

FILED
03-21-2019
CIRCUIT COURT
DANE COUNTY, WI
2018CV003122

STATE OF WISCONSIN CIRCUIT COURT DANE COUNTY

LEONARD POZNER

Plaintiff,

v.

Case No. 18CV3122

JAMES FETZER,
MIKE PALECEK, and
WRONGS WITHOUT WREMEDIES, LLC

Defendant(s).

COUNTERCLAIM OF JAMES FETZER

Counterclaim Plaintiff James Fetzer hereby alleges a Counterclaim for damages against Counterclaim Defendant Leonard Pozner and hereby alleges as follows:

DEFENDANT JAMES FETZER COUNTERCLAIM

PARTIES

1. Counterclaim Plaintiff James Fetzer is a resident of the State of Wisconsin, County of Dane and is a Defendant herein.
2. Counterclaim Defendant Leonard Pozner is a resident of the state of Florida and is a Plaintiff herein.

JURISDICTION AND VENUE

3. Substantial and not isolated acts giving rise to the cause of action for ABUSE OF PROCESS asserted herein, have occurred in the State of Wisconsin and within this venue.
4. This Court has jurisdiction over both the parties and the subject matter because on information and belief a substantial number of events giving rise to this Counterclaim for Abuse

of Process occurred in Dane County. On information and belief and with knowledge of the falsity of the allegations in his Complaint, Counterclaim Defendant Leonard Pozner has sued Defendant for having described the death certificate given to Kelley Watt as a “fabrication,” when Plaintiff is substituting a second death certificate, attached to his Complaint, as though they were the same in every material respect, when they are obviously different. Just as an unsigned check could be said to be worthless in comparison to the same check signed, the death certificate Defendant has said to be a “fabrication” is as different from the copy of the death certificate attached to his Complaint as a check that is unsigned is to a check that is signed. Defendant has never seen, much less commented upon, the document attached to the Complaint and therefore cannot possibly be held responsible for defamation for having characterized it, which they had never before seen, as a “fabrication”—though Defendant has observed that, if the death certificate certified by the State of Connecticut is the same “in every material respect” as the certificate Plaintiff gave to Kelley Watt, then the State of Connecticut has certified a fabrication, which is itself a crime.

FACTUAL BACKGROUND

5. On December 14, 2012, in Newtown, Connecticut, agents of the federal, state and local municipal authorities conspired to stage an elaborate hoax. Counterclaim Defendant Leonard Pozner was a co-conspirator in the effort to stage the Sandy Hook Elementary School (hereinafter “SHES”) mass murder by an alleged psychologically disturbed young man by the name of Adam Lanza, who allegedly stole several guns from his mother, then shot his mother in her bed and then drove the family car to SHES, where he forcibly entered the school by shooting out the front glass door, and then entered SHES and murdered 20 students and six administrators and teachers. Counterclaim Defendant Leonard Pozner maintains that his son, “Noah Pozner,” was killed in this shooting incident.

6. Upon closer examination, investigation, and study by concerned citizens, including but not limited to the Counterclaim Plaintiff, it was discovered that the alleged SHES mass murder never actually occurred as it was presented by the mainstream media. This discovery was caused by the examination of a large body of circumstantial evidence, including but not limited to the following:

- a) Photographs demonstrate that, although a large hole was blown in the plate-glass window of SHES, it does not appear to have been done by any of the weapons purportedly in the possession of the alleged shooter, nor did anyone actually enter SHES through that hole, although at least 10 Connecticut State Police have signed sworn affidavits of having entered by means of it.
- b) Media helicopters taking aerial footage of the event on December 14, 2012, took pictures of the triage tarps on the ground outside of SHES, but despite that allegations that 26 people were struck by bullets and killed, not a single human body was photographed being placed on any of the triage tarps.
- c) Federal Emergency Management Agency (FEMA) appears to have managed the event, including placing Porta-a-Potties and signage at the scene, and directing the participants as to where they should report to participate in the event.

- d) Pizza and bottled water were supplied at the scene, so that the participants could snack and drink, while awaiting their turn to be filmed and photographed at the alleged emergency event, much like at a Hollywood location film shoot.
- e) News footage of participant and co-conspirator Robby Parker is seen at first laughing and smiling, before hyperventilating to “get into character” of the distraught parent who suffered the loss of a child, before Mr. Parker gives a speech regarding his sorrow at the alleged loss of his daughter.
- f) Photographs of the scene of the alleged mass murder, reveal at least two photographs were taken, one showing parents present at the scene, while a uniformed policewoman is repositioning the schoolchildren being led away from SHES to get “a better shot.”
- g) Investigation later revealed that by December 14, 2012, SHES had actually been closed since 2008, and the inactive school buildings were being used to “stage” the alleged SHES mass murder.
- h) H. Wayne Carver II, M.D., then-chief state medical examiner, stated that the parents of the deceased children were identified by photographs, as opposed to direct observation and identification of the bodies of the children, which appears to have been done because the children only existed in the form of photographs, as subsequent research has shown, some of which appears in “Sandy Hook Truth: A Sandy Hook Collected Memorandum for the President of the United States” (2018), edited by Robert David Steele and available online.

