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“ Judge shall be faithful to the law...”

Cal Code Jud Ethics 3B(2)

“The rule of law must never be confused with tyranny of the courts”
Anonymous

TIMELY RESPONSE REQUESTED

December 11, 2008

Teresa M. Brenner

Associate General Counsel – signer of SEC filings

Kenneth D. Lewis

President, CEO, Chairman

Timothy Mayopoulos

BOA General Counsel

William J Mostyn III

Deputy General Counsel – signer of statements to share holders

Bank of America Corporation (Bank of America)

100 N Tryon St

NC1-007-56-11

Charlotte, NC 28255

By Fax: (704) 370-3515

By Email: "Attention Brenner, Lewis, Mayopoulos, Mostyn " <ocrates@bankofamerica.com> ,

"Attention Brenner, Lewis, Mayopoulos, Mostyn " <joyce.schilling@bankofamerica.com>

RE: COUNTRYWIDE, RACKETEERING UNDER THE GUISE OF LITIGATION IN LOS ANGELES. NOTICES, REQUESTS AND DEMANDS TO MITIGATE DAMAGES.

RESPONSE BY BANK OF AMERICA REQUESTED BY TUESDAY, DECEMBER 16, 2008; 5:00PM.

Madam & Sirs,

I am the victim of real estate fraud perpetrated by Countrywide Home Loans, Inc, San Rafael Branch, Countrywide Legal Division, and others, through fabrication of court records, which started in early 2006. The scope and severity of wrongdoing in this case makes the report of “recreated letters” filed as evidence in Pennsylvania in January 2008¹, and the cases documented in Judge Jeff Bohm’s (U.S. Court, Texas) opinion from March 2008,² rebuking Countrywide Legal Division litigation practices, pale in comparison.

My attempts last week to establish who is truly authorized by Bank of America as counsel in matters pertaining to me was unsuccessful, as noticed below. Therefore, this communication is sent to the Legal Department and Chair/President/CEO.

Below please see Notices, to reliably inform you of pertinent issues in this matter, as well as Requests and Demands, expected as part of your corrective actions and mitigation of damages.

¹ Reports pertaining to “recreated letters” filed as evidence by Countrywide in Pennsylvania court.

<http://inproperinla.com/08-04-02-us-dist-ct-la-1-request-judicial-notice-att-fine-judge-bohm-recreated-letters-s.pdf>

² Opinion of Judge Bohm (U.S. Court, Texas) rebuking Countrywide’s litigation practices

<http://inproperinla.com/08-04-02-us-dist-ct-la-1-request-judicial-notice-att-fine-judge-bohm-recreated-letters-s.pdf>

A. **NOTICES**

1. **Please Take Notice: Harassment and intimidation by Countrywide continues even today.**

Having had no business with Countrywide, and initially not even knowing about Countrywide's involvement in the case, it took till December 2006 before I discovered the fraud and requested directly from Mr Sandor Samuels and Mr Angelo Mozilo to stop it, which they refused to do.

Instead, Countrywide started on July 6, 2007 a campaign of harassment and intimidation. Sandor Samuels declared himself "Party of interest in the case in early 2008, Bryan Cave, LLP, was retained to represent Countrywide, and such counsel started appearing in this case on a regular basis, without any defined party designation. As it turned out, several of the judges of the LA Superior Court were also Mr Samuels' personal friends.

I trust that BOA would never knowingly continue in such conduct as took place under previous leadership of Countrywide. I am eager to bring this sordid tale to an end and move on with my life. Therefore I am again writing to notice you and demand your attention to this serious matter, now under your watch.

I looked forward to the takeover by BOA, since I expected it to be the end of my harassment and abuse. I therefore also sent Ms Brenner, Mr Lewis, Mr Mostyn III, and others on the Board personal notices in early February 2008, alerting you to the situation in this matter, and requesting that you take care of this matter as soon as change of control was completed.

