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01. Introduction.

This document discusses 3 legal cases initiated by 2 firms: an auto dealership named Fremont-Toyota and a law firm named Berliner-Cohen. One unusual part is that Berliner-Cohen is a party to the cases and doesn’t simply represent Fremont-Toyota.

Ten (10) attorneys have been involved directly or indirectly.

The goal of the cases is to obtain a gag order related to alleged mass fraud, racist conduct, hate speech, and attorney misconduct on the part of Fremont-Toyota and Berliner-Cohen.

The demand is that the respondent, Robert Kiraly aka “OldCoder”, be barred literally from saying the “name” of anybody on the other side. The other side is trying for a lifetime gag order and for a multi-year order if that fails. Surprisingly, a lifetime gag order may actually be possible through 1 of the 3 cases.

This document is a draft. The date of this draft is **2023-10-28**.

02. Jurisdiction and case numbers.

Court Jurisdiction:	Hayward, CA
List of attorneys:	Attorney names and State Bar numbers are listed in part 03 below.
Case numbers:	21-CV004608 – 1st WVRO case 22-CV005860 – 2nd WVRO case 22-CV006171 – Defamation case (filed by a deceased man) Some of the Court PDFs and witness statements are online at abuse of process dot net.

03. List of 10 attorneys involved.

#	Name	Abbrev.	CA SBN	Role
01	Christine Long of Berliner-Cohen	C. Long	199676	Opposing Counsel in 3 cases initiated against RJK.
02	Richard Oriakhi	R. Oriakhi	193797	EEOC attorney for Sam Pawar.
03	Nabiel Ahmed	Nabiel A.	247397	RJK's original WVRO attorney.
04	Seth Wiener	Seth W.	203747	RJK's WVRO attorney.
05	Douglas Vining of Resnick & Louis	Doug V.	166698	RJK's defamation attorney.
<i>The 5 attorneys listed below have lesser roles but are significant in some respects.</i>				
06	Andrew Dósa	A. Dósa	113106	RJK retained A. Dósa to speak with C. Long.
07	Arkady Itkin	A. Itkin	253194	RJK retained A. Itkin to speak with C. Long.
08	Eugene Rome	E. Rome	232780	Attorney for an Internet registrar named Namecheap, Inc. that is part of the story.

09	Nafiz Ahmed	Nafiz	240069	Nabiel Ahmed’s twin brother, also an attorney.
10	Michael T. Bonetto of Hoge-Fenton	M. Bonetto	252742	Witness to one incident of misconduct by Christine Long. M. Bonetto was also Opposing Counsel against RJK in another set of gag-order cases 10 years ago.

04. List of others involved.

#	Name	Abbrev.	Role
01	Robert Kiraly	RJK	Respondent and defendant in 3 cases.
02	Henry Khachaturian aka “Hank Torian”		Plaintiff in defamation case. Henry has been dead for 2 years but he continues to appear in filings. He was the past owner or key figure in multiple California auto dealerships, including Fremont-Toyota.
03	Fremont-Toyota auto dealership		Petitioner for WVRO #1: This is the dealership of that name located in Fremont, California. There are other businesses with the same name in other States.
04	Berliner-Cohen law firm		Petitioner for WVRO #2. i.e.: The law firm itself is alleging threats of mass violence. One example of an allegation is that RJK wrote to a “ non-White ” [sic] attorney at the firm even though a “ White ” [sic] attorney was available.
05	Kamal Sayed Hashimi aka Mark Hashimi	Hashimi	Petitioner and/or Plaintiff in multiple cases. General Manager of Fremont-Toyota.

06	Raffi Hashemi	Raffi	Employee of Fremont-Toyota. Note: Raffi Hashemi and Kamal Sayed Hashimi are different people despite the similar surnames.
07	Rachel Ghiringhelli	Rachel G.	Ex-employee of Fremont-Toyota. In mid-January 2021, Rachel G. phoned Brian Martin to make sexual harassment allegations against Kamal Sayed Hashimi aka Mark Hashimi.
08	Anna Vierra	A. Vierra	Past or present controller of Fremont-Toyota.
09	Kulwant S. Pawar aka Sam Pawar	S. Pawar	Ex-employee of Fremont-Toyota. Filed an EEOC action against the firm. See Appendix A of this document.
10	Brian Martin	B. Martin	A respected Bay Area P.I. as well as Fox TV's former "Reality P.I.". Brian has worked on cases involving the Hells Angels and violence. He purchased a truck from Fremont-Toyota in December 2020. This led to Sam Pawar coming forward a year later with allegations against Fremont-Toyota of ethnic hatred and systemic fraud.
11	Namecheap, Inc.		Registrar for a number of Internet domains that were at issue until RJK surrendered them.
12	Khachaturian Foundation		A foundation that is involved. One of California's most profitable non-profits.

05. Overview of the cases.

From 2020 to 2021, RJK worked with a P.I. named Brian Martin on a situation that included a kidnapped infant who'd been raised under a false name, adult-child sexual interactions, possible drug use by the adult involved, and other elements. None of the people involved had any known connection to Fremont-Toyota or Berliner-Cohen.

Brian Martin had been a former “Reality P.I.” for Fox TV. At a later point, Berliner-Cohen made this an issue in the legal cases.

In December 2020, B. Martin purchased a truck from Fremont-Toyota. In Spring 2021, he asked RJK to look at anomalies in the transaction. RJK did so as a personal favor and found fraud. RJK then posted a statement by B. Martin online.

In December 2021, an ex-employee of the dealership saw B. Martin’s statement and came forward. This was Sam Pawar. The ex-employee alleged systemic fraud, hate speech, and other conduct on the part of Fremont-Toyota employees.

RJK posted S. Pawar’s statement online. Fremont-Toyota filed anti-violence actions against both B. Martin and RJK immediately after that. The dealership didn’t file against S. Pawar and instead threatened S. Pawar for months. As part of this, in June 2022, the dealership tried to force S. Pawar to sign a false pre-written statement.

