

#350

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PHILIP J. BERG, ESQUIRE

Plaintiff

vs.

CIVIL ACTION NO.

08cv4083

BARACK HUSSEIN OBAMA, a/k/a
BARRY SOETORO, a/k/a
BARRY OBAMA, a/k/a
BARACK DUNHAM, a/k/a
BARRY DUNHAM, THE
DEMOCRATIC NATIONAL
COMMITTEE, THE FEDERAL
ELECTION COMMISSION AND
DOES 1-50 INCLUSIVE

JURY TRIAL DEMANDED

Defendants

COMPLAINT FOR DECLARTORY AND INJUNCTIVE RELIEF

PRELIMINARY STATEMENT

1. Article II, Section I of the United States Constitution, states in particular part, “No Person except a natural born Citizen, or a Citizen of the United States at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been Fourteen Years a Resident within the United States.” Furthermore, all Presidents since and including Martin Van Buren were born in the United States subsequent to the Declaration of Independence.
2. “The general doctrine of our Constitution is, that the executive power of the nation is vested in the President; subject only to the exceptions and qualifications, which are expressed in the instrument.” 7 Works of Alexander Hamilton, J. C. Hamilton ed. (New

York: 1851), 76, 80–81 (emphasis in original), U.S. Constitution, Article II (Hamilton and Madison.)

3. Obama is a representative of the Democratic People. However, the Obama must meet the Qualifications specified for the United States Office of the President, which is he must be a “natural born” citizen. Unfortunately, Obama is not a “natural born” citizen. Just to name one of the problems, Obama lost his U.S. citizenship when his mother married an Indonesian citizen and relocated herself and Obama to Indonesia wherein Obama’s mother naturalized in Indonesia and Obama followed her naturalization, as he was a minor and in the custody of his mother. Obama failed to take the oath of allegiance when he turned eighteen (18) years to regain his United States Citizenship status.
4. The Democratic National Committee is for Plaintiff and “We the People” who believe in the Democratic Vision. The Democratic National Party is supposed to represent the Democratic Americans in seeking honest leadership, Open Government, Real Security, Energy Independence, Economic Prosperity, Educational Excellence, a Healthcare System that works for Everyone and Retirement Security. The Democratic Party is supposed to represent and protect the interests of working Americans and guaranteeing personal liberties for all. Of which includes securing a Democratic Nominee on the Presidential Election ballot who represents the Democratic vision and who is qualified and eligible to run for Office of the President under the qualifications of the United States Constitution.
5. The actions of Obama, a U.S. Senator, in running for President of the United States, knowing he is not eligible, have been taken entirely without authorization under the

United States Constitution, completely ignoring the qualification and procedures created by the United States Constitution he is purporting to enforce.

6. Should Obama become the Nominee of the Democratic Party and then be discovered by virtue of malfeasance, or negligence, on his part not to have revealed material evidence showing him to be Ineligible for the Office of President of the United States of America and thereby his Nomination be declared void by the appropriate Authorities Acting under the Law, Plaintiff as well as other Democratic Americans will suffer Irreparable Harm including but not limited to:

- A) Functional, or Actual, Disenfranchisement of large numbers of Citizens, being members of the Democratic Party, who would have been deprived of the ability to choose a Nominee of their liking;
- B) Irreparable Harm to the structure and integrity of the Democratic Party and the Democratic National Committee. In turn, this too would lead to Disenfranchisement; and
- C) A severe and genuine likelihood of Civil Disturbance by virtue of reaction to said Disenfranchisement.

JURISDICTION AND VENUE

7. This case arises under the Constitution and laws of the United States and presents a federal question within this Court's jurisdiction under Article III of the Constitution and 28 U.S.C. § 1331.

8. This Court has authority to grant declaratory relief pursuant to the Declaratory Judgment Act, 28 U.S. C. § 2201.
9. Venue is proper in this Court under 28 U.S.C. § 1391(b).

PARTIES

10. Plaintiff, Plaintiff, Philip J. Berg, Esquire [hereinafter “Plaintiff”], is an adult individual with a business address of 555 Andorra Glen Court, Suite 12, Lafayette Hill, PA 19444-2531.
11. Defendant, Barack Hussein Obama, a/k/a Barry Soetoro, a/k/a Barry Obama, a/k/a Barack Dunham, a/k/a Barry Dunham [hereinafter “Obama”] is an adult individual with an office address of 713 Hatch, Senate Office Building, Washington D.C.
12. Obama, The Democratic National Committee (hereinafter referred to as “DNC”) is a Corporation with a principal address of 430 S. Capitol Street SE, Washington, DC 20003.
13. Defendant, The Federal Election Commission (FEC) was created in 1975 by Congress to administer and enforce the Federal Election Campaign Act (FECA). The FEC is a Governmental Agency with a principal address of 999 E Street, NW, Washington, DC 20463.

FACTUAL ALLEGATIONS

14. Since the beginning of the U.S. Constitution, in order to run for Office of the President, you must be a “natural born citizen” and you may not hold dual citizenship or multiple citizenships with foreign Countries. U.S. Constitution, Article II, Section 1.

15. There are questions as to where Obama was actually born, in the United States or abroad and then registered his birth. There are further questions regarding Obama's United States Citizenship, if he ever held such, being expatriated and his failure to regain his citizenship by taking the oath of allegiance once he turned eighteen (18) years of age. There are additional questions regarding Obama's multi citizenships with foreign countries, which he still maintains. To date, Obama has refused to prove he is qualified under the U.S. Constitution and his eligibility to run as President of the United States.
16. The facts are undisputed by Obama that his mother, Stanley Ann Dunham, was a U.S. Citizen however, his father, Barack Obama, Sr., was a Citizen of Kenya. Obama's parents, according to divorce records, were married on or about February 2, 1961.
17. Obama claims he was born in Honolulu, Hawaii on August 4, 1961; however, has never given the name of the hospital he was born in; whereas Obama's grandmother on his father's side, half brother and half sister claim Obama was born in Kenya. Reports reflect Obama's mother went to Kenya during her pregnancy; however, she was prevented from boarding a flight from Kenya to Hawaii at her late stage of pregnancy, which apparently was a normal restriction to avoid births during a flight. Stanley Ann Dunham (Obama) gave birth to Obama in Kenya, after which she flew to Hawaii and registered Obama's birth. There are records of a "registry of birth" for Obama, on or about August 8, 1961 in the public records office in Hawaii.
18. Upon investigation into the birth of Barack Hussein Obama in Honolulu, Hawaii, Obama's birth is reported as occurring at two (2) separate hospitals, Kapiolani Hospital and Queens Hospital. Wikipedia English Version under the subject "Barack Obama"

states Obama was born at Kapiolani Hospital. Wikipedia Italian Version under the subject “Queens Hospital” states Barack Obama was born in Queens Hospital.

19. There are further references circulating on the internet claiming examination of the hospital’s records in Hawaii show no birthing records for Stanley Ann Dunham (Obama), Obama’s mother. However, there are records of a “registry of birth” for Obama, on or about August 8, 1961 in the public records office in Hawaii.
20. Wayne Madsen, Journalist with Online Journal was a contributing writer and published an article on June 9, 2008 stating the GOP sent a research team to Mombasa, Kenya and located a Certificate Registering the birth of Barack Obama, Jr. at a Maternity Hospital, to his father, a Kenyan Citizen and his mother, a U.S. Citizen.
21. At the time of Obama’s birth in 1961, Kenya was a British Colony.
22. There is a Canadian Birth Certificate posted on the Internet in the name of Barack Hussein Obama, Jr.; however, the date of birth shows to be August 23, 1961.
23. Under the Independence Constitution of Kenya, Obama became a Kenyan citizen on December 12, 1963. Chicago-based Internet journalist, broadcaster and critic Andy Martin states Obama has never renounced his Kenyan citizenship. Andy Martin further states on Obama’s Senate web site, Obama tap dances around his own dual nationality when discussing his father. Obama obviously knows, because his father told the Obama, that he (Obama) also held/holds Kenyan nationality.
24. If in fact Obama was born in Kenya, the laws on the books at the time of his birth stated if a child is born abroad and one parent was a U.S. Citizen, which would have been his mother, Stanley Ann Dunham, Obama’s mother would have had to live ten (10) years in the United States, five (5) of which were after the age of fourteen (14). At the time of

Obama's birth, his mother was only eighteen (18) and therefore did not meet the residency requirements under the law to give her son (Obama) U.S. Citizenship. The laws in effect at the time of Obama's birth prevented U.S. Citizenship at birth of children born abroad to a U.S. Citizen parent and a non-citizen parent, if the citizen parent was under the age of nineteen (19) at the time of the birth of the child. Obama's mother did not qualify under the law on the books to register Obama as a "natural born" citizen. Section 301(a)(7) of the Immigration and Nationality Act of June 27, 1952, 66 Stat. 163, 235, 8 U.S.C. §1401(b), Matter of S-F- and G-, 2 I & N Dec. 182 (B.I.A.) approved (Att'y Gen. 1944). Obama would have only been Naturalized and a Naturalized citizen is not qualified and/or eligible to run for Office of the President. U.S. Constitution, Article II, Section I, Clause 4.

25. Furthermore, if Obama had been born in Kenya, his birth father Barack Obama, Sr. was a citizen of Kenya; therefore, Obama would have automatically become a citizen of Kenya.

26. In or about 1967, when Obama was approximately six (6) years old, his mother, Stanley Ann Dunham married Lolo Soetoro, a citizen of Indonesia and moved to Indonesia with Obama. At this time, if Obama was Registered as a "natural born" citizen, which he did not qualify to be registered as, he would have lost his U.S. Citizenship when his mother married Lolo Soetoro and took up residency in Indonesia. The first requirement is that naturalization must be achieved through "application." Such type of naturalization occurs, for example, when a person acquires a foreign nationality by marriage to a national of that country. Nationality Act of 1940, Section

317(b). Additionally, there is rumor circulating on the Internet that his Indonesian stepfather, Lolo Soetoro, adopted Obama.

27. The Nationality Act of 1940 provided for the loss of citizenship when the person became naturalized upon the naturalization of his or her parent having custody of such person. Obama's mother expatriated her U.S. Citizenship when she married Lolo Soetoro, a citizen of Indonesia and relocated her and her son (Obama) to Indonesia.

28. Obama was enrolled by his parents in a public school, Fransiskus Assisi School in Jakarta, Indonesia. Plaintiff has received copies of the school registration where it clearly states Obama's name as Barry Soetoro and lists his citizenship as Indonesian, Obama's father is listed as Lolo Soetoro, Obama's date of birth and place of birth are listed as August 4, 1961 in Honolulu and Obama's Religion is listed as Islam. This document was verified by television show *Inside Edition*, whose reporter, Matt Meagher took the actual footage of the school record.

29. In or about 1971, Obama's mother sent Obama back to Hawaii. Obama was ten (10) years of age upon his return to Hawaii.

30. Sometime after the return of Obama to Hawaii, Obama's mother, Stanley Ann Dunham returned to Hawaii and divorced her husband, Lolo Soetoro. At the time of Divorce, Obama's mother, Stanley Ann Dunham could have regained her U.S. Citizenship. In order to regain her citizenship, Obama's mother would have had to take the oath of allegiance required. Such oath of allegiance may be taken abroad before a diplomatic or consular officer of the United States, or in the United States before the Attorney General or the judge or clerk of a Court. Such Oath of allegiance would have been entered in the records of the appropriate embassy, legation, consulate, court or the

Attorney General and upon demand, a certified copy of the proceedings, including a copy of the oath administered, under the seal of the embassy, legation, consulate, court or the Attorney General shall be delivered. The certified copy shall be evidence of the facts stated therein before any court of record or judicial tribunal and in any department or agency of the Government of the United States. 8 U.S.C. §1435.

31. As stated above, The Nationality Act of 1940 provided for the loss of citizenship when the person became naturalized upon the naturalization of his or her parent having custody of such person. Obama's mother expatriated her U.S. Citizenship when she married Lolo Soetoro, a citizen of Indonesia and relocated her and her son (Obama) to Indonesia.

32. Obama's mother failed to take the oath in order to regain her U.S. Citizenship. Therefore, Obama would not have been able to regain his U.S. Citizenship until he turned eighteen (18) years after he took the oath of allegiance before a diplomatic or consular officer of the United States, or in the U.S. before the Attorney General or the judge or clerk of court. Plaintiff is informed, believes and thereon alleges Obama failed to regain his citizenship by taking the oath of allegiance. Since the oath of allegiance would have been entered in the records of the appropriate embassy, legation, consulate, court or the Attorney General, if Plaintiff is incorrect, then Obama should be able to produce in Court a certified copy of the proceedings, including a copy of the oath administered.

33. Investigation further showed in 1981, Obama traveled to Pakistan using his Indonesian passport. At the time of travels to Indonesia, Obama was twenty (20) years old. He was well aware he maintained his Indonesia citizenship, and failed to regain his United States citizenship. Indonesia does not allow dual citizenship. Had Obama

regained his United States citizenship, he would have been traveling on a United States Passport.

34. Obama and his Campaign office have been asked for Obama's Certificate of Birth in order to prove he is a "natural born" citizen as required by the U.S. Constitution.

35. After many attempts of the public to obtain Obama's Certificate of Birth, a Hawaiian Certificate of Live Birth (COLB) was placed on Obama's campaign website. However, as posted all over the internet, three (3) independent Document Forensic Experts performed extensive Forensic testing on the Certificate of Live Birth posted on Obama's campaign website. The Forensic Expert findings were the Certificate of Live Birth (COLB) was in fact a forgery. It was further discovered that this original Certificate of Live Birth which had been altered and forged was issued to Maya Kasandra Soetoro, born in 1970. Maya Kasandra Soetoro is Obama's half sister who was born in Indonesia and her birth was later registered in Hawaii. The altered and forged COLB is still on Obama's website located at <http://my.barackobama.com/page/invite/birthcert>

36. Further investigation led to Obama's State Bar Registration and Public Disciplinary Record. On the Illinois State Bar Registration and Public Disciplinary Record it specifically asks for "Full former name(s). Obama put "None," when in fact he went by the name Barry Soetoro, and Barry Obama. It is further believed Obama has used the name Barry Dunham. Obama lied on the State government form that he signed under the penalty of perjury.

37. Even if Obama maintained his United States Citizenship, which he failed to do, he also carries citizenships in Kenya and Indonesia. Obama has divided loyalties with

foreign countries. Thus, Obama carries multiple citizenships and is ineligible to run for President of the United States. United States Constitution, Article II, Section I.

38. All the efforts of supporters of legitimate citizens were for nothing because the Obama cheated his way into a fraudulent candidacy and cheated legitimately eligible natural born citizens from competing in a fair process and the supporters of their citizen choice for the nomination.

39. Voters donated money, goods and services to select a nominee, and were defrauded by Obama's obfuscations. Obama clearly shows consciousness of guilt by his actions by posting a forged birth certificate on his website, and by and the falsifications he told to cover his loss of citizenship.

40. Obama proclaims himself a Constitutional scholar and lecturer, but did not learn he had no eligibility to become President except by means of obfuscations and deceptions.

41. The injunctive relief must be granted because failing to do so, this inaction defrauds everyone who voted in the Democratic Primary for a nominee that is a fair representation of the voters. Failure to grant injunctive relief would allow a corrupted, fraudulent nomination process to continue.

42. It not only allows, but promotes an overwhelming degree of disrespect and creates such a lack of confidence in voters of the primary process itself, so that it would cement a prevailing belief that no potential candidate has to obey the laws of this country, respect our election process, follow the Constitution, or even suffer any consequence for lying and defrauding voters to get onto the ballot when they have no chance of serving if they fraudulently manage to get elected.

43. If declaratory and injunctive relief is not given, it would be extremely unfair to the country for candidates of either party to become the nominee when there is any question as to the nominee's eligibility to serve if elected.
44. As stated above, Plaintiff as well as Democratic American Citizens will suffer Irreparable Harm if Declaratory and Injunctive relief is not granted. Plaintiff does not have any other way of redress regarding these very significant and important issues.
45. The DNC has failed Plaintiff and the Democratic American Citizens by their failure to perform due diligence and inquire into Obama's eligibility to run for Office of the President.

COUNT ONE
VIOLATION OF THE
UNITED STATES CONSTITUTION,
ARTICLE II, SECTION I

46. Plaintiff hereby incorporates Paragraphs 1 through 45 as if fully set forth herein.
47. The United States Constitution, Article II, Section I, Clause 4, Qualifications, Office of President, states:
- "No person except a natural born citizen, or a citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States."
48. Obama's failure to maintain his United States Citizenship makes him ineligible to run for Office of the President.

49. Obama, if born in Kenya would have made him a citizen of Kenya. Furthermore, because of the 1940 Naturalization Act, June 1952, Obama's mother would have had to be nineteen (19) in order for Obama to be a "natural born" United States citizenship upon registration of his birth. Obama's mother was only eighteen (18) when she birthed Obama and therefore was not old enough to meet the residency requirements under our laws at the time of Obama's birth and be able to register her son's birth as a "natural born" citizen.
50. Even if Obama would have been able to be registered as a "natural born" citizen in Hawaii, he lost his citizenship in the United States when his mother married Lolo Soetoro, a citizen of Indonesia and then took Obama to Indonesia and set up residency with her new husband.
51. Obama's mother could have regained her and Obama's United States Citizenship status when she divorced her husband, Lolo Soetoro and moved back to Hawaii. However, in order to regain her citizenship in the United States she would have had to take the oath of allegiance, which would have been recorded. Obama's mother never did take the oath of allegiance to regain her citizenship in the United States.
52. Moreover, Obama could have regained his citizenship in the United States when he turned eighteen (18), again by taking the oath of allegiance that would have been recorded. However, Obama failed to do so.
53. The Democratic National Committee (DNC) is supposed to represent and protect the interests of working Americans, which includes securing a Democratic

Nominee on the Presidential Election ballot who represents the Democratic vision and who is qualified and eligible to run for Office of the President under the qualifications of the United States Constitution. The DNC has failed to inquire into Obama's eligibility status.

54. For the above aforementioned reasons, Obama needs to immediately supply a certified copy of his oath of allegiance proving he regained his United States Citizenship. In addition, Obama needs to furnish a certified copy of his Certificate of Live Birth to further prove he was born in Hawaii as he claims. However, if Obama is unable to supply a certified record of his oath of allegiance, he needs to immediately step down and withdrawal his candidacy for President.

WHEREFORE, Plaintiff respectfully prays that this Court:

A. Declare that Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham is ineligible to run for United States Office of the President under the United States Constitution, Article II, Section I;

B. Preliminary and permanently enjoin Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham from running for United States Office of the President;

C. Preliminary and permanently enjoin Defendant, The Democratic Committee from nominating Defendant Barack Hussein Obama, a/k/a Barry

Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham as the Democratic Nominee;

D. Award Plaintiff such costs and fees pursuant to 42 U.S.C. § 1988 and other applicable by law; and

E. Grant Plaintiff such other and further relief as the Court deems just and proper.

COUNT TWO
DUAL CITIZENSHIP

55. Plaintiff hereby incorporates Paragraphs 1 through 54 as if fully set forth herein.
56. From the beginning of our Constitution, our forefathers inferred a person running for Office of the President could not have divided loyalties. This was a result of people coming from England to the United States who owed loyalties to both England and the United States. Our forefather's did not want a person with dual loyalties to be able to secure the position as President of the United States.
57. This inference is taken from Article II, Section I, which plainly states qualifications for Office of the President must be a "natural born" citizen.
58. The United States President cannot run our Country and have responsibilities and obligations owed to other countries.
59. Obama is not eligible to run for Office of the United States President as his mother failed to regain her citizenship after her divorce to Lolo Soetoro, a citizen of Indonesia, when Obama was a minor and Obama himself failed to regain his

United States Citizenship when he turned eighteen (18). Therefore, Obama is not a “natural born” citizen.

60. Furthermore, Obama is well aware he is not a United States Citizen and does not qualify as a “natural born” citizen. Obama traveled to Pakistan in 1981, at which time he was twenty (20) years old and used his Indonesian Passport, not a United States Passport.
61. The Democratic National Committee (DNC) is supposed to represent and protect the interests of working Americans, which includes securing a Democratic Nominee on the Presidential Election ballot who represents the Democratic vision and who is qualified and eligible to run for Office of the President under the qualifications of the United States Constitution. The DNC has failed to inquire into Obama’s eligibility status.
62. For the above aforementioned reasons, Obama needs to immediately step down and withdrawal his candidacy for Presidency.

WHEREFORE, Plaintiff respectfully prays that this Court:

A. Declare that Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham is ineligible to run for United States Office of the President under the United States Constitution, Article II, Section I;

B. Preliminary and permanently enjoin Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a

Barry Dunham, a/k/a Barack Dunham from running for United States Office of the President;

C. Preliminary and permanently enjoin Defendant, The Democratic Committee from nominating Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham as the Democratic Nominee;

D. Award Plaintiff such costs and fees pursuant to 42 U.S.C. § 1988 and other applicable by law; and

E. Grant Plaintiff such other and further relief as the Court deems just and proper.

COUNT THREE
FRAUD

63. Plaintiff hereby incorporates Paragraphs 1 through 62 as if fully set forth herein.
64. Obama committed Fraud upon Plaintiff and the American Citizens by running for President claiming to be eligible knowing he was not eligible as a result of his failure to regain his United States Citizenship and by maintaining multi citizenships with Kenya and Indonesia.
65. Obama further committed Fraud upon Plaintiff and the American people by falsifying information on his Illinois State Bar Registration and Public Disciplinary Record. Obama stated on his Application to the State Bar of Illinois, as proven by the Illinois State Bar Registration and Disciplinary Record, stating he never used any other names. Obama signed his

application/registration for the Illinois State Bar under the penalty of perjury knowing the information to be false. The fact of the matter is Obama used the name Barry Soetoro in Indonesia and was registered as a citizen of Indonesia on his school records. Obama further used the name Barry Obama and it is further believed Obama used the name Barack and/or Barry Dunham.

66. Obama attempted to defraud Plaintiff and the American people by allowing an altered and forged Hawaii Certificate of Live Birth (COLB) to be placed on his campaign website. Obama was well aware the Government issued COLB was altered and forged as the original document was in the name of Maya Kasandra Soetoro born in 1970. Maya Kassandra Soetoro Obama's half sister who was born in Indonesia and her birth was later registered in Hawaii. The altered and forged COLB is still on Obama's campaign website located at <http://my.barackobama.com/page/invite/birthcert>
67. Obama further attempted to defraud Plaintiff and the American People by claiming to be a United States Citizen, knowing this information to be false. Obama is well aware when his mother married Lolo Soetoro, a citizen of Indonesia and took up residency in Indonesia with Obama, they both naturalized in Indonesia expatriating their United States Citizenship. Obama's mother failed to regain her citizenship after her divorce to Lolo Soetoro, when Obama was a minor and Obama himself failed to regain his United States Citizenship by taking the oath of allegiance, which is recorded when he turned eighteen (18) years.

68. Furthermore, Obama is well aware he is not a United States Citizen and does not qualify as a “natural born” citizen. Obama traveled to Pakistan in 1981, at which time he was twenty (20) years old and used his Indonesian Passport, not a United States passport.
69. Moreover, as stated above, Obama was registered in School in Jakarta, Indonesia as Barry Soetoro, a citizen of Indonesia, born in 1961 in Hawaii and his religion was registered as Islam.
70. The Democratic National Committee (DNC) is supposed to represent and protect the interests of working Americans, which includes securing a Democratic Nominee on the Presidential Election ballot who represents the Democratic vision and who is qualified and eligible to run for Office of the President under the qualifications of the United States Constitution. The DNC has failed to inquire into Obama’s eligibility status.
71. For the above aforementioned reasons, Obama needs to immediately step down and withdrawal his candidacy for Presidency.

WHEREFORE, Plaintiff respectfully prays that this Court:

A. Declare that Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham is ineligible to run for United States Office of the President under the United States Constitution, Article II, Section I;

B. Preliminary and permanently enjoin Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a

Barry Dunham, a/k/a Barack Dunham from running for United States Office of the President;

C. Preliminary and permanently enjoin Defendant, The Democratic Committee from nominating Defendant Barack Hussein Obama, a/k/a Barry Obama, a/k/a Barry Soetoro, a/k/a Barack Soetoro, a/k/a Barry Dunham, a/k/a Barack Dunham as the Democratic Nominee;

D. Award Plaintiff such costs and fees pursuant to 42 U.S.C. § 1988 and other applicable by law; and

E. Grant Plaintiff such other and further relief as the Court deems just and proper.

Respectfully submitted,



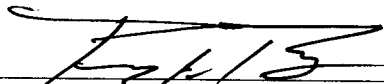
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VERIFICATION

I, PHILIP J. BERG, hereby state that I am the Plaintiff in this action and verify that the statements made in the foregoing Complaint for Declaratory and Injunctive Relief are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

8/21/08

Date


PHILIP J. BERG