

ROY DEN HOLLANDER
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August 20, 2003

Special Agent Barry P. Babler
Federal Bureau of Investigation
330 E. Kilbourn Ave.
Milwaukee, WI 53202

Roy Den Hollander v. Flash Dancers Topless Club, et al.
Southern District Court of New York, CV-03-2717 (MBM)

Dear Special Agent Babler:

On August 18th I left a voicemail message for you concerning your interview with Anastasia A. Vasilyeva, Nicolay N. Vasilyev and apparently the father of one of them. I have enclosed a copy of the letter that the Vasilyevs sent to the US district court in the above captioned action. Also attached is a translation.

Once again, I do **not** represent the Vasilyevs who are defendants in this case. I would, however, like to talk to you concerning this letter. I will be in Wisconsin until August 25th and can be reached at 917 687 0652.

Thank you very much.

Sincerely,

Roy Den Hollander

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rdhhh@yahoo.com

August 28, 2003

Robert S. Mueller, Director
Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

Dear Director Mueller:

I want to know why the Milwaukee, Wisconsin office of the FBI is interfering with my investigation of the facts in a civil RICO case presently in the US District Court for the Southern District of New York.

I am the plaintiff in the RICO action, and as a lawyer, I represent myself pro se. The defendants include Russian, Chechen and American organized criminals, an Islamic mafia group once headed by Arbi and Movsar Baraev, and others. The case is titled Roy Den Hollander v. Flash Dancers Topless Club et al., 03 CV 2717 and is before Chief Judge Michael B. Mukasey. Currently, the domestic parties are proceeding through the Fed. R. Civ. P. 12(b) motion stage.

Two of the defendants, Anastasia and Nicolay Vasilyeva, are currently alien residents living in Milwaukee, Wisconsin. As the RICO complaint alleges, they also run a call-girl operation through a model and fashion house in Kransnodar, Russia by providing prostitutes to local officials and criminals and exporting prostitutes to Cypriot brothels/strip-clubs that are run by Russian organized crime and to other countries such as the USA.

In July 2003, the Vasilyevas sent a letter to the New York Southern District Court with a copy to me that responded to the complaint. See attached Exhibit A, copy of the original letter with an English translation. From August 21st to the 25th I traveled to Milwaukee to determine the accuracy of some of the statements in the letter and continue my investigation into the facts of the case.

On August 22nd at around noon, I interviewed Anastasia Vasilyeva's former employer and apparent friend, Cynthia Zahnow, who manages a small tailoring shop that seems to be part of the upscale Valentina fashion house in the Town of Brookfield outside of Milwaukee. Ms. Zahnow answered a number of my questions during the 10 to 15 minute interview that provided me with some useful information. Other people were present during the conversation. I left my business card with her.

On the same day at a little after one o'clock in the afternoon, I interviewed FBI Special Agent Barry P. Babler at the FBI's Milwaukee office. The Vasilyeva's letter to the Court stated that Mr. Babler had "inspected all of us" when Anastasia Vasilyeva's father came to Wisconsin from Russia on December 25, 2002. See Exhibit A, p 3, last paragraph of the English translation.

Mr. Babler talked with me for around 10 minutes in the waiting room of the FBI office and without another agent being present. Mr. Babler said there was no investigation into Anastasia Vasilyeva's father, only a routine inquiry that resulted from a random check of aliens visiting Wisconsin. He stated the inquiry only concerned confirming the father's paper work.

Mr. Babler added that he was familiar with the RICO case, had read the complaint (which is 91 pages long) and had a copy of it in his office. According to Mr. Babler, Anastasia Vasilyeva had contacted him after being served the complaint (June 2003), told him it concerned the Russian mafia and asked him for advice. Mr. Babler recounted that he told her he could not provide any legal advice.

Also during my interview of Mr. Babler, he agreed to give me the first name of Anastasia Vasilyeva's father which is necessary for determining her patronymic and in turn finding any criminal records that may exist in Russia. He told me to call back later that day. When I called back, he refused to provide me the father's first name as promised because, as he said, it would impact one of the FBI's investigations. The routine inquiry was now an investigation and apparently ongoing.

