

Silenced, Then Sentenced: How Joe LaForte Was Precluded from Testifying at His Own Trial!

Friends, patriots, and defenders of the Constitution,

We are witnessing a breakdown of justice in this country that should make every American's blood boil. While the media focuses on the government's narrative, we need to look at the tactics used in the Par Funding case—tactics that represent a direct assault on the most basic right you have as an American: The Right to be Heard. Imagine being sued by the government for hundreds of millions of dollars. Imagine the government seizing your bank accounts, your business, and your home before you even step foot in a courtroom. And then, when the day of your trial finally arrives, imagine a federal judge telling you: "You are not allowed to speak. You cannot testify in your own defense."

That is exactly what happened to Joseph LaForte. It's a move that isn't just "un-American"—it is a dangerous precedent that turns our courtrooms into kangaroo courts.

The SEC's Dirty "Flip-Flop"

In the lead-up to the trial, the SEC did something very revealing: They put Joseph LaForte on their own witness list. They even served him with a trial subpoena!

Why? Because they wanted to drag him onto the stand, ask him incriminating questions, and watch him "take the Fifth" in front of a jury. They wanted the jury to see his silence and assume he was guilty. It was a trap, plain and simple.

But then, the unexpected happened. LaForte called their bluff. He notified the court that he was willing to drop his Fifth Amendment silence and testify. He offered to sit for a deposition immediately so the SEC could ask him anything they wanted before the trial started.

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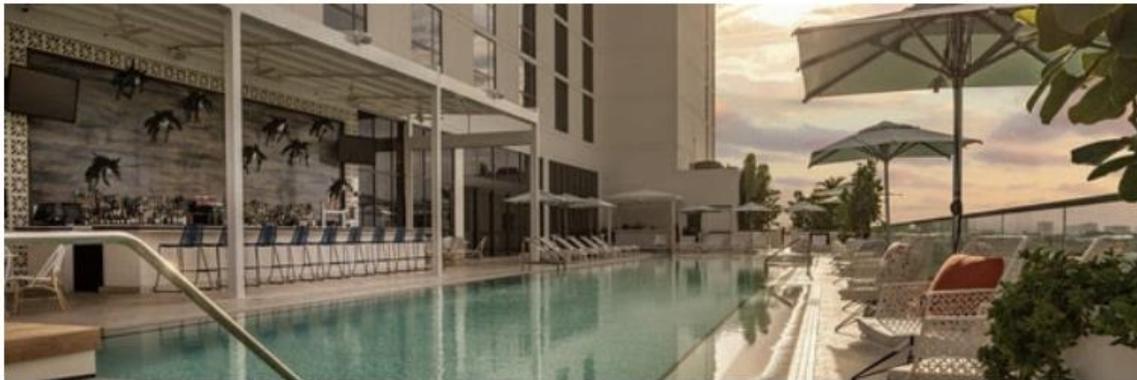
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Did the SEC celebrate this transparency? No. They panicked.
The Procedural Ambush (DE 937 & DE 967)

The moment the government realized LaForte was going to speak—that he was going to explain the business and defend himself, they rushed to the judge to shut him down.

In a filing known as DE 937 (SEC's Expedited Motion to Preclude Trial Testimony), the government argued that it was "too late." They claimed they would be "prejudiced" if he

testified because they had already built their case around his silence. The defense fired back in DE 967, pointing out the obvious: In America, we don't silence people for tactical advantage.

Silenced: The Most Outrageous Quotes from the SEC's Move to Gag the Defense
To understand just how far the government went, you must read their own words. These quotes from the filings show exactly how the SEC worked to keep the truth from the jury.

The "Strategy" Confession: > *"Allowing LaForte to testify now would result in a trial by ambush... The SEC has built its entire trial strategy around his prior refusal to testify."* (DE 937)

The Outrage: The government admitted their "strategy" depended on the defendant staying silent. They were not seeking the truth; they were seeking a win based on a technicality.

The "Incurable" Excuse: > *"The SEC would be severely prejudiced if required to cross-examine LaForte at trial without the benefit of a full discovery period... the prejudice is incurable at this late stage."* (DE 937)

The Outrage: The SEC has unlimited taxpayer resources. To claim they are "prejudiced" by a man finally speaking up—after they were the ones who subpoenaed him—is the height of hypocrisy.

The Defense's Plea for Due Process: > *"The SEC's motion is an extraordinary attempt to strip a defendant of his most basic right: the right to defend himself... There is no 'bright line rule' that says a man loses his voice just because he exercised his constitutional rights earlier."* (DE 967)

The Takeaway: The defense pointed out that you should not have to trade your 5th Amendment rights for your right to a fair trial.

"Sword and Shield": A Legal Excuse for Tyranny

Judge Rodolfo Ruiz ultimately sided with the government, using a theory called the "Sword and Shield" doctrine. This rule says you cannot use the Fifth Amendment as a "shield" during investigation and then use it as a "sword" by testifying at the last minute. But here is the problem: This wasn't a game. There was a parallel criminal investigation going on! Any lawyer would tell their client to stay silent while the FBI is looming. Once LaForte was willing to waive that protection and sit for a deposition, the "prejudice" vanished. The government just did not want the jury to hear a defense.

Why This Matters to You

If a federal judge can decide that a man does not have the right to be a witness at his own trial, then nobody is safe. They bankrupted the company, they used aggressive tactics to seize assets, and when the owner finally stood up to speak, they used a

procedural technicality to gag him.

This is the narrative of the Par Funding case: A government that is more interested in winning at all costs than in seeking actual justice. We must demand that our courts put Due Process back where it belongs—before politics, and before "tactical strategies."

For easy reference look at the record for yourself:

DE 937: The SEC's motion to keep the defense silent.

DE 967: The defense's desperate plea for basic American rights.