

TO THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

United States of America)
)
v) Case: 22-cv-1130-TSV
)
Glen A. Stoll, et al.) **Affidavit in Rebuttal to United States Motion**
) **for Default and in Rebuttal to United States**
) **Response to "Foreign Plea in Abatement" and**
) **"Memorandum of Fact, Agreement, and Law"**

RECEIVED

FEB 01 2023

PROSECUTING ATTORNEY
FOR SNOHOMISH COUNTY
CIVIL DIVISION

TIME _____

FILED (CLERK'S OFFICE)

FEB 01 2023

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY _____ DEPUTY

FILED (DROP BOX)

FEB 01 2023

AFFIDAVIT

The undersigned Affiant states as follows:

BY  CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

Affidavit in Rebuttal to United States Motion for Default and in Rebuttal to United States Response to "Foreign Plea in Abatement" and "Memorandum of Fact, Agreement, and Law"

This Affidavit is a rebuttal to *United States Motion for Entry of Default Against Stoll Family Trust and Director of the Family Defense League* filed 12/02/22 as Document 21, and a rebuttal to *United States Response to Defendant Stoll's "Foreign Plea in Abatement" and "Memorandum of Fact, Agreement, and Law"* filed 12/08/22 as Document 22 in United States District Court at Seattle under Case No. 2:22-CV-01130-TSZ.

1. The Family Defense League has Not Been Served: Rebuttal to item 3 on page 1 of Document 21

Service of process has not been made on the Family Defense League (FDL), as identified and apparently intended by the plaintiff that it also be a defendant. FDL is not an a.k.a. of Director of the Family Defense League, and it is not clear if the plaintiff intended for the unincorporated association, the Family Defense League, to also be a party. Nor has service been properly make on Director of the Family Defense League.

The Family Defense League was founded in 1988 and exists as an unincorporated association of church members for a common purpose: to provide a means of defense against systematic attack upon healthy family relationships, consistent with biblical principles. It owns no tangible assets, nor ever intends to.

The Family Defense League fellowship created a corporations sole called, *Director of the Family Defense League*, under Church authority and jurisdiction, to provide oversight and management of its operations, and for potential ownership of tangible assets. See **Exhibit A**.

The corporation sole, Director of the Family Defense League, was acknowledged by the State of Washington to operate under its own authority, consistent with its own rules. **Exhibit B** is a Certificate of Acknowledgment from the Washington Secretary of State, certifying that this corporation sole is "a Washington Acknowledged Corporation Sole of the Church."

Exhibit C is a copy of the entire 24.12 RCW (Revised Code of Washington), wherein at RCW 24.12.010, the state legislature has determined that this church entity, so organized, is expected to operate "in conformity with the constitution, canons, rules, regulations, or discipline of such church or denomination," rather than be compelled to conform to the arbitrary requirements of secular government, and shall also possess "all the rights and powers prescribed in the case of corporations aggregate; and with all the privileges provided by law for religious corporations."

- Verification below is only necessary on the last page -

This Affiant acknowledges that the foregoing is true, correct and certain, materially complete, relevant and not misleading on this 31st day of January in the year of our Lord 2023 at Marysville, Washington before the undersigned witnesses.

Affiant:Glen Stoll
Mail %

Witness:

Witness:

Director of the Family Defense League PRINT NAME BELOW EACH SIGNATURE
16910 - 59th Ave. NE, Suite 210
Arlington, Washington 98223
Office Phone: 425-673-7762

AFFIDAVIT

The undersigned Affiant states as follows:

Both the Washington State statutes (**Exhibit C**) and the Articles of Incorporation for Director of the Family Defense League (**Exhibit A**) are in agreement that this Corporation Sole has a registered agent with a registered address through which all legal service of process is to be made. The most recent filing with the Washington Secretary of State's office provides the current name and address of this corporation's registered agent, which was provided to the court by the plaintiff as their *Exhibit A* to their *United States Response to Defendant Stoll's "Foreign Plea in Abatement" and "Memorandum of Fact, Agreement, and Law"* filed 12/08/22 as Document 22. No such service to the registered agent has ever been made.

2. Stoll is a Qualified but Reluctant Representative: Rebuttal to item 4 on page 2 of Document 21

To the extent that I represent the Director of the Family Defense League, I am legally competent and capable to do so. However, by not being well versed in secular law, nor being experienced, familiar, or fluent with your court rules, I am severely handicapped and would choose not to represent these entities, or even myself for that matter, if at all possible.

