

Crooked Maria Crimi Speth's 'Straight' Story

An open letter to the public and to Maria Crimi Speth, in particular, in response to her recent online statement about Federated Financial and me, Chris McFarland:

1. My credibility

I practiced law for around 12 years or so in Pennsylvania, from 1983 until early in the year 1996. I chose to walk away from the practice of law at a difficult time in my life that was exacerbated by the nature of the profession that I chose to leave. Ms. Speth is quite grandiose in claiming that I refused to answer deposition questions about why I was disbarred, but she knows such historical facts about me were entirely irrelevant in the context of whether or not jurisdiction over her clients is proper in Florida. This was the limited scope of my testimony. Otherwise, she could have simply gotten a court order to compel my testimony, had I improperly refused to answer, as she suggests. Instead, she now attempts to beguile public opinion in this matter with half-stated facts tending to discredit me. Really, she and her client could care less why I was disbarred. It has nothing to do with the wrongdoing of the Rip-Off Report.

Although I freely admit that I want to secure a retraction of the defamation against me and against my employers, I have no reason to lie about Ed Magedson. The defamation about my employers and I remains on Magedson's websites for all to see; one need not accept my word for it. The damage from this libel is ongoing, and my only concern in all of this has been to put an end to what has unfairly harmed so many innocent employees, clients and consumers, many of who would otherwise know only the truth about the company I work for. We've helped thousands, probably tens of thousands by now. Unfortunately, Federated's hard-earned, excellent reputation can't simply speak for itself. It's all well and good for those who say just wait silently and let the courts decide, because those people aren't the ones with a parasitic leech on their back, demanding money not to tamper with the truth.

My livelihood and the welfare of my wife and kids demand no less than that I fight back when someone's lies jeopardize these things. So, I don't hide my genuine concern with this case, and I don't apologize for taking every opportunity to publicize what has become a daily battle for me, personally. I don't deny my personal involvement and interests. Unlike Attorney Speth, I don't claim that I am "not even billing" Federated in order to self-righteously try to bolster my own credibility. I do submit that, despite (indeed, perhaps because of) the absence of an attorney's license, I am much more credible than Ms. Speth in the matters I discuss here. Regardless, I won't sit by mute while she misleads people.

The operative facts actually speak for themselves, but one must objectively consider ALL the facts to see the truth clearly, and Attorney Speth knows this. She knows that she can't fight the facts, so she's now joined Ed Magedson's

disinformation campaign against me, personally. Although this can often be an effective tactic to obscure the truth in a complicated factual scenario, it's amazing to me, to be perfectly honest. This time it's his lawyer openly lying about what I said and did, apparently on an occasion upon which she was not even present. Amazing. I am entirely uncertain what her poodles have to do with her efforts to assassinate my character.

2. Attorney Speth's tactics to discredit me

She has become so desperate to discredit me that apparently Attorney Speth is willing to subject herself and others to civil claims by me personally for false light defamation, among other legal grounds. The fact of the matter is that however minor it may appear in the face of my steadfast resolve, their conduct amounts to witness intimidation and harassment in the sense that they are attacking me falsely in an effort to undermine my testimony previously offered and my willingness to give future testimony against their clients. Accordingly, it's only a matter of time before I sue them myself. I now have significant and valuable personal claims of my own. Ms. Speth may wish to take a break from her blog writing long enough to place her insurance carrier on notice of my claims against her, personally. Make no mistake about it, Ms. Speth's effort to falsely portray me as violent is a sign that her client, Ed Magedson, is worried.

Speth doesn't want anyone to look too closely at how Magedson's criminal operation is really run, so she has no choice but to attempt to discredit me in a hurry. Obviously, her clients' clients, the other extortion marks, are getting restless. Ed's testimonial isn't worth the benefit of their original bargain with him now that the cat is out of the bag. Who wants a testimonial from someone who feels the need to hide the fact that he's being paid for it? Because Magedson sees his filthy livelihood threatened- the graft he receives from these companies is now in jeopardy- he attacks me on his website through surrogate authors falsely stating that I am violent. Meanwhile, here and elsewhere online, foolishly, his attorney attempts the same tactic. She can't wait to simply challenge my credibility in court. Her client's graft is seriously threatened by the truth I have helped to expose, so she has had to get online in a hurry to put in her two cents about me, personally. Magedson is obviously thinking, "McFarland knows too much, and he's too clever. He has a way of explaining the ripoffreport.com con that no one understood clearly before. So if McFarland can't be silenced, he must be neutralized in some other fashion." Well, nice try, Maria. You too, Ed. You aren't dealing with your average bear, however, and I won't back down because you call me names, or because some fool phones my in-laws to spread lies about me.