On August 25 at around 8:45 am, I received a call from Police Officer Sean Schmidt of the Town of Brookfield. Officer Schmidt said a complaint had been made against me by Ms. Zahnow and, if I contacted her again, I would be arrested for aggravated harassment.

Officer Schmidt continued that he understood from Ms. Zahnow that an FBI agent had been talking to me concerning my interview with Ms. Zahnow on the same day that the interview took place, August 22nd. In addition, Officer Schmidt said Ms. Zahnow told him that the FBI agent had contacted her and told her to call the local police to file a complaint against me.

Ms. Zahnow had no way of knowing that I had a discussion with an FBI agent while in Milwaukee unless it came from the FBI itself. Since the only agent I talked to during my trip was Mr. Babler, the mostly likely chain of events is that after I interviewed Ms. Zahnow, she contacted Anastasia Vasilyeva who then called Mr. Babler. Mr. Babler then either contacted Ms. Zahnow directly or told Anastasia Vasilyeva to tell her to make a complaint with the local police. Either way, it's the FBI interfering with a pending case in a federal court.

On August 25th before my plane left for New York, I visited the Milwaukee FBI office again to find out the reason for the FBI's interference. The head agent, David Mitchell, was on vacation, and the acting manager, Jeffrey Troy, was busy in meetings, apparently because of the influx of tens of thousands Harley Davidson enthusiasts. Mr. Troy's secretary said he would call me at my number in New York. He hasn't, and, if he does, I doubt he will provide me with any reasonable answers.

This is the third in a series of what I can only characterize as “bizarre” responses by the FBI concerning the fact pattern of this RICO suit. The other two occurrences concerned the New York City office and a series of threatening telephone calls made to me.

In closing, I want to know why the Milwaukee FBI is protecting two Russian alien defendants who ran and apparently still run an international prostitution ring centered in Krasnodar, Russia. I am taking this route of contacting you before I decide whether it is necessary to take up the District Court’s time with a motion for a preliminary injunction against the FBI.

Thank you very much. If you have any questions, please contact me.

Sincerely,

Roy Den Hollander

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Attorney at Law

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September 22, 2003

Robert S. Mueller, Director
Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

Dear Director Mueller:

I have not received any response to a letter I sent you on August 28, 2003, concerning the interference of the Milwaukee, Wisconsin office of the FBI into the investigation of the facts in a civil RICO case presently in the US District Court for the Southern District of New York, 03 CV 2717.

Attached is a copy of the August 28th letter

Sincerely,

Roy Den Hollander

CC: Jeffrey N. Drummond
Attorney at Law
303 West 21 St.
New York, NY 10011

ROY DEN HOLLANDER
Attorney at Law

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New York, NY 10009

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Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

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Sincerely,

Roy Den Hollander

CC: Jeffrey N. Drummond
Attorney at Law
303 West 21 St.
New York, NY 10011



U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

December 16, 2003

Mr. Roy Den Hollander
545 East 14th Street
New York, NY 10009

Dear Mr. Den Hollander:

Your letter, dated August 28, 2003, to the Director of the Federal Bureau of Investigation (FBI) was referred to this office for response.

Your allegation, in summary, is that an FBI agent in the Milwaukee Field Office interfered in your investigation in support of the civil RICO complaint you filed in the Southern District of New York. After reviewing the details set forth in your letter, and inquiring into the matter with cognizant personnel in the FBI Milwaukee Field Office, I am satisfied that the Milwaukee agent acted appropriately in his contacts with the parties in your complaint and did not, in any manner, interfere with your investigation.

Specifically, the agent made it clear to all parties who contacted him that the FBI had no interest in the matters alleged in your civil complaint and that he could not advise them as to how to respond or proceed. The only exception was the agent's advice to one party to contact the police because that person had alleged that you were harassing her.



