

**BELOW ARE ALL EMAILS SENT BY ALL PARTIES IN KIBBE V. UNITED STATES
AS OF OCTOBER 26, 2017 (times listed are based on different time zone)**

NOTE:

All emails are sequenced in reverse order, as is usually done with emails which refer to previous emails the top email is a response to. Therefore, in order to read the email in the order of earliest first, you should scroll down to the bottom and read one email at a time, which might make it easier to understand the context of each email...

Subject:

Re: Stipulation for extension of time

From:

Linda_Vertriest@mied.uscourts.gov ([Add as Preferred Sender](#))

Date: Thu, Oct 26, 2017 8:39 am

To: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Cc: "angels@saintvibiana.com" <angels@saintvibiana.com>

The Stipulated Order had January 17, 2017 as the date for Plaintiff to respond to defendant's motion. I will correct the order; Plaintiff's deadline to file a response is January 17, 2018.

Thank you,

Linda Vertriest Secretary to The Honorable Victoria A. Roberts

From: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov> To:
"Linda_Vertriest@mied.uscourts.gov" <Linda_Vertriest@mied.uscourts.gov> Cc:
"angels@saintvibiana.com" <angels@saintvibiana.com> Date:
10/26/2017 10:09 AM Subject: Re: Stipulation for extension of time

RE: Stipulation for extension of time

From:

<angels@saintvibiana.com> ([Add as Preferred Sender](#))

Date: Thu, Oct 26, 2017 10:43 am

To: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Mr. Toomey:

This makes it easier to relax. After all the years it took to put this together, it would be very disappointing if I couldn't come up with a suitable response within the time limit.

Dean R. Kibbe

----- Original Message -----

Subject: Re: Stipulation for extension of time

From: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Date: Thu, October 26, 2017 7:09 am

To: "Linda_Vertriest@mied.uscourts.gov"

<Linda_Vertriest@mied.uscourts.gov>

Cc: "angels@saintvibiana.com" <angels@saintvibiana.com>

Thank you,

Zak

Sent from my iPhone

On Oct 26, 2017, at 10:01 AM,

"Linda_Vertriest@mied.uscourts.gov<mailto:Linda_Vertriest@mied.uscourts.gov>"
<Linda_Vertriest@mied.uscourts.gov><mailto:Linda_Vertriest@mied.uscourts.gov>
>> wrote:

Messrs. Toomey and Kibbe:

The Court will enter the Stipulated Order for Extension of Time to Respond to Defendant's Motion for Summary Judgment. A phone conference will not be held.

Thank you,

Linda Vertriest
Secretary to The Honorable Victoria A. Roberts

From: "Toomey, Zak (USAMIE) 1"
<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>
To:
"Linda_Vertriest@mied.uscourts.gov<mailto:Linda_Vertriest@mied.uscourts.gov>"
<Linda_Vertriest@mied.uscourts.gov><mailto:Linda_Vertriest@mied.uscourts.gov>
>>
Cc: "angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"
<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>
Date: 10/20/2017 05:34 PM
Subject: FW: Stipulation for extension of time

Hi Linda,

I have informed Mr. Kibbe of the court's request for a telephone conference in the case of Kibbe v. United States, 2:17CV12288.

Mr. Kibbe is not represented by an attorney in this case and is copied on this email.

With Mr. Kibbe's permission, I have forwarded his response to my email informing him of the conference below for the court's review.

As described in Mr. Kibbe's email, he may have difficulty with verbal communication in a telephone conference and he does not have a secure telephone.

Based on this, I'm not sure a telephone conference would be productive.

I'm happy to forego the telephone conference as Mr. Kibbe requests, but will also comply with whatever the court thinks is best.

Please let me know how to proceed.

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271

From: angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>
[<mailto:angels@saintvibiana.com>]
Sent: Friday, October 20, 2017 4:30 PM
To: Toomey, Zak (USAMIE) 1
<ztoomey1@usa.doj.gov><<mailto:ztoomey1@usa.doj.gov>>>
Subject: RE: Stipulation for extension of time

Mr. Toomey:

