

**UNITED STATES BANKRUPTCY COURT, CONSTITUTION AT ART I, § 8, p4  
EASTERN DISTRICT OF PENNSYLVANIA**

JAMES, ROBERT WRIGHT and  
GLORIA JEAN WRIGHT  
Petitioners

: Case No.: 99-17700

*upon application  
to Trustee,*

**Praecipe For A 11 U.S.C. § 502 Hearing**

TO THE CLERK OF SAID COURT:

Please place the above case on the list for a 11 U.S.C. § 502 hearing at 10:00 A.M. on November 2, 1999. MICHAEL ANTHONY RADOGNA is informing all creditors of the above time and date. If the above date is not open, please inform creditors the time and date the 11 U.S.C. § 502 can be held.

*upon application  
to Trustee,*

SUBJECT MATTER

Notice: MICHAEL ANTHONY RADOGNA, is a creditor of record, has opposed an alleged creditor/claimant hearing until after the 11 U.S.C. § 502 hearing for which the court has been noticed to determine an amount in lawful currency, based upon substantive evidence, and allow or disallow the pertinent amounts.

MICHAEL ANTHONY RADOGNA  
MICHAEL ANTHONY RADOGNA  
415 ISLAND PARK ROAD  
EASTON, PENNSYLVANIA 18042  
all Rights reserved without prejudice

DATED: October 5, 1999

CC:  
EUGENE AND PATRICIA FRITZINGER  
PATIENT FINANCIAL SERVICES OF  
EASTON HOSPITAL  
RIDGE EMERGENCY PHYSICIANS  
DR. SLADE / EASTON HOSPITAL  
RIDGE EMERGENCY PHYSICIANS  
KIRKWOOD TOWN COURT

JAMES T. MOCK

**TO BE HEARD BEFORE THE HONORABLE DAVID SCHOLL**

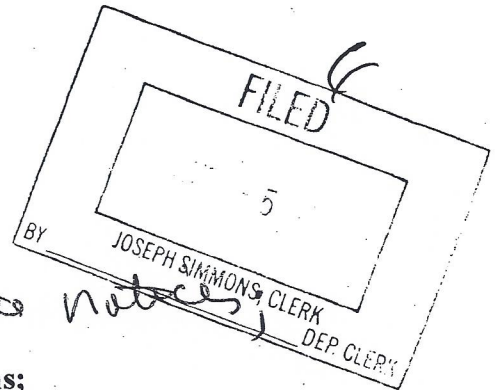
UNITED STATES BANKRUPTCY COURT, Constitution at Art I, § 8, p4.  
FOR THE EASTERN DISTRICT OF PA

IN RE: JAMES, ROBERT; WRIGHT and )  
GLORIA, JEAN; WRIGHT )  
Petitioners )

Case: 99-17700

*upon application of Trustee*  
Notices;  
Notice of Objection to Claims;  
Notice of Motion to Examine;  
Notice to Trustee to object.

EUGENE and PATRICIA FRITZINGER )  
PATIENT FINANCIAL SERVICES OF )  
EASTON HOSPITAL )  
RIDGE EMERGENCY PHYSICIANS )  
DR. SLADE/EASTON HOSPITAL )  
RIDGE EMERGENCY PHYSICIANS )  
DR. SLADE/EASTON HOSPITAL )  
KIRKWOOD TOWN COURT )  
Disputed Creditors )



*upon application of Trustee Notices*

~~Notices~~; Notice of Objection to Claims;  
Notice of Motion to Examine;  
Notice to Trustee to object

1. This is timely Notice to this court, to all officers of this court, to the United States trustee, to all trustees and to all parties in interest of this timely Notice of this objection/opposition to EUGENE and PATRICA FRITZINGER, PATIENT FINANCIAL SERVICES OF EASTON HOSPITAL RIDGE EMERGENCY PHYSICIANS, DR. SLADE/EASTON HOSPITAL, RIDGE EMERGENCY PHYSICIANS, DR. TALLICK /EASTON HOSPITAL, KIRKWOOD TOWN COURT, hereinafter CLAIMANTS, by MICHAEL, ANTHONY; RADOGNA.

