

## ADDENDUM

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In order to expedite your research and to confirm our assertions as quickly as possible, we suggest examining/listening to materials of Kadet, Gray, Brown, Barone, Deal, and Van Ness first.

Red letter “ A ” indicates an audio file page.

### WHY?

**ONE.** If our assertions cannot be multiply verified, why would two federal judges knowingly suborn the perjury of an FBI Agent ---- who additionally in spite of notes, claimed “unable to remember” dozens of facts and particulars at a 2014 evidentiary hearing under oath?

**TWO.** Why would two federal judges prevent absolute proof of that agent’s perjury from being entered into the official record?

**THREE.** Why would three of the five highest ranking county (Erie, NY) officials spend nearly 24 (all audio taped) man hours with Daniel Witek in the Spring of 2016 if not for our stated reasons? Please see pgs. 456 – A 458.

They expressed their “deep concerns”, “horror”, and looking at just some of the evidence finding successive BECHS/BHM Boards desperately wanting, and even according to them, worthy of only “a D minus—D, like Daniel” grade. Please see newspaper articles, pg. 156-157 and a newspaper article ( pgs. 158 – 159 ) featuring former BECHS/BHM Acting Director, of the 1980’s, Mrs. Clyde Helfter regarding “horror stories” at the museum and archive.

They even expressed incredulity at the conduct of 1960’s Erie County Comptroller (later U. S. Congressman and BECHS Board Member) Henry Nowak who did nothing when it was publicly revealed in 1968 The BECHS Curator of Manuscripts stole still unknown quantities of treasure from The BECHS/BHM Archive. Even during the following decades as a congressman and BECHS Board Member, Nowak never lifted a finger to stop the looting of museum collections or instigate even a cursory inventory. When Congressman Nowak’s son, current New York State Supreme Court Judge, also named Henry Nowak, served as a BECHS/BHM Board Member and Board President through June, 2014, Judge Nowak did nothing but quietly resign from his board presidency at his next possible opportunity after the case against Witek was instigated in May, 2013.

The current officials of The Office of The Erie Comptroller **promised “a major investigation”** into decades of horrifying events at The Buffalo History Museum **to commence by August, 2016. No investigation has ever begun.**

It would have taken nothing for them to communicate with Presiding Federal District Judge William Skretny or The Office of The U. S. Attorney indicating that **The Comptroller’s Office already held evidence proving the innocence of Witek and the coverup, criminality, and gross fiduciary negligence** of congressmen, judges, attorneys, bankers, and political notables over decades.

**Instead, they remained silent and knowingly permitted Witek to be wrongfully imprisoned from August, 2016 – March, 2017, again in July 2017, and blackmailed into a plea agreement in November, 2017.**

**FOUR.** Please listen to legally made audio tape recordings from **Summer, 2017** and marked **“Kadet 2, 3, and 5”, pgs. A 429, A 430, and A 432.**

**Mr. Phil Kadet was no ordinary BECHS/BHM Board ( 2009 – 2017 ) Member.** He was their Audit or from 1985 – 2008, brought in after the mostly “hushed up” revelations prompted by a minor investigation (**please see pages 147 and 148 - 155**) by then Erie County Comptroller Alfreda Slominsky.

The six Kadet recordings are astonishingly revealing, but there is more of Mr. Kadet and many other key players.

**Mr. Kadet had no difficulty revealing all of this over the telephone to a complete stranger,** yet would not ---- has not ---- come forward to save the museum **he was charged to protect as a fiduciary from 1985 – 2017,** or save Witek and his family from an ordeal and fate Mr. Kadet knew was undeserved.

**Dozens of the current power elite will be adversely affected by this, some having committed felonies. Protecting themselves is the only matter of consequence.**

**FIVE. “Defense” Counsel of Record, Patrick J. Brown, Esq.**

**Please see pgs. 282 – A 283, A – 287 , 284 – A 285**

**Five A.** Brown is demonstrably guilty of malpractice and criminal offenses.

**Five B.** Brown accepted the case **at the personal request of two federal judges with whom he has had personal friendships going back decades,** immediately after the forced resignation of Michael Deal, Esq.

**Five C.** **Brown admitted** the day prior to Witek’s sentencing, and on several previous occasions, **that in over two and a half years Brown never collected any easily available exculpatory evidence, etc.**

**Five D.** When Witek repeatedly refused to accept a plea agreement, Brown personally instigated the imprisonment and fallacious psychiatric evaluation of his "client" to silence and discredit him. This, less than two days after discovering Daniel had filed a complaint against Brown with The Erie County Bar Association Ethics and Grievance Committee. Witek had already endured, from the first hour, Brown's screaming, abuse, threats, and avoidance of basic counsellor functions for a full year as of ( April, 2016 ) that time.