Nonetheless, Article V of the Articles of Incorporation within the Charter of the Director of the Family Defense League (**Exhibit A**) provides me with the authority to represent this entity of the church within any court of law, by stating as follows:

It may sue and be sued at its sole discretion, according to the doctrine of sovereign immunity. It may likewise function in all Courts of Justice and places of Lawful jurisdiction, in all matters and proceedings whatever.... It may employ assistance of Counsel, whether union or nonunion; to the extent that no such assistance of Counsel shall ever be utilized in any capacity greater than subordinate co-counsel; to protect the rights, duties and responsibilities of this corporation and its ministry; and to address all courts or other bodies in any and all matters whatsoever, whether National or International.

3. The Doctrine of Sovereign Immunity Applies to the Church:

The doctrine of sovereign immunity provides that no one can sue a sovereign entity without first obtaining its consent. This doctrine would require a would-be plaintiff to first attempt to settle its dispute directly with the entity before bringing suit (see Mathew 18 of the Bible). The First Amendment to the U.S. Constitution, by saying, "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof," in effect, acknowledges that the church has just as much sovereign immunity as the state. No attempt has been made by the plaintiff to settle any dispute with the church entity, Director of the Family Defense League, or the fellowship, the Family Defense League.

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Affiant:Glen Stoll

Witness:

Witness:

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4. Exceptions to "Only active members may practice law": Rebuttal to line 6; page 2 of Document 21

The plaintiff referenced RCW 2.48.170, a Washington State statute, to bolster its position that, "To practice law, one must be an attorney." That brief Washington State statute uses the phrases "practice law in this state" and "in the courts of this state." There are many exceptions to that restriction within the State of Washington under which I have qualified and practiced in the past. Additionally, yours is a federal court and is not limited to such a restriction of the Washington State statutes. There has been no federal restriction prohibiting my very limited practice of law in federal court. I have represented clients in the past before the distinguished Judge Thomas S. Zilly in a capacity that is similar to Pro Hac Vice. Neither Judge Zilly, nor the Assistant US Attorney at the time, made any objection to my previous representation. I respectfully request such a courtesy again for the purpose of avoiding a default judgment and that my answer be considered a responsive pleading on behalf of myself and the entities named in the complaint. In addition, or in the alternative, I request an extension of time in order to obtain competent council.

All that being said, I would be willing and anxious to turn this over to a competent attorney, if such a one were available. We have continued to seek traditional legal counsel, but have not had any success. There are still more leads we are following up with. The church members have unanimously given their consent to have reasonable fees paid from the church treasury, fully anticipating all attorney fees and other expenses to be reimbursed by the plaintiff upon a favorable disposition. In the interest of justice, please provide me with any suggestions, guidance, recommendations, or direction that may be permissible.

5. Stoll's Knowledge of Facts, Agreements, and Law as Friend of the Court, Amicus Curiae Brief: Rebuttal to the paragraph at the bottom of page 2 and the top of page 3 of Document 22

Plaintiff's argument that "to the extent Stoll's Plea or Memorandum pertain to the Family Defense League, they should be stricken," has no merit. The facts and agreements of which I have personal knowledge, and the law to which they apply, are relevant to the record and valid for consideration, whether or not I am authorized to represent the entities named as defendants. At the least, my arguments should be considered the same as a "friend of the court" Amicus Curiae Brief, since I am certainly an individual interested in influencing the outcome of the case.

6. "Please accept this as our Notice of Intent to properly address this matter": (See 42 USC 1986)

The plaintiff's assertion at lines 23 and 24 of page 2 that "Stoll admits he is not a lawyer, Dkt. # 19 at 8, and thus he cannot represent the Family Defense League." is untrue. Nowhere have I ever made such an admission. Page 8 of my Memorandum (Document 19) is page 1 of its two-page *Exhibit A*, and is my