2. This opposition is made pursuant to 11 U.S.C. § 502 and written substantiation of claims are demanded. This is Notice to the court to determine an amount in lawful currency, based upon ~~substantive evidence~~ substantive evidence, and allow or disallow the pertinent amounts.
3. A reason for the objection is CLAIMANTS failed to disclose information pursuant Consumer Credit Protection Act, 15 U.S.C. § 544.
4. A reason for the objection is this court is without evidence of a true bill in commerce substantiating evidence of debt of JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT to CLAIMANTS.
5. A reason for the objection is this court is without evidence of any document substantiating any obligation of JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT to CLAIMANTS.
6. A reason for the objection is CLAIMANTS claim is alleged, hearsay and unsubstantiated.
7. A reason for the objection is a presentment or "proof of claim form" made without evidence of ground for claim, pursuant substantive law, is unconscionable, is an attempt at usuary and is void of evidence of consideration.
8. This is Notice that MICHAEL, ANTHONY; RADOGNA objects to, disputes and protests



the unsubstantiated claims alleged by CLAIMANTS and herein asks the trustee to object to the alleged claims.

9. Notice: Examination on motion, Rule 2004:MICHAEL, ANTHONY; RADOGNA desires the examination and examination of evidence substantiating claim.
10. Notice to CLAIMANTS to move this court to schedule a hearing to accomplish the objectives of Rule 2004 and 11 U.S.C. § 502 if CLAIMANTS can present evidence of debt/obligation or the alleged claim must be considered abandoned with res-judicata.
11. This is Notice that the claim having been objected to pursuant 11 U.S.C. § 502, the claim is disallowed until substantiated.

MICHAEL, ANTHONY; RADOGNA

MICHAEL, ANTHONY; RADOGNA  
415 ISLAND PARK ROAD  
EASTON, PA 18042  
610-253-7447



## VERIFICATION

I, MICHAEL, ANTHONY; RADOGNA, hereby verify, under penalty of perjury, under the laws of the United States of America, without the "United States", that the attached documents are true and correct copies of the originals, with the sole exception of the original red-ink signatures, which signature I hereby apply to said documents by proxy, so help Me God, pursuant to 28 U.S.C. 1746(1). See Supremacy Clause.

Dated: OCTOBER 4, 1999

Respectfully submitted,

MICHAEL, ANTHONY; RADOGNA  
MICHAEL, ANTHONY; RADOGNA  
415 ISLAND PARK ROAD  
EASTON, PA 18042  
610-253-7447

UNITED STATES BANKRUPTCY COURT, CONSTITUTION AT ART I, § 8, p4.  
EASTERN DISTRICT OF PENNSYLVANIA

James, Robert; Wright and ) Bankruptcy Case: 99-17700  
Gloria, Jean; Wright ) Chapter 13  
DEBTORS ) Notice of opposition to Dismissal.

1. This is timely Notice, by Michael Radogna, of opposition to this court's dismissal: to this court; to all officers of this court; to the United States trustee; to all trustees; to all parties in interest: that for good cause to be shown herein Michael Radogna opposes dismissal and opposes the motion of the trustee and court to dismiss on the following grounds:

2. This is timely Notice to: this court; to all officers of this court; to the United States trustee; to all trustees, and; to all parties in interest: of 11 U.S.C. Savings Provision that states in part:

Pub. L. 95-598, title IV, Sec. 403, Nov. 6, 1978, 92 Stat. 2683, as amended by Pub. L. 98-353, title III, § 382, July 10, 1984, 98 Stat. 364, provided that:

(a) A case commenced under Bankruptcy Act, (act July 1, 1898, ch. 541, 30 Stat. 544, as amended), and all matters and proceedings in or relating to any such case, shall be conducted and determined under such Act as if this Act had not been enacted, and the substantive rights of parties in connection with any such bankruptcy case, matter, or proceeding shall continue to be governed by the law applicable to such case, matter, or proceeding as if the (this) Act had not been enacted.

