

5407 Alber Ave
Parma, OH 44129
440.915.9207
dawn_pasela@hotmail.com

Dawn Pasela

**Professional
Profile:**

Experienced professional manager of administration in a variety of environments. Office manager looking to continue a career in the security industry through investigations. Ambitious Law Enforcement/Information System student with success in coordinating career path with education.

History:

State of Ohio, Attorney General's Office – Mortgage Fraud Task Force
Office Manager

2008-Present

- Direct communications between multiple agency task force members.
- Efficiently communicate with local, state and federal level agencies.
- Design and implement evidence receiving and recording system for documenting chain of custody.
- Convert files to electronic formats and filings for case preparation.
- Prepare cases' documents for trial.
- Design and maintain network of information for task force and deconfliction purposes.
- Evidence processing, including but not limited to receiving evidence, creating chain of custody, converting files for investigators, creating and maintaining case file evidence structure.

Shooz

Beachwood, OH

General Manager

2007

- Executed daily operations of financial reporting, employee files, store operations, loss prevention, document retention and reconciliations.
- Trained and managed 45 employees and achieved significant improvements in their productivity, margin and customer relations skills.
- Interpreted company policies to workers' and human resource regulations.
- Instructed computer courses on Microsoft applications and basic computer hardware operation.
- Working knowledge in SAP, ADP, IMS, POS, JDA, Kronos, Macros and Microsoft Excel, Word, Access, PowerPoint and Outlook.
- Conducted and assisted in both internal and external theft cases, check fraud and credit card disputes.

CompUSA

Beachwood, OH

Operations/HR Manager

2004 - 2007

- Served as Training Department Coordinator for locations network maintenance, including class set-ups, software requirements, firewall setup, computer configuration, network setup (hardware and software) and computer trouble shooting.
- As Training Department Coordinator, instructed Microsoft Office Application courses to consumers and businesses, instructed employees on computer system use and services.
- Same responsibilities as General Manager of Shooz.

Education:

Cuyahoga Community College
Associate – Law Enforcement

Parma Heights, OH
May 2009

Language:

American Sign Language
English Sign Language

Volunteering:

Youth Challenge
St. Ignatius Soup Kitchen
Parma Animal Shelter
Founder of Student Criminal Justice Club – Tri-C

1999-2003
2002-2004
2008
2008

440 915 9207

7873431

From: Daniel Kasaris
To: Headen, Mikoyan
CC: O'Malley, Michael C. [1st Assist.]
Date: 6/24/2009 1:29 PM
Subject: dawn pasela
Attachments: Daniel Kasaris.vcf

Dawn Pascela is being hired by our office. She currently is a contract employee of the Attorney General. She works over at the task force building. She will be in sometime in the next few days to fill out paperwork.

Her start date is July 1

dan

Daniel J. Kasaris
Assistant County Prosecutor
Cuyahoga County, Ohio
1200 Ontario ST. 9th Floor
216-443-7863
216-698-2270 (fax)

From: Daniel Kasaris <dkasaris@cuyahogacounty.us>
To: tonytopaz <tonytopaz@aol.com>
Subject: Re: Final witnesses
Date: Mon, Apr 16, 2012 11:34 pm

OK

she has has a right to have an attorney court appointed for her to represent her. If you confer with john I am sure he will agreee. If I do not raise that issue with the judge and she testifies and admits to being on pain killers or whatever she was on and admits other things and is then indicted all sorts of problems woulexist. Therefore, in the abundance of caution I will suggest that he appoint an attorney for her to deal with her drug abuse issues as well as whatever crimes she may have committed after she was fired.

The purpose of the hearing will be to ascertain if she needs a lawyer. She cant testify without an attorney unless she does not want one. She will be asked incriminating questions and may incriminate herself.

dan

Daniel J. Kasaris
Assistant County Prosecutor
Cuyahoga County, Ohio
1200 Ontario ST. 9th Floor
216-443-7863
216-698-2270 (fax)

>>> 04/16/12 7:49 PM >>>

3 witnesses left: michelle criskey, Steve Greenwald and Dawn Pasela, Gibbons was going to get with all of them, we're trying to have them there first thing ... if they don't show, we'll move to my testimony. If Dawn does not show, I'll ask for a hearing after trial to figure out what, if anything, she knows about computers or discovery.

Thanks,
Tony

-----Original Message-----

From: Daniel Kasaris <dkasaris@cuyahogacounty.us>
To: tonytopaz <tonytopaz@aol.com>
Cc: Donald Cleland <dcleland@cuyahogacounty.us>; Nick Giegerich <lgiegerich@cuyahogacounty.us>
Sent: Sat, Apr 14, 2012 7:59 pm
Subject: Re: MONDAY

thank you

I have to ask the judge to appoint an attorney to represent dawn pasela because she has 5th amendment rights and issues like greenwald and fairfield, just an FYI --I think I mentioned that on the record at least twice She was fired for refusing a drug test in late May 2011 when she was clearly stoned --staggering down the hallway of our office, eyes rolling back into her head, slurred groggy speech--so there is an issue with respect to which drugs she may have abused that day, in addition to the issues surrounding her breaching a statutory mandated confidentiality agreement she signed with the OAG which she apparently broke.

she is apparently subject to prosecution for both of the above issues.

dan kasaris

Daniel J. Kasaris
Assistant County Prosecutor
Cuyahoga County, Ohio
1200 Ontario ST. 9th Floor



MIKE DEWINE
★ OHIO ATTORNEY GENERAL ★



Ohio Organized Crime
Investigations Commission
Office 614-277-1000
Fax 614-277-1010

P.O. Box 968
Grove City, Ohio 43123
www.OhioAttorneyGeneral.gov

December 11, 2014

Mr. Anthony Viola #32238-160
McKean Federal Correctional Institution
P.O. Box 8000
Bradford, PA 16701

Re: Public Records Request

Dear Mr. Viola,

I am responding to your public records request received in this office on November 24, 2014 in which you requested:

1. **The confidentiality agreement signed by Dawn Pasela or any standard agreement with the OAG signed by Dawn Pasela.**

There is no confidentiality agreement signed by Ms. Pasela. However, we are providing the employment agreements the Task Force had with Ms. Pasela.

2. **Any information about your state trial and any reports about that matter.**

Pursuant to RC 149.43(B)(8), where an incarcerated person requests public records concerning a criminal investigation or prosecution, the release of such records requires the individual to obtain a finding that the information sought in the public record is necessary to support what appears to be a justifiable claim from the judge who imposed the sentence or made the adjudication with respect to the individual, or the judge's successor in office.

3. **Any interview by our office of Stephen Newcombe.**

Pursuant to RC 149.43(B)(8), where an incarcerated person requests public records concerning a criminal investigation or prosecution, the release of such records requires the individual to obtain a finding that the information sought in the public record is necessary to support what appears to be a justifiable claim from the judge who imposed the sentence or made the adjudication with respect to the individual, or the judge's successor in office.

4. **Any emails mentioning Kathryn Clover, along with any payments made to her for work on behalf of the task force.**

A. The request for emails is denied as overly broad because it does not provide enough information to allow us to identify responsive correspondence and fails to request records in a manner that we can reasonably identify the public records being requested.

B. Further, the request for any payments to Kathryn Clover would fall under R.C. 149.43(B)(8), where an incarcerated person requests public records concerning a criminal

investigation or prosecution, the release of such records requires the individual to obtain a finding that the information sought in the public record is necessary to support what appears to be a justifiable claim from the judge who imposed the sentence or made the adjudication with respect to the individual, or the judge's successor in office.

5. **Prosecutor Dan Kasaris' current job description and any employee evaluations.**

Records responsive to this request will be provided when the information is gathered.

6. **Arvin Clar's job description.**

Records responsive to this request will be provided when the information is gathered

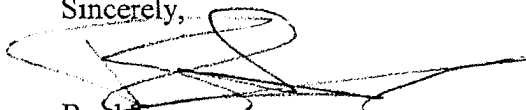
7. **OAG witness interview logs or evidence summaries.**

Pursuant to RC 149.43(B)(8), where an incarcerated person requests public records concerning a criminal investigation or prosecution, the release of such records requires the individual to obtain a finding that the information sought in the public record is necessary to support what appears to be a justifiable claim from the judge who imposed the sentence or made the adjudication with respect to the individual, or the judge's successor in office.

Once you obtain the required finding from the appropriate judge in order to make your request, please specify the case file or section of our office that would contain records responsive to your requests.

Records responsive to requests five (5) and six (6) identified above will be forwarded to you as soon as the records are gathered. The records responsive to request one (1) are enclosed.

Sincerely,



Brad Tammaro
Assistant Attorney General
Chief Legal Counsel
OOCIC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANTHONY VIOLA,)	
)	
PLAINTIFF,)	CASE NO. 2:21-CV-3088
)	
vs.)	
)	
DAVE YOST, et al.,)	
)	
DEFENDANTS.)	
)	

TRANSCRIPT OF MOTION FOR SANCTIONS
AND PRE-FILING RESTRICTIONS PROCEEDINGS
BEFORE THE HONORABLE ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE
JANUARY 28, 2022; 4:30 P.M.
COLUMBUS, OHIO

APPEARANCES:

FOR THE PLAINTIFF:

Anthony Viola appearing pro se

FOR THE DEFENDANT DAVE YOST:

Ohio Attorney General's Office
By: Julie M. Pfeiffer, Esq.
Michael A. Walton, Esq.
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

FOR THE DEFENDANT DANIEL KASARIS, I:

Daniel Kasaris appearing pro se

FOR THE DEFENDANT DAMIAN A. BILLAK:

Bonezzi, Switzer, Polito & Hupp, Co., LPA
By: Jacob P. Nicholas, Esq.
3710B Boardman Canfield Road, Suite 101
Canfield, Ohio 44406

- - -

Proceedings recorded by mechanical stenography,
transcript produced by computer.

1 the courtroom and understood that we were discussing this 302
2 that no one could locate. He approached me and said, I have
3 the 302; I'll provide it to you. He emailed it to me. I
4 emailed it to the plaintiff. And if you read what -- and Judge
5 Nugent indicated that Michael Goldberg had the 302 and most
6 likely the defendant had it as well.

7 The arguments pertaining to Dawn Pasela, Your Honor,
8 again, that stuff is all guilt or not guilt of the defendant.
9 For the record, Dawn Pasela was under investigation by the Ohio
10 Organized Crime Commission for breach of confidentiality. When
11 the plaintiff sought to put Dawn Pasela on the witness stand --
12 again, if he would have shown you the email instead of putting
13 it on real quick and pulling it off, you would have been able
14 to read it.

15 What I was doing was, in court, I advised Judge Gaul
16 that Dawn Pasela has rights. She has a Sixth Amendment right
17 to counsel. And when she's on the witness stand, she's going
18 to be asked questions about whether or not she divulged
19 confidential information. I suggested to Judge Gaul that he
20 appoint an attorney for her to properly advise her when she's
21 on the witness stand testifying. And that's what my email --
22 that's the effect of my email that the plaintiff has. I even
23 tell the plaintiff in an email, talk to John Gibbons. That was
24 his standby counsel. John will explain this to you. This is
25 what I'm doing. I was protecting Dawn Pasela's Sixth Amendment

SWORN AFFIDAVIT

I, Matthew Fairfield, swear under the penalty of perjury that the following statement is true and correct:

- 1) I was married to Kathryn Clover from 2006-2010. We lived together during this time in Cleveland, Ohio.
- 2) From 2005-2008, Kathryn purchased rental properties with Paul Lesniak using Realty Corporation of America, a real estate brokerage owned by Tony Viola. She later rented office space from Viola where she was affiliated with Transcontinental Lending and Pacific Guarantee Mortgage. However, she presented herself as Tony Viola's Partner.
- 3) I visited her office several times and on one occasion I overheard a phone conversation she was having with a mortgage rep about "altering" loan documents. When I ask her about this, she said "Don't say anything. Tony can never know I am doing this. He'd never let this deal close if he knew what I was doing."
- 4) In 2009, Kathryn was indicted for mortgage fraud. Shortly after the indictment, I entered our home and found Kathryn shredding documents she had brought home from her office and compiling computer hard drives (3 total) to destroy. When I asked her what she was doing, she said she was getting rid of things because she was cooperating with the prosecutor as their "key witness" to get herself out of trouble and set up Viola to take the fall in her case.
- 5) Over the next few months, I became very concerned about the amount of time Kathryn was spending at the prosecutor's office and that she was meeting prosecutor Dan Kasaris outside of the office at all hours of the day and night. I saw that her email account showed numerous email communications between the two of them. I read the text messages between Kathryn and Dan, which included sexual photos of both of them.
- 6) During this time she was not employed but regularly had huge amounts of cash - thousands of dollars in hundred dollar bills - on her person.

- 7) December 2009, Kathryn had forgotten that she had asked me to pick her up from school and I saw her exit the building and get into an unknown vehicle. I followed this car to a bar in Lakewood where she jumped out of the car and kissed Kasaris who was waiting for her to arrive.
- 8) In February 2010, I confronted Kathryn about the texts, emails, and the rendezvous with Dan Kasaris at the Lakewood bar. I demanded to know what was going on. It was then she admitted she had been having a sexual affair with Kasaris.
- 9) Later in 2010 Kathryn told me that she was in love with Dan Kasaris and wanted to end our marriage. We were subsequently divorced by 2011.

Around May, 2020, I became aware that Tony Viola had been released from prison. I heard his broadcast on a national radio show shortly afterwards. I reviewed his website to learn that he has a federal case pending that directly pertains to missing evidence in his original criminal case, the same evidence that I witnessed being destroyed by Kathryn Clover.

Under the penalty of perjury, I swear the foregoing is true and correct and comports with any and all previous statements I have made regarding this matter.

OFFICIAL STAMP
RAYNA MARIE HERNANDEZ
NOTARY PUBLIC - OREGON



Date 7/27/20

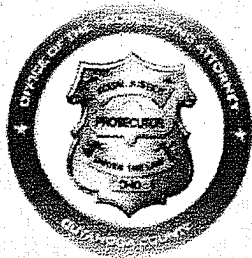
Matthew Fairfield

Matthew Fairfield

Notary Public Rayna Hernandez
07-27-2020

STATE OF OREGON
COUNTY OF KLAMATH

OFFICIAL STAMP
RAYNA MARIE HERNANDEZ
NOTARY PUBLIC - OREGON
COMMISSION NO. 979570
MY COMMISSION EXPIRES SEPTEMBER 26, 2021



Bill Mason
CUYAHOGA COUNTY PROSECUTOR

Jaye M. Schlachet, Esq.
The Law Office of Jaye M. Schlachet
55 Public Square, Suite 1600
Cleveland, Ohio 44113

September 16, 2011

Re: U.S. Government v. Kathryn Clover

Dear Attorney Schlachet:

I have been informed that Kathryn Clover's sentencing date in the United States District Court for the Northern District of Ohio has been scheduled by the Honorable Judge Don Nugent for September 28, 2011. I am writing you concerning the sentencing date.

As you know you're at the present time is heavily involved in assisting the State of Ohio in several "Mortgage Fraud" investigations and pending cases. She is scheduled to testify on or about October 17, 2011 in the State of Ohio v. Turner Nash in the Courtroom of Daniel Gaul. In addition at the present time she is assisting the State Government in the investigation of top Argent executives who may have been responsible for committing fraud in the selling of mortgage backed securities to investors, and others who may have participated in the tampering with internal Argent loan documents. Her work as already lead to the indictment of several former Argent employees for tampering with these internal loan documents, thereby allowing at least 100 loans to be approved when the approval was contrary to Argent's stated guidelines. She has already testified before a State Grand Jury in that matter and more Grand jury testimony is expected. Moreover, she is also working with State Government Prosecutors in investigating two mortgage brokers and a title company of dubious repute who it appears was closing deals with two huds (and I am not referring to Family Title).

Given the above and on behalf of the State of Ohio and at your request the State Government is requesting that her sentencing be continued until at least the middle of November so that the above matters may be concluded.

OFFICE OF THE PROSECUTING ATTORNEY

The Justice Center • Courts Tower • 1200 Ontario Street • Cleveland, Ohio 44113
(216) 443-7800 • Fax (216) 443-7601 • Email: prosecutor@cuyahogacounty.us
www.prosecutormason.com

Sincerely

A handwritten signature in black ink, appearing to read 'D. Kasaris', written over a large, faint circular stamp or watermark.

Daniel J. Kasaris
Assistant County Prosecutor
Supervisor Mortgage Fraud Unit
Cuyahoga County, Ohio
1200 Ontario ST. 9th Floor
216-443-7863
216-698-2270 (fax)

Sent: Thursday, February 23, 2012 10:12 AM

Subject: assistance in investigating crimes

per your request since march of 2010 you have assisted investigators and or investigated the following persons which have lead to indictmetns and or convictions of crimes:

1. denise obrock--argent
2. mike scola--argent
3. angela pasternak--argent
4. Linda Warner--appraiser
5. Gerald Spuzzillo--appraiser
6. Leighann McCarthy--realtor
7. Dale Adams--Mortgage Broker
8. Nick Myles--Broker

this list does not include other person who you provided information on

dan

Daniel J. Kasaris
Assistant County Prosecutor
Cuyahoga County, Ohio
1200 Ontario ST. 9th Floor
216-443-7863
216-698-2270 (fax)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:10 CR 75
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
KATHRYN CLOVER,)	GOVERNMENT'S RESPONSE IN
)	OPPOSITION TO CLOVER'S
)	MOTION FOR EARLY
Defendant.)	TERMINATION OF PROBATION

Now comes the United States of America, by and through its counsel, Steven M. Dettelbach, United States Attorney, and Mark S. Bennett, Assistant United States Attorneys, and hereby respectfully moves this Honorable Court to issue an order denying Defendant Kathryn Clover's Motion for Early Termination of Probation for the following reasons:

- (1) This Court sentenced Clover on September 28, 2011 4 years probation with 10 months of house arrest. Clover has only served 1 year and 4 months - not even half of her sentence;

-2-

- (2) The issue of restitution still needs to be determined. However, the parties agreed in the written plea agreement that the loss caused to the lenders by Clover's fraudulent conduct exceeded \$1 million. Accordingly, Clover will have a substantial restitution amount to pay, and her probation should be continued to allow the Court to oversee her restitution;
- (3) As this Court knows, Clover provided false testimony during the trial of this matter. Because of her false testimony, the government did not move for the full amount of 5K1.1 contemplated by the plea agreement and, as such, Clover's sentencing guideline range 15 to 21 months in Zone D, based on an offense level of 14 with a criminal history category of I. Accordingly, Clover should have been sentenced to a term of imprisonment. However, the Court granted defense's request for a further reduction of levels pursuant to 5K1.1 and placed Clover in a range and zone allowing for a sentence of probation. Clover has already been given an extremely favorable sentence and this Court should not give her the additional benefit of the early termination of her probation;
- (4) As part of her plea agreement, Clover was not prosecuted for her role in other mortgage fraud schemes, nor did the government request that this Court take into consideration at the time of sentencing her involvement in other mortgage fraud schemes as "other relevant" conduct, which would have greatly increased her guideline sentencing range. Clover has already

-3-

been given an extremely favorable sentence and this Court should not give her the additional benefit of the early termination of her probation;

- (5) The federal government did not prosecute Clover for bankruptcy fraud, nor did the Cuyahoga County Prosecutor's office prosecute Clover for filing a false police report based on her false statements regarding the loss of her diamond ring. Clover has already been given an extremely favorable sentence and this Court should not give her the additional benefit of the early termination of her probation; and,
- (6) The Cuyahoga County Prosecutor's office did not prosecute Clover for her involvement in the companion state prosecution of this mortgage fraud scheme, or for her involvement in various other mortgage fraud schemes. Clover has already been given an extremely favorable sentence and this Court should not give her the additional benefit of the early termination of her probation.

-4-

For the foregoing reasons, the United States respectfully moves this Honorable Court to issue an order denying Defendant Kathryn Clover's Motion for Early Termination of Probation.

Respectfully submitted,

STEVEN M. DETTELBACH
United States Attorney

By: *s/Mark S. Bennett*
Mark S. Bennett (0069823)
Assistant U.S. Attorney
801 West Superior Avenue
Cleveland, Ohio 44113
(216) 622-3878; (216) 522-8355 (fax)
mark.bennett2@usdoj.gov

AFFIDAVIT OF KAREN PASELA

STATE OF OHIO
COUNTY OF CUYAHOGA

I, Karen Pasela, depose and state under oath as follows:

1. I was the mother of Dawn Pasela, who died on April 25, 2012.
2. Dawn worked for the Cuyahoga County Mortgage Fraud Task Force, first as a contract employee and then as a county employee. Dawn was recruited to work at the task force by Arvin Clar. Then Assistant Cuyahoga County Prosecutor Daniel Kasaris was Dawn's boss. While at the task force, she worked with FBI agents. In fact, she was told if she finished two more subjects, and with her background and experience, she could work for the FBI.
3. Dawn served in the capacity of office manager. One of her duties was to maintain the task force's files. After Dawn worked there for a while, she said she was concerned that things were being taken from the files and not returned. She also said some individuals had signed her name when they took the files, and she feared they were hiding them from attorneys representing the people the task force was investigating. She particularly expressed concern about the way the case against Anthony Viola and Susan Alt were being handled. Dawn showed me photos she had taken of files haphazardly stacked in the hallway, which made them easily accessible to almost anyone.
4. Dawn also mentioned that some computers in the office had disappeared, and she couldn't find out why or where they went. Dawn also mentioned that Katheryn Clover was frequently in the Prosecutor's Office, accessing files and evidence.
5. Although Dawn was not trained as an investigator, she was asked to go to a fundraising event for Anthony Viola after he had been indicted and to secretly record what was said. Dan Kasaris gave Dawn money and told her to write a personal check for Viola's defense fund so the prosecutors could determine at which bank the fund was being maintained. Dawn wondered about the propriety of these tactics.
6. Dawn was told that she had to continue to attend events sponsored by Viola's supporters wearing a wire, or her job would be in jeopardy. I was very alarmed and afraid for my daughter's safety and advised her not to wear a wire. However, Dawn felt she had no choice but to comply with her boss's orders.

7. Eventually, Dawn began to sympathize with Viola because she felt that prosecutors were withholding documents that could help in his defense.
8. As her disenchantment over what was going on at the task force grew, Dawn began drinking excessively. This finally led to her termination. The task force later asked her to come in to discuss reinstatement, but she declined.
9. After Dawn was no longer working at the task force, she told me she was meeting with Viola. I was very worried about Dawn and I was concerned that if she tried to help Viola, she could be prosecuted. I urged not to get involved.
10. During Viola's second trial, Dan Kasaris showed up at our house, with another individual, wanting to come in and search for computers and hard drives. He demanded entry into my house but my husband Edward refused, and told him we had no computers from his office and to return with a search warrant.
11. After the task force learned that Dawn had been subpoenaed to testify on Viola's behalf, two investigators came to her apartment to pressure her to reveal what Viola wanted her to testify about. Dawn called me one morning, upset and crying, saying that the two men said that it would be wise for her to leave Ohio for a while and that if she testified for Viola, she could end up in federal prison. As a result, Dawn did not testify.
12. Dawn was so frightened that the investigators might return that she moved into our house for 10 or more days and stopped drinking. She also parked her car in our garage so no one would see it. Dawn eventually began to feel stronger physically and emotionally and moved back to her apartment.
13. During Viola's second trial, when Dawn was staying at our house, I heard Dawn speaking to Viola. She was crying and so upset that she was visibly shaking. She said she was too upset to talk more about what was going on during the trial.
14. When we visited Dawn the day before she died, I could tell that she started drinking again, and we urged her to stop.
15. After Dawn was found dead in her apartment, the police refused to allow my husband Ed to see Dawn's body. When my daughter Christine arrived at Dawn's apartment, police officers told her that she was not allowed to see Dawn's body. No one in my family ever saw Dawn's body and no one in my family was ever asked to identify Dawn's body.
16. Later, Ed called the Cuyahoga County Coroner, requesting to see Dawn's body. When the Coroner called back, they were adamant that I should not come because

you want to remember her the way she was and that she looked bad. I was insistent and wanted to see my daughter but I was again told not to go to the Coroner's Office. I was told to wait to see Dawn at the funeral parlor.

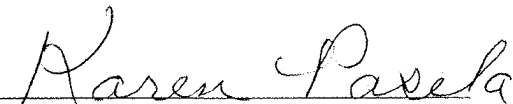
17. At the funeral parlor, when I first saw Dawn's body at a private viewing, I was shocked at the way her face looked. Many other family members told me the same thing, which I thought at the time was the result of a poor makeup job. Because of our complaints, the funeral home redid Dawn's makeup before the public viewing. Even after the second makeup job, family members who did not see Dawn at the private viewing commented that Dawn did not look natural.

18. I agree with my husband Ed's opinion, which is that Kasaris contributed towards my daughter's death because

- The way he treated her was wrong
- The unprofessional tactics that were used in the office made my daughter extremely upset and she did not know how to handle what was going on with the files and computers.
- Dawn was also threatened with prosecution for violating a confidentiality agreement, but we have proof that she never signed any agreement.

19. I believe that there should be a full investigation into the actions of Kasaris as well an entirely new investigation into my daughter's death.

Further I sayeth naught.


Karen Pasela

Sworn and subscribed in my presence this 25 day of May, 2022.


NOTARY PUBLIC



ANDREW SCHMIDT
Notary Public, State of Ohio
My Commission Expires
January 2, 2024

AFFIDAVIT OF EDWARD PASELA

STATE OF OHIO
COUNTY OF CUYAHOGA

I, Edward Pasela, depose and state under oath as follows:


1. I was the Father of Dawn Pasela, who died on April 25, 2012.
2. For the last three years of her life, Dawn worked for the Cuyahoga County Mortgage Fraud Task Force, first as a contract employee and then as a county employee. Dawn was recruited to work at the task force by Arvin Clar. Then Assistant Cuyahoga County Prosecutor Daniel Kasaris was Dawn's boss. While at the task force, she worked with FBI agents. In fact, she was told if she finished two more subjects, and with her background and experience, she could work for the FBI.
3. Dawn served in the capacity of office manager. One of her duties was to maintain the task force's files. After Dawn worked there for a while, she said she was concerned that things were being taken from the files and not returned. She also said some individuals had signed her name when they took the files, and she feared they were hiding them from attorneys representing the people the task force was investigating. She particularly expressed concern about the way the case against Anthony Viola and Susan Alt were being handled. Dawn showed me photos she had taken of files haphazardly stacked in the hallway, which made them easily accessible to almost anyone.
4. Dawn also mentioned that some computers in the office had disappeared, and she couldn't find out why or where they went.
5. Although Dawn was not trained as an investigator, she was asked to go to a fundraising event for Anthony Viola after he had been indicted and to secretly record what was said. Kasaris gave Dawn money and told her to write a check for Viola's defense fund so the prosecutors could determine at which bank the fund was being maintained. Dawn wondered about the propriety of these tactics.
6. Dawn continued to attend events sponsored by Viola's supporters and eventually began to sympathize with him because she felt that prosecutors were withholding documents that could help in his defense.

7. As her disenchantment over what was going on at the task force grew, Dawn began drinking excessively. This finally led to her termination. The task force later asked her to come in to discuss reinstatement, but she declined.
8. During Viola's second trial, Dan Kasaris showed up at our house, with another individual, wanting to come in and search for computers and hard drives. He was very insistent that I let him into my house. I refused, and told him we had no computers from his office and that he was welcome to return with a search warrant.
9. After the task force learned that Dawn had been subpoenaed to testify on Viola's behalf, two investigators came to her apartment to pressure her to reveal what Viola wanted her to testify about. She told me that the two men said that it would be wise for her to leave Ohio for a while and that if she testified for Viola, she could end up in federal prison. As a result, Dawn did not testify.
10. Dawn was so frightened that the investigators might return that she moved into our house for 10 or more days and stopped drinking. She also parked her car in our garage so no one would see it. Dawn eventually began to feel stronger physically and emotionally and moved back to her apartment.
11. When we visited Dawn the day before she died, I could tell that she started drinking again, and we urged her to stop.
12. I was concerned about Dawn and could not reach her on the phone, so I went to her apartment to check on her. When she did not answer the door, I requested a welfare check. During previous welfare checks, one or two officers showed up within 20 – 30 minutes. In this case, six police officers immediately arrived on the scene. They refused to let me into my daughter's apartment, physically held back in the hallway, refusing to allow me access to the apartment. I was never allowed into the apartment to view Dawn's body.
13. After I left Dawn's apartment to tell my wife Karen what happened, my daughter Christine arrived at Dawn's apartment. Police officers told her that she was not allowed to see Dawn's body. No one in my family ever saw Dawn's body and no one in my family was ever asked to identify Dawn's body.
14. In my personal opinion, Kasaris contributed towards my daughter's death because
 - The way he treated her was wrong
 - The unprofessional tactics that were used in the office made my daughter extremely upset and she did not know how to handle what was going on with the files and computers.

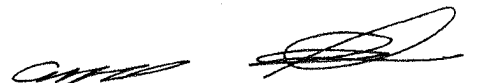
- Dawn was also threatened with prosecution for violating a confidentiality agreement, but we have proof that she never signed any such agreement.

15. I believe that there should be a full investigation into the actions of Kasaris as well a new investigation into my daughter's death.

Further I sayeth naught.


Edward Pasela

Sworn and subscribed in my presence this 25 day of May, 2022.


NOTARY PUBLIC



ANDREW SCHMIDT
Notary Public, State of Ohio
My Commission Expires
January 2, 2024

DAWN M. PASELA 06-05
1520 CLEARBROOKE DR., UNIT 103
BRUNSWICK, OH 44212

25-3071
440
700161631

1.47

C/O Mr. J. Norman Stark DATE 11-12-09

PAY TO THE
ORDER OF

Tony Vision Dance Fund

\$ 25.00

Twenty Five Dollars

DOLLARS



CHASE

JPMorgan Chase Bank, N.A.
Columbus, Ohio 43271
www.Chase.com

MEMO

Vision Dance Fund

D - M. Stark

MP

822974

DEFENSE SUBPOENA

(Criminal Rule 17)

RECEIVED FOR FILING
03/15/2012 08:34:26
GERALD E. FUERST, CLERK

THE STATE OF OHIO

PRECIPE

DS 822974

Cuyahoga County

Case Number: CR-10- 543886 -A

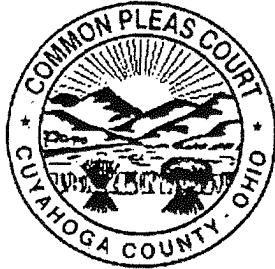
To the Sheriff of Cuyahoga County:
You are hereby commanded to summon:
DAWN PASELA
5676 BROADVIEW ROAD APT. 201
CLEVELAND, OH 44134-0000

JUDGE: DANIEL GAUL
ROOM: JC19D

Please Call Defense Attorney: JOHN B GIBBONS at (216) 363-6086 BEFORE Appearing

TO THE WITNESS

YOU ARE HEREBY ordered to appear, under penalty of law, before the COURT OF COMMON PLEAS, held at the Courts Tower - Justice Center, Lakeside and Ontario Streets, in the City of Cleveland, within and for said County, on the 21st day of March, 2012, at 09:00 o'clock A.M., to testify to all and singular such matters and things which you may know in a certain action in court pending, and then and there to be determined, between the STATE OF OHIO, plaintiff, and ANTHONY L VIOLA (defendant 11873387), on the part of the DEFENSE.



WITNESS, GERALD E. FUERST, Clerk Court of Common Pleas, and the seal of said Court, as Cleveland, Ohio, this 15th day of March, A.D. 2012.

GERALD E. FUERST, Clerk

by _____

FOR SHERIFF'S USE ONLY

RETURN OF SUBPOENA:

On 3/19/12, I STEVEN PRINCE PERSONALLY served the within named for him, them, at their usual place of business or residence, a true and certified copy thereof with all endorsements therein.

SHERIFF FEES			
Service and Returns	\$		
Miles Traveled	\$		CUYAHOGA COUNTY SHERIFF DEPT., Sheriff
Total	\$		
			Deputy Sheriff <u>PROCESS SERVER</u>



THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA

JUSTICE CENTER

1200 ONTARIO STREET

CLEVELAND, OHIO 44113

DANIEL GAUL

Judge

(216) 443-8706

February 17, 2017

Anthony L. Viola - ID #32238-160
McKean Federal Correctional Institution
P.O. Box 8000
Bradford, PA 16701

Dear Tony:

I hope you are as well as a person can be in federal prison.

Just thought I would write to express my feelings of regret on your continued incarceration. I had hoped that your exoneration in my courtroom would have assisted you in overturning your federal conviction.

In any case, I am writing to inform you that there is a newly elected Cuyahoga County Prosecutor. His name is Mike O'Malley. His office may be willing to take a fresh look at Daniel Kasaris' misconduct in your case. If Kasaris participated in your federal case, O'Malley's office may be able to intervene, or at least support a post-release remedy before Judge Nugent.

Anyway, this is just a thought. Please let me know if I may assist you in any way.

I regard you as an extremely decent man and I do hope you will have your conviction overturned.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Gaul". The signature is fluid and cursive, written over a light blue horizontal line.

Daniel Gaul
Judge

DG/ml

1 Q. And were there times when you listened to it with
2 members of the U.S. Attorney's Office?

3 A. Well, a lot of those documents -- not documents. I
4 don't know what type of file it would be. Maybe a PDF,
5 whatever type of wave.

15:34:23

6 Q. Audio wave?

7 A. Audio wave file. Apologize about that. Whenever they
8 were provided to us, I had a chance to listen to some, and
9 so did Mr. Saunders.

would have been located through the FBI's searching efforts. As a result of its search efforts, the FBI located responsive main file 329E-CV-71645, and several sub-files 329E-CV-71645-1A and 329E-CV-71645-GJ-1A, which were indexed to plaintiff's name. During a detailed review and processing of the records, the FBI did not locate the specific two items detailed above.

(25) In a further effort to locate the above items, RIDS contacted on November 14, 2016, the lead FBI Special Agent ("SA") over plaintiff's criminal investigation, and he confirmed that the above described items are not in the FBI's custody. The SA informed RIDS, "There were no tapes, consensual monitoring, or transcripts in which the FBI tasked Ms. Dawn Pasela. Any [taskings] *sic* would have been done by the Cuyahoga County Mortgage Fraud Task Force, and not the FBI." The FBI did not retain any such records. In addition, as to any emails from and to Katherine Clover, the SA reported, "Early in the investigation Ms. Clover retained her attorney, therefore to my knowledge any correspondence would have been between the USAO and her attorney."

JUSTIFICATION FOR NONDISCLOSURE UNDER THE PRIVACY ACT

(26) When an individual requests records about themselves from the FBI, RIDS first considers the request under the Privacy Act, which generally provides individuals a right of access to records about them maintained in government files, unless the records are part of a system of records exempted from individual access. *See* 5 U.S.C. § 552a(d). Exemption (j)(2) exempts from mandatory disclosure systems of records "maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals..." 5 U.S.C. § 522a(j)(2).

BB

I Bryan Butler, DOB January 3, 1980, was advised of the nature of the investigation by Investigator Robert Friedrich, and make the following statement:

I met Kathryn Clover (known to me as Katie) in grade school. We went to high school through our sophomore year at Talawanda High School in Oxford, Ohio. I never dated Katie in school, but we exchanged greetings and made small-talk in the school hallways. The second semester of my sophomore year I moved to Hamilton ^{BB} ~~County~~ ^{City}. I believe this was in 1998. After graduation I worked with my stepdad cleaning carpets for about 20 years.

Katie and I got back together again through Facebook in 2015. We had a mutual friend named Chris Evans.

Katie and Chris both commented on a post I made and subsequently Katie messaged me. I responded and asked Kathy where she was living. She replied that she was back in Oxford, but she travels between Miami and New York. She said the reason she was living at home was because her mother had Alzheimer's.

I believe my first date with Katie was in November 2015 before Thanksgiving. I picked Katie up at her home in Oxford, Ohio where she was living with her parents. Her parents were at home when I arrived, and I met them. Two weeks later in November 2015 I received a call from Katie to meet her in Houston Woods State Park. I characterized myself as a "observant guy" and noticed that Katie would constantly pick up her phone and then put it down. I asked her why she was so secretive with her phone. Katie responded, "I didn't want to tell you, but I have a stalker who was a boyfriend" or words to that effect. I told her that if she had a problem that I could take care of it for her. Katie responded that I could not get involved because her ex-boyfriend was named Dan Kasaris and very dangerous. She further elaborated that Dan was a county prosecutor in Cuyahoga County. She said that Dan would not leave her alone and was infatuated with her.

A couple of weeks later in December 2015 I met Katie again in Houston Woods. She confided in me about her past. She said she had worked for a modeling agency, stole the clientele, and opened up her own agency. A short time later she turned it into a brothel. Katie never told me where the modeling agency was located. She said the brothel was raided which was how she got in trouble.

BB

She then talked about her former husband, Matt Fairfield. She told me Matt was serving a life sentence and further he was abusive. He would have friends over and watch them rape her. Katie went to a prosecutor in regards to domestic violence and met Dan Kasaris. She said the first time they met it was very professional but by the third time they were sleeping together. Katie said that sex with him was great for his age. She said she felt comfortable with him, and it was a way to have him on a string. She said they broke up after the trial, and he was stalking her. Katie said she was sexually involved with Dan Kasaris from the time she met him until at least the time she began going out with me.

The next time Dan's name came up was a few days later. I was at Katie's house. She was taking a shower. I was in her bedroom when her phone went off right next to me. I picked up the phone and saw the name Dan Kasaris. I recall this was in December 2015. It was then I found out that Katie was lying about her ending her relationship with Dan and about him being a stalker. There were many messages between the two of them. One of which I recall said, "can we meet?" I also saw a message from Dan asking, "does he know?" I think this meant me. Another message said, "how long can we keep this from him" or words to that effect. Dan also said they needed to meet, he loved her, missed her and cannot wait to be with her again. The messages on her phone went back and forth.

I saw a personal journal which belonged to Katie in her bedroom. I started to read her journal. It did say she had been sleeping with Dan. She mentioned how awesome their sex life was and how she hated being away from him. When Katie came back into the room, I confronted her. She tried to minimize her relationship with Dan telling me that she was trying to get out of the relationship and she had made a big mistake.


I also saw the name Tony Viola in her journal and asked her about him. Katie admitted they were in real estate in Cleveland. She further admitted that she stole Tony's laptop and burned it in a field. She also said that she had stolen paper documents from Tony and after shredding them she bagged them up and threw them away in different neighborhoods.

In January I started to back out of my relationship with Katie. This was right after I had an accident on January 3, 2016, which is my birthday. We had gone to Dave & Buster's in Springdale, Ohio, and we both had several drinks. When I returned to Oxford, I was stopped by an Oxford Police Officer and cited for DUI. This was the last time I saw Katie, although I spoke to her on my cell phone infrequently.

BB

In the middle of March 2016 I received a Restraining Order. I was to have no contact with Katie. I was arrested on April 22, 2016 for Aggravated Vehicular Assault. This was regarding the accident I had on January 3, 2016. The so-called accident was no more than a minor scrape on her car, there was no impact. The incident happened in Springdale, Ohio. The only reason I was pulled over when we arrived in Oxford was because Katie had called her brother and told him I had kidnapped her and her car. I could not make bond and was held in jail for approximately seven months. I went on trial and was acquitted in a day and a half.

I have read this page and two others. To the best of my recollection my statement is the truth.

Signed: 
Date: 7-28-2020

Witness: Robert S. Friedrich
Date: 7/28/20

[A large, diagonal handwritten line is drawn across the lower half of the page.]

BB

Disciplinary Counsel

THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL
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CHIEF ASSISTANT DISCIPLINARY COUNSEL
JOSEPH M. CALIGIURI

SENIOR ASSISTANT DISCIPLINARY COUNSEL
ROBERT R. BERGER

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(614) 461-0256
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KAREN H. OSMOND
CATHERINE M. RUSSO
DONALD M. SCHEETZ
AMY C. STONE

April 5, 2013

PERSONAL AND CONFIDENTIAL

Anthony Viola (#32238160)
Ashland FCI
P.O. Box 6001
Ashland, KY 41105

Re: Daniel Michael Kasaris, Esq.
File No. B3-0010

Dear Mr. Viola:

Our office has completed its investigation of the grievance you filed against Prosecutor Daniel Kasaris. Mr. Kasaris prosecuted you on several charges related to mortgage loan fraud. You were found not guilty, but were found guilty on several federal charges stemming from the same mortgage fraud scheme and are now incarcerated.

You allege Mr. Kasaris directed one of his employees, Dawn Pasella, to begin a friendship with you shortly after you were indicted. You claim she learned valuable information about "defense strategies" from you and reported back to the prosecutors, and that she was "directed" to donate to your legal defense fund. Pasella was subpoenaed to testify at your legal defense trial. You allege Mr. Kasaris sent police officers to her home to advise her to "leave town" until after the trial.

You allege that Mr. Kasaris ordered another witness, Alex D'Amato, not to speak to your counsel.

Finally, you allege Mr. Kasaris had a personal and possibly intimate relationship with one of your co-defendants, Kathryn Clover, and that she was the "lead government witness."

Mr. Kasaris responded to your grievance and provided documentation in support of his explanation. In 2009 you held a public fundraiser which you advertised and solicited donations on your website. Your attorney was present and it was a public event held at a public restaurant, an event in which anyone could attend. The prosecutor's office decided to send Dawn Pasella, a contract employee, to the event to investigate what was being said. She wore a recording device, paid \$25 toward the defense fund, stayed a few minutes, and left. It could not even be ascertained as to what was recorded as there was too much background noise. Consequently, Ms. Pasella's attendance was of no value to the prosecutor nor was it any detriment to you.

Anthony Viola (#32238160)

April 5, 2013

Page 2

Due to various attendance and absenteeism problems, Ms. Pasella was ultimately fired by the prosecutor's office. Thereafter, she contacted you to discuss various aspects of the case, claiming the prosecutor's office had hidden evidence and performed other irregularities. The Cuyahoga County Sheriff's Department subsequently conducted an investigation of Pasella's conduct. In April 2012 Ms. Pasella died of what might have been an accidental overdose.

Alex D'Amato was interviewed by Mr. Kasaris as she was an employee for a mortgage company. She had no contact with you when she worked at the company. Mr. Kasaris denies he ever directed her not to talk to defense attorneys. She may have been told she had the right to refuse to talk to defense attorneys or anyone else who wanted to speak with her, but that is not an ethical violation. You have copies of all interviews with Ms. D'Amato.

Kathryn Clover was a witness for both federal government and the state although she was not a key government witness in either prosecution. While represented, she presented evidence to the prosecutor's office regarding the various loan fraud allegations. She was instructed by her attorney to disclose to the prosecutor's office her full involvement in criminal activity, as well as that of any other person she knew. Much information was transmitted via e-mail since Ms. Clover and her attorney did not want to come to the office every time someone had a question and by using e-mail, there would be a record of what Ms. Clover said and did.

At the time, Ms. Clover was a law student and her attorney asked if Mr. Kasaris would write a letter to the school informing the school that Ms. Clover was cooperating. Mr. Kasaris did write such a letter. There is no evidence she received any money or other compensation or had any personal relationship with Mr. Kasaris.

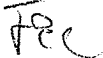
In order to pursue a disciplinary grievance beyond the investigative stage, there must be substantial, credible evidence of ethical misconduct. We find no such evidence here. Your allegations consist of speculation and are unsupported by any independent evidence.

Accordingly, for the foregoing reasons, your grievance is dismissed and our file on this matter will be closed.

Sincerely,



Carol A. Costa
Assistant Disciplinary Counsel



CAC/sbs

cc: Daniel Michael Kasaris

THURSDAY MORNING SESSION

APRIL 26, 2012

* * * * * (Beginning of excerpt.)

THE COURT: Additionally, I just learned this morning Tony, and this is shocking, I don't know if you know this, but Dawn -- what is her name, Pasela?

MR. KASARIS: Dawn Pasela.

THE COURT: The woman that you subpoenaed and the woman that I issued a bench warrant on last week, has passed away.

MR. VIOLA: Oh my God.
Oh --

THE COURT: She was discovered dead of an overdose apparently.

MR. VIOLA: Oh. Oh my God.

THE COURT: I want all of you to know and I want the record to reflect --

MR. VIOLA: Oh my God.

THE COURT: -- that as you know the Court issued a bench warrant for her.

MR. VIOLA: Oh my God.

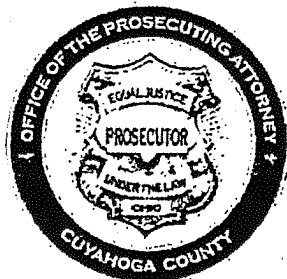
THE COURT: But I want the record to reflect that -- and I don't know if

1 I ever put this on the record before, I
2 received a call. I believe it was late Friday,
3 she had been in contact with the Court and we
4 were trying to get her to appear so that she
5 could testify in this case, or at least
6 proffer for the record some information in the
7 event of an appeal on the issue of discovery
8 and on the issue of the missing computers.

9 In my brief conversation with her,
10 which occurred when I was on my phone in my
11 chambers, she clearly indicated to me -- I
12 mean, she seemed confused, she seemed like a
13 not together person. I spoke to her and she's
14 26 years old, and I have a daughter who's
15 26 years old.

16 So ultimately, when I told her that
17 if she appeared, however she got here, that
18 she could invoke her Fifth Amendment right,
19 she immediately told me that if we brought her
20 to the courthouse, she'd invoke her Fifth
21 Amendment right.

22 So that being the case, I told her
23 that I didn't want to complicate her life and
24 I withdrew the capias. I told her that, and
25 thank God I did.



**For Immediate Release
August 26, 2009**

**Cuyahoga County Mortgage Fraud Task Force Announces
One of Nation's Largest Mortgage Fraud Cases**

**500 Real Estate Transactions for \$50 Million,
453 Houses Purchased with \$44 Million in Fraudulent Loans,
45 Defendants, and \$31 Million in Profit**

CLEVELAND- County Prosecutor Bill Mason and the Cuyahoga County Mortgage Fraud Task Force operating under authorization of Ohio Attorney General Richard Cordray's Organized Crime Investigations Commission announced a 377-count indictment involving 45 defendants who engaged in over 500 real estate transactions to purchase 453 houses in Cuyahoga County for \$50 million. These houses were purchased with fraudulent loans totaling \$44 million. Gofman and others siphoned off more than \$31 million in profits from their criminal enterprise.

These charges resulted from an 18-month investigation by the Task Force. Task Force members County Prosecutor's Office, FBI, and Ohio Bureau of Criminal Identification and Investigation (BCII) were three of many partners in the investigation. Cuyahoga County Sheriff Bob Reid's deputies also provided assistance. With funding from the Ohio Attorney General's Office and the Organized Crime Investigations Commission, the Task Force was formed in December 2007. 289 defendants have been indicted for approximately \$111 million in fraudulent loans for 812 houses, located in 28 communities in Cuyahoga County, as well as 6 communities located outside Cuyahoga County. 616 of the 812 houses fell into foreclosure.

Uri Gofman orchestrated one of the nation's largest mortgage fraud cases by enlisting family, friends and others to invest in his real estate company, Real Asset Fund, with promise of profit. Gofman's enterprise began with seed money from an investor who transferred funds from an Eastern European bank account in Latvia. Gofman's typical scheme involved setting up straw buyers to purchase homes; falsely claiming home improvements were performed on houses in order to refinance them; and then selling

houses to unqualified buyers with assistance of real estate agents, mortgage brokers, and title companies. Gofman and others defrauded lenders through loan application fraud, down payment fraud, and loan distribution fraud. 358 of the 453 houses fell into foreclosure.

The following 11 defendants were indicted on mortgage fraud-related offenses including engaging in a pattern of corrupt activity, a first degree felony: Uri Gofman, Tony Viola, Igor Gofman, Kevin Landrum, Dave Pirichy, Dale Adams, Steve Greenwald, George Gardner, James Leoni, along with Real Asset Fund owned by Uri Gofman and Karka Inc., which is owned by Uri Gofman. The other 34 defendants were indicted on mortgage fraud-related offenses.

Five defendants involved in this case were charged in December 2008, with mortgage fraud-related offenses in federal court: Uri Gofman, Paul Lesniak, Grennadiy Simkhovich, David Pirichy, and Howard Siefert, Jr.

The Task Force is continuing to investigate this mortgage fraud case and possible new charges are forthcoming.

The Cuyahoga County Mortgage Fraud Task Force operates under authorization of Ohio Attorney General Richard Cordray's Organized Crime Investigations Commission. The Task Force is comprised of federal, state, and local enforcement agencies.

Task Force members include: Ohio Organized Crime Investigations Commission, Cuyahoga County Prosecutor's Office, Ohio Bureau of Criminal Identification and Investigation, Cuyahoga County Sheriff's Office, Cleveland Heights Police Department, Solon Police Department, Beachwood Police Department, Pepper Pike Police Department, HUD Inspector General's Office, Cuyahoga County Recorder, Cuyahoga County Auditor, Cuyahoga County Treasurer, Department of Commerce-Division of Financial Institutions, F.B.I., U.S. Attorney's Office, and U.S. Postal Inspector.

Contact: Ryan Miday, Public Information Officer, (216) 698-2819, cell (216) 299-9326 or p4rm1@cuyahogacounty.us
<http://prosecutor.cuyahogacounty.us>.



PARMA POLICE DEPARTMENT
Investigative Narrative

SUDDEN DEATH

1210642

On 04/25/2012, at approx. 1744 hrs., officers were dispatched to 5676 Broadview Rd. #201 for a welfare check.

On our arrival, officers were met by PRP (Edward J. Pasela DOB: 10/07/1949) who stated that he had been unable to make contact with his daughter since the previous evening (04/24/2012) at approx. 2000 hrs. Edward stated to officers that numerous calls to her cellular phone had gone unanswered, and he was unable to make contact with her in person upon knocking on her door. Due to his daughter's history of alcohol and drug abuse, Edward was concerned for her welfare. With no response through the door, Lt. McCann #401 was advised of the situation, and, with a key provided by maintenance, officers made entry into the apartment.

Entry into the apartment revealed the SUBJECT (Dawn Pasela DOB: 06/25/1985) to be discovered unresponsive in the northwest dining room of the apartment. PFD was immediately dispatched to our location, and at approx. 1815 hrs. MED 2 pronounce Dawn deceased.

Investigation reveals the body to be well-preserved on the left side, with Dawn's left leg on top of the chair at the dining room table. Lividity was localized to her left side and extremities, and there was complete rigor-mortis. Dawn was fully clothed in a grey t-shirt and blue jeans. No socks or shoes were worn, and her skin was grey and purple. There was evidence of prior food preparation in the kitchen that included soup. The temperature of the room upon entry was 80 degrees Fahrenheit. No signs of forced entry were observed to the apartment.

The Cuyahoga County Coroner's Office was advised and deemed this a coroner case. At approx. 1930 hrs. Investigator Morgan arrived on scene and conducted his investigation. At approx. 1950 hrs. Dawn's body was claimed, and Unit 1102 (Correa and Vajas) transported the body. Body was tagged

Ptl. M. DeSimone #577

Reporting Officer's printed name

Signature

Badge #

Date

Approving Officer's printed name

Signature

Badge #

Date

Revised April 2007

Page 1 of 2 pages



PARMA POLICE DEPARTMENT
Investigative Narrative

0607909.

It should be noted that Investigator Morgan stated that there appeared to be no evidence of foul play.

- Death Scene Checklist completed.
- 22 Digital photographs taken.

Ptl. M. DeSimone #577

Reporting Officer's printed name

Approving Officer's printed name

M. DeSimone
Signature

L.T. DeSimone
Signature

577

Badge #

Badge #

04/25/12
Date

Date

401
Date

Date

VEHICLE INFORMATION

NOT USED

Check All Appropriate	<input type="checkbox"/> Stolen Vehicle <input type="checkbox"/> Abandoned	<input type="checkbox"/> Received <input type="checkbox"/> Towed	<input type="checkbox"/> Victim's Vehicle <input type="checkbox"/> Stolen Parts	<input type="checkbox"/> Vandalized <input type="checkbox"/> Other	<input type="checkbox"/> Unauthorized Use <input type="checkbox"/> Entered - Theft of Property
VYR <small>Veh. Year</small>	VMA <small>Veh. Make</small>	VMO <small>Veh. Model</small>	VST <small>Veh. Style</small>	VCO <small>Veh. Color</small>	Value of Vehicle
LIC <small>License</small>	LIS <small>Lic. Iss. State</small>	LIY <small>Lic. Iss. Year</small>	LIT <small>Lic. Iss. Type</small>	VIN <small>Veh. Identification Number</small>	
IF STOLEN Insurance Co.:		Phone No.	CRIS/Entry Made By:	Date/Time:	
IF RECOVERED By Whom:		Recovery Location		Date/Time	Owner Notified? <input type="checkbox"/> Yes By Whom: <input type="checkbox"/> No

WORTHLESS DOCUMENT INFORMATION

NOT USED

Type of Document	Date of Document	Document No.	Bank Name/Branch		
Name on Check	Made Payable To		Reason not Honored	Amount of Check	
Person Accepting Document	Address	Home Phone	Work Phone	Can I.D. Suspect <input type="checkbox"/> Yes <input type="checkbox"/> No	

PROPERTY INFORMATION

NOT USED

PROPERTY CODES: 1 = None 2 = Burned 3 = Fraudulent 4 = Vandalized 5 = Recovered/Found 6 = Evidence 7 = Stolen/Lost U = Unknown

CODE	QTY	TYPE	DESCRIPTION	BRAND	MODEL	SERIAL NUMBER	TAG #	VALUE	CRIS
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>

NARRATIVE INFORMATION

On 04/25/2012, at approx 1748 hrs, Subject was discovered deceased in the northeastern dining room of her apartment located at 5676 Broadway Rd # 201.
Further invest pending



**Cuyahoga County
Medical Examiner's Office
11001 Cedar Avenue, Cleveland, Ohio 44106
REPORT OF AUTOPSY**

Thomas P. Gilson, M.D.
Medical Examiner

THE STATE OF OHIO,
SS.
CUYAHOGA COUNTY

CASE NUMBER: IN2012-00731

REPORT OF AUTOPSY OF: Dawn Marie Pasela
ADDRESS: 5676 Broadview Road Building 1 #201, Parma, Ohio

I, Thomas P. Gilson, M.D., Medical Examiner of Cuyahoga County, Ohio, Certify that on the 26th day of April, 2012 at 9:40 AM in accordance with Section 313.13 of the Revised Code, of the State of Ohio, an autopsy was performed on the body of Dawn Marie Pasela.

The following is the report of autopsy to the best of my knowledge and belief: This person was a female, single, aged 26 years, of the White race; had brown eyes, black hair, good teeth, was 64 inches in height, weighing 111 pounds; a native of Westlake, Ohio.

ANATOMIC DIAGNOSES:

- I. Alcoholic steatohepatitis
 - 1. Acute and chronic ethanol abuse
 - 2. Acute ethanol intoxication
 - 3. Myocardial ischemia
 - 4. Pulmonary edema

- II. Evidence of therapy:
 - 1. Electrocardiogram pads

Cause of Death: Alcoholic steatohepatitis with acute ethanol intoxication.

Dan A. Galita, M.D.
(Name of Pathologist)

Dan Galita, M.D.
Pathologist Signature

Dawn Marie Pasela
(Name of Deceased)

Thomas P. Gilson, M.D.
Cuyahoga County Medical Examiner

Case: IN2012-00731
Name: Dawn Marie Paseia

County: Cuyahoga

GROSS ANATOMIC DESCRIPTION

EXTERNAL EXAMINATION: The body is that of a well-developed, well-nourished White female, whose appearance is compatible with the reported age of 26 years. The body weighs 111 pounds and is 64 inches in length.

The body is in full rigor mortis. Livor mortis is present on the dorsal aspect of the body, is cyanotic and fixed. The body is cold.

The hair is black, long and straight and of normal amount, distribution, and texture. The conjunctivae are slightly congested. The corneas are clear. The irides are brown. The pupils are unremarkable. The ears, nose, and mouth show no abnormalities. The teeth are natural and in good repair. The neck is of normal configuration, and there are no palpable masses. The thorax is symmetrical and normal in configuration. The breasts are of normal configuration, and there are no palpable masses. The abdomen is flat. The external genitalia are of normal conformation, and there are no external lesions. The extremities appear normal, and the joints are not deformed. All digits are present. The skin is of normal pliability and texture and presents no significant lesions. There is no icterus.

SCARS AND IDENTIFYING MARKS:

1. Tattoo depicting a butterfly, left upper back.
2. Tattoo depicting the sun, left lower back.
3. Tattoo depicting the moon, right lower back.
4. Tattoo depicting a cross, lateral aspect of the right leg.

EXTERNAL AND INTERNAL EVIDENCE OF RECENT THERAPY:

1. Three electrocardiogram pads on the chest.

EXTERNAL AND INTERNAL EVIDENCE OF RECENT INJURY: None.

INTERNAL EXAMINATION: The body is opened by means of the usual "Y" and biparietal incisions. The viscera of the thoracic and abdominal cavities occupy their normal sites. The serous surfaces are smooth and glistening. No fluids are present within the pericardial sac, right or left pleural cavities, or abdominal cavity. There are no abnormal masses present. The diaphragmatic leaves are normally situated. The margins of the liver and spleen are in proper relationship to their costal margins. The weights of the organs are as follows and, unless specified below, show no additional evidence of congenital or acquired disease.

Heart - 290 grams,
Right lung - 510 grams,
Left lung - 470 grams,
Liver - 1730 grams,
Spleen - 70 grams,
Right kidney - 100 grams,
Left kidney - 140 grams,
Brain - 1350 grams.

NECK: The neck organs are excised en bloc and examined separately. The strap muscles show no contusions or hemorrhage. The hyoid bone and the cartilaginous structures are intact. The larynx and trachea have a normal caliber and contain a moderate amount of frothy fluid. The laryngeal and tracheal mucosa is soft and pinkish-gray. The paravertebral musculature is unremarkable. The cervical spine is unremarkable.

CARDIOVASCULAR SYSTEM: The heart is normal in configuration. The coronary arteries have a normal anatomic distribution, and multiple cross sections show no narrowing of lumina and no evidence of thrombosis. The epicardium is smooth and glistening. There is a normal amount of subepicardial fat and its distribution is normal. The great vessels enter and leave the heart in a normal manner. The cardiac chambers have a normal configuration. The septa are intact, and there are no congenital abnormalities. The myocardium is of normal consistency and appearance. The left and right ventricles are 1.5 cm and 0.2 cm thick, respectively. The heart valves are thin, pliable, and delicate, and are free of deformity. Valve dimensions appear within normal limits. Valve dimensions are as follows: pulmonary valve 6.5 cm, aortic valve 5.5 cm, mitral valve 10 cm, and tricuspid valve 11 cm.

Case: IN2012-00731
Name: Dawn Marie Pasala

County: Cuyahoga

Aorta and its major branches: The aorta and its principal branches are patent throughout. There are no thrombi, areas of erosion, or zones of significant narrowing present.

Venae cavae and their major tributaries: The superior and inferior venae cavae and their major tributaries are patent throughout. No significant areas of extrinsic or intrinsic stenosis are present.

RESPIRATORY SYSTEM: The major bronchi have a normal caliber and are free of obstruction. The right and left lungs have a normal lobar configuration. The visceral pleurae are smooth and glistening. There are no subpleural emphysematous bullae. The pulmonary arteries are free of emboli and thrombi. The lungs are slightly consolidated throughout. The parenchyma exudes a moderate amount of frothy fluid.

HEMIC AND LYMPHATIC SYSTEMS: The spleen has a normal configuration. The capsule is blue-gray and smooth, without areas of thickening. On section, the splenic pulp is of normal consistency and appearance. No abnormal lymph nodes are encountered.

DIGESTIVE SYSTEM: The esophagus is free of lesions. The stomach has a normal configuration. The serosa is smooth and glistening. The wall is of normal thickness and the mucosa is thrown into rugal folds. There are no areas of ulceration. It contains 325 ml of food. The duodenum is free of ulceration and other intrinsic lesions. The remainder of the small bowel, the colon, and the rectum are normal in appearance. The appendix is present and is unremarkable.

LIVER: The capsule is smooth and glistening. The liver configuration is normal. Multiple cross sections reveal a normal lobular pattern with mild steatosis. The gallbladder is of normal size and configuration. The wall is thin and the mucosa is bile-stained. It contains 60 ml of bile. No calculi are present.

PANCREAS: The pancreas is of firm consistency and normally lobulated. Multiple cross sections reveal a normal tan-pink parenchyma without intrinsic lesions.

GENITOURINARY SYSTEM:

Kidneys: The right and left kidneys are similar. The capsules strip with ease to reveal smooth subcapsular surfaces. The renal arteries and veins are patent and free of stenosing lesions. On section, the renal cortices are of normal thickness and the cortico-medullary demarcations are distinct. The medullae are unremarkable. The pelvo-calyceal systems are normal in appearance. The ureters are unremarkable.

Bladder: The bladder is of normal configuration. The mucosa is intact and free of ulcerations or other lesions. It contains approximately 35 ml of urine.

Uterus, tubes, and ovaries: The cervical os and cervical mucosa are unremarkable. The endometrial cavity is of normal configuration and the endometrium is unremarkable. The myometrium is normal. There are no parametrial lesions. The fallopian tubes are thin-walled, pliable, and free of lesions. The ovaries are unremarkable.

ENDOCRINE SYSTEM: No abnormalities are present in the pituitary, thyroid, or adrenal glands.

MUSCULOSKELETAL SYSTEM: The axial and appendicular skeleton shows no abnormalities. The exposed musculature is unremarkable.

HEAD/BRAIN: The scalp shows no evidence of contusions or subgaleal hemorrhage. The skull is intact. The dura is smooth and glistening. The convexities of the cerebral hemispheres are symmetrical. The leptomeninges are thin and transparent. The subarachnoid space does not contain any hemorrhage. The cerebrum presents normal convolutions, with no flattening of the gyri or deepening or widening of the sulci. There is no evidence of subfalcial, uncal, or cerebellar tonsillar herniation present. The major cerebral arteries show no atherosclerosis and appear to be patent throughout. The roots of the cranial nerves are unremarkable. Serial coronal sections through the cerebral hemispheres show a grossly normal cortical ribbon and underlying white matter. The basal ganglia and diencephalon show no gross abnormalities. Serial cross sections through the brain stem and coronal sections through the cerebellum fail to show any gross lesions or abnormalities.

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The ventricular system is symmetrical and of normal size and configuration. After removal of the brain, the base of the skull does not demonstrate any fractures.

Serial cross sections through a small portion of the cervical spinal cord show no gross abnormalities.

MICROSCOPIC DESCRIPTION

HEART: Wavy fibers

LUNGS: Abundant intra-alveolar eosinophilic proteinaceous material

LIVER: Numerous hepatocytes with multiple tiny fat droplets and large, clear macrovesicular globules, compressing and displacing the nuclei to the periphery
Discrete portal and bridging fibrosis with mild chronic inflammatory cell infiltration

KIDNEYS: No pathologic diagnosis

BRAIN: No pathologic diagnosis

Dan Galita, M.D.
Dan A. Galita, M.D.

5/28/12
Date



**Cuyahoga County
Medical Examiner's Office
11001 Cedar Avenue, Cleveland, Ohio 44106
MEDICAL EXAMINER'S VERDICT**

Thomas P. Gilson, M.D.
Medical Examiner

THE STATE OF OHIO,
SS.
CUYAHOGA COUNTY

CASE NUMBER: IN2012-00731

Be it Remembered, That on the 25th day of April, 2012 information was given to me, Thomas P. Gilson, M.D., Medical Examiner of said County, that the dead body of a woman supposed to have come to her death as the result of criminal or other violent means, or by casualty, or by suicide, or suddenly when in apparent health, or in any suspicious or unusual manner, (Sec. 313-11, 313-12 R.C. Ohio) had been found at 5676 Broadview Road, Building 1 #201 in Parma of Cuyahoga County, on the 25th day of April, 2012.


I viewed or caused to be viewed the said body at the Medical Examiner's Office. After the viewing and making inquiry into the circumstances that caused the death of the said person, I obtained further information, to-wit: (PPD #1210462). I also carefully examined or caused to be examined the said dead body at 7:32AM on the 26th day of April, 2012 and I find as follows: to wit:

I, Thomas P. Gilson, M.D., Medical Examiner of said county, having diligently inquired, do true presentment make in what manner Dawn Marie Pasela, whose body was at the Medical Examiner's Office on the 26th day of April, 2012 came to her death. The said Dawn Marie Pasela was single, 26 years of age, a resident of Parma, Cuyahoga County, Ohio, and a native of Westlake, Ohio; was of the White race, and had brown eyes, black hair, -- beard, -- mustache, was 64 inches in height, and weighed 111 pounds.

Upon full inquiry based on all the known facts, I find that the said Dawn Marie Pasela came to her death officially on the 25th day of April, 2012 at 5676 Broadview Road, Building 1 #201 and was officially pronounced dead at 6:20 P.M., by Dr. Schikowski. There is history that on April 25th, 2012 at about 5:44 P.M., Parma Police responded to a call of concern regarding the welfare of the said Dawn Marie Pasela, at her home at the aforementioned address. On arrival, entry was gained, and a search was conducted, this woman was found apparently unresponsive, on the dining room floor. The Parma Paramedics were called and on arrival, the said Dawn Marie Pasela was found to have expired and was pronounced dead at the aforementioned time and date. The County Medical Examiner's Office was notified and Esposito Mortuary Services was dispatched. This woman was then transported to the Medical Examiner's Office where an autopsy was performed. That death in this case was the end result of alcoholic steatohepatitis with acute ethanol intoxication.

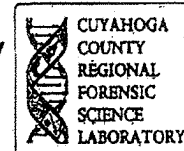
Cause of Death: Alcoholic steatohepatitis with acute ethanol intoxication.

Dawn Marie Pasela
(Name of Deceased)


Cuyahoga County Medical Examiner .M.D.



Toxicology Laboratory Report
Cuyahoga County Regional Forensic Science Laboratory
 11001 Cedar Avenue, Cleveland, Ohio 44106



Case Number :	IN2012-00731	Report Date :	Monday, June 11, 2012
Name :	Dawn Paseia	Receipt Date :	Thursday, April 26, 2012
Agency :	Cuyahoga County (CCMEO)	Pathologist :	DGAL - Dan Galita, M.D.

Specimen Received

B1 - Blood	F1 - Femoral Blood	G1 - Gastric	I1 - Bile
L1 - Liver	R1 - Longterm Storage	U1 - Urine	V1 - Vitreous Humor

COMMENT:

B1: Heart Blood Analysis			
Drug Group/Class	Result	Quantitation	Analyte(s)
Acetaminophen Screen	None Detected		See Page 3, Group 9
Salicylate Screen	None Detected		See Page 3, Group 10

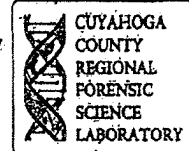
F1: Femoral Blood Analysis			
Drug Group/Class	Result	Quantitation	Analyte(s)
Volatile Screen & Confirmation	Positive		See Page 3, Group 1
Ethanol (g/dL)		0.537 g/dL	
Acid Neutrals by GC/MS	None Detected		See Page 3, Group 2
Opiate ELISA Screen	None Detected		See Page 3, Group 7
Basic Drugs by GC/MS	Positive		See Page 3, Group 8
Cotinine		Positive	
Amphetamine ELISA	None Detected		See Page 3, Group 7
Barbiturates ELISA Screen	None Detected		See Page 3, Group 7
Benzodiazepines ELISA Screen	None Detected		See Page 3, Group 7
Cannabinoids ELISA Screen	None Detected		See Page 3, Group 7
Carisoprodol ELISA Screen	None Detected		See Page 3, Group 7
Cocaine Mtb. ELISA Screen	None Detected		See Page 3, Group 7
Fentanyl ELISA Screen	None Detected		See Page 3, Group 7
Methamphetamine ELISA Screen	None Detected		See Page 3, Group 7
Oxycodone ELISA Screen	None Detected		See Page 3, Group 7
Phencyclidine ELISA Screen	None Detected		See Page 3, Group 7
Tricyclic Antidepressants ELISA Screen	None Detected		See Page 3, Group 7
Methadone ELISA Screen	None Detected		See Page 3, Group 7

G1: Gastric Contents Analysis			
Drug Group/Class	Result	Quantitation	Analyte(s)
No Test Performed	---		

I1: Bile Analysis			
Drug Group/Class	Result	Quantitation	Analyte(s)
No Test Performed	---		



Toxicology Laboratory Report
Cuyahoga County Regional Forensic Science Laboratory
11001 Cedar Avenue, Cleveland, Ohio 44106



Page 2 of 3

Case Number : IN2012-00731 **Report Date :** Monday, June 11, 2012
Name : Dawn Pasela **Receipt Date :** Thursday, April 26, 2012
Agency : Cuyahoga County (CCMEO) **Pathologist :** DGAL - Dan Galita, M.D.

L 1: Liver Analysis

Drug Group/Class	Result	Quantitation	Analyte(s)
No Test Performed	—		

R 1: Long Term Storage Blood Analysis

Drug Group/Class	Result	Quantitation	Analyte(s)
No Test Performed	—		

U 1: Urine Analysis

Drug Group/Class	Result	Quantitation	Analyte(s)
Glucose/Ketone bodies	None Detected		
Basic Drugs by GC/MS	Positive		See Page 3, Group 8
Nicotine		Positive	

V 1: Vitreous Humor Hospital Post Analysis

Drug Group/Class	Result	Quantitation	Analyte(s)
Volatile Screen & Confirmation	Positive		See Page 3, Group 1
Ethanol (g/dL)		0.595 g/dL	
Clinical Chemistry	Positive		See Page 3, Group 12
Sodium		156 mmol/L	
Potassium		10 mmol/L	
Chloride		136 mmol/L	
Calcium		1.3 mmol/L	
Magnesium		0.78 mmol/L	
Glucose		36 mg/dL	
Lactate		15 mmol/L	
Urea Nitrogen		Not Done	
Creatinine		0.40 mg/dL	

IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

CASE NO. 14-3348/3624

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

ANTHONY L. VIOLA,
Defendant-Appellant.

On Appeal from the United States District Court
for the Northern District of Ohio
Eastern Division, Case No. 1:08CR506

GOVERNMENT'S OPPOSITION TO, AND MOTION TO STRIKE, VIOLA'S
REQUEST(S) THAT THE COURT TAKE JUDICIAL NOTICE OF
AFFIDAVITS

Anthony L. Viola, Pro Se
#32238-160
F.C.I. McKean
P.O. Box 8000
Bradford, PA 16701

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Viola initially filed his Request That The Merits Panel Take Judicial Notice of Affidavits Filed In The District Court and Unopposed By The Government (Doc. #31) with the affidavits attached in this Case on February 2, 2015. Viola filed the same Request and affidavits (Doc. # 35) on March 2, 2015¹. The Government respectfully requests that this Court deny Viola's Requests and Strike these filings (Doc. #31 and #35) from the record for the following reasons:

One, these affidavits are not in the record. Second, the averments within the affidavit do not comport with Federal Rule of Evidence 201(b)(1) and (2). The facts alleged are not generally known in the community, and the facts claimed in the affidavit certainly are not ones that "can accurately and readily be determined from sources whose accuracy cannot reasonably be questioned." Accordingly, since the affidavits do not satisfy the Rule, this Court should not take judicial notice of the affidavits or an of the information asserted.

Furthermore, the United States hotly dispute Viola's allegation that Dawn Pasela was ever threatened by the Undersigned or any federal agents, or that the Undersigned or any federal agent had anything to do with Mr. Pasela untimely

¹ The Undersigned respectfully requests that the Court not consider the delay in opposing Viola's initial Request as a reduction to the extent with which the Undersigned disputes Viola's allegations. The Undersigned has been preparing for a particularly contested trial since January, 2015, and in trial since February 20, 2015 in United States v. Atway, et al. in the Northern District of Ohio. (Case #1:14CR070).

death. Viola's allegations are baseless and asserted simply in an attempt to inflame the matter. Accordingly, both Requests should be stricken from the Record.

Finally, Viola incorrectly states to this Court that the United States did not oppose the Motion to which he attached the affidavits. (R. 470, Motion to Compel, PageID 10355). In fact, the United States filed a Response in Opposition (R. 471, PageID 10369) in the District Court, and the District Court denied Viola's Motion to Compel. (R. 473, Memorandum and Order, PageID 10379). Because the affidavits had no bearing on Viola's Motion to Compel, and Viola's allegations were so frivolous, neither the United States, nor the District Court needed to address Viola's allegations or the affidavits.

Respectfully Submitted,

Steven M. Dettelbach
United States Attorney

s/Mark S. Bennett
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U.S. Department of Justice

*United States Attorney
Northern District of Ohio*

United States Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113-1852

August 9, 2013

Anthony L. Viola #32238160
Ashland Federal Correctional Institution
P.O. Box 6001
Ashland, Kentucky 41105

Re: United States v. Viola, et al. 1:08CR506

Dear Mr. Viola:

This office is in receipt of your letters of March 31, 2013 and April 15, 2013. We have reviewed your allegations that members of a "joint state-federal Mortgage Fraud Task Force" engaged in "significant misconduct." Based upon our review of your allegations, this office will take no further action.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven M. Dettelbach", enclosed within a hand-drawn oval.

Steven M. Dettelbach
United States Attorney