- i) Other and further circumstantial evidence of this staged event exists and will be developed in discovery, including “The FEMA Manual for Sandy Hook,” published as Appendix A to *Nobody Died At Sandy Hook: It was a FEMA Drill to Promote Gun Control*, which is confirmed by the presence of the sign, refreshments and restrooms, and participants wearing name-tags on lanyards, which are standard practices for conducting FEMA drills, and by the absence of a surge of EMTs into the building, the lack of a string of ambulances to rush the bodies off to hospitals where they could be declared to be dead or alive, the failure to call a Med-Evac chopper, which is normally done even for drills, and a host of other indications, many of which appear in the publications cited above and elsewhere.

7. This elaborate staged mass-media event was “produced” to advance an agenda to deprive U.S. citizens of their rights pursuant to the Second Amendment of the U.S. Constitution.

8. As concerned citizens continued to investigate the alleged SHES mass murder, including the Counterclaim Plaintiff, numerous persons coordinated their investigations to reveal and uncover the “Sandy Hook Hoax,” Counterclaim Defendant Leonard Pozner contacted Kelley Watt in 2015, followed by numerous telephone conversations and email exchanges.

9. During the course of conversations and correspondence between Leonard Pozner and Kelley Watt, Leonard Pozner provided her with a “death certificate” alleged to be that of his son “Noah Pozner,” which death certificate has, on its face, several material differences and inconsistencies from the alleged death certificate, which Defendant Fetzer has introduced into the records of this case.

10. The death certificate that Plaintiff Pozner attached to his Complaint differs substantially from the death certificate Plaintiff previously sent to Kelley Watt, insofar as, unlike that version, it has a (handwritten) file number, does not have a bottom two-thirds darker in texture than the top one-third, and the box for decedent's Social Security number is blank, while the same box in the copy sent to Kelley Watt was blacked out in an apparent effort to conceal that decedent does not have (or was never assigned) a Social Security number. Additionally, the document attached to Plaintiff's Complaint shows several changes attributed to "father Leonard Pozner," even though the name of the father on the certificate proper is "Lenny Pozner." They are not the same.

11. After having investigated the alleged SHES mass murder of December 14, 2012, Defendants James Fetzer and Mike Palecek, published in 2015 a book entitled *Nobody Died At Sandy Hook: It was a FEMA Drill to Promote Gun Control* (with 13 contributors, including six current or retired Ph.D. professors), establishing that the school had been closed by 2008, that there were no students there, and that it was a FEMA drill to promote gun control in which nobody died. A second edition of the book was published in 2016 by James Fetzer, Mike Palecek and Wrongs Without Wremedies, LLC.

12. Plaintiff Leonard Pozner claims to have been defamed by the publication of the books *Nobody Died At Sandy Hook: It was a FEMA Drill to Promote Gun Control*, specifically for Defendant Fetzer having described the death certificate given to Kelley Watt as a "fabrication," and filed this lawsuit for defamation, when in truth and in fact, Leonard Pozner knows that the SHES shooting was an elaborate staged event, wherein no one was killed on December 14, 2012.

**FIRST CAUSE OF ACTION
ABUSE OF PROCESS**

13. Counterclaim Plaintiff incorporates by this reference all allegations contained within this Counterclaim into this cause of action for Abuse of Process as though said allegations have been set out fully and at length herein, and further alleges as follows:

14. On or about November 27, 2018, Leonard Pozner initiated litigation in this Court against James Fetzer, Mike Palecek and Wrongs Without Wremedies, LLC, with alleged causes of action for defamation and conspiracy against the Defendants. Plaintiff Leonard Pozner intentionally filed and served said lawsuit for defamation and conspiracy on said Defendants, despite his knowledge that his son “Noah Pozner” was not killed in the SHES shooting on December 14, 2012.

15. Leonard Pozner’s acts, by filing and serving a lawsuit which he knows contains false allegations regarding the alleged killing of his son “Noah Pozner” and the alleged issuance of a death certificate, was performed and accomplished for the improper purpose of sustaining the false belief by citizens of the State of Wisconsin and of the U.S. that a child massacre had been perpetrated by a mentally disturbed individual on December 14, 2012, who allegedly took possession of his mother’s legally obtained firearms and then went on a killing spree at SHES.

16. The improper purpose of the filing and service of Leonard Pozner’s lawsuit against the Defendants arises from the continuing intent of Leonard Pozner and his co-conspirators in the federal, state and local municipal governments (aided and abetted by the mainstream media) to continue to mislead and deceive the U.S. population, to deprive its citizens of their rights pursuant

to the Second Amendment of the U.S. Constitution, including the use of social media giants (Google, YouTube, Facebook and Twitter) to suppress exposure of the facts of the matter to the American people and subvert the First Amendment.

