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May 9, 2025

Michael P. Maloney - Director of Law
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Robin R. Leasure - Assistant Director of Law
rleasure@cityofwestlake.org

City Of Westlake
27700 Hilliard Blvd
Westlake, OH 44145

Dear Director Maloney and Assistant Director Leasure,

Earlier this year, I provided you with documentary evidence establishing that Mark Bennett made materially false statements to your officers when he submitted police reports and hundreds of emails to city officials. Now, I am informing you at Attorney Rebecca Bennett has also made materially false statements to the Westlake Police as well.

As an initial matter, both Mr. and Mrs. Bennett are informing you that every single internet post, podcast show, journalist's story or flyer about Dawn Pasela or Mark Bennett's firing and disbarment constitute some nefarious criminal plot masterminded by me. As you know, multiple organizations are advocating for me (including Yale Law School, Attorney Kim Corral, an investigative team led by former FBI agent Bob Friedrich, and others) while many organizations are advocating for Justice for Dawn Pasela (including Seeking Justice, Uncovered, EPIC in Ohio, the Ohio Coalition to End Qualified Immunity, and many others.) Ms. Bennett police report falsely blames me for behavior I am not responsible for and isn't illegal. Even when someone with "a woman's voice" was heard on a phone call, Rebecca Bennett claims I should be arrested. Your office should no longer tolerate these wild and unsubstantiated claims and refer both Mark and Rebecca Bennett to the Prosecutor's Office for additional investigation.

**ADDITIONAL FALSE STATEMENTS MADE BY REBECCA BENNETT TO
THE WESTLAKE POLICE**

- I. According to Ms. Bennett, "Mark was not involved in any way in the state prosecution," but transcripts from that proceeding confirm Mr. Bennett's

presence there, email from Mark Bennett discuss state trial discovery matters and Mr. Bennett himself stated he was working with state prosecutors through the task force and was “coordinating” prosecutions with state officials, January 11, 2011 transcript, USA v. Viola, 08-cr-506, ND Ohio.

- II. Ms. Bennett falsely states that I control websites or content from various websites, when such is not the case. According to Ms. Bennett, I “created ... Change.org, Uncovered.com” and others. In fact, Change.org is a global platform featuring tens of thousands of causes, while Seeking Justice and Uncovered.com are advocacy organizations based in New York City. I do not have access to website log ins nor can I post content there.
- III. Bennett recites a litany of cases in which adverse rulings against the undersigned were rendered, but those rulings were made BEFORE both the FBI and Justice Department blamed Mark Bennett for making material misrepresentations about evidence, Viola v. U.S. Department of Justice, et. al., 15-cv-242, WD Pa, document numbers 99 and 164.

As a result of the false statements, government attorneys asked the federal courts to withdraw previous rulings based on false sworn statements and Yale University Law School was appointed to represent me in proceedings where Mr. Bennett concealed an affair between Assistant Ohio Attorney General Dan Kasaris and government witness Kathryn Clover, used Clover’s perjured testimony in criminal cases, and shifted exculpatory evidence from the US Attorney’s Office to a multi-jurisdictional task force location where Dawn Pasela worked, Viola v. Department of Justice, et. al., case number 22-2186, U.S. Court of Appeals for the Third Circuit.

- IV. Ms. Bennett states I am “falsely calling Mark a Sexual Predator,” and should be prosecuted, but government reports and the Ohio Supreme Court outline decades of Mark Bennett’s sexually predatory behavior, use of government computers to solicit sex and Mr. Bennett’s exploitation of his powerful position as a prosecutor to extract sexual favors.

In Disciplinary Counsel v. Bennett, Slip Opinion No. 2023-Ohio-4752, the Ohio Supreme Court’s ruling detailed instances of sexual assault, including Bennett placing his hand on the intern’s breasts, and utilized evidence from a forensic analysis of Bennett’s government computer to retrieve messages from Bennett stating he

- “Can[’]t wait to have it,” in reference to an intern’s butt, which he informed her “was looking wide for a while there.” He later texted her, “Damn [you] for making me think about it again,” with “it” being a reference to sexual activity, then asked “Why do you haunt my dreams?”

- Looked up a co-worker's skirt or was "looking at [her] butt" on different occasions.
- Even though Bennett was blocked on Snapchat, Facebook and even though his cell number was blocked, Bennett continued making unwanted sexual advances, causing the intern to relocate to an office 100 miles away.
- When told to stop, Bennett refused, stating he could do whatever he wanted: "Oh, I play poker with judges every Thursday and I'm so well connected."

Chief Justice Sharron Kennedy wrote that "Bennett's actions tainted the public trust. His conduct ... undermined the credibility of and public faith in government, impeded the common good, and were not in the best interests of the American people ... he was also a representative of the United States and possessed all the powers that comes with that position. His actions demeaned both the legal profession and his government office.

In case number 2019-9081, The Department of Justice Inspector General also detailed serial wrongdoing by Bennett, including "physically and verbally harassing" women for two decades, attacking a server at a restaurant, purchasing jewelry for married colleagues, demanding nude photos from colleagues, committing "sexual imposition." Bennett purchased jewelry for married co-workers and lied to investigators about utilizing a myriad of social media platforms to troll women on line – Bennett used Snapchat, Facebook messenger, Twitter, Skype messages and other means to solicit sex. Bennett falsely claimed he didn't log onto social media sites from his government computer, saying he "completely avoided those sites" because he feared his computer could be infected with "viruses." A forensic analysis of Bennett's computer showed he logged into Facebook and Twitter "more than 25 times" and made a number of false statements to investigators.

- V. Ms. Bennett also makes the claim that I "pay strangers ... to attend rallies," but I have never paid any person one cent to attend any event or rally and rallies are headlined by our attorney, Kim Corral.

CONCLUSION AND REQUEST FOR CRIMINAL REFERRAL

As licensed attorneys, both Mr. and Mrs. Bennett are completely aware that false statements to law enforcement constitute a violation of the Ohio Rules of Professional Conduct and a criminal violation. Moreover, if either Rebecca or Mark Bennett actually believed that any statements I made are false, they have a remedy -- filing a defamation suit in civil court, identifying which statements are false and how they have been damaged. But these individuals won't subject themselves to discovery, and are lying to your city officials in hopes that your police officials will arrest me. This behavior is unlawful and inappropriate and should be the basis of a criminal referral.

Attached hereto are documents in support of this communication, including the first page of a court filing by Yale Law School, the Inspector General summary of Mark Bennett's wrongdoing, and Mark Bennett's false statements about illegal voice recordings

he possessed. Should you require any additional information, please do not hesitate to contact me anytime or visit the Evidence Locker at www.FreeTonyViola.com.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Tony Viola". The signature is written in a cursive, slightly stylized font.

Tony Viola

cc: Mayor's Office
Westlake City Council



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE SUMMARY | 21-005

Findings of Misconduct by an Assistant United States Attorney for Sexually Inappropriate Comments to Multiple Individuals, Inappropriate Touching of an Intern's Breast, and Lack of Candor to the OIG

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the Executive Office for United States Attorneys (EOUSA) alleging that an Assistant United States Attorney (AUSA) may have physically and verbally sexually harassed an Intern in the United States Attorney's Office (USAO), including deliberately running his arm across the Intern's breast without her consent.

During the course of the investigation, the OIG found indications that the AUSA also made sexually suggestive comments to three other individuals, including another AUSA, a Federal Bureau of Investigation (FBI) Forensic Analyst, and a U.S. Postal Inspection Service (USPIS) Postal Inspector. In addition, the OIG found indications that the AUSA lacked candor during an OIG interview.

The OIG investigation substantiated the allegations that the AUSA engaged in sexually harassing conduct by making sexually inappropriate comments to the USAO Intern, the AUSA, the FBI Forensic Analyst, and the USPIS Postal Inspector, all in violation of federal regulations regarding sexual harassment and employee conduct, as well as in violation of DOJ policy prohibiting sexual harassment in the workplace. The OIG further concluded that the AUSA inappropriately touched the Intern's breast, in violation of state law. The OIG further found that the AUSA lacked candor in his OIG interview, in violation of DOJ policy.

Federal and state criminal prosecution of the AUSA was declined.

The OIG has completed its investigation and is providing this report to the EOUSA and DOJ's Office of Professional Responsibility for appropriate action.

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Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether Department of Justice personnel have committed misconduct.

No. 18-2573 (L); 22-2186

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

ANTHONY L. VIOLA,

Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU
OF INVESTIGATION, Records/Information Dissemination Section;
UNITED STATES DEPARTMENT OF JUSTICE, Executive Offices for
United States Attorneys-Freedom of Information & Privacy Staff;
CUYAHOGA COUNTY MORTGAGE FRAUD TASK FORCE;

Defendants-Appellees,

KATHRYN CLOVER,

Defendant.

ON APPEAL FROM UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
No. 1:15-cv-00242-SPB, U.S. District Judge Susan Paradise Baxter

BRIEF OF APPELLANT
WITH ATTACHED JOINT APPENDIX VOLUME 1

Alan Chen, Law Student
Daniel Mejia-Cruz, Law Student
YALE LAW SCHOOL ADVANCED
APPELLATE LITIGATION PROJECT*
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David Roth, Esq.
Tadhg Dooley, Esq.
Pro bono counsel
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One Century Tower
265 Church Street
New Haven, CT 06510
(203) 498-4400

Attorneys for Appellant

*This brief has been prepared by the Advanced Appellate Litigation Project, operated by Yale Law School. The brief does not purport to present the school's institutional views, if any. The motions for admission of law students Alan Chen and Daniel Mejia-Cruz were filed on April 3, 2023, and are pending with the Court.

IV. Viola Fails on Claims of Prosecutorial Misconduct.

A. Ground Four: Spying on the Defense after the Sixth Amendment Right to Counsel Attaches after the Indictment.

Viola claims the United States directed Mortgage Fraud Task Force Office Manager Dawn Pasela to secretly record conversations with Viola, post indictment. (R. 475-1: 2255 Motion at PageID 10403). Viola also argues that prosecutors used cancelled checks from Pasela's contributions to Viola's legal defense fund to identify the fund's bank account.

Viola's claims of government misconduct relating to Pasela are not true and, even if they were, do not amount to reversible plain error. First and foremost, the federal government had no involvement in any activities of Ms. Pasela. Secondly, Pasela did not testify at all in the federal trial, let alone testify about any incriminating statements that Viola made in the absence of counsel. Finally, Viola did not raise this issue with this Court during the federal trial, and Viola has not identified any alleged error made by this Court with respect to Pasela - let alone any plain error that affected his substantial rights. His untethered claim of government misconduct with respect to Pasela is blatantly untrue and lacks substance to be considered by this Court.

Respectfully submitted,

STEVEN M. DETTELBACH
United States Attorney

By: /s/ Mark S. Bennett

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February 24, 2024

Sent via Electronic Mail

Dana Poll
Lexi Kakis
Andrea Cipriano
The Justice Show – Seeking Justice for Dawn Pasela

Sent Via Email Only to seekingjusticeshow@gmail.com

***RE: Potential False and Defaming Statements About Mark Bennett to Be Made
in Seeking Justice YouTube Series on Dawn Pasela Starting February 28, 2024.***

Dear Ms. Poll, Ms. Kakis and Ms. Cipriano,

Instead, as part of the trial preparation, the FBI Agent assigned to the federal trial learned of the one recording from one of the agents working on the state prosecution case. Mr. Bennett immediately instructed the FBI agent to obtain a copy of the one

recording and listen to the recording to determine if it needed to be produced. The FBI Agent advised Mr. Bennett that the sound quality of the record was so poor it was not audible. Mr. Bennett advised the Agent to make copies of the one recording anyway and provide it to all defense counsel. Mr. Bennett never listened to the one recording to this day.

Regards,

MICHAEL P. HARVEY, CO., L.P.A.

/s/Michael P. Harvey
Michael P. Harvey, Esq.

MPH/map

Enclosures (Via Dropbox)

Please join the Law office of Kim Corral, JusticeForDawn.com, EPIC in Ohio, Seeking Justice, FreeTonyViola.com, & many others demanding

JUSTICE FOR DAWN PASELA

June 25, 2025 – 11:45 AM – 1:15 PM

US District Court 801 W Superior Ave, Cleveland, OH 44113

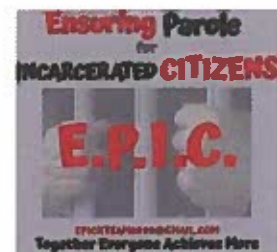


Dawn Pasela, a trusting and fierce advocate for justice, realized the prosecutors she worked for, Mark Bennett & Dan Kasaris, hid evidence to imprison innocent people for mortgage fraud. She's threatened to stay silent, but determined to testify against them and do what's right. As Dawn was set to appear in court, she was found dead in her apartment under suspicious circumstances, her computer was missing & Parma Police never collected ANY evidence or security camera footage.

Despite mounting evidence that Dawn was murdered, including an expert pathologist report calling for a new investigation and multiple law enforcement agencies stating Dawn's case should be reopened, powerful government officials are covering up misconduct inside the US Attorney's Office and refuse to do the right thing. Please join us as we demand justice and accountability!



Featured Speaker, Distinguished Cleveland Attorney Kim Corral



www.JusticeForDawn.com