

copy forwarded to atty's 2/26/06 dGR

Dear Ellie,

The enclosed letter is for Judge Dearie, and I can assure everyone that none of my attorneys will try to interfere with this one, I promise. :-)

Lastly, I want you to also know that I'm about to send him my actual letter that I'd like him to please read & consider prior to my sentencing. I am just waiting on a photograph to get here so I can send it all at once.

Thank you very much & warmest regards,

Sincerely,

Received in the Chambers of Hon. Raymond J. Dearie 2/28 2006

2/28/06

Clerk to forward immediately, by fax, to all counsel. The Court is very displeas(d) with the familiar tone of this letter and now directs the Clerk to return all communications from Mr. Elgindy.

s/ Judge Raymond J. Dearie

The Honorable Judge Raymond Dearie  
United States District Judge  
Eastern District of New York  
25 Cadman Plaza East  
Brooklyn, New York 11201

Received in the Chambers  
Hon. Raymond J. Dearie  
2/28, 2006

RE: Mr. Breen and John Sten (side-bar)

Dear Judge Dearie,

I would like to ask that your Honor please read this side-bar a couple times before considering what I write here.

GOVT(Breen): Your Honor, there is one thing I want on the record at side-bar if possible.

(Side-bar)  
pg. 5912

Govt(Breen): I was just talking to Mr. Sten in the hallway and something came up.

Court: Mr. Who?

Govt(Breen): Mr Sten

Def(Berke) : You know we are calling in Bressman, he flew in from Washington we have to get to Bressman. We didn't know if he was coming or not

Court: The out-of-town guy goes first.

Def(Berke): He is here now

Court: Do them both

Govt(Breen): Mr Sten brought something up that he hasn't mentioned before & I thought that he should and I bring it up to **WARN** everyone and I told Mr Sten to not say what he told me under any circumstances, but apparantly, as part of an investigation he worked on[while at the SEC], there was some accusations that a **SHORT-SELLING** group that included Mr Elgindy, might have known about and traded ahead of the **FIRST BOMBING** of the World Trade Center. I told him not to mention it.

Def(Gerzog):The 93 ??

Govt(Breen):The date, that's what he told me. He knows not to go into it. I wanted everybody to know that he **wouldn't go near it**. I told him not to answer any question, just stop to turn to you, your Honor, but this is...

Court: Fake a heart attack.

Govt(Breen):I'll take a heart attack

Court: If he says it, I'll have a heart attack so, okay.

Def(Berke): We'll all get to enjoy our holidays. My joke was.

DEF(Gerzog):Scrambling to explain.

Def(Berke): Stop, my joke was that there would have to be a mis-trial and the trial would end.

Court: Is that to clarify ?

Mr Breen wasn't just the only person to accuse me in front of one Judge that I may have known about the 9/11 attacks, he now comes before your Honor and casually links me to the very first bombings of the World Trade Centers in NY back in February of 1993. He mentions that this is

brand new information that he has never mentioned before. Mr Breen told you that he had instructed Sten to never mention this under any circumstances. I submit that this makes no sense, Mr Sten was our witness, he was called to testify about my role in the Conectysis matter.

Mr Breen stressed strongly his admonishment of Sten to stay clear of this topic. I suppose that this implies that it would have been my attorney who might of veered off into this area.

I respectfully submit your Honor that every single word that came out of Mr Breen was a lie. His actions do not ring true, for example, the part when he told you that he instructed Mr Sten that the instant he is asked a question whose reply triggers an answer that involves the 1993 1st World Trade Center bombings, he is to instantly stop talking and turn to face you.

Who exactly did Mr Breen think would be capable of asking such a question other than himself ? Mr Sten's statements that he was part of such an investigation that actually included me, is a complete fabrication and lie. They both gave you information that cannot possibly be true. My first short sale of my entire life occurred in October of 1995, over two full years after those sad events. In fact I had never been in the news and nobody had ever heard of me. Furthermore, anyone who did know me, knew that I was certainly not a short seller.

Mr Sten went out of his way, much like Cleveland did, to fabricate a complete false set of events, however, Mr Sten did it maliciously with nothing to gain. If there is anything indicative of the viciousness of the environment to prejudice me, this is it. Mr Sten committed a crime with this lie and nobody told me about it, not even my own lawyers. Had I known it's probable that I would have never put him on the stand. His subsequent false "accomplice" testimony was devastating to my entire SEC based defense.

In the end, we have another absolutly horrific allegation, once again I was tied to another act of terror and murder of innocent people, accusations that were tossed around so casually, I see my own lawyers cracking jokes about it. Apparantly they have all gotten desensitized to it, however, it has not become less hurtfull, less humiliating, or less degrading.

What was the point of putting this on the record ? The only reason I submit was to tell you, your Honor. It may have been Mr Sten's lie, but it was dramatically delivered by the man who it benefitted the most.

Thank You very much for your time.

Sincerely and respectfully,



Anthony Elgindy

cc: Barry Berke, Esquire

MODE = MEMORY TRANSMISSION

START=MAR-01 11:08

END=MAR-01 11:09

FILE NO.=985

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	•	917182547499	004/004	00:01:22

-US DISTRICT COURT EDNY -

\*\*\*\*\* -RJ DEARIE - \*\*\*\*\* 718 260 2437- \*\*\*\*\*

FAX COVER SHEET

TO: AUSA JOHN NATHANSON

PHONE # 718- 254-7492

FAX # 718-254- 7499

FROM: ELLEN MULQUEEN, COURTROOM DEPUTY TO JUDGE DEARIE  
EASTERN DISTRICT OF NEW YORK

DATE: MARCH 1, 2006

PHONE # 718-613-2435

FAX # 718-613-2437

RE: USA -V- ARM ELGINDY

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\*\*\*\*\* -COMM. JOURNAL- \*\*\*\*\* DATE MAR-01-2006 \*\*\*\*\* TIME 13:18 \*\*\*\*\*

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FILE NO.=986

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-US DISTRICT COURT EDNY -

\*\*\*\*\* -RJ DEARIE - \*\*\*\*\* 718 260 2437- \*\*\*\*\*

FAX COVER SHEET

TO: BARRY BERKE, ESQ.

PHONE # 212-715-9100

FAX # 212-715-7660- 7499

FROM: ELLEN MULQUEEN, COURTROOM DEPUTY TO JUDGE DEARIE  
EASTERN DISTRICT OF NEW YORK

DATE: MARCH 1, 2006

PHONE # 718-613-2435

FAX # 718-613-2437

RE: USA -V- ARM ELGINDY

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