3. This is timely Notice to: this court; to all officers of this court; to the United States trustee; to all trustees; to all parties in interest: of 11 U.S.C. § 1125 that states in part:

The Supreme Court's rulemaking power will not extend to rulemaking that will prescribe what constitutes adequate information. That standard is a substantive standard.

4. This is timely Notice to: this court; to all officers of this court; to the United States trustee; to all trustees; to all parties in interest: of 28 U.S.C. § 2075. Bankruptcy rules: that states in part:

The Supreme Court shall have the power to prescribe by general rules, the Forms of process, writs, pleadings, and motions, and the practice and Procedure in cases under Title 11.

Such rules shall not abridge, enlarge, or modify any substantive right. In Light of the clear mandate of 28 U.S.C. § 2075 that the 'rules shall not Abridge, enlarge, or modify any substantive right'

5. All parties in interest are aware that substantive rights must be secured

6. The first ground opposing dismissal is JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT paid a fee to this Court for the administration of these issues. A

dismissal at this time would damage JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT because this Court has unresolved substantive issues before it that will adversely effect JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT.

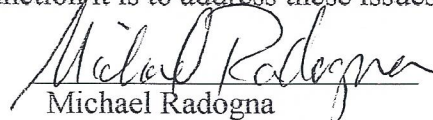
7. The second ground is a dismissal would damage Michael Radogna as Michael Radogna has a substantive interest in the outcome of these procedures.

8. The third ground opposing dismissal is JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT filed with this Court for the resolution of issues under protection of this Court pursuant 11 U.S.C. § 362. A dismissal will deny to JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT that for which JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT paid a fee and it would deny to JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT the protection under § 362 afforded to other petitioners who similarly paid a fee to this Court. This would be denial of equal protection of the law.

9. MICHAEL RADOGNA will gladly accept a dismissal from this Court if this Court declares this Court is without substantive evidence of obligation of JAMES, ROBERT; WRIGHT and GLORIA, JEAN; WRIGHT to each opposed claimant.

10. This Court has of record notices of oppositions pursuant 11 U.S.C. § 502. The hearing is mandatory.

11. The order of dismissal of this matter will damage this creditor who will be without recourse to resolve this issue in this Court whose function it is to address these issues.



Michael Radogna  
415 Island Park Road  
Easton, Pennsylvania 18042



In UNITED STATES BANKRUPTCY COURT, Constitution at Art I, § 8, p4.,  
FOR THE EASTERN DISTRICT OF PA  
IN RE: JAMES, ROBERT; WRIGHT and  
GLORIA, JEAN; WRIGHT  
DEBTORS

Bankruptcy Case No.: 99-17700

Chapter 13

This is to certify that I have on this 9<sup>th</sup> day of October, 1999 placed a true and exact copy of the: Notices; Notice of Objection to Claims; Notice of Motion to Examine; Notice to Trustee to object by depositing the same in the U.S. Mails, at Philadelphia, Pennsylvania, addressed to the below named individuals in this Case (Personal Service or Mail Service as noted next to the Respondant's name below):

OFFICE OF THE U.S. TRUSTEE  
EDWARD SPARKMAN, Esq.  
P.O. Box 40119  
Philadelphia, PA

U.S. Mail

EUGENE and PATRICIA FRITZINGER  
1201 Turner St.  
Allentown, PA 18102

U.S. Mail

PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042

U.S. Mail

KIRKWOOD TOWN COURT  
70 Crescent Drive  
Kirkwood, New York 13795

U.S. Mail

RIDGE EMERGENCY PHYSICIANS  
P.O. Box 7508  
Philadelphia, Pennsylvania 19101

U.S. Mail

DR. SLADE  
PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042

U.S. Mail

DR. TALLICK  
PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042

U.S. Mail

United States Bankruptcy Court, Constitution at Art I, § 8, p4.  
district

DEBTOR

Petitioner

DISPUTED CREDITORS

Case: 99-17631

Notices, and;

Notice of objection to claim, and;

Notice of motion to examine, and;

Notice to Trustee to object.

