

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

DR. NIRA SCHWARTZ dba Jaffa OptroniX
Appellant/Petitioner

CASE NO.: 07-55091
D.C. No. CV-06-04010-DDP
Short Title: Schwartz v. USA

v.

1. UNITED STATES OF AMERICA Office of the US Attorney;
 2. MIT LINCOLN LABORATORY, also known as MIT/LL;
 3. LAWRENCE LIVERMORE NATIONAL LABORATORY, also known as LLNL;
 4. AEROSPACE CORPORATION, also known as AERO;
- Appellees/Respondents

APPELLANT'S INFORMAL REPLY BRIEF

To

Appellees/Respondents MIT/LL, LLNL, and AERO Answering Brief

My Appeal Should be granted also because of the following:

(a) The entire Complaint was dismissed with out providing the legal reasons to the dismissal of “**Copyright Claim**” against Defendants # 2, 3, and or 4 (Highlight added). The legal reasons were only provided with regard to the dismissal of this claim against Defendant # 1 (Government). See Supp. E.R.” 29/235 at ¶ 3, and see my Opening Brief at: ¶ E; ¶F; ¶G; ¶H; ¶ K; ¶M; ¶Q;)

(b) The entire Complaint was dismissed with out providing the legal reasons to the dismissal of the “**Federal Tort Claims Act**” claim (FTCA claims) against Defendants # 2, 3, and or 4 (Highlight added). The legal reasons were only provided with regard to the dismissal of this claim against Defendant # 1 (Government). See Supp. E.R.” 29/234 at ¶ 1, and my Opening Brief page at: ¶E; ¶I; ¶ K;)

(c) I should not be deprived from the reason to relieve all defendants “together and independently” from “Copyright Claim” and from “Federal Tort Claims Act claim”. This kind of a ‘blank dismissal’ of claims against Defendants # 2, 3, and 4, is not “being most favorable to plaintiff”. It is rather being most prejudice to me, especially when these claims were against all defendants. (See "Supp. E.R." 29/242, line 5. See "Supp. E.R." 3/5, at: ¶6, ¶ 7, ¶8, ¶ 9, ¶ 10).

(d) Any prior cases are “**Different cases with different Defendants and claims**” (see, Opening Brief page #14 at: ¶N.). Meaning Defendants #2, 3, and or 4, and POET were not defendants on prior cases and the ruling in these cases do not relate to them. The arguments they provided in their Answer are irrelevant, in accurate, false and came deliberately to confuse the court.

(e) While having “crocodile tears”, these defendants received \$700 million per year, and still making millions of dollars being “independent evaluator” as a result of these “five separate suits” that they wish to “put an end”, in malice so I will not be paid, and only they will be paid. See Supp. E.R. 3/9-10, 21 at: ¶21; ¶23; ¶64; Supp. E.R. 29/232 at: line # 15;

(f) While the Defendants # 2, 3, and or 4, alleging “fair use” of my IP while evaluating it, I was not granted a day in court to bring expert witnesses, to show it was copyright infringement, tampering, fraudulent, and unauthorized disseminating, robbing of my IP, and not being paid for these unlawful acts.

VI. CONCLUSION

(a) The Court is respectfully requested to put an end to these appealed unlawful activities of the Defendants. That my IP will be produced back to me, with compensation for the unfair and unlawful use the Defendants made of it.

(b) The Court is respectfully requested to provide me with Justice, and grant my appeal.

DATED: August 1, 2007

BY: Dr. Nira Schwartz
Dr. Nira Schwartz

ADDRESS: 2550 PCH # 68, Torrance, CA 90505, Nira7@aol.com

CERTIFICATE OF SERVICECase Name: Schwartz v. USA, et alCase No.: 07-55091

Appeal from: Central District of California, Los Angeles

I certify that a copy of the:

APPELLANT'S INFORMAL REPLY BRIEFToAppellees/Respondents MIT/LL, LLNL, and AERO Answering Brief

and any attachments was served, either in person or by first class mail, on the persons listed below, at the address listed below on the date listed below.

Respectfully,

*Dr. Nira Schwartz*Dr. Nira Schwartz Appellant,
in pro se, non-attorney, 2550 PCH # 68, Torrance, CA 90505

Name	Address	Date of Service
1. United States Of America Office Of The US Attorney;	Debra Wong Yang, Jonathan B. Klinck US Attorney Federal Building, suite 7516, Civil Process Clerk, 300 N. Los Angeles Street, Los Angeles, California 90012	5/7/07 Two Copies
2. MIT LINCOLN LABORATORY, also known as MIT/LL; 3. LAWRENCE LIVERMORE NATIONAL LABORATORY, also known as LLNL; 4. AEROSPACE CORPORATION, also known as AERO;	James J. Gallagher, Mana Elihu McKenna Long & Aldridge LLP, 444 South Flower Street, 8 th Floor, Los Angeles, CA 90071-2901	5/7/07 Two Copies
To the Court Clerk of	United States Court Of Appeal For The Ninth Circuit Post Office Box 193939, San Francisco, CA 94119-3939	5/7/07 Original + 7 copies