

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NIRA SCHWARTZ WOODS – PETITIONER

(Your Name)

VS.

UNITED STATES - RESPONDANT

PROOF OF SERVICE

I, NIRA SCHWARTZ WOODS, do swear or declare that on this date, August 30, 2005, as required by Supreme Court Rule 29 I have served the enclosed **MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*** and **PETITION FOR A WRIT OF CERTIORARI** on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

1. **Michal Laurie Tingle**,
U. S. Department of Justice, Civil Div. - Commercial Litigation Branch,
P. O. Box 261, Ben Franklin Station, Washington, DC 20044;
Tel: 202-307-0290
2. **Richard Woods**,
2550 PCH # 68, Torrance, CA 90505;
Tel: 310-326-6174
3. **Solicitor General** of the United States.
Department of Justice, Room 5614
950 Pennsylvania Ave.,
N.W. Washington, D.C. 20530-001

I declare under penalty of perjury that the foregoing is true and correct.

Executed on, August 30, 2005

Dr. Nira Schwartz

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NIRA SCHWARTZ WOODS — PETITIONER(S)
(Your Name)

VS.

UNITED STATES — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Dr. Nira Schwartz 8-30-05
(Signature)

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, NIRA SCHWARTZ WOODS, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Self-employment	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Income from real property (such as rental income)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Interest and dividends	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>
Gifts	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Alimony	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Child Support	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>None</u>	\$ <u>1,596.60</u>	\$ <u>None</u>	\$ <u>1,596.60</u>
Disability (such as social security, insurance payments)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Unemployment payments	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Public-assistance (such as welfare)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Other (specify): <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>0</u>	\$ <u>1,596.60</u>	\$ <u>0</u>	\$ <u>1,596.60</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
None	N/A		\$ 0
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
None	N/A		\$ 0
			\$
			\$

4. How much cash do you and your spouse have? \$ 1070.30
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Bank Of the West	Saving	\$ 1,070.30	\$ N/A
		\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

- Mobile Home
 Value \$55,000. Home Stead
- Other real estate
 Value None
- Motor Vehicle #1
 Year, make & model 1995, FORD Mark VIII
 Value \$950.
- Motor Vehicle #2
 Year, make & model N/A
 Value
- Other assets
 Description None
 Value

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
United State _____ [The subject of this case]	\$ 1.6 million dollar	\$ 1.6 million dollar
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
None _____	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home) Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	\$ None	\$ 650.
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 25.	\$ 105.
Home maintenance (repairs and upkeep)	\$ None	\$ 45.
Food	\$ None	\$ 650.
Clothing	\$ 25.	\$ 25.
Laundry and dry-cleaning	\$ None	\$ None
Medical and dental expenses	\$ 20.	\$ 200.

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>None</u>	\$ <u>None</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>10.</u>	\$ <u>30.</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>None</u>	\$ <u>50.</u>
Life	\$ <u>None</u>	\$ <u>None</u>
Health	\$ <u>110.</u>	\$ <u>110.</u>
Motor Vehicle	\$ <u>60.</u>	\$ <u>60.</u>
Other: _____	\$ <u>None</u>	\$ <u>None</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>None</u>	\$ <u>None</u>
Installment payments		
Motor Vehicle	\$ <u>None</u>	\$ <u>None</u>
Credit card(s)	\$ <u>None</u>	\$ <u>None</u>
Department store(s)	\$ <u>None</u>	\$ <u>None</u>
Other: _____	\$ <u>None</u>	\$ <u>None</u>
Alimony, maintenance, and support paid to others	\$ <u>None</u>	\$ <u>None</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>None</u>	\$ <u>None</u>
Other (specify): _____	\$ <u>None</u>	\$ <u>None</u>
Total monthly expenses:	\$ <u>250.</u>	\$ <u>1925.</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Please see Attached sheet after this page.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 30, 2005

Dr. Vera Schwartz
(Signature)

NIRA SCHWARTZ WOODS vs. UNITED STATES

ATTCHMENT TO:

**Affidavit or Declaration
In Support of Motion for Leave to Proceed In *Forma Pauperis***

ADDITIONAL ANSWERS TO QUESTIONS:

9. I expect to have this Hon. Court grants my Petition for Writs of Certiorari and that the Government will pay me what it owes me. There is a case named: Nira Schwartz vs. 20th Century Plastics, Worker Compensation case No: MON 252898, claim 6000 9900445. It is six years OLD. There is No trial date yet.
12. In 1999 while working at 20th Century Plastics, I injured my back, which limits getting a job/no income. My Husband is terminally ill [End Stage Renal Disease]. He drives the car to dialysis 3 times a week. He keeps and guards his savings and his property for purchasing drugs, future Kidney transplant and for health insurance co-payments. He is concerned that his saving will run out prior to his death. I have no control of this situation. This case is of public interest and for the public benefit, unique, and none before; I did pay lower cases fees/cost, and can no longer do. Winning this case will correct wrong done to me by the Government. If In Forma Pauperis Status is not approve, I will not be able to pay fees/cost to file Petition in Booklet Format and requirements, I do not have the tools to prepare such petition in such Format, and Justice will not be served.

Date: 8-30-05

Nira Schwartz

Nira Schwartz Woods

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NIRA SCHWARTZ WOODS — PETITIONER
(Your Name)

vs.

UNITED STATES — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

NIRA SCHWARTZ WOODS

(Your Name)

2550 PCH # 68

(Address)

TORRANCE, CA 90505

(City, State, Zip Code)

310 - 326 - 6174

(Phone Number)

QUESTION(S) PRESENTED

1. Does **31 U.S.C. § 3729** *et seq.* give the Government the right to unfair use of Relators intellectual property created during a Qui-Tam case investigation as Appeal 7/9/05 Decision Affirmed?
2. Does Appeal 7/9/05 Decision provide "Discrimination in Private Rights" to exclude a Federal ORDER in case 96-3065RSWL from relevancy to Court of Federal Claims case 03-37C, while both cases incorporate same Admission, Issues and point of law?
3. Does Appeal 7/9/05 Decision provide "Discrimination in Private Rights" to excuse the Government from paying Plaintiff \$1.6 million earning, while Federal ORDER redacted this earning from Jury award?
4. Is **Federal Jury Verdict** 12/23/04, and the **ORDER** 2/9/04 in case 96-3065RSWL in conflict with the Appeal 7/9/05 decision?

LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RICHARD WOODS - Petitioner ⁽¹⁾

Address: 2550 PCH # 68
Torrance, CA 90505
Tel: 310 - 326 - 6174

Note (1): NIRA SCHWARTZ WOODS [First Petitioner] & RICHARD WOODS are husband and wife. Mr. Woods is terminally ill [End Stage Renal Disease and attends dialysis 3 times a week.].

Mr. Woods was listed here upon the instructions of the Court case analyst.

The format of the entire Petition, such as the use of two sides of a page, fonts type, size and spacing, binders clips were permitted by this Court Case Analyst.

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OTHER

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As the Court of Federal Claims helped and fixed the Government legal papers, I ask that this court will give me the same privilege.	25

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A, B, F to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished. [to my knowledge]

The opinion of the United States district court appears at Appendix C, D, E to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished. [to my knowledge]

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was July 6, 2005

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).