

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:04-cv-07403
)	
Plaintiff,)	Judge Samuel Der-Yeghiayan
)	
v.)	
)	
WILLIAM J. BENSON,)	
)	
Defendant.)	
_____)	

**DECLARATION OF JEFFREY A. DICKSTEIN IN SUPPORT OF
MOTION FOR ORDER TO CAUSE RE CONTEMPT**

I, Jeffrey A. Dickstein, declare that:

1. I have personal knowledge of the facts set forth in this Declaration, and, if called upon to testify to those facts, could do so competently.
2. On February 20, 2008, I spoke with the attorney for the Plaintiff, Robert D. Metcalfe.
3. Mr. Metcalfe asked if I were calling to advise him that Benson had mailed copies of the injunction to his customers and would be filing a new declaration with the Court so he would not have to file a motion to hold Benson in contempt.
4. I asked Mr. Metcalfe what proof he had that Benson had not fully complied with the Court's injunction.
5. Mr. Metcalfe replied he had no actual proof, but was presuming that Benson had not complied because of Benson's declaration filed with the Court in which he claimed his Fifth Amendment rights.

6. I advised Mr. Metcalfe that Benson's exercise of his Fifth Amendment rights did not mean that Benson did not make the required mailing, and Mr. Metcalfe agreed.

7. Benson is eighty-one years old and in extreme poor health. He currently suffers from a leaking heart valve, shingles, and infection from two surgeries that have not properly healed. He also suffers from spinal meningitis and regularly has grand mal seizures. He is on an extensive regimen of prescription drugs, including narcotic drugs for pain.

8. The last time the United States incarcerated Benson, the prison took away his prescriptions, changed his medication, and practically killed him. He came out of incarceration confined to a wheel chair for more than two years.

9. I have known, and defended, Benson for more than twenty years. He is a dear friend and more father-like than not.

10. I am well aware of the government's hatred of Benson's advocacy of corruption and fraud on the part of the United States in enforcing a law based on a constitutional amendment that was not, in fact, actually ratified, and of the government's efforts to silence him. Such efforts included, in proceedings before Judge Grady, the government seeking to have Benson incarcerated in violation of the double jeopardy clause of the Fifth Amendment.

11. I would not, and have not, jeopardized Benson's life by allowing him to be incarcerated for not fully complying with the Court's injunctive order.

12. My twenty years of experience in defending Benson, has, however, demanded that I require him to exercise his Fifth Amendment right.

13. As admitted by Mr. Metcalfe, and declared here by me, that Benson exercised his Fifth Amendment right does not mean he has not complied in all respects with the Court's

injunctive order.

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

Executed at Milwaukee, Wisconsin, on this 26st Day of February, 2008.

/s/ Jeffrey A. Dickstein
Jeffrey A. Dickstein
Attorney for Defendant
500 W. Bradley Rd., C-208
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CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2008, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney for the Plaintiff, Robert D. Metcalfe.

/s/ Jeffrey A. Dickstein