

# Polar Molecular Holding Corporation Conspiracy Matrix XII

## (Confidential Mark L. Nelson - Polar Holding)

**Alox Corporation,** Niagara Falls, New York owned by RMP Corp. Polar key component supplier, 1984-2000. Polar had contract for exclusive right to key component manufactured by Alox. Acquired by Lubrizol in 2000 and moved to Lubrizol's operations in Cleveland, Ohio.

**Valv Tect Petroleum Products,** Northbrook, Illinois

- An aftermarket seller of fuel additives and wholly owned subsidiary of RPM.
- Co-conspirator with Lubrizol charged in Nelson's successful FTC complaint.
- Arranged sale of Alox to Lubrizol.
- ValvTect became Polar customer for Marine application.
- ValvTect believed to sell knock-off in 2007 using Lubrizol manufactured key component for ValvTect Octane Performance Improvement Additive.

**Driving Force Technology (Amway/Quixtar Distributors, Newton, Selzer and Disberger)**

- Illegally received Polar additive formula from Amway/Quixtar and sold knock off labeled ProFuel x2 in 2006 on Amway/Quixtar website.
- Knock off utilizes Polar's key additive component produced by Lubrizol, as revealed on the Pro Fuel Material Safety Data Sheet. Knock off is sold through a Quixtar "partner store" website, Isabell Lighting. Access is Password protected, password is Freedom 2 (Amway licensed product was Freedom Fuel Additive).
- Internet search reveals Disberger at same address as President of Fuel Additive Development business.
- Sells knockoff in 18oz. bottle through Quixtar partner store to Amway/Quixtar distributors, in violation of U.S. confidentiality laws, the U.S. Economic Espionage Act, and PMC Trade Secrets.