I would think that the submission of the stipulation agreement we reached by email would eliminate the necessity of any phone conference, if the court has seen the stipulation agreement drafted and sent to me by yourself, although I have had no legal training or time to research the matter. As I have stated in the past, I do not have a secure phone line that I could use for a telephone conference, unlike most persons. Plus, even if I had that luxury, because I do not usually communicate with other humans at all, especially verbally, rather than by email, my PTSD, and the magnitude of this case in importance, would be too overwhelming emotionally for me to hold a phone conversation without becoming too emotionally upset to talk and/or organize my thoughts, well enough to give me any chance at presenting a reasonable argument in my favor in the instant case. I don't have ordinary conversations with other humans. If I send an email, I can emotionally detach from the issues at hand at the time I am writing the email, or save what I have finished for a draft, and then finish the draft later, when my emotions have calmed down enough for me to gather my thoughts together in an organized manner, and/or finish research on the matter I am discussing in said email, if necessary. Just as some deaf persons have to use sign language to communicate with other humans, I need to use one of my computers to put my thoughts into text, AT THE PACE I can handle emotionally, I am kind of like the Wizard of Oz, except instead of a little old man behind a curtain pulling levers, I am a large old man with a computer keyboard attached to one of my Macbook Pros through a USB hub; and, I produce text, based on a brain with a more complex series of software programs to analyze data, which often requires longer load times for much larger file sizes, before translating it into text which even well educated idiots can understand. The

existence of electronic means of communication do not guarantee a response in that format. Hells Angels Motorcycle Corporation v. Alexander McQueen Trading Limited et al, case number 10-08029, U.S. District Court, Central District of California, Western Division.

In my response to the defendants' order, I am claiming that the U.S. Constitution itself is a series of statutes, as well as a precedent, which supersedes all other statutes and precedents, and guarantees me certain rights, including the right to live, which I am entitled to by court constructed equity if there are no established statutes and/or precedents which can, in the instant case, guarantee those rights in fact. In order to exercise my right to live, it is necessary to get the persons who are a threat to my life arrested and put in a cage. Because of the nature and magnitude of the requirements to do that in this specific case, I have to gather enough data to prove that the C.I.A. murdered CAP marines, using the same fire pattern used in the J.F.K. assassination, (which I am an expert witness for as to findings of fact), and failed in their attempt to make me one of those dead CAP marines. Since all facts in the Complaint have to be considered as true for the sake of a dismissal, I have established a prima facie case to justify all of the demands in the Complaint, and more upon discovery data acquisition, even by the inadequate statutory provision of the general public FOIA parameters, since the files have been unconstitutionally white listed of all information about the spy activities of Popular Forces troops out of the CAP units, which is necessary for me to establish motive in the instant case. I know of one particular CAP unit which I was very familiar with, which I was informed by another marine who had no motive to lie, was over run, while I was in Viet Nam. Yet, there is not one notation about it in the Command Chronologies unclassified for the public. The Central Intelligence Agency has gotten by with murder of J.F.K., CAP marines, among Americans unlawfully, as well as many horrifying acts through the Phoenix Program which have eventually been admitted to. My area of expertise is ground combat. There is nobody in the Pentagon even close to being as skillful, by my intelligence analysis abilities and knowledge of combat logistics, at establishing methods to defeat an enemy in ground combat. But, now I do not believe in war, and/or any other kind of violence; so, in order to defeat the wicked enemy I have to use truth, and/or the U.S. legal system, for which I am a layman, with no legal training, acting in pro per, which is very difficult even for someone who is highly intelligent. I do not trust other males at all, looking at them in the same way as I would look at an unarmed Vietnamese male in civilian clothes in the daytime, presuming that during the night he might be carrying an AK-47 and/or RPG, and walking into our ambush or attacking our position. No female attorney would take this case, since I am not going after money, but only data necessary to defend my life in this unofficial cold war. So, the pressure could not be greater, as far as trying to organize my analysis within the time frame used by other persons who only analyze a very small fragment of data in an instant situation.

If you have seen the recent news story about the four man fire team of Special

Forces who were killed, that is what I did, except CAP went a lot deeper than they even go in movies because it involve spies. Spies consider all data, even that which might have no significance at an instant time, as sacred as most decent civilians consider human life. They are willing to kill to protect secrets, even if it is obsolete within 24 hours. The widows are not expert witnesses to those types of activities. I am. If federal agencies have trouble getting information on that case, which is still a covert program, though much less so than CAP, imagine the pressure if you were the only one left alive who could and would speak the truth about murders of this magnitude, and you are expected to analyze and answer any questions and/or statements within the time frame set by persons having no expertise in the area of facts, and having legal training and experience which I do not have, with PTSD which makes it difficult for me to have a normal conversation, through a phone call or Skype/Facetime format.

I would think, considering the magnitude and nature of the constitutional issues which will no doubt have to go all the way up to the Supreme Court eventually, that the presiding court judge could by judicial notice issue a denial to your Motion for Summary Judgment, or grant the stipulation for more time. Otherwise, I do much better in the Sixth Circuit, which is more suitable for a layman wizard of data...

Dean R. Kibbe

----- Original Message -----

Subject: RE: Stipulation for extension of time

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Fri, October 20, 2017 10:14 am

To: "angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"

<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

The court has entered an order today requiring you and I to have a telephone conference with the court in the next 3 business days (so by next Wednesday). I don't know if you've seen it yet. I have cut and pasted the order below for your review. The court indicated in a certificate of service that they mailed you a paper copy of the order, which you should receive in a few days.