*Upon Application Trustee*

*upon application Trustee notices*

1. This is timely Notice to this court, to all officers of this court, to the United States trustee, to all trustees and to all parties in interest of this timely Notice of this objection/opposition to . D.C. , hereinafter CLAIMANTS , by F.C.
2. This opposition is made pursuant to 11 U.S.C. § 502 and written substantiation of claim(s) is(are) demanded. This is Notice to the court to determine an amount in lawful currency, based upon substantive evidence, and allow or disallow the pertinent amounts.
3. A reason for the objection is CLAIMANT failed to disclose information pursuant Consumer Credit Protection Act, 15 U.S.C. § 544.
4. A reason for the objection is this court is without evidence of a true bill in commerce substantiating evidence of debt of DEBTOR to CLAIMANTS.
5. A reason for the objection is this court is without evidence of any document substantiating any obligation of Debtor to CLAIMANTS.
6. A reason for the objection is CLAIMANT's alleged claim is hearsay and unsubstantiated.
7. A reason for the objection is a presentment or "proof of claim form" made without evidence of ground for claim, pursuant substantive law, is unconscionable, is an attempt at usuary and is void of evidence of consideration.
8. This is Notice that F.C. objects to, disputes and protests the unsubstantiated claim(s) alleged by CLAIMANT and herein asks the trustee to object to the alleged claim.
9. Notice: Examination on motion, Rule 2004: F.C. desires the examination and examination of evidence substantiating claim. This is notice to CLAIMANT to move this court to schedule a hearing to accomplish the objectives of Rule 2004 if CLAIMANT can present evidence of debt or the alleged claim must be considered abandoned with res-judicata.
10. This is Notice that the claim having been objected to pursuant 11 U.S.C. § 502, the claim is disallowed until substantiated.

FRIENDLY CREDITOR

D.C. - DISPUTED CREDITORS

F.C. - FRIENDLY CREDITOR

D.C. - CLAIMANT

In UNITED STATES BANKRUPTCY COURT, Constitution at Art I, § 8, p4.,  
FOR THE EASTERN DISTRICT OF PA  
IN RE: JAMES, ROBERT; WRIGHT and  
GLORIA, JEAN; WRIGHT  
DEBTORS

Bankruptcy Case No.: 99-17700  
Chapter 13

This is to certify that I have on this 8<sup>th</sup> day of October, 1999 placed a true and exact copy of the:  
**Notices; Notice of Objection to Claims; Notice of Motion to Examine; Notice to Trustee to object** by depositing the same in the U.S. Mails, at Philadelphia, Pennsylvania, addressed to the below named individuals in this Case (Personal Service or Mail Service as noted next to the Respondant's name below):

OFFICE OF THE U.S. TRUSTEE  
EDWARD SPARKMAN, Esq.  
P.O. Box 40119  
Philadelphia, PA U.S. Mail

EUGENE and PATRICIA FRITZINGER  
1201 Turner St.  
Allentown, PA 18102 U.S. Mail

PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042 U.S. Mail

KIRKWOOD TOWN COURT  
70 Crescent Drive  
Kirkwood, New York 13795 U.S. Mail

RIDGE EMERGENCY PHYSICIANS  
P.O. Box 7508  
Philadelphia, Pennsylvania 19101 U.S. Mail

DR. SLADE  
PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042 U.S. Mail

DR. TALLICK  
PATIENT FINANCIAL SERVICES  
OF EASTON HOSPITAL  
1101 Northampton Street  
Easton, Pennsylvania 18042 U.S. Mail



Plaintiff (Debtor)

CASE:

v.

COMPLAINT FOR DECLARATORY  
STATEMENT AND NOTICE OF MOTION  
WITH LEAVE OF COURT

Defendant (Creditor)