SECOND CAUSE OF ACTION

FRAUD AND THEFT BY DECEPTION

17. Plaintiff has perpetrated a fraud upon this Court and the public by presenting himself as the grieving father of a child whom, he claims, died at Sandy Hook, when Plaintiff has acted in full knowledge this was a FEMA mass casualty exercise involving children in which nobody—no adult and no child—was shot and killed. It has been reported that the fake families of the alleged 26 victims have received from \$27 million to \$130 million in donations from sympathetic but gullible Americans, which divided equally between the 26 fake families works out at over \$1 million to \$5 million apiece for the pretense of having lost a child at Sandy Hook. Plaintiff and others who participated in this fraud upon the public are therefore also guilty of theft by deception, which is a crime under Wis. Stat. § 943.20.

THIRD CAUSE OF ACTION

FRAUD UPON THE COURT

18. Counterclaim Plaintiff reaffirm that Counterclaim Defendant appears to be perpetrating a fraud upon the Court. See *Schultz v. Sykes* and *Jones v. Courtyard Apartments, LLP*. *Aoude v. Mobil Oil Corp.*, 892 F.2d 1115 (1st Cir. 1989), states: “A ‘fraud on the court’ occurs where it can be demonstrated, clearly and convincingly, that a party has sentiently set in motion

some unconscionable scheme calculated to interfere with the judicial system's ability impartially to adjudicate a matter by improperly influencing the trier or unfairly hampering the presentation of the opposing party's claim or defense." See, e.g., *Alexander v. Robertson*, 882 F.2d 421, 424 (9th Cir.1989); *Pfizer, Inc. v. International Rectifier Corp.*, 538 F.2d 180, 195 (8th Cir.1976); *England v. Doyle*, 281 F.2d 304, 309 (9th Cir.1960); *United Business Communications, Inc. v. Racal-Milgo, Inc.*, 591 F.Supp. 1172, 1186-87 (D.Kan.1984); *United States v. ITT Corp.*, 349 F.Supp. 22, 29 (D.Conn.1972), *aff'd mem.*, 410 U.S. 919, 93 S.Ct. 1363, 35 L.Ed.2d 582 (1973)."

19. On the basis of multiple lines of research, including national searches using two widely relied upon search engines, which have failed to locate any party by the name of "Leonard Pozner" in the U.S., Counterclaim Plaintiff has concluded Counterclaim Defendant has filed this case under a false name and that "Lenny Pozner" appears to be as much of a fiction as his alleged son "Noah Pozner," who appears to be a fiction made up out of photographs of older children when they were young. Specifically, subject to further investigation, Counterclaim Plaintiff believes "Noah Pozner" is a fiction made up out of photographs of his "older step-brother" Michael Vabner, and that, to the best of Counterclaim Plaintiff's knowledge and belief, "Leonard Pozner" is actually Reuben Vabner, the father of Michael Vabner, which explains why there are so many photographs of "Lenny and Noah" together, where Counterclaim Plaintiff is engaged in ongoing research to confirm or disconfirm their findings about the true identity of the Counterclaim Defendant in this case, who does not appear to be a person with the real name of "Leonard Pozner."

20. Further proof derives from evidence that the U.S. passport for "Noah Samuel Pozner" appears to be another fabrication, where the photograph used to create the document does not conform to State Department requirements with regard to type of photograph (snapshot rather

than formal), with the subject looking to the side (rather than fully-facing the camera). In addition, the image is of the wrong size and violates the placement requirements imposed by the government (which is obvious from inspection). Counterclaim Plaintiff believes that faking a U.S. passport represents a far more serious (federal) offense than faking a (state) death certificate. This discovery reinforces Counterclaim Plaintiff's belief that Counterclaim Defendant has committed perpetrated a fraud upon the Court.

PRAYER FOR RELIEF

Counterclaim Plaintiff reaffirms his belief that Counterclaim Defendant Complaint has been filed for the illicit purpose of intimidation to prevent public knowledge of the truth concerning the events at SHES, and not for genuine legal relief for actionable harm done and is therefore an actionable abuse of process. Counterclaim Plaintiff requests the Court reserve for Counterclaim Plaintiff the options to Counterclaim for Abuse OF Process, for fraud and theft by deception, and for perpetrating a fraud upon this Court and/or to seek relief under Section 802.05 and/or under Section 895.044 of Wisconsin Statutes.

WHEREFORE:

Counterclaim Plaintiff prays as follows:

A) For declaratory relief, determining that the death certificate circulated by Leonard Pozner in 2015 is not the same as the death certificate Plaintiff attached to his Complaint and, as such, Defendant cannot be guilty of defamation for a document they have in fact never addressed.

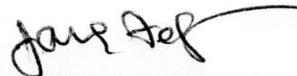
B) For damages and attorney fees incurred by Counterclaim Plaintiff made necessary by the defense of the within action.

C) For costs of suit herein.

D) For such other and further relief as this Court deems just and proper.

Dated: March 21, 2019

By: _____



James Fetzer, *pro se*