Are you available for a call with the court (which will be transcribed by a certified court reporter) at 3pm on Tuesday?

If so, let me know.

I can call you at that time or you can call me, then I can conference in the court. If you want me to call you, please provide a number at which I can reach you.

Here is the order:

NOTICE OF TELEPHONE CONFERENCE ON PENDING MOTION

RE: Defendant's Motion for Summary Judgment, Filed 10/17/17

The Court received the above motion. The moving party of the motion must immediately contact other counsel of record to find a convenient time within the next three (3) days to hold a telephone conference with the Court. After checking schedules, the moving party must contact my secretary, Linda Vertriest, to arrange

a conference. After this telephone conference, the Court will determine the necessity for more formal consideration of the motion.

Do not file a response to this motion before the telephone conference and no party can file additional motions at this time. If time permits, the Court will discuss other issues during the telephone conference.

The Court will consider the assessment of reasonable expenses incurred in making the motion, including attorney fees, if this motion is not resolved before the telephone conference. Such assessment will be made if concurrence was sought before the motion was filed and continues to be unreasonably withheld at the time of the telephone conference.

/s/ Victoria A. Roberts

Victoria A. Roberts

Dated: 10/20/17 United States District Court Judge

copies sent to: Zak Toomey and Dean R. Kibbe

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271

From: angels@saintvibiana.com <<mailto:angels@saintvibiana.com>>
[<mailto:angels@saintvibiana.com>]

Sent: Wednesday, October 18, 2017 4:00 PM

To: Toomey, Zak (USAMIE) 1

<ztoomey1@usa.doj.gov> <<mailto:ztoomey1@usa.doj.gov>>>

Subject: RE: Stipulation for extension of time

Thanks a lot. That relieves me of a lot of worry. I have no idea how long it will take; but, I'm already coming up with ideas and everything is going well. I'm learning as I go along.

Dean R. Kibbe

----- Original Message -----

Subject: RE: Stipulation for extension of time

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Wed, October 18, 2017 11:38 am

To: "angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"

<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

My assistant has submitted the stipulation to the court. As I mentioned, the court may take a few days to enter the stipulation.

Even if you don't see the stipulation entered right away, you do not need to worry for 2 reasons:

1. Delays are common because this judicial district is very busy.
2. I am bound by our agreement, so, even if the court never enters the stipulation, I cannot argue that your response is untimely at any time before January 17, 2018. Further, even if you don't respond by January 17, 2018, I will contact you to see what is going on before I bring it to the court's attention.

Finally, if we get to January 17, 2018, and you need more time, just let me know and we can work out another extension.

So, basically, don't worry too much about the filing deadline.

Thanks,

-zak

From: angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>
[<mailto:angels@saintvibiana.com>]

Sent: Wednesday, October 18, 2017 12:31 PM

To: Toomey, Zak (USAMIE) 1

<ztoomey1@usa.doj.gov><<mailto:ztoomey1@usa.doj.gov>>>

Subject: RE: Stipulation for extension of time

Yes, that is perfect. That gives me a lot less worry. I might not need the extra time. If I can be ready sooner it's possible I might file something before then. But, knowing that I have the extra time if I need it makes less pressure, which makes it easier to do legal research, think of arguments in favor, etc. When you consider that all facts are considered as true for purposes of a dismissal, even if you might not agree with my statements, it means that I was shot by the C.I.A., using the same fire pattern used in the JFK assassination, in order to keep the spy activities of CAP a secret. Since I am an expert witness, it might be something the Senate Armed Services Committee, and/or the Select Committee on intelligence, and/or the F.B.I. should want to take a new look into in the meantime. They don't need FOIA to get the files we loaded onto a chopper every day inside of empty food containers. They just need to figure out how deep and where they buried those white listed files. Data is sacred to the people who kept those files. It's a world hidden so deep even top spies would have a hard time finding it. Thanks...

Dean R. Kibbe

----- Original Message -----

Subject: RE: Stipulation for extension of time

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Wed, October 18, 2017 8:07 am

To: "angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"

<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>

I am fine with 60 days plus 21 days. I didn't realize that is what you meant. Since the real issue is giving you extra time and avoiding the holidays, why don't we just ask for a date in mid-January, regardless of how many days it is?