**Five E.** Brown then lied claiming (pg. 365, related materials 360 - 364) others had made the request for psychiatric evaluation. Presiding Federal District Judge William Skretny, a friend of Pat Brown's for nearly forty years, never informed Witek the truth about who requested the absurd evaluation. Furthermore Brown and Judge Skretny personally prevented him from having a special hearing in this matter, as Daniel was legally entitled to, in order to expedite Daniel's imprisonment.

**Five F.** Additionally Judge Skretny acknowledged from the bench on the record, on at least four occasions, that Witek offered Judge Skretny and Judge Schroeder audio tapes and documents proving the malpractice and criminality of their friend Pat Brown and the illegal withholding of exculpatory evidence by former U. S. Attorney William Hochul (then as now, husband of the current ~~E~~ Governor of New York) and AUSA Michael Di Giacomo.

**SIX. Michael Deal, Counsel of Record from late 2013 – March, 2015**

**Please see pages A 202, A 488, 499 – A 503**

**Six A.** Deal promised in January 2014 to place certain materials before Judge H. Kenneth Schroeder at a hearing scheduled for that month.

Yet he entirely failed to do so. This resulted in Witek being deprived of the ability to travel outside of Erie ( Buffalo ) County, NY and this was the direct result of Daniel losing all income. This further caused ( June, 2014 ) Witek to lose 9,600 cubic feet of storage space containing valuables, art work, household goods, medical records, documents pertaining to honors received, DJWAL sales records, business records including paid and pro bono work for museums, archives, and historical societies, etc., in June, 2014.

Just minutes after the hearing in January, 2014 Deal promised to reapply to Judge Schroeder so Daniel could work and travel beyond Erie County, rather than needlessly being reduced to poverty and homelessness.

**Six B.** As Witek continuously reminded, Deal promised every month, and often several times, to take the less than thirty minutes necessary to accomplish this vital task ---- vital to the preservation of evidence, and vital to the most basic needs of life. Michael Deal did nothing regarding this matter from January to Autumn 2014, causing irreparable problems and losses.

**Six C.** In 2014 Michael Deal's law firm took the extraordinary position that **Deal could not ever be permitted to use the firm's law clerks for any reason on any aspect of this case.**

**Six D.** In December 2014, Michael Deal filed an extraordinarily detailed and damaging motion with the court pgs. 203 - 273 which **even attorney Patrick J. Brown called "one of the worst cases of malpractice I have ever seen".**

Following that court filing, **Deal then entirely declined to take any of the actions he promised which were the entire reason for the court motion in the first place.** Multiple audio recordings prove that in the Autumn of 2014, **Witek repeatedly told Deal that he would not permit such a filing unless Deal agreed to take certain actions within approximately one month** of the filing date ---- December 4, 2014

**Six E.** Deal and Witek were, and remain (please see pages 520 - 521) on excellent terms, their last meeting took place in October, 2019.

Daniel understood the dreadful position Michael Deal faced if he exposed the incredible and often criminal truths about several dozen powerful persons.

**Six F.** Michael Deal quite suddenly **resigned from the case just two days prior to a meeting** scheduled with U. S. Attorney William Hochul and AUSA Michael Di Giacomo **to discuss the dropping of all charges** ---- in March, 2015. Judge Skretny and Judge Schroeder, old friends of Patrick J. Brown, Esq., then telephoned Brown to ask him to take charge of the case. It is easily proven that not only did Brown deliberately and consistently destroy his own "client", but he personally instigated the wrongful imprisonment of Witek and repeatedly lied about it.

**SEVEN. Cynthia Van Ness, Buffalo History Museum Archive Director from 2006 to (June, 2020) the present.**

Please see pages 504 – A 510/511 and A 512/513

Audio tape recordings of Ms. Van Ness **prove that Van Ness repeatedly lied** verbally and in writing to law enforcement and others to protect ( in the words of Van Ness ) "her dream job".

**Witek recorded several conversations with Van Ness in 2013 because she had exposed Daniel so badly from a security point of view.** Van Ness knew that Witek had owned Goodyear papers since the 1990's. It was in fact one of the reasons, coupled with Witek's art history and genealogical knowledge, why Van Ness and BHM Director Melissa Brown had requested Daniel's expert assistance initially. Cynthia Van Ness was specifically informed that **Daniel only provides such expert consulting when proper museum and archive security precautions are maintained at all times** including at least one of the following are in place:

**Seven A.** Security cameras and other similar measures.

**Seven B.** Daniel is provided with a trusted staff member or volunteer not only for assistance with the work at hand, but so they can act as witnesses to each others actions.

**Seven C.** The existence of a complete line item inventory of The Goodyear Collection and any other materials Van Ness wanted Witek to examine so there could be no possibility of confusion or questions regarding the documents that would pass through Witek's hands at the archive, and those he owned since the 1990's.

