 fax
haeg@alaska.net

Certificate of Service: I certify that on July 7, 2011 a copy of the forgoing was served by mail to the following parties: AAG Peterson, Maassen, DeYoung, Judge Gleason, Judge Joannides, U.S. Department of Justice, FBI, and media. By: 

**IN THE SUPERIOR COURT OF THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT IN ANCHORAGE**

Attention Superior Court Judge Stephanie Joannides

DAVID HAEG,)	
)	
Applicant,)	
)	
v.)	
)	POST-CONVICTION RELIEF
STATE OF ALASKA,)	CASE NO. 3HO-10-00064CI
)	
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Respondent.)	
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Trial Case No. 4MC-04-00024CR

**8-22-10 OPPOSITION TO PETER MAASSEN REPRESENTING ANYONE
IN THIS PROCEEDING OR CASE AND 8-22-10 OPPOSITION TO
MAASSEN’S 8-18-10 MOTION TO QUASH SUBPOENAS OR
ALTERNATELY TO ALLOW TELEPHONIC TESTIMONY**

VRA CERTIFICATION: I certify this document and its attachments do not contain the (1) name of victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

COMES NOW Applicant, DAVID HAEG, in the above case and hereby files this opposition to Peter Maassen representing anyone in this proceeding or case and to the motion to quash Judge Murphy’s and Magistrate Woodmancy’s subpoenas or alternately to allow them to testify telephonically.

Prior Proceedings

In 2004 and 2005 David Haeg and Tony Zellers were prosecuted as codefendants with Margaret Murphy presiding first as Magistrate and later as

District Judge. Haeg's attorneys and Zellers attorney, Kevin Fitzgerald, worked closely together to defend Haeg and Zellers, using the same tactics.

After conviction and appeal Haeg filed for Post-Conviction Relief, claiming the attorneys and Judge Murphy had denied him a fair proceedings, trial, and sentencing. Judge Murphy herself was assigned to hear Haeg's PCR case.

On 3-9-10 Haeg filed a motion to disqualify Judge Murphy for cause.

On 4-23-10 Judge Murphy denied Haeg's motion to disqualify herself.

On 4-30-10 Judge Joannides was assigned to review Judge Murphy's refusal to disqualify herself.

On 5-2-10 Haeg filed for an evidentiary hearing, specifically requesting Judge Murphy's testimony, on Judge Murphy's refusal to disqualify herself.

On 6-25-10 Judge Joannides set a Scheduling Conference for 7-9-10, when, after discussing any conflicts of the parties and witnesses, the date of the evidentiary hearing specifically concerning Judge Murphy would be set.

On 6-29-10 and 7-1-10, just prior to the 7-9-10 Scheduling Conference, Haeg contacted both Judge Murphy and Magistrate Woodmancy to see what dates would be acceptable for them to testify in person at the evidentiary hearing. Judge Murphy and Magistrate Woodmancy responded that Haeg should set the date he wished for the evidentiary hearing, subpoena them to testify, and they would adjust their schedules around the date their testimony was required.

On 7-9-10 Judge Joannides, after hearing and discussing these facts, ruled Judge Murphy could be subpoenaed and set the evidentiary hearing for 8-25-10 and 8-26-10.

On 7-28-10 Haeg subpoenaed Judge Murphy and Magistrate Woodmancy to the 8-25-10 hearing.

On 8-21-10 @ 9:22 AM Haeg, on vacation in Idaho, received the following email from Peter Maassen (see attached complete copy), to which Haeg immediately replied:

Mr. Maassen,

I do object to the quashing of the subpoenas or to telephonic testimony. I also object to your law firm representing anyone related to this proceeding or case. One of the named partners of your firm, Kevin Fitzgerald, represented my co-defendant, Tony Zellers, in the same case and in the same manner my attorneys represented me. As I prove my sellout by Judge Murphy and my attorneys so will proof be developed of Zellers sellout by Judge Murphy and Fitzgerald. Because of this your law firm will have a compelling reason to protect itself at the expense of anyone it represents in this proceeding or case. This precludes anyone, such as yourself, from representing anyone in this proceeding or case.

