

ALERT: New Rarity and Bad Press: Bernard can't and won't defend his coins

February 9th, 2004

FIRST the good news: "Making of a New Rarity!"

As most of you know we have strived since day one to provide a pocket-friendly Silver Liberty i.e. one without any sharp edges. Well after fifty plus experiments, we decided to produce a new obverse die with a WIDE rim and a SHADOW relief. Unfortunately, I just learned that the new die has the wide rim but the same beautiful deep relief. Plus the new die has already been put into production! And Sunshine has already shipped some Silver Libertys using the new die not knowing it was in error!!

Thus we have a Rarity in the Making! Sunshine will continue to mint and ship the new wide rim/deep relief error die until the new die is cut. This should be very soon but only a few thousand of this variety #9 of Silver Liberty will be minted. So if you have been considering getting some Silver Libertys, please consider ordering right now and put a couple of these away if you are interested. Recently a 1998 Silver Liberty was auctioned off at Liberty University for \$200!!! Of course, I have no idea what this new error will be worth, but like the "2000 Un-godly Error" it may be worth more than the original 1998 Silver Liberty as fewer were minted.

SECOND: Now the Bad Press:

To those who got the email subjected: Bernard von NotHaus can't and won't defend his coins: Please note reply below:

To those who did NOT get the email subjected: Bernard von NotHaus can't and won't defend his coins, and you want to know what all the fuss is about, please scroll down to read the original email if you are interested in this non-issue:

Regarding the case: NORFED, Inc.-Tavera et al v. von NotHaus et al

This case was addressed last year in the September 2003 issue of the Liberty Dollar Newsletter. Article #9 was titled: "They say you're not truly successful in business until you've been sued." At that time we reported:

"We have learned that in July 2002 an individual about 17 years of age, with a history of being mentally retarded, went into a Tower Records store in Oregon, bought a CD with a Silver Liberty and ran into trouble, perhaps arising from his own behavior. We are informed that the young man, now 18 years of age, and his father or guardian, both apparently unemployed and living in or around Seattle, have filed a civil suit against a huge number of entities and people, including, among others, NORFED, an Oregon County, the State of Oregon, an Oregon City and its Police Department and the Federal Reserve. In all, a confused collection of allegations about civil rights and other subjects against various governmental, corporate and individual defendants which otherwise may not have anything material in common with one another.

Crazy? Yes! Expensive? Very, for the taxpayers who support the judicial system, all those government and public employee defendants, and for NORFED too."

TODAY: FEBRUARY 9, 2004: There should be no cause for concern about the Liberty Dollar arising from the February 5, 2004 email which an anonymous scrivener has circulated under the name of Michael DeLeon Martinez. Suffice it to say the litigation to which the email refers is civil, not criminal,

and was instituted in Martinez's and one other name. The record of the case is available for inspection or photocopy/purchase at the United States '03 763, a self-styled "Civil Rights Complaint."

This latest email is just the latest effort to distract people from the value and mission, which the Liberty Dollar offers as a genuine SOLUTION to the current fiat monetary system. As you know, NORFED has NOT closed or gone out of business. Nor is this likely given its booming volume of business and all the good press the Liberty Dollar has received from The Learning Channel special just a couple of weeks ago.

The very first line in the email, "I have been defending the Liberty Dollar \$10 silver coin in a criminal action for over a year now" is false. He has not been defending anything, the action is civil not criminal, nor is the Silver Liberty a "coin". The second line, "Because Bernard von NotHaus has refused to help me with his alleged Lawyers?" is equally false and odorous as explained below.

There is NO truth to the statement: "Bernard von NotHaus can't and won't defend his coins." The simple fact is that, thousands of supporters and I, can and have defended the Liberty Dollar on countless occasions. The fact it is legal is supported by legal opinion letters and by the US Treasury, Secret Service and even the Federal Reserve.

