

**AFFIDAVIT IN SUPPORT OF MOTION FOR RECUSAL AND MOTION FOR STAY OF PROCEEDINGS
PENDING RESOLUTION OF RECUSAL REQUEST**

I, Scott Hintz, state the following statements are true under the penalty of perjury

(28 U.S.C. §1746):

1. To best of my knowledge and belief, all statements listed in the SUMMARY section (paragraph #'s 1-8) of the preceding MOTION FOR RECUSAL AND MOTION FOR STAY OF PROCEEDINGS PENDING RESOLUTION OF RECUSAL REQUEST are true.
2. Paul J. Morochnik (a relative of Judge Baverman) and Alan J. Baverman instructed me to use attorney Mark J. Kadish for the investigation and proceedings of the underlying case so their 'questionable' activities and legal direction would be 'behind the scenes' and less likely scrutinized. Both Paul J. Morochnik and Alan J. Baverman were well aware of the FBI investigation (leading to the proceedings of the underlying case) well before I was instructed to "give" them significant real and personal property at very large discounts to market value (or in some cases -- free) and directed to walk away from properties that later went into foreclosure. Losses would either have not occurred or, minimally, would have been significantly limited without their self-serving direction. They told me they had a great amount of power and influence over just about everything in the district and instructed me to follow their specific direction.
3. Between January and March 2001, Paul J. Morochnik, Alan J. Baverman and Elida Baverman (Judge Baverman's wife) visited my home in early 2001 to take real and personal property from my family with the use of their power and influence.
4. Elida Baverman evaluated and rendered direction regarding real property transferred from me to Paul J. Morochnik and his wife in 2001; Elida Baverman later sold the real estate, for the profit of the Baverman-Morochnik family, including at least some property specifically listed in the underlying case.
5. Mark J. Kadish informed me that he and U.S. Magistrate Judge Alan J. Baverman had some very strong power and influence with allegedly-violent criminal organizations, law enforcement,

politicians and judges. I was told to remain silent about the questionable, and likely illegal activities, of the Baverman family or they (Baverman & Kadish) would find out through their connections rendering my minor children unsafe.

6. Attorney Mark J. Kadish very specifically told me he was a close friend of Judge Clarence Cooper; Mark Kadish told me he personally spoke to Judge Clarence Cooper outside of court in regards to factually-incorrect items listed in the charging document of this case and told me that Judge Cooper would become upset if I brought up the Baverman family details in court.
7. In court, and before the Plea Hearing of the case, I witnessed Judge Clarence Cooper invite Mark Kadish to a personal out-of-court meeting; Judge Cooper's personal invitation to meet personally with Mark Kadish outside of court, coupled with Mark Kadish's words about having significant influence over Judge Cooper intimidated me—especially when Mark Kadish told me that Judge Cooper had my life in his hands and would become very upset if I did not remain silent about the Baverman family direction and activity.
8. Attorney Mark Kadish lied to me and threatened me on numerous occasions. When I requested Mark Kadish be replaced with appointed counsel, Judge Alan J. Baverman appointed his replacement with another attorney that demanded I remain silent about the Baverman family involvement and informed me that Judge Baverman had enough power and influence to retaliate against those who opposed his family and friends.

Stating the above are true to the best of my knowledge and belief, I hereby state the above this 22nd day of May 2008.

Sincerely,



Scott Hintz

Attachment 'A'
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