

**From:** The ECHO-Association m.tracy@echo-association.com  
**Subject:** Supreme Court of the United States (US ex rel. Tracy v. Emigration Improvement District et al.) Approval of Application (22A636) by Justice Gorsuch  
**Date:** January 16, 2023 at 9:08 AM



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## PRESS RELEASE & OPEN COMMUNITY LETTER

Dear Emigration Canyon Home Owner,

On September 26, 2014, as [reported by the Salt Lake Tribune and High Country News](#), in order to relieve Emigration Canyon, Utah property owners **\$6.3 million dollars** of yet outstanding federally-backed debt, the undersigned commenced [legal action under the False Claims Act \(“FCA Litigation”\)](#) against politically influential private land developers [R. Steve Creamer](#), [Walter J. Plumb III](#) and [Kem Gardner](#) including [managers](#) and [trustees of Emigration Improvement District \(“EID” aka Emigration Canyon Improvement District aka ECID\)](#) regarding the alleged fraudulent acquisition and diversion of Government funds administered under Safe Drinking Water Act (“**SDWA**”) used for the [remediation](#) and [massive expansion](#) of the luxurious [Emigration Oaks Private Urban Development \(“Emigration Oaks PUD”\)](#) at taxpayer expense.

Despite continuing [active concealment of drinking-water contamination](#), [aquifer depletion](#), and [fraudulent retirement of senior water rights under duplicitous claims removed from the only active federal military cemetery created by an Act of Congress prohibited under the SDWA Loan](#), Utah federal district court judge Jill N. Parish dismissed the FCA litigation as untimely due to the fact that the **request** for release of construction retainage funds awarded to [EID Advisory Committee Chairman R. Steve Creamer](#) and [EID Trustee Chairman Michael Scott Hughes](#) *et al.* occurred on September 13 as opposed to **payment of federal monies** on September 29, 2004.

The 10th Circuit Court of Appeals [affirmed the dismissal](#) based upon the cursory one-sentence recital of a [27-year old decision](#) and expressly rejected both the ruling and in-depth analysis of [open disagreement among federal court regarding the FCA's statute of limitations](#) by the influential [United States Court of Federal Claims](#), which appears to have been misinterpreted by both the district and the appellate courts.

The undersigned has retained [renowned appellate attorney John M. Reeves](#) to file a petition for a writ of certiorari in the Supreme Court of the United States on this matter. The petition will address the [60-year split between the federal appellate courts](#) consistent with the Supreme Court's recognition of [implied false certification](#) and [fraudulent inducement](#) in the context of FCA litigation. On Friday, January 13, [Supreme Court Justice Neil Gorsuch](#) approved [Mr. Reeves's application](#) to extend the deadline for filing the cert petition from January 30 to March 1, 2023 **[\[click here to view SCOTUS website\]](#)**.

For those who wish to financially support litigation before the United States Supreme Court for the benefit of [Communities suffering from drinking water contamination](#) and [massive public-service debt secured by fraudulent means](#), The ECHO-Association is currently accepting donations, which will be applied pursuant to the [contingency fee agreement with Reeves Law L.L.C.](#) in their entirety **[\[click here to donate\]](#)**.

Reeves Law L.L.C. will confirm receipt to each individual donor. Please feel free to contact [Attorney John M. Reeves](#) with any questions **[\[click here to contact\]](#)**.

During the pendency of [FCA](#) and [federal Civil Rights Litigation](#), we continue to ask Emigration Canyon residents to [report new construction, impairment of private wells, loss of water service, billing for “water base fees” from residents not connected to the Emigration Oaks water system](#), including [any tax foreclosure sale](#) ordered by the [Simplifi Company](#) on behalf of EID **[\[click here to report\]](#)**.

Please note that [The ECHO-Association](#) continues to provide free culinary drinking-water testing for all Emigration Canyon residents **[\[click here to request\]](#)**.

Feel free to contact me directly with any questions, concerns or comments.

Kindest and Most Respectful Regards,

Mark Christopher Tracy  
d/b/a Emigration Canyon Home Owners Association  
Tel. 929-208-6010

**[VIEW ALL DOCUMENTS AND ORDERS FILED WITH THE SUPREME COURT OF THE UNITED STATES \(LINK TO SCOTUS WEBSITE\)](#)**