And regarding Cr. Code §§ 167, 168, 18 U.S.C.A. §§ 281, 282 and the question, "Please tell me, how can we defend against this statute?" There is nothing for Michael Martinez, or you or I to defend. This is a non-issue. This is a red herring to distract you from learning the truth and being free of the "their" money. Please DO NOT be deceived by this disinformation. Stay the course to value.

Originally when I finally heard about this incident, I offered Michael a Silver Liberty as the government was reputedly unwilling to return his property. But no, for some reason, that was not acceptable. Then when we tried to assist Michael and his father, Julian Taver, they would not return our phone calls, they did not keep appointments, then they lied and misrepresented the facts in the case, switched stories, and made it simply impossible to provide any assistance.

In all likelihood Michael Martinez was not capable to product the lawsuit and may not have originated this email, which has created so much concern. Why didn't Michael take the Silver Liberty and get on with his life? We may never know, because Michael's own condition bars him from knowing. This is truly a very sad situation and my heart goes to Michael for he is being used... and may not even know it.

My apologies to you if this email has caused you any concern. When something like this explodes on the Internet, please contact the NORFED office for the real facts, real fast.

Please do not be deceived, for this is all part of returning our great country to a value backed currency. Now lets all get out there and "make money, do good and have even more fun with the Liberty Dollar" as we truly return America to value – one dollar at a time.

Thank you for your emails, concerns and good wishes. Onward and upward!

The original email "from" Michael Martinez, follows below:

Bernard von NotHaus
Monetary Architect
www.LibertyDollar.org

Subject: Bernard von NotHaus can't and won't defend his coins
From: Michael Martinez [<mailto:matrixmichael18@yahoo.com>]

I have been defending the Liberty Dollar \$10 silver coin in a criminal action for over a year now. Because Bernard von NotHaus has refused to help me with his alleged Lawyers?

Yamhill County, Oregon charged me with violating a Federal Law, Title 18 U.S.C. § 486 and a state statute of Forgery because I used the Liberty Dollar \$10 silver coin to buy a \$10 music CD Rom.

Title 18 U.S.C. § 486:

Whoever, except as authorized by law, makes or utters or passes, or attempts to utter or pass, any coins of gold or silver or other metal, or alloys of metals, intended for use as current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, shall be fined not more than \$3,000 or imprisoned not more than five years or both.

I sued Yamhill County, the State of Oregon, and more than a dozen county and state officers under the civil rights act alleging that I had a right to exchange, trade, and barter with the Liberty Dollar \$10 silver coin in commerce with anyone who was willing to accept it. But Bernard von NotHaus refused to join the lawsuit. He closed up his NORFED office after NORFED was served with a summons so that the sheriff could not serve him with a summons. So, I have had to defend myself and Bernard von NotHaus Liberty Dollar coin for over a year.

In *United States v. Falvey*, 676 F.2d 871 (1982) the United States Court of Appeals for the First Circuit wrote, at page 876:

* * *. The bill was referred to in Congress as one to punish and prevent counterfeiting of coin of the United States, 136 Cong. Globe, 38th Cong., 1st Sess. 2707 (1864) (emphasis added), and it was captioned as such in Statutes at Large, 13 Stat. 120. There is no reference to applicability to foreign money as such. Rather, the primary concern of Congress seems to have been with the prohibition of private systems of coinage created for use in competition with the official United States coinage. See *United States v. Gellman*, 44 F.Supp. 360, 364 (D.Minn. 1942); cf. *Curran v. Sanford*, 145 F.2d 229 (5th Cir. 1944) (sections 485 and 486 define separate offenses).

In *United States v. Gellman*, 44 F.Supp. 360 (1942), head note 3 reads:

The statutes prohibiting the making or uttering coins resembling money or uttering devices of minor coins were primarily adopted to prevent the coining of money in competition with the United States, and resemblance or similitude to genuine coins is not necessarily an element to violation of statute. Cr. Code §§ 167, 168, 18 U.S.C.A. §§ 281, 282.

Please tell me, how can we defend against this statute?

Respectfully,

Michael DeLeon Martinez

matrixmichael18@yahoo.com