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letter to Judge Zilly et al. that was (at item 5 of the Memorandum) incorporated "by reference as if fully set forth herein." It was signed by me as "Glen Stoll, Director of the Family Defense League and Successor Executor/Trustee of the Stoll Family Trust," and it was also signed as "Approved" by "Janet Spangler, Executor/Trustee of the Stoll Family Trust." The entire first paragraph of that letter said, with emphasis, **"Please accept this as our Notice of Intent to properly address this matter.** Although I am not an attorney-at-law, nor have I ever claimed to be, I do occasionally provide personal aid and assistance of Counsel to the handicapped and others in need. At this time, I am the one in need." Even if plaintiff's assertion that I cannot represent the Family Defense League were correct, that would be no reason to strike or in any way disregard the statements made in my Plea and Memorandum of which I have personal knowledge, along with the logic, reason, and arguments I have made thereto. See **42 USC 1986. Action for neglect to prevent** attached as **Exhibit D.**

7. "Every corporation sole... may defend in all courts and places, in all matters and proceedings whatever... and in every way deal in real and personal property in the same manner as a natural person may, and without the order of any court... and to appoint attorneys-in-fact": RCW 24.12.020

This corporation sole has full latitude to handle its affairs, in the person of its overseer, as any natural person may, to any and every extent that its body so chooses, without the order of any court. The Revised Code of Washington at RCW 24.12.020 under "Corporate powers" says, "Every corporation sole shall, for the purpose of the trust, have power to contract in the same manner and to the same extent as a natural person, and may sue and be sued, and may defend in all courts and places, in all matters and proceedings whatever... and in every way deal in real and personal property in the same manner as a natural person may, and without the order of any court... and to appoint attorneys-in-fact."

8. "Common Law Commercial Claim for Damages" is in the Nature of a Counter-forfeiture Action: Rebuttal to page 3; beginning at line 4 of Document 22

My Plea does not plead "counterclaims against DOJ attorneys, Dkt. # 18 at 1." Although it may be construed as a counterclaim against the plaintiff, the middle section of my Foreign Plea in Abatement at page 1, styled "Common Law Commercial Claim for Damages," accuses the DOJ attorneys, and others, of "Certain action and neglect" that is in violation of the law and outside of any protection of the official capacity of their office. No government actor can blatantly disregard the rule of law, cause damage to their victim, and expect to enjoy immunity from any commercial liability for so doing. The notice paragraph of that middle section calls my claim a "COUNTER-FORFIETURE CLAIM" not a "counterclaim." Please allow me to make a small correction to my notice here. The notice should read, "NOTICE: THIS IS A NON-JUDICIAL, COMMON LAW COMMERCIAL CLAIM FOR DAMAGES AGAINST THE

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Affiant:Glen Stoll

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ABOVE NAMED DEFENDANTS / OBLIGATED PARTIES, IN THE NATURE OF A COUNTER-FORFEITURE ACTION..." The remainder of the paragraph should remain the same. According to Cornell Law School's Legal Information Institute Wex Legal Dictionary, "Forfeit or forfeiture means losing a right, privilege, or property without compensation as a consequence of violating the law, breaching a legal obligation, failing to perform a contractual obligation or condition, or neglecting a legal duty. Under federal law, there are civil, criminal, and administrative forfeitures."

9. Plaintiff Needs to Identify the Jurisdiction of Law, Relevance to Facts, and Application to Parties: Rebuttal to plaintiff's ARGUMENT I; beginning on page 3 of Document 22

Paragraphs 1-3: Providing a basis for jurisdiction and actually having it are two different things. It is up to the plaintiff to identify the "jurisdiction of law" upon which they are proceeding. It is not up to the judge or the defendant. Also, the cited law must have some relevance to the actual facts, and some application to the intended parties. First, the plaintiff must prove that I have any unpaid federal income tax at all, which they cannot, because I do not. To simply make an assertion that I do, is not sufficient. The burden of proof is on the one making the allegation. No legitimate income tax assessment has been presented to the court at all, nor has any assessment ever been provided to me for my consideration and response. Neither has there been any supporting witnesses, information, documents, statements, ledgers, or other evidence of any kind presented. I demand the production of any and all reasonable and probative information concerning the alleged assessments and income tax obligation, in addition to any information return that may be purported to exist. None can be presented, because none exists, and there is no such obligation.