**Van Ness admitted in 2013 that Daniel always maintained flawless museum/archive security precautions, contrary to her/and archive normal practices at that time.**

**By the admission of Van Ness and The BHM, Witek never had any access to any Goodyear papers until 2013.**

Cynthia Van Ness repeatedly informed Daniel, sometimes in the presence of witnesses, that a complete line item inventory of The Goodyear Collection exists, and she would provide Daniel with a copy. **After several such promises by Van Ness, she claimed to Witek** that contrary to what she had told him and others several times, she had **“just discovered that no such inventory of even that part of The Goodyear Collection (as as of Spring, 2013) exists”**. The BHM Archive had owned what they called, **as early as 1964**, their **“highly important”** and **“highly significant”** Goodyear papers for 50 years at that time ---- **YET NO INVENTORY ?**

However, by that time, Daniel had already spent seven to ten hours working with those same papers.

Hence, Daniel made recordings of himself with Van Ness only to enable him in proving the truth, if it became necessary.

**An exceptional quantity and quality of evidence proving the lies, fiduciary negligence, and criminal coverup perpetrated by Cynthia Van Ness, BHM Archive Director, as well as board members, judges, lawyers, wealthy businessmen, and public office holders, is available to media and legal resources.**

**BHM Museum Director Melissa Brown and BHM Archive Director Cynthia Van Ness assisted in the fraudulent imprisonment of Witek to protect themselves, public exposure of the shocking conditions of The BHM over decades, and to protect the incestuous power structure.**

**EIGHT. Former Police Officer and Private Investigator Lou Barone.**

**Mr. Barone made visits to The BHM in 2014 and several times spoke with Archive Director Cynthia Van Ness ---- all these conversations were audio taped by Barone.**

Please read the brief sworn affidavit of Mr. Barone regarding the extraordinary audio tape statements made by Van Ness on those occasions, which are directly contrary to those she made to law enforcement, The Office Of The U. S. Attorney, and even in a memorandum by Van Ness to BHM Director Melissa Brown. **See pgs. 197 – 201**

**NINE. Paula Rosner, former ACLU Regional Director and BECHS/BHM pro bono consultant around the year 2000.**

On multiple occasions Ms. Rosner related on audio tape to Save American Museums/Buffalo History Coverup volunteers **the appalling conditions she personally witnessed in The BECHS** ( now, The BHM ) **Archive around twenty years ago**. This included, but certainly was not limited to, stacks of materials from the archive collections laying directly on the floor and documents in messy, intermingled piles on tables **which made it impossible to know** “what goes with what”.

This is among many consistently horrifying discoveries at The BECHS/BHM and Archive going back at least 60 years. Multiple thefts from the 1960's onward, including by their own Curator of Manuscripts in 1968, all accession records ( including the critical Goodyear period ) for 1945 – 1965 “missing”, major museum and archive objects known to be “lost” and “missing” from at least the 1980's to the present, more documented thefts in the 1990's, and not even an attempted inventory of The BECHS/BHM Archive for at least the first one hundred and fifty years of its existence, **in addition to criminal curatorial practices, have all been a regular feature of** The BECHS/BHM.

Please see page **A** - 169

**TEN. Elinor Gray, Historian, Genealogist, Author, and for over twenty-five years a Board Member and Officer of The Brookfield Historical Society, as well as former Co-curator of The Marvin Newton House Museum.**

Mrs. Gray has been an acquaintance and colleague of Daniel Witek for over a decade.

Please see letter of October 30, 2017 to Presiding Federal District Judge William Skretny. Introduction pgs. 463 – 467, letter pgs. 468 – 472.

**ELEVEN. Ron Cozzi rare book dealer, and for over twenty years, member of The BECHS/BHM Advisory Board.**

Mr. Cozzi relates disturbing facts about The BECHS/BHM Archive over a forty year period.

Please see pages and audio 543 – 544 and **A** – 546.

**TWELVE. Ethel Ogden, Board Member and volunteer at various historical societies in Western New York from the 1950's to 2014.**

Please see pages 380 – 383 for a letter sent to Judge Skretny in October, 2017.

**THIRTEEN. Chrisa Katsampes, at one time Mrs. Katsampes held a Top Secret Security Clearance with The U. S. Department of Defense.**

Mrs. Katsampes accepted a post with The Memorial Art Gallery (Rochester, NY) in the late 1990's, serving for over a decade in Curatorial and other departments.

Please see sworn and notarized statements of August, 2018 pgs. 434–455. Statement of December, 2017, pages 516 – 519.

Statement of September, 2013, pages 186 – 195.

**FOURTEEN.** Full page advertisement of Daniel J. Witek Antiquary Ltd. From **Connoisseur Magazine, of May, 1982** ---- when Daniel was only 19 years of age.

Please see pages 120 – 121 for introduction, and pages 122 – 123 for the advertisement.