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**PETITION FOR WRIT OF CERTIORARI January 25, 2019 = Case
= The biggest Swiss Constitutional Fraud ever (10.06.1989) !**

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SUPREME COURT OF GEORGIA = Certificate of Service !

Ms. Altman

For your information.

01. **PETITION FOR WRIT OF CERTIORARI** (sended by Mail January 25, 2019) !
02. **MOTION FOR RECONSIDERATION !**
03. **NOTICE OF INTENTION FOR PETITION FOR CERTIORARI !**
04. **JUDGMENT FOR RECONSIDERATION** = Unexplained DENIED January 16, 2019 (received by Mail 01.23.2019) !
05. **JUDGMENT** = Case: 18-12751 - Date Filed 12/10/2018 !
06. **CERTIFICATE OF INTERESTED PERSONS AND CORPORATIONS !**
07. **MOVIE-SCRIPT** (Polit- & US-Court-Thriller = Cover Sheet) = **DER SCHWEIZER STAATS-STREICH !**

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Dateianhänge

- SUPREME COURT OF GEORGIA_January 25, 2019.pdf

SUPREME COURT OF GEORGIA
USA – Atlanta, Georgia 30334, 244 Washington Street

Case: 18-12751

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Unexplained Case: 18-12751 Date Filed 12/10/2018 + DENIED 01.16.2019

SUPREME COURT OF GEORGIA
USA – Atlanta, Georgia 30334, 244 Washington Street

GIULIANO STEFANO GIOVANNI WILDHABER *pro se*

CH-9606 Bütschwil / SG, P.O. Box 118 (Switzerland)

Plaintiff-Appellant.

**PETITION FOR WRIT OF CERTIORARI
DIRECT APPEAL + FEDERAL QUESTION
COMPLAINT – CIVIL ACTION**

vs.

1. EFV - EIDGENÖSSISCHE FINANZVERWALTUNG – (1st Guarantor):

CH-3003 Bern / BE, Bundesgasse 3 (Switzerland)

On behalf of: Elisabeth Kopp et al (former 1989 Federal Council Leader)

and

2. EBK – EIDGENÖSSISCHE BANKEN-KOMMISSION - (2nd Guarantor):

(former 1989-2009 name)

FINMA – EIDGENÖSSISCHE FINANZMARKTAUFSICHT (new name)

CH-3003 Bern / BE, Laupenstrasse 27 (Switzerland)

On behalf of: Kurt Hauri et. al (former 1989 EBK-President)

Defendants-Appellees.

_____ /

UNDER: 28 U.S. CODE § 1350 – ALIEN’S ACTION FOR TORT

1. Sovereign v. 2. Sovereign

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PETITION FOR WRIT OF CERTIORARI

Briefs should be submitted only on these points. See Supreme Court Rule 45. I request that this case will be reviewed in **this very important and special ATS-Jurisdiction & -Points**, where Plaintiff is particularly concerned with the following issue or issues:

Verdict: The district court did not err in granting the defendants’ motions to dismiss because Wildhaber failed to file his complaint within the ten-year limitations period. Wildhaber’s claim arose in October 1989. So Wildhaber had until October 1999 to file a timely complaint. But he filed his complaint in November 2017, more than 18 years outside of the ATS’ limitations period + Wildhaber waived that argument because he did not present it to the district court = **Done at Broward County Court = Complaint !**

1. The Alien Tort Statute (ATS) is a United States law that allows only NON-U.S. Citizens to file lawsuits in U.S. federal courts for certain Violations of International law in his Homeland. The ATS foresaw that the plaintiff must be a foreigner. So ATS logically include to respect also the foreign rules in Switzerland for time limitation. The terms « alien », « treaties » and « law of nations » used in the ATS provided clear indications of the « one hundred percent extraterritorial nature » of the law in the foreign state, since everything must have happened extraterritorial. **This then also applies logically to the (100% respected) statute of limitations in Switzerland.**

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2. In Switzerland according Art. 790 § 1 ZGB, the base load is not subject to any statute of limitations, which also applies to claims for which a mortgage pledge is registered, according to « Equality of Law », Art. 8, § 1 BV: I clearly present all this Facts & Proofs already to the District Court in the complaint in advance. In addition, the Swiss statute of limitations was formally iuristically correctly interrupted by UBS Switzerland AG v. Giuliano Wildhaber May 27, 2016 (**Nr. 7.**) also asserted after almost 28 years (see legal equality). Plaintiff still owes UBS 1.06 Mio CHF in full ! Then I also interrupted the Swiss time limitation by Giuliano Wildhaber v. EFV et al 12.21.2016 = The final « casus belli » to sue « EFV et al » (**Nr. 8.**) 2017 in the USA.

3. Under these principles, the running of time under a given statute of limitation is deemed to have stopped for a period during which certain circumstances are present: Such considerations, arise under US Federal Principles of Equitable Tolling.

4. Come on, that ATS has no explicit statute of limitations. I heard the first time in my life about ATS in 2015 (Google). In such situations, courts apply the limitations periods provided by the jurisdiction not in which they sit, but unless 'a rule from elsewhere e.g. under Swiss-law (e.g. where all happend) clearly provides a closer analogy than available state statutes, and when the practicalities of litigation make that rule a significantly more appropriate and also more logical = All these factors points towards borrowing the - Swiss Statute of Limitations - for the ATS (ATCA).

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5. Wrong replay was a technical *pro se* mistake = after I presented all proofs at District Court = So nothing changed at facts & proofs. **In International-law no limitations period exists for the prosecution of crimes against humanity. And the ATS-law is International-law + The crime is a 100% proven fact in my case + although every pre-trial was banned + Mediation (deadline 11/30/2018) + the Trial Date April 26, 2019, R. 10-2, W. D. Ferguson Jr, 17-cv-62542-BB, 400 N. Miami, has been canceled.**

6. Because of all these reasons, it may validly be asked, if the basis of the claim under the ATS is a violation of International-law, why the limitations period should not also be governed by International-law. That's simple logic and legally justified.

7. For certain limited categories of cases, the state supreme court still operates under mandatory review, usually with regard to cases involving the interpretation of the state constitution or capital punishment. But for the vast majority, the state supreme court possesses the discretion to grant certiorari (known as review in Latin). These cases usually pertain to issues which different appellate courts within its jurisdiction have decided differently, or highly controversial cases involving a completely new legal issue never seen in that state + important for the USA. I received 2 unexplained decisions by the US Court of Appeals for the 11th Circuit, regarding the legal issues (that I have asked) in relation to the interpretation of International- e.g. ATS-Law.

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8. In this e.g. ATS-Case governed by the new Evidence Code, I swear that I presented 100% evidences already at Broward County 17th Judicial Circuit with my complaint. That was legally sufficient to prove that the - Swiss Statute of Limitations - was 100% kept in Switzerland. I submitted all this proves already with the complaint in advance.

VERIFICATION AND CERTIFICATION

I, **Giuliano Stefano Giovanni WILDHABER** born June 04, 1952, Swiss Citizen (from Flums at Lütisburg), 35x years married, both retired, 3x adult children, declare that I found **12/17/2018 only by chance** the **12/10/2018 JUDGMENT** (by Google) and I authorize this filing.

Dated and executed on January 25, 2019

Respectfully submitted by,

GIULIANO STEFANO GIOVANNI WILDHABER

Plaintiff pro se (Counsel of Record)

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Applicant's Signature: /s/ Giuliano Wildhaber

