IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

MARIELLE ("MOLLY") KRONBERG, Plaintiff, -v- LYNDON LAROUCHE, et al., Defendants.	)	Civil No. 1:09-cv-00947-AJT-TRJ

DECLARATION OF MOLLY KRONBERG IN OPPOSITION TO THE MOTION TO DISQUALIFY JOHN MARKHAM

MARIELLE ("MOLLY") KRONBERG declares under penalties of perjury, as follows:

(1) I am the plaintiff in this action, and based upon matters known personally to me, I make this declaration in opposition to the motion to disqualify my lawyer, John Markham.

(2) In December 1988, I testified at the federal criminal trial of LaRouche and others in Alexandria. I was compelled to do so by court order. At the time, I was a follower of Lyndon LaRouche, and would have testified only if compelled to do so. Also, I took instructions at the time from LaRouche's legal staff, including from Barbara Boyd (a defendant in this case), who was one of the main paralegals in the LaRouche legal staff, and who reported to various lawyers, including to Odin Anderson, who has been admitted *pro hac vice* in this case and who was Lyndon LaRouche's lawyer in both the Alexandria and Boston criminal trials in 1987–1988.

(3) Annexed hereto are the 30 pages comprising my complete Alexandria trial testimony. It runs from pages 64–94 of the relevant transcript. In it, I testify about four matters: (i) my position and duties in 1979 and 1980 as Secretary Treasurer of a publishing company that published books at that time for Lyndon LaRouche (transcript pp. 64–67); (ii) a check register, check stubs, and several checks written in 1979–1980 in my handwriting on the publishing company's checkbook, and what those checks were written to pay for; (iii) several conversations I had with a colleague about whether to write certain checks to the order of Lyndon LaRouche (transcript pp. 68–80); and (iv) cross-examination and redirect comprising answers to a few more questions about those same subjects, and about the various books LaRouche had written, commissioned, and published (transcript pp. 80–94).

(4) In April 2007, almost nineteen years after I gave the testimony just described, my husband committed suicide. Not long thereafter, LaRouche started telling people in my community of Leesburg, Virginia that the testimony I had given in 1988 was the reason that he, LaRouche, had been convicted and imprisoned. This accusation by him was repeatedly printed in the publications operated by defendants LaRouche PAC, EIR News Service, and the "Morning Briefings," with the help of LaRouche and of Barbara Boyd, who took credit for some of these publications. These published accusations against me got worse and more frequent, culminating, at least as of April 26, 2009, in the following:

> The organization broke down morally for a period of time, over a suicide, which Molly [Kronberg] had driven her husband to! Because Molly had been, as we all knew—those of us who knew anything about this, knew that none of us would have gone to prison, not in that trial, not in Alexandria, except for Molly. And except for some people tried to cover up for Molly. Molly gave the false testimony without which the trial could not have occurred in Alexandria. It would have gone back to Boston, and everybody would be cleared. Because some of our people decided to try to

> get me out of the situation, in defining the policy for defense in that trial, many people went to jail, from {that trial, and also from others}, as a result of that trial.
>
> So, that is, for me, a good example of immorality: When this woman, who's been a government agent, who became a government agent, who sent a bunch of us to prison directly and deliberately, and then explained, "I'm sorry, I had to do it. It was for Max," that is for her then-infant son. "I had to do it." She lied! It was only her lies that got us imprisoned. If she hadn't had that lie, nobody would have gone to prison in that trial.
>
> Now, you've got a situation, where he kills himself, because he was living with that witch: Who's been evil all along! Her behavior had never been good. She's never been honest. And then, he commits suicide, and these bums try to blame me for it! He was driven – there was no reason for the suicide, there was no excuse for it. But there's an understanding of the oppression that he felt by being married to that bitch. Because he was a moral person. He made a lot of mistakes. But it was on the question of divided loyalty, divided pressures. And she was evil. And she still is.

I am bringing the present action because the above-quoted statement and the others like it published by defendants are false and defamatory, and are the object of a conspiracy by defendants to injure me in my property by reason of my having testified in the 1988 federal trial on the matters on which I testified.

(5) Before the 1988 trial, I had also testified in 1987 and 1988 (under a compulsion order and a grant of immunity) in front of the Alexandria federal grand jury that later indicted LaRouche. I do not have a transcript of my grand jury testimony. However, it was *Jencks* material given to LaRouche's criminal defense counsel before I testified at trial in 1988. Moreover, defendant Barbara Boyd (LaRouche's paralegal and a defendant in this case) also has a transcript of my grand jury testimony. She showed it to me in August 1989 when she helped me prepare for my testimony in the New York State trial in which I was a defendant and in which she was a paralegal. She kept it when we were finished reviewing it.

(6) Before I testified in front of the Alexandria grand jury for the first time in 1987, I met with a law firm retained by the LaRouche legal staff to represent in a joint defense all the LaRouche supporters called before the grand jury. I also met with paralegals from LaRouche's legal staff.

(7) The night before I was to testify at the Alexandria federal trial as a compelled and immunized witness, I met at length with Barbara Boyd, who was a paralegal in the Alexandria case, to discuss what my trial testimony might be. One of the topics of our discussion was the contents of my grand jury testimony, to which Barbara Boyd had access and which she had read, she stated to me.