1. The complaint, originating from Bankruptcy Court, is that Defendant is without substantive evidence of claim. Defendants have failed to make full disclosure of any signed obligation by debtor and declined/failed to disclose the principal (head or chief) or basis for Defendants alleged claim.
2. Relief demanded is the substantiation of claim as claimants have declined/refused to participate for relief by declaratory statement by this court that "this court is without evidence of obligation of plaintiff to defendant."
3. This is timely notice to this court, to all officers of this court, to the United States trustee, to all trustees and to all parties in interest that the plaintiff notices this court of this Notice of Motion to move this court to issue a declaratory statement that "this court is without evidence of obligation of Plaintiff to Defendant."
4. Notice: James R. Wright and Gloria J. Wright in order to prosecute this case desires to join the opposition of claimants pursuant Rule 3007, and pursuant Rule 7001 to demand:
  - (a) Allow debtors to proceed in the name of the Trustee (who fails to object to claim of disputed Creditor under 11USC 502 hearing).
  - (b) Allow Creditor to object to claim of other Creditor in name of Trustee (who fails to object to claim of disputed Creditor under 11 USC 502 hearing).
  - (c) Relief being substantiation to determine the validity of alleged interest in property by the creditors/claimants.
  - (d) Complete relief from creditors/claimants for the sum of one dollar in the event that creditors/claimants fails/declines to respond to the opposition on or before the opposition hearing date.
5. Notice; as this is an adversarial proceeding, James R. Wright and Gloria J. Wright are complying with Rule 7003 by filing complaint pursuant Rule 5005.

---

James R. Wright  
205 Tumblecreek Road  
Easton, Pennsylvania 18042

---

Gloria J. Wright  
205 Tumblecreek Road  
Easton, Pennsylvania 18042

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

(2) Plaintiff

CASE:

v.

(\*) Defendant

ORDER

AND NOW THIS \_\_\_\_\_ day of \_\_\_\_\_ and the  
issue having been duly scheduled for hearing, after consideration of evidence  
of record, this Court issues the Declaratory Statement that:  
This Court is without substantive evidence of debt of (2) to claimants  
specified as:

---

J.

fr. er cred. ref. #13

#5

United States Bankruptcy Court, Constitution at Art I, § 8, p4.  
« 6»

« 2»	)	Case: « 7»
Petitioners	)	
	)	Notices, and;
	)	Notice of objection to claim, and;
« 8»	)	Notice of motion to examine, and;
Creditor	)	Notice to Trustee to object.

1. This is timely Notice to this court, to all officers of this court, to the United States trustee, to all trustees and to all parties in interest of this timely Notice of this objection/opposition to c:\sfbank\adv1\credref~, hereinafter CLAIMANT, by « 8».
2. This opposition is made pursuant to 11 U.S.C. § 502 and written substantiation of claim(s) is(are) demanded. This is Notice to the court to determine an amount in lawful currency, based upon substantive evidence, and allow or disallow the pertinent amounts.
3. A reason for the objection is CLAIMANT failed to disclose information pursuant Consumer Credit Protection Act, 15 U.S.C. § 544.
4. A reason for the objection is this court is without evidence of a true bill in commerce substantiating evidence of debt of « 2» to CLAIMANT.
5. A reason for the objection is this court is without evidence of a of any document substantiating any obligation of « 2» to CLAIMANT.
6. A reason for the objection is CLAIMANT's claim is the alleged claim is hearsay and unsubstantiated.
7. A reason for the objection is a presentment or "proof of claim form" made without evidence of ground for claim, pursuant substantive law, is unconscionable, is an attempt at usuary and is void of evidence of consideration.
8. This is Notice that « 8» objects to, disputes and protests the unsubstantiated claim(s) alleged by CLAIMANT and herein asks the trustee to object to the alleged claim(s).
9. Notice: Examination on motion, Rule 2004: « 8» desires the examination and examination of evidence substantiating claim. This is notice to CLAIMANT to move this court to schedule a hearing to accomplish the objectives of Rule 2004 if CLAIMANT can present evidence of debt or the alleged claim must be considered abandoned with res-judicata.
10. This is Notice that the claim having been objected to pursuant 11 U.S.C. § 502, the claim is disallowed until substantiated.

