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Subject: FINAL AND IRREVOCABLE NOTICE – Suppression of Recorded Truth, Jurisdictional Bar, and Institutional Fraud

Dear Bernstein Shur Management,  
CC: Members of the Maine Legislature, Judiciary Committee, and Government Oversight Committee,

This email is sent as formal notice of imminent exposure.

What has occurred in *Pierce v. Rinaldi* is no longer describable as litigation error, discretion, or good-faith disagreement. It is the intentional suppression of dispositive evidence, the knowing continuation of a jurisdictionally barred lawsuit, and a systemic refusal to correct fraud once it became undeniable.

Bernstein Shur has now had years to intervene. It has not. This email therefore serves as a final opportunity for the firm to stop this before the consequences expand far beyond this case.

**Judicial Misconduct: Suppression of the Only Objective Evidence**

Attached to this correspondence is a recording from trial that should alarm anyone who believes in due process.

During trial, Justice Daniel Billings falsely told the self-represented Defendant that audio recordings are inadmissible unless they contain the Plaintiff or the Plaintiff's agent. That statement is categorically false. It is not the law. It is not the rule. And it is not a harmless mistake.

Judges are explicitly encouraged to assist pro se litigants in navigating evidentiary rules — not to lie to them about the law in order to suppress evidence.

Courts routinely welcome audio recordings precisely because:

- They are objective
- They are indisputable
- They prevent witness fabrication
- They are often more reliable than memory-based testimony

In this case, the Defendant possessed a recording of the actual breach — the very event in dispute. The recording captured the truth in real time.

Even more damning:

- The Plaintiffs possessed this recording for years
- They knew it disproved their claims
- They never objected to its admissibility
- They proceeded to trial anyway
- And when the moment came to reveal the truth, the court refused to allow it

One must ask the obvious question:

Why would a court refuse to hear the only piece of evidence that captures the actual event at issue — unless the truth itself was unwelcome?

This was not an evidentiary ruling.  
It was truth suppression.

**The Lawsuit Is Barred as a Matter of Law**

Even setting aside the suppressed recording, the Plaintiffs' lawsuit is legally barred on multiple independent grounds, all of which were proven at trial and preserved in the record:

- Lack of Subject Matter Jurisdiction (Rule 12(b)(1))
- Judicial Estoppel
- Unclean Hands
- Duress and Undue Influence
- Anticipatory Repudiation by Plaintiffs

- Failure to Mitigate Damages
- Offset
- Waiver
- Material Misrepresentation and Fraud

Any one of these defenses is fatal. Together, they make continuation of this case indefensible.

Yet despite overwhelming evidence, sworn admissions, documentary proof, and now a suppressed recording of the actual breach, the case was allowed to proceed — not because the Plaintiffs met their burden, but because the system refused to enforce the law.

This Is No Longer a Civil Case — It Is an Institutional Failure

For over 4.5 years, I have filed motions raising:

- Jurisdictional defects
- Perjury
- Fraud on the court
- Suppression of evidence

They were ignored, denied without findings, or procedurally buried.

I have now completed formal judicial misconduct complaints and intentionally delayed my Rule 60 motion, appeals, motions to reconsider, and writ of mandamus to the Maine Supreme Judicial Court until those complaints were finalized.

Those filings are now imminent.

Legislative Exposure Will Be Relentless

I will be testifying at as many public legislative hearings as possible regarding judicial reform and court procedure. My position will be stated plainly on the public record:

No new laws matter if the judicial system is this broken.

It is meaningless for the Legislature to debate reforms while a single, fully documented case demonstrates that:

- Objective evidence can be suppressed
- Jurisdiction can be ignored
- Fraud can persist for years
- And courts will not correct themselves

I will be urging legislators to place this case before all judicial reform efforts, because it exposes the failure of the system more clearly than any hypothetical.

Final Notice

Bernstein Shur can still:

- Acknowledge the record
- Intervene internally
- End this litigation
- Mitigate the damage

Or it can continue to stand behind conduct that will not survive judicial, legislative, or public scrutiny.

This is not a threat.

It is a forecast.

There will be no silence going forward.

Respectfully,

Anthony Rinaldi

Defendant, Pierce v. Rinaldi

Southern Maine construction