As I am on vacation and unable to put this into a proper opposition to the court I respectfully ask you include this objection in your motion to the court.

Sincerely,

David Haeg

Mr. Haeg,

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>
>
> I'm sorry to have to interrupt your vacation. I'm an
> attorney in Anchorage and I've been asked to respond to the subpoenas
> you have had served on Judge Murphy and Magistrate Woodmancy for next
> week's hearing. I'll be filing a motion later today to quash the
> subpoenas or, at least, to allow the judge and the magistrate to testify
> telephonically. I'll also ask that my motion be heard on an expedited
> basis.
>

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>
> Given your response to Andrew Peterson with regard to
> the Leader subpoena, I assume that you object to expedited consideration
> and to telephonic testimony -- is that right? I would like to inform
> Judge Joannides of your position.
>
>
>
> Thank you.
>
>
>
> Peter Maassen
>
> Ingaldson, Maassen & Fitzgerald

On 8-21-10 @ 11 PM Haeg arrived home from Idaho and found, in his mail, a motion signed on 8-18-10 from attorney Peter Maassen, of the firm Ingaldson, Maassen, and Fitzgerald, to quash the subpoenas for Judge Murphy and Magistrate Woodmancy, giving Haeg until 9 AM August 20, 2010 in which to respond. In other words attorney Maassen wrote a motion and then asks to give Haeg less than 2 days to receive the motion, write an opposition, and to then get the opposition into Judge Joannides hands.

Attorney Peter Maassen's Conflict of Interest

As Haeg's email states, attorney Peter Maassen, of the firm Ingaldson, Maassen, and Fitzgerald, has a direct conflict of interest that prevents him from representing anyone during Haeg's upcoming evidentiary hearing or PCR proceeding. Attorney Kevin Fitzgerald, a named partner of attorney Maassen's law firm, represented Haeg's co-defendant Tony Zellers in the same deficient way Haeg's attorneys represented Haeg. The same exact case, as it is being made against Haeg's attorneys, is being made against Fitzgerald. Fitzgerald is also a

named and material witness in Haeg's PCR application/memorandum. See pages 10 and 14 of Haeg's PCR application and pages 8, 14, 15, 21, and 31 of the memorandum.

Attorney Maassen will have a compelling interest to protect his law firm at the expense of anyone else he represents in this proceeding or case.

Haeg's Right to Compel Judge Murphy and Magistrate Woodmancy to Testify in Person

I

Haeg has a specific constitutional right to a compulsory process for obtaining witnesses in his favor.

The primary issue to be decided at this evidentiary hearing is whether Judge Murphy testified falsely to the Alaska Commission on Judicial Conduct in response to Haeg's complaint that Trooper Gibbens chauffeured her during Haeg's case. This is in direct contrast to attorney Maassen's claim that the issue is about whether or not it was permissible for Judge Murphy to ride with Trooper Gibbens during Haeg's case, and that since Haeg's complaint was "dismissed" his concerns are moot. While some apparently think it acceptable for the judge of a trial (but probably not if it were their trial) to be chauffeured by the prosecution's main witness, no one would think it acceptable for the judge to testify falsely during the official investigation into the chauffeuring. As prosecutor Andrew Peterson aptly

put it on the record during the 7-9-10 scheduling hearing, “this may be a career ender for Judge Murphy.”

Haeg is not claiming Judge Murphy is a witness to some act by a third party; Haeg is claiming Judge Murphy is the knowing, voluntary, and/or malicious perpetrator of an act so egregious that by itself it would likely overturn Haeg’s conviction and destroy her career; proving she has an overwhelming and undeniable interest in preventing a fair hearing of Haeg’s PCR. In response to attorney Maassen’s additional claims, (1) it is indisputable Judge Murphy possesses factual knowledge, (2) that knowledge is highly pertinent to the fact finders task, and (3) Judge Murphy is the only possible source on whether she knowingly, voluntarily, and/or maliciously committed the act. And, as Haeg’s PCR judge will be incredibly critical to the success or failure of Haeg’s PCR, he must be allowed to exercise his constitutional right to compel Judge Murphy’s testimony about her own acts, unless and until she exercises her right against self-incrimination.

Similarly, Haeg is not just asking Magistrate Woodmancy about what he observed; Haeg is asking what Magistrate Woodmancy did himself.

II

Citing Ciarlone v. City of Reading, Attorney Maassen claims that “[I]t is imperative when [a judge] is called to testify as to action taken in [her] judicial capacity, to carefully scrutinize the grounds set forth for requiring [her] testimony.”

None of the actions Haeg wishes to question Judge Murphy or Magistrate Woodmancy about were taken in their judicial capacity – eliminating this scrutiny.

Judge Murphy was not acting a judicial capacity when being chauffeured by Trooper Gibbens nor was she acting in a judicial capacity when she testified falsely to the Alaska Commission on Judicial Conduct.

Magistrate Woodmancy was not a magistrate during most of the time Haeg wishes to question him about and thus could not have been acting in a judicial capacity then. And the actions Magistrate Woodmancy took when he was a magistrate, that Haeg wishes to question him about, were not taken in his judicial capacity (asking Trooper Gibbens to chauffeur him and being turned down because of all the trouble Gibbens got into the last time).

III

Attorney Maassen claims Haeg’s questions for Magistrate Woodmancy “apparently focuses on a brief exchange between the magistrate and Trooper Gibbens on August 15, 2006...”, that this is “not highly pertinent” and is a “highly collateral subject.” This is untrue. Magistrate Woodmancy, before he was a magistrate, was present during Haeg’s 2005 prosecution in McGrath and thus is a material and direct witness.

IV

Attorney Maassen claims that Judge Murphy and Magistrate Woodmancy’s “judicial duties” and “cost ... of travel” preclude either from testifying in person. Just prior to the scheduling conference Haeg contacted both to find dates on which

they could testify in person without conflicting with their “judicial duties”. Both replied Judge Joannides should set any date she wished and that they would work around it. It is plainly unfair to now allow Judge Murphy or Magistrate Woodmancy, in order to avoid testifying in person, to claim the date set will interfere with their “judicial duties”. They very clearly waived any right to this claim when they refused to provide acceptable dates and stated they would just adjust their schedules around any date set.

As for the cost of travel, Haeg has already provided advance payment to each for actual travel costs.

V

Attorney Maassen claims that since this is a “preliminary hearing” Judge Murphy and Magistrate Woodmancy should be allowed to testify telephonically, even though Maassen admits “[the Supreme Court] has concluded that live testimony may be required where credibility of the licensee or witness is at issue.”

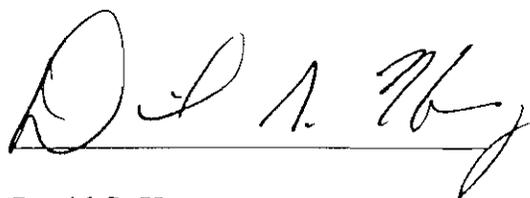
For Haeg this is anything but a “preliminary hearing.” It is the last hearing at which he may prevent Judge Murphy from presiding over his PCR, by proving Judge Murphy lied during an official investigation into her actions and will sabotage Haeg’s PCR proceeding in order to keep this “career ender” covered up.

That Judge Murphy’s credibility will be at issue, requiring live testimony, is a forgone conclusion. The hearing is specifically focused on her credibility.

Conclusion

In light of the above Haeg respectfully asks this court to deny Peter Maassen from representing anyone currently involved in this proceeding and to deny the motion to quash Judge Murphy and Magistrate Woodmancy's subpoenas or to allow them to participate telephonically.

I declare under penalty of perjury the forgoing is true and correct. Executed on 8-22-10. A notary public or other official empowered to administer oaths is unavailable and thus I am certifying this document in accordance with AS 09.63.020.



David S. Haeg
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Certificate of Service: I certify that on 8-22-10 a copy of the forgoing was served by mail to the following parties: Peter Maassen, I.M.F; Andrew Peterson, O.S.P.A, Steve VanGoor, ABA; and U.S. Department of Justice

By: 