3. Who is really hiding the truth?

The actual facts are notably different than Maria and Ed would have the public believe. Let public opinion be informed by the whole truth, Maria. Magedson's

adoring thousands can ponder all the evidence and judge for themselves. I am not the one hiding from scrutiny. I am on the highest mountain top shouting here I am, come look at this story about a two bit crook and his wayward lawyer, and I am not going away any time soon.

In fact, Maria Speth, in order to cast a shroud over their conduct, it is YOU, who improperly objected to many legitimate questions about your clients, Magedson and badbusinessbureau.com, as the transcript of Ben Smith's testimony will demonstrate for any who care to look at the entire truth about your lack of candor and your clients' refusal to tell the truth. You objected excessively on the basis that the questions asked Xcentric and Magedson's chosen (faux) witness were beyond the scope of a jurisdictional inquiry. So, you are intentionally misleading the public by not according me the very same testimonial courtesies that you sought, quite excessively in fact, for your own clients. You objected to hide your client's conduct, and now this is the best you can come up with about me, hoping to imply that I am hiding something about my disbarment, when I'm not. I don't pretend I am a lawyer, and it isn't in my job description. That claim is a red herring, and that you would offer this as your best effort at rebutting my testimony is noteworthy in and of itself. Disinformation is a tactic at which your client, Mr. Magedson appears to be quite adept. You have cleverly attempted to use the narrow basis of my objection to testifying about my disbarment, in order to deflect attention from the fact that you used the exact same objection repeatedly and excessively in your efforts to spare the ripoffreport.com from the type of legitimate scrutiny you know will ultimately end Magedson's scam. 'Go online and attack the witness' is a new tactic that, as a lawyer I was unfamiliar with, but I guess these are different times.

Meanwhile, you have vigorously resisted the deposition of Ed Magedson, so much so that you produced a witness named, Ben Smith, who is not even an employee of Magedson or his company, Xcentric Ventures, Inc., to testify in response to a subpoena directed to Xcentric Ventures! Why couldn't any employee of Xcentric testify??? What are they hiding? Ben Smith testified as Xcentric's (Magedson's) corporate representative, but Smith belongs to another company entirely. Look at the transcript of this deposition, before deciding whose witness is hiding relevant information. I'll raise my hand at any time and place in order to testify to what I write here, so why won't Magedson testify? He knows the legal walls are closing in, and he can't hide the truth forever.

It's not violence that frightens Magedson, notwithstanding his efforts to play the martyr in the many lawsuits against him. He knows he can't put his hand on a bible and tell the truth about what he and his co conspirators have done. You know this also, Ms. Speth. Just look at how you've jealously tried to protect Xcentric and Magedson from testifying under oath in our case. So great was your fear of having your own client submit to a deposition that you produced a witness who, when you allowed him to answer questions at all, repeatedly testified that Ed Magedson would be better able to answer the questions he was being asked.

Now, in order to give the public the impression that I am the one being less than candid with the court, you go online and suggest that I was somehow not being truthful in my testimony and that I threatened violence. Well, you put your foot in it by becoming an additional defendant in my forthcoming defamation action against your client. I state emphatically that I have never intentionally misled any court or fact-finding tribunal, and this is much more than you, "Attorney" Speth can truthfully say. This has already been convincingly shown, and the online materials at www.bad-business-rip-off.com help to prove this. I am confident that a Florida jury will see it the same way I do before all is said and done.