10. No Bona Fide Assessment Ever Presented, Entities are Separate and Distinct from Stoll who has No Outstanding Tax Debt, the Federal Tax Lien is a Slander of Title and Maliciously Clouding Title

Paragraph 3; beginning at line 3: "Here, the United States seeks to: reduce assessments to judgment against Stoll," but no bona fide assessment has ever been presented at any time and, therefore, there is nothing to reduce to judgment. Also, the United States seeks to "obtain a finding that the Subject Property is held by a nominee and/or (sic) alter ego of Stoll," but the plaintiff's own argument in *United States Motion for Entry of Default Against Stoll Family Trust and Director of the Family Defense League* (Document 21) at item 4; page 2; beginning with line 2 is that, "To the extent Stoll attempts to represent the Stoll Family Trust and/or (sic) Family Defense League, he cannot do so. The Stoll Family Trust and Family Defense League are artificial entities and their interests in a court proceeding must be represented by a person acting on its behalf. Representing another person or entity in court is the practice of law." Lastly, the United States seeks to "foreclose federal tax liens against the Subject Property to satisfy Stoll's outstanding tax debt." However, I have no outstanding tax debt, and no bona fide evidence has ever been

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Affiant: Glen Stoll
Mail %

Witness:

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produced showing that I do. Furthermore, since a "federal tax lien against the Subject Property" exists, as they claim it does, then they are complicit in, and subject to a Commercial Dispute Resolution Process or civil action for Slander of Title, as well as criminal charges of Maliciously Clouding Title, because they (1) have no good faith basis upon which to make such a claim of lien, (2) never notified or even attempted to notify the property owner of record that they intended to make such a claim of lien against its property, (3) never notified the alleged debtor of their claim of obligation against him, (4) have not demonstrated any connection of a legal obligation between the property owner of record and the alleged debt or alleged debtor, and (5) did not timely notify the property owner of record that they had made such a claim of lien against its property. Just as they were able to easily identify and notify the property owner of record with service of process to commence their current lawsuit in federal court; they had an even greater duty of care to notify all parties, especially the owner of record, that they were making such an ominous claim.

11. Director of the Family Defense League is Separate and Distinct, Not a Nominee or Alter Ego: Rebuttal to plaintiff's ARGUMENT II; beginning on page 5 of Document 22

Paragraph 1; beginning at line 7: Plaintiff continues to argue that "The Family Defense League is an artificial entity and its interests in a court proceeding must be represented by a person acting on its behalf. Representing another person or entity in court is the practice of law." I do not disagree that the Family Defense League and the Director of the Family Defense League are entities other than myself. They are separate and distinct from me as an individual in my personal capacity. Therefore, they cannot possibly be "a nominee" or "alter ego" of me as duplicitously argued by the plaintiff here and elsewhere.

Paragraph 2: Whether or not I am permitted to represent the Family Defense League does not change this one fact that the plaintiff and I both agree on, that the Family Defense League, the Director of the Family Defense League, and the Stoll Family Trust are entities other than myself. They are separate and distinct from me as an individual in my personal capacity. See my next paragraph for further argument on this.

12. The Family Defense League and Director of the Family Defense League are Not the Same Thing:

Paragraph 3: Plaintiff here seems to be using "Family Defense League" and "Director of the Family Defense League" interchangeably, as if they are one and the same, which they are not. The Family Defense League is an unincorporated association of church fellowship, whereas, the Director of the Family Defense League is "a Washington Acknowledged Corporation Sole of the Church" as certified by the Washington Secretary of State. It is not a state domestic corporation aggregate as referenced and assumed in Paragraph 2 of their Argument II. Therefore, the state statutes do not regulate it, and the federal rules do not apply to it in the same way they would to a secular state corporation.

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Affiant: Glen Stoll

Witness:

Witness:

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The undersigned Affiant states as follows:

13. A Commercial Dispute Resolution Process is a Non-judicial Blend of Common Law and Equity: Rebuttal to plaintiff's ARGUMENT III; beginning on page 6 of Document 22

Paragraph 1: The Commercial Dispute Resolution Process that I began, within my *Foreign Plea in Abatement* (Document 18) with a Common Law Commercial Claim for Damages, is a non-judicial process and, therefore, is not subject to the decision of any court. Commercial Law operates similar to mediation, with public notice as the arbitrator. It is a blend of Common Law and Equity. Common Law is not the same as Case Law. It is the law upon which an orderly society operates antecedent to its judiciary. In our society, we draw mostly from English Common Law, based on the foundation of the Magna Carta, being *notice* and *grace*. Any controversy therein requires an injured party and an alleged perpetrator. Equity is that which is fair, just, and right, based upon a nexus or contract. Please do not disregard the significance of this information. It is something I have been teaching and practicing for about 30 years. When I sat on the "Gates Commission" during the time that William Gates, II was President of the Washington State Bar Association, I strongly opposed the commission's decision to have Equity removed from the courts with a State Constitutional Amendment. Consequently, I was chosen to be the author of the "Statement Against" in the official state Voter's Pamphlet, and, by the Grace of God, we prevailed.