**Republican Federal Judges Conspire To Protect Republican Corporate Crooks/Donors From Justice:**

- Chief Judge US District Court, Western District of Michigan Robert Holmes Bell (Appointed by President George H.W. Bush), PMC V Amway, Case #1:07 CV0 460. Judge Bell Dismissed Case unlawfully in 2008, despite numerous material facts in dispute on the record, including the deposition testimony admissions of Defendant Robert Disberger, an Amway distributor who testified that Amway, Lubrizol and Brian Taylor a former PMC VP, (recommended by Amway) helped Disberger and other Amway distributors to formulate a copy of PMC's advanced fuel additive formula (developed in research with Total Fina Elf) which was then sold on Amway's website as "ProFuel 2" to Amway distributors in violation of a licensing agreement between Amway Corporation and PMC, and the U.S. Economic Espionage Act. PMC filed an Appeal in the 6th Circuit Court of Appeals Case # 09-1027.
- US District Court Eastern District of Michigan, Judge Thomas Ludington, appointed by President George W. Bush, Polar Molecular Holding Corporation v Petroleum Enhancer LLC et al. (Richard Socia, a Polar Holding Board Member, Bruce Becker, a secured lender, and consultant Carl Hill), Case #07-12425-BC. Ludington dismissed the case unlawfully in 2011 despite material facts in dispute on the record.
- Polar Holding filed an appeal in the 6th Circuit Court of Appeals in Ohio. Case #11-1167. Dismissal of the fiduciary duty claims and conspiracy to violate fiduciary duty was overturned on 8-10-12 by a panel of three Democratic judges. Dismissal of the torturous interference of the IBK Capital Corporation \$10 Million financing was upheld due to the false statements of a witness Wm. White, President of IBK, which were cited in the opinion.
- After remand from the Court of Appeals, Judge Ludington issued an order in which he falsely stated that he granted the Petroleum Enhancer motion in 2009 to conduct an auction of PMC patent's. **COVER UP!!!!**
- On remand from the Court of Appeals, Ludington on 2-22-13 ruled that the defendants violated fiduciary duty and conspired to violate fiduciary duty. Then Ludington dismissed the case again, unlawfully citing Bruce Beckers's 2010 affidavit which contradicted his earlier 2010 sworn deposition testimony. Ludington's ruling irrevocably contradicted the 2012 6th Circuit Court of Appeals rulings and findings in Case #11-1167. Polar Holding then filed a 2nd Appeal in the 6th Cir. Court of Appeals Case #13-1369 in 2013.
- Two new 6th Cir. Republican panel members for the Appeal were improperly appointed, without notice to Polar Holding by Republican Chief Judge Alice Batchelder to replace two Democratic Judges from the first Appeal Panel. Judge Batchelder "stacked" the panel! Additionally, the January notice from the Clerk of the Court, 6th Circuit, stated that the appeal would be based on the (entire) record and the briefs submitted by the parties. Republican panelist McKeague entered a highly biased opinion on 3-7-14 (2 weeks before the panel was to convene the appeal) unlawfully upholding Ludington's dismissal of the case, by for example referring to statements made by Becker in his 2010 affidavit that conflicted with his earlier 2010 sworn deposition testimony. The ruling irrevocably conflicted with the first Appeal rulings and findings in 2012, and applicable law. Furthermore, the opinion entered was based on "relevant parts of the record", not the entire record as required by the notice from the Clerk of the Court. The opinion cited false statements of IBK Pres. Wm. White, (covered up by altered evidence entered on the record by defendant legal counsel John Alfis), in upholding dismissal of Polar Holding's entire lawsuit by Judge Ludington. Judge David McKeague served as general counsel of the State Central Committee of the Michigan Republican party before being appointed US District Judge, Western District of Michigan, (Grand Rapids, Amway Headquarters) by President George H.W. Bush in 1992. He was the state co-chairman for the Bush/Quayle Victory 1988 Committee. He was nominated by President George W. Bush and then confirmed in 2005 to the 6th Circuit. The Amway founders, the DeVos clan funds (\$44 Million since 1997) and runs the Michigan Republican Party. McKeague paid Amway back for his federal Judge appointments through his improper ruling in 6th Circuit Case #13-1369, which irrevocably contradicted the 6th Cir. ruling in 2012. Polar Holding's Petition for Rehearing En Banc was denied by Republican Chief Judge Alice Batchelder. (After Mark Nelson filed a complaint with Attorney General Eric Holder, Batchelder was removed as Chief Judge of the 6th Circuit one year ahead of her Senior Status).
- In 2008, U.S. Bankruptcy Court Judge E. Brown, Case #08-21608EEB in Denver, CO unlawfully remanded the PMC Adversary Proceeding that challenged the Petroleum Enhancer LLC creditor claim, to US District CT Case #07-12425-BC in Michigan (Judge Ludington). The Adversary Proceeding was a core bankruptcy proceeding, in which creditor claims are determined by the court to be valid (allowed) or invalid and thus not allowed.
- PMC Bankruptcy Attorney, Gary Appel threatened Mark Nelson in an e-mail that unless PMC paid PE it's disputed \$2 Million dollar claim, Judge Brown would call off the conformation hearing for PMC's plan of reorganization, convert the case to Chapter 7 and give PE relief of stay to foreclose on PMC's patents. PMC's board of Directors immediately fired Attorney Appel
- Shortly thereafter Judge Brown called off the confirmation hearing and converted PMC Chapter 11 case to Chapter 7 in July 2009 while creditors were voting on PMC plan of reorganization, that paid creditors 100% of their claims.
- Judge E. Brown then gave PE relief of stay to foreclose on PMC patents with a disputed unallowed creditor claim in July 2009. Judge E. Brown was appointed by the Republican dominated U.S. Court of Appeals of the 10th Circuit.
- In concert with trustee Joseph G. Rosania, Judge E. Brown sold PMC lawsuit claims against Amway and PE, to PE for \$15,000 in 2010. Damages in the Millions of dollars denied to creditors, PMC and Polar Holding and it's stockholders. Polar Holding's offer to buy the claims and repay creditors from 100% of profits from renewed operations and from the recovery of damages was rejected by Rosania and Judge Brown.
- Chapter 7 Trustee Joseph G. Rosania Jr. was aware of and allowed the illegal auction of PMC patents by Petroleum Enhancer LLC in September 2009 in violation of his fiduciary duty and US Bankruptcy law. He was then was appointed US Bankruptcy Judge on 01/04/16 by 10th Circuit. Republican Chief Judge T.M. Tymkovich, and then was sworn in by Republican Chief US District Court Judge Marcia Krieger, a former US Bankruptcy Judge. **PAYOFF!!!!**
- The above concerted and well coordinated acts, represent an insidious form of Public Corruption of the Federal Court System. The "Dark Money" scheme and unlimited political, financial donations by Amway and the Koch Brothers are a severe threat to justice and to American Democratic Institutions.
- In 2014 Polar Holding President, Mark Nelson, was preparing a Complaint of Judicial Misconduct to be filed in the 6th Circuit. Senator Mark Udall's staff was asked by Mark Nelson as a constituent to follow up the complaint with the Justice Department to make certain the complaint wasn't ignored by the 6th Circuit. Democratic Senator Udall's staff agreed to assist and, shortly thereafter a flood of Dark Money came in to Colorado to defeat Democratic Senator Udall.
- During the 2016 National Elections, the Koch Brothers, with Amway financial support aggressively funded an attempt to defeat Democratic Senator Michael Bennett whose staff had assisted Polar Molecular Holding Corporation with a complaint against Amway et al. filed with US Attorney General Loretta Lynch.