U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

January 29, 2004

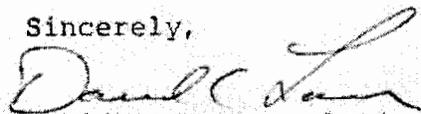
Mr. Roy Den Hollander
Attorney at Law
545 East 14th Street
New York, New York 10009

RE: ROY DEN HOLLANDER V. FLASH DANCERS TOPLESS CLUB, ET AL.
CV-03-2717 (MBM)

Dear Mr. Hollander:

I received your letter dated January 5, 2004, requesting additional information with regard to your complaint that a Special Agent (SA) assigned to the FBI's Milwaukee Division interfered with your investigation in the above-captioned matter. As you were advised by my previous letter dated December 16, 2004, the FBI's Office of the General Counsel has determined that there was no impropriety on the part of the Milwaukee SA in your case. Inasmuch as the FBI has no interest in this litigation, any further requests for information regarding the FBI's authority to investigate foreign visitors or any other issues of interest to you may be obtained through the Freedom of Information Privacy Act pursuant to 28 Code of Federal Regulations § 16.1 et seq.

Sincerely,

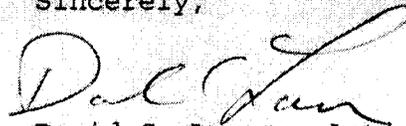

David C. Larson, Acting Chief
Investigative Law Unit

Mr. Roy Den Hollander

Furthermore, in refusing to provide you the name of your defendant's father or any other FBI record information, the agent was acting in compliance with the Privacy Act, which prohibits release of this information. Finally, I assure you that the FBI is not "protecting" your named defendants or anyone else, for that matter. In closing, let me reiterate that the FBI has no interest in your litigation or its outcome.

I trust that this response addresses your concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. C. Larson".

David C. Larson, Acting Chief
Investigative Law Unit

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January 5, 2004

David C. Larson, Acting Chief
Investigative Unit
U.S. Dept. of Justice
Federal Bureau of Investigation
Office of the General Counsel
Washington, D.C. 20535

Roy Den Hollander v. Flash Dancers Topless Club, et al.
Southern District Court of New York, CV-03-2717 (MBM)

Dear Mr. Larson:

Thank you for your letter of December 16, 2003 in response to my complaint that the FBI Milwaukee Field Office interfered with my investigation in the above captioned case.

I am concerned that Special Agent Babler provided legal advice to a particular party complaining about harassment by telling her to contact the police. I understand that the FBI rules and regulations prohibit agents from providing such advice to the public.

In addition, Special Agent Babler's action does not appear accidental or even negligent. He knew I was in Milwaukee conducting the type of research that attorney's do on a case. (Please see the attached August 20, 2003 letter to Babler.) In this instance, I was trying to confirm the representations made to a federal court by two defendants. (Please see the attached letter to S.D.N.Y. court.) Despite this knowledge, Special Agent Babler went ahead and advised a member of the public to use the local police to complain of harassment. Being an experienced law enforcement officer in modern day America, Special Agent Babler had to have known that the police would respond to such a complaint from a woman by threatening me with arrest. As simple logic dictates, such a threat would have some deterrent effect or at least consume valuable time in my investigation of a pending case. Regardless of Special Agent Babler's motives, his action negatively impacted my investigation into a matter before a federal court and he should be reprimanded. It is unacceptable in a republic for one law enforcement agency to use its street smarts to manipulate another agency into interfering with a lawful investigation in a civil case.

Further, your letter did not indicate whether Anastasia Anatolyevna Vasilyeva (father's first name Anatole) or Cynthia D. Zahnnow (the interviewee) was the party that contacted Special Agent Babler.

Lastly, I would like to know whether it is normal procedure for the FBI to investigate visitors to the USA from Russia as in the case of Special Agent's Babler's investigation of Anastasia's father when he visited in December 2002?

Thank you for your time.

Sincerely,

Roy Den Hollander

Barry P. Babler FBI Special Agent Interview
(414 276 4684, direct 414 291 4258)

8/22/3 at around 1:05 to 1:18pm, RDH interviewed Babler at FBI office 330 Kilbourn Ave, Milwaukee, WI 532202.

Babler came out into the waiting room to talk to me alone. (Usually two FBI agents talk to someone.) Babler was very nervous but had a good tan.

