

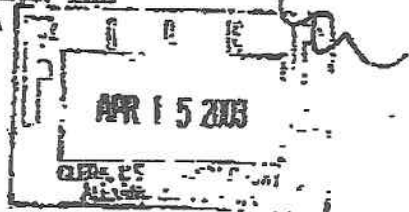
OFFICE OF THE PRESIDENT (POTUS) 25 July 11

IN THE MATTER OF:

→ May 2006 - REPATRIATION OF US\$ 4.5 TRILLION; 35% CIVIL INCOME TAX OF US\$ 1.575 TRILLION TO US TREASURY

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION



Civil Action No. 02-1363-A

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AMBASSADOR LEO WANTA,
Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,
Defendants.

CONFIRMING

MEMORANDUM DECISION

THIS MATTER is before the Court on Defendants the United States of America, et al.'s, motion to dismiss Plaintiff Ambassador Leo Wanta's claim of breach of contract based on lack of subject matter jurisdiction and on Plaintiff's motion to amend his complaint. The issue before the Court is whether the Court should dismiss an alleged secret government agent's claim against the Attorney General, the Director of the Central Intelligence Agency, the Secretary of the Treasury and the Government based on lack of subject matter jurisdiction. The Court grants Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1) because the Government has not waived sovereign immunity and public policy forbids the adjudication of a suit relating to matters of an alleged national security contract. The Court denies Plaintiff's motion to amend his complaint under Federal Rule of Civil Procedure 15(a) because such an action would be futile.

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Claims. Nor would an amended complaint change this Court's ability to provide equitable relief in this matter since Plaintiff does not seek recovery of payment or assessment of federal taxes. Moreover, allowing Plaintiff to amend his complaint would not remove Plaintiff's bar from suing the United States government because he lacks express consent or a waiver of sovereign immunity by the United States government that would allow the United States Court of Federal Claims to have subject matter jurisdiction in this case. Therefore, the court denies Plaintiff's motion to amend his complaint because such an action would be futile. Plaintiff's sole remedy in this matter is to proceed with the liquidation of the corporations and report these transactions to the Internal Revenue Service in accordance with the Internal Revenue Code and then challenge the assessment of any taxes in a refund proceeding. See Int'l Lotto Fund, 20 F.3d at 591.

III. CONCLUSION

The Court grants Defendants' motion to dismiss based on lack of subject matter jurisdiction and failure to state a claim on which relief may be granted. The Court denies Plaintiff's motion to amend his complaint.

Dated: April 15, 2003
Alexandria, Virginia


 GERALD BRUCE LEE
 UNITED STATES DISTRICT JUDGE

