



November 27, 2023

VIA E-MAIL

Mr. Errol Toulon, Jr.
Sheriff of Suffolk County, New York
100 Center Drive
Riverhead, NY 11901
631-852-2205
suffolk_sheriff@suffolkcountyny.gov

Mr. Paul Penzone
Sheriff of Maricopa County, Arizona
550 West Jackson Street
Phoenix, AZ 85003
602-876-1000
p_penzone@mcsos.maricopa.gov

Re: Report of criminal violation

This letter reports the crime of forgery committed by Yaacov APELBAUM, along with his personal information in addition to a detailed narrative of the crime. We request this matter be investigated and the filing of criminal charges for this violation.

I. Parties Involved

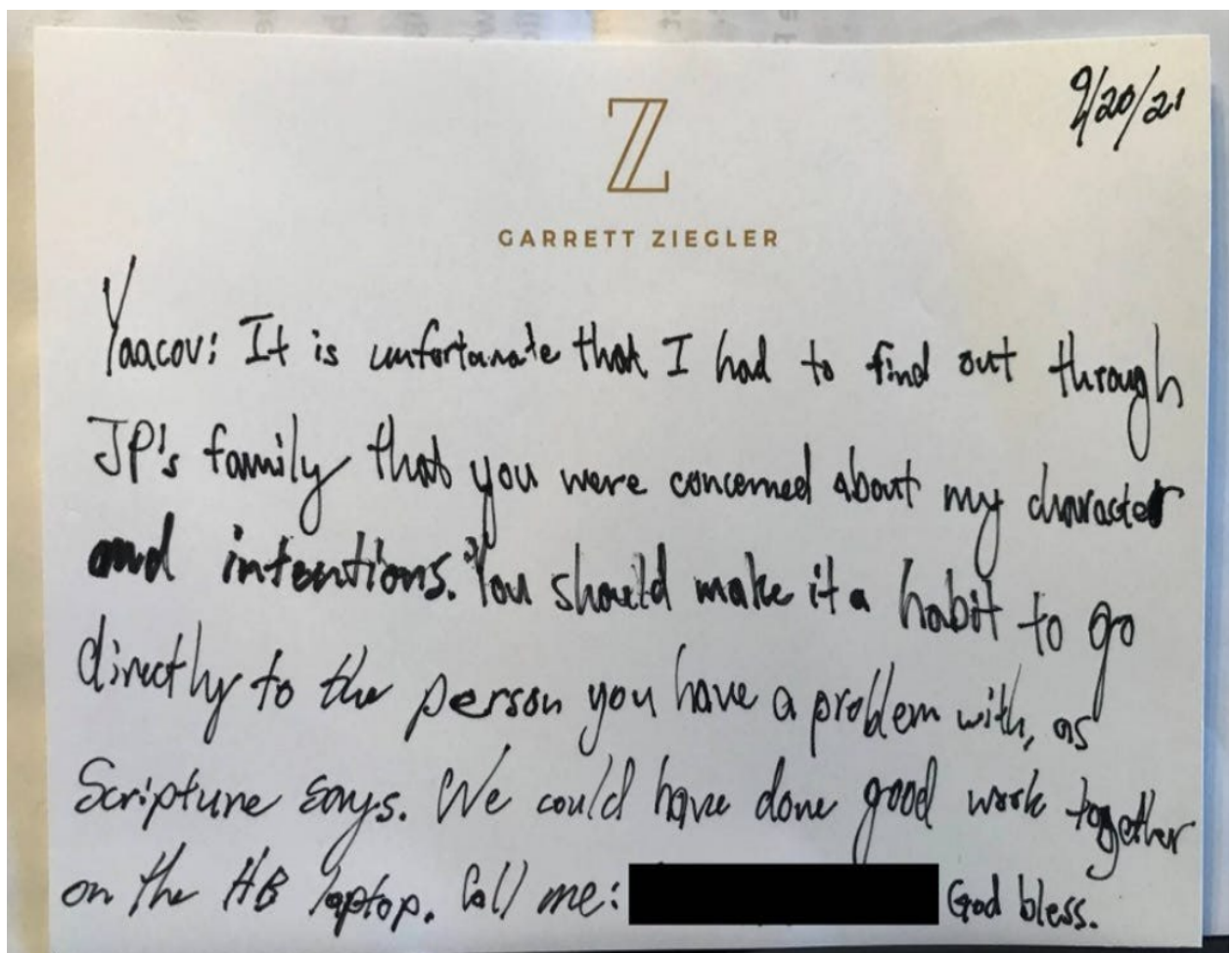
Garrett Ziegler ("Ziegler") and Marco Polo are the victims of the reported crime. Ziegler is a citizen and resident of Effingham County, Illinois, and the founder of the IRS-registered 501(c)(3) nonprofit entity ICU, LLC doing business as *Marco Polo* (EIN: 61-1999941). *Marco Polo* investigates matters of corruption and blackmail in government and the private sector and prepares reports, articles, and analytical commentary in written, audio, and video formats including printed materials. *Marco Polo* is most well-known for their publication of the *Report on the Biden Laptop*, a 640+ page dossier analyzing the contents of a copy of the Apple laptop computer abandoned by Robert Hunter Biden ("Biden") with a Delaware laptop repair shop owner named John Paul Mac Isaac ("Mac Isaac"). Mac Isaac copied the contents of the Biden laptop in the course of his work and later provided a copy of it to Rudolph Giuliani and others. A copy of the contents was given to Ziegler by an associate of Mr. Giuliani.

APELBAUM ("APELBAUM") (DOB: 06/21/1963) (SSN: xxx-xx-9286) resides at 15 Alma St., Sayville, NY, 11782, and possess the telephone number of 631-951-8008. APELBAUM, among other things, owns and manages a business named "XRVision" which purports to conduct cybersecurity work, facial recognition analysis, and open-source research and APELBAUM frequently uses his company's work as a source or basis for publications concerning matters of public interest.

II. Narrative of Events

Prior to September 20, 2021, Ziegler had been communicating with Mac Isaac's uncle, Ron Scott ("Scott"), a citizen of Colorado, about the history and events concerning the abandoned Biden laptop while it was in the possession of Mac Isaac. Ziegler generally knew of information published by APELBAUM and initially believed that APELBAUM's work was of sufficient quality on some matters of public corruption that collaborative research efforts with APELBAUM on the Biden laptop might be of benefit to the public. However, Ziegler learned through Scott that APELBAUM had participated—along with a former CIA agent named Larry Johnson—in influencing Mac Isaac to believe Ziegler's character and intentions were questionable, which ultimately led Mac Isaac to decline collaboration with Ziegler on *Marco Polo's Report on the Biden Laptop*.

On September 20, 2021, Ziegler wrote a note on his personal stationery to APELBAUM admonishing him of Scripture's dictate (c.f. Matthew 18, et al.) to go directly to the person with whom you have a problem instead of engaging in the sin of gossip and false testimony. A true, accurate, and authentic representation of the note, redacting Ziegler's personal telephone number, is included below:



Subsequent to this event, APELBAUM has occasionally continued to post about—and make false comments concerning—the work product of *Marco Polo* and Ziegler.

On November 16, 2023, article published in *The Arizona Republic* contained statements and displayed documents provided by APELBAUM. The article, in pertinent parts, states:

A cybersecurity operative with ties to foreign intelligence agencies said ongoing efforts to subvert the 2020 election are part of a "disinformation campaign" that goes beyond restoring former President Donald Trump to power.

The owner of New-York based XRVision said his company was among a network of cyber firms recruited by lawyers and middlemen working on Trump's behalf to attack election results across the country.

Yaacov Apelbaum said the goal never was to find and expose election fraud: Instead, it was an excuse to foment chaos around America's voting system that political operatives could exploit to wrest control of the powerful MAGA movement.

...

Former Trump White House staffer Garrett Ziegler in 2021 invited Apelbaum to take part in an "active measure" campaign related to Hunter Biden's laptop, according to Apelbaum.

He provided Ziegler's correspondence to the USA TODAY Network as a specific example of the ongoing disinformation campaign.

"Please join me in the active measure business," reads a handwritten message on stationery emblazoned with a large Z and bearing the name Garrett Ziegler in gilded letters. It's signed "the Z-man."

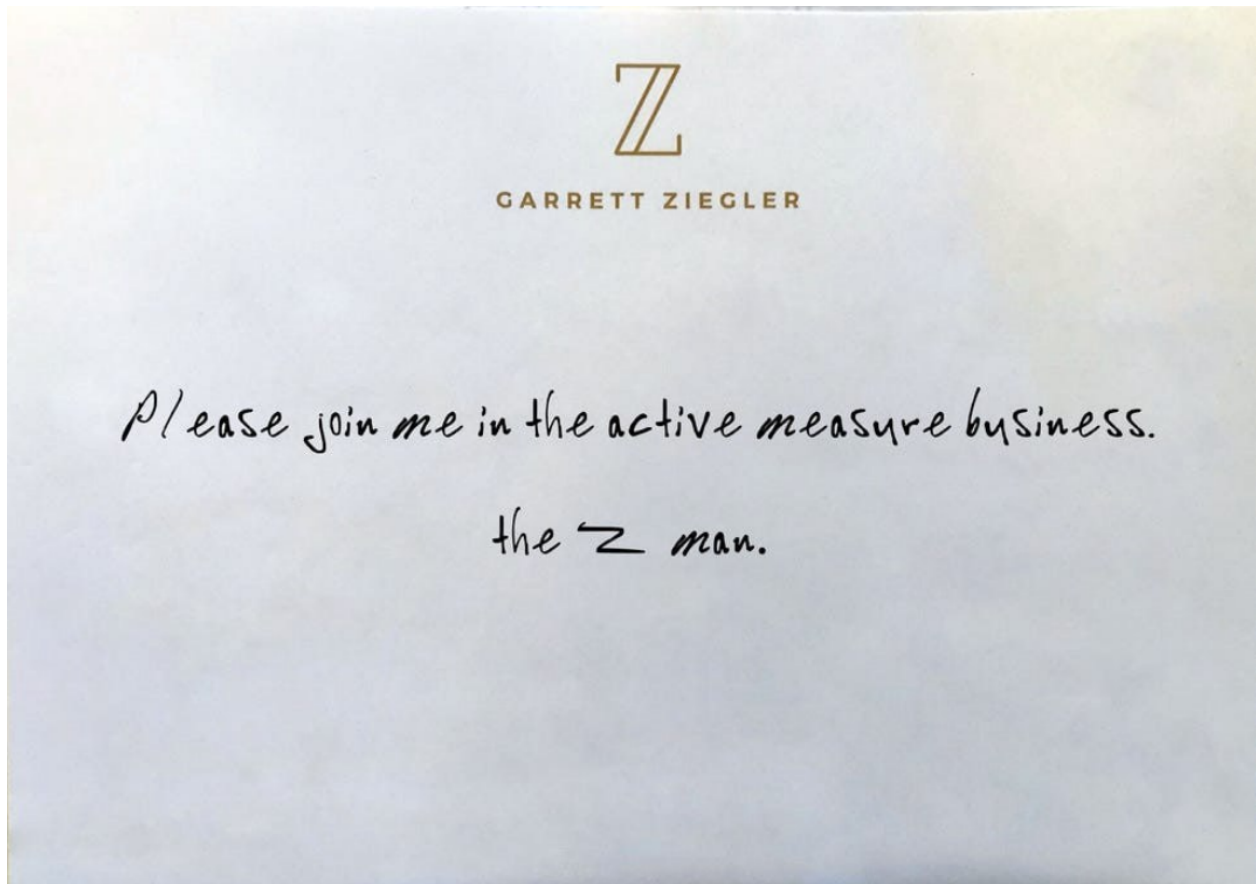
The article is posted online at the following URL:

<https://www.azcentral.com/story/news/local/arizona-investigations/2023/11/16/trump-allies-use-disinformation-to-seize-maga-movement-spyware-executive-says/71252811007/>

The article has been archived at the following URL:

<https://web.archive.org/web/20231116132531/https://www.azcentral.com/story/news/local/arizona-investigations/2023/11/16/trump-allies-use-disinformation-to-seize-maga-movement-spyware-executive-says/71252811007/>

The alleged handwritten message referenced in the article is included below:



This purported note from Ziegler displayed above was presented as authentic to the authors by APELBAUM, as the article clearly indicates.

The purported note is a forged document. Ziegler never wrote, sent, made, or caused the purported note to be produced, in any manner or form, to any person. The purported note is a complete fabrication and forgery.

The contact information for the authors responsible for the article in *The Arizona Republic* is provided below:

Robert Anglen

602-316-8395

Robert.Anglen@arizonarepublic.com

33295 N Double Bar Rd
Queen Creek, AZ 85142

Bruce Siwy

814-659-0084

bsiwy@dailyamerican.com

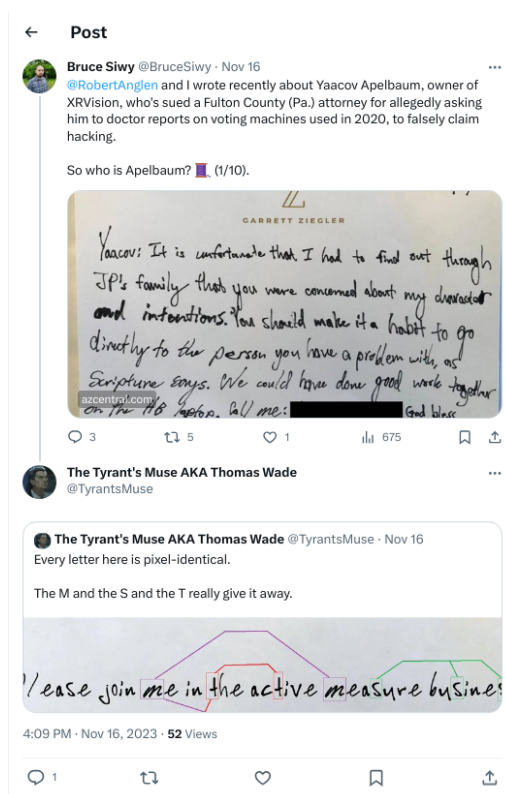
1811 William Penn Ave
Johnstown, PA 15909

III. Proof of Forgery

The structure, makeup, and content of the purported note itself prove that it is a forgery. The purported note allegedly contains the handwriting of Ziegler, using only the top portion of Ziegler's personal stationery and is signed as "the Z man."

Handwriting analysis shows that each of the individual letters contained in the words are exact duplicates of the same individual letters throughout. For example, each letter "e," "t," "s," "m," and "a" can clearly be seen to be identical in height, width, and shape. It is impossible for a person to exactly duplicate the same letter, every letter, repeatedly throughout a handwriting, even one as brief as the forged sentence contained in the purported note.

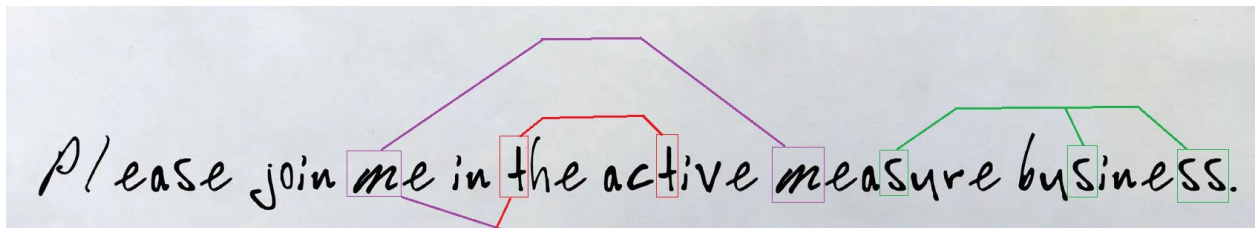
Independent of handwriting analysis conducted by *Marco Polo*, the same analytical conclusion was reached by another reader. In response to a post on X (formerly Twitter) by Bruce Siwy (one of the authors of *The Arizona Republic* article), a user on X responded as shown below (both the original post by Siwy and response by the user are included):



The original post on X by author Bruce Siwy is available at the following URL: <https://x.com/BruceSiwy/status/1725144326970265677>

The URL to the reply by the X user is available at the following URL: <https://x.com/TyrantsMuse/status/1725259877101232542>

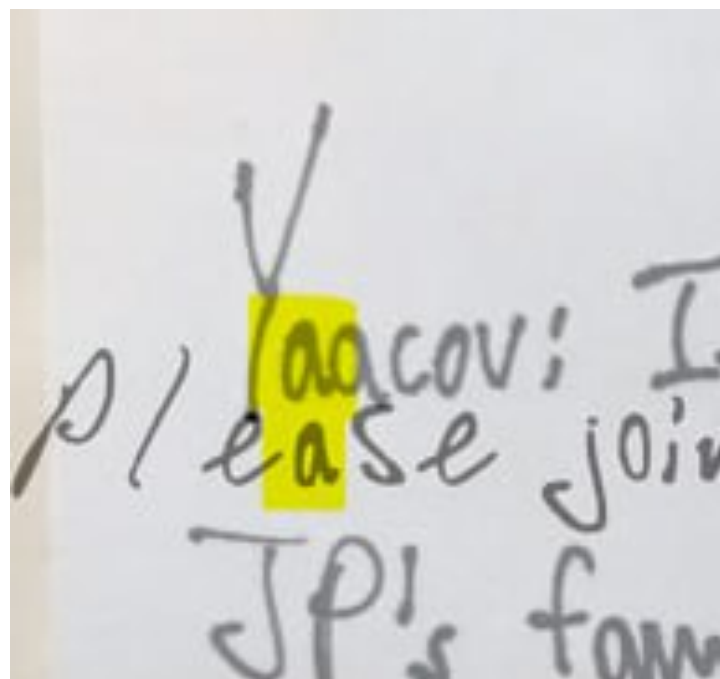
The full picture included with the reply is shown below:



As the user's reply explains, every letter is *pixel identical*. We understand this statement to mean that each letter is identical, not only in height, width, and shape, but also in the formation of the very pixels contained within the picture. Identical pixelation of repeated letters is *physically impossible* to reproduce in authentic human handwriting.

Moreover, additional analysis of the actual note sent by Ziegler to APELBAUM reveals that images of individual letters were extracted from it and reproduced by placing them on a background image which simulates and reproduces Ziegler's personal stationery. In particular, the spacing between each letter indicates a consistent precision of letter placement which, again, human handwriting cannot produce. Finally, Ziegler does not use "the Z man" as a signature in formal notes or even informal notes to friends.

For instance, a comparison of the letter "a" in the purported note matches precisely in height, width, and shape of the authentic handwritten note sent by Ziegler to APELBAUM. A comparative image of the letter "a" taken from the beginning word "Yaacov" in the authentic handwritten note is shown below, superimposed over the first words of the forged note which includes the letter "a" in "Please." The first "a" in "Yaacov" is identical to the "a" in "Please" in shape. The slight variation in height and width can be accomplished by digital reduction of the size of the letter.



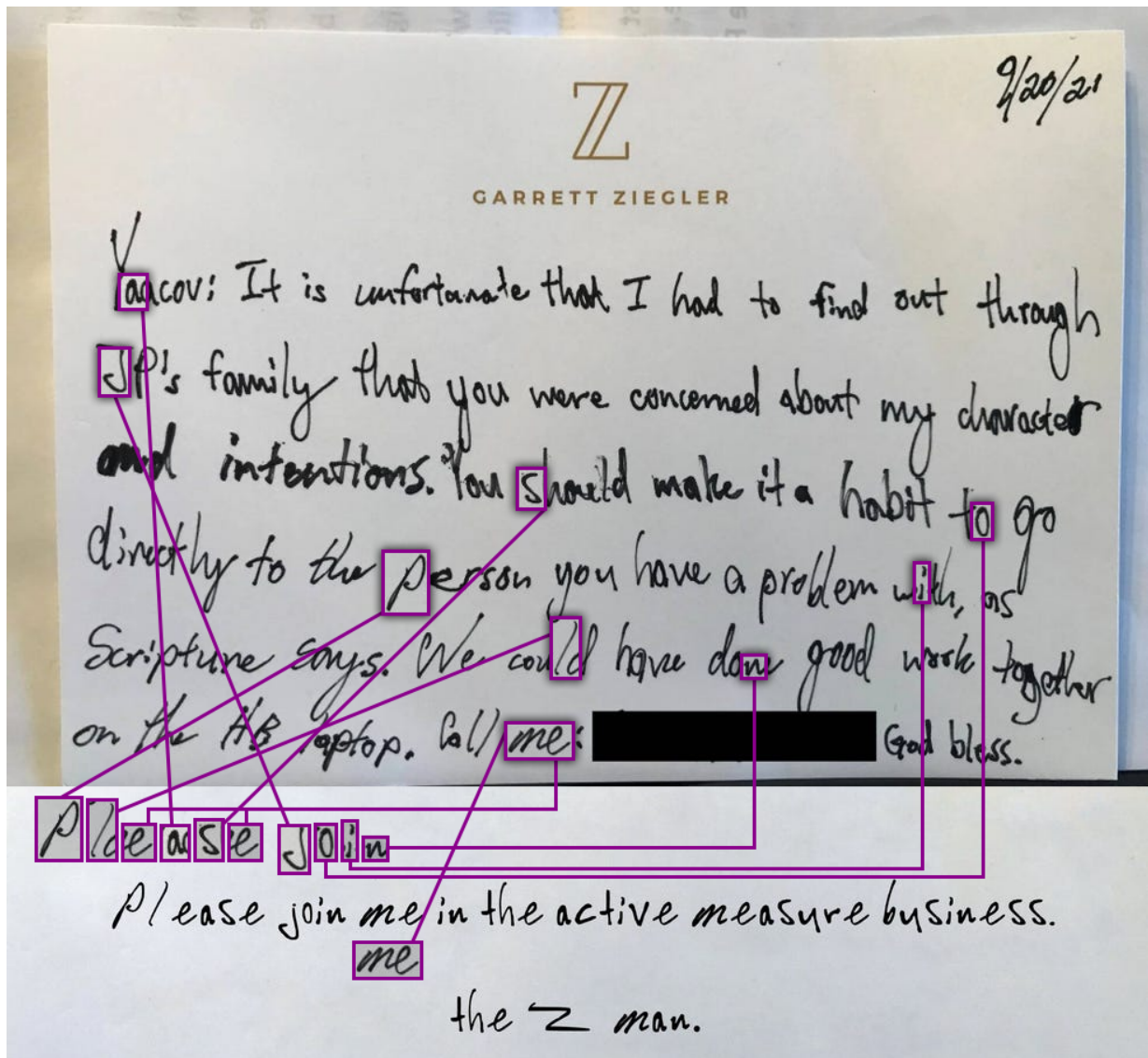
This false statement and forgery were intentionally calculated—and reasonably can be expected—to deceive whoever views it as to the character of Ziegler and *Marco Polo*, thereby causing harm to both their reputation and nonprofit operations. Both victims rely upon a reputation for publishing accurate and reliable information on matters of public concern. The operation of *Marco Polo* directly and solely relies upon the goodwill of the public for donations, specifically by our organization being an accurate and reliable source of information on matters of public concern. For instance, many detractors of Ziegler and *Marco Polo* have levied mendacious smears and other *ad hominem* attacks; however, to date, not one assertion (or even sentence) in the *Report on the Biden Laptop* has been shown to be false. The *Report* itself contains more than 2,000 footnotes to commonly known sources such as numerous articles from publications like the *New York Times*, *New York Post*, *Washington Post*, and many others. It also contains hundreds of photographs, emails, text messages, and other contents which indisputably originated with Biden. Critics and detractors have not—and cannot—reasonably dispute the truthfulness and accuracy of the work by Ziegler and *Marco Polo*.

APELBAUM's forgery and his false statements supporting the forged note serve no purpose except to deceive the public as to the character of Ziegler and the trustworthiness of *Marco Polo*. In particular, APELBAUM's comments establish a false public narrative that Garrett and *Marco Polo* are engaged in a so-called "active measure" campaign "to foment chaos around America's voting system that political operatives could exploit to wrest control of the powerful MAGA movement." This statement is completely false, defamatory, untrue, and lacking in any proof aside from APELBAUM's own completely unsupported opinion.



Yaacov APELBAUM

A thorough comparison between the authentic note and the forgery is below:



IV. Applicable Laws

A. New York

APELBAUM is a resident of the State of New York under the direct jurisdiction of the Sheriff of Suffolk County. Under NY Penal L § 170.05 (2022), "A person is guilty of forgery in the third degree when, with intent to defraud, deceive or injure another, he falsely makes, completes or alters a written instrument." APELBAUM clearly made a written instrument purporting to be the handwriting of Ziegler, containing information intended to injure Ziegler's reputation and that of *Marco Polo*, and published the false information with specific intent for others to read his false statements and rely upon his forged document as a form of proof supporting his false allegations and opinions.

We respectfully request that the appropriate authority in the jurisdiction of New York to whom this letter is addressed to **investigate this matter and to issue criminal process against APELBAUM for prosecution.**

B. Arizona

Pursuant to AZ Rev Stat § 13-2002 (2022), "A person commits forgery if, with intent to defraud, the person... [f]alsely makes, completes or alters a written instrument." The sole purpose of the forged note from APELBAUM is aimed entirely at discrediting Ziegler and *Marco Polo* publicly to existing and potential readers and donors, perpetrating a fraudulent claim in an effort to reduce publicity and financial support necessary for the continued operation of the nonprofit entity.

As a substantial act in furtherance of publishing the forgery occurred in the State of Arizona, we respectfully request that the appropriate authority in Arizona—to whom this letter is addressed—**investigate this matter and to issue criminal process against APELBAUM for prosecution.**

Thank you for your time and attention. My contact information is below, and I stand ready to cooperate in the investigation and prosecution of these matters.

Respectfully,

Jim Clark
Marco Polo
Board of Directors
Corporate Secretary
jim@mp501c3.org
309-391-4823

cc:

Raymond Tierney, Suffolk County District Attorney
(raymond.tierney@suffolkcountyny.gov)
Richard Zaccarese, Suffolk County District Attorney's Office Chief Investigator
(scdapress@suffolkcountyny.gov)

Rachel Mitchell, Maricopa County Attorney
(mitchellr@mcao.maricopa.gov)

Kathy Tulumello, News Editor of *The Arizona Republic*
(kathy.tulumello@arizonarepublic.com)
Wyatt Buchanan, Investigative Editor of *The Arizona Republic*
(wyatt.buchanan@gannett.com)

Tom Boggioni, Senior Editor of *Raw Story*
(tom@rawstory.com)