I introduce myself and mentioned the RICO case.

Babler apologized for not returning my call of Monday 8/18/3.

Babler said that Anastasia Vasilyeva had come to him concerning the RICO case and asked for advice on what to do. Vasilyeva said the case involved Russian organized crime. Babler told her that he couldn't give her legal advice, and that he did not give her legal advice. Babler had a copy of the complaint, which he said he had read.

Babler said that the FBI only conducted a routine inquiry into Anastasia's father after he had arrived in America. Babler said the inquiry resulted from a random choice of papers that normally flow across his desk. The inquiry entailed confirming the paper work was accurate. Such routine inquiries never take six weeks and are done only after the alien arrives. The inquiry of Anastasia's father did not take 6 weeks; did not take a month. It was done quickly after the father had already arrived. (Contradicts Zahnow.)

Babler does not read Russian.

I asked him whether he knew Anasatasia's middle name. He said it would be the first name of her father. He thought the father's first name was Anatole. I asked if he would check. He said it was in his records in his office and would check later because he had an appointment at that moment. Babler told me to call him in an hour and a half and he would give me the name.

Babler said he heard about similar situations as mine.

After I mentioned to him I had been traveling to Russia since 1991, he said he was surprised that I was not on their list.

At around 3:20pm, RDH telephoned Babler.

Babler was no longer nervous; he was in the typical FBI authoritarian mood. He refused to provide the name of Anastasia's father because it is information that impacts one of our investigations and cannot give it out. (Babler previously indicated it was only a routine inquiry that had been completed. Now it was an investigation, apparently ongoing.)

He said he was involve in another investigation of a gentleman in my situation but nothing could be done because the fraud occurred in Russia. He said it was not at all infrequent for an older American man to marry a younger Russian woman who only wants to get to America. Babler asked me whether I lived in Wisconsin or NY. I told him NY, but it seemed a strange question.

After hanging up with Babler, I called Vasilyevas' home number which was busy for at least 5 minutes later.

8/25/3 from around 12:45 to 1pm, RDH was at the FBI Office on Kilbourn Ave. trying to meet with a supervisor to find out why the FBI was interfering with his investigation into the RICO case. The boss of the office and head for the state, David Mitchell, was out of town for a week. His assistant, Jeffrey Troy, was busy, and the receptionist told me to call back around 2pm. The receptionist made a point that I should call back at 2pm and not stop by. At 2pm I called Troy's office, the secretary said we have a lot of things going on this week, but she would call me back in 15 minutes. At 2:20pm Troy's office called me back to say that Troy was busy in meeting all day and that he would contact me by telephone tomorrow, 8/26/3.

Brookfield Town Police
(262 796 3798)

8/25/3 at 8:15am Officer Sean Schmidt received a telephone complaint from Cindy Zahnow concerning the 8/22/3 interview with her. Case No. 031776.

At around 8:45am Schmidt called RDH on his mobile. Schmidt very nastily said that if I contacted Zahnow again I would be arrested for aggravated harassment and that I had no legitimate reason for contacting her. To add to the intimidating effect, Schmidt said Zahnow told him that an FBI agent had talked to me concerning my interview of Zahnow. Schmidt was clearly implying I was the subject of an FBI inquiry.

I explained to Schmidt about the letter by one of her employees to the court in the Federal case. I said I have a right to confirm the information in the letter. Schmidt went on that I have no legitimate right to contact her again, to visit her shop and if I do I will be arrested for aggravated harassment.

Schmidt added that Zahnow told him that an FBI agent had contacted her and told her to call the local police concerning the interview. Zahnow did not tell Schmidt the name

Around 11:30am, RDH visited the Town of Brookfield police and talked with Acting Chief Chris Perket. Told the Chief I did not appreciate the intimidation implicated in the threat to arrest me. I informed him about the RICO case in federal court, that the defendants in Wisconsin were Russian and Zahnow was the former employer of one defendant. I added I was within my rights to continue my investigation into the case. I requested a copy of the complaint that they later provided.