How about this:

The parties stipulate to the entry of an order extending the time for plaintiff to respond to defendant's motion for summary judgment, (Dkt. 9), for good cause as demonstrated by the following:

1. Defendant filed a motion for summary judgment on October 17, 2017. (Dkt. 9).
2. Under the Local Rules, a party must ordinarily file any response brief to a dispositive motion, such as a motion for summary judgment, within twenty-one (21) days. Loc. Civ. R. 7.1(e)(1)(B).
3. Plaintiff is proceeding pro se in this action seeking to enforce a FOIA request.
4. Plaintiff has advised defense counsel that he has no legal training or experience.
5. Plaintiff has advised defense counsel that he suffers from PTSD, which is likely to interfere with his ability to thoroughly respond to defendant's motion for summary judgment within twenty-one (21) days.

6. Plaintiff has advised defense counsel that the holiday season is particularly difficult for him.

For these reasons, the parties stipulate to an extension for plaintiff to respond to defendant's motion for summary judgment. Plaintiff will file his response no later than January 17, 2017.

This stipulation was drafted by defense counsel at plaintiff's request and plaintiff has reviewed the content of the stipulation, approved it, and consented to defense counsel's submission of the stipulation to the Court.

Let me know if that works for you. If not, I'm happy to make any changes you'd like.

Thanks,

-zak

From: angels@saintvibiana.com <<mailto:angels@saintvibiana.com>>
[<mailto:angels@saintvibiana.com>]
Sent: Wednesday, October 18, 2017 10:16 AM
To: Toomey, Zak (USAMIE) 1
<ztoomey1@usa.doj.gov><<mailto:ztoomey1@usa.doj.gov>>>
Subject: RE: Stipulation for extension of time

Wouldn't the 60 day extension be added to the 21 days, making it a total of 81 days from the motion filing? It seemed that when you requested a 60 day extension the due date was within a day of expiring, which means you had the normal time to answer along with the 60 days. December 17 would make the due date a few days from Christmas, which is a very stressful time for anyone with PTSD who lives alone. If the 60 days was added to the 21 days, it would make the due date in January after the holiday period is over, when I would be in a better position to handle any last minute research necessary. Sometimes I had to miss deadlines for VA claims because I was too stressed out from PTSD to gather my thoughts together clearly enough to organize an essay type of answer necessary for appeal.

Dean R. Kibbe

----- Original Message -----

Subject: RE: Stipulation for extension of time

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Wed, October 18, 2017 6:32 am

To: "angels@saintvibiana.com" <<mailto:angels@saintvibiana.com>>"

<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

Here is the proposed stipulation:

The parties stipulate to the entry of an order extending the time for plaintiff to respond to defendant's motion for summary judgment, (Dkt. 9), for good cause as demonstrated by the following:

1. Defendant filed a motion for summary judgment on October 17, 2017. (Dkt. 9).
2. Under the Local Rules, a party must ordinarily file any response brief to a dispositive motion, such as a motion for summary judgment, within twenty-one (21) days. Loc. Civ. R. 7.1(e)(1)(B).
3. Plaintiff is proceeding pro se in this action seeking to enforce a FOIA request.
4. Plaintiff has advised defense counsel that he has no legal training or experience.
5. Plaintiff has advised defense counsel that he suffers from PTSD, which is likely to interfere with his ability to thoroughly respond to defendant's motion for summary judgment within twenty-one (21) days.

For these reasons, the parties stipulate to an extension of 60 days for plaintiff to respond to defendant's motion for summary judgment. Plaintiff will file his response no later than December 17, 2017.

This stipulation was drafted by defense counsel at plaintiff's request and plaintiff has reviewed the content of the stipulation, approved it, and consented to defense counsel's submission of the stipulation to the Court.

If you approve this language, I will put it under a case caption and include signature blocks for you and I. I will type your name in your signature block as "/s/ Dean Kibbe (w/ consent)," which will indicate to the court that you have reviewed and consented to the stipulation.

Let me know if this is acceptable.

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271

From: angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>
[<mailto:angels@saintvibiana.com>]
Sent: Tuesday, October 17, 2017 6:26 PM
To: Toomey, Zak (USAMIE) 1
<ztoomey1@usa.doj.gov><<mailto:ztoomey1@usa.doj.gov>>>
Subject: Stipulation for extension of time

Mr. Toomey:

I was wondering if you would be willing to stipulate to an extension of time for 60 days beyond the usual time limit for me to respond to Defendant's Motion for Summary Judgment. I am sure it is a routine thing for attorneys to do, even if there are no extenuating circumstances besides a golf tournament. I am a layman, with no legal training, no research clerks, acting in pro per, with the burden of 100% service-connected Post Traumatic Stress Disorder, all of which give me a distinct handicap as a pro se litigant. If I have to file a Motion for Extension of Time, it will just add to that burden. I have never agreed to, requested, and/or been granted a stipulation, and/or done any research on the procedures. So, I am not sure what the best procedure is for that. If you could use this email as my part of the stipulation, rather than having to construct and sign some type of form, if that is acceptable under F.R.C.P., it would make it much easier. Since I would not be contesting the extension of time, I would hope that you can make some type of action so that the court judge could sign the extension immediately, instead of having to wait until it is on some type of docket schedule. It will be very stressful for my PTSD until there is an extension of time, which makes it difficult for me to pursue due process in whatever means I decide on. If not, could you let me know right away so that I can file a motion? Thanks...