RJK was never served in person. On the alleged date of service in February 2022, RJK was about 100 miles away.

However, Brian Martin was served in mid-January 2022. Brian then received an unusual phone call from an ex-employee of the dealership named Rachel Ghiringhelli. Rachel G. made sexual harassment allegations against the head of the dealership, Kamal Sayed Hashimi aka Mark Hashimi.

RJK responded to the service on B. Martin and to the phone call from Rachel G. by writing email to two parties, attorney Christine Long and dealership lead Mark Hashimi. RJK sent copies of that email to a number of people.

RJK also sent a smaller mailing that was intended to mock public statements by an employee, Raffi Hashemi, who was alleged to have taken money from Sam Pawar.

The other side responded to the email by filing two additional actions against RJK: an anti-violence action on the part of the law firm Berliner-Cohen and a defamation action on behalf of a dead man, Henry Khachaturian, as well as parties who weren’t deceased.

Many of the allegations against RJK are false or frivolous. The cases have continued regardless because of these elements:

(a) RJK used the word “Jihadi” to characterize the behavior of the group at Fremont-Toyota that had allegedly engaged in hate speech. Christine Long has focused on the word “Jihadi” to distract attention from the racist conduct at Fremont-Toyota that Sam Pawar has alleged.

(b) RJK registered Internet domains for nominative and/or biographical use. For example: “fremont-toyota.org”. Christine Long has misrepresented nominative use as “impersonation”.

(c) Brian Martin’s statement included a Cc list of snail-mail addresses. A LinkedIn photo of Mark Hashimi was used on an email page to identify Hashimi’s email for the reader. A possible residence address for Mark Hashimi was posted as part of an attempt to identify him conclusively for process

service. Christine Long has conflated these and similar elements to suggest that a violence target list existed.

The rest of the story is covered in detail in **part 11** below, “Detailed history of the cases”.

06. Disclaimer on websites.

RJK’s websites have always included the following notice or similar notices. These notices have been prominently displayed on Site Notices pages:

“Statements of Fact. Statements are based on belief and best understanding of facts and are not necessarily statements of fact except where this is explicitly stated. People with knowledge of facts that may be relevant to content are invited to suggest corrections or additions.”

07. Alleged defamation.

These are initial notes on alleged defamation. More information will be added here as necessary.

Alleged defamation	The facts
“rapist”	RJK referred to attorney Christine Long as a “rapist of an attorney”. This was personal opinion, characterization of conduct, and a reference solely to the behavior of C. Long and not to the behavior of anybody else.
“crime ring”	These words either were not used or they’ve been quoted out of context. Fremont-Toyota is a single entity. Therefore, Fremont-Toyota couldn’t be a “crime ring”.
“organized crime”	RJK used these words as personal opinion and with reasonable justification.
“Jihadi”	<p>The word “Jihadi” means “one who strives after God”. It’s the same as Christian Fundamentalist. The spectrum ranges from, on the far left, spiritual reflection to, on the far right, aggression and violence.</p> <p>The Fremont-Toyota Muslims were at about 7 out of 10 on the scale. RJK used the word “Jihadi” for a single day in 2021 based on alleged hate speech by the group.</p> <p>The hate speech was said to include the sentence “Mother-F*cker, you can’t call us brother because you aren’t Muslim”. The sen-</p>

	<p>tence is referenced in Sam Pawar’s EEOC complaint, which you can read in Appendix A below.</p> <p>RJK resumed the use of the word “Jihadi” in January 2022 after Brian Martin was served with a workplace violence RO.</p> <p>RJK included Wikipedia’s definition of the word “Jihadi” in an email to Christine Long and Mark Hashimi. Christine edited the statement to make it appear that RJK was alleging that Hashimi’s group were necessarily terrorists. This was a violation of evidence rules.</p> <p>Attorney Nabil Ahmed, a practicing Muslim himself, told RJK that he was going to go after the other side’s focus on the word. However, Nabil had a stress-related breakdown before that point as explained later in this document.</p>
“terrorist”	<p>This word has been quoted out of context. One use was, for example, in the context of a paraphrase of the Wikipedia definition of “Jihadi”. Other contexts have included hyperbole and mockery of pretentious statements.</p>
“parents would be ashamed”	<p>RJK stated that Christine Long’s parents, now deceased, would be ashamed of her. This was a personal assessment that RJK was entitled to state.</p>
“fraud”	<p>RJK asserted, and continues to assert, a reasonable belief that employees of Fremont-Toyota engaged, on a systemic basis, in mass fraud.</p>

08. Role of "Sam" Pawar.

The heart of the cases is a Fremont-Toyota ex-employee named Kulwant S. Pawar aka Sam Pawar.

Sam has alleged mass fraud and racial hatred on the part of Fremont-Toyota employees. Sam’s most explicit remarks about mass fraud are included in **part 11** below. See also **Appendix A** below, Sam’s EEOC filing, and **Appendix B** below, Sam’s statement to RJK.

In 2022, Sam was repeatedly threatened by the other side, told that a Court had ordered him to do a takedown, and directed to sign a false statement [which he refused to sign]. Christine Long seems to have arranged these steps using Richard Oriakhi as a proxy.

C. Long’s filings have repeatedly suggested that fraud allegations are about a single truck transaction and that Sam and his allegations of fraud and racial hatred don’t even exist.

09. Role of Brian Martin.

Christine Long has focused on Brian Martin for two reasons:

(a) The putative, and false reason is a colorful story Ms. Long has concocted to the effect that B. Martin hated Muslims and hired RJK to help him create false allegations against a virtuous Muslim group of fraud. Or vice versa. It's a muddle.

(b) The actual reason is that C. Long is hoping to find and use pattern evidence that RJK "harassed a former landlord".

This allegation has already been made without evidence. Note: C. Long seems to have contacted the landlord in question in 2022 and asked him to testify in the gag-order cases. The landlord seems to have refused.

For the facts behind that situation, including notes on a kidnapping and incidents of adult-child sexual conduct, see **part 12** below.