**Lubrizol Corporation (Acquired by Warren Buffet/Berkshire Hathaway inc. Septemeber 2011, \$9.7 Billion)**

- Multi-billion dollar petroleum additive manufacturer, located in Cleveland, Ohio.
- Beginning in 1986, Lubrizol delayed Polar's market entry through numerous illegal attacks on the company, its DurAlt Fuel Conditioner products, and its publicly traded stock (in conspiracy with the notorious short sellers, the Feshbach Brothers). DurAlt competed with Power Shield, a fuel additive that Lubrizol claimed would double their earnings per share.
- In 1987 Lubrizol undermined a PMC private label contract with Mercury Marine. After two years of litigation PMC prevailed and a new contract was signed by PMC and Mercury Marine in February 1989.
- In 1988, Lubrizol provided a synthetic motor oil to Amway Corporation and Amway distributed the product as Freedom Oil.
- In March 1989, Lubrizol disrupted PMC's presentation of its first Society Of Automotive Engineers Technical Paper at the SAE International Conference in Detroit, MI. Soon after the disruption by Lubrizol of the presentation, SAE changed the rules to prevent any recurrence. In the technical paper was a test report from the the National Institute for Petroleum Engery Research (NIPER), a DOE research facility. Mark Nelson received a call from management of NIPER who requested a meeting with Nelson at NIPER. At that meeting, Nelson was advised that the Lubrizol manager Don Koehler who disrupted the SAE paper presentation attempted to bribe NIPER to run an identical test and deliberately cause PMC's product, DurAlt Fuel Conditioner, to fail the test.
- On April 17 1990, Mark Nelson sent a letter to Lester Coleman, CEO of Lubrizol, concerning Lubrizol employee Don Koehler's illegal attacks on PMC and DurAlt Fuel Conditioner. On April 26 1990, Coleman sent a response saying he would look into the matter.
- In August 1991, Koehler was terminated from his employment with Lubrizol along with his entire sales and marketing team.
- In 1991, PMC entered into a research licensing agreement with Elf, a major oil company in France. A second agreement with Elf was an exclusive distribution agreement for Elf Hi Tech racing fuels in the US with DurAlt FC bulk blended into the Elf Hi Tech Fuels.
- In January 1992, PMC signed a licensing agreement with the Dow Chemical Company.
- In April 1992, PMC and Dow Chemical met Elf in Paris, France. Elf provided highly successful test results on DurAlt FC and stated that Elf Research had one more test to run before launching DurAlt as a bulk treatment additive in their gasoline sold at Elf retail service stations in Europe.
- On June 30th 1992, Lubrizol aided Amway and others in a fraudulent takeover of PMC, followed by a fraudulent bankruptcy filed in US Bankruptcy Court in Boston in 1993.
- Lubrizol was the subject of a successful FTC complaint filed by Mark Nelson, Polar co-founder in 1993.
- In 1993, during the Bankruptcy, the (Amway) takeover management attempted to convert PMC's intellectual property through a licensing agreement without permission of the court. When Mark Nelson provided evidence of this illegal act, the court removed the (Amway) takeover management and appointed a trustee to run the company. After an investigation, the trustee sued the (Amway) takeover management for Proxy Fraud and Bankruptcy Fraud.
- The FTC then advised the trustee that they would sue Lubrizol and its co-conspirators if they attempted to buy PMC or the intellectual property from the Bankruptcy Court. According to the trustees records, Lubrizol, Amway, and others approached the trustee about the purchase of PMC's patents and were warned by the trustee that the FTC would sue them if they attempted to do so.
- The Nelson's and a group of shareholders recovered PMC and the intellectual property in December 1994 through a successful plan of reorganization.
- In July 1995, PMC and Amway entered into a settlement licensing agreement where in Amway received a release from PMC for the 1992 fraudulent takeover and fraudulent 1993 bankruptcy of PMC. Amway failed to perform the agreement and ultimately conspired with Lubrizol to market a "knock off" of DurAlt FC in 2006
- In a August 1995 Automotive news story entitled "Gas Wars", the Ford Motor Company stated that they were urging EPA to require additive technology in gasoline that would reduce combustion chamber deposits (CCD's) and octane requirement increase (ORI) in gasoline engines. Ford had validated the ability of DurAlt FC to provide these benefits and invited Mark Nelson, the President of PMC to be interviewed in the same story published by Automotive News.
- In 1996, after the founders recovered PMC, Mark Nelson was provided by ELF a copy of the final, highly successful test results that ELF required in April 1992 in order to launch DurAlt FC in ELF's gasoline in Western Europe. PMC lost its first major oil company customer and profitability due to the fraudulent 1992 takeover and 1993 fraudulent bankruptcy.
- In 1997-98 Lubrizol and Warburg Dillon Read undermined financial support from the Conservation Law Foundation (CLF), an environmental organization in Boston for a Solomon Smith Barney sponsored \$950 Million PMC acquisition of Octel, the leading manufacturer of lead octane additives. DurAlt was to be used as a replacement for lead in gasoline and PMC would have become a multi billion dollar company. Amway was made aware of the deal by PMC President Mark Nelson (prior to Lubrizol's involvement). Lubrizol and Warburg Dillon Read later undermined a second Polar funding by CLF, after eliminating the Nelson founders "poison pill" protection, in which the patents would revert back to the Nelson's if PMC was taken over or filed for Bankruptcy. The "poison pill" protected PMC, its stockholder's, and the Nelsons from any further hostile actions against their interests. CLF failed to fund PMC after the "poison pill" was eliminated, leaving PMC vulnerable to further attempts to misappropriate the DurAlt technology.
- In the last quarter of 1999, PMC signed a new memorandum of understanding agreement with Elf.
- Shortly thereafter in April 2000 Lubrizol aquired the Alox Corporation, a wholly owned subsidiary of RPM, Polar's original supplier of its key active component, tortuously interfering with Polar's Alox contracts in which Polar had the exclusive right to its key component supplied by Alox. The Alox acquisition was arranged by ValvTect, an RPM subsidiary, also named in Nelson's FTC complaint. The purpose of the Alox acquisition was to deny Polar access to its key active component.
- On 09/11/2001 PMC signed a joint marketing agreement with the combined Total Fina Elf. Due to the terrorist attack that day on the World Trade Center, PMC lost a \$10 Million related financing with investment banker Legg Mason, preventing performance of the joint marketing agreement with Total Fina Elf.
- In 2002 Lubrizol moved Alox to Cleveland Ohio and was uncooperative with Polar and sold a bad batch of the key component to Polar, forcing Polar to seek an alternative source for its key component with Lockhart Chemical Company.
- In 2006-2007, Lubrizol tortuously interfered with Polar contracts with Lockhart Chemical, Polar's new supplier of its key active component and acquired Lockhart's business operations. Later, the FTC reversed the acquisition of Lockhart's business operations by Lubrizol citing an attempted monopoly by Lubrizol. Lubrizol was forced to return Lockhart's business operations to Lockhart without receiving a refund of the money used to purchase Lockhart.
- In 2006, Lubrizol provided Polar's previous Alox component and also provided formulation assistance to Driving Force Technology and Amway to produce a "knock off" (ProFuel 2) of Polar's advanced DurAlt formula as a co-conspirator, in violation of the PMC/Amway license agreement. These illegal acts also violated the U.S. Economic Espionage Act, confidentiality laws, PMC trade secrets, and violated federal trade law.
- After Polar sued Amway in May 2007, "ProFuel 2" was discontinued by Amway, but later the "Knock Off" was renamed "XLP" and marketed by Amway until early 2011. Mark Nelson saw "XLP" on Amway's website in early 2011 with a Lubrizol CAS number for the key component on the "XLP" Material Safety Data Sheet (MSDS). Nelson called Lubrizol's oxidate department and asked for a sample of the "XLP" key component listed on the MSDS. The response was "How do you know about this?".. Shortly thereafter "XLP" was taken off the Amway website but then appeared on Amazon, where it remains today. A Google search of "Amway Fuel Additive" results in the appearance of "XLP" for sale on Amazon.
- Lubrizol has delayed and undermined Polar's market entry since 1986, continuously violating Federal Trade Law and other Federal and State Laws. This series of illegal acts constitutes a violation of federal civil Rico statutes. The Lubrizol conspiracy against the interests of the Nelson founders, Polar and Polar Holding, continues to the present time and has resulted in Billions of dollars in damages. The Nelson's have an independent cause of action.

