

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

RICHARD A. CHICHAKLI

PLAINTIFF

v.

UNITED STATES OF AMERICA

DEFENDANT

Case No. 19-CIV-372

Honorable Sr. Judge Sam R. Cummings

Magistrate Judge Hon. Rebecca Rutherford

Plaintiff's Response to Defendant's Motion to Dismiss

- 1- Comes now Richard A. Chichakli ("Chichakli") a Pro-Se Plaintiff, and offer this Honorable Court the following facts in support of his objection to Defendant's motion to dismiss [Doc #14]; Plaintiff firmly disputes the unfounded jurisdictional arguments presented by defendant.
- 2- Chichakli reasserts that this Court has original and exclusive jurisdiction over all of the claims brought by Plaintiff in this matter, and resolutely affirms that he had exhausted the "Administrative Procedure" of the Federal Tort Claims Act ("FTCA"), and complied with all of its requirement. Defendant's statement of otherwise are groundless (Defendant motion at "A");
- 3- Chichakli further asserts this District Court's jurisdiction over his constitutional claims, reasserting that the constitutional violations of unwarranted taking, search, and seizure of his property committed by defendant AFTER the removal of sanctions and issuance of

Executive Order 13710 on Nov 11, 2015. This lawsuit addresses the unconstitutional Taking and Seizure violations committed and sustained for nearly two-years by defendant without cause, and absence of any legal ground whatsoever ONLY during the years 2015, 2016, and 2017. (Nov/2015 – May/2017)

- 4- Chichakli further objects to the falsehood presented in Defendant’s motion (Defendant motion at “G”). Plaintiff brought this case under “FTCA” on the ground of Defendant’s own Judicial Admission, presentation, and defense used by this defendant to hide and escape the facts before the United States Court Federal Claims.

LEGAL STANDARD

- 5- A motion to dismiss a complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P 12(b)(1) “addresses whether [the plaintiff] has a right to be in the district court at all and whether the court has the power to hear and dispose of [the plaintiff’s] claim.” *Holloway v. Pagan River Dockside Seafood, Inc.*, 669 F.3d 448, 452 (4th Cir. 2012). A court should grant such a motion “**only if the material jurisdictional facts are not in dispute** and the moving party is entitled to prevail as a matter of law.” *Evans v. B.F. Perkins Co., a Div. of Standex Int’l Corp.*, 166 F.3d 642, 647 (4th Cir. 1999) (internal quotation marks omitted, emphasis added)
- 6- A motion to dismiss under Rule 12(b)(1) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction challenges a court’s authority to hear the matter brought by a complaint. *See Davis v. Thompson*, 367 F. Supp. 2d 792, 799 (D. Md. 2005). This challenge under Rule 12(b)(1) may proceed either as a facial challenge, asserting that the

allegations in the complaint are insufficient to establish subject matter jurisdiction, or a factual challenge, asserting “that the jurisdictional allegations of the complaint [are] not true.” *Kerns v. United States*, 585 F.3d 187, 192 (4th Cir. 2009) (citation omitted). With respect to a facial challenge, a court will grant a motion to dismiss for lack of subject matter jurisdiction “where a claim fails to allege facts upon which the court may base jurisdiction.” *Davis*, 367 F. Supp. 2d at 799. The sufficiency of a complaint is assessed by reference to the pleading requirements of Rule 8(a)(2), which provides that a complaint must contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2).

- 7- Under Rule 12(b)(1), “[a] case is properly dismissed for lack of subject matter jurisdiction when the court lacks the statutory or constitutional power to adjudicate the case.” *Home Builders Association of Mississippi, Inc., v. City of Madison*, 143 F.3d 1006, 1010 (5th Cir. 1998). **“Lack of subject-matter jurisdiction may be found in the complaint alone, the complaint supplemented by the undisputed facts as evidenced in the record, or the complaint supplemented by the undisputed facts plus the court’s resolution of the disputed facts.”** *In re FEMA Trailer Formaldehyde Products Liability Litigation*, 668 F.3d at 287 (5th Cir. 2012) (emphasis added)
- 8- In reviewing plaintiff’s filing, the Court is mindful that *pro se* complaints are held “to less stringent standards than formal pleadings drafted by lawyers.” *Haines v. Kerner*, 404 U.S. 519, 520, 92 S. Ct. 594, 596, 30 L. Ed. 2d 652 (1972); *see also Matzker v. Herr*, 748 F.2d 1142, 1146 (7th Cir.1984) (federal district courts must ensure that *pro se* litigants are given "fair and meaningful consideration").

- 9- A *pro se* litigant's complaint should not be dismissed unless it appears beyond doubt that the litigant can prove no set of facts in support of his claim that would entitle him to relief. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978).

ARGUMENT

10- Plaintiff believes that it is ESSENTIAL prior to addressing Defendant's argument, to clarify before this Court the FACTS which this defendant is trying to conceal through bad-faith manipulations of reality, and fictional illusions in smoking mirrors. Thus; it is important that this Honorable Court weight each and every argument presented by Defendant in full view of the following FACTS:

- a. Plaintiff's Claim is based ON FACTS of factual and undisputable calculated acts thievery and intentional destruction acts committed by Defendant, and which acts are discovered AFTER May 16, 2017 as this defendant was forced to deliver Chichakli's remaining assets after nearly Two-Years of illegally seizing such assets AFTER the removal of sanctions On Nov/12/2015. **Plaintiff is NOT Challenging the authority of Defendant to BLOCK (and not to steal) his assets from Apr/26/2005 until Nov/12/2015; and**
- b. This Case DOES NOT CHALLENGE "IEEPA", nor the application of sanction upon Plaintiff in 2005, nor any previously decided matter. This case is about, and ONLY addresses the issue of Plaintiff's assets which are STOLEN, DESTROYED, LOST, OR OTHERWISE DISAPEARED WHILE UNDER BLOCKADE IN DEFENDANT'S CARE, CUSTODY, AND CONTROL; and

- c. Plaintiff conviction in the manufactured case of Samar Airlines in 2013 DOSE NOT grant the defendant the authority to STEAL Chichakli's money, diamonds, and valuables and DELIBERATELY destroy his assets; this matter is about Defendant's violation of the 2015 Executive Order 13710 – by refusing to immediately release Plaintiff's assets, as well it addresses Defendant's violation of 31 CFR 593.201 for the intentional destruction of assets.

The targeting and use of Chichakli as scapegoat in 2005 on the ground of defunct – grand jury failed **Case# 3:15N-DAL-98050-CR** is already a proven falsehood, and that 14-years old rotten corpus of injustice is already on public display. **Plaintiff is NOT questioning Defendant's acts of 2005 and 2013 in the instance matter;** and

- d. Defendant's assertion of the authority of IEEPA as the spine supporting most of his argument (See for example: Defendant motion ¶¶ 20-21) is UNRELATED to this case because:

- i. The claims presented in plaintiff's complaint are based on defendant's acts which are discovered after May/16/2017, and which all are based-on acts by defendant **AFTER** the removal of sanctions; namely from NOV/12/2015 forward;
- ii. Defendant **HAD NO AUTHORITY WHATSOEVER** to Seize, use, destroy, maintain possession of Plaintiff assets, or denies plaintiff's access and enjoyment of his assets; **ALL SANCTIONS ARE REMOVED** in 2015 and Defendant has **ILLEGALLY** seized plaintiff's assets for almost two

years without a warrant and without legal ground in violation of the Fourth and Fifth Amendments of the United States Constitution;

- iii. THIS DEFENDANT ADMITTED HIS FAILURE TO RETURN PLAINTIFF'S FORMERLY BLOCKED ASSETS, and HE HAD NEVER DENIED THIS FACT. Plaintiff's assets ARE STOLEN BY THE POLICE under the banner of "Law Enforcement", for example the disappearance of the \$1,000 currency bills, and all men's gold and diamond jewelry from a box prior to releasing that box to Chichakli on the day of May/16/2017.