Dean R. Kibbe

Subject:

RE: Kibbe v. US

From:

<angels@saintvibiana.com> ([Add as Preferred Sender](#))

Date: Fri, Oct 13, 2017 12:03 pm

To: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Mr. Toomey:

If it was actually the complete unit diaries, rather than a version of the unit diaries white listed by the Central Intelligence Agency of all references to the daily spy activities of the Popular Forces spies leaving the CAP units every day, it would have listed the spies, with personal data redacted, in the same manner as marine/corpsman personnel in the rosters. I have no problem with the redactions in the documents provided. However, all personnel in CAP were legally under the jurisdiction of the Third Marine Amphibious Force, including Popular Forces troops. If they conducted other activities besides combat functions, including, but not limited to, spy activities, they were still acting as agents of the Marine Corps, and subject to the same rules as other agents, such as marine/PF riflemen, corpsmen, etc., and not entitled to any protection from military records, war crimes trials, and/or any other considerations not given to marines/corpsmen in CAP. CAP was a spy base, which also conducted military functions. To give special privileges to spies, including secrecy from public scrutiny, and other checks and balances to prevent the extermination of six million Jews, and/or similar acts repeated throughout history, does not protect national security; it destroys it.

Redaction blackens, or otherwise covers, information that has already been recorded. White listing covertly redacts the information by filing the data into a different folder, with no reference given to it as would ordinarily be done with records required to be recorded, so that it unfairly bypasses the usual checks and balances necessary for a free and equal society. I maintain that white listing the records of spies in the CAP units, rather than subjecting them to the usual unclassification process given to Marine Corps records, violates the equal protection rights of myself, specifically in the instant case, and to the public, who government agents are alleged to be the servants of. White listing is like the phrase: "he who pisseth against the wall". It is difficult to describe; but, you will know it when you see it.

The idea that the spy cult can get by with cold blooded murder, ranging from such activities as the Phoenix Program in Viet Nam to drone strikes bombing funerals and weddings in foreign countries, on the basis of the allegations made by spies, who consistently lie as part of their format, that one person in a building is a terrorist, with no due process whatsoever, by using the claims of national security to keep their wicked acts a secret, is as evil as anything which happened

in Nazi Germany. Yet with 100% combat related, service-connected PTSD so severe I can't leave my home, even if I wanted to, I can't go to the Secretary of State's office to get a state ID, register with the state Secret Nazi Marijuana Brain Police to get a medical Marijuana license, get a prescription from Doctor Mengele, or possess, grow, and/or smoke weed, which the majority of those civilians able to leave their home do, whether they have a prescription or not, and I know from personal experience is the best medicine available for PTSD, unlike the dope prescribed by the VA, which has depression and suicide as admitted side effects, at a time when more troops are dying by suicide than combat actions, without worrying that the FEDERAL Secret Nazi Marijuana Brain Police, instigated by secret actions of the Central Intelligence Agency to obstruct justice in the instant case, and/or similar activities, might send an armed rifle squad to my door, kidnap me at gunpoint, take me in as a POW, and take my home and everything I own under forfeiture laws, even if I'm not charged with a crime, if I roll, possess, and/or smoke a pregnant Guppy weighing a tenth of a gram over the state limit set by the "free society".

WHEREFORE, there will be no stipulation agreement. You can tell it to the Judge. Burma Shave...

Dean R. Kibbe

----- Original Message -----

Subject: RE: Kibbe v. US

From: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Date: Fri, October 13, 2017 10:14 am

To: "angels@saintvibiana.com" <angels@saintvibiana.com>

Mr. Kibbe, Now that you have received and reviewed the documents, will you agree to dismiss your FOIA case? Under FOIA, the government has an obligation to use reasonable efforts to locate and produce the documents requested after the redactions required by statute are made. The government has complied with FOIA by providing you the documents you requested with the necessary redactions. I understand that you may wish to obtain un-redacted copies of the documents, but, by statute, the government is not permitted to release documents containing the names and personal information of 3rd parties, which is the information that has been redacted from the documents you received yesterday. As a result, do I have your consent to submit a stipulation of dismissal for this case?