(8) That same evening, Barbara Boyd accompanied me to meet with Lyndon LaRouche attorney Odin Anderson, to discuss what my trial testimony might be.

(9) The New York State trial of 1989, in which I was one of four defendants, ran from approximately March or April 1989 to the end of August 1989. Throughout that entire period, Barbara Boyd was a paralegal in the case. She and I shared an apartment in Battery Park City, Lower Manhattan, throughout the trial. We discussed every aspect of the defense. It was during this time that defendant Barbara Boyd took out her copy of my grand jury testimony and reviewed it with me.

(10) In addition, after the New York State trial, in post-trial hearings, Barbara Boyd and other paralegals in that case referred extensively to my Alexandria grand jury testimony and my Alexandria trial testimony; both sets of testimony were submitted as evidence in attempting to make the case for a *Kastigar* conflict in that case. Defendant Boyd has my grand jury testimony; I do not.

(11) In April 2000, I was subpoenaed by the Internal Revenue Service to testify on its behalf in a proceeding brought by LaRouche against the IRS. The LaRouche legal staff retained to represent me the law firm Dimuro Ginsberg, PC, the same law firm now representing defendants in this case, including defendant Boyd.

(12) I sent to Ms. Nina Ginsberg fax copies of the IRS subpoena to me and the material that accompanied the subpoena. I attach to this affidavit as an exhibit the Fax Transmission Cover Letter from me to Ms. Ginsberg. The Fax Transmission Cover Letter is on the letterhead of the Constitutional Defense Fund, a LaRouche-related organization.

(13) Apart from answering questions in the now-public Alexandria federal grand jury or at the Alexandria federal trial, I never spoke to any representative of the federal government or federal law enforcement. I was a LaRouche follower. I would have spoken to the government only if compelled by court order to give testimony. Defendants have all that testimony. Again, I have only my public trial testimony, not my grand jury testimony.

(11) I never spoke to John Markham during that time. I first spoke to him in 2009. He asked me if I had my transcripts. I said that I did not think so, and he went to the federal archives to get the trial testimony. Like me, he does not have transcripts of my grand jury testimony.

(12) I married my late husband, Ken Kronberg, in 1973 and we remained married and living together until the day of his death, April 11, 2007, almost 34 years later.

(13) Ken Kronberg was founder, president, and half-owner of World Composition Services, Inc. (WorldComp) from 1978 to 2007. He was president and owner of PMR Printing Co., Inc. (PMR) from the early 1980s to 2007. These entities were the typesetter

and printer, respectively, for all publications released in North America by organizations associated with Lyndon LaRouche—newspapers, pamphlets, magazines, special reports, leaflets, books, and CDs.

(14) Ken Kronberg and I were very close, living together, working in the same organization, both being members of the National Committee of that organization, and communicating with each other fully and frequently on all important matters in our lives. This included matters involving PMR and WorldComp, on which we spoke many times, since it was his job and the chief source of our livelihood.

(15) In the late 1980s, PMR and WorldComp fell into arrears on their taxes, including payroll withholding taxes. My husband began regular negotiations with a civil collection agent for the IRS, and in 1989 he resolved these tax matters in full. He never expressed worry about them after that. This was never a criminal matter. To the best of my knowledge, my husband never met or spoke to John Markham. If he had, I believe I would have known, since my husband told me about all contacts he had of such a nature.

(16) In approximately 2004–2005, PMR and WorldComp again fell into arrears with the IRS, failing to pay employee withholding taxes and other taxes. My husband entered into negotiations with the IRS, with his corporate attorney, his accountant, and a newly hired tax attorney spearheading the negotiations. My husband set up an escrow account for IRS payments. At the time of his death in April 2007, he and the IRS were negotiating an Offer in Compromise. Again, it was a civil matter, and it commenced 16 years after the date of my testimony in Alexandria.

(17) In the spring of 2009, after the publications circulated by defendants had become very disturbing and seemed as if they would continue and even worsen, I contacted the

U.S. Attorney's Office in Alexandria, VA to file a complaint. I spoke to someone at that office who told me that the FBI would be the place to start an investigation, suggesting that I call the Regional Field Office of the FBI.

(18) I telephoned the FBI Field Office at 202-278-2000 (Washington, DC) and spoke to Duty Agent Mike (he did not give me his full name). He listened to my concerns about these attacks on me and how they might escalate. He advised me to retain a private attorney.

(19) I had already begun to approach law firms about taking my case before I spoke to the FBI. In all, I sought out four separate law firms and each turned me down. I then engaged attorney Markham.

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

Executed this 21st day of December, 2009 in Leesburg, Virginia.

Marielle ("Molly") Kronberg

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FAX TRANSMISSION

DATE: 4/5/00 TIME: 3:10 pm

TO: Nina Ginsberg

COMPANY NAME: Dinuro, Ginsberg

FAX #: (703) 548-3181

FROM: Molly Kronberg

TOTAL # PAGES (including cover): 5

MESSAGE: Nina -

Here is the subpoena + all the stuff that came with it.

Thanks very much.

Yours, Molly Kronberg

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