I- PLAINTIFF EXHAUSTED THE FTCA ADMINSTRATIVE PROCEDURE

11- Defendant's argument of the Court lack of jurisdiction over Chichakli's first and second claims is GROUNDLESS indeed and in fact, and as a matter of law. The facts of this case incontestably affirm Plaintiff exhaustion of the FTCA administrative procedure, and clearly expose defendant's false and unsupported argument.

12- Under the FTCA, *"[t]he United States [is] liable . . . in the same manner and to the same extent as a private individual under like circumstances, but [is not] liable for interest prior to judgment or for punitive damages."* 28 U.S.C. §2674. The United States Code conveys original jurisdiction to this Court *"The District courts have jurisdiction over such claims, but apply the law of the State "where the act or omission occurred."* 28 U.S.C. §1346(b). **It is CRITICAL to note that the FTCA does not exempt intentional torts committed by "investigative or law enforcement officers, as it is the issue in this case "thus allowing**

individuals aggrieved by the actions of law enforcement officers to have their day in court” The Supreme Court affirmed this so-called "law enforcement proviso" in *Millbrook v. United States*, 569 U.S. 50 (2013) where a federal prisoner was allowed to bring a claim against the United States for intentional torts committed by federal prison guards in the scope of their employment.

13- Critical to the instance the intentional delays by defendant to offer any resolution case is the fact that under the FTCA, a tort claim against the United States must be presented in writing to the appropriate federal agency within two years after the claim accrues, or it is time-barred. 28 U.S.C. § 2401(b). Defendant deliberately delayed this case for nearly two year in order to inhibit this plaintiff to file this very complaint.

14- The FTCA is regulated by 28 CFR Part-14, namely 28 CFR §14.1 - §14.11. The Regulations Specifically enumerate the steps of the administrative procedure which must be followed. Chichakli had fulfilled all the steps specified in 28 CFR 14.2 through 14.11 as enumerated in the law, and is hereby offering the following evidence in support:

- a. 28 CFR §14.2(a) provides “*For purposes of the provisions of 28 U.S.C. 2401(b), 2672, and 2675, a claim shall be deemed to have been presented when a Federal agency receives from a claimant, his duly authorized agent or legal representative, an executed Standard Form 95 or other written notification of an incident, accompanied by a claim for money damages in a sum certain for injury to or loss of property, personal injury, or death alleged to have occurred by reason of the incident*”

Here, Chichakli has indeed presented his claim On May/30/2017 to OFAC – being the designated agency for the enforcement of IEEPA sanctions. The claim stated a CERTAIN SUM of US \$2.2 million as clearly indicated in the letter of claims received by OFAC. Thus, a claim with certain sum of \$2.2 Million was presented to the defendant pursuant to the FTCA. Defendant argument on lack of Jurisdiction is unsupported by facts. (See Exh-1)

- b. The 28 CFR Part-14 regulation further states in §14.2(b)(3) *“A claimant presenting a claim arising from an incident to more than one agency should identify each agency to which the claim is submitted at the time each claim is presented.”* Plaintiff’s letter (Exh-1) has certainly identified each and every agency known to the Claimant to be involved; THUS, plaintiff has complied indeed with this requirement

The Regulation further states in §14.2(b)(2) *“When more than one Federal agency is or may be involved in the events giving rise to the claim, an agency with which the claim is filed shall contact all other affected agencies in order to designate the single agency which will thereafter investigate and decide the merits of the claim”.*

This is the duty of defendant and whether defendant OFAC has complied or not is unknown to this plaintiff.

15- Pursuant to FTCA, after submitting his claim under to Defendant, Chichakli maintained communication with Defendant via emails and letters, and provided any and all information concerning his claim to defendant as such information become available. (See: Exh-2) IT

IS NOTED that defendant has held all of Chichakli's military, civil, financial, academic, legal, tax, and business records, books, paper, and system in defendant's custody for 12-years, and refused to release Plaintiff's paper despite the removal of sanction, and the lack of any legal cause. In further retribution and as an act of revenge Defendant deliberately destroyed most of this plaintiff's papers and records, and violated a standing Order by the District Court in SDNY (Judge William Pauley III) Ordering defendant to release Chichakli's papers.

After defendant was finally forced through legal action to release Chichakli's paper, evidence of the thievery, destruction, and embezzlements committed by Defendant's "law enforcement officers" became partially avail. The calculated stealing of assets and, systematic acts to conceal the theft, in addition to the deliberate destruction of records by Defendant made it nearly impossible to place any particular "sum" to the damage this defendant had caused. This is why; Plaintiff's claim used the CERTAIN SUM reported by this defendant to the United Nations.

16- On July 14, 2017 Defendant issued his initial denial of Chichakli's Claim as clearly stated in OFAC's letter (See Exh-3); however; in search of any "reasonable" resolution and despite of Defendant's arrogance and lack of will to resolve Plaintiff's Claim; Chichakli appealed to OFAC's and offered to accept just a restitution equal to the value of the stolen cash, diamonds, and gold including those item taken by the agents who delivered to Chichakli the left-over of his assets on May 16, 2017. As the amount suggested by Chichakli was considerably lesser than the originally demanded \$2.2 million, Defendant

requested that Chichakli submits such amount in writing, and Chichakli complied on January 10, 2019 (See: Chichakli's Letter to OFAC dated Jan/10/2019 - Exh-4).

17- As the statutes of Limitation on this claim was nearing rapidly, Chichakli waited for Defendant's response for almost One month; although it was clear to Plaintiff that defendant was maliciously and in bad-faith, doing all he could to have this case time-barred by dragging Chichakli claim over the two-years boundaries of the statutes of limitation.

18- Now the so-called "administrative remedy" is in its second year, on February 02, 2019 defendant sent an e-mail acknowledging receiving Chichakli's compromised settlement suggestion; however, defendant offered NOTHING in return. (See: OFAC's Feb/02/2019 Email - Exh-5).

19- Faced with the nearing of the statutes of limitation, and the obvious calculated malicious plan of defendant to have this matter time-barred, Chichakli commenced this legal action on February 14, 2019 after having went through nearly TWO YEARS of trying to get resolution through administrative remedy.

AACORDINGLY; the evidence and facts prove beyond dispute that this Plaintiff has fulfilled each and every step of the FTCA administration Remedy while defendant had no intention whatsoever to resolve this matter administratively; and instead maliciously directed his effort to device a calculated plan to have this case time-barred. Defendant groundless argument to the opposite (Defendant motion at "A") is untrue and unsupported by facts or evidence. This Court has original jurisdiction over Chichakli's Claims 1 and 2.

**II - THIS COURT HAS PROPER JURISDICTION OVER CHICHAKLI'S
TAKING CLAIM**

20- Defendant's motion made numerous incorrect assumptions to create a false lack of Jurisdiction by this Court. These false assumptions include the value of the property subject to the taking claim, the description of the property, and the time the said taking be defendant occurred. Plaintiff provides the following fact in support of his correct assertion of this Court Jurisdiction over his taking claim;

21- The Tucker Act confers jurisdiction and waives sovereign immunity over claims based on a "money-mandating" constitutional provision or statute or contract that themselves create the right to damages against the United States. The Act grants "Exclusive Jurisdiction" to the United States Court of Federal Claims ONLY in case with claims in excess of \$10,000. For damage claims of \$10,000 or less, the U.S. Court of Federal Claims and federal district courts have concurrent jurisdiction pursuant to 28 U.S.C. § 1346(a)(2)

22- Plaintiff's taking Claim is limited-to, and specifically addresses the THREE ITEMS which are taken by Defendant on or about May/16/2017. The items taken are enumerated as "ITEM 33", "ITEM 34", and "ITEM 35" at Page-2 in Defendant's "Receipt for Returned Property" dated 05/16/2017 (attached herein as Exh-6)

23- Defendant has ADDMITTED and DECLARED his failure to return to plaintiff the items listed below. Defendant CANNOT DENY that he has illegally and unjustifiably aken from Chichakli, without Plaintiff's permission and consent the following described items:

- a. Quantity of (1) 1934 One Thousand Dollar (\$1,000) (Gem Grade) U.S. Legal Currency Note, described by defendant in Item-33 as: "(1) \$1,000 bill (1934)"; and
- b. Quantity of (1) 22K Yellow Gold Ring with 0.5 carat Diamond, described by defendant in Item-34 as: "Ring with Clear Gem"; and
- c. Quantity of (1) 18K Yellow Gold with a 22K Yellow Gold Coin pendant, described by defendant in Item-35 as: "Gold chain with pendant"

24- Plaintiff has the right to limit the value of his taken claim for the item described in (22) supra, to the amount of Ten Thousand United States Dollar (\$10,000)

25- Plaintiff taking Claim is valued at Ten Thousand Dollar (\$10,000); thus, this Court pursuant to 28 U.S.C. § 1346(a)(2) has concurrent jurisdiction the United States Courts of Federal Claims over this matter. Plaintiff, as he hereby limiting the value of his taking claim to \$10,000, reserve the right to remain in the District Court in parity with the numerous rulings of the United States Circuit Courts (*See Roedler v. Department of Energy*, 255 F.3d 1347, 1351 (Fed. Cir. 2001); *Smith v. Orr*, 855 F.2d 1544, 1552–53 (Fed. Cir. 1988))

ACCORDINGLY; this Court has jurisdiction over Chichakli's taken Claim specified herein.

**III - THIS COURT HAS JURISDICTION OVER CHICHAKLI'S
POST SANCTIONS FOURTH and FIFTH AMENDMENTS CLAIMS**

26- Defendant's Motion in C, and D argues that this Court lacks subject matter jurisdiction on the ground of his twisted interpretation of sovereign immunity, a delusional justification through an imaginary extension of the 2015-defunct and non-existing IEEPA sanctions; and by deceitfully stating that Chichakli claim is "moot" because his properties was return while in-fact it was not returned by stolen by his agent; and finally with a senseless suggestion that defendant's delaying the release of Chichakli's hundreds of thousands of dollars in assets for almost TWO YEAR is "*de minimis*" and reasonable. TWO YEARS is neither reasonable nor it is by any sensible measure. Defendant's statement describing two-years as "reasonable short period of time" (Defendant Motion at ¶¶ 21) is comprehensible delusional nonsense.

Defendant's actor "OFAC" is notorious in CREATING intentional delays, and it is for this reason in particular the acts of this Defendant was ruled unconstitutional by the United States Court of Appeals for the 9th Circuit in *Alharamain*, 585 F. Supp. 2d 1263, where the Court decided "*[E]ven a temporary deprivation of property, as blocking is, constitute meaningful interference with property and qualifies as "seizure" for the purpose of the Fourth Amendment*". The United States Supreme Court have already established the rules of the boundaries of "Delays" as the Court decided "*Holding Luggage for 90 minutes constitute Seizure*", See: *United States V. Place*, 462 U.S. 696, 103 S. Ct. 2637, 77 L. Ed. 2d 110 (1983); *Flores V. United States*, 551 F. 2d 1169, 1175n. 6 (9th Cir. 1977). This

defendant has illegally taken hundreds of thousands of dollars from Chichakli for nearly two years (From 2015 to 2017) AFTER the sanctions are removed.

27- The Constitution DOES NOT AFFORD IMMUNITY to government Actors who act in BAD-FAITH and deliberately violates the law for personal gain. The United States Supreme Court set that understanding decisively in *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803), by establishing the principle of judicial review in the United States. This Court, based on the Supreme Court's decision in *Marbury*, have the power to strike down laws, statutes, and some government actions that contravene the U.S. Constitution. This Court CAN, and SHOULD hold corrupt law enforcement, and bad police accountable.

Marbury v. Madison itself approves mandamus as the proper remedy to issue against a Cabinet-level federal official to compel the performance of a clear duty, notwithstanding his high government office. In 1838 *Kendall v. United States ex Rel. Stokes*, 37 U.S. 524 (1838) upheld mandamus of a federal official, even where the consequence of the adjudication would be an award of credits leading to payment of the plaintiffs claim.

28- Defendant incorrectly stated that the United States Constitution affords a blanket Sovereign Immunity to all government actor; this is nonsense. Article III of the United States Constitution provides that the '*Judicial Power shall extend to . . . Controversies to which the United States shall be a Party* ". (U.S. CONST. art. III, § 2.)

The Constitution DOES NOT, and this Court should not CONDONE NOR PROTECT ILLEGAL POLICE ACTS, such as the premeditated and systematic stealing Chichakli's cash and diamonds for example. The US Constitution does not afford immunity to corrupt

police and government BAD-FAITH actors whom are engaged in stealing, embezzling, diverting, taking kick-backs, and intentionally destroying the assets of United States citizen, namely this Plaintiff, in retribution.

In this matter, and before this Honorable Court the one clear and irrefutable fact is that Defendant's FEDERAL LAW ENFORCEMENT AGENTS HAVE STOLEN Chichakli's diamonds, cash, and almost every small-sized object of value they could stuff in their pockets. Plaintiff's valuables ARE NOT LOST nor MISPLACED – they were intentionally destroyed and plundered, and systematically STOLEN by the police in calculated acts of thievery and carefully planned cover-up. Defendant's campaign of Terror and Destruction against Chichakli in retribution is a clear and proven fact. The letter of Clay Scott Jr. to (then) the United States Treasury Secretary Henry Paulson provides clear description and attestation unprecedented path of terror and destruction this defendant followed in retribution against Chichakli (See Exh-7).

Defendant's admission and own records (See Complaint Exh-19), and the **irrefutable 2007 records of inventory performed by the Inspector General of United States Treasury** on Chichakli's assets held by OFAC (See Complaint Exh-10) irrefutably proves that Chichakli's money, gold, diamonds, and other valuables are stolen by the Police; the LAW ENFORCEMENT FEDERAL EMPLOYEES of Defendant the United States Government known and unknow. Now defendant is attempting to confuse this Court with false presentation and twisted interpretation of the United States Constitution to help his corrupt law enforcement employees to get-away with their undisputed wrongdoing, the

wrongdoing this defendant has never denied. What defendant has done in the instance case is THIEVERY; and that undeniable, uncontested truth shall remain loudly clear.

29- Defendant further falsely argue against Chichakli's Fourth Amendment claim alleging that "*the return of Chichaki's property has mooted any conceivable claim in this action*" (Defendant motion ¶¶ 22), this is a nonsense delusional argument and blatant lie. Chichakli's property WAS NOT RETURNED IT WAS STOLEN BY DEFENDANT and it is still now missing.

30- Defendant, in his own documents (See Exh-8), admits to having maintained and kept the 2005 banking blockade of the substantial amounts of funds Chichakli had on deposit in U.S. Banks for more than one and one-half years after the removal of sanctions. Chichakli's accounts at Comerica Bank, and BBVA Compass Bank remained frozen through May 30, 2017 as clearly stated in defendant's letter dated May/30/2017.

31- Defendant returned about \$152,000 out of Chichakli's \$2,200,000 blocked property, this is less than 10% of what this defendant has blocked and took into his custody, care, and control in 2005. The \$152,000 is defendant own appraisal of the value of Chichakli's remaining property in defendant's custody in 2014. (See Complaint Exh-11)

Defendant's DID NOT RETURN PLAINTIFF'S PROPERTY as he falsely claimed in Defendant's motion (Defendant motion ¶¶22), therefore, the alleged "mootness" does not legally exist; and accordingly, Plaintiff's constitutional violation claims stand, and it is within the jurisdiction of this Court.

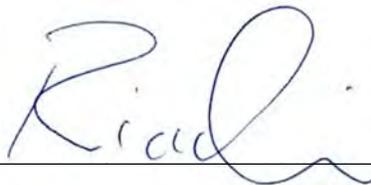
IV - CONCLUSION

This Court has a clear jurisdiction over plaintiff claims as forgoing fact-supported argument provides;

THUS, for all the reasons stated herein, and in the interest of justice and preservation of the integrity of United States law enforcement, plaintiff prays that this Honorable Court denies Defendant's motion to dismiss and orders this case to trial by Jury.

Dated: May 31, 2019
Plano, Texas

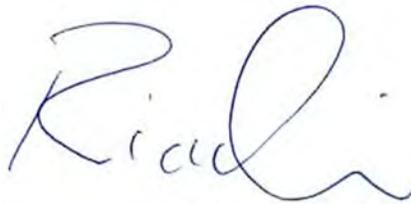
Respectfully Submitted

A handwritten signature in blue ink, appearing to read "Richard", is written over a horizontal line.

Richard A. Chichakli
Plaintiff (Pro-Se)
2625 Van Buren Drive
Plano, TX 75074
Tel. (214) 444-1666
E-mail: richardchichakli@gmail.com

CERTIFICATE OF SERVICE

I Richard A. Chichakli, a Pro-Se Plaintiff, hereby certify that on May 31, 2019, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court - Northern District of Texas using the Court's ECF system, and served defendants via the ECF system. The Electronic Case Filing System "ECF" sent a "Notice of Electronic Filing" to defendant and all EFC participants party to this case.

A handwritten signature in blue ink, appearing to read "Richard", is positioned above a horizontal line.

Richard A. Chichakli
Plaintiff (Pro-Se)
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Plano, TX 75074
Tel. (214) 444-1666
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Plano, TX 75074
Tel. +1 (214) 404-4744
richardchichakli@gmail.com

Richard A. Chichakli

June 7th, 2017

MR. Michael Dondarski
Assistant Director for Enforcement
Office of Foreign Assets Control
United States Treasury - Annex
1500 Pennsylvania Ave, NW
Washington, D.C. 20220

Subject: Declaration of intention to file claim against OFAC and the United States
Reference: ENF-42110, Return of Richard Chichakli's formerly Blocked Assets

Dear Mr. Dondarski

Reference is made to your letter dated May 30, 2017, and OFAC previous communications, as well to presentation made by OFAC in Federal Court through the U.S. Attorney in the Southern District of New York, and to the other government communication, representations inside and outside federal courts, and documents provided by the FBI, DHS, among others.

OFAC's letter dated may 30, 2017 state that the United States Government (including OFAC) has returned all of my properties which was frozen since April 26, 2005. I, respectfully, COMPLETELY DISAGREE with the statement made in your letter. It is my assertion that only a small part of the property seized and mandated frozen by E.O. 13448 has been returned to me. THUS; a claim against the United States must be filed to recover the missing properties and/or the present value of such property. The disappearance of U.S. \$1,000 currency bills, Gold articles, and diamonds' jewelry from the inventory you sent to Dallas, is just a minimal example of huge sum of my properties which are yet to be returned to me and accounted-for.

Tens of thousands of Dollars disappeared from the inventory OFAC provided in April 2017; millions are missing from what was frozen since 12 years. The lack of accountability, the way the property is been handled, and OFAC's improper use of such property caused the "disappearance" of my frozen assets. *I am relaying on official records – including Court's*

records, Testimonies under oath, and judicial admissions made by government officials and agents of the United States in reaching such conclusion.

I hereby declare my intention to file claim against the United States Treasury, Office of Foreign Assets Control, and the other government agencies and departments involved in the seizure, handling, transportation, safekeeping, accountability and chain-of-custody; since April 26, 2005 and through the current date, directly or indirectly. I declare that my claim is in excess of \$10,000 U.S. Dollar; thus, jurisdiction over a claim against the United States in such amount is exclusive to the United States Court of Federal Claims under the Tucker Act. It is my intention to file a complaint against the United States, and I reserve all rights to pursue claims against those involved in personal capacity as may be permissible under the law.

I declare that my assets which were blocked on April 26, 2005 pursuant to Executive Order 12448 was valued at or about U.S. \$2.2 million as reported by OFAC, the United States Department of treasury, the U.S. State Department. It is my believe, based on evidence and statements delivered to me by OFAC and other government agencies, that my assets has been in majority plundered, stolen, destroyed, and misappropriated in violation of the United States Constitution and applicable laws and regulations. It is my believe that my losses were created by, and the result of the failure of the government agencies and departments which are required to block, safeguard, maintain, and account-for such assets under the law.

I further declare that the United States treasury, Office of Foreign assets Control (OFAC) has returned to me as of May 16, 2017 a small part of the assets which were frozen, and failed to return all the items which are listed in OFAC's list of inventory which was provided to me in April 2017. I assert that OFAC has illegally taken my assets and illegally held it for nearly two years, namely since released on November 15, 207 pursuant to Executive Order 13710.

I assets that OFAC's agents, and their counterpart agents of the United States government who were ever in possession of my valuables, have plundered, taken, destroyed, or otherwise misappropriated the majority of my personal assets and valuables, including but not limited to loose and mounted diamonds, gold and platinum jewelry, collectible U.S. and Foreign currencies bank notes, coins, original artwork and antiques. I also assert that OFAC has deliberately destroyed my real estate holding, and intentionally plundered my accounting practice receivables, and depleted my cash bank accounts.

I declare that OFAC has failed to maintain my assets and caused the destruction of my physical assets such as my real estate holdings, vehicles, original arts, accounts receivables, notes receivable, life insurance, and numerous others. I also declare that the United States Government and particularly OFAC, have intentionally and deliberately destroyed all of my

corporations and businesses as a going concern, and caused and removed all economic value from it. THUS; it is my intention to claim damages and compensation for all of these losses.

I do further assert that those responsible for the destruction and plundering of my assets are the United States government, its agents, employees, and officials, all working in official capacity and representing the United States Department of Treasury, Office of Foreign Assets Control, the U.S. Department of Justice, Federal Bureau of Investigation (FBI), US Attorney in the Southern District of New York (USA-SDNY) and elsewhere, the Drug Enforcement Administration (DEA), Department of Homeland Security (DHS), and other known and unknown government officials.

This is my official notice of intention to claim damages against OFAC, and the other government agencies involved in and associated with OFAC's act against me since I was sanctioned on April 26 2005. My claim against the United States – including OFAC will be filed in the United States Court of Federal Claims pursuant to the Tucker Act. Lawsuit for damages against government officials in personal capacity will be file in federal court of proper venue.

Respectfully submitted

Richard A. Chichakli

Richard A. Chichakli
Claimant

RE: OFAC Case No. ENF 42110

1 message

Danielle.Pressler@treasury.gov <Danielle.Pressler@treasury.gov>
To: richardchichakli@gmail.com

Fri, Feb 2, 2018 at 1:48 PM



Dear Mr. Chichakli:

The U.S. Department of the Treasury's Office of Foreign Assets Control is in receipt of your correspondence dated January 10, 2018 and is currently reviewing and evaluating its contents.

Regards,

Danielle

Danielle Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

From: Richard Chichakli [mailto:richardchichakli@gmail.com]

Sent: Wednesday, January 10, 2018 12:51 PM

To: Pressler, Danielle <Danielle.Pressler@treasury.gov>

Subject: Re: OFAC Case No. ENF 42110

Dear Mr. Pressler

cc: Mr. Dondarski

reference is made to OFAC's File 42110, OFAC Receipt for returned Property dated May 16, 2017, and our previous correspondence including my notice of claim, and OFAC's letter of July 14, 2017; I attached herewith a partial list of my claims against OFAC for theft and misappropriation

of assets, for OFAC has failed to return and/or the named assets. This is not complete list awaiting the finalization of of the final compilation of accounting and records. The original of the attached letter has been posted to OFAC this morning

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Thank you and best regards

Richard Chichakli

On Fri, Jul 14, 2017 at 2:16 PM, <Danielle.Pressler@treasury.gov> wrote:

Dear Mr. Chichakli:

Attached please find a courtesy copy of a letter dated July 14, 2017 to you from Mr. Dondarski, Assistant Director for Enforcement, at the U.S. Department of the Treasury's Office of Foreign Assets Control. The original letter will follow via mail.

Regards,

Danielle

Danielle J. Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

(202) 622-6486

Re: OFAC Case No. ENF 42110

1 message

Richard Chichakli <richardchichakli@gmail.com>

Wed, Jan 10, 2018 at 11:51 AM

To: Danielle.Pressler@treasury.gov

Dear Mr. Pressler
cc: Mr. Dondarski

reference is made to OFAC's File 42110, OFAC Receipt for returned Property dated May 16, 2017, and our previous correspondence including my notice of claim, and OFAC's letter of July 14, 2017; I attached herewith a partial list of my claims against OFAC for theft and misappropriation of assets, for OFAC has failed to return and/or the named assets. This is not complete list awaiting the finalization of of the final compilation of accounting and records. The original of the attached letter has been posted to OFAC this morning

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Regards,

Danielle

Danielle J. Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

(202) 622-6486

 OFAC_Claim.pdf
216K

January 10, 2018

Michael Dondarski
Assistant Director for Enforcement
OFAC - Treasury Annex
1500 Pennsylvania Ave, NW
Washington, DC 20220

Reference: ENF 42110, Richard Chichakli
Subject: Claim against OFAC and the United States Government for
Theft/Misappropriation/and Illegal taking of Blocked Property

Gentlemen:

On May 16, 2017, in Dallas-Texas, the representative of OFAC met with Richard Chichakli; a formerly blocked person, for the alleged purpose of returning Chichakli property which was unfrozen pursuant to Executive Order 13710 of Nov/2015.

For the last few months I have been reconciling the records, and blessed by the return of my part of my documents at the Order of the United States Court to the DOJ; I was able to tabulate some of the losses of assets, properties, and personal effects which were frozen by OFAC. E.O. 13448 Authorized the freezing of assets, not plundering, not stealing, and not the taking. I contend that OFAC, its agents, and other US Government officials and agents has stolen my property, and for that I hereby – again – assert claim against OFAC, its agents, the DOJ, DEA-SOD, and the United States.

In April 2017, OFAC provided lists of the property it possessed as of April 2017, and stated that the listed property will be returned to Chichakli on May/16/2017; on the said date of May/16 OFAC's statement were proven FALSE as the representative FAILED to return item valued in excess of \$10,000 that include Gold, Jewelry with Gem stones, and collectible 1933 - \$1,000 US Bank Notes. THESE FACTS ARE INDISTUTABLE as RECORDED in OFAC Receipt – items 33-35. ***It is my assertion that OFAC and its agents have stolen items number 33 through 35 from the inventory provided to me by OFAC two weeks earlier.***

I also assert that OFAC and their agents, and other agents, employees, officers, and contractors of the United States Government have stolen the large diamonds stones from the Chichakli's inventory – namely the item referred to as item#32 in OFAC report of 2014, and which contains Packets number 160 through 168. OFAC and governments' agent took (9) stones with a total weight of 8.2 carats of diamonds and replaced it with 5-stones with total weight of 1.04 carats. The Original US Customs lists, as well as the sequential-size numbering of the packets clearly prove that the higher numbered packets contained the largest stones.

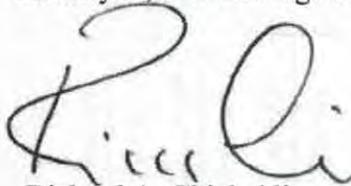
In Total, more than 19-Carats of diamonds with a total value of nearly US \$45,000 are missing, of which the loss of the replaced diamonds is in excess of US \$27,000 as the US Customs importation documents clearly state. ***It is my assertion that the US Government agents representing OFAC, US Treasury, DOJ, and their agents and contractors have stolen the large stones from my diamond inventory, and deliberately replaced the stolen large stones with minute diamonds to conceal their act.***

OFAC has refused to account for the disposition of my assets, in violation of the Treasury Regulations 31 C.F.R. 593.601; thus, I further assert that OFAC's agent, and other agents of the United States Government have illegally taken, and misappropriate the original arts, silver articles, and antiques located in Chichakli's Public Accounting Office located at 811 S. Central expressway, Richardson, Texas. These assets, valued at nearly US \$250,000 are fully listed, accounted for, and verifide as of April 2005, in Chichakli's Business Tax returns for tax year 2004. I hereby claim the total amount stated herein.

I further assert that agents of the United States Government, namely OFAC have misappropriated, taken; and/or destroyed and illegally disposed-off my vehicles, namely One Ford Windstar industrial Van, and One Mercedes S-class, and One Kawasaki Motorcycles. OFAC retuned the Mercedes and the Motorcycles AFTER DESTROYING THE ECONOMICAL VALUE of these assets by storing them WITHOUT MAINTENANCE FOR 12-YEARS, and abusing these assets. OFAC FAILED TO RETURN and/or Account-for the Ford Industrial van. I hereby claim \$50,000 against OFAC as value of these assets which was seized and destroyed by the United States Treasury.

OFAC is required pursuant to Executive Order 13448, and its related regulations; namely, 31 CFR 509.201 et seq. to maintain accounting and reporting of all the assets subject to the EO and its regulation. The total of US \$2.2 million in frozen assets was officially reported by OFAC to the United Nations Security Council. OFAC refused and is still refusing to account for my assets, and for the disposition of my assets – particularly funds, accounts receivable, real estate holdings, original arts and collectibles. Accordingly, unless such accounting is provided, and damages claimed herein is paid; It is my intention to bring a legal suit against OFAC – the United States Government in the United States Court of federal Claims, within 90-days from the date of this letter, to recover against all the destruction and theft of my assets and funds.

Thank you, and best regards

A handwritten signature in black ink, appearing to read 'Richard A. Chichakli', written in a cursive style.

Richard A. Chichakli

Re: OFAC ENF 42110

1 message

Richard Chichakli <richardchichakli@gmail.com>
To: Danielle.Pressler@treasury.gov, chichakli@yahoo.com

Wed, Jun 7, 2017 at 10:26 AM

Dear Mr. Pressler

Thank you for your message, and for the attachment. I am in receipt of the original letter, and attached is my response to the OFAC's letter dated May 30, 2017.

As indicated in the list of inventory (annexed to the attached OFAC's letter dated May/30), several of the items listed by OFAC (see page-2) were further missing, namely the collectible U.S. Currency bills of \$1,000, gold items, and men diamond ring. I note that OFAC lists of deliverable are incomplete and incorrect; for example the currency notes that are in my safe on April 26, 2006 are 22-notes of \$1,000 which cost then more than \$60,000. Only one is listed in your inventory, and then it was obviously stolen on the way to Dallas along with the rest of men's jewelry items; thus, "they are not in the box" as declared by OFAC's representative and documented on May 16th, 2017.

It is certainly my intention to claim damages for the losses I suffered due to OFAC's failure to deliver the property which was frozen in 2005 and the years thereafter. The claim will be in excess of \$10,000; thus, such amount is usually subject to the exclusive jurisdiction of the United States Court of Federal Claims. Accordingly; and unless you provide me with instruction that OFAC can and will settle such claim, it is imminent that I will have a new lawsuit brought against OFAC and the US government in the United States Court of Federal Claims. I do expect the case to be filed within this month, and it will be in the District of Columbia of course.

It is also my intention to file lawsuits against number of OFAC's officials personally (in personal capacity); other than Adam Szubin who is sued already. These lawsuits I will likely file in the Northern District of Texas, being the proper venue due to my residency in this jurisdiction. If you have any question please call me or write me, I can be reached on 2144044744.

Once again, attached is my official response to OFAC's May/30/2017 letter, and I thank you for your kind assistance.

Sincerely
Richard Chichakli

On Tue, May 30, 2017 at 8:12 AM, <Danielle.Pressler@treasury.gov> wrote:

Dear Mr. Chichakli,

Attached please find a courtesy copy of a letter dated May 30, 2017 from Michael Dondarski, Assistant Director for Enforcement at the Office of Foreign Assets Control. The original letter will follow via mail.

Regards,

Danielle

Danielle J. Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

(202) 622-6486

 OFAC_assertion_of_Claim_Signed.pdf
58K



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

ENF 42110

Richard A. Chichakli
2625 Van Buren Drive
Plano, TX 75074

MAY 9 2017

Dear Mr. Chichakli:

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is in receipt of your electronic mail correspondence dated May 4, 2017 selecting Tuesday, May 16, 2017 as the date of return of previously identified property in Dallas, Texas.¹

Accordingly, OFAC has scheduled the return of your property to take place at 10:30 a.m. Central Time on Tuesday, May 16, 2017 at the U.S. Attorney's Office at the Earle Cabell Federal Building, located at 1100 Commerce Street, Suite 300, Dallas, Texas 75242. Please be prepared to remain at the Earle Cabell Federal Building until the return process is complete.

While in Dallas, Texas, the OFAC representatives conducting the return may need to contact you. Please provide the appropriate contact number(s) for the OFAC representatives to communicate with you. Please provide this information by the close of business on Friday, May 12, 2017 to Danielle Pressler, Enforcement Officer, at Danielle.Pressler@treasury.gov.

Lastly, with respect to your May 4, 2017 correspondence concerning Comerica Incorporated ("Comerica"), OFAC is considering the statements you made and in the meantime has contacted Comerica regarding the unblocking of any funds you may have at Comerica. Based on OFAC's communication with Comerica, OFAC understands that Comerica will be in contact with you regarding the release of any funds belonging to you. If you need further assistance with Comerica, please let us know.

In the interim, please contact OFAC should you have questions regarding any of the above.

Sincerely,

Michael Dondarski

Michael Dondarski
Assistant Director for Enforcement
Office of Foreign Assets Control

¹ As previously stated, OFAC will be returning the property identified in OFAC's letter dated April 20, 2017, and the Receipt for Returned Property A and Receipt for Returned Property B, which were enclosed with the April 20, 2017 letter.

Re: ENF 42110

1 message

Richard Chichakli <richardchichakli@gmail.com>

Tue, May 9, 2017 at 6:36 PM

To: Danielle.Pressler@treasury.gov, chichakli@yahoo.com

Dear Mr. Pressler

Thank you for your message, and for providing a copy of the communication of Mr. Dondarski. I am grateful to his efforts and yours to conclude this matter.

I do understand that the plan to return property is scheduled for 10:30 on Tuesday May 16, 2017 at 1100 Commerce St., suite 300, Dallas - 75242. I look forward to completing the process on that day.

Concerning my phone number, I can be reached on my mobile phone at **(561) 674-6247**, please note that - based on what I know and unless changed, the public are not permitted to carry/use Cell phones while at the federal building in Dallas; otherwise, I am always available at that number.

Finally, I am yet to hear from any of the three bank I contacted, including BBV Compass, Comerica, or prosperity; I hope after having been contacted by OFAC, the matter can be resolved with lesser damages. Thank you for clearing any misunderstanding by Banks' officials.

Thank you again;
Sincerely

Richard Chichakli

On Tue, May 9, 2017 at 5:14 PM, <Danielle.Pressler@treasury.gov> wrote:

Dear Mr. Chichakli:

Attached please find a courtesy copy of a letter dated May 9, 2017 from Michael Dondarski, Assistant Director for Enforcement, Office of Foreign Assets Control. The original letter will follow by mail.

Regards,

Danielle

Danielle Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

PLAINTIFF'S
EXHIBIT

3

ENF 42110

Richard A. Chichakli
2625 Van Buren Drive
Plano, TX 75074

JUL 14 2017

Dear Mr. Chichakli:

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is in receipt of your electronic mail and letter dated June 7, 2017 indicating your intention to file suit for various losses you allege to have suffered related to your designation by OFAC. Your correspondence indicates that you intend to sue not only OFAC, but at least five other federal agencies, as well as unnamed government officials in their personal capacity. You further indicate that these suits will be filed in the United States Court of Federal Claims and at least one other federal court, potentially one of the federal district courts in Texas.

OFAC returned the final installment of your property to you in Dallas, Texas on May 16, 2017. OFAC is no longer in possession of any of your property. Nothing further is owed by OFAC to you at this time. Given the breadth of the claims, the number of potential defendants, the lack of specific evidence offered in your correspondence, and the fact that suit has not yet been filed, OFAC is unable to consider settling any part of your claims as requested in your correspondence. If you can, however, develop a very specific list of property that you believe is missing, with clear evidence concerning your ownership of that property and precise facts about how it was taken from you by the U.S. government and not returned, OFAC can possibly engage in discussions with you about those items.

Sincerely,

Michael Dondarski

Michael Dondarski
Assistant Director for Enforcement
Office of Foreign Assets Control

January 10, 2018

Michael Dondarski
Assistant Director for Enforcement
OFAC - Treasury Annex
1500 Pennsylvania Ave, NW
Washington, DC 20220

Reference: ENF 42110, Richard Chichakli
Subject: Claim against OFAC and the United States Government for
Theft/Misappropriation/and Illegal taking of Blocked Property

Gentlemen:

On May 16, 2017, in Dallas-Texas, the representative of OFAC met with Richard Chichakli; a formerly blocked person, for the alleged purpose of returning Chichakli property which was unfrozen pursuant to Executive Order 13710 of Nov/2015.

For the last few months I have been reconciling the records, and blessed by the return of my part of my documents at the Order of the United States Court to the DOJ; I was able to tabulate some of the losses of assets, properties, and personal effects which were frozen by OFAC. E.O. 13448 Authorized the freezing of assets, not plundering, not stealing, and not the taking. I contend that OFAC, its agents, and other US Government officials and agents has stolen my property, and for that I hereby – again – assert claim against OFAC, its agents, the DOJ, DEA-SOD, and the United States.

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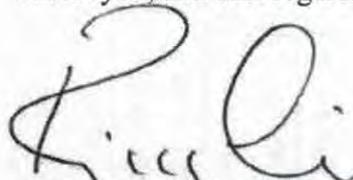
In Total, more than 19-Carats of diamonds with a total value of nearly US \$45,000 are missing, of which the loss of the replaced diamonds is in excess of US \$27,000 as the US Customs importation documents clearly state. ***It is my assertion that the US Government agents representing OFAC, US Treasury, DOJ, and their agents and contractors have stolen the large stones from my diamond inventory, and deliberately replaced the stolen large stones with minute diamonds to conceal their act.***

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Thank you, and best regards



Richard A. Chichakli



Richard Chichakli <richardchichakli@gmail.com>

Re: OFAC Case No. ENF 42110

1 message

Richard Chichakli <richardchichakli@gmail.com>

Wed, Jan 10, 2018 at 11:51 AM

To: Danielle.Pressler@treasury.gov

Dear Mr. Pressler
cc: Mr. Dondarski

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Thank you and best regards
Richard Chichakli

On Fri, Jul 14, 2017 at 2:16 PM, <Danielle.Pressler@treasury.gov> wrote:

Dear Mr. Chichakli:

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Regards,

Danielle

Danielle J. Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, DC 20220
(202) 622-6486

 **OFAC_Claim.pdf**
216K



Richard Chichakli <richardchichakli@gmail.com>

RE: OFAC Case No. ENF 42110

1 message

Danielle.Pressler@treasury.gov <Danielle.Pressler@treasury.gov>
To: richardchichakli@gmail.com

Fri, Feb 2, 2018 at 1:48 PM

Dear Mr. Chichakli:

The U.S. Department of the Treasury's Office of Foreign Assets Control is in receipt of your correspondence dated January 10, 2018 and is currently reviewing and evaluating its contents.



Regards,

Danielle

Danielle Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

From: Richard Chichakli [mailto:richardchichakli@gmail.com]

Sent: Wednesday, January 10, 2018 12:51 PM

To: Pressler, Danielle <Danielle.Pressler@treasury.gov>

Subject: Re: OFAC Case No. ENF 42110

Dear Mr. Pressler

cc: Mr. Dondarski

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Thank you and best regards

Richard Chichakli

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Dear Mr. Chichakli:

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Regards,

Danielle

Danielle J. Pressler

Office of Foreign Assets Control

U.S. Department of the Treasury

1500 Pennsylvania Avenue, N.W.

Washington, DC 20220

(202) 622-6486



U.S. Department of the Treasury
Office of Foreign Assets Control:
Receipt for Returned Property B

OFAC Case Name: Richard Ammar Chichakli
OFAC Case Number: ENF 42110
Blocking Reference Number: OFAC2005999980000601

On (date) May 16, 2017 items listed below were returned to
Name: Richard A. Chichakli
Address: 2625 Van Buren Drive
Plano, TX 75074

Identification of the above listed individual verified by (signature): [Signature]
Printed Name/Title: Geri Averytt

		Initials
ITEM 1:	(3) Diamond grading tools	RC
	Wallet, (3) credit cards, Aircraft Owners Association card	RC
	UAE Central Bank notes: (1) 5 Dirhams, (3) 100 Dirhams	RC
	Bank of Syria notes: (3) 500 Syrian Pounds, (1) 1000 Syrian Pounds	RC
	Bank of Egypt notes: (1) 50 Piastres, (1) 10 Pounds, (18) 100 Pounds	RC
	Plastic pouch containing: (1) 100 Dirham notes (1) 1000 Mark Reichbanknote (September 1928) (1) 100 Mark Reichbanknote (April 1910)	RC
	(4) USA nickels	RC
	(4) Arabic coins	RC
	(1) Uncirculated USA silver dollar (2001)	RC
ITEM 2:	Two vintage Dupont cigarette lighters with gold filled cases.	RC
ITEM 3:	Scherer's Jewelers envelope containing extra links to a Breitling steel and gold plated watch bracelet.	RC
ITEM 4:	Key chain	RC
	White metal puzzle ring	RC
ITEM 5:	Yellow gold men's ring with an eagle plaque center.	RC
ITEM 6:	White metal lady's engagement ring with a diamond flanked by baguette diamonds.	RC
ITEM 7:	Lady's Cartier gold plated, quartz movement dress watch with box and papers.	RC
ITEM 8:	Montblanc Meisterstuck ballpoint pen with box and certificate.	RC
ITEM 9:	Rolled gold filled Cross pen and pencil set with Lexus logo, box, and papers.	RC
ITEM 10:	One loose 0.95ct round brilliant diamond with EGL USA certificate # US75800503D.	RC
ITEM 11:	One loose 1.02ct round brilliant diamond with EGL USA certificate # US75800502D.	RC
ITEM 12:	Diamond Parcel # 1 containing 5 diamond papers with one round diamond in each.	RC
ITEM 13:	Diamond Parcel # 2 containing 12 diamond papers with one round diamond in each.	RC
ITEM 14:	Diamond Parcel # 3 containing 6 diamond papers with one round diamond in each.	RC
ITEM 15:	Diamond Parcel # 4 containing 12 diamond papers with one round diamond in each.	RC

ITEM 16:	Diamond Parcel # 5 containing 6 diamond papers with one round diamond in each.	RC
ITEM 17:	Diamond Parcel # 6 containing 2 diamond papers with one round diamond in each.	RC
ITEM 18:	Diamond Parcel # 7 containing 5 diamond papers with one round diamond in each.	RC
ITEM 19:	Diamond Parcel # 8 containing 6 diamond papers with one round diamond in each.	RC
ITEM 20:	Diamond Parcel # 9 containing 1 diamond paper with one round diamond inside.	RC
ITEM 21:	Diamond Parcel # 10 containing 7 diamond papers, six of which contain one round diamond and one (# 23) which contains two round diamonds.	RC
ITEM 22:	Diamond Parcel # 11 containing 5 diamond papers, four of which contain one round diamond and one (# 16) which contains two round diamonds.	RC
ITEM 23:	Diamond Parcel # 12 containing 4 diamond papers, one of which contains a single-cut diamond, two of which contain one round diamond and one (# 3) which contains two round diamonds.	RC
ITEM 24:	Diamond Parcel # 13 containing 4 diamond papers with one round diamond in each.	RC
ITEM 25:	Diamond Parcel # 14 containing 9 diamond papers with one round diamond in each.	RC
ITEM 26:	Diamond Parcel # 15 containing 9 diamond papers with one round diamond in each.	RC
ITEM 27:	Diamond Parcel # 16 containing 10 diamond papers with one round diamond in each.	RC
ITEM 28:	Diamond Parcel # 17 containing 6 diamond papers with one round diamond in each.	RC
ITEM 29:	Diamond Parcel # 18 containing 7 diamond papers with one round diamond in each.	RC
ITEM 30:	Diamond Parcel # 19 containing 8 diamond papers with one round diamond in each.	RC
ITEM 31:	Diamond Parcel # 20 containing 6 diamond papers with one round diamond in each.	RC
ITEM 32:	Diamond Parcel # 21 containing 5 diamond papers with one round diamond in each.	RC
ITEM 33:	(1) \$1,000 bill (1934).	} NOT AVAILABLE TO ME RC ✓
ITEM 34:	Ring with clear gem.	
ITEM 35:	Gold chain with pendant.	

Not

Received By (signature): Richard Chichakli - Revd. Taurus. Exempt # 33/34/35
 Printed Name/Title: RICHARD CHICHAKLI

Received From (signature): Ethan Walpole
 Printed Name/Title: ETHAN WALPOLE, ENFORCEMENT OFFICER, OFAC

Witnessed By (signature): [Signature]
 Printed Name/Title: _____

Witnessed By (signature): [Signature]
 Printed Name/Title: Russell Adams

Notes:
ITEMS 33, 34, + 35 WERE NOT RETURNED ON 5-16-17

CLAY C. SCOTT, JR.
ATTORNEY AT LAW
P.O. BOX 7569
7501 INWOOD ROAD
DALLAS, TEXAS 75209
(214) 358-0341
FAX (214) 358-2851

July 14, 2006

Mr. Henry Paulson, Jr.
Secretary of Treasury
Department of the Treasury
1500 Pennsylvania Ave., N.W.
Washington, D.C. 20220

Re: Richard Chichakli, FAC No. LB-273016

Dear Mr. Paulson:

I represent Richard Chichakli and have a license from the Treasury Department to do so. I am asking that you personally examine this case in that I feel that the blocking of Mr. Chichakli's assets and his effective exile was and is completely overreaching by the Treasury Department.

Executive Order No. 13348 of July 22, 2004, was an order blocking property of certain persons and prohibiting the importation of timber from Liberia. Mr. Chichakli fell victim to that order although he is not listed in the order as an affected person. This order sets forth that there was an "unlawful depletion of Liberian resources - - - that have undermined Liberia's transition to democracy - - - that the comprehensive peace agreement signed on August 18, 2003, and the related cease fire have not yet been universally implemented throughout Liberia and that the illicit trade in round logs and timber products is linked to the proliferation and trafficking in illegal arms."

It appears to me that the basis of the presidential order exists no longer and my client could not be involved in that (1) the democracy of Liberia elected a new president in 2005; (2) the President immediately stopped the illegal cutting of timber; (3) ex-Liberian President Charles Taylor has been imprisoned for quite some time and is awaiting trial for his actions.

Mr. Chichakli was a practicing CPA here, an American citizen, decorated Gulf War veteran and married with two children. The Treasury stated to me that Mr. Chichakli's CPA practice was a front and he was actually the chief financial officer of Victor Bout, an alleged Russian trading in illegal arms and selling to Charles Taylor. When in fact, he was not the financial officer of Mr. Bout, his CPA practice was not a front and the Treasury found that to be true when they came to disburse his files to his clients after closing his office and disconnecting his phones. They discovered that he had

Mr. Henry Paulson, Jr.
July 14, 2006
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over 500 client files to be distributed and they were not up to the task. Is this "blocking?"

They not only destroyed his business, but wrote the licensing authority in Texas to revoke his accounting license. Is this "blocking?"

Not being allowed to receive money from anyone, Mr. Chichakli moved to Russia. If the Treasury has made the investigation that they say they have, they should know that he was not and has not been on Mr. Bout's payroll in any capacity. He lives in Russia and is still not employed by Mr. Bout in any manner. It appears that Mr. Chichakli is supposed to fit under Section 1(a)(ii)(C) of the order, which is directed toward a person materially assisting, sponsoring, providing financial material or technical support for goods or services in support of the unlawful depletion of Liberian resources. It does not fit in that he was a practicing CPA and a teacher at a local college, and before that a student. Mr. Chichakli was not blocked until April 26, 2005. Consideration should have been taken as to the time of the alleged actions of Mr. Bout, the time of the presidential order, and what Mr. Chichakli was doing at all times.

The Treasury has destroyed this man and because of the Treasury's lack of final determination after fourteen months, he has been unable to seek legal redress.

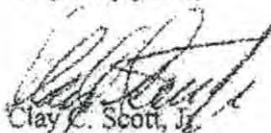
I have been practicing law for almost 50 years and have never seen anything as unjustified as this situation. Mr. Chichakli is not a terrorist and has not been accused as such. It would appear that the method of destroying him by (1) the destruction of his business; (2) seizure of his property, and I do not mean his money accounts; (3) disallowing from his funds the payment of taxes and condominium fees; and (4) denying rental of three properties that are now vacant, is overreaching and not a part of "blocking."

The Treasury's backup, so-called evidence, is nothing more than hearsay from the internet. They condemn him because he knew Bin Laden in college and his uncle was president of Syria in the early 1950's, when Mr. Chichakli was not born until 1957.

I would sincerely appreciate your help in this matter. Mr. Chichakli was a good American.

FOURTEEN MONTHS AND NO ANSWERS. PLEASE DO SOMETHING NOW.

Very truly yours,



Clay C. Scott, Jr.

jgs
Via Facsimile (202) 622-1657 and U.S. Mail



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220



ENF 42110

Richard A. Chichakli
2625 Van Buren Drive
Plano, TX 75074

MAY 30 2017

Dear Mr. Chichakli:

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is writing to memorialize its return of formerly blocked property to you on Tuesday, May 16, 2017 in Dallas, Texas.

Enclosed are copies of the Receipt for Returned Property A and Receipt for Returned Property B, which were provided to you by OFAC representatives after completion of the May 16, 2017 return of property. Furthermore, as previously documented, OFAC facilitated the return of a car and motorcycle to Gloria Catha on January 9, 2017, in Hutchins, Texas. Upon the return on May 16, 2017, OFAC completed the return of all formerly blocked property that belongs to you.

In your recent correspondence to OFAC, including but not limited to correspondence dated April 7, 2017, and in person on May 16, 2017, you claimed that certain additional property had not been returned to you. As stated in OFAC's April 20, 2017 letter to you, if you choose to pursue a claim for any unreturned items, please provide an identification of any item you claim was not returned, along with an assessment of its value as of April 2005. You may submit a claim to OFAC at our mailing address at 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220, or to Danielle Pressler, Enforcement Officer, at Danielle.Pressler@treasury.gov.

Lastly, with respect to your April 28, 2017, May 4, 2017, and May 9, 2017 correspondence concerning BBVA Compass, Comerica Incorporated, and Prosperity Bank, OFAC has contacted each aforementioned bank regarding the unblocking of any funds you may have at those banks. Based on OFAC's communications with each bank, OFAC understands that the banks have been or will be in contact with you regarding the release of any funds belonging to you. If you need further assistance with respect to these banks, please let us know.

Please contact OFAC should you have questions regarding any of the above.

Sincerely,

Michael Dondarski

Michael Dondarski
Assistant Director for Enforcement
Office of Foreign Assets Control

Enclosures