

EXHIBIT 17

Trial testimony of Robert Metcalfe, the US attorney who wrote the Complaint of the United States in United States v. Peter and Doreen Hendrickson, Civil Action No. 06-11753, and the 'Amended Judgment' signed by Judge Nancy Edmunds in that case.

These transcript excerpts show that Metcalfe declared under oath that he had read Peter Hendrickson's book 'Cracking the Code- The Fascinating Truth About Taxation In America' in its entirety before writing an "Amended Judgment", later signed by District Court Judge Nancy Edmunds, which claims that the book argues that only federal, state and local government workers are subject to the income tax.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 13-20371

-vs-

DOREEN HENDRICKSON,

Detroit, Michigan

Defendant.

July 23, 2014

-----/

TRANSCRIPT OF TRIAL - VOLUME THREE
BEFORE THE HONORABLE VICTORIA A. ROBERTS
UNITED STATES DISTRICT COURT JUDGE, and a Jury.

APPEARANCES:

For the Government:

Melissa Siskind, Esq.

Jeffrey McLellan, Esq.

For the Defendant:

Doreen Hendrickson, Pro Per

Standby Counsel:

Andrew Wise, Esq.

Proceedings taken by mechanical stenography, transcript
produced by computer-aided transcription

TABLE OF CONTENTS

<u>WITNESSES:</u>	<u>PAGE</u>
<u>ROBERT METCALFE (Government)</u>	
Cross-Examination by Mrs. Hendrickson	5
Redirect-Examination by Ms. Siskind	57
<u>DANIEL APPLGATE (Government)</u>	
Direct-Examination by Ms. Siskind	61
Cross-Examination by Mrs. Hendrickson	90
Redirect-Examination by Ms. Siskind	104
<u>RULE 29 MOTION</u>	
By Mrs. Hendrickson	108
Response By Ms. Siskind	109
Response by Mrs. Hendrickson	110

1 MRS. HENDRICKSON: Interesting.

2 THE COURT: And Mrs. Hendrickson, just ask questions and don't
3 comment please.

4 Q. (By Ms. Hendrickson continuing) If the claim that only Federal, State and local
5 Government workers are subject to income taxes is not found in the book, that's not in
6 the book, anyone filing a return based on what is in the book would be okay and
7 wouldn't have violated this Order?

8 MS. SISKIND: Objection. Same objection.

9 THE COURT: Sustained.

10 Q. (By Ms. Hendrickson continuing) Okay. Mr. Metcalfe, yesterday you said you
11 read this book, right?

12 A. Yes, I did.

13 Q. You also said that it was on the basis of what you read there that you wrote in
14 your Complaint and in one of the Orders you asked for from Judge Edmunds that this
15 book claims that only Federal, State, local Government workers are subject to the
16 income tax. So if you would please, I'll have to go with this since you don't have it
17 now. Turn to page 12 in *Cracking the Code*, the copy that you have, and would you
18 please read the highlighted portions there and on the next page?

19 A. On July 1st, 1862 in the heat of the Civil War and in the face of looming and
20 intractable revenue troubles for the Northern Government, its Congress passed the
21 Revenue Act of 1862, being an Act to provide Internal Revenue to support the
22 Government and to pay interest on the public debt. Among the lengthy list of
23 measures imposing a variety of excises and duties were the following sections under
24 the heading Income Duty. Section 86. And be it further enacted that on and after the
25 first day of August, 1862, there should be levied, collected and paid on all salaries of

1 A. Yes.

2 Q. Yesterday you said you'd read this book prior to preparing the lawsuit in which
3 you claimed over your signature that the book argues that only Federal, State and
4 local workers are subject to the income tax and that wages are not income.

5 A. Is that a question?

6 Q. Yes. Is that correct?

7 A. I think what we said was that Mr. Hendrickson's theories espouse that only
8 Federal, State and local workers are subject to the income tax.

9 Q. Yes, and you read the whole book before you filed the lawsuit.

10 THE COURT: Asked and answered. He's already answered that
11 question several times.

12 MRS. HENDRICKSON: That he actually read the whole book?

13 THE COURT: I think so.

14 Q. (By Ms. Hendrickson continuing) Okay. Mr. Metcalfe, the lawsuit you wrote
15 claimed that the refunds you wanted back had been issued in error, didn't you?

16 A. That's correct.

17 Q. Had the Government received W-2's from the company my husband worked
18 for during those years?

19 A. You're talking about 2002 and 2003?

20 Q. Yes.

21 A. Yes.

22 Q. So okay. Let's go back to it's my 550, but your Number One.

23 THE COURT: Your 550 is not in evidence.

24 MRS. HENDRICKSON: Okay. I'm sorry. I had it listed in my notes as
25 550. Okay.

1 Q. (By Ms. Hendrickson continuing) I just have a couple of things left about the
2 Order itself that was brought to my attention by Mr. Wise. You wrote the Order that
3 Judge Edmunds signed, the Summary Order, is that correct?

4 A. We submitted a proposed Order to the Court and I believe the Court signed it,
5 yes.

6 Q. Yes, okay. So she signed it just as you submitted it. I understood from him
7 that's like what would normally happen or something?

8 THE COURT: What's your question?

9 MRS. HENDRICKSON: I was clarifying because I was kind of surprised
10 by that.

11 THE COURT: But tell me what your question is.

12 Q. (By Ms. Hendrickson continuing) Oh, that she signed your proposed Order as
13 you submitted it with no changes?

14 A. I believe that's correct.

15 Q. Okay. I just wanted to go back to that. Now this is just the last topic I believe,
16 and this has to do with the Appeals Court when we appealed the decision. When we
17 submitted our appeal, we filed with that two Memoranda, one having to do with the
18 legal nature of the income tax and one of detailing some procedural issues in the
19 District Court proceedings, is that correct? Do you recall that at all?

20 A. I did not handle the case on appeal.

21 Q. I thought you --

22 THE COURT: What's your question?

23 Q. (By Ms. Hendrickson continuing) Well, you filed a motion to prevent the
24 appeals court from seeing those Memoranda.

25 A. I need to clarify. I was a trial attorney. We have a separate Appellate Section