



Iron Mountain Mines, Inc.
P.O. Box 992867, Redding, CA 96099
Tel (530) 275-4550 Fax (530) 275-4559

**ARREST OF JUDGMENT; COMPLAINT IN INTERVENTION; FRAUD UPON THE COURT;
JOINT AND SEVERAL TRESPASSERS DAMAGES & EJECTMENT; RCRA CITIZEN SUIT**

T.W. Arman's partial summary of unlawful detainer after neglect and failures to perform.

Let it be known that the EPA interference with lawful mining activities at Iron Mountain mines with unconstitutional infringement, violation of due process and equal protection of the 5th and 14th amendment rights of T.W. Arman, sole shareholder of Iron Mountain Mines, Inc. and therefore owner of all of Iron Mountain Mines properties, to stop the mining of Iron Mountain mines when such mining is shown by the administrative record to be the only remedy to acid mine drainage, is a violation of the environmental laws alleged to be the basis and justification for EPA actions, and prima facie evidence of abuse of process and abuse of discretion, malicious prosecution and manifest injustice, errors of impunity and miscarriage of justice, tyranny and oppression, and negligently arbitrary and capricious reckless endangerment of the property, property owner T.W. Arman, the tenants, the public, the environment, and the endangered species allegedly being preserved and protected.

T.W. ARMAN'S PARTIAL LIST OF GRIEVANCES

1. EPA and site operator refused to provide T.W. Arman, the sole owner of this private property, the key, code, or remote control to the entry gate(s) since March 19, 2007.
2. EPA took gravel and rock and blocked the road to one of the mine buildings so that it can not be used.

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3. EPA is using 50 thousand sq. ft. of buildings and warehouse space without paying rent, which has been a loss to IMMI since 1986 of over 50 million dollars.
4. EPA uses the original school building which is from the original community of Minnesota, without paying rent, without care or maintenance, and the EPA or site operator have changed the locks and withheld the keys.
5. EPA restricts IMMI contractors from working after 5 pm weekdays or on weekends.
6. EPA monitors all of T.W. Arman's activities when he is on the property, requiring operation of a CB radio while driving the ten miles of T.W. Arman's roads.
7. EPA project manager Rick Sugarek does not let T.W. Arman or his friends and guests use the property for camping overnight, despite the fact that over 700 acres is pristine wilderness unaffected by the EPA actions. EPA and site operator correspondence refer to T.W. Arman as a visitor to the property, not as the owner, and refer to the mine as abandoned. T.W. Arman has submitted evidence that the previous owners operated a copper cartel and intentionally abandoned mining of Iron Mountain to fix copper prices. T.W. Arman has submitted evidence that his numerous efforts to resume mining have been obstructed by the EPA collusion and conspiracy with the cartel co-defendants who settled with the government without T.W. Arman's participation or informed consent. Iron Mountain Mines, Inc. has always been the operator of the facility, and T.W. Arman the owner. T.W. Arman is third party and innocent landowner to the actions by the

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responsible party (previous operators and their successors in liability). Since the mining stopped 50 years ago the AMD is stronger than ever, so it must now be an act of God.

8. EPA management took valuable decorative rock without permission and without paying compensation for its use as retaining wall embankment for a totally futile and unnecessary effort to defy gravity and forestall natural erosion.
9. EPA took valuable magnetite ore that was already mined and stockpiled to be sold to cement companies with a value well over 100 thousand dollars.
10. EPA buried 200 thousand tons of magnetite and pyrite ore tailings with a combined value at that time of 3 million dollars and refused to pay or respond to any of the dozen or more demands made for payment.
11. EPA has refused to indemnify Iron Mountain Mines, Inc. or T.W. Arman for it's or it's contractor's activities including workers compensation or liability coverage. IMMI has expended \$15,000 in legal expenses defending it for injuries sustained by workers on the EPA superfund site at the lime treatment plant. This involuntary liability is a tort. The malicious and vindictive actions of the EPA are subject to treble damages form of statute.
12. EPA has intimidated independent contractors, and EPA site operator AIG Consultants, Inc. subsidiary Iron Mountain Operations manager Rudy Carver has falsely alleged that T.W. Arman directed the recycling of the site operators disposed copper wire (left in T.W. Arman's steel warehouse building and recycled by a independent contractor not directed by T.W. Arman) as theft, and when the Court refused to prosecute T.W. Arman,

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(obviously), Rudy Carver then directed the maliciously vindictive action of changing the gate lock causing T.W. Arman's personal and business restrictions from the premises, a felonious unlawful detainer, and an exaction unsupported by judicial action; coordinated by the EPA project manager Rick Sugarek; under the direction of EPA counsel John Lyons and Kathleen Salyer; and with the acquiescence of the California and United States Attorney Generals; an abuse of discretion by each and every court to entertain this matter from then forward. All are joint and several trespassers. Citizen arrest of judgment complaint in intervention suit. This is a fraud upon the court since 1986.

13. EPA has failed to investigate and prosecute hate crimes of sorcery or witchcraft practiced on the property after the announcement of the Christ Statue and Spiritual Retreat to be constructed at and upon Iron Mountain Mines properties.
14. EPA has intentionally blocked roadway access to several mine areas, such as the mineral assay building near the Lawson portal, without just cause and with constructive and implicit ulterior motives.
15. EPA stopped the world's largest solution mining contractor at the time (Davy McKee Corp.) from proceeding with a 1986 agreement for mining of the massive sulfide ore bodies (known to contain over \$3 billion of gold, silver, copper, and zinc, and now known to contain over \$15 billion of iron and sulfur with trace elements and over 100 million tons of overburden rock, half of which is for building dams on the property), and the EPA stopped all massive sulfide mining activities..

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16. EPA has kept T.W. Arman, his associates, contractors, scientists, engineers, and himself from entering the Lawson or Richmond mine portals with locked gates and denial of entry. EPA and its contractors have denied access to T.W. Arman's and IMMI's mining joint venturers who enjoy rights of present and exclusive possession and enjoyment of the premises equal to T.W. Arman at his will and pleasure, and who are not defendant parties to these proceedings. T.W. Arman is the exclusive owner of these portals, these mines, these lands, these premises, and these properties that are Iron Mountain Mines and Iron Mountain Mines, Inc. The EPA totally restricts access without any court order granting such authority to do so, and without just cause and with malicious intent. According to Executive Order 12630, it is a crime for a government agency to prevent access of an owner to his property. EPA is negligently in violation of that order and the law. The government of the United States has allowed a conspiracy by practitioners of a militant environmentalist ideology antithetic and averse to the principle of liberty protected by republican form of government to deprive T.W. Arman of the guarantees of private property rights; freedom from governmental tyranny and oppression; and which has been used to commandeer these properties (which are military scrip warrant, freehold estate, agricultural college, & law of the Apex General Mining Law Patent Title) absolute fee simple land exempt from seizure. The United States Presidential authority, Congressional approval, and District Court decree endorsing this invasion and occupation of private property by false claims of jurisdiction and of regulatory authority to these mining lands,

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false claims of T.W. Arman's contribution to a disposal of hazardous wastes; false claims of contribution and endangerment to a domesticated fish population existing in an artificial reproductive environment; false claims of an EPA ability to perform the duties required and commanded by the Dec. 8, 2000 consent decree; false claims by the EPA of the safety to human health and the environment of the acutely toxic hazard waste sludge negligently disposed in the unauthorized and demonstrably failed toxic pit in violation of California and federal health, safety, seismic, and environmental laws; false claims in support of an unnecessary negligent imminent and substantial endangerment to T.W. Arman, IMMI and the property, the environment, and the public; false claims of a right to be compensated for such negligent actions or compel T.W. Arman and IMMI to pay for these unconstitutional exactions, when the EPA has settled with the responsible party for all response costs, and the EPA has settled to be reimbursed for any unrecovered past response costs from the Trust II payable in 2030 if there is any funds remaining in that trust; false claims of an EPA right to compel a removal action when the owner is conducting the remedial action prescribed by the EPA's own Record of Decisions, the NCP and RCRA, and when the action is for the passive migration of natural occurring substances by natural processes in their natural condition from where they are naturally found. See CERCLA 9601 (a)(3). This is a prima facie takings claim with felonious unlawful detainer after neglect and failure to perform by negligent joint and several

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trespassers under color of law in a manifest injustice of errors of impunity and miscarriage of justice with fraud upon the courts against an innocent landowner third party act of God.

17. T.W. Arman, IMMI, and their employees, associates, and any other authorized parties are entitled to all of the protections afforded by law to the locators of mining claims and to the right of present and exclusive possession and enjoyment of the premises. These are T.W. Arman's prior rights. These are rights guaranteed by patent title and the mining laws of 1862, 1866, 1874, and 1881, and all are entitled to recover the property in an action of ejectment against the federal government for T.W. Arman. This is an adverse claim proceeding. The EPA has recovered security for an alleged debt in a settlement with the prior owners found to be the responsible parties (Stauffer Chemical, ICI Americas, Rhone Polenc, Aventis Crop Sciences, AstraZeneca et al), that is by operation of law to be expended before property may be attached to satisfy a debt. These fraudulent liens are on mine lands exempt from seizure.
18. EPA has no right to collect any money from T.W. Arman or Iron Mountain Mines, Inc. or to have a claim to a lien on any of Iron Mountain mines real property. The stigma and injury to reputation is damages in both person and property. T.W. Arman, Iron Mountain Mines, Inc., miners, tenants, guests, the public, and all citizens are endangered by the EPA conduct and by the very presumption of such overarching powers, and the environment and the endangered species are less safe than when treatment began. All of the EPA conduct has been arbitrary and capricious and unnecessary.

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**CONCLUSION OF ABUSES OF DISCRETION & MALICIOUS PROSECUTION;
FRAUDS UPON THE COURTS & DESPOTISM OF UNCONSTITUTIONAL LAWS.**

T.W. Arman has continuously opposed the government actions since the inception of federal interference in 1981 and the subsequent inclusion on the National Priority list. T.W. Arman has contested the lawful authority and jurisdiction of the federal government to conduct these recklessly arbitrary and negligent endangerments by the EPA, and T.W. Arman has continuously asserted his rightful authority to perform the correct actions for the care and maintenance of the property, actions that have been prevented by the EPA, resulting in vastly increased costs for the actual remediation. EPA continues to deny the right of T.W. Arman to provide the actual remedy, or to proceed with the proper treatment plan that is fully protective of human health and the environment and consistent with the NCP, RCRA, and CERCLA.

T.W. Arman had a private plan ready in 1983 that the EPA basically adopted but delayed until 1995 after they abandoned the ludicrous notion to fill the mine with concrete.

The EPA actions are found to be contrary to the principles of democracy, in violation of the protections of the guarantees and rights, privileges, and immunities of patent title. The EPA actions are unsupported by law, science, reasoned environmental objectives, any common sense, and are shown to be neither protective nor preservative of the property or the environment, and are of no benefit to the people or the fish falsely claimed to be protected, but instead is in fact a arbitrary and capricious recklessly negligent endangerment.

Partial takings \$7,074,500,000.00 billion; Damages of \$18,000,000,000.00 billion.

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The EPA can only persist in this disregard and abrogation of prior rights with the federal government covering up its collusion with cartel operators to delay the mining necessary to remedy the pollution; cover-up the breach of duties and neglect by the joint and several trespassers; cover-up by the courts and the admitted practitioners of negligence and conflicts of interests perpetuating CERCLA suits that are unfair, unjust and unconstitutional; and a continuing imminent hazard to T.W. Arman and IMMI, the public and the environment.

Strike the liens, Void CERCLA as unconstitutional law.

Date: signature: _____

s/ T.W. Arman, grantee, patentee, trustee, proprietor, owner; President, IMMI.

Verification affidavit:

I, T.W. Arman, hereby state that the same is true of my own knowledge, except as to matters which are herein stated on my own information or belief, and as to those matters, I believe them to be true.

Affirmed this day: _____

Grantee and Patentee Signature: _____

T.W. Arman, owner of Iron Mountain Mine