In response, I received a non-specific letter, dated Feb 18, 2008, signed by Regina Parker, staff of the Chairman's office.²

2. **Please Take Notice: Current contradictions regarding identity of counsel for Countrywide, which must be resolved.**

And once the change of control was completed, harassment and abuse continued, just as before, under the guise of legal action in LA Superior Court.

I would still like to believe that what is taking place in recent months is done without your knowledge, and there were good reason to suspect so, because the court, among its most recent frauds, was again trying to hide the involvement of Countrywide, by deleting the list of parties and counsel from formal court notices, out of compliance and in violation of the law. Therefore, at the end of last week I called the offices of Mr Mayopoulos and others in the Legal Department, in an attempt to confirm whether those who represented themselves as Counsel for BOA, while going on with racketeering in the courtroom in LA – Att John Amberg and Jenna Moldawsky, of Bryan Cave, LLP - are indeed authorized by BOA.

Indeed, your Legal Department had no knowledge of engagement of Bryan Cave for representation of BOA in this matter. Instead, your Legal Department instructed me that only Mr Todd Book of Countrywide Legal Division was authorized to represent BOA in this matter. Your legal department also erroneously noted that there was pending matter –

² Letter by Regina Parker, dated Feb 18, 2008, Office of Bank of America Chair:

<http://inproperinla.com/08-02-18-boa-response-from-office-of-chair-to-letter-re-countrywide-s.pdf>

litigation by me against Countrywide, and therefore against BOA, which prevented further direct communication between me and the BOA Legal Department. I believe that such direct communication could bring this travesty to an immediate end.

Soon afterwards, I tried to communicate with Mr Book, following instructions of your Legal Department. Mr Book responded by falsely claiming that a) I was prohibited by a purported court order from communicating with him. Such condition would of course be absurd, since this was protected speech, him being Counsel for Countrywide designated by BOA Legal Department, and I am a pro se defendant in this case. Mr Book also purported that I was only allowed to communicate with Bryan Cave, LLP.

Obviously, Mr Book's email, which came within 24 hours from my phone communications with your Legal Department was diametrically the opposite of what I was instructed by your offices.

- a. **Please Take Notice:** All three individuals listed above: Todd Book, John Amberg, and Jenna Moldawsky were deeply involved in the racketeering against me in recent years, under Countryside's previous leadership. Accordingly, all three of them have major conflicts of interest in this case, since they are likely to be personally liable pursuant to both civil and penal codes (both California and U.S.) in this matter. Moreover, all three have allegiances with Mr Samuels, who personally led the racketeering in this case, and who still lists himself as "Person in Interest". He probably has the highest liability in this case. I consider the conduct of Todd Book, John Amberg, Jenna Moldawsky, and Sandor Samuels as at present an attempt to keep their turf regardless of the change of control and the change of guiding policies that came with it. I doubt that they best serve the interests of BOA in this matter.
 - b. **Please Take Notice:** I hold that continued assignment of any of these individuals to represent BOA in my case is inconsistent with the stated policies of the BOA Legal Department, claiming adherence to ethical conduct.
3. **The judges in this case, including Judge Friedman, who purports to have authority in this case at present, had been tied to Samuels, and without exception had no valid assignment orders, as required by law.**
- a. **Please Take Notice:** The purported Judge in this case, Terry Friedman, is an old friend of Mr Samuels, but Judge Friedman refuses to disqualify, and also refuses to provide any statement on the record, as required by California Code of Judicial Ethics, Canon 3E(2), relative to the nature of his relationship with Samuels and Countrywide, and any financial benefits that he or family members residing with him may have received from Samuels and/or Countrywide.
 - b. **Please Take Notice:** Judge Friedman, who is holding the court file in this case for almost a year now and acting as presiding judge for all purposes, is doing so with no assignment order, like all other judges in this case, out of compliance and in violation of the law.