The part where B. Martin does come into it is as follows.

At one point, RJK lived with a couple where the wife had an adult daughter. The daughter used the name "Bianca". Her actual birth name was apparently "Maria". Maria had used at least 6 names, regardless, since coming to the U.S.

Maria took an infant out of the Philippines in the 1990s and raised the child in the U.S. This was a parental kidnapping. The infant, a boy, is believed to have been her biological son. However, this seems to have been against a Court order and the infant's biological father is believed not to know what happened to his son.

RJK phoned the FBI and ICE about the kidnapping. This is part of the alleged "harassment". RJK also asked B. Martin to try to find the infant's birth records. The idea was to identify the biological father and tell him that his son was still alive.

In an odd note, Maria had a second child, a boy named Logan, by another man in the U.S. and engaged in inappropriate conduct with the boy when he was age 9. A related statement that Logan filed with the Court is included in **part 12** below.

RJK hired an attorney to retrieve Court records related to alleged sexual interactions between Maria and Logan. RJK doesn't recall involving B. Martin in this part.

RJK asked B. Martin to retrieve other types of public records related to Maria and the extended family involved. RJK located other public records himself as well. In this manner, RJK learned that his landlord had apparently paid to fly Maria and the kidnapped infant out of the Philippines and had provided housing thereafter.

Brian Martin did other things for RJK as well. He checked, RJK thinks, to see if RJK's parents were still alive, he acted as intermediary in a business matter, and he hosted a small birthday celebration for RJK in 2021.

None of this had anything to do with Fremont-Toyota. However, Christine Long has been trying to claim that it did.

Brian Martin was a former “Reality P.I.” for Fox TV. In an odd note, one of Christine Long’s allegations against RJK is that “everyone knows that TV detectives are frightening”.

10. Role of Rachel Ghiringhelli.

Rachel G. is an ex-employee of Fremont-Toyota. In January 2022, Rachel G. phoned Brian Martin. In the phone call, she allegedly made detailed allegations of sexual harassment against Kamal Sayed Hashimi aka Mark Hashimi. Rachel G. spoke in detail for half an hour.

Brian Martin had been served with a TRO. RJK had not been served. Both B. Martin and RJK believed at the time that Rachel G.'s phone call was an attempt by C. Long to set up false allegations of TRO violations. This was one of the factors that led to RJK writing email to the other side a few days later.

In Fall 2023, RJK learned that Rachel G. had apparently left Fremont-Toyota before the phone call to Brian Martin. The implication was that Rachel G.’s sexual harassment allegations against Mark Hashimi had been true after all.

11. Detailed history of the cases.

Some phrases are **bolded** below to make this easier to skim.

Spring 2012 to Spring 2013: RJK’s father Jim and one brother, Tom, filed two RO cases, more or less combined, in a failed attempt to get a gag order against RJK. The gag order was intended to prevent discussion of physical violence by Jim against RJK’s mother Grace. The 2012 to 2013 cases are relevant today because Christine Long has filed an allegation related to those cases. This is discussed in **part 12** below.

August 2012: Fremont-Toyota, an auto dealership in the S.F. Bay Area, settled an EEOC lawsuit filed by Afghan-American ex-employees who had alleged hate speech and discrimination based on their ethnicity.

2012 to 2020: Control of daily operations at Fremont-Toyota shifted to an Afghan-American and/or Muslim group. Ironically, the group seems to have engaged in the same type of hate speech and discrimination that had been alleged in the other direction.

February 2020: A man of India descent and Hindu faith, Kulwant S. Pawar aka Sam Pawar, joined Fremont-Toyota as a salesperson.

Winter to Summer 2020: Sam Pawar learned that the dealership was engaging in mass fraud. Employees also talked about how minorities were “**smelly**”.

Sam was confused by this behavior and reluctant to go along with it. His earnings were therefore confiscated and transferred to others, including a co-worker named Raffi Hashemi who plays a role in the current gag-order cases. The dealership stated that this was “punishment” for Sam’s failure to commit fraud.

Sam was subjected as well to hate speech such as “**Mother-F*cker you can’t call us brother because you aren’t Muslim**” and “**Go and pray to your Hindu god because no one else will help you**”.

The “Mother-F*cker” statement is referenced in Sam’s EEOC complaint, which you can see in **Appendix A** below.

Summer to Fall 2020: RJK initially engaged P.I. Brian Martin for steps discussed earlier in this document. There was no known connection to Fremont-Toyota or Berliner-Cohen.

August 15, 2020: Ex-employee Sam Pawar filed an EEOC complaint against Fremont-Toyota. He signed up with an attorney named **Richard Oriakhi**. Neither RJK nor B. Martin knew Sam Pawar at this point. The three didn’t become acquainted until over a year later.

Fall 2020: RJK relocated from California to Washington State.

December 2020: Brian Martin purchased a truck from Fremont-Toyota. There were some unusual parts to this. For details, see Brian’s statement on the website abuse of process dot net.

Winter to Spring 2021: RJK and Brian Martin remained in communication by phone. Brian is believed to have worked on the infant birth records task during this period. RJK started to think of Brian as a friend.

Spring 2021: Brian Martin’s wife noticed something odd about the truck loan payments. Brian called Fremont-Toyota to discuss the issue. Fremont-Toyota ignored Brian’s calls.

May 11, 2021: A man named Henry Khachaturian aka “Hank Torian” died of being 90 years old. This was the current or past owner of Fremont-Toyota. It appears that some attorneys used to sue Henry and/or his businesses for fraud on a regular basis.

The May 11, 2021 date is worth noting because Henry filed a lawsuit against Robert Kiraly over half a year later despite the fact that he was now deceased.

Spring to Summer 2021: RJK returned to California. Brian asked RJK to look at the details of the truck transaction. RJK did so. He found that the transaction had involved fraud. RJK edited a statement for Brian, posted the statement, and asked Brian to confirm that the details were accurate.