4. Tell the Whole Story!

You are hardly disinterested concerning the revenues and financial wherewithal of the Rip-Off Report, as you apparently would have the public believe. You state that you are "not even billing" the rip off report for your online, defensive statement, but I suggest that this is probably because Magedson and his website have been a fertile source of clients for you. Your class action lawsuit against Pizza Hut, and who knows how many other confidential legal fees have resulted from representing complainants who first appeared on the rip off report. Maria, how many of these clients have confidentially settled their cases before suing?? What was your share of the fees? From these, how much have you 'contributed' to the rip off report over the years? Do you have any unauthorized practice of law/ fee splitting concerns? Tell the whole story if you are going to set things "straight." Open up your trust account records and let them tell the true tale of your involvement with the ripoffreport.com website. Tell it like it is!

You could easily accept service of legal process for Magedson, if it was just his physical safety that concerns him, but the fact of the matter is that he fears the light of day for reasons unrelated to his safety. He fears being held accountable for his illicit actions. You imply that Federated, or Steve Miller or I have hidden behind pseudonyms when this is false. In fact, it is your client that hides behind the identities of third parties, like "Garves" or "Billy from Miami" and many others, on his website, in order to stir up trouble with businesses that express to him some level of concern as to how they are being portrayed by Magedson's website as a rip off. Ironically and overdramatically, here you are nevertheless, bemoaning the use of pseudonyms, as though Magedson, himself, hasn't acted like he's on some great First Amendment quest to protect the right of anonymous sources that claim they were gay hookers in the employment of others who just happen to coincidentally be suing Magedson at or about the same time. Give me a break, lady. The irony and unfairness of it all is killing me. Your absurd dramatics literally hurt my insides. Despite your feigned innocence, you are not nearly as naïve as you apparently hope everyone will believe.

Magedson literally hides from legal process. You could accept service on his behalf, but Magedson intentionally makes this difficult, unnecessarily running up the legal expenses of all concerned, including his own, only to later plead legal

fee martyrdom in self-serving diatribes such as your own online statement, and his sappy rip off report solicitations for “contributions,” etc. He told me he has no shortage of money to fund his legal defense. Why doesn't he open up his finances to public scrutiny in order to prove this, one way or the other? Sooner or later the light will shine on all of this. You don't have to wait.

5. Magedson's Tall Tales of Woe

If he isn't the lying criminal that I maintain, then why must he always conceal his whereabouts and avoid legal service of process? What is it about Magedson alone that gives him such unique secrecy concerns amongst consumer advocates? I challenge anyone to name another consumer advocate who is 'on the lam'. Why is it that only poor Ed, amongst all consumer advocates, is the named defendant in all of these independent lawsuits against him that claim he is an extortionist? Why is it that his attorneys' fees are somehow more deserving of compassion than those of the businesses who independently claim that they were given no choice but to sue him? Is it your claim that people just enjoy going to court against Magedson, somehow more so than against all others in the whole wide world? Or is it that he actually relishes the role of martyr, and that it helps to deflect criticism to simply blame businesses for filing frivolous lawsuits against him? Maybe he has a persecution complex. Honestly, isn't it just as likely, perhaps much more so, that Magedson is actually doing wrong to warrant such unusual treatment? Set the record straight Maria, by telling the whole truth.

What about the small businesses that can afford to pay neither Magedson's extortion nor the litigation expenses that they are forced to incur in order to obtain relief from even the most salacious and damaging of lies about them? What happens to the employees of honest businesses injured as a result of the absurd lies that are published about them on Magedson's website? Aren't these people also consumers? Please tell the entire story, and set things “straight” by fully explaining how their hardship is such a great benefit to society and how Magedson is such a great hero as a result.

The fact of the matter is that Magedson has a guilty conscience, because his wrongdoings are finally being exposed. He wants to act like a defender of the First Amendment, but in reality he impairs free speech, subtly and selfishly, and he has no valid defense. His conduct is catching up to him. You, Ms. Speth, are a little too close to his action, so you have become understandably concerned with how all of this looks. **The most material and operative facts, however, you can't dispute. Magedson receives money from corporations to remove, edit and selectively publish certain entries from consumers that appear on his websites ripoffreport.com and badbusinessbureau.com.** This is why you want to now resort to asking for sympathy for your children. Hey I have kids too, and their father deserves his day in court. You can't handle the truth because you already know a lot more than you want to about Magedson at this point.