14. Attorneys Can "Lie with Impunity" Within the Context of Their Arguments Before the Courts:

Paragraph 2: Each of plaintiff's arguments, citations, and examples in their paragraph contain exceptions under which my Commercial Claim for Damages fall. After one of my mentors, the late Norm Maleng, won his argument in the United States Supreme Court with a ruling essentially stating that attorneys can "lie with impunity" within the context of their arguments before the courts, it has caused the reliability and accuracy of anything they present to be under even greater question and scrutiny than before. In contrast, all of my arguments have been made as testimony under oath or affirmation, "to be true, correct and certain, materially complete, relevant and not misleading." See my previous argument regarding this topic in my item 8 above as, *Rebuttal to page 3; beginning at line 4 of Document 22*, and elsewhere.

Paragraph 3: and in further rebuttal to plaintiff's paragraph 1 as referenced above, beginning at line 16: I have given sufficient notice that I intend to pursue any and all lawful remedies available to me, against the named "Common Law commercial Defendants / Obligated Parties in their personal capacities," and others. Their response to my notice is their acknowledgment of having received it. Such notice is all that is required for me to commence my commercial action against them. Although they have already missed the deadline I gave them of December 16, 2022, and I have already prepared a Civil and Criminal Complaint action against them, I am withholding those complaints, and any further commercial action, until after Judge Zilly has made his decision on my request for a Dismissal on Summary Judgment.

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Affiant: Glen Stoll
Mail %

Witness:

Witness:

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CONCLUSION

The Stoll Family Trust, the Family Defense League, and the Director of the Family Defense League are each three separate entities. The Stoll Family Trust is the owner of record of the Subject Property. The Family Defense League has a vested interest in the Subject Property, with the Director of the Family Defense League as the named beneficiary to become the next owner of the Subject Property.

I, Glen Stoll, as an individual interested in influencing the outcome of the case, am requesting permission to represent the named entities, to have my arguments considered as an Amicus Curiae Brief, or to be given an extension of time to obtain acceptable representation if this matter is not now dismissed.

I request that the plaintiff be required to attempt a good faith settlement with each named defendant before proceeding with this law suit, under the Doctrine of Sovereign Immunity or otherwise. Also, in the interest of justice, to anyone who reads this, or with any reasonable due diligence could have or should have read this, or is in any way aware of, or with any reasonable due diligence could or should be aware of the dire circumstances of this matter: "Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title [42 USC], are about to be committed, said having power to prevent or aid in preventing the commission of the same," please do not neglect or refuse "to prevent or aid in preventing the commission of" any "such wrongful act" by providing me with any and all possible aid, suggestions, guidance, recommendations, or direction that may be within your power and ability "so to do." See 42 USC 1983, 1985, and 1986 attached as **Exhibit D**.

My "Common Law Commercial Claim for Damages" against the DOJ attorneys and others is a non-judicial process and does not require any judicial action at this time, unless Judge Zilly is willing to do us all a great service, dismiss this action, and award the costs requested in my Request for Dismissal on Summary Judgment, plus an additional \$100 reimbursement for clerical and processes service expenses.

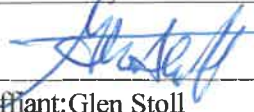
If this judicial action is allowed to continue, I respectfully request that I receive all of the information I have requested from the plaintiff at least 30 days prior to any other proceeding or deadline.

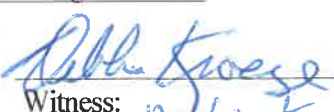
LIST OF EXHIBITS


- Exhibit A, Director of the Family Defense League Articles of Incorporation and Charter.
- Exhibit B, Certificate of Acknowledgment from the Washington Secretary of State
- Exhibit C, The entire 24.12 RCW (Revised Code of Washington)
- Exhibit D, 42 USC 1986. Action for neglect to prevent

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This Affiant acknowledges that the foregoing is true, correct and certain, materially complete, relevant and not misleading on this 31st day of January in the year of our Lord 2023 at Marysville, Washington before the undersigned witnesses.


Affiant: Glen Stoll


Witness: Debbie Kroeze


Witness: Melody Horton

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