July 2021: The dealership's attorneys, Berliner-Cohen, reviewed the website. RJK noticed their visits and emailed them to propose mediation. They didn't respond.

Half a year later, Christine Long said that because RJK had written to a “**non-White**” [sic] attorney when he could have chosen a “**White**” attorney, this was proof of racial hatred and intent to commit violence against the law firm.

December 2021: “Sam” Pawar, the Fremont-Toyota ex-employee who'd alleged fraud, contacted Brian Martin after seeing Brian's story online.

Another witness had turned up. Her story had been nearly identical to Brian's story. But “Sam” was the clincher. He'd witnessed the fraud taking place. This is the condensed version of Sam's statement that you'll find in the Court papers:

“Sam” Pawar, ex-employee of Fremont-Toyota, says:

“Most USA people are bad at math. The Fremont-Toyota people took advantage of this. If a dollar figure was at \$9,999, Mark Hashimi and his people just added \$10,000 to make it \$19,999. Fremont-Toyota figured that it was on the customer to detect a mistake and that it would be no big deal to take care of it in the cases where somebody did. I saw them committing fraud and stealing from people. I talked to General Manager Kamal [Mark Hashimi]. He told me to get out of his office. Mark Hashimi was part of the fraud operation, so I lost my job. But I did the right thing. I just wanted to protect Toyota buyers from the fraud and explain how to buy a car from Fremont-Toyota without being robbed.”

See also **Appendix A** below, Sam's EEOC filing, and **Appendix B** below, Sam's statement to RJK.

Sam was Hindu and the majority of the Fremont-Toyota employees involved were Muslim. Sam added that the employees had made statements to him such as “**Mother-F*cker you can't call us brother**

because you aren't Muslim" and "Go and pray to your Hindu god because no one else will help you".

In the end, Sam alleged, he was fired because he wouldn't go along with the fraud. He filed an EEOC action.

RJK posted Sam's statement online. As discussed below, the dealership then filed anti-violence actions against Brian Martin and RJK. RJK didn't know about this at the time because he wasn't served. Fremont-Toyota didn't file against Sam. In filings, Christine Long tried to pretend that Sam didn't exist. At the same time, Sam was threatened repeatedly.

January 2022: In mid-January 2022, Brian Martin, was served as part of a WVRO action. Note: "WVRO" means workplace violence restraining order. Brian was now under a TRO or temporary restraining order.

A woman named Rachel Ghiringhelli then phoned Brian Martin. Rachel spoke for half an hour about the dealership's general manager, Kamal Sayed Hashimi aka Mark Hashimi. Rachel made detailed allegations of sexual harassment by Mark Hashimi.

RJK responded to the filing against B. Martin and Rachel G.'s phone call by sending email to Opposing Counsel Christine Long and Mark Hashimi. RJK made no inappropriate threats and used no unredacted obscenities. He Cc'd quite a few people.

The other side had filed a WVRO against RJK but RJK didn't know this at the time. The other side responded to the email by filing a second WVRO – on behalf of Opposing Counsel's law firm – and a defamation case.

The defamation case was filed partly on behalf of a man, Henry Khachaturian, who'd died 7 months before. He used to own about a dozen auto dealerships in the Bay Area.

Henry Khachaturian's daughters Daphne Khachaturian aka Daphne Kavich and Natasha Khachaturian aka "Tasha Torian" are believed to be the people who are indirectly bankrolling the legal actions, though this is unconfirmed.

February to March 2022: RJK was never served with the first WVRO. He was about 100 miles away when it was allegedly served.

RJK retained attorney Nabil Ahmed for the first WVRO. Nabil obtained a continuance.

Nabil was a practicing Muslim. During Ramadan 2022, he and RJK dined at dusk one evening. Nabil grumbled that fasting made him feel unwell but he respected the rules.

The key allegation against RJK was that RJK had used the word "Jihadi". Nabil didn't have a problem with that. He agreed to go after Christine Long's focus on the word. The agreement was that the cases would be "all Jihadi all the time".

RJK started to feel confident.

Nabiel was eventually served with the second WVRO and the defamation action. He agreed to handle the second WVRO case, but not the defamation case. RJK retained attorney Seth Wiener for the latter case.

Spring 2022: Sam Pawar, the ex-employee of Fremont-Toyota, notified RJK that he [Sam] was being threatened.

In one incident, Sam was told that a judge had ordered Sam to make RJK take down Sam's statement about Fremont-Toyota. RJK had both Nabiel Ahmed and Seth Wiener check this. The matter had never gone before a Court. It appears that attorney Richard Oriakhi may have misinformed his client Sam Pawar.

March to May 2022: Nabiel Ahmed and Seth Wiener worked on initial filings related to the cases.

Nabiel exhibited passion. He seemed to dive into the WVRO cases. Seth was far more conservative and reserved on his side.

Nabiel started to display stress related to a Family Law case of his own. That case was about Nabiel's two pre-school children and visitation rights.

Nabiel asked RJK if he [Nabiel] seemed to be mentally ill. Nabiel had fired two Family Law attorneys. RJK found him a third attorney. RJK also vetted some of the paperwork for Nabiel's personal case.

Nabiel felt that his new Family Law attorney wasn't working out. One day, he was furious at his attorney and threw his phone. It struck his desk, skidded across, and narrowly missed RJK. RJK wasn't too concerned.

But Nabiel grew more distracted and disoriented. His ex-wife had alleged hard drug use and drug use may have been a factor. Ultimately, on the day that a number of filings were due, Nabiel hadn't started them. RJK phoned Nabiel. Nabiel said, **"I'm sh*tting on the toilet and that's all the time I have for you"**.

Seth W. took over the WVRO cases. The switch of attorneys was expensive. Nabiel had hosed RJK. But Nabiel asked RJK to continue to help with Nabiel's Family Law case. RJK agreed to do so. Seth considered filing against Nabiel. However, Seth didn't do so because, in part, RJK was still working on Nabiel's case.