Ed Magedson was the first to invasively publish the private information of the attorneys involved in the case against him, yet you are content to mislead the public into believing that Federated published your information for some other reason. You mislead by failing to observe that Magedson was the first to invasively publish Federated Financial's attorney's private residence information online without regard to his privacy concerns. The same is true for numerous other individuals who were the victims of Magedson's retaliation in this matter and in others. In exasperation at the low-handed tactics of Magedson, the website Federated has utilized to publish your address, etc. has simply mirrored Magedson's actions in this regard. Yet you are content to mislead the public about this, instead of simply telling your client to knock it off. So, yes, Federated's website continues to publicize how it is still, to this day, being unjustly treated on the RIP OFF REPORT.

Let me offer a few more suggestions on how you can help to set things "straight."

For instance, Maria, please set the record straight by telling the world how your client has threatened and harassed my family by phoning my wife's family and friends, thereby forcing us all to wonder before we answer the phone or walk outside: which one of Magedson's henchmen will be harassing us today? This was all done because I gave truthful testimony against him. Maria, please explain what was it in my testimony that you feel justifies harassing my wife and publishing the lies that Magedson has promoted about me? Will you argue that my wife is less "amazing" than your husband?

I gave truthful testimony against Magedson, so why the retaliation by you and your client? If he was not the author -or the ultimate creative force- behind these lies about me then why won't he retract them from his website? By refusing to do so, how is it any different than if he had authored these lies himself? Despite my objection and demand for a retraction and an apology, as you know, Magedson continues to publish defamation concerning me, personally, to the effect that I am violent and so forth. If I am standing at the front door to your office, handing out false literature about you, Maria, what is the significance of the identity of the author of such literature? How is the Rip Off Report any different? Please set the record straight by explaining how this subtle distinction justifies your advice to your client. Tell us all, why does Magedson continue to publish these lies about me: that I am violent and so forth? I don't own Federated Financial. I am not an officer, or director or shareholder. I was merely doing my job when I was a witness in the case against your client, and now suddenly I am the bad guy here? Suddenly now even you can falsely tell everyone that I threatened to commit violence? Please explain to the public what is the legitimate First Amendment interest in protecting defamation, witness intimidation and harassment?

Do you really expect a jury to believe that such conduct is justified because, as you have suggested, Magedson has thousands of adoring fans and one of them – several of them- just spontaneously wrote this crap about me on your client's

behalf? In your professional opinion, does that really make it acceptable, counselor? You are endorsing his website, so I can only conclude that you approve of shameless lies designed to hurt their victims. Tell the world what advice you've given your client concerning the blatant lies on his website that he is spreading by calling my wife's family and friends. Before you cry about your own family, tell the entire truth. Tell the world why Magedson won't remove this obvious filth about which I have repeatedly complained to you and to him, expressly pointing out that it is false. Maria, explain how Magedson hides behind the identities of supposed third persons to write whatever crap he wishes about anyone he chooses. Tell the entire story, about how even though he has no reasonable basis to believe what he publishes over the objection of people like me, the only way to have such complaints removed is to pay him, dearly. Tell the world Magedson's price for treating me more favorably on his website, Maria. How much must I pay to have the truth told about me if he won't remove the lies?

7. What to Expect

Until you and Ed Magedson, treat me as you would wish to be treated, you may expect that I will continue to expose you both for what you are. You should both get comfortable with being called blatant liars, extortionists, and criminals, simply because that is what the facts so plainly suggest. I've certainly been given no reason not to shout these facts at the top of my lungs, repeatedly. I view it as no small public service, considering the grief I am catching for it from you all. Yes, even your children have a right to know whom they are dealing with. I feel sorry for them. Hopefully, their father is a better role model.

If I am asked politely, I freely discuss my problems and experiences. I freely submitted to a deposition under oath at the request of you and Magedson's other lawyers, and I will again answer under oath any relevant question that is placed to me. I hope you can say the same, because your day is coming, Maria. As you know, Magedson refuses to testify. Once he is ordered to testify, then the real case will begin. The day will thereafter come when you will testify, and we'll all see clearly the entire picture about the extent of your respective interests in the ripoffreport.com and badbusinessbureau.com. We'll all see how you are paid; we won't have to accept your word for it.

Probably unlike you, I look forward to giving further testimony concerning you, Magedson, Xcentric Ventures, Inc. ripoffreport.com, badbusinessbureau.com, etc., until those who can stop your misconduct ultimately see the entire truth.

Obviously, you want to place great emphasis on my disbarment only because you cannot challenge the accuracy of the facts that I testified to. If you could, then you would by now be explaining away the graft paid to your client. You know I have been entirely truthful, so instead you attempt to point the focus on my character. I understand that you have no effective alternative. That's the way the material truth is. Good luck with that tactic in court. You'll probably have ample

opportunity to try that approach, but I make a good witness precisely because I am truthful. Unless I am mistaken and things have changed even more than I thought, you'll find that it is much harder to sling mud in a courtroom than it is online.

8. Inconvenient facts

You left out several additional inconvenient details while setting things "straight": Magedson and "his agents" have obviously authored many, many reports on his own website, however you may choose to describe them. These appear as "editor's comments"; "editor's suggestion"; under a pseudonym; and/or by the actual hand of 'anonymous' third parties who have conspired together with Magedson. Whatever artifice he may now employ to communicate his fourth grade level remarks, he also once openly authored and published his own statement about Federated Financial. He was the very first one to start this dispute by calling our client, Scott, from Colorado, a 'victim.' (Incidentally, anyone can see that you are lying in claiming that Magedson and his editors haven't authored any remarks in years by simply searching for the terms 'advocacy program'; 'remediation program' and 'corporate advocacy' on the Rip Off Report website. For instance, look up 'O Premium Waters' on Ed's site. Ed's testimonial for them was written earlier this year. Counselor, won't Magedson declare this transaction for purposes of calculating his 2005 income tax? Why do you continue to deny this?)

Anyway, even Magedson doesn't dispute that he personally authored his 2002 unprovoked attack on us. Magedson expressly shared his uninformed judgment that we hadn't done the right thing by our client, Scott. Here is the link to the Internet archive of Ed Magedson's statement:

<http://web.archive.org/web/20030117175712/http://www.ripoffreport.com/reports/ripoff38900.htm>

In fact Magedson has over a thousand such insipid comments all over his website about numerous businesses, yet you continue to mislead the public about this. You have had ample opportunity to fess up over the years since your client did this to us. How does this look for you, counselor? Even your client hasn't denied he wrote this, and yet here you are online claiming he doesn't do that sort of thing. Pretty far out on that credibility limb for a supposedly disinterested lawyer, aren't you? This is really what started our case, and it was not some concocted b.s. about supposed threats from Steve Miller, as you continue to falsely suggest. It was the direct taunt Ed, himself, authored and published about Federated. He called our client a 'victim' and expressly stated his "EDitor's opinion" that Federated hadn't done the right thing. In setting things "straight", you left this out. You apparently employ an awfully convenient memory.

As another example of such convenience, you obviously know full well that at least one Federal Court has already ruled that the Rip-Off Report is not just some passive website and is therefore not entitled to the "message board" immunity you have continued to falsely suggest applies here. *MCW, INC. d/b/a Bernard Haldane Associates v. BADBUSINESSBUREAU.COM, L.L.C. d/b/a www.Ripoffreport.Com*, et al.,(United States District Court, N.D. Texas, Dallas Division; No. Civ.A.3:02-CV-2727-G; April 19, 2004). You were Magedson's attorney in that case, but in beguiling the public, you would have them ignore the court's holding against your client's immunity from liability for the material on his website. You are aware that Magedson's activities as a corporate advocate take him far beyond the immunity protection of the Communications Decency Act, yet you continue to try to mislead several courts and the public as to what Ed is really up to. You may not believe you violated any ethical requirements for candor in your dealings with the courts, but seriously, how long do you think you can get away with hiding the money Magedson makes off his "testimonial" marks, counselor?

You wrote about the alleged threats by Steve Miller that you falsely claim started this dispute: "Instead, Steve Miller called Ed Magedson and physically threatened him if [sic] he did not remove the reports. I was not a party to the conversations, and I am relying on Ed's version of it. I did listen to tapes and read emails where Ed Magedson confronted Steve Miller about threatening him and Miller did not deny it." Enough already! Steve Miller never threatened your client's physical well being. You have never produced any such tapes to corroborate Magedson's allegations, even when the news media that reported our story offered to listen to them. If they actually do exist, you may have committed a crime under Florida law as a secondary perpetrator, as someone who listens to such tapes and further published the contents thereof.

It is a distinct, criminal act on your client's part to have recorded the conversation of anyone in Florida without the subject's consent. Did Steve Miller consent to these alleged tapes, counselor? Furthermore, if you have actually listened to any audiotape then you know for certain that Miller never threatened Magedson. Yet you continue to suggest otherwise. Steve certainly never 'confirmed' doing so. I was there in November 2004, when Miller attempted to broach discussion of an out of court settlement with Magedson. Steve never, ever, admitted to threatening your client because this just never happened, no matter how Magedson may now attempt to spin what was said and done. Your contrary self-serving story about a physical threat is an excuse, contrived after the fact, to deflect attention from the damage your client has caused, beginning with the defamation about Federated that Magedson first wrote at the link provided above, and continuing thereafter through his ongoing misconduct ever since.

Go back and look at the dates of the ambiguous communications that you claim were supposedly "threats" against Magedson. All of these necessarily post-dated your client's defamatory statement of December 2002 because this was the first

communication to or from Magedson concerning Federated Financial. We are still waiting for a retraction and an apology for that statement that Magedson, himself, authored and published in order to launch his typical extortion scheme against businesses that seek to have false posts removed. This is the same scheme that we have proven he has used against many other companies; so good luck proving this wasn't his plan in December 2002 when your client stuck his foot in it. The Internet archive proves that Magedson was about his mischief long before you claim Steve Miller threatened him.

9. Unanswered Questions

So, please set things 'straight' about what was wrong in 2002 with Federated's treatment of Scott from Colorado? And what was Magedson's motive for insulting Federated in December 2002, concerning how Federated treated that client? Please supply the public with an explanation of why Magedson called this individual Federated's 'victim' in 2002, and why, in his opinion Federated had not done the right thing for Scott from Lafayette, even though it had refunded all of his money and then some. This was long before any of the bogus threats of violence that even you have alleged, so if Magedson has all along merely responded to threats and just protected himself, as you suggest, why was he already portraying Federated in a false light in December 2002? This was Magedson's own statement I'm talking about, and he has admitted this. What was his reason for lying about Federated on his website, even as early as December 2002? Where is the proof on your end?

Frankly, your biased disregard for all but the most select, self-serving facts demands further proof, but I know for certain that the evidence only supports what I say. How is it that I know this with certainty, you might ask? Simple, it's because I have lived and breathed this case since Magedson first wrote his lies about Federated in December 2002. Unlike you, who obviously has her hands full defending lawsuits against the ripoffreport.com from all over the country, I have been paying very careful attention ever since. I couldn't believe then that he could be so evil and mischievous, and frankly, the only change since then is that now we can convincingly prove what we have believed about him from the beginning. His rules for website content are at best arbitrary and capricious, and often very, very wrong-spirited. He has exhibited his malicious intentions quite clearly over the years since then. That's obviously why you now feel the need to go online to try to cover for your boy, but it's too little too late, Maria. As I've said elsewhere, the cat's out of the bag and roaring more loudly every day.

Contrary to what you and others have suggested, Miller and I never set out to attack the Rip-Off Report, until we were given no other choice. The expense of fighting with you in court has been enormous. If we had a reasonable alternative to clear Federated's good name, why would we have chosen to go through all of this? We've only come across the evidence against your client because he gave us no reasonable choice in responding to his lies and the lies of others which he

publishes and promotes on his websites. His lies about me, personally, and now your lies about me, personally, are new, separate matters that now also call for justice. This is what you and he just can't seem to grasp. You are just making things worse for yourselves and prolonging the ultimate harm to you both because we have the truth on our side and you don't.