-----  
 Matthew J. [redacted]  
 c/o « 10»  
 « 11», « 12»

-----  
 Kathleen W. [redacted]





6. The first ground opposing dismissal is « 2» paid a fee to this Court for the administration of these issues. A dismissal at this time would damage « 2» because this Court has unresolved substantive issues before it that will adversely effect « 2».
7. The second ground is a dismissal would damage « 8» as « 8» has a substantive interest in the outcome of these procedures.
8. The third ground opposing dismissal is « 2» filed with this Court for the resolution of issues under protection of this Court pursuant 11 U.S.C. § 362. A dismissal will deny to « 2» that for which « 2» paid a fee and it would deny to « 2» the protection under § 362 afforded to other petitioners who similarly paid a fee to this Court. This would be denial of equal protection of the law.
9. « 2» will gladly accept a dismissal from this Court if this Court declares this Court is without substantive evidence of obligation of « 2» to each opposed claimant.
10. This Court has of record notices of appositions pursuant 11 U.S.C. § 502. The hearing is mandatory.
11. The order of dismissal of this matter will damage this creditor who will be without recourse to resolve this issue in this court whose function it is to address these issues.

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8. F.C.

2. Debtor

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F.C.

Signed

JOINDER - the friendly creditor - # 12 # 6

United States Bankruptcy Court, Constitution at Art I, § 8, p4.  
« 6»

« 2» ) Case: « 7»  
Petitioners )  
 )  
 ) Notices, and;  
 ) Notice of complaint(s).

1. This is timely Notice to this court, to all officers of this court, to the United States trustee, to all trustees and to all parties in interest of the following notices.
2. Notice: « 8», a creditor of record, has opposed an alleged creditor/claimant under 11 U.S.C. § 502 for which the court has been noticed to determine an amount in lawful currency, based upon substantive evidence, and allow or disallow the pertinent amounts.
3. Notice: debtor, « 2», in order to prosecute this case/petition desires to join the opposition of claim pursuant Rule 3007, and, pursuant Rule 7001 to demand:
  - (1) relief being substantiation to determine the validity of alleged interest in property by the creditor/claimant.
  - (2) complete relief from creditor/claimant for the sum of one dollar in the event that creditor/claimant fails/declines to respond to the opposition on or before an opposition hearing date to be scheduled by the claimant unless the claimant desires to abandon their claim such as not to waste the court's time.
4. Notice: as this is an adversarial proceeding, « 2», is complying with Rule 7003 and by filing complaint pursuant Rule 5005.

-----  
Matthew J. [redacted]  
c/o « 3»  
« 4», « 5»

-----  
Kathleen W. [redacted]

« 8 » = Friendly creditor



First Amendment expression: UCC 1-207 without prejudice: without liability.

#### The usual bankruptcy.

The usual legal approach is for you to declare (under penalty of perjury) your list of creditors, tell everybody what and where your assets are (the PLAN), pay an attorney outside of the bankruptcy and wind up owing more after the bankruptcy than before. It's usually long, ugly and costly.

#### Bankruptcy without Bankruptcy

This is a process whose objective is to go by the rules of bankruptcy and secure a fresh start only as pertains to credit, bank loans and taxation.

Other agencies may fail to participate, but they are neither the object nor the subject of these procedures. These procedures do not address existing court orders or judgements. You voluntarily file for bankruptcy protection but instead of revealing your financial life, you use the bankruptcy rules to coerce your adversaries to prove what they loaned you or their authority to tax you. Then you use the Court to determine the amounts in lawful currency (this has never happened so far). When your adversaries fail to participate or decline to substantiate their claims, you voluntarily withdraw from bankruptcy protection. It should be over in about sixty days. Volunteer in, volunteer out. Some agencies may persist, violating their regulations. A Notice to those agencies should solve the problem, otherwise you walk them back (less than 30%) into bankruptcy, give them another chance to prove who they are, and how and for what you became liable to their agency. The IRS and other similar agencies have never attempted to prove their claims. They apparently do not want to come to court and have to prove, 1) who they are, and 2) how you became liable.

#### Discussion on what is a creditor - Truth in Commerce

This is the most important part of this process. Let us presume for a moment that some agency, such as the IRS, thinks you are a debtor and they are a creditor, or, some organization is under the impression that you owe them something. Do you know exactly what that something is? Do you allegedly owe "credit dollars", "debit dollars", "checking account dollars", "\$", "dollars", "DOLLARS", "FEDERAL RESERVE NOTE DOLLARS", "lawful currency dollars" or just a bunch of numbers? Given you have any reasonable doubt, you have a right to full disclosure from the claiming organization. The Bankruptcy rules deal with lawful currency. The claiming agency has an obligation to prove if/what you owe them (that would make them a creditor) by presenting into evidence a true bill in commerce.