Nabiel sent other filings from his practice for RJK to review as well, continuing this part to October 2023. It was an unusual attorney-client relationship.

June 08, 2022: Sam Pawar notified RJK that something unusual had happened. Sam Pawar’s attorney, **Richard Oriakhi**, had handed Sam a **pre-written false statement** related to RJK’s cases and ordered Sam to sign it. Sam had refused. Here is Sam’s letter to RJK about the incident:

Date: June 08, 2022
To: Robert Kiraly
From: Kulwant S. Pawar aka “Sam” Pawar
Subject: From Sam

“You done bad with me and send my email to Richard when I am mad on Richard but still I informed you that yesterday Richard call me in his office and try to make a fake statement from me type a letter saying that I have not given you a permission to you to put my info on web but I read and tell Richard why you make this fake letter saying I have not given permission to you not to put my story on web I told Richard I gave permission to put my story on web and I think there is Fremont toyota trying a fraud statement from me on you and if I can help you any way please let me know and I still respect you as a brother”

“Richard” above is Sam Pawar’s EEOC attorney Richard Oriakhi of Lafayette, California.

Fall 2022 anti-SLAPP issue: Nabil Ahmed and Seth Wiener had filed 3 motions known as anti-SLAPPs between them. Neither attorney had warned RJK that, if you lose these motions, you may be exposed to large penalties.

The 3 motions lost. C. Long announced that she planned to seek the penalties. As of late 2023, the outcome isn’t decided. There are obstacles to what C. Long is attempting but some risk to RJK’s side regardless.

In one of many odd notes, in September 2023, Christine Long essentially sued Seth Wiener and not just RJK as part of the anti-SLAPP issue. Seth used to speak positively of Christine but this is no longer the case.

Nabil had decided to do two anti-SLAPPs because, he explained later, he thought that he’d be able to charge the other side a huge amount despite his not billing that amount to RJK. Nabil was apparently hoping to get \$60,000 to \$80,000.

When the anti-SLAPPs failed and C. Long brought up the penalties, Nabil said he’d tell the State Bar that he’d warned RJK of the risks. He added, “That’s my story and I’m sticking to it.”

Seth Wiener, in comparison, was honest about his own anti-SLAPP. Seth’s comment was, “I can’t tell you everything”.

Fall 2022 with Seth Wiener: There was nothing connecting RJK physically to Fremont-Toyota or Berliner-Cohen. So, to shore up the WVROs, Christine Long alleged that RJK had posted a photo of

Mark Hashimi online that RJK had taken himself in person. Hashimi said that this was, quote, “scary”. But it was his LinkedIn photo.

Seth Wiener filed a suborn perjury allegation against Christine Long in response. The Court ignored the filing.

Note: Nabel Ahmed had filed an allegation of a conscious lie by Christine Long herself previously. The Court ignored that as well.

Fall 2022 with Nabel Ahmed: In Fall 2022, RJK rewrote a key motion in Nabel’s Family Law case. The motion succeeded. Nabel now had more access to his two preschool children.

Nabel bought steaks for himself and RJK to celebrate. RJK estimated that his steak had cost him \$15,000.

Nabel didn’t want to do anything for RJK, steak notwithstanding. However, Nabel involved RJK further in his life.

Nabel had had an older son with a past lover. In 2022, the boy, then about age 13, had an alleged sexual affair with his de facto stepfather; i.e., the boy’s mother’s adult male lover.

Nabel reported this to the police. The boy and his mother were furious about the police report. Nabel put RJK on the phone in a call with them. The point was for RJK to be a witness. RJK wanted to help but felt that this was an unusual attorney-client relationship.

Note: This isn’t the adult-child sexual situation that Christine Long has tried to use to her advantage. The details of that situation are in **part 12** below.

On a lighter note, one day, Nabel found a little bird, a fledgling, in the street, unable to fly. He captured it and phoned RJK to ask RJK how to save the bird’s life. It’s tricky because it isn’t safe for people to feed fledglings. RJK sent Nabel to the Alexander Lindsay Junior Museum in Walnut Creek. RJK remembered it from the 1960s and it was still there over 50 years later. They knew what to do with the little bird.

Christmas 2022: Christine Long said to Seth Wiener that RJK was in violation of multiple ROs in unrelated cases and of the TROs in the current cases. In fact, there were no other cases and no other ROs existed.

Christine Long demanded that RJK agree never in his life to state the “name”, literally just the name, of any party on her side. The penalty for saying the words “Christine Long” was to be \$100,000. C. Long added that they might drop it to \$75,000.

If RJK didn’t agree to this, Christine Long said, she’d file a false allegation of a TRO violation with the Court. RJK refused. C. Long didn’t repeat the threat.

Winter 2023: Christine Long seemed to drop most of the other side’s demands. The other side now seemed to want mostly things that RJK had already agreed to. This included the transfer of a dozen Internet domains to the other side’s possession. RJK was fine with that. He’d offered the other side the domains months before, but they hadn’t been interested at the time.

However, in mid-February 2023, C. Long demanded that settlement be reworked because RJK might have “lied” in some unspecified manner about the domains.

RJK had had enough nonsense. He surrendered the domains to the registrar involved. This meant that RJK no longer had the domains.

Christine Long’s response to that was to tell Seth Wiener that RJK must have hidden the domains somewhere and there would be no settlement without them.

The domain registrar was Namecheap. Seth Wiener and RJK referred Christine Long to Namecheap’s attorney, Eugene Rome. Note: You can Google Eugene Rome. He’s well-known in this context.

In March 2023, Eugene Rome said that he’d try to find out what had happened to the domains. But he didn’t follow through at the time.

Spring 2023: In Spring 2023, RJK retained another attorney, Andrew Dósa, specifically to talk with Christine Long. C. Long told Andrew Dósa that there would be “**no remaining issues**” as long as she got the 12 Internet domains.

May to July 2023: RJK had surrendered 12 Internet domains in February 2023. He no longer had control of them. However, he eventually persuaded attorney Eugene Rome, who now controlled the domains, to release them.

