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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

Oct 15, 2008

Mitchell Kamin, President/CEO

Bet Tzedek
145 South Fairfax
Los Angeles, CA 90036
By Certified Mail w/ Receipt

Att Alejandro Mayorkas, Esq

O'Melveny & Myers
400 South Hope Street
Los Angeles, CA 90071
By Certified Mail w/ Receipt

RE: Request for mitigating damages and for addressing grievances against Bet Tzedek and/or past or present officers of Bet Tzedek: Terry Friedman, David Pasternak, and Sandor Samuels.

Dear Mr Mayorkas and Mr Kamin:

Happy new year to both of you and your families!

I called a couple of times in the last month to ask if Bet Tzedek has an ethics committee, or otherwise, how you suggest to handle my grievances.

Three individuals associated with Bet Tzedek, one of them, Sandor Samuels, was holding at that time the position of President of the Board, were and are involved in perpetrating real property and multiple other frauds against me, still in progress, and a variety of other severe abuses of civil rights pursuant to 42 USC §1983 and 42 USC §14141 (a).

The other two are David Pasternak – a former President, and Terry Friedman – a former Executive Director.

The frauds are most clearly defined through the Nov 9, 2007, Order Appointing Att David Pasternak “Receiver”^{1, 2}. That order was the product of a hearing at 4-day notice, in the court of Judge John Segal. The 4-day notice hearing itself, was ordered as the outcome of an ex-parte appearance on Nov 5, 2007, but as I found out later, Judge Segal secretly “disposed” of his own Nov 5, 2007 minute order authorizing the Nov 9, 2007 hearing, but he did so from chambers, with no notice to parties.

The motion that was the subject of the Nov 9, 2007 hearing, was another fraud in its own sake – its verification stated that a copy of an Aug 9, 2007 Judgment by Court pursuant to CCP 437c, which the “Receiver” was purportedly supposed to execute was attached under Tab 1. But no such record was to be found there, and the moving party, in open court, made it clear that he had no intention to recognize or abide by any such judgment.

Mr Pasternak was fully aware of all of that, and I sent him several warning notices in advance of the Nov 9, 2007 hearing, suggesting that for his good name he may choose to avoid this case. And yet, he took upon himself this assignment, which was fraud from the start.

¹ [08-06-24-exhibits-vol-v-receivership-introduction\[s\].pdf](#)

² [08-06-24-exh-vol-v-receivership-\[482p\]\[s\].pdf](#)

A month later, on December 7, 2007, Mr Pasternak brought *Samaan v Zernik* (SC087400) to a low mark in proceedings that were extreme in abuse of civil rights for Free Speech, for Due Process, and for Possession. Proceedings took place on that morning in two successive ex parte appearances, the first in Beverly Hills, before Judge Lisa Hart-Cole, and the second – in Santa Monica – before Judge Patricia Collins. Both Judges seemed eager to participate in the corrupt proceedings, the second of which was never noticed as required by law.

. The goal of these proceedings was to obtain generally abusive and also fraudulent court orders:

1. Two gag orders against me, to prohibit me from protected speech in defense of myself with Mara Escrow and United title.
2. Indemnity agreement , to induce Mara Escrow to participate in a criminal endeavor, where the escrow officer, after receiving information from me, refused to cooperate.
3. General abusive financial orders against me.
4. Court approval of fraud documents, including the fraud grant deed approved on that day.³

The refusal by Mara Escrow’s Escrow Officer to cooperate was probably the main issue that made Pasternak go through such procedure. Since the main objective was to induce Mara Escrow to participate in this criminal endeavor, he wanted that the hearing be witnessed by a Mara representative. But Att for Mara Escrow, were probably not enthusiastic for participating in such procedure.

With guidance from Judge Lisa Hart Cole, it appeared that they all found a suitable solution – *incognito* appearance in court of a corporate attorney.

A few minutes after the beginning of the hearing, I noticed standing before the judge between me and Pasternak another man in a suit. Since I was already familiar with such manipulations from the court of Judge Connor, I interrupted the proceedings and demanded that the gentleman be introduced. Both he and Judge Hart Cole refused to have him introduced.

But in the Minute Order for that hearing , he was listed a representing Mara Escrow.

Also in the interval between that hearing and the hearing at Judge Collins’ court he refused to introduce himself.

I was late for the beginning of the hearing at Judge Collins court. But the minute order showed that he was listed there as Attorney for Pasternak.