8/26/3 at around 10:50am, RDH called Sean Schmidt and asked why his report did not included that Zahnow told him an FBI agent told her to call the Brookfield police to file a complaint. Schmidt confirmed that is what she said but did not put it in the report because it was not confirmed. I told Schmidt that I would probably need a statement as to what she said and he agreed. Schmidt said he did not include Zahnow's statement about the FBI because he had no way of confirming whether it was true.

Date: Wed, 27 Aug 2003 10:14:58 -0700 (PDT)

From: "roy den" <rdhhh@yahoo.com>  [Add to Address Book](#)

Subject:  Get out of town by sundown

To: "Jeffrey Drummond" <jndrummond@msn.com>

Jeff,

I talked to the Wisconsin local chief of police. Apparently the cops were just tools of the complainant and FBI's effort to intimidate me. The FBI head could not see me while I was still there. His secretary said he will call me here in NYC. Anyway, I've drafted a letter to the FBI Director Mueller. I'd appreciate you looking at it. There's some more to tell than what's in the letter.

If the case survives the dismissal, I'm thinking of adding the FBI and complainant into the RICO.

The defendants have requested and I agreed to a two week extension to put in their motions to dismiss.

When's a good time to meet to update things?

Roy

Zahnow, Cynthia "Cindy" D. Interview

On 8/22/3 RDH visited Custom Tailoring 18900 W. Bluemound Rd., Brookfield, Wisc 53045, tel. 262 796 0434. The shop is small and in the back of the Galleria West Mall. It is next to the Valentina women's clothing store that sells expensive designer clothes and specializes in expensive wedding dresses.

Custom Tailoring and Valentina are geographically arranged and present the same image as Vasilyeva's Fashion House in Krasnodar. Valentina has a storefront with tall model like attendants and manikins draped with fashionable clothes. Off to the side is the apparently captive tailoring shop, Custom Tailoring, that serves Valentina's clients.

Approximately from 11:50am to 12:05 pm, RDH interviewed Cindy Zahnow in the presence of a young (20s) male employee with black hair and a seamstress with burnette hair in her 30s or 40s. Purpose was to confirm information that Vasilyeva provided the court in a letter.

After RDH introduced himself as a NYC lawyer in an ongoing case in the federal court in NY, Zahnow did not recall Anastasia's patronymic but said she would check her records and for RDH to call her Monday at work.

Zahnow said that Anastasia had left to work at the Boston Store in downtown Mil. within the last few weeks. The young said Vasilyeva left work on July 25 or 28.

Zahnow found Vasilyeva the job because it paid benefits.

Zahnow said that one of Vasilyeva's child was born with defects and that Anastasia was probably at that moment in Children's Hospital.

Anastasia's father arranged to come to America to help with the child, but the FBI had delayed his entry for about six weeks while it conducted an investigation into Anastasia's father. The FBI had visited Custom Tailoring as part of its investigation.

Zahnow said she was not Russian.

Zahnow said she knew what was going on in the case concerning the "kook". She asked of RDH are you the "kook"? I asked who mentioned the work "kook". Zahnow said that Anastasia had shown the complaint to "everybody". But Zahnow would not say who used the word kook in describing the plaintiff.

RDH asked again whether Zahnow knew Anastasia's last name and she said no and that she probably didn't have it in her files.

I gave Zahnow my card.

RDH left and returned to ask for Zahnow's card. She did not have one. As RDH left, Zahnow sneaked up behind him and his witness and asked if they were talking about her to which RDH replied that he never defames people as others do.

Zahnow then walked into Valentina.

Cynthia Zahnow was arrested in 12/27/00 for disorderly conduct. Case dismissed on prosecutor's motion.

There are no Corporation records for Custom Tailoring and no telephone listings.

Valentina is owned by Gina Chirchirillo and Anthony "Tony" J Chirchirillo. Gina was arrested 3/14/95 for issuing worthless check, dismissed on prosecutor's motion and 12/18/95 for issuing a worthless check, pleaded guilty. Gina and Tony live at 1725 Old Oak Ct, Brookfield, WI 53005, which is also the Register Agent Office for Valentina, telephone number is unpublished.