- c. **Please Take Notice:** Disqualification/recusal of Judge John Segal, prior to that, directly involved Countrywide. In his recusal statement ³Judge Segal claimed that Countrywide was “merely a witness” in this case. But elsewhere in the same statement, Countrywide was once designated Defendant, and another time yet another party designation.
- d. **Please Take Notice:** Judge Segal, who held the court file in this case from October 5, 2007 to December 4, 2007, and acted as presiding judge for all purposes, never had the case duly assigned to him by order of the Supervising Judge, as required by law.
- e. **Please Take Notice:** Judge Allan Goodman, who held the court file in this case from Sept 11, 2007 to Oct 3, 2007, eventually recused citing his “*..longstanding close personal relationship with the General Counsel of Countrywide*”⁴ – Sandor Samuels.
- f. **Please Take Notice:** Judge Goodman, too, had no assignment order to this case.
- g. **Please Take Notice:** Judge was first disqualified for a cause in open court on July 12, 2007, and the causes listed mostly referred to her treatment of Countrywide in the court, beyond preferential - out of compliance and in violation of the law. She deceitfully ignored the Disqualification for a Cause, ruling it was an untimely Peremptory Challenge.
- h. **Please Take Notice:** Judge Connor was disqualified for a cause a second time on Sept 10, 2007, again, much of the Statement of Disqualification referred to her treatment of Countrywide in court.
- i. **Please Take Notice:** On Sept 11, 2007, a day after her second disqualification for a cause, and recusal, Judge Connor deceitfully entered a minute order of a fictitious hearing that was never heard and a ruling that was never ruled, to the effect that there was no fraud in Countrywide’s fraudulent subpoena production⁵.
- j. **Please Take Notice:** Judge Connor, too, had no assignment order to this case.
- k. **Please Take Notice:** I appeared before each and every one of these judges with a request that they notice me of their assignment order to establish their jurisdictional authority. All denied such requests.
- l. **Please Take Notice:** I appeared several times before Supervising Judge Rosenberg with a request that he duly issue Assignment Order to judges presiding in this case, as required by law, but he denied all such requests.

³ Judge Segal’s fraudulent Recusal Statement can be viewed at pages –183- et seq of the compiled minute orders of Samaan v Zernik (page number #- refers to number at lower right of each page of the record). Such statement opened with a fraudulent claim: “Although judgment was entered on the complaint in this action before this action was assigned to the undersigned judge...”. In fact even today, the office of Presiding Judge and the Office of the Clerk of the Court refuse to certify the existence of an entered judgment in this case, and also refuse to certify the non-existence of entered judgment in this case. The true facts in this matter are that LA County Superior Court no longer keeps a Book of Judgments (either electronic or paper-based), in violation of the law, and also in violation of its own Local Rules of Court.

<http://inproperinla.com/00-00-00-la-sup-ct-minute-orders-electronic-case-file-08-11-14-full-certif-s.pdf>

⁴ Judge Goodman Recusal statement can be viewed at page –95- et seq of records linked in 3) above.

⁵ Fraudulent minute order entered by Judge Connor on Sept 11, 2007, after disqualification and recusal on Sept10, 2007, purporting to record a fictitious hearing and fictitious ruling that found no fraud in Countrywide’s subpoena records, pages – 81- of records linked in 3) above

4. **Please Take Notice: No active litigation and/or pending matters exist by Zernik against BOA/Countrywide at present in either State of California or U.S. courts, contrary to what BOA was probably misleadingly informed.**

I repeatedly heard it stated by phone by individuals in your Legal Department that I was involved in litigation against Countrywide and/or Bank of America. Such are false statements that I wanted to correct.