It was also fraud all the way to the end, as seen in the fraudulent grant deed that Mr Pasternak filed with the office of the Recorder Registrar on Dec 17, 2007. That fraud was reviewed by Mr James Wedick, a veteran FBI agent, decorated by Congress, and FBI Director, and a U.S. Attorney General. Mr Wedick at the time concluded:

“Accordingly, based on above observations MR. WEDICK opines an immediate investigation should be instituted in an effort to ascertain the circumstances behind any fraud being committed so that appropriate local, state, and federal authorities can be notified, including the appropriate court.”

The frauds by Terry Friedman are most clearly seen in similar episodes:

On Jan 30, 2008, I appeared to ask that all funds purportedly derived from the purported sale of my home, against my will and without my consent, be released to me immediately. Judge Friedman , in an abusive ruling, denied my request and threatened sanctions if I ask for it again. But soon after that, he too, “disposed” of his own Jan 30, 2008 Minute Order from chambers with no notice to parties.

Obviously, Terry Friedman should never have accepted any involvement I this case to begin with. Neither he, nor any of the other judges involved in this case held a valid assignment orde. Therefore, he had no authority, and also no immunity at all. For all practical purposes, he was acting as a vigilante. He was warned several

³ [07-12-17 opinion letter-fraud in grant deeds\[s\].pdf](#)

times that he should obtain an assignment order, but failed to do so, and continues to pretend that he had judicial authority. If he had obtained an assignment order – he should have avoid this case, given his long-term relationship with Mr Samuels. But Mr Friedman failed to recuse, and also continues to refuse to file statements on the record, regarding his relationship with Countywide and Mr Samuels, and any financial benefits that he or his family may have received from Mr Samuels or Countywide, pursuant to the California Code of Judicial Ethics.

And ignoring all these conflicts, Mr Friedman found me in violation of an ex post facto order he made up, then fined me over \$22,000 for that purported violation, threatened to jail me for it, and found me in contempt of the court. In the process, he violated various due process rules, all to abuse my rights and reward Mr Samuels wrongs.

Sandor Samuels' frauds have been all along the driving force in this case. For the last two years he is refusing to answer the simplest questions regarding two records that originated in the Legal Division of Countrywide, and were the key to the fraud against me. He was at that time president of Bet Tzedek, and he had at that time web pages calling on anybody in southern California who is victim of fraud to call him⁴.

I did call him, by leaving him a sealed letter at the office of Bet Tzedek, with copies of the fraud records, which since then I have professional fraud experts verify are fraud^{5, 6, 7}. The sealed letter was addressed to the "President of Bet Tzedek, Mr Sandor Samuels, Personal and Confidential". It asked him to stop frauds perpetrated by persons answering to him.

But the response from the President of Bet Tzedek for a request made through the offices of Bet Tzedek, in response to an invitation on the web pages of Bet Tzedek, was not at all as advertised. Within a day, the web pages of Bet Tzedek were down, and when they came up again, they were the 2005 version, without any mention of Mr Samuels⁸ or fraud busting. And within days, Mr Samuels, who prior to this was orchestrating the frauds from the background, started a full swing campaign of harassment, intimidation, and retaliation, against a witness, informer and victim pursuant to 18 U.S.C. § 1961–1968.

In the process, he also demonstrated the degree to which he could corrupt the LA Superior court (and may conform with 18 U.S.C. § 201), which for his benefit was and is willing to abandon any semblance of upholding constitutional rights, or any notion of justice (such as in "House of Justice") for that matter.

All other records are posted at <http://inproperinla.com/> .

If you require any additional records, please do not hesitate to call me.

Please also accept this letter as a request to mitigate damages. Albeit, I have written in this regards to the Board of Bet Tzedek several times in the past.

Please let me know within 10 days what if any steps Bet Tzedek intends to take in this regard.

Sincerely,



Joseph Zernik

P.S . I initially called Mr Mayorkas for a different purpose, albeit related. I would be grateful if he agreed to discuss for a pay public policy issues pertaining to proposals I made to the Director of the U.S. Department of Justice. I hope that such a short meeting (30 min) would also establish a channel of communication that would be helpful in resolving this matter quickly and equitably.

⁴ 07-06-20-bet-tzedek-web-pages-w-samuels.pdf

⁵ 04-10-25-doc-45-countrywide-fraud-contract-record.pdf

⁶ 04-10-26-doc-44-countrywide-fraud-underwriting-letter.pdf

⁷ [04-10-26-opinion-letter-countrywide-underwriting-letter-oct-26\[s\].pdf](http://04-10-26-opinion-letter-countrywide-underwriting-letter-oct-26[s].pdf)

⁸ 07-07-01-bet-tzedek-new-old-web-pages.pdf