The domains were to go to Christine Long as part of a settlement. However, C. Long now demanded that she get the domains without an agreement. RJK declined to go along with that.

Eugene Rome said that he’d release the Internet domains on a particular date in July 2023. The idea was that whoever registered the domains first after that would get them. But the domains were released two days early without notice to RJK’s side. It’s believed that people working for Christine Long took most of the domains immediately.

Eugene Rome disclaimed responsibility for the early release of the domains. However, his explanation contradicted earlier email. So, Mr. Rome may have violated attorney conduct rules, but this is a side issue.

Seth Wiener asked Christine Long to state what she wanted, now that she had the domains. C. Long didn’t respond at the time.

Early October 2023: RJK retained another attorney, Arkady Itkin, to speak with Christine Long. The goal was to figure out what C. Long was thinking.

Christine Long’s focus on the gag order had odd aspects. She was seeking literally to bar the mention of “names”. A gag order of that magnitude could be used to call attention to itself. It would have the opposite of the desired effect.

No gag order can prevent a victim of abuse of process from pointing to the gag order itself. Additionally, the victim can’t be barred from posting pleadings. Put the two facts together and gag orders can lead to the publicity that a petitioner or plaintiff is seeking to avoid.

For example, somebody could send physical postcards to news media that read like this:

“Court Order ##### prohibits me from telling you the names of two companies that are alleged by various parties to be involved with mass fraud, ethnic hatred, and sexual harassment. The two companies have also tried to use an infant kidnapping and a case of adult-child sexual conduct to their advantage in a revolting manner. The companies have gone to extremes to prevent even the mention of their names. Is this possible in the U.S. ? The Court filings are public and may be reviewed at #####.”

RJK wanted to know if Christine Long understood that it would ultimately be impossible to keep the story out of public awareness. That the appropriate thing to do would be to settle. So, RJK pressed Arkady Itkin to speak with Ms. Long.

Arkady spoke by phone with Christine twice. The calls seem to have been about listening to Christine reiterate demands. In the end, RJK knew no more than before.

October 12, 2023: Seth Wiener and RJK showed up in person for a Court hearing. Christine Long was there as well.

Seth and RJK discussed Christine Long at lunch afterward. The conclusion was that there were three possible explanations for her behavior:

- (a) Christine might be focused on an unrealistic gag order so as to get more fees out of her clients. Assessment: Possible but unlikely.
 - (b) Christine might be accommodating the unrealistic demands of one of her clients, Kamal Sayed Hashimi aka Mark Hashimi. Assessment: Likely.
 - (c) Christine might be so emotionally involved so that she was irrational. Assessment: Possible but not certain.
-

Late October 2023: A new attorney, Douglas Vining, stepped into the defamation case on RJK’s side. Seth Wiener continued to handle the WVRO cases.

12. More allegations against Kiraly.

The 3 legal cases include frivolous allegations against RJK. For example:

- * RJK chose to write to a “non-White” attorney when a “White” attorney was available.
- * RJK is autistic.
- * RJK proposed mediation.
- * RJK talked about going to the police.
- * RJK’s associate Brian Martin was “frightening” because he’d been a television P.I.

These are actual allegations in the Court papers. It seems strange. There are, however, more significant allegations. Some are discussed below.

* **“Kiraly referred to Christine Long as a rapist of an attorney.”** The allegation is true.

* **“Kiraly described the Muslim hate-speech group as Jihadis.”** The allegation is true. The word “Jihadi” is discussed in detail in part 07 above.

* **“Kiraly boasted about possessing guns and being skilled with them.”** The allegation is false. Christine Long filed this allegation based on a blog post and omitted a key element of the post. The omission is a violation of evidence rules.

In fact, before Thanksgiving 2021, RJK had never fired a gun in his life and wouldn’t live in a house where guns were present. But, to show respect for Brian Martin, RJK went with B. Martin to Martin’s preferred shooting range during the holiday period and expressed pride in managing to hit a target.

* **“Kiraly said that Christine Long’s parents, long deceased, would be ashamed of her.”** The allegation is true.

* **“Kiraly wrote to minors.”** The allegation is false. RJK provided Brian Martin with a Cc list for a snail-mail letter. RJK emailed the other side as well. In both contexts, RJK made a good-faith effort to identify adults who were associated with the companies involved. If there were minors on any list, RJK wasn’t aware of it at the time.

* **“Kiraly posted the phone numbers of every employee online.”** The allegation is false. RJK posted Kamal Sayed Hashimi’s business cell-phone number online. Hashimi had sent it to Brian Martin himself and RJK posted it as part of an effort to confirm his identity.

RJK also posted screenshots of text messages that a Fremont-Toyota employee had sent to Brian Martin. A business phone number may have been visible there.

RJK doesn’t recall posting a non-business phone number for anybody in the cases.

* **“Kiraly posted the residence addresses of every employee online.”** The allegation is false. Aside from the Cc list discussed below, RJK posted residence addresses for two parties that he presently recalls and for specific reasons.

Christine Long had said that Brian Martin must be using illegal means to obtain information. RJK pulled addresses for Christine and Kamal Sayed Hashimi out of Google to show that Christine was lying. RJK also posted a possible address for Kamal Sayed separately with the intention of locating him so that he could be served and sued.

There was also a Cc list buried in a PDF that Brian Martin had snail-mailed. RJK hadn’t redacted the Cc list but he did so when he realized that it was being misrepresented.

* **“Kiraly sought intimate personal secrets of Christine Long.”** The allegation is false. RJK sought information for the purpose of writing a book that was far less intimate or personal than that which is found in any typical biography. A biography or other book that is intended to serve the public interest isn’t simply legal; it may be protected.

* **“Kiraly impersonated people.”** The allegation is false. RJK registered Internet domains for nominative use. If legitimate and reasonable purposes are involved, this use isn’t a “cyberattack”, “cybersquatting”, or illegal or even inappropriate in any way.