Please be informed that currently there is no valid litigation by Joseph Zernik against Bank of America and/or its subsidiary Countrywide Home Loans, Inc in either California Superior Court or in U.S. District Court.:

a) **Samaan v Zernik (SC087400)** was all along an “Enterprise Case” of the Judiciary, and not a genuine California Superior Court case, as indicated by the evidence. The office of Presiding Judge and the Office of the Clerk of the Court, as well as their counsel refuse to answer any questions on this subject in recent months, in fact confirming such designation of this case. Had the case been a true Superior Court Case, no valid CHL litigation would have been in existence either, since CHL corruptly assumed the designation of “**Non-Party**”, under which the Judges allowed it to bring actions against Zernik, but denied Zernik the right to bring actions against CHL. Such obviously could not be valid litigation of any U.S. court system.

b) **Zernik v Connor (2:2008CV01550)** Litigation in U.S. District Court, LA, was invalidated from day one, when the *pro se* clerk refused to accept and sign valid summons, and instead, in violation of the Rules of Court, insisted on producing and signing his own summons – which were defective. When Zernik caught this dishonesty, and tried to present the clerk with valid summons for the second time, same clerk again refused to issue the valid summons, claiming to do so under order of Magistrate Judge Woehrle. Obviously litigation with no valid summons cannot be valid litigation. Other defects noted in this litigation, which indicate that Judge Phillips and Judge Woehrle never considered it true valid litigation are:

- Failure to conduct initial case conference
- Failure to list corporate entities as require by law
- Failure to adjudicate motions.
- Gag order set on all Zernik’s filings in court.

5. **Please Take Notice: The appearance and participation of CHL in matter designated Samaan v Zernik was founded in fraud and Obstruction/Perversion of Justice from beginning to end.**

The first appearance of CHL in *Samaan v Zernik* was on July 6, 2007, for a gag order, in an ex parte application by Bryan Cave, LLP, filed with Judge Jacqueline Connor, and heard when the court was dark, off the record and off the calendar. In its papers Bryan Cave, LLP listed Countrywide as “**Non-Party**”, but the court listed it on that day as “**Plaintiff**”.

The most recent scheduled hearing in *Samaan v Zernik* was on November 21, 2008, and there too, CHL appearance was part of fraud by the court, aimed at Obstruction/Perversion of Justice. In this latest proceeding, the court sent notice to only 3 parties: Samaan, Zernik, and CHL. Two other parties were omitted, out of compliance with the law. And CHL was added, also out of compliance with the law, and this time was designated as “*Defendant.*” To hide the fact that CHL was noticed as such fraudulent party, the Court used defective notice forms, and omitted the mailing list required by law in valid notice.

For the past year and a half the court has engaged in such fraudulent litigation practices relative to CHL.

6. **Please Take Notice: Sham litigation under the designation Samaan V Zernik in the LA Superior Court was and is the outcome of extensive conspiracy by CHL San Rafael Branch and its Manager --Maria McLaurin, Countrywide’s Legal Division, including Att Sandor Samuels and Att Todd Book, Bryan Cave, LLP (counsel for purported “Non-Party” Countrywide), Samaan (purported plaintiff), Keshavarzi (counsel for purported plaintiff), Judges Connor, Segal, Friedman, and Rosenberg (purportedly judges in litigation of the California Superior Court), purported Court Officers David Pasternak, Gregory O’Brien, and others.**

A reasonable person reviewing this case as a whole, would most likely conclude that Judge Connor participated in the design of this fraud even before the complaint was filed, since the complaint was made to match Judge Connor’s fraud on entry of judgment, and it is not likely that the attorney involved, Jay Stein, was familiar with all the technical details of the fraud. On the other hand, already in the first proceeding, on January 30, 2006, Judge Connor was involved in extensive production of fraudulent litigation records, for her own Assignment Order (back dated by 3months), for Demurrer (secretly disposed/voided), and for Initial Case Conference (conducted off the record).

While the judiciary was engaging in obstruction/perversion of justice, they were continuously involved in attempts to put blame on me. From the second time I came to court, at least one sheriff, sometimes two, and once – a sheriff with a German shepherd were escorting me everywhere in the court, as a form of harassment.