10. Ed Magedson, Corporate Advocate

Federated never trusted Magedson enough to meet his demand that the company pay him as its advocate, and since that time it's been shown that our instincts were entirely correct. This case could have been settled long ago if he hadn't demanded that Federated pay him for a "testimonial" to address the many lies that he flatly refused to remove from his website. In fact, he always maintains that he never removes a post and this was also Ben Smith's testimony. Since then we have learned that Magedson offered to remove complaints for Mini Vacations, a company that has paid him over fifty thousand dollars for favorable treatment. We won't pay him a penny to say nice things about us, so what choice does that leave us to disprove the negative impression that Magedson continues to give the public about us? Why shouldn't the public instead see the true motive of this liar and fraud, and judge us in a more informed light? Why shouldn't all consumers know that Magedson is paid to endorse companies like ours on his website? Why does Magedson not disclose this himself on his own website if his conduct is as benign as you'd like everyone to believe? Why should anyone be compelled to pay someone who hides the fact that he collects money for his testimonial? Tell the whole story Maria, if you are going to set things "straight". Why all the secrecy surrounding your client if what he does isn't extortion? Why doesn't he freely admit what we have proven, that he agrees to remove negative reports only in exchange for thousands and thousands in graft? People all over the country appear to be critical of Steve Miller, Federated Financial, and I because we have alleged Ed is paid by corporations in this fashion. Why don't you spare us by telling the truth and setting the public "straight", once and for all?

11. An Ethical Argument

And since you do claim you want to set things straight, here is the chance for you to correct another injustice that offends me personally: the only action I have ever threatened against any lawyers in this matter was to file bar complaints against you and Shutts and Bowen for lying to the Broward court. I freely represent to you again that this remains my settled intention. I have been entirely consistent concerning your ethical misconduct as attorneys. It is an ethical breach by each and every one of Magedson's lawyers to argue to any Florida court that he does no business in this state. Of course, now that this is common knowledge, you just can't wait to rationalize that Magedson and his ring "provide services to two Florida companies, but all of those services were provided here in Arizona." Good luck with that rationalization with the Bar, counselor. You omitted this careful parsing from your legal memoranda and motions in which you instead

simply left these facts out entirely. It's not up to me to decide whether you should retain your license or not, but it is difficult for me to believe that the Bar could find you haven't willfully misled at least the Broward court.

Do you intend to correct the record now that you have been shown to have misrepresented Magedson's actual Florida contacts? Will you clarify the truth about your client's payoffs from World Benefits and National Grants Conferences? Will you bring his Florida contacts with these companies to the attention of the Florida court(s), or will it be left to me to later to show your underwhelming performance in this regard as well? Incidentally, you should live up to your ethical requirement of candor to the court by telling the truth and correcting the record in every Florida court in which Xcentric has been sued, not just in Broward County. Tell the whole truth, counselor. Set the entire record "straight."

If it's true that Magedson does no business in Florida with Mini Vacations and Incredible Discoveries, as you continue to glibly suggest, why did you attempt to hide from the court the genuine nature of the services he provides these Florida companies by telling Judge Burnstein these companies were merely Magedson's 'vendors'? Why no mention at all of these contacts in the Dade County Court? Will you rely on your "just vendors" theory in Dade County also? Why did Ben Smith perjure himself by stating that he was unaware of any contacts with other Florida businesses when it has since been conclusively proven that he was the one who suggested the escrow arrangement for Mini Vacations' payments to your client? Was it consciousness of guilt? You can all practice answering these questions now, so that you are well rehearsed when it's time to respond to your respective Bar Complaints and perjury charges.

To further exacerbate matters, although you were not even present at the time, you now claim that I told some other lawyer to, "watch his back". In fact, I told Lee Mackson several times on that occasion to "check your facts", because he too continues to this day to mislead at least two Florida courts as to the extent of Magedson's contacts with Florida. I am confident that he fully understood what I said and that he knew it had nothing to do with his back. On the contrary, I don't sneak up on people, and I've made no secret about my plans. Mr. Mackson can answer his own ethical charges when Federated's case is concluded.

Maria, you could also benefit from the same admonishment in this new context. Check your facts. Why do you also feel the need to lie about me and to defame me, personally? You have now ventured forth to do so without the concealing curtain of some fictitious third party. Accordingly, I urge you to immediately retract what you have falsely written about me or you may expect to be sued by me yourself, here in Florida, together with Mackson and /or whomever falsely represented to you that I threatened anyone to as you state, "watch your back." Your version of what occurred on this occasion, outside of your presence, is simply false, and you should consider this my formal demand for an apology and

a retraction. You all continue to portray me as some sort of violent individual at your own risk, and I look forward to my day in court after engaging in forensic discovery of your trust account(s) in order to conclusively establish your true motives and financial interests in lying about me.

Additionally, it's not just the two (2) two Florida companies you now admit to, Maria, and you know it, although perhaps I can't quite prove it online yet. This suggestion by you is but one more falsehood. When Magedson was recruiting Federated for his corporate advocacy/extortion program, he gave us the names of at least four (4) Florida companies as examples of what he could offer us in a testimonial. Do you think that you can pull off claiming not to be aware of these others, as well? You better hope your fingerprints aren't also on those other companies. Or will you also conveniently remember these others only after the truth comes out in sworn testimony over your strenuous objection? I am sure you'd like everyone reading what you wrote here to believe you knew nothing about Ed's business activities here in this state, his 'vendors', as you called them. Time will tell. You should tell the WHOLE truth if you're going to claim to set things "straight." You will have ample opportunity to do so in the future, but why wait?? Don't Arizona lawyers take oaths to level with the court? In Pennsylvania all lawyers swear that they will be candid with the court. I always thought this was true in every state.

12. Conclusion

You wrote, "Miller and McFarland are convinced that these postings were authored by Ed because of the content and timing." This is true, in part, and the circumstantial evidence is indeed quite convincing in and of itself. We are confident that any objective fact finder will agree, when they see the entire case, Maria. You have failed to factor in the most compelling evidence, however; and this establishes beyond any reasonable doubt that "these postings" were authored by your client: Despite the fact that we have proven that he removes posts from and manipulates the content of his website for various selfish reasons, not the least of which is his receipt of thousands of dollars in hush money, Magedson steadfastly refuses to remove what he has admitted are harmful lies about Federated from the website that he controls. The gig is up, Maria. The ripoffreport.com has never been just some passive message board. Your client exercises proactive editorial control, including the deletion of posts in exchange for money. He refuses to remove false statements about Federated and related individuals like me and he expects to be paid for his wrongdoing on top of this. It's his site; he's free to run it this way if he chooses. And I am free to sue him while asking loudly and repeatedly, WHY PUBLISH WHAT HE ADMITS ARE LIES ABOUT GOOD BUSINESSES AND THE INNOCENT INDIVIDUALS THEY EMPLOY EVEN AFTER SUCH FILTH IS PROVEN FALSE, OBJECTED TO AND A RETRACTION DEMANDED? What difference does it make if the author was Ed or some anonymous liar if the only means to obtain any relief from the lies is to pay Magedson thousands and thousands of dollars in extortion? You

hypocritically claim on one hand that Magedson can control the content of his website- including by preventing Federated from defending itself thereon and by selling his exclusive testimonial services to Federated- because as he claims, his website is his property to do with as he pleases. On the other hand, you claim that he doesn't control his website's 'third party' defamation against Federated and others. Of course there is yet a third, silent, policy governing those posts that he has removed for other companies who have relented to pay him thousands of dollars each month, proving that there is little consistency and no integrity behind your clients' editorial policies. Once the whole truth is told, Magedson is clearly seen as orchestrating the content of his website very carefully indeed. Why not just tell the entire story to set things "straight"?

It may not yet have dawned on either of you yet, but you have already lost this fight, and your defeat is simply becoming more public and more complete every day. The truth will prevail in the long run.

Chris McFarland
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