#### The PLAN

One of the rules is you must file a PLAN within 14 days of when you file. The Court will notice you that your case will be dismissed unless (1) you file the Plan, or, (2) a creditor objects to the dismissal. If a creditor who would be prejudiced by the dismissal, objects, the court must have a hearing on the issue. The objective is to submit a plan based upon the alleged creditors' default to substantiate claims. In effect, we offer settlement then conditionally dismiss ourself from Bankruptcy protection.

## Signature

Signature is your "mark" on a document that signifies you are in agreement with all the terms and conditions of the document which have been clearly and fully disclosed. You are the only one who can verify your signature. It may look exactly like 50 of your other marks but it is not necessarily your signature if all terms and conditions were not fully disclosed. In the case of the IRS, or any ("taxing") agency, full disclosure means they must disclose: Who is the principle: government? corporation? or foreign entity? How and when you were made liable and for what? They must produce a law or a document with your signature that obligates you.

In the case of a bank, you probably gave them a "commercial note" and the ability to lien some property you probably don't own. What did they loan you? Did you acquire property? They did not lend you lawful currency. They loaned you a ledger number, credit or "paper" whose value is periodically adjusted or changed. Have they based a commercial agreement on commercial paper whose value changes - absence of assurance of value - Naughty, Naughty.

## Good news, bad news.

The good news is that you get a fresh start. The bad news is you get a fresh start. If you get involved with "credit" again, you had better take care of business because if you use this technique a second time against newly established credit accounts you may be charged with fraud.

If a property was involved, the loan institution will be unable to prove they loaned you lawful currency. The local property taxing authority will not be able to prove you owe them lawful currency. Both agencies will continue to keep their records. You will not be able to sell the property through a federal reserve bank without addressing the alleged debts. If, however, you analyze the "cash" flow, you will probably determine a break even analysis in a few years whereby the selling of a property for even twenty per-cent of the inflated assessed value becomes a viable choice. The issue behind this is what is a "title"? What is "ownership"? What is "possession"? What is a "dollar"? What is "the tax"? In short, the question to be answered is who owns the property in which you live? For a clue, look up the word "usufruct".

Leases, county recordings and/or liens are not addressed by this program. Court orders must be addressed in the court from which it originated.

Will this technique work for you?

Probably. Will it work next time? I believe it will. Will the courts try to stop this process? Probably. Will they be successful in stopping this process? Probably not. We are just using the bankruptcy rules. The key issues are agencies are not dealing with lawful currency or they are marketing credit. Taxing agencies are without the ability to prove obligation. Every agency wants you to abide by its rules but they do not want to abide by the rules.

## NOTICE

This is an educational program. No question should remain unanswered. It will be taught to you for compensation for the education. The compensation is one hundred dollars U.S.A., that's silver or gold, (an alternative is seven hundred dollars of postal money orders). The length of the program is three months. Further details upon request.



Robert Bernard Jacoby  
general delivery  
c/o 1100 Sullivan Avenue  
Daly City, California  
[Telephone 650 754 9374, 10 AM to 7 PM, California time]

First Amendment expression: UCC 1-<sup>308</sup>~~207~~ without prejudice: without liability.  
The following is opinion for an educational program.

KEEP ACCURATE RECORDS and PRINT!

This case is yours. The suggestions herein are subject to your approval.

Part One

Fill in bankruptcy FORM I, page one:

1. DISTRICT OF: (NORTHERN DISTRICT CALIFORNIA)
2. IN RE: (your name in capitals - the fiction)
3. SOC SEC: (your guess: why would a court need this? Status change?)
4. STREET: (no zip code, it's federal, it's optional)
5. COUNTY: (RESIDENCE has numerous meanings, line through it.)
6. MAILING ADDRESS: (If necessary)
7. TYPE OF DEBTOR: (individual)
8. NATURE OF DEBT: (non-business consumer)
9. ESTIMATED NUMBER OF CREDITORS: 1-15
10. ESTIMATED ASSETS: Under 50
11. ESTIMATED LIABILITIES Under 50

GO TO TOP RIGHT SIDE OF PAGE.