RJK hosted email addresses on the same domains. He was careful to use qualifiers so as to protect his right to nominative use. The email name “Fremont-Toyota Review” is an example of this type of use.

* **“Kiraly harassed a former landlord and he posted terrible lies.”** The allegation is false.

Actually, RJK was dragged into a situation where a woman named Maria had kidnapped an infant. Years later, Maria engaged in inappropriate acts with that child’s younger half-brother Logan when Logan was 9 years old. These events are discussed in part 09 above.

The image below is a hand-written statement that Logan filed with the Court at age 9. Christine Long of Berliner-Cohen has tried to use adult-child misconduct to serve her own ends. A reasonable person will agree that this is inappropriate:

July 25 2016
Dear judge,
My name is Logan and I am nine.
I dont to see my mom or go to her
house ever again. Please protect me from
her. I was so scared to go there and
scared of her. She leaves me alone by myself
and shes is drunk all the time. My mom
also touches my private parts. she made
me get naked on her bed and rubs my
pennis and balls for a long time. I dont know
why she dose it to me. when i think about
it, it makes me cry and feel sad.

The kidnapping mentioned previously is equally important. Christine Long has little to be proud of in her conduct.

* **“Kiraly harassed Raffi Hashemi in particular”**. RJK did, in fact, send email that mocked public statements Raffi Hashemi had made.

Raffi Hashemi was a Fremont-Toyota employee who took money from Sam Pawar that Sam had earned. It appeared at the time that this was part of Sam’s [quote] “punishment” for not going along with a practice of fraud. Note: There is no known family connection between Raffi Hashemi and Kamal Sayed Hashimi.

So, Raffi Hashemi was part of an operation that considered minorities to be inferior and that sanctioned fraud. But Raffi posted online that he was raising his sons to be honorable.

RJK emailed about four of Raffi’s neighbors and mocked the thought that Raffi was honorable. But what RJK was referring to wouldn’t have been known to anybody outside of Fremont-Toyota, so it was pointless.

* **“Kiraly boasted about violating past restraining orders.”** The allegation is false. Actually, RJK was never in his life under any restraining order other than TRO and Christine Long wasn’t talking about TRO. This was a conscious false statement by Christine.

C. Long was referring to a pair of gag-order cases that had run from 2012 to 2013. RJK’s father Jim and one brother, Tom, had sought a gag order related to marital violence. There was never even a Court-backed settlement in the cases; the Court declined to be involved in one. So, RJK was never under an order in those cases even at the settlement level.

RJK was also never under any order other than TRO either before or after that.

The “boasts” that Christine Long was referring to were about the fact that two attorneys had left their companies. One attorney had been attempting to trade physical favors for legal services and the other attorney wasn’t properly licensed. RJK did nothing but point out these issues.

If Christine Long approves of attorney misconduct, that is her decision. It hardly constitutes a valid allegation against RJK.

In closing:

But, then, it isn’t a surprise. We’re talking about an attorney, Christine Long of Berliner-Cohen, who said that an offer to go to mediation with the State Bar was a threat of physical violence. Who said that remarks about talking to the FBI were illegal as well. And who added that “everyone knows television detectives are frightening” and sought an anti-violence order on that basis. Who tried to use an infant kidnapping and adult-child sexual conduct to her advantage as well. Sure, the cases make perfect sense.

(continued with Appendix A on next page)

Appendix A. Top half of Sam Pawar’s EEOC filing.

Note: Naqib Halimi’s full statement to Sam Pawar about the Muslim faith was as follows: **“Mother-F*cker, you can’t call us brother because you aren’t Muslim”**. That statement is, in and of itself, a reasonable definition of “Jihadi”.

EEOC Form 5 (11/09)

<p align="center">CHARGE OF DISCRIMINATION</p> <p><small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small></p>		<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC 555-2020-01205</p>	
<p>CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT & HOUSING and EEOC</p> <p><i>State or local Agency, if any</i></p>			
<p>Name (indicate Mr., Ms., Mrs.)</p> <p>MR. KULWANT S PAWAR</p>		<p>Home Phone</p> <p>(209) 481-9700</p>	<p>Year of Birth</p> <p>1962</p>
<p>Street Address City, State and ZIP Code</p> <p>998 SHORTLAND CIR, MANTECA, CA 95336</p>			
<p>Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)</p>			
<p>Name</p> <p>FREMONT TOYOTA</p>		<p>No. Employees, Members</p> <p>101 - 200</p>	<p>Phone No.</p> <p>(510) 252-5100</p>
<p>Street Address City, State and ZIP Code</p> <p>5851 CUSHING PARKWAY, FREMONT, CA 94538</p>			
<p>Name</p>		<p>No. Employees, Members</p>	<p>Phone No.</p>
<p>Street Address City, State and ZIP Code</p>			
<p>DISCRIMINATION BASED ON (Check appropriate box(es).)</p> <p><input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN</p> <p><input type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION</p> <p><input type="checkbox"/> OTHER (Specify)</p>		<p>DATE(S) DISCRIMINATION TOOK PLACE</p> <p>Earliest Latest</p> <p>04-23-2020 05-08-2020</p> <p><input type="checkbox"/> CONTINUING ACTION</p>	
<p>THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):</p> <p>I was hired by Respondent in or around February 2020, as an Internet Sales Manager. I was performing my job duties satisfactorily. My immediate supervisor was Rafi Hassem.</p> <p>During my employment with Respondent, I was subjected to discrimination. For example, one morning I greeted my coworker Naqib Halimi by calling him brother. Mr. Halimi told me not to call him brother and used profanity. Subsequently, on or about April 23, 2020, I complained to the general manager, Kamal Sayed Hashimi about the comment. Mr. Hashimi informed me that it was my fault that I was met with backlash from Mr. Halimi. I was told that I cannot call my coworkers brother because I do not identify with the Muslim faith. After I complained about the comment, my work environment and interactions with coworkers became toxic and Respondent stopped giving me credit for my sales. Additionally, my coworkers verbally abused me in front of customers and made inappropriate comments about my weight, age and said you look like you have the Corona Virus. I started receiving complaints from management about my job performance. Subsequently, on or about May 5,</p>			

(continued with Appendix B on next page)

Appendix B. Sam Pawar's statement to Kiraly.