7. **Please Take Notice: Upon review by a competent court it is practically certain that various aspects of the conspiracy in Samaan v Zernik, and in the failed real estate transaction that preceded it as well, be deemed as violation of multiple sections of California and the U.S. Penal Codes by the various co-conspirators, including such sections where the violations are counted as Predicated Acts per RICO- `18 USC §1961-1968.**

- a. Conduct that is explicitly listed as Predicated Acts per RICO:
- b. Relating to mail fraud - 18 USC §1341

- c. Relating to wire fraud - 18 USC §1343 ,
- d. Relating to financial institution fraud - 18 USC §1344
- e. Relating to obstruction of justice - 18 USC §1503
- f. Relating to tampering with a witness, victim, or an informant – 18 USC §1512
- g. Relating to retaliating against a witness, victim, or an informant – 18 USC §1513
- h. Relating to racketeering - 18 USC §1952
- i. Relating to the laundering of monetary instruments 18 USC §1956
- j. Relating to engaging in monetary transactions in property derived from specified unlawful activity – 18 USC §1957

8. Please Take Notice: CHL engaged in production of fraudulent records in response to a legal subpoena for production of banking records in Samaan v Zernik – such subpoena purported to produce valid underwriting files of Samaan’s loan applications, while no valid loan applications existed in Countrywide.

- a) Samaan failed to ever produce valid loan applications with Countrywide:
 - i. She refused to produce new loan applications with “reasonable explanation” for the fraud in employment data;
 - ii. She refused to add the loan fees, as required by Senior Underwriter Diane Frazier’s Underwriting Letter of Oct 14, 2004, as required by Program Rules, and as required by Corporate Underwriting Support (Mr Gadi);
 - iii. As demonstrated in Countrywide’s subpoena, Samaan failed to ever obtain Broker’s Certification of Records, even when the loan applications were presented for funding by Countrywide Bank in January 2005. Funding was summarily denied. Samaan also admitted in deposition in 2006⁷ that Parks, the purported Loan Broker had nothing to do with such loan applications, She and her husband, Jae Arre Lloyd took care of everything. Separately, already in October 2004, my realtor discovered that Samaan was impersonating Parks in fax communications, and that, together with her failure to obtain loan approval was the reason I cancelled the transaction prior to completion. In fact, in the whole Countrywide loan application file not a single authentic signature of Parks can be found. Instead, the loan file instead, shows two types of forged signatures, which I designated a) Northern, and b) Southern California forgeries.
- b) Through such fraudulent subpoena production, the Legal Division attempted to create fraudulent history of Samaan’s loan applications.

⁶ Subpoena production by CHL can be viewed at:

<http://inproperinla.com/07-02-08-countrywide-fraudulent-subpoena-production-c-s.pdf>

⁷ Samaan’s deposition in 2006, Subpoena page 40-41 et seq in reference to the role of Parks’, CHL’s stated loan broker, or lack thereof in Samaan’s loan applications. Please note that in deposition Samaan falsely stated that her husband was a loan broker as well, which he was not. He was a “loan originator”.

<http://inproperinla.com/06-07-10-samaan-deposition.pdf>

- c) In such fraudulent subpoena production and in subsequent conduct, CHL was deliberately and knowingly engaged in Obstruction and Perversion of Justice, to facilitate real estate fraud by Samaan against Zernik
- d) Review of records from Subpoena production, which constituted the foundation for the fraud in sham litigation of Samaan v Zernik –*Specific Records*
 - i. Real Property Purchase Agreement – falsely misrepresented as faxed by Parks to Countrywide on Oct 25, 2004, 5:03pm.⁸
 - ii. Underwriting Letter – falsely misrepresented as faxed by Countrywide to Parks on Oct 14, 2004, or mid October 2004⁹.
 - iii. Samaan’s loan applications – falsely misrepresented as received for the first time in CHL San Rafael on October 12, 2004¹⁰.
 - iv. Underwriting records of the above loan applications – falsely misrepresented as having arrived in CHL San Rafael at times indicated in fraudulent fax header imprints, which are part of the fax/wire fraud by Samaan¹¹.

9. Please Take Notice: Maria McLaurin’s fraudulent letter and declarations¹² filed in LA Superior Court to assist in Samaan’s real estate fraud against Zernik, were crucial for success of the conspiracy.

Maria McLaurin’s letter and declarations in Samaan v Zernik can be viewed at the link below, with annotations. But even without knowledge of the fine details, any reader with minimal level of understanding of banking procedures would find the declarations fraudulent on their faces.

B. REQUESTS & DEMANDS

1. Demand: Please take immediate action to mitigate damages in matters pertaining to Joseph Zernik:

Bank of America received first notice of this matter in early February 2008!

⁸ Fraudulent Real Property Purchase Agreement
<http://inproperinla.com/04-10-25-doc-45-countrywide-fraud-contract-record.pdf>

⁹ Fraudulent Underwriting Letter
<http://inproperinla.com/04-10-26-countrywide-fraudulent-underwriting-letter-s.pdf>
<http://inproperinla.com/04-10-26-doc-44-countrywide-fraud-underwriting-letter.pdf>
<http://inproperinla.com/04-10-26-opinion-letter-countrywide-underwriting-letter-oct-26-s.pdf>

¹⁰ Fraudulent Samaan’s Loan Applications
<http://inproperinla.com/04-09-27-samaan-countrywide-fraudulent-loan-application.pdf>
<http://inproperinla.com/04-09-27-doc-40-samaan-fraudulent-loan-applications-s.pdf>
<http://inproperinla.com/04-09-27-opinion-letter-fraud-in-loan-applications-signature-s.pdf>

¹¹ Fraudulent underwriting records as part of wire/fax fraud. For examples see pages CW67-69;CW71-89, in CHL’s subpoena production at:

<http://inproperinla.com/07-02-08-countrywide-fraudulent-subpoena-production-c-s.pdf>

¹² Fraudulent McLaurin’s Letter and Declarations:
<http://inproperinla.com/06-11-09-doc-38-1-countrywide-mclaurin-false-declarations.pdf>
<http://inproperinla.com/06-11-09-doc-38-2-countrywide-mclaurin-false-declarations.pdf>

2. **Demand & Request: Please establish the identify of counsel for Countrywide in matters pertaining to Joseph Zernik.**

Such counsel must be willing to communicate with me. I request that such counsel be an individual who has not been involved in the racketeering in this case, under previous control of Countrywide. Please notify me who such counsel is. Doing so would allow immediate resolution of the dispute between Joseph Zernik and Bank of America.. employing the individuals listed above will not allow such resolution to move forward, albeit – it is most likely at the best interest of BOA, Joseph Zernik. It may also be for the benefit of all who live in LA County, if BOA supports steps requested by me below.

3. **Demand: Please immediately withdraw the entire subpoena production of CHL, repudiate it as fraudulent on its face, and notice the court and parties accordingly.**

Although not every single page in the subpoena production was fraudulent, the package as a whole was designed and organized to deliberately mislead the reader and present the subpoena as the true history of Samaan’s loans applications and their underwriting.

4. **Demand: Please immediately withdraw any and all papers filed in this matter, which were generated by Maria McLaurin, CHL San Rafael Branch Manager, and notice the court and parties accordingly.**

Such papers are based on frauds as detailed above and in footnoted paper filed in court.

5. **Demand: Please withdraw any and all of papers filed by CHL, a party with neither designation nor legal standing, from the LA Superior Court’s sham litigation designated “Samaan v Zernik”, and notice parties and the Court accordingly.**

Bank of America Corporation must not be engaged in racketeering activities where CHL appears in Court with no defined party designation, in sham litigation where the Office of the Presiding Judge and the Clerk of the Court, as well as internal and external counsel retained for this matter, have all refused to answer in recent months such basic questions as:

- a) Is Samaan v Zernik a true case duly registered and indexed, as required by law for a case heard by the Superior Court of California?
- b) Is Samaan v Zernik a case listed in the Calendar of the Courts, as required by law for a case heard by the Superior Court of California?
- c) Is there a judge duly assigned to this case, as required by law for a case heard by the Superior Court of California?
- d) Is there a valid, entered judgment in this case, alternatively – is there no valid, entered judgment in this case?

6. **Demand: Please institute internal and external review of this matter as required by banking laws and regulations, and also report to the authorities regarding the conduct of individuals, when required to do so by law.**

I will fully cooperate with investigative procedures duly instituted in compliance with the law.

7. Demand: Please issue to Zernik declaratory statement, to the effect that:

- a) BOA will take immediate action to mitigate damages.
- b) BOA will assume responsibility for compensating Zernik for damages resulting from the past and present conduct of CHL,
- c) BOA, in coordination with Zernik, will employ all necessary legal measures to vacate any and all orders, decrees, judgments that appear in the record, and were purportedly the products of litigation in the Superior Court of California,
- d) BOA, in coordination with Zernik, will employ all necessary legal measures to remove from the records in the Office of LA County Registrar/Recorder the fraudulent Grant Deed ¹³ filed there by David Pasternak, Officer of the Court, on behalf of the LA Superior Court.
- e) BOA, in coordination with Zernik, will employ all necessary legal measures to immediately return the property commonly known as 320 South Peck Drive, Beverly Hills, 90212 to Zernik's possession, and to compensate him for the unlawful occupancy of his property since November 2007, and any and all damages related to the use of the property or its condition upon repossession.
- f) BOA will enter negotiations with Zernik in re: compensation for any incidental damages and resolution of the dispute stemming from Samaan v Zernik.

8. Request: Please join and fully support requests already advanced by Zernik that the Judiciary Committees of both House and Senate initiate in the upcoming session of U.S. Congress urgent hearings regarding:

- a) Ongoing failure of the justice system in LA County, from the Rampart to Countrywide.
- b) Wide spread public corruption and wide-spread abuse of civil rights in LA County,
- c) Actions required in attempt to restore an adequate justice system in LA County
- d) Actions required to enforce the Bill of Rights, as well as Common Law rights for access to judicial Records per Nixon v Warner Communications,
- e) Actions required to affect immediate release of all those who were confirmed as innocent, but are falsely imprisoned in LA County since before the Rampart scandal (1998).

¹³ Fraudulent grant deed was filed on Dec 17, 2007 by David Pasternak, without ever issuing Writ of Execution or Abstract of Judgment. The fraud in such Grant Deed was confirmed in notarized opinion letter of veteran FBI agent, James Wedick, decorated by U.S. Congress, FBI Director, and U.S. Attorney General. Please view at: <http://inproperinla.com/07-12-17-opinion-letter-fraud-in-grant-deeds-s.pdf>

C. CONCLUSION

I hold that in due course it would be fully recognized that Countrywide and some at the LA Superior Court were the dominant forces in organized crime in LA County in recent decades. That much can be gleaned even from the little evidenced in this letter. Such conditions are inherently tied to the installment of a fraudulent case management system at the LA Superior Court circa 1985, and the concomitant elimination of Books of Court that are public records, as required by law¹⁴. I hope that BOA recognize such facts and take appropriate actions, as part of its control of Countrywide, and as part of its corporate responsibilities.

I hope that this dispute will be expediently concluded with efforts for the benefit of all those who live in LA County, and particularly for those whose basic rights and liberties were abused in recent decades by the court and police. With the passage of time such goal became imperative for me, since it was the only explanation I could find for this entirely crazed conduct of senior management in Countrywide, Judges of the Superior Court, and Counsel from some of the largest law firms in the world – that it was all meant to bring about the release of those who were falsely imprisoned and were and are the weakest and most vulnerable of all.