12. SPOUSE ?, fill in if married if spouse is participating.
13. Under the VENUE section (right side, middle) Debtor has been domiciled (check first box, I have no opinion on this).
14. CHAPTER OR SECTION OF BANKRUPTCY CODE..... : check off Chapter 13.
15. FILING FEE: check one box, for installments, see Part Three (below).
16. Name and address of law firm is left empty.
17. Name(s) of attorney is left empty.
18. Check the box "Debtor is not represented by an attorney."



\*\*\*\*\*

Fill in bankruptcy FORM I, page two:

- 19. begins with "Name of Debtor", fill in your name.
- 20. Under FILING OF PLAN ....., check the box on the right hand side that starts with "Debtor intends to file a plan within the time allowed"...
- 21. If you have any prior or pending bankruptcy or Tax Court Case, this can confuse this issue, STOP, you will need additional help.
- 22. Under the section INDIVIDUAL/JOINT DEBTOR(S) ..... sign and date the document. If you are filing jointly, spouse must also sign.
- 23. It is suggested you print "Without prejudice UCC 1-207" above your signatures.

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### Part Two - The Creditor List

Bankruptcy protection is for those who have (at least) ONE bona-fide creditor. A bona-fide creditor is one to whom the bankruptcy petitioner owes a determinable amount of money. Fill out the creditor matrix listing all adversaries (potential creditors). Immediately Fax a readable copy of this list to me along with the Data Sheet.

The objective of bankruptcy is to get a "fresh start". In order to get a fresh start, the real creditors must be separated from those who cannot substantiate what they allegedly loaned you or those who claim you are obligated to them but are without evidence of obligation.

There are two primary ways to approach the creditor list: both involve naming a friendly creditor: one who will oppose your adversaries and keep you advised of stuff received from the court that you may or may not get.

First method: name one friendly creditor, Notice all your potential adversaries and wait for them to send in a proof of claim. Then the friendly creditor opposes each proof of claim that is sent to the court.

Second method: name one friendly creditor and all potential adversaries. Then the friendly creditor opposes all your adversaries.

Using either method, the creditor list begins the third page to the petition for bankruptcy. You should give five copies of the bankruptcy papers to take to the bankruptcy court clerk to file. The clerk will give back one or two copies.

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### Part Three - Filing Fees

There are three choices here:

First: give them the full fee (I do not suggest this).

Second: File "in forma pauperis"....you have no money (this is true, you have no lawful currency). This entails forms detailing what you own, etc., so you may want to discuss this before you do it, there are "tricks".

Third: The details above indicate to the court clerk that you want to use this method. If asked for the filing fee payment, \$160, tell the clerk that you want to extend the payments. Some clerks state there is no extended payment plan. Refer them to bankruptcy code 11 U.S.C., Rule 1006. The clerk should get a form for you to fill out. The full fee must be paid within 120 days. The first payment (day of filing) is going to be forty dollars. The other payments should be 40, 40 and 40, each 30 days apart. These must be paid on time as long as you are under bankruptcy protection.

After the bankruptcy petition is filed, the court sends out notices to the creditor list. Commercial entities acquire bankruptcy filings from the courts and broadcast this information through electronic media for fees. If you have a situation of notice of levy or foreclosure, I would suggest you service a copy of the documents to your adversary.

After you file, immediately fax me (you will have to telephone me and let me know to connect the fax machine) the enclosed data sheet and your list of creditors - PRINT IT - I have to be able to read it. The Court will send notices to your creditor list. Before you leave the court clerk's area, tell the clerk you need a hearing date to schedule "plan approval" and/or an opposition hearing. Some clerks will give it to you at this time, some clerks will not. The hearing date should be about 35 days from when you file. If you do not get the date, then we will have to file the opposition papers, then get the date. You should service copies of the bankruptcy papers along with the COMMERCIAL NOTICES document to your adversaries immediately. After you file, there will be several documents necