

July 9, 2019

Mr. Don Rees
Chief Deputy District Attorney
1021 SW Fourth Avenue, Suite 600
Portland, Oregon 97204

Mr. Rees:

I am writing you and also through this letter filing a complaint against Max Zweizig for perjury and against Joel Christiansen (attorney) for suborning perjury in federal case 3:15-CV-2401 during a trial on January 16th and 17th 2018. I was the defendant in that case.

That trial was an employment action against me for alleging in a blog that plaintiff Max Zweizig downloaded and disseminated child incest porn using a peer to peer program registered to him. I also published articles alleging that Zweizig had also destroyed computer programming owned by his employer (one of my companies) and that he had downloaded a lot of music and videos in violation of copyright laws. Zweizig's porn and other crimes were committed in 2003.

Zweizig's perjury however was committed in January 2018. Christiansen suborning perjury was also committed in January 2018. For purposes of perspective, I attempted to put on evidence in the form of forensic reports generated by computer forensic experts. Those reports were generated from 2005 to 2011 by three forensic experts, one of whom was an expert hired by Zweizig. All three experts testified in an arbitration held in 2011 and all three concurred that Zweizig had converted a 120 gig hard drive owned by his employer to personal use where he maintained his collection of porn, music and videos and where he stored data base programs generated for and owned by his employer. Zweizig had claimed that programs did not exist. I published a list of his perjury during testimony and offer it here as Exhibit 1.

In 2015 I started a blog and over several years leading up to the trial. The work was substantial, some 96,000 words in 95 chapters. The focus of the blog was not Zweizig alone but rather was about the compromise to an arbitration in which he was the respondent. The largest of the critiques was about the arbitrator and opposing counsel who had not disclosed their prior partnership relationship, which they both had a duty to do by contract, by law under the Oregon Arbitration Act and by the Oregon Rules of Professional Conduct.

In 2018 we went to trial. Just weeks before the trial the court suppressed the forensic reports, transcripts of the arbitration hearing including that portion that was the forensic experts

testimony on their respective reports, and the testimony of one or two of those experts. That opened the door for plaintiff Zweizig to lie about whether he did in fact download and disseminate porn on a 120 gig hard drive used only by him from his home. I still have the hard drive and forensic image of the hard drive. Christiansen had filed a Motion in Limine to exclude that body of forensic evidence and the court granted that Motion, much to my surprise. Zweizig and Christiansen's argument was that he had been falsely accused of these atrocious things and should be awarded Million...and he was.

Notwithstanding that I was not able to put on that evidence, that does not mean there is not a sizeable body of evidence that Zweizig lied and Christiansen suborned that series of lies. The pleading in the case originally sought \$150,000 in noneconomic damages. Once the forensic evidence was not before the jury, Zweizig and Christiansen sought \$2 Million in damages. Based on those lies the jury awarded \$1 Million in damages.

The court's decision to not allow me to put on the forensic reports has of course been appealed to the 9th Circuit.

During the trial Zweizig denied that he downloaded and disseminated porn, downloaded Movies and Music in violation of copyright laws and denied having destroyed programming owned by his employer. You can extract the testimony from the certified transcript provided herein as Exhibit 2.

Steve Williams, Eugene Police Officer, generated a forensic report that was published in the 3:15-CV-2401 case and is provided herein as Exhibit 3. Williams testified in support of his forensic reports in the 2011 arbitration.

Mark Cox, Computer Forensic Expert, generated a number of forensic reports. The first addressed that claim by Zweizig that the hard drive had crashed and that he reformatted it in May 2003 and returned it to his fireproof safe where it remained. The truth is that the hard drive never crashed and it was used exclusively by Zweizig to store his videos, porn, etc. See Exhibit 4. Mark Cox also produced a forensic report confirming Steve Williams work and conclusions. See Exhibit 5. Finally Mark Cox produced a report also confirming that Zweizig had during the reformat process, done on November 12th and Zweizig's last day of employment, destroyed some 1900 Foxpro programs among them being programming code. See Exhibit 6. Mark Cox testified in support of his forensic reports in the 2011 arbitration.

Just McAnn produced a few reports and I provide one of the reports herein as Exhibit 7. McAnn's testimony during the arbitration confirmed the existence of the porn, movies and music on the 120 gig hard drive as well as the 1900 destroyed programs. Obviously because this was damaging to his client, there are few reports, but the testimony is unavoidable.

I am happy to provide the transcripts of the 2011 arbitration or portions thereof on the Williams, Cox and McAnn testimony. Those were also produced in the 2015 case.

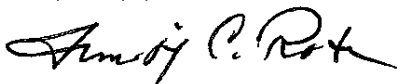
Mr. Christiansen also has a long history of engaging in perjury. In 2016 I sued him in Clackamas County for defamation, which involved him contacting the court and alleging I was planning to assault a Judge at that Judge's lifetime achievement award ceremony. Christiansen lied about the content of the statements made to a deputy clerk in a Motion and in a declaration filed in the 3:15-CV-2401 case, which I provide herein as Exhibit 8. The truth of what he had conveyed to the deputy clerk I discovered via subpoena to the U.S. Marshals Service. That subpoena evidence is provided herein as Exhibit 9. Christiansen prevailed in an anti-SLAPP Motion dismissing my defamation claims based on his perjury.

I suppose it goes without saying that perjury is rampant in the court today, but what is unique about this case is the suppression of evidence allowing the execution of lies denying the production of child incest porn, attorney Christiansen suborning that perjury, Christiansen then subsequently engaging in his own form of perjury and finally an attorney appointed by the Oregon State Bar PLF suborning the perjury of Christiansen. I hope you believe that this particular case has a strong element of public safety given that the sum of the activity of Zweizig, Christiansen and the PLF aided and abetted child porn, cybercrime and copyright violations.

Please prosecute these criminals. I believe there is a three year statute of limitations. ORS 131.125. And although I did not see the statute for suborning perjury, this did occur in both federal and state cases. At least as to the federal case, 18 USC 1622 appears to apply and conspiracy is contemplated in ORS 135.737. I am doing my part by continuing to litigate civil complaints against these folks (3:18-CV-00082 (RICO), 1:19-CV-01299 (Civil Rights), 19cv14552 (Malicious use of a Civil Proceeding), and 19cv01547 (threat of rape)). Please do your part. For efficiency I have not provided all pages of exhibits but will publish this complaint on line with full attachments.

I am a writer, playwright and still put on my CPA hat from time to time. Much of my material on these cases has been published at www.firstdutyportland.wordpress.com. On information and belief, Zweizig is still engaged in the dissemination of child porn from his home in New Jersey.

Very truly yours,



Timothy C. Rote