I hope that all issues related to *Samaan v Zernik* be expediently resolved in a manner that would also be hailed as a prime example for the contribution of one of the largest corporations in the U.S. to the resolution of major public policy problems.

Sincerely,



Joseph Zernik

CC:

b. **U.S. House and Senate**

¹⁴ The collusion of the Court of Judge Connor and CHL in the perversion and obstruction of justice, the production of fraudulent trial court litigation records, the central role of the fraudulent case management system and the denial of public access to books of court, are all fully demonstrated in the Register of Actions, where Judge Connor prominently posted on July 24, 2007 a note designating CHL “**REAL PARTIES IN INTEREST**”, while Countrywide – even today absurdly claims to be “Non-Party”, At the same time Judge Connor referred to my claims in court – the CHL was behind this litigation as ‘Conspiratorial Theory’. That note was fraudulently back-dated to the absurd filing date of July 24, 2004 – prior to the filing of the complaint. I and my counsel were denied access to any paper or electronic court records for almost 2 years. Once I was allowed to see copy of the Register of Actions (I am still denied the right to inspect and to copy even today), I discovered this and many other frauds by the court in litigation records, as is elsewhere documented. After I documented this particular fraud by the court in papers filed in both the Superior Court and in U.S. District Court, such notes disappeared from the Register of Actions, with no notation, no *nunc pro tunc* order, and no notice to parties.

<http://inproperinla.com/00-00-00-la-sup-ct-register-of-actions-s-v-z-aduleterations-on-page-one-sustain-s.pdf>

The overall criminal nature of the conduct of the court in this case, and its deliberate engagement in real estate frauds, where L County is routinely listed as first in the U.S., is best evidenced by the fraudulent conveyance of title on the propterty by David Pasternak, "Receiver" appointed by the court:

<http://inproperinla.com/07-12-17-grant-deeds-wedick-s-opinion-s.pdf>

Committees on the Judiciary, Subcommittees on Oversight and Administration of the Courts, Senate Banking Committee, and the House Financial Services Committee, Congressman/women representing LA County. This letter is intended as part of ongoing requests to institute hearings on the failed justice system of LA County

Senator Joseph Biden
Senator Barbara Boxer
Senator Russell D Feingold
Senator Diane Feinstein
Senator Patrick Leahy
Senator Charles Schumer
Senator Christopher Dodd
Representative Xavier Becerra
Representative Howard Berman
Representative John Conyers Jr
Representative David Drier
Representative Jane Harman
Representative Howard McKeon
Representative Grace Napolitano
Representative Hilda Solis
Representative Maxine Waters
Representative Diane Watson
Representative Henry Waxman

c. **Office of Federal Trade Commission**

Complaint related the conduct of Countrywide described below, was first filed in January 2007 with both Office of Thrift Supervision and Office of Federal Trade Commission. Office of Thrift Supervision completed its investigation, against **Countrywide Bank**, the only affiliate under their jurisdiction in March 2007. The Office of Thrift Supervision cleared Countrywide Bank of any wrongdoing, since the Bank denied Samaan's loan applications immediately upon receipt. But the Office of Thrift Supervision, during its investigation uncovered substantial issues of concern with CHL, and accordingly filed on its own volition, a complaint with Office of Federal Trade Commission.

From March 2007 and on, it was impossible to get any indication from Office of Trade Commission regarding the disposition of the investigation... Freedom of Information requests were not honored either... The office was obviously engaging in substantial effort to conceal information that by law the complainant was allowed to receive.

With this letter, I request that the Office of Federal Trade Commission provide me with a copy of the complaint(s) in 2007, and the final report of the respective investigations. I also request that the current letter serve as my complaint against CHL, for severe abuse of my civil rights, for fraudulent conduct, and various other violations of the law listed below.

d. **Securities and Exchange Commission**

Relative to matters described above, which I believe must be reported as material violations of law per Sarbanes-Oxley Act of 2002, § 307, and the SEC Rule promulgated there under 17 CFR 205