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Clarksburg, WV 26301

January 25, 2024

Michael P. Gaetani
Pennsylvania Office of Attorney General
Litigation Section
1251 Waterfront Pl Mezzanine
Pittsburgh, PA 15222

In Re: Settlement Demand

Dear Mr. Gaetani,

I may consider a settlement in the amount of \$1 million dollars. The basis for this valuation is based upon the following grounds and factors:

#1: Compensatory Damages from Lost Income Easily Exceeds \$4 million

Compensatory damages alone would exceed half a million dollars a year for the loss of income from my German Car Repair Shop, VW German Shop & More. I was deprived of the opportunity to present a non-frivolous claim for relief in my habeas corpus proceedings based upon ineffective assistance of counsel.

The case-file stolen during the RHU confinement at SCI-Greene would have arguably demonstrated that the mental health assessments asserted by trial counsel were bogus, as three govt. psychiatric experts recently found that I have no mental illness. The records would also show that counsel never put any serious thought into proving that the chatroom was advertised as

a role-play game and that I was reasonably misled into believing that the agent was some nice woman who conveniently lived nearby and simply had some kinky role-play fetish, hardly a reliable test for criminal capacity or stupidity to harm actual minors. This tainted the plea agreement because it was not intelligently entered with the assistance of competent counsel.

#2: *Modus Operandi* Evidence

I would also present Joel Snider's brother at trial and other evidence. Joel Snider was supposed to be a witness in this case, but he was compelled to commit suicide by lack of adequate mental health care combined with retaliatory persecution by the DOC. A paltry settlement was already reached with Joel Snider's legal-layman brother regarding the retaliation-induced death.

Joel Snider was similarly charged with phony misconducts, such as making alcohol in his cell when none was found in his blood at autopsy. He was similarly an active *pro se* litigant who was standing up with me to address the maltreatment of the mentally ill after they were merely shuffled to SCI-Greene following a DOJ report on SCI-Cresson supporting allegations that staff were encouraging suicidal inmates to kill themselves. I could easily convince a jury that the *modus operandi* of the DOC is to retaliate against anyone who files grievances and lawsuits and that this was a pretextual, retaliatory hit on me that could have ended like Snider's death.

#3: PREA Retaliation

PREA cases are particularly sensitive. A jury would readily believe that CO Pegram has latent homosexual tendencies from strip searching men for much of his life. And there is certainly a concern with the vulnerable class of inmates he was entrusted with supervising. The fact that he was receiving higher pay for working the mental health blocks would incentivize a retaliatory scheme to send me to the RHU with evidence of temporal proximity after filing a PREA on him.

It would also be argued that the DOC protects the guards and covers up these misconduct allegations because it is difficult for them to fill positions. The BOP study showed that it had cost them \$1 million to fill one CO position.

#4: Soy Allergy

It has already been admitted that the DOC diet contains soy. It was also admitted that the staff had lied to me and said there was no soy in the food to prevent me from obtaining a soy-free diet. I also have evidence that I suffer from an IgE soy allergy, and by placing me in the RHU after filing a lawsuit regarding the allergy, it was specifically designed to injure my health by forcing me to eat something I was allergic to or starving to avoid it. Joel Snider had wrote the Warden, Wetzel, regarding this maltreatment. The DOC quickly shuffled to change the policy that allowed them to detain someone on the mental health block for “circulating petitions,” in any regard, as a result of the letter from Snider.

#5: Serious Collateral Damages

There are also serious collateral damages at play here of me being so weakened that the guards were carrying me out of the cell by my shackles. I believe the jury would be moved by my account of the harrowing experience and have empathy and concern for similarly situated individuals being maltreated by the DOC and killed.

#6: Situationally Agreeable to Settlement

I honestly don't believe that I will need much money in the near future. I know how to trade futures, and I was able to prove consistently that my methods work. And I was able to convert \$40,000 into \$400,000 in 20 minutes (the exhibits were included in my other Martinsburg lawsuit).

As soon as I have unrestricted access to a laptop to trade futures and minimal capital, I expect that I could turn \$500 into \$1 million in as little as 11 days or as much as 11 weeks by doubling my capital multiple times with the highly leveraged instruments and the techniques taught to me by expert stock brokers who managed million- and billion-dollar accounts.

Furthermore, I have other major lawsuits pending, so I don't necessarily have to win big on this case. However, I may just decide as a matter of principle that I really don't need the money and that I want to really change things in the DOC and prevent the horrible abuses that happen and ensure that this case gets a strong spotlight on it.

I was somewhat interested in a settlement if the DOC would agree to raise \$100 million in donations for my non-profit. Considering that Pennsylvania employs more than 81,000 staff, it would not be difficult to coordinate with the Governor's office to send out an email and probe whether employees would pledge a tax-deductible amount of money to a fund that would be donated to a non-profit as a way to prevent job losses in effectuating a settlement. An average donation of \$1,000 pledged, even broken up into \$200 a year, would be over \$81 million.

This would be contingent on me setting up a tax-exempt non-profit. However, I do not believe that would be difficult with the type of charity proposed that is clearly in the ambit of tax-exempt educational/religious services. A settlement would lead me to seek out a church organization that could allow me to share space as my place of operations for registration purposes. And that is another reason why the settlement should be made promptly, since it will be put to establishing the non-profit to educate the public on moral matters.

#7: Cost to Litigate Defense

From what I recall, it had cost the city of Hazleton over a million dollars to defend a ban on illegal immigrants that was litigated all the way up to the US Supreme Court. The sheer cost to litigate these claims now and into the future provides additional basis to settle.

#8: You Won't Pencil Whip Me

I have an attorney willing to assist me, and I am sure I can find others even if I take this to trial myself. Don't expect that you will simply compel the appellate judges to write some vague or evasive opinions to crush my claims of error in the slim chance a jury doesn't bite. I already won two appeals to the Third Circuit. If the jury does bite on any claims, then I am sure that a lawyer will be interested in helping me obtain maximum damages on appeals by adopting my arguments. I will always make a clear and accurate record of the errors and do thorough research to ensure that the errors are indelible and that the case can be opened up at any time for fraud on the court. It is just a matter of time, and I will seek the maximum damages in such instances.

#9: The Price Goes Up from Here

Once I involve an attorney, the price is sure to double. I have a respected, senior attorney active in the fourth circuit who is already interested in the case. Once I involve this attorney, it will at a minimum double the settlement because he will want his cut.

For all the foregoing reasons, a settlement or counteroffer should be considered as proposed above.

Sincerely,

Jason S. Kokinda,

Certified Paralegal