The happiest day of my life came when I got a job at Fremont-Toyota as an Internet Auto Sales Manager. It seemed like a great opportunity.

Things turned negative, though, within a few days.

Sam's story: The Dodge van:

I sold a Dodge van to an Indian couple. They asked me, "Can we get a lower interest rate?"

I told them, "I'm in the Sales Department. I can handle the sale but for interest-rate questions, you'll need to talk to the Finance person."

I took the couple to the Finance Department and left them there. The Finance Manager on duty was Ayub Mohammad Jalal.

After 5 to 10 minutes, I heard raised voices. I went back to that office to see what was happening. The Indian couple was very upset. They said that they didn't want to buy the van or any vehicle from Fremont-Toyota in the future.

I asked, "What happened?" They said that Ayub had told them to get out of his office. I asked them to calm down and said I'd go talk to Ayub.

I asked Ayub Mohammad Jalal the same question: "What happened?"

Ayub was furious. He shouted at me, "Why you tell them about the lower interest rates?! How can we make money if we tell them about those rates?!"

I was shocked but remained calm. I responded, "Sir, only the Finance person can answer the type of questions that the customers were asking. I brought them to you because that is the procedure."

I wasn't sure of what to do next. I brought the couple back in and tried to straighten things out.

Ayub Mohammad Jalal started to rage again. He said, "All of you Indians are like that!!" He threw a file on the floor and shouted at me, "Stupid salesperson!! Why you telling them about lower interest rate!!"

I said, "Sir, you can't talk to me like this". Ayub shouted, "F*ck you! Get out of my office, you stupid man!"

It took 15 to 20 minutes to calm everybody down. In the end, a deal was reached and the customers bought a vehicle.

I felt distressed by the incident. Ayub had made insulting remarks about Indians and the remarks about "F*ck you" and "you stupid man" weren't especially respectful.

However, the part that concerned me the most was the fact that Fremont-Toyota's goal in this case seemed to be, not to profit from a legitimate sale, but to drive up the customers' costs by, in effect, lying

to them.

Sam's story: The Toyota RAV4:

I sold a Toyota RAV4. It was late at night. The Finance person on duty was Naqib U. Halimi.

I went to the office and asked, "When can I bring my current customers in to sign?" Naqib told me to get out and wait. He called me in and I was surprised to learn that he'd credited half of the deal to another sales-person.

I asked Naqib, "What's going on? What are you doing?" He said, "You asking lower interest rate from Ayub Mohammad Jalal and that's your punishment. I'm taking your half-deal and giving to other person."

"You can't do that," I said. "I'll complain to the manager". Naqib started to laugh. He said, "Go and complain to your Hindu god also and no one will help you".

I complained and Naqib was correct. Nobody in management did a thing. They seemed to think that it was amusing.

This happened more than once. In fact, it became a regular occurrence.

Sam's story: The Toyota Thundra:

I sold my first Toyota Thundra truck. I asked one question of an Internet sales manager named Raffi Mohammed Hashemi.

To complete the deal, I was required to enter customer information into software that I hadn't been trained on. It was supposed to be Raffi's role to answer questions about this. So I asked him, "How do I do this?"

Raffi came and sat at my table and pressed a button and filled in the customer information. That was all.

We were paid two types of checks, one for base salary and one for commission. A few weeks after the Thundra deal closed, I received the commission check that was supposed to cover that deal. It showed just half the amount.

The procedure was that we were supposed to ask the desk manager about payment issues. I did so. He told me that they'd given Raffi half of my commission because Raffi had helped me. He added, "Don't waste time asking about this. Go make another sale."

Every company has its own policies. But this wasn't normal.

Sam's story: Trying to stop the racial attacks:

I talked to my boss Abdul Alocozy. I told him that Naqib Halimi was giving me a hard time.

Abdul talked to the two of us about the situation. He told me, "You've only been here a week. Why are you causing problems?" But that was only a little. He said a lot more to Naqib. So, I thought that things

would improve.

But things didn't improve.

The sales process required me to get numbers from the Sales Desk. When I tried to get the numbers, they called me “Mr. Curry”. They called me “Mr. Turtle” as well because I walked slowly due to age and medical issues. They mocked me in other ways. It was unpleasant.

I asked one person, “Why is this happening?” He said, “It's because you complained about Naqib Halimi. It isn't just that these people are all Afghans and Muslims. They're related by marriage. So, they're going to make you pay for insulting a relative.”

I said to myself, “It's O.K. Time and patience will solve the problems. I'll just concentrate on my work. I drive 2 hours to get here, 2 hours to go home, and they're calling me Mr. Curry and Mr. Turtle. But I love my job even if it isn't going well at Fremont-Toyota.”

Sam's story: Ajmal Mohabat:

Ajmal Mohabat, a closer, targeted me.

A closer is the person who's assigned to manipulate customers who are suspicious about possible fraud. Their role is to soothe the customers and tell them that everything is fine and they should just agree to the deal that is being offered.

Ajmal lied to anybody about anything. I don't think that he'd know a true statement if it bit him on the rear end. In my case, he sabotaged my sales. I found out that he was talking to customers who'd come in to buy from me and trying to persuade them to buy from Muslims instead.

I asked Ajmal about one customer that he'd talked to. Ajmal said, “Oh, he doesn't want to buy and he has bad credit besides.”

I called the customer. He said, “I told Ajmal Mohabat that I was there to buy from Kulwant Pawar and nobody else and he tried to change my mind”.

I ended up selling that customer a truck. Ajmal Mohabat was angry. His reaction was, “You insulted me by selling to a customer when I said he didn't want to buy”.

The salespeople in the audience understand that sales sabotage is considered not just disrespectful but open warfare. Good salespeople feel strongly about customers and sales.

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