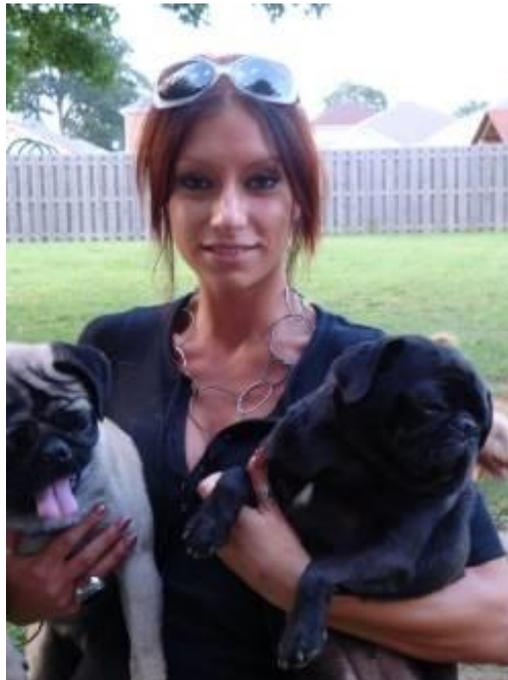


# **Prosecutor Dan Kasaris implicated in Death of Dawn Pasela**

## ***Kasaris at the scene hours Before Pasela's Death; Foul Play Suspected***

- **Attorney John Patrick says Dawn was “Murdered”**
- **Medical Examiner may Re-open Inquiry**
- **FBI Agent Jeffrey Kassouf Admits listening to recordings made before her death**
- **Prosecutor Daniel Kasaris threatened Dawn with “federal prison” and was seen at her apartment just hours before she died**

The death of whistleblower Dawn Pasela as she was scheduled to testify in open court about misconduct committed by Prosecutors Mark Bennett and Dan Kasaris has long been seen as too convenient of a coincidence to believe. Her passing, initially attributed to an alcohol overdose with a blood-alcohol content of .59, followed a cursory autopsy and a police investigation that failed to interview a single witness. Suspicions of foul play have swirled for years but no hard evidence emerged, leaving Dawn's family and friends not only heartbroken, but distraught about the circumstances surrounding her death. Now, newly discovered evidence places Senior Assistant Ohio Attorney General at Dawn's apartment shortly before her death, while the Medical Examiner will consider “new evidence” about Dawn's death.



**Dawn Pasela, who volunteered at the Parma Animal Hospital, Fostered Rescue dogs before their adoption by local families.**

## **Rising Star**

Born in 1985, Dawn graduated at the top of her class at both Cleveland State and at Cuyahoga County Community College, where she was President and founder of Phi Theta Kapa, a member of the National Honor Society's Dean's List and an important participant in the Criminal Justice Club. One of Dawn's professors at Tri-C, Detective Arvin Clar, suggested Dawn apply for an open position in the Ohio Attorney General's Office. Once there, her superiors quickly recognized her intelligence, work ethic and computer skills. At the same time, the AG's office was creating and funding a multi-jurisdictional mortgage fraud task force, consisting of a dozen federal, state and local law enforcement agencies. The AG's Office asked Dawn to interview for the position as Task Force Office Manager with Dan Kasaris, the head of Economic Crimes Prosecutions in Cuyahoga County. Kasaris was impressed with Dawn and, after consultations with federal prosecutor Mark Bennett, hired her. Dawn leapfrogged over older, more experienced employees to land a plum job at age 23 and quickly established herself as an indispensable part of the Task Force, logging evidence in hundreds of criminal cases, helping prosecutors prepare for trial and digitizing evidence for distribution to defense attorneys.

## **The Task Force Charges over 1,000 individuals with Racketeering and Felonies**

The Mortgage Fraud Task Force wasted little time initiating criminal charges against local real estate investors, real estate agents, loan officers and developers. According to a study by the Federal Reserve Bank of Cleveland, "With a four-fold increase in foreclosures from 1995 to 2007 and entire neighborhoods decimated by vacant and abandoned homes, Cuyahoga County—one of the epicenters of the nation's foreclosure crisis—has served as a striking example of the devastation wrought by the mortgage lending meltdown." And according to the Task Force, these foreclosures were largely the result of fraud perpetrated against banks. Prosecutions alleged borrowers were not allowed acquire homes without a down payment and that any properties acquired 'no money down' were the result of fraudulent loan applications or misstatements concerning a borrower's income and assets.