Thanks, -zak Zak Toomey Assistant U.S. Attorney
Eastern District of Michigan 211 W. Fort Street Suite 2001
Detroit, MI 48226 Phone: (313) 226-9617 Fax: (313) 226-3271
From: angels@saintvibiana.com

[\[mailto:angels@saintvibiana.com\]](mailto:angels@saintvibiana.com)

Sent: Friday, October 13, 2017 11:11 AM

To: Toomey, Zak (USAMIE) 1 <ztoomey1@usa.doj.gov>

Subject: RE: Kibbe v. US

Mr. Toomey: The Central Intelligence Agency has white listed all references, in the records submitted by the defendants as a final response, to the daily spy activities carried out by Popular Forces spies leaving the CAP units every day. To give special privileges of secrecy to spies, by customs, usage, and/or statutes, which I am not also granted, denies my constitutional rights to equal protection... Dean R. Kibbe ----- Original Message -----

Subject: Re: Kibbe v. US

From: "Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov>

Date: Thu, October 12, 2017 12:47 pm

To: "angels@saintvibiana.com" <angels@saintvibiana.com>

Mr. Kibbe,

My assistant has sent the documents by Fedex. They are scheduled to arrive tomorrow morning at 10:30 am.

Thanks,

-zak

Sent from my iPhone

On Oct 12, 2017, at 2:08 PM,

"angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"
<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>> wrote:

Mr. Toomey:

Could you send me an email as soon as the material is FEDEXED first morning, if you are going to do that, (see previous email), so that I can arrange my schedule to be awake? I have many sleep difficulties which make it necessary to time my schedule if I need to be awake at a certain time. I do not follow the usual consistent sleep pattern.

Dean R. Kibbe

----- Original Message -----

Subject: Re: Kibbe v. US

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Thu, October 12, 2017 6:51 am

To: "angels@saintvibiana.com<<mailto:angels@saintvibiana.com>>"
<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

The package I have is 142 pages long, so I guess not too large or heavy. Maybe a pound or two?

I will send them by registered mail-signature required or by Fedex-signature required. Either way, they will only be delivered if you are home and can sign for them.

Is the address I sent correct?

-zak

Sent from my iPad

On Oct 12, 2017, at 9:43 AM,
"angels@saintvibiana.com<<mailto:angels@saintvibiana.com>><<mailto:angels@saintvibiana.com>>"
<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>><<mailto:angels@saintvibiana.com>>> wrote:

Mr. Toomey:

If they are the diaries sent in daily from each CAP unit in Combined Action Company 1-3, I would think they would be pretty extensive for two months time, presuming they didn't white list any of the intelligence data sent out by chopper every day. Could you send me an email listing the number of pages, the approximate weight, size, etc., if they are as extensive as I would expect them to be? Also, could you send anything by registered mail, and wait for a reply from me before sending anything, to make sure someone else doesn't get it instead, and so that I am able to come to the door to receive it if it will not fit in my mail box, which is locked with a small slot? I will check my email every day. Thanks.

Dean R. Kibbe

----- Original Message -----

Subject: RE: Kibbe v. US

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Thu, October 12, 2017 5:57 am

To:

["angels@saintvibiana.com"](mailto:angels@saintvibiana.com)<<mailto:angels@saintvibiana.com>><<mailto:angels@saintvibiana.com>>"
<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

Thanks for responding. I'm happy to communicate by email, rather than by telephone, if you prefer.

From your response, I understand that you have not opened the documents the FOIA office has sent you electronically. I believe the newly provided documents are the complete unit diaries, instead of only the documents that mention you, specifically.

I will go ahead and put together a paper copy and mail them to you. Is this your mailing address:

Dean R. Kibbe
1223 Union Street
Port Huron, MI 48060

That is what you wrote on your response to my motion to extend time to answer.

After you receive and review the documents, please let me know whether you believe it satisfies your FOIA request.

If so, I can put together a stipulation to dismiss this litigation.

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271

From:

angels@saintvibiana.com<<mailto:angels@saintvibiana.com>><<mailto:angels@saintvibiana.com>> [<mailto:angels@saintvibiana.com>]

Sent: Wednesday, October 11, 2017 7:35 PM

To: Toomey, Zak (USAMIE) 1

<ztoomey1@usa.doj.gov><<mailto:ztoomey1@usa.doj.gov>>><<mailto:ztoomey1@usa.doj.gov>>>

Subject: RE: Kibbe v. US

Mr. Toomey:

I do not have a secure phone; so, I am unable to make legal conversations by telephone. Because of security reasons, especially as a result of those situations elaborated in the Complaint, as well as similar logistics I would think you would have been informed of by the Pentagon if you have not been sandbagged on the nature of the CAP files, I need to have all communications in some kind of text form, with the ability to later confirm the authenticity of said communication, if necessary.

I can verify any disputed findings of fact, if necessary. The Pentagon tried to send me to a link which two separate software programs stated were set up in a manner which would be a danger to the vulnerability of my computer, in other words might allow them to insert, and/or intrude into, files in my computer. This was a .mil site. I also received a .pdf format file which had less info than you would even find on a cover sheet. I don't know if the Pentagon has told you everything. If they haven't, you should be very worried. They might try to use semantics to pass off a cover sheet as the files we sent out from the CAP units daily by helicopter. The C.I.A. might try to sandbag the military and/or the military might try to sandbag the U.S. Attorney's office. I am copying and pasting my last email to the marine FOIA office, in case they haven't already sent it to you. If you are their defense attorney they should be honest with you even if they have murdered someone. Otherwise, you might look like a clown in public records when the rebuttal and/or amicus briefs are filed...

Dean R. Kibbe

Below is a pasted copy of my last email to marine FOIA:

To whom it may concern:

Be advised that this case has gone to court, KIBBE v. UNITED STATES, Case Number: 2:17-cv-12288 in the Eastern District of Michigan. The Complaint, plus Unredacted pages, for the pages redacted by the Court Clerk's office with no motion by the defendants, can be legally viewed on PAGE NINETY NINE at deanrichardkibbe.net<<http://deanrichardkibbe.net>><<http://deanrichardkibbe.net>>> in .pdf format for free. I own all of the original documents legally, which are all either never classified or have been unclassified, all obtained through legal means, including those which I

submitted myself as original copies to various government agencies over the years. An attempt to attach the version including the unredacted versions of redacted pages caused a message which stated that your email service can not accept files more than 20 MB in size. A copy of the Court's version of the Complaint, with Exhibits redacted by the Court without any motion by the defendants, is attached as a .pdf file.

I am not looking for my own personal records, to obtain benefits, or similar reasons. I already am receiving 100% Service-Connected Veterans Compensation for PTSD and a gunshot wound to the right calf with peroneal nerve damage as a result of combat experiences in Viet Nam. The .pdf file you sent me is basically useless. It contains information I got a long time ago, in a barely readable form. When I stated in my FOIA request that I needed the COMPLETE Unit Diaries, I was not just referring to administrative records, like those in the .pdf. I need every file the Marine Corps has related to Combined Action Company 1-3, from, and especially, the reports sent out daily by helicopter in empty food containers, after information collected by Popular Forces troops in civilian clothes dressed like they were going to a disco, who returned to the "CAP" units just before dark after completing their spy activities, was translated and collated, along with other unit data, such as combat activities, by the "squad leader", "intelligence officers", and similar American and Vietnamese personnel, inside the "squad leader's" headquarters, to collated related data at the administrative level. Even seemingly trivial information might be useful.

To translate into vernacular Marine Corps off the radio combat language, as used in Viet Nam and other places in the 1960s: All of you are servants of the people; and, I am a different kind of P.F.C. known as a civilian, which means I outrank the Commandant of the Marine Corps, and he is a boot to life compared to me. If you read and carefully analyze the Complaint, including unredacted versions of exhibits, you should be able to understand that I am just doing what the defendants, The United States, et al, should have done a long time ago: investigate and verify the murder of "CAP" marines by the Central Intelligence Agency.

A brief summation of one complicated fact is that in combat, sometimes there is a special need for people who have an extremely talented efficient analytical natural brain use format. Because you can't classify a human brain or the information and conclusions it has gathered by various means, they had to blow our brains out completely before we became logistically intelligent enough to outsmart their evil formats. It was kind of like a dog training a human volunteer to do tricks, except the dogs hate humans and don't want you to alert other humans to the tricks they get the humans to perform. So, once you figure out all of their tricks, a pack of dogs tries to rip you apart to keep you a secret. They failed their perfect plan to kill me off. My brain actually has a different operating system from other people; and, it can sometimes be difficult for me to translate my thoughts into dog language.

The Navy Seals, Green Berets, and other Boy Scout projects now commonly referred to as "special operations", were pussies compared to just an average marine rifleman who has completed standard beginning and advanced training. The Boy Scouts have to study for years to become "snipers", who think they can win in ground combat by sneaking up in an armored plated Hummer, then staging an ambush site with a big pile of hay stuck to their back, and defeat the enemy troops with a big heavy log. Marines learned in Boot Camp how to hit a bullseye the size of a man's head from 500 Meters, with an M-14 rifle, without a scope, in the prone position. People who did extremely well on intelligence tests in the marines were singled out and kept track of. In Boot Camp, after our platoon took one such test, they asked a few of us to stay behind. Then they explained to us about the possibilities of maybe going to Officer's Candidate School, after we completed training. At that time I thought about how it might be cool to be a pilot. By the time I got through Boot Camp I wanted to be a grunt so I could bring down a Zebra with one bite to the throat. Although I had no way of knowing ahead of time, since nobody had even heard of "CAP" before we got to Viet Nam, it was easy for me to figure out at a later date, after I had actually been in "CAP", that the reason I was the only one of the marines I went through Recon School and Staging together with, of those who were sent to the First Battalion, Seventh Marine Regiment in one batch, who was sent to Delta Company, at an isolated Command Post known as Hill 41, instead of one of the other Companies which were headquartered at the Battalion Headquarters on Hill 10, was so I would have the opportunity to "volunteer" for "CAP", which I ended up doing.

You sending me that .pdf is about on the same level as a dog trying to convince me that I was the one who pooped on the floor, instead of the dog, except you have to clean up your own poop.

If you want to play diplomat bullshit games that politicians use, well: Abraham fathered a child at 100 years old. I'm 70; so, maybe we could get a 30 year head start. I'll even bring along extra boot scrapers. Otherwise, despite what some well educated idiots might have been led to believe, data of every kind collected by the C.I.A. is like energy: it can be changed but never destroyed. If you wanted to seriously at least consider the possibility, no matter how remote you might think it is, that I might be right about the C.I.A. murdering "CAP" marines, and President John F. Kennedy, the President of the United States has the authority to order all files of the Central Intelligence Agency to be seized immediately, if it hasn't already been done, close down the Central Intelligence Agency, and seize all Marine Corps and other records of any kind even remotely connected or relevant to the Combined Action Program. In case you are wondering, I have never killed anyone, even in combat, and I do not need immunity from PROSecution, just immunity from PERSecution. Burma Shave...

Dean R. Kibbe

----- Original Message -----

Subject: Your FOIA request (17-4735) of 23 March 2017

From: Hughes Civ Sally

<sally.hughes@usmc.mil><<mailto:sally.hughes@usmc.mil>>><<mailto:sally.hughes@usmc.mil>>>

Date: Fri, August 11, 2017 10:19 am

To:

""fido@deanrichardkibbe.net<<mailto:fido@deanrichardkibbe.net>><<mailto:fido@deanrichardkibbe.net>>""

<fido@deanrichardkibbe.net><<mailto:fido@deanrichardkibbe.net>>><<mailto:fido@deanrichardkibbe.net>>>

Dear Mr. Kibbe -- I am writing to you about the FOIA request you submitted in March looking for unit diaries. I do apologize for the length of time it has taken for us to respond, but we have finally been able to retrieve these records for you after searching both at the History Division and our Manpower Management Records and Performance Branch. Please find attached some entries from the November/ December 1968 unit diaries you specified. These pages are about you and show that you were injured on 27 November 1968 (p. 4). I will also upload them into your FOIAonline account for you.

I just tried to call you so we could talk about what other records might exist and what records we might be able to provide for you. I will try again to reach you on Monday but, if you prefer to call me back, please do so anytime at the number listed below...that comes straight to my desk.

Best regards,

Sally A. Hughes
Head, FOIA/PA Programs
Headquarters, U.S. Marine Corps
3000 Marine Corps Pentagon
Washington, DC 20350-3000
Tel: 703-614-3685
Fax: 703-614-6287

----- Original Message -----

Subject: Kibbe v. US

From: "Toomey, Zak (USAMIE) 1"

<Zak.Toomey@usdoj.gov><<mailto:Zak.Toomey@usdoj.gov>>><<mailto:Zak.Toomey@usdoj.gov>>>

Date: Tue, October 10, 2017 12:10 pm

To:

"angels@saintvibiana.com<<mailto:angels@saintvibiana.com>><<mailto:angels@saintvibiana.com>>"

<angels@saintvibiana.com><<mailto:angels@saintvibiana.com>>><<mailto:angels@saintvibiana.com>>>

Mr. Kibbe,

I am once again attempting to contact you regarding your lawsuit against the United States based on your FOIA requests.

Please call me at the number below or respond to this email as soon as you can.

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271

Subject:

Kibbe v. United States, et al.

From:

"Toomey, Zak (USAMIE) 1" <Zak.Toomey@usdoj.gov> ([Add as Preferred Sender](#))

Date: Wed, Aug 30, 2017 8:22 am

To: "angels@saintvibiana.com" <angels@saintvibiana.com>

Mr. Kibbe,

I'm the attorney assigned to your FOIA case (Kibbe v. US, 2:17CV12288 VAR SDD (E.D. Mich.).

If you have a moment this afternoon (after 2pm), could you please give me a call to

discuss?

If not today, then I'm also available tomorrow until about 1pm.

You can reach me at the number below.

Thanks,

-zak

Zak Toomey
Assistant U.S. Attorney
Eastern District of Michigan
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Phone: (313) 226-9617
Fax: (313) 226-3271