• It is highly doubtful that Lubrizol made Warren Buffet/Berkshire Hathaway aware of the enormous contingent liability that Lubrizol had incurred through its illegal acts against the Nelson's, Polar, and Polar Holding at the time of the 2011 \$9.70 Billion acquisition of Lubrizol.

• Warren Buffet has an impeccable reputation for a high standard of ethical business conduct, and would not likely have acquired Lubrizol if he was aware of the aforementioned illegal acts of Lubrizol and the resultant enormous contingent liabilities that has resulted.

**Amway Corporation, a.k.a Alticor Corporation,** Ada, Michigan. Dick DeVos Jr, President

**MAJOR [RNC] REPUBLICAN PARTY DONOR (DICK DEVOS SR. WAS FINANCE CHAIRMAN) LEADS-FUNDS REPUBLICAN PARTY IN MICHIGAN (\$44 MILLION SINCE 1997)**

**KOCH BROTHERS DARK MONEY FUND CO-CONSPIRATOR**

**ADMINISTRATIONS TO FILL VACANCIES ON FEDERAL BENCH IN MICHIGAN AND 6TH CIRCUIT IN OHIO.**

**JUDGES PROTECT AMWAY FROM JUSTICE.**

Large consumer market direct seller company, approximately \$11 billion annual revenue. Subsidiaries Access Business Group, Quixtar, Amway Corp. International.

- 1988 exclusive contract with Polar for DurAlt Fuel Conditioner, sold as Amway Freedom Fuel Additive in Amway's retail direct seller market, worldwide.
- In 1988, Lubrizol provided a synthetic motor oil to Amway Corporation and Amway distributed the product as Freedom Oil.
- In 1990, Amway Corporation became a 7% stockholder of Polar by way Polar's stock provided in support of a Motor Sports marketing agreement. Polar's stock was publicly traded at that time, and the stock price was sharply depressed by a "short selling" attack by Lubrizol and the Feshbach brothers. As a result, Polar had to give Amway a large number of additional shares pursuant to the terms of the Motor Sports contract, and that resulted in the 7% ownership of Polar stock by Amway.
- In 1991, PMC entered into a research and licensing agreement with Elf, a major oil company in France. In a second agreement, PMC became an exclusive distributor in the United States of Elf Hi-Tech racing fuel with DurAlt bulk blended into the fuel.
- In January 1992, PMC entered into a licensing agreement with the Dow Chemical Company.
- In March 1992 Amway paid PMC \$1 Million advance royalty and converted exclusive distributorship to exclusive license to make, use and sell Polar's products for the Amway retail direct seller market, worldwide. Amway operates in 80 countries.
- In April 1992, Elf provided successful test results on DurAlt FC to PMC and the Dow Chemical Company. Elf stated that they had one final test to run before launching DurAlt in all of their gasoline motor fuels across Europe. (In attendance at the meeting for PMC was VP Brian Taylor who was recommended by Amway to PMC)
- In June 1992 Amway and Lubrizol conspired with others in a fraudulent proxy contest takeover of Polar preventing the company from concluding the deal with Elf.
- In July 1992, Elf management met with the (Amway) takeover management to confirm that the Elf contract would be honored by the new takeover management. Elf was informed that their contract with Polar would not be honored, and thus the launch of DurAlt in Elf's gasoline across Europe was lost.
- In 1993, the (Amway) takeover management moved PMC to Boston and filed a fraudulent bankruptcy to misappropriate Polar's patents, trademarks, trade secrets. Dick DeVos Jr. was President of Amway.
- In the 1990's, the (Amway) takeover management, including PMC Vice President Brian Taylor (recommended to PMC by Amway) were removed from control of PMC by the US Bankruptcy court and sued by the trustee for proxy fraud and bankruptcy fraud.
- In 1993, PMC co-founder Mark Nelson filed a successful Federal Trade Commission complaint against Lubrizol and other elements of the fraudulent takeover, and fraudulent bankruptcy conspiracy. The FTC advised the trustee that they would sue Lubrizol and other parties to the fraudulent takeover and bankruptcy if they attempted to buy PMC or it's patents from the US Bankruptcy Court.
- In the fall of 1994, Amway made a \$2.5 Million corporate donation to the Republican National Committee, the largest corporate donation to the RNC ever recorded.
- In December 1994, PMC co-founder Mark Nelson and a group of stockholders recovered PMC and its intellectual property through a plan of reorganization approved by the US Bankruptcy Court in Boston.
- In 1995 after Nelson and Committee to save Polar, recovered Polar from bankruptcy, Polar entered into settlement discussions with Amway Corporation. A new licensing agreement was negotiated between Amway and Polar in return for a release given to Amway by Polar for Amway's role in the fraudulent 1992 takeover of Polar and fraudulent 1993 bankruptcy. As an inducement to Polar, Amway provided a forecast from 7 Amway country affiliates to induce Polar to sign the new license agreement and provide Amway a release. The Amway forecasts, including a \$1,275,000 advance royalty payment made to Polar upon the signing of the contract, would have provided Polar royalty income sufficient for Polar to achieve an operating profit in 1998 with additional royalty income in excess of \$11 million by the end of 2007 from the launch of the product in the 7 new markets only. Amway was already marketing Polar's products in the U.S., Canada and England. Amway was required under the licensing agreement to offer Polar's products in all 80 Amway country affiliates. Amway owns the affiliates.
- In 1996, PMC President Mark Nelson was provided by Elf the successful final test results that Elf stated would be needed in April 1992, to launch DurAlt in all of Elf's gasoline motor fuels in Europe. The opportunity was lost to PMC because of the fraudulent 1992 takeover and 1993 bankruptcy.
- No sales by Amway occurred in the 7 affiliates forecasts and PMC's product trade name Amway Petro Additive was eliminated in England in 1999, despite the fact that Amway Petro Additive was Amway's #1 selling product in England. Amway then terminated the planned launch of Polar's product in 13 additional European affiliates, in violation of the contract.
- On 09/11/2001, PMC entered into a worldwide joint marketing agreement with Total Fina Elf (TFE) in France (a combination of Total Fina and Elf). Due to the terrorist attacks on the World Trade Center that occurred that day, PMC lost a \$10 million related financing by Legg Mason, a large investment banker.
- In 2002, TFE made a presentation to Amway Corporation related to highly positive tests of DurAlt combined with TFE detergent packages. After the presentation, despite the highly credible tests on DurAlt FC performed by a major oil company, Amway continued its non-performance of the PMC licensing agreement.
- Also in 2002, TFE made a similar presentation to the Ford Motor Company. At the conclusion of the presentation Ford agreed to assist PMC in obtaining a regulation by the California Air Resources Board (CARB) and EPA that required DurAlt and all gasoline motor fuels sold commercially in California and the U.S.
- In 2005, Polar contracted with three Amway/Quixtar distributors to increase sales by Quixtar of Polar's products. High fuel prices in the U.S. combined with the sales efforts of Polar and Quixtar's distributors resulted in the balance of the \$1 Million advanced royalty payment to be recovered by Amway. This caused the new royalty income to increase to \$100,000 per month. The Quixtar distributors, Newton, Selzer, and Disberger had formed two companies, JBR and DNS related to their contracts with Polar.
- In late 2005, JBR/DNS conspired with Quixtar, Amway, et al. to impose a contract on Polar that was adverse to Polar's interests and to terminate the licensing agreement. Among the provisions of the contract, was the designation of JBR/DNS as the manufacturer of Polar's products and the right of Quixtar to sell competitive products and other unworkable provisions. When Polar refused to approve the new contract, Quixtar eliminated Polar's product, trade named Freedom Fuel Additive, despite unprecedented demand for the product, and in violation of the Polar licensing agreement, for which Amway obtained a release for it's illegal acts against PMC.
- Sometime in 2006, Amway, Quixtar conspired with Disberger, et al. to counterfeit Polar's fuel additive technology, providing a Polar confidential advanced formula from the licensing file to Disberger et al. who opened up a "knock-off" shop in Liberty, Missouri, in violation of U.S. confidentiality laws, the U.S. Economic Espionage Act, the PMC licensing agreement, and PMC Trade Secrets provided to Amway in 2005.
- Amway, Lubrizol Corporation, and former PMC VP Brian Taylor assisted the distributors in formulating the "knock-off" of Polar products. (Disberger deposition). Taylor had joined Polar at Amway's introduction and recommendation. Taylor was retired as VP of Research of Chevron Research Corporation. Taylor was part of the 1992 (Amway) takeover management.
- In May 2007 Polar Molecular Corporation sued Amway, et al. in U.S. District Court, Western District of Michigan, Grand Rapids (Amway Headquarters). The Lawsuit, Case #1:07 CV0 460, was improperly dismissed by Republican Chief Judge Robert Holmes Bell (appointed by President George H.W. Bush) protecting Amway from justice. The case was dismissed despite numerous significant material facts in dispute on the record, and the admissions in deposition testimony of Amway co-defendants who admitted that Amway, Brian Taylor, and Lubrizol aided them in formulating the "knock off" of Polar's product, named Pro Fuel 2. PMC filed an Appeal in the U.S. 6th Circuit Ct. of Appeals, Case #09-1027. Amway law firm Clark Hill PLC released Amway from the PMC Appeal, after Petroleum Enhancer purchased the claims for \$15,000 from Republican US Bankruptcy Court Judge E. Brown. Judge Brown improperly converted PMC's Chapter 11 Case to Chapter 7, on a motion from PE in July 2009 (Bankruptcy Case #08-21608 EEB in Denver, CO), while creditors were voting on the PMC plan of reorganization. Petroleum Enhancer described elsewhere in the Matrix were collaborator defendants of Amway, engaged in an illegal foreclosure scheme of PMC patents and trademarks. In September 2009, Clark Hill held a fraudulent auction of PMC's intellectual property on behalf of Petroleum Enhancer LLC, without first obtaining approval through a court order from the US Bankruptcy Court in Denver. The fraud continued through sale of DurAlt. Clark Hill, PLC also represents the Amway Corporation.
- In 2010, following the fraudulent auction, Clark Hill and PE abandoned the PMC patents. The primary reason for the foreclosure scheme and abandonment of PMC patents was to secure the release for Amway from PMC's claims pending on Appeal in 6th Circuit Case #09-1027. Petroleum Enhancer purchased PMC legal claims from the US Bankruptcy Court in 2010 and Clark Hill PLC (who also represents Amway Corporation) released Amway from the PMC appeal, case #09-1027 in the 6th Circuit.
- The destruction of PMC's intellectual property was the ultimate revenge of Amway President Dick DeVos Jr. against the founders of PMC for defeating the Amway 1992 fraudulent takeover of PMC and fraudulent 1993-94 bankruptcy attempt to misappropriate the intellectual property of PMC.
- Amway's unlawful attacks on PMC and Amway's violations of it's contracts with PMC has continued from at least 1992 to the present time and are actionable under civil Rico statutes for billions of dollars in damages to the Nelson founders who have an independent cause of action and to Polar Molecular Holding Corporation. Polar Holding, the parent of PMC has a right to pursue damages for the lost value of it's shares of stock in PMC. (United States Court of Appeals of the 6th Circuit, Opinion entered in case #11-1167, 2012).

**Polar Molecular Holding Corporation (Polar Holding)**

*Delaware public company* resulting from reverse merger of Polar Molecular Corporation and publicly traded shell, Murdock Communications.

**Polar Molecular Corporation (Polar or PMC)** *a Delaware Corporation, (subsidiary of Polar Holding, Denver, Colorado) Founded by the Nelson Family.*

- Operating company in the environmental, petroleum additives business.
- Owned 39 issued "DurAlt Environmental Fuel Additive Technology" patents, 15 trademarks.
- DurAlt reduces greenhouse gas emissions, reduces octane requirement, and improves fuel economy.
- Seven new U.S. patent applications were pending in 2007 when the PE Foreclosure scheme commenced (below).
- Advanced Polar, DurAlt technology formulas developed in research with a major oil company, Total of France. DurAlt performance validated by Total, Ford Motor Co., Harley Davidson, and major research laboratories.
- On September 11, 2001 Total entered into a worldwide joint marketing agreement with Polar due to over 200 successful engine tests performed by Total/FinaElf Research on Polar's DurAlt fuel additive technology.
- Polar loses \$10 million related financing by Legg Mason due to post 9/11 Capital Market Recession.
- After 9/11 a series of subsequent Polar Holding financings were undermined.

**Polar E-Commerce**

An internet marketing company, established in 2006 for additive sales to retail and fleets.

**Polar Molecular Holding Corporation** board of director members and consultant conspired with Bruce Becker, a secured lender & foreclosed on the company's intellectual property. Polar Holding sued in U.S. District Court in 2007. Lawsuit improperly dismissed by Republican federal judges, 3 times, most recently on March 7, 2014, when a new Republican Judge dominated panel ruled against Polar Holding in the second appeal, in conflict with the published 2012 ruling in favor of Polar Holding by a Democratic panel of Judges in the first appeal, in the same case in the US Court of Appeals of the 6th Circuit. Rehearing En Banc denied PMHC by 6th Cir. Republican Chief Judge Alice Batchelder.

**Total -Fina-Elf, (TFE)** France

Major oil company, (worlds 4th largest), market and research partner of Polar

On 9-11-2001, after conducting 200 engine tests on DurAlt + Detergent additives TFE signed a world-wide joint Marketing Agreement with Polar to sell TFE detergent additive packages combined with Polar additive to TFE refining operations and to all worldwide refining operations for bulk treatment of gasoline TFE to market in Europe, Asia and Africa. PMC to market in North and South America.

TFE provided forecast of \$40 million initial annual purchases of Polar products contingent upon Polar launching U.S. market to oil refiners. Polar needed a \$5-10 million financing to perform the contract, but a series of finances were lost due to 9-11 and interference by various adversary groups.

In July 2009, Total and PMC signed a Memorandum of Understanding agreeing to extend the time for the Joint Marketing Agreement signed on 09/11/2001, as the Joint Marketing Agreement was due to expire in September 2009.

**Lockhart Holdings Company,** Gibsonsia, PA (Owner of Lockhart Chemicals)

Chairman, Thomas Gillespie

**Lockhart Chemical** Company, Flint, Michigan

- In 2000, co-developed with Polar alternate key component for Polar additive technology.
- Polar had contract with Lockhart giving Polar the exclusive right to the key component.
- Lockhart and Polar entered into an exclusive manufacturing agreement to produce Polar products in 2002.
- Lockhart Chemical sells its business operations to Lubrizol who had previously purchased Alox, the original supplier of Polar's key additive component.
- FTC forced Lubrizol to return Lockharts business operations to Lockhart without refunding Lubrizol its money for the purchase, citing an attempted monopoly by Lubrizol.
- Lockhart produced DurAlt technology for Petroleum Enhancer after the illegal auction conducted by Clark Hill PLC and PE in September 2009. Bankruptcy Fraud and a Continuing Fraud.

**Petroleum Enhancer LLC (PE)** Front company formed by Becker, Socia & Hill in 2007 for use in the illegal fore-closure scheme

- Polar Holding board members R. Socia and R. MacKenzie. Consultant C. Hill.
- Torpedoed \$10 million financing for Polar Holding (2006/2007).
- Undermined a multi-million dollar truck stop sales deal (2006).
- The above acts prevented Polar Holding from paying off Bruce Becker \$800,000 loan secured by the patents and trademarks.
- In violation of fiduciary duty, foreclosed on intellectual property with Bruce Becker (2007).
- Held illegal auction of PMC patents without a court order. Bankruptcy Fraud (2009). Then the fraud continued by manufacturing, via Lockhardt chemicals and selling the DurAlt products
- In 2010, Socia, Hill, Becker, (PE) and their lawyers Clark Hill, PLC abandoned the patents.
- Amway law firm, Clark Hill represents PE, purchased PMC legal claims from the bankruptcy court for \$15,000 over Polar Holding's objections, and released Amway from PMC appeal pending in the U.S. 6th Circuit Court of Appeals.
- PE lawyer elicited false statements from investment banker witness, William White, in deposition to achieve summary judgement of Polar Holding claims of interference of \$10 million financing.
- False statements cited in first appeal 6th Circuit Case #11-1167 in 2012, upholding, dismissal of claim of torturous interference of \$10 Million financing by C. Hill and R. Socia.
- The false statements cited in upholding the dismissal of Polar Holdings entire case on second appeal in 6th Circuit Case #13-1369 in 2014.

**Thomas Berthel, President, Berthel Fisher & Company,** Marion, Iowa

- Controller of Murdock Communications public "shell" company, along with D. Cadle, W. Wright, et al.
- In January 2002, after meeting with TotalFinaElf in Solaize, France and learning of TFE Commitment under its agreements with Polar to buy millions of dollars of Polar products, Berthel agreed to fund Polar and to merge Polar with Murdock shell public company.
- Berthel et al. agreed as part of the merger to eliminate all debt in the shell company but later attempted to transfer personal debt of Berthel, Cadle, Wright, et al. via Murdock into Polar Holding a new public company resulting from the merger of Polar and Murdock (2003). Failed to fund Polar adequately. Polar had \$100 in its checking account in July 2003 when the merger was completed.
- Berthel had promised to support stock price of new public company and to further finance Polar Holding through the exercise of Murdock stock options alleged to be worth "millions of dollars."
- Instead Berthel attacked Polar Holding's stock price, tortuously interfered with Polar Holding contracts, conspired to torpedo two Polar Holding financings for \$7 million in 2004 and \$10 million in 2006. Threatened to sue Polar Holding auditors, causing auditor to withdraw, brought frivolous litigation against Polar Holding and encouraged others, including Cadle and Republic Finance to bring frivolous litigation against Polar Holding, attempted to take over Polar Holding through proposed bogus financings and undermined the loyalty of Polar Holding financial officers.
- Berthel was the subject of a complaint filed by Polar Holding with the Enforcement Division of the U.S. Securities and Exchange Commission in 2006/2007.
- Berthel dismissed his frivolous complaint for libel against Mark Nelson and Polar Holding.

**Transition Partners,** Boulder, CO

- President Terry Shrier
- Recommended by Polar Holding legal counsel (HRO) to raise capital for Polar Holding. Signed contract 2003.

**Boulder Venture Partners,** Denver, CO

- Darryl Yurek, President
- Brought in by Shrier in 2004 to assist in the financing

**Transition & Boulder**

Acted as consultants in a financing in Toronto with Dominick & Dominick and several other brokerage houses from Toronto to Vancouver @ \$5 million - \$7 million. After due diligence brokerage firms opted do the maximum \$7 million financing. However, after meeting Berthel, Shrier and Yurek attempted to take control of Polar Holding board via financing and failed. Torpedoed 50% pay down of Becker's secured debt by Northern Rivers Fund in Toronto. Then they threatened Dominick & Dominick with litigation and torpedoed \$7 million financing. Thus Polar Holding could not pay the debt to Becker secured by the patents and prevented performance of 2001 contract with Total Fina Elf.

**IBK Capital Corporation,** Toronto, Canada

- Dec 6, 2006 IBK Pres. Wm. White signed an agreement to place Polar Holding \$10 Mill. Preferred Stock Offering after conducting due diligence on PMC and Polar Holding.
- After Socia voted for financing as Board member Socia & Hill publicly attacked the financing and threatened IBK with a lawsuit to kill the financing and prevent payoff of the secured loan to Bruce Becker, with PMC patents as security.
- On January 22, 2007 IBK terminated the finance agreement.
- On January 26, 2007 Socia called a board meeting in a failed attempt to remove Mark Nelson as Chairman, Pres. and CEO.
- On May 10, 2007 secured lender Becker, announced fore-closure on PMC patents, in conspiracy with Socia & Hill.
- November 2007 Polar Holding sued Becker, Socia & Hill for conspiracy to violate fiduciary duty & undermining IBK deal.
- On June 5, 2008 White on phone call with Nelson confirmed Socia & Hill contacted IBK and killed the financing.
- On July 22, 2010 IBK President White made 46 false statements in his deposition testimony, to cover up the fact that Socia & Hill undermined the \$10 Million financing.
- IBK tortious interference claims dismissed by Republican District Court Judge, and 2012 6th Circuit appeal panel citing the false statements of White. Entire case dismissed by new 6th Circuit panel in 2014 dominated by two Republican Judges, who were inserted on the panel replacing two Democrats. Republican Judge McKeague cited the false statements of White in the opinion, and in the theory of proximate cause that irrevocably contradicted the findings and rulings of the original panel.