Cuyahoga County Prosecutor Bill Mason said, "These criminals are mortgage fraud predators and deserve every year in prison that they receive. While these hoodlums were illegally making money, they were devastating our neighborhoods with foreclosures." All told, the Task Force prosecuted over 1,000 individuals and collected nearly \$20 million in restitution, according to reports it provided to the U.S. Department of Justice.

## **The Prosecution of Tony Viola in the 'Nation's Largest Mortgage Fraud Case'**

Among the individuals prosecuted by the Task Force was local business owner Tony Viola, who founded real estate brokerage Realty Corporation of America in Cleveland.

Realty Corp had grown into one of the largest locally owned brokerages in Ohio, with over 100 associates, and focused on residential and commercial brokerage, property management services and real estate auctions. Following the televised raid of a dozen local businesses, including Viola's headquarters in Downtown Cleveland, the Task Force prosecuted Viola simultaneously in both state and federal court on identical charges. According to indictments, press releases, and statements made to the media, federal prosecutor Mark Bennett and state prosecutor Dan Kasaris alleged that Viola devised the "Nation's largest mortgage fraud scheme" and stole nearly \$46 million by duping lenders including JP Morgan Chase and Citigroup into making 'no money down' mortgage loans that did not meet banks' underwriting guidelines. But the charges against Viola contained a fatal flaw – incorrect statements that Viola owned and controlled "Family Title Services" and "Transcontinental Lending Group," when such was not the case. Viola's colleagues voiced support for his innocence claim, while Viola answered questions from journalists, refused to plead guilty and began preparing for trial.

### **Evidence at the Task Force Vanishes**

Viola's attorneys devised a simple defense: He never had anything to do with mortgages, never received one cent from businesses he didn't own and had no involvement as an employee, shareholder or officer of these firms. Viola's defense team retained a forensic accountant to prepare a report stating Viola was not involved with these mortgage and title businesses and never received any money from them. Viola's lawyers asked the government to turn over computers -- seized in televised raids -- from these businesses. After months of delay, Mark Bennett informed defense attorneys the computers in question were "lost," and attorney Leonard Carr wrote "the computers in question may have been lost or misplaced within the Cuyahoga County Prosecutor's Office."

### **Kathryn Clover becomes a Government Witness and Assists Mark Bennett and Dan Kasaris in dozens of Criminal Cases**

Kathryn Clover, a local real estate investor, teamed up with multiple business partners and accumulated a portfolio of nearly 100 investment properties. Clover and her partners acquired properties through several real estate brokerages, including Viola's firm, and later launched their own competing real estate business. According to Clover's husband, Matt Fairfield, Clover struggled to rent one of her properties and committed arson there to pocket a large insurance payout. When insurance fraud investigators contacted law enforcement to report the suspicious arson and large financial settlement, Clover became a target of the Task Force, where she first met Kasaris. Realizing she was nervous, and attracted to the then 27 year old, Kasaris told her she could avoid criminal charges if she assisted him with other mortgage fraud investigations. She agreed instantly. Kasaris

arranged for Clover to attend law school at no cost through a “Barrister’s Scholarship” from the Cleveland State Marshall College of Law then retained Clover as his paralegal inside the Task Force. In exchange, Clover agreed to testify in front of grand juries to secure indictments for the Task Force.

A sexual relationship between Kasaris and Clover commenced almost immediately; the couple was spotted together at a baseball game and at local bars in Lakewood, Ohio. Clover’s husband Matt became concerned Clover “was meeting prosecutor Dan Kasaris outside of the office at all hours of the day and night” and saw “text messages” of a sexual nature between them. When he confronted her, she admitted the affair, telling Fairfield she was “in love with Dan Kasaris.” Fairfield threatened to inform the US Attorney about the affair, but Fairfield was promptly arrested and imprisoned by none other than Dan Kasaris and Arvin Clar.

Back at the Task Force, Dawn was surprised at Clover’s dual role – both as a government witness, testifying as the Task Force’s “go to” witness in grand jury proceedings and criminal trials, while also simultaneously serving as a paralegal for Kasaris, sitting in on meetings with law enforcement officials and during witness interviews. Dawn knew something was amiss, because a fundamental rule of law enforcement is that during witness interviews, individuals should be separated, interviewed alone and instructed to avoid discussing details of any crime with other witnesses so evidence is based on an individual’s actual knowledge of events. As time went on, and with Matt Fairfield in jail, Kasaris and Clover became more brazen carrying out their affair, often going out together in public. On several occasions, Clover and Kasaris even left the Prosecutor’s office together and returned several hours later, sparking rumors of mid-day sexual activities. One of Clover’s other friends, Bryan Butler, also saw sexually explicit text messages between Clover and Kasaris.

### **Bennett and Kasaris obtain Viola’s Trial Strategy**

Viola’s simultaneous prosecution in both state and federal court – at the same time and on the same charges – was virtually unheard of and the subject of a media frenzy. Initially basking in favorable coverage, Bennett and Kasaris were surprised that Viola’s real estate business survived their onslaught and that Viola’s friends and supporters organized a series of fundraisers to raise money for legal fees and identify witnesses for the upcoming trials. Prosecutors worried their high profile case against Viola would fall apart if Viola could establish he never originated or obtained any mortgages and never received any money from the suspect transactions. Unwilling to admit error or dismiss the case, and not expecting Viola to force the government to put on two trials, Bennett and Kasaris initially “lost” computers central to his defense, then hatched a plan to find out as

much as they could about Viola's defense trial preparation. And to do so, they turned to Dawn Pasela. Even though Dawn was not trained as an undercover officer, Kasaris provided her with a wire and directed her to pose as a graduate student studying criminal justice and working with local defense attorneys. Pasela met Viola at a legal defense fundraiser at AJ Rocco's in downtown Cleveland, claiming she was assisting defense counsel on similar cases. She offered to share information, support his defense and met with Viola on several occasions – one discussion took place with Viola's attorney while another meeting was at Viola's real estate office – but the real purpose of these conversations was so prosecutors could obtain confidential defense trial strategy information. In addition to these recordings, Kasaris gave Dawn cash and directed her to donate those funds towards Viola's legal fees so the Task Force could use her cancelled check to identify the law firm's bank account, track investigative expenses and identify potential defense witnesses. Prosecutors took action on the information gleaned from these recordings – Mark Bennett obtained an Ex Parte order limiting Viola's defense, while Dan Kasaris tipped the FBI off about who was organizing fundraisers on Viola's behalf – and those individuals were promptly threatened with arrest if they continued to assist Viola.

### **Confrontation with Prosecutor Kasaris on the Eve of Viola's federal trial**

All Task Forces cases proceeded on the theory that banks were innocent victims of mortgage fraud schemes, but no one at the Task Force ever interviewed any of these "victims" until shortly before Viola's first trial. Given the large number of transactions at issue in multiple criminal cases, Prosecutors Bennett and Kasaris asked Argent Executive Steve Newcombe to spend a full week in Cleveland to review transactions listed in various indictments, including the Viola case.

Dawn set up a conference room in advance of Newcombe's visit, first reviewing indictments and then identifying all loans and corresponding mortgage files originated by the lender Newcombe represented, Argent Mortgage. Dawn – joined by FBI Agents, Mark Bennett, Dan Kasaris and Kathryn Cover – were a part of a week-long marathon review of mortgage files and loan documents. Dawn took notes and gathered information while Kathryn Clover made a spreadsheet with details of each transaction. But the meeting took a surprising turn when the banker – apparently for the first time – examined the files from the specific properties at issue in Viola's case.

"None of these loans should have been made," Newcombe told stunned members of the Task Force, including FBI Agent Jeff Kassouf, who was preparing an FBI 302 Interview Summary. "These loans were submitted as no money down, without income or asset information. Our employees were authorized to approve loans like this, but these deals were a stretch. I don't think there was fraud, I just think we said OK to some questionable loans."

As Clover entered comments into her spreadsheet confirming lender employees knew borrowers were not making a down payment and were receiving cash back on properties referenced in Viola's indictment, Dawn immediately realized what these statements meant: Viola – and all of the other defendants – were innocent. Banks weren't tricked. No one duped lenders into making 'no money down' mortgage loans. The Task Force was prosecuting innocent citizens.

After Newcombe left the Prosecutor's Office for the day, Dawn confronted Kasaris, asking him how criminal cases could continue without any factual basis. Unhappy with her outburst, Kasaris told Dawn she was just a secretary, she should keep her opinions to herself, or she'd be out of a job. Dawn left the office in tears. The next day, however, she located the FBI Interview summary with Newcombe stating that lender employees were authorized to approve 'no money down, cash back' mortgage loans and made a copy. Dawn also made copies of the lender closing instructions and underwriting worksheets in which lenders approved – in writing and before closing -- 'no money down' mortgage loans to borrowers without requiring income or assets. She also secured copies of lender program guidelines that proved the government's theory of the case was wrong – banks promoted, offered and signed off on the very 'no money down, cash back' mortgage loans prosecutors alleged Viola and others duped them into making.

### **Viola is Convicted in Federal Court**

At Viola's first trial in federal court, Kathryn Clover testified that Viola owned Family Title and that he told her to make false statements on her loan applications. Bankers told jurors they did not offer 'no money down' loans. Steve Newcombe claimed not to be intimately familiar with the particular loans in Viola's case, but stated that Argent did not permit 'no money down' mortgages, and that if anyone obtained such mortgages, it was the result of fraud. Having established that fraud took place, and tying Viola to scams through the testimony of Kathryn Clover, and with Viola's defense compromised due to the intrusion by prosecutors into his trial preparations, Viola was convicted after a two month long federal trial.

### **After Viola's Conviction in Federal Court, Dawn Pasela Contacts Viola**

Shortly after the jury verdict of guilty, but prior to the federal sentencing, Viola remained free on bond. At that point, Dawn Pasela contacted Viola, confessed to the spying operation and provided him with federal evidence withheld before the first trial but that she believed proved his innocence. Viola's initial defense was that if any fraud took place at mortgage businesses, he was not involved and should not have been charged, but Pasela advised to present an even simpler defense: it doesn't matter who owned what company, or what Kathryn Clover says, there was no mortgage fraud, period. Lenders approved 'no

money down' loans in writing, then "waived" income and down payment requirements. Armed with documents confirming as much, Viola and Pasela worked together to prepare for the second trial before he was imprisoned on federal charges.

### Viola's Second Trial

At this second trial, Viola represented himself from jail, while Dawn agreed to testify, as a whistleblower, about extraordinary misconduct at the Task Force, including:

- That Bennett and Kasaris were so desperate to find out about Viola's defense trial strategy that they ordered Dawn to record a series of post-indictment conversations with Viola over a 24 month period to obtain confidential information, while never providing these tapes to the defense before trial.
- The suppression of evidence proving the innocence of many defendants and that Clover and Kasaris destroyed computers in Viola's case that prosecutors claimed were "lost."
- Dawn was given government funds to donate towards Viola's legal fees so prosecutors could use her cancelled checks to identify then subpoena Viola's law firm's bank account, track investigative expenses, and identify potential defense witnesses, illegally interfering with Viola's constitutional right to prepare for trial.
- The romantic relationship between Kasaris and Clover; and
- Dawn's name on an Evidence Log was routinely forged.

822974	<b>DEFENSE SUBPOENA</b> (Criminal Rule 17)	RECEIVED FOR FILING 03/15/2012 08:34:25 GERALD E. PUERST, CLERK
THE STATE OF OHIO Cuyahoga County	<b>PRECIPE</b>	DS 822974 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		
<b>TO THE WITNESS</b> 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.		

**Dawn was subpoenaed to testify at Viola's trial, and Even Provided Viola with a list of questions to ask**

Initially certain Viola would be convicted a second time and sentenced to an additional decade or two in prison, prosecutors sensed trouble when Viola confronted Kathryn Clover with documents from her own mortgage applications stating she was not making any down payment, forcing her to concede her loan applications did not contain false statements. Clover also admitted Viola did not own Family Title or Transcontinental Lending. Clover recanted her federal court testimony, admitted lying there, and even took the Fifth Amendment. Viola proceeded to confront bankers with their own documents and presented evidence of his innocence. Momentum was on Viola's side and his supporters who came to court were confident he was winning. Bennett and Kasaris started to worry they may lose the trial but when they saw Dawn's name on the defense witness list, they become terrified that all Task Force prosecutions would be called into question if she testified.

Kasaris told Viola to remove Dawn from his witness list and threatened Dawn with "indictment," and "prosecution," if she testified. Detective Arvin Clar and Kasaris went to Dawn's apartment on multiple occasions to threaten her with prison because – according to Kasaris' own written statements – she violated a "confidentiality agreement" she signed with the Ohio Attorney General's Office when she contacted Viola to provide him with exculpatory evidence. In fear for her personal safety, Dawn left her apartment and hid at her parents' house.

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

**Kasaris said Dawn Pasela Violated a Confidentiality Agreement and would be prosecuted as a result**

According to sworn statements by Dawn's parents, Karen and Edward Pasela, Kasaris not only threatened Dawn, but also showed up at their home as well. Kasaris claimed he needed to get inside their house to look for "computers." According to these same statements, Dawn spoke with Viola during the second trial, and was visibly crying and shaking about all that was taking place. Dawn moved back to her apartment, but her Father Ed was worried because he hadn't heard from her, and she did not appear in court as scheduled. When Ed went to Dawn's apartment and no one answered the door, the police were called for a welfare check. Six officers immediately arrived on scene, opened the door, announced that Dawn was dead and prevented Mr. Pasela from entering the

apartment or seeing Dawn's body. Only hours after her death and well before any toxicology report or the coroner's investigation commenced, Kasaris informed Judge Daniel Gaul, who presided over the second trial, that Dawn passed away from an "overdose", Ohio v. Viola, case # 10-cr-536877.

Although it hardly seemed to matter at that point, Viola was acquitted on all charges, prompting Judge Daniel Gaul to take the extraordinary step of stating in writing that Viola is innocent, was wrongfully incarcerated, and that Kasaris committed "misconduct."

### Cover up after Dawn's Death

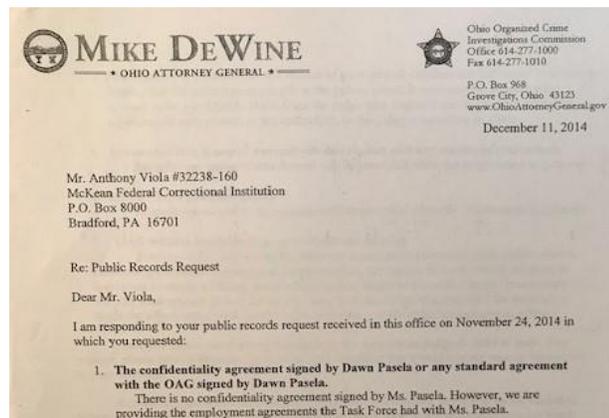
Not only was Edward Pasela prevented from viewing his daughter's body, the Coroner refused to allow family members to see Dawn after she was transported to the Coroner's Office. At the same time, Kasaris informed police Dawn had substance abuse issues and that her death should be treated simply as an overdose. In short, there was no need to conduct an extensive review of the case – especially since Kasaris never informed police and that Dawn was scheduled to testify as a witness in Viola's case. Dr. Dan Galita of the Cuyahoga Medical Examiner's Office confirmed his office was never told Dawn was a witness in Viola's case, or that she wore a wire at the request of Bennett and Kasaris.

At the funeral home, at a private viewing, family members noticed that Dawn's face did not look natural and what may have been swelling. Yet even when Ripepi Funeral Home of Parma redid Dawn's make-up, it failed to conceal the marks on her face, a possible sign of a struggle. At Dawn's funeral, a former acquaintance claimed he needed immediate access to her apartment, also demanding to know when toxicology reports would be available. This individual, likely a government informant with ties to the mortgage business and the Task Force, is suspected of having knowledge of what took place inside Dawn's apartment. He has refused to cooperate with an investigation into Dawn's death.



**Dr. Dan Galita stated the Medical Examiner was unaware Dawn was scheduled to testify on the day of her death, and that he would consider new evidence to reopen the case.**

Despite an acquittal on the same charges at the second trial, Viola remained in federal prison for a decade largely because Judge Donald Nugent refused multiple requests for a hearing so Viola could present the same proof of innocence he utilized at his second trial. Viola also requested an inquiry into the circumstances surrounding Pasela's death, but that request was also denied. Undeterred, and also harboring doubts that Dawn's death was accidental, he and his private investigator, former FBI Agent Bob Friedrich, began obtaining documents and interviewing witnesses. The first big break in the case was a letter from the Ohio Attorney General stating that Dawn never signed – much violated – any 'confidentiality agreement' – completely disproving the basis for Kasaris' threats to imprison Dawn.



**The Ohio Attorney General confirmed that Dawn never Signed or Violated any “Confidentiality Agreement.”**

Around the same time, the Pasela family voiced their concerns in sworn statements provided to United States Attorney Steven Dettelbach and Assistant U.S. Attorney Mark Bennett and filed in Viola's criminal case, but Dettelbach stated in writing he would not look into allegations of misconduct, while Bennett asked the federal courts to remove these statements from the court record, calling them "frivolous," USA v. Viola, Case No. 14-3348, Document # 36. Despite Bennett's efforts, both Karen Pasela and Edward Pasela continue to speak out; they hold prosecutors responsible for Dawn's death and have asked for "an entirely new investigation."

Case: 14-3348 Document: 36 Filed: 03/06/2015 Page: 3

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  
Mark S. Bennett (0069823)

**Mark Bennett called statements by  
The Pasela family “Frivolous”**



**Steven Dettelbach (left)  
with Mark Bennet**

### [Trail of Death follows Dan Kasaris](#)

The perfectly timed death of Dawn Pasela is not the only time Dan Kasaris benefitted from the death of someone closely involved in his prosecutions. Prior to the death of Dawn Pasela, Kasaris charged Shaker Heights, Ohio physician Bruce Feldman with proscribing drugs illegally to patients with bogus health complaints, but failed to properly word an indictment that contained any criminal activities. Kasaris charged Dr. Feldman with 207 counts, but later was forced to admit he improperly worded charging documents. Later, Feldman supposedly jumped to his death off the Valley View bridge and landed nearly 200 feet below.

In 2020, Kasaris hired a publicist to help secure television appearances, including on the Oxygen Network, where he discusses the dismemberment of a murder victim's body found in a freezer. And in 2021, Kasaris' cousin, Francis Rydarowicz, was found guilty of stabbing his wife to death in 2019 at a Coitsville hotel was sentenced to 15 years to life in prison.

Missing computers and questionable voice recordings are recurring issues in cases prosecuted by Daniel Kasaris -- electronic records central in a corruption case against Cuyahoga County's former Information Technology lawyer Emily McNeeley allegedly disappeared from the county's internal computer network, while government witness Robert Harmon stated under oath that Kasaris directed him to manufacture fake voice recordings to assist Kasaris in his prosecution of Ronald Dudas.

## Motive, Means and Opportunity

While Viola was in prison, his investigative team and Pro Bono attorneys at Covington & Burling obtained confirmation that FBI Agent Jeff Kassouf listened to the tapes Dawn made. Judge Susan Paradise Baxter ordered the FBI to produce these recordings, but Agent Kassouf claimed he couldn't comply because he sent the recordings to the Task Force building and the FBI no longer possessed them. In the same litigation, the FBI claimed it was unaware of 10,000 records in the FBI records system and admitted making false statements about evidence in Viola's case, Viola v. US Department of Justice, et. al., 15-cv-242, W.D. Pa. As a result, Viola was released early from prison, where he was immediately contacted by other mortgage fraud defendants prosecuted by the Task Force, all stating that the evidence presented at Viola's second trial likely exonerates them as well. What Bennett and Kasaris had tried to avoid for a decade was quickly becoming possible – dozens of defendants working together to have their convictions vacated.

In 2020, the Cuyahoga County Prosecutor's Office produced over 600 pages of Kasaris-Clover emails confirming their affair and that prosecutors committed a fraud on the Court by presenting Kathryn Clover as a "fact witness" when she testified in criminal cases. Prosecutors never disclosed the Kasaris-Clover affair or that Clover was actually an employee of the prosecutor's office, who accessed and destroyed evidence in mortgage fraud cases. Covering up this affair creates a motive for foul play, as Dawn planned on sharing details of what she had observed between Clover and Kasaris.

In the past 18 months, Kasaris family members began contacting Viola with additional evidence about the Kasaris-Clover affair and statements that Kasaris frequently discussed Dawn's death. Former Kasaris sister in law Kelly Patrick provided nearly 150 pages of Facebook messages between her and Susan Kasaris, the wife of Dan Kasaris, discussing the Clover-Kasaris affair, among other topics. These messages, along with the 600 pages of emails, have been filed in multiple court proceedings related to Viola's criminal prosecution, Viola v. Yost, et. al., Case No. 2:21-cv-3088, S.D. Ohio.

As the investigation into Dawn's death proceeded, the exact timing of her death remains in question. Her parents saw her the day before, yet when her body was found, she was wearing the same clothes she had on the previous day. Responding officers reported "lividity" when they discovered Dawn's body, indicating she may have been dead for up to 24 hours before the police arrived. In order to believe the police findings, one must also believe that, as soon as Dawn's parents left her apartment, Dawn immediately purchased several bottles of vodka, instantly guzzled herself to death and died – all in just a few hours on April 24. But if Dawn passed away on the 24<sup>th</sup>, that's closer to the time when Kasaris was present at or near Dawn's apartment. And on April 25, the day Dawn's body was discovered, public records obtained from the City of North Royalton confirm that Dan Kasaris disposed of his old computer and acquired a brand new one.

-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 is 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;



**Mark Bennett acknowledged Kathryn Clover (right) committed Perjury in Federal Court, but he never moved to vacate Viola's conviction, as required by law.**

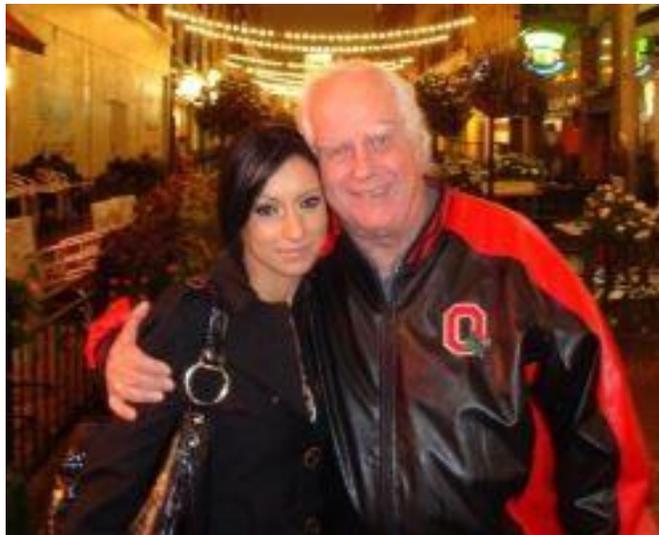
### [June, 2022 Evidentiary Hearing and Request for the Public's Help](#)

On June 2, 2022, evidence was presented in Cuyahoga County Common Pleas Court detailing a cover up concerning the circumstances surrounding Dawn's death, [Viola v. Kasaris, et. al.](#), Case No. CV-21-951041. At that hearing, witness testimony established that Kasaris brother John Patrick has frequently mentioned Dawn's "murder," while counsel for the Kasaris family, David Comstock, argued that Viola's legal work was frivolous and that state court is not the appropriate forum for his claims. However, Comstock acknowledged that the statements in Viola's lawsuit were true; Comstock also did not contest the authenticity of any documents presented in the litigation, including Kasaris-Clover emails, Kasaris' wife Susan's Facebook messages complaining about his affair with Clover and Kasaris' threats to prosecute Dawn for violating a "confidentiality agreement."



**Senior Reminger Partner and Attorney John Patrick Stated that Dawn Pasela the victim of a “Murder”**

Former FBI Agent Robert Friedrich has been investigating Viola’s case, the government’s actions concerning Dawn Pasela and the Kasaris-Clover affair for a decade. Mr. Friedrich testified at the June 2, 2022 hearing about his investigation and concluded by saying his investigation into Dawn’s death is ongoing.



**Dawn with her Father, Edward Pasela. Mr. Pasela Blames Dan Kasaris for the death of his daughter.**

“Since we started investigating Dawn’s death, every single piece of evidence we’ve found supports the theory that her death was the result of foul play,” said Tony Viola. “In contrast, not one bit of evidence supports the contention that Dawn died from an accidental overdose. And aside from the cause of death, we have an open and shut case of witness intimidation and obstruction of justice by law enforcement authorities. It’s long past time to hold Mark Bennett and Dan Kasaris responsible for their actions and it’s long past time for responsible officials in the government to fully investigate what happened to Dawn.”

If you have information or know anything about the death of Dawn Pasela, or about misconduct by Dan Kasaris or Mark Bennett, please contact Bob Friedrich at (440) 546-8393 or [Bob@FAInvestigations.com](mailto:Bob@FAInvestigations.com), or Tony Viola at (330) 998-3290 or [MrTonyViola@Icloud.com](mailto:MrTonyViola@Icloud.com)

For additional information about how Tony Viola proved his innocence at a second trial using evidence prosecutors said didn't exist, please visit [www.FreeTonyViola.com](http://www.FreeTonyViola.com). The FreeTonyViola.com Evidence Locker contains all of the documents referenced in this article, including sworn statements from the Pasela family and 600 pages of emails between Dan Kasaris and Kathryn Clover.

# # #