



**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

ELAINE L. CHAO, Secretary of Labor,
 United States Department of Labor,

Plaintiff,

v.

**Transport Workers Union,
 Local Union 700; AFL-CIO
 Robert Taylor, President, and
 David Taylor, Treasurer of the
 Aforementioned Union**

Defendants.

CIVIL ACTION NO.

File No. **06 - 4211**

TRUE COPY CERTIFIED TO FROM THE ORIGINAL
 DATE: **SEP 21 2006**
 ATTOR: *Steve Tomas*
 DEPUTY CLERK OF THE DISTRICT COURT
 EASTERN DISTRICT OF PENNSYLVANIA

COMPLAINT

I

Plaintiff **Elaine L. Chao**, Secretary of Labor, United States Department of Labor, brings this action under Title II of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, 73 Stat. 519, et seq., 29 U.S.C. 401, et seq.), hereinafter referred to as the Act.

II

Jurisdiction of this action is conferred upon the Court by Section 210 of the Act (29 U.S.C. 440).

III

(a) Defendant, **Transport Workers Union, Local 700, AFL-CIO**, (hereinafter referred to as "Transport Workers"), is and at all times relevant to this action has been, an unincorporated association, maintaining its principal place of operations at 1218 Chestnut Street, Suite 602, Philadelphia, Pennsylvania 19107, within the jurisdiction of the Court.

(b) Defendant **Robert Taylor**, is and at all times relevant to this action has been, the President of the defendant union, with his main place of business at 1218 Chestnut Street, Suite 602, Philadelphia, Pennsylvania 19107, within the jurisdiction of the Court.

(c) Defendant **David Taylor**, is and at all times relevant to this action has been, the Treasurer of the defendant union, with his main place of business at 1218 Chestnut Street, Suite 602, Philadelphia, Pennsylvania 19107, within the jurisdiction of the Court.

IV

Defendant, **Transport Workers Union**, is, and at all times relevant to this action has been, a local labor organization engaged in an industry affecting commerce within the meaning of §§ 3(i), 3(j) and 401(b) of the Act (29 U.S.C. 402(i), 402(j), and 481(b)).

V

The fiscal year of Defendant union is, and at all times relevant to this action has been, the period January 1 through December 31.

VI

Section 201(b) of the Act (29 U.S.C. 431(b)) and the rules and regulations promulgated by the Secretary of Labor pursuant to Section 208 of the Act (29 U.S.C. 438) and published in 29 CFR 403 require labor organizations to file with the Secretary of Labor a Labor Organization Annual Financial Report, signed by the President and the Treasurer of the labor organization.

VII

Defendants have failed and refused, after repeated requests and demands made by the plaintiff, to file Labor Organization Annual Financial Reports for the fiscal years ending December 31, 2001 through December 31, 2005 on United States Department of Labor Form LM-3 as required by Section 201(b) of the Act (29 U.S.C. Sections 431(b)) and the rules and regulations promulgated by the

Secretary of Labor pursuant to Section 208 of the Act (29 U.S.C. Section 438).

VIII

In response to plaintiff's request for defendant Union to file Annual Financial Reports, defendants frivolously claimed that they are not subject to the jurisdiction of the laws of the United States (see letter from Robert Taylor and David Taylor to District Director Peter Papinchak, dated March 17, 2005, attached to the Complaint as Exhibit A).

WHEREFORE, Plaintiff prays for judgment:

(a) Directing and compelling the defendant union, and the individual defendants, as officers of defendant union, to file annual financial report, United States Department of Labor Form LM-3 as required by Section 201(b) of the Act (29 U.S.C. 431(b)) and rules and regulations promulgated by the Secretary of Labor pursuant to Section 208 of the Act (29 U.S.C. 438) and published in 29 CFR 403, for the fiscal years ending December 31, 2001, December 31, 2002, December 31, 2003, December 31, 2004, and December 31, 2005.

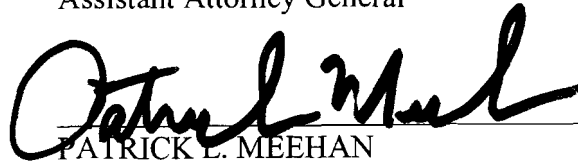
(b) Enjoining and restraining defendants, their agents, servants, employees and all other persons acting or claiming to act on their behalf or in their interest from violating the provisions of Section 201(b) of the Act (29 U.S.C. 431(b));

(c) Awarding the costs of this action; and

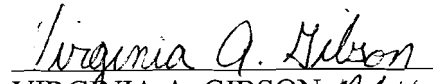
(d) Granting such other relief as may be appropriate.

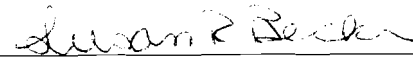
Respectfully submitted,

PETER D. KEISLER
Assistant Attorney General



PATRICK L. MEEHAN
United States Attorney


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Chief, Civil Division

By: 
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Assistant United States Attorney
Civil Division
615 Chestnut Street
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Philadelphia, PA 19106
(215) 861-8310
Attorneys for Plaintiff

Dated: *September 21, 2006*

OF COUNSEL:
Peter Papinchak
District Director
Alfred J. Fisher
Regional Counsel
Department of Labor
Office of Labor-Management Standards
Philadelphia District Office
The Curtis Center
170 S. Independence Mall West
Philadelphia, PA 19106

EXHIBIT A



TRANSPORT WORKERS UNION OF AMERICA

Affiliated with American Federation of Labor
and Congress of Industrial Organizations

Local No. 700

1218 Chestnut Street, Suite 602, Philadelphia, PA 19107, (215) 592-4119 • Fax (215) 592-4166

MAR 22 2005

Attn: Peter Papinchak, District Director
U.S. Department of Labor
Employment Standards Administration
Philadelphia District Office
170 S. Independence Mall West, The Curtis Center, Room 760 W
Philadelphia, PA 19106

March 17, 2005

RE: File Number LM-034-510

After extensive research this is the Transport Workers Union Local 700's position:

1. The Officers of the Local are completely outside of any federal jurisdiction¹, see *U.S. v. Lopez*.² *The United States Constitution, Amendment IV (1791), united states of America Constitution* states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularity describing the place to be searched, and the persons or things to be seized." Therefore, there is nothing in the U.S. constitution which requires that a natural being must turn in a report on themselves, in fact the opposite is the case.
2. We only operate in the Commonwealth of Pennsylvania. Under *Section 8 of the Pennsylvania Constitution*³ states, "The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures, and no warrant to search any place or seize any person or thing shall issue without describing them as nearly as may be, nor without probable ca[u]se, supported by oath or affirmation subscribed to by affiant." Therefore, there is nothing in the state constitution which requires that a natural being must turn in a report on themselves, in fact the contrary is the case.

¹ "JURISDICTION [L. *inris* + *diction*/ the act of speaking or orating] The right, power and authority of a court or of an administrative agency to hear and determine a class of cases, as conferred either by the federal or state constitution... The power of the court to decide a matter in controversy and to adjudicate and define the rights of the parties. The jurisdiction of a court is defined both geographically and substantively." *Latin for Lawyers by Lazar Emanuel*.

² *U.S. v. Lopez* is enclosed.

³ *The Pennsylvania Constitution* is enclosed.



3. Local 700 and its officers are NOT a legal "person(s)" born or naturalized in the federal "United States," NOT subject to the jurisdiction of the legislative democracy of the federal "United States" (e.g., District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa) or any other territory "within the United States." The terms "United States" and "U.S." are NOT to be construed under any circumstances to imply or include the sovereign, "50 states" on the "united states of America". Local 700 and its officers do not fall under the 14th Amendment. Furthermore, any reference to the 14th Amendment of the Constitution maintaining privileges over rights is invalid (see A Historic Overview of the Unlawful Enactment of the *14th Amendment* by the Supreme Court of Utah; *Deyett v. Turner* (1967) 439 P. 2D.266; *State v. Phillips*, (1975) 540 P.2D.936) Thus, Local 700 and its officers are "alien" with respect to the federal "United States."
4. Local 700 and its officers are not located "within" the geographical areas of exclusive federal jurisdiction as defined in the Federal Land Area Chart. Local 700 and its officers do not live "within" ANY of the ten, regional federal areas, territories or enclaves identified by the numerical, postal zip code. Local 700 and its officers are "nonresident alien" outside both general and tangential venue and jurisdiction of *Labor-Management Reporting and Disclosure Act of 1959, As Amended, United States Code (USC)*. Local 700 and its officers are NOT "resident(s)" of the corporate "State of Pennsylvania" as it is also under the jurisdiction of the federal "United States". Therefore, the *United States District Court for the District of Columbia is NOT the proper venue for any dispute concerning the above individuals or entity.*
5. Local 700 is not incorporated under the U.S. Department of Labor, therefore, it is not under "Title 11 of the United States Code" and furthermore, not under the jurisdictions of the *Labor-Management Reporting and Disclosure Act of 1959, As Amended*. "No Local Union shall ever be incorporated" -*Transport Workers Union Constitution 2001 Edition, Section 11, p 42*⁴.
6. What is the U.S. Department of Labor's, or its agent(s), "Designated Order of Authority"? And are any documents presented signed by a judge? U.S. Department of Labor, or its agent(s), must prove what authority that they have over the Union and/or Officers. Otherwise, we have a natural, lawful right and duty to defend ourselves from tyranny and terror threats, whether they come from governmental or private sources.
7. The LM-3 was filed with the U.S. Department of Labor (2002 and before). They were signed by the president of Local 700, which was signed under *threats, duress, and coercion (TDC)*. See the *Labor-Management Reporting and Disclosure Act of 1959, As Amended, Section 209 and 210*.

⁴ *Transport Workers Union Constitution 2001 Edition* is enclosed.

8. The LM-3 requires **voluntary signatures**, otherwise, it is "**slavery**⁵" which is unlawful under the *Constitution of the united states of America*. "Neither slavery nor involuntary servitude...shall exist within the United States, or any place subject to their jurisdiction."-*Amendment XIII*⁶

9. As I am sure you are aware, everyone has a natural "**right to remain silent**", please see *MIRANDA v. ARIZONS*, 384 U.S. 436 (1966)⁷. There is no harm caused by **non-signature**, thus, by definition, there is "**no crime**" or any subject matter in controversy. In other words, there is no "**corpus delicti**". A signature is "**private property**" to be given on a "**voluntary**" basis, without threats, duress, coercion (TDC). "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." -- *Amendment V (1791), United States of America Constitution*.

10. Local 700 and its officers do hereby CERTIFY and DECLARE, we are NOT subject to the statutory, **colorable law** (such as, yet not limited to, *Labor-Management Reporting and Disclosure Act of 1959, As Amended, Section 209 and 210* or any other section) jurisdiction of the federal United States in the corporate monopoly of the federal, state, local and municipal governments. We have NOT voluntarily or intentionally waived, with ANY "knowingly intelligent acts" ANY of our unalienable rights, and have NO intention of doing so in the future. "This Constitution, and the Laws of the United States which shall be made Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land...any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."--*united states of America Constitution, Article VI, [2]*.

11. Local 700 and its officers do hereby exercise the REMEDY of the law under U.C.C. 1-207, whereby Local 700 and its officers may preserve our **Common law** right NOT to be bound by any commercial agreement, or bankruptcy action of the federal United States government, that Local 700 and its officers do not enter into knowingly, willingly, and voluntarily, and that RESERVATION OF RIGHTS serves as a NOTICE upon all administrative agencies of government, federal, state and local, that Local 700 and its officers will not accept the liability associated with the compelled benefit of any unrevealed commercial agreement. If Local 700 and its officers have received any benefits, privileges or titles of nobility (e.g., person, resident, citizen, taxpayer) from any branch of the government in the past, they were "received" under PROTEST, or under

⁵ "Slavery. 1. A situation in which one person has absolute power over the life, fortune, and liberty of another." -*Blacks Law Dictionary, Seventh Edition*.

⁶ THE UNITED STATES CONSTITUTION is enclosed.

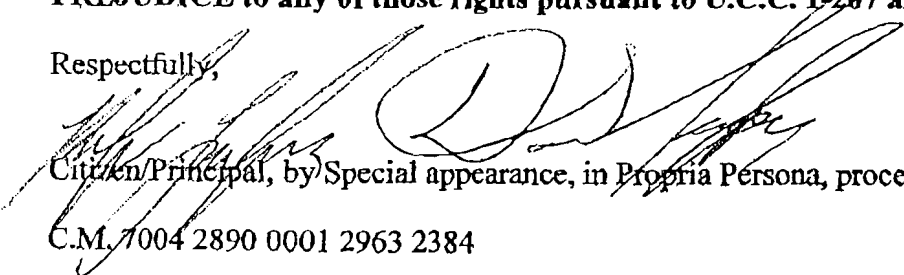
⁷ MIRANDA v. ARIZONS, 384 U.S. 436 (1966) is enclosed.

THREAT, DURESS, or COERCION (TDC) pursuant to U.C.C. 1-103, U.C.C. 2-302.1, and U.C.C. 3-608.

12. In summary, the Local Union and its Officers did **no wrong**. Thus, the U.S. Department of Labor must "**cease and desist**" with its campaign of harassment and tyranny.
13. Any other evidence or presumption to the contrary is hereby **REBUTTED**. Any past signatures or authorizations on *Labor-Management Reporting and Disclosure Act of 1959, As Amended*, Internal Revenue Service (1040s and W-4s), Social Security Administration forms (SS-5), drivers licenses, vehicle registrations, birth or trust certificates, voter registrations and other franchises were in **ERROR** and involuntarily made under threat, duress, and coercion (TDC). Local 700 and its officers hereby **REVOKE**, cancel and render void, Nunc Pro Tunc, both currently and retroactively to the time of signing, any and all such signatures.
14. This letter and all attached documents have been made a part of the **Public Record** and will be used for **evidence in administrative and judicial proceedings at law, or equity** regarding this case. **ALL** of these documents must be maintained in Claimant's Administrative File.

Pursuant to Title 28, USC §1746(1) and executed "without the United States," Local 700 and its officers affirm that the foregoing is true and correct, to the best of our belief and informed knowledge. Local 700 and its officers now affix our signature to all of the above affirmations **with EXPLICIT RESERVATION OF ALL OF OUR UNALIENABLE RIGHTS, which are granted by the Creator, WITHOUT PREJUDICE** to any of those rights pursuant to U.C.C. 1-207 and U.C.C. 1-103.6

Respectfully,



Citizen/Principal, by Special appearance, in Propria Persona, proceeding Sui Juris

C.M. 7004 2890 0001 2963 2384

Cc: TWU International Administrative Committee (Michael T. O'Brien, James C. Little, John J. Kerrigan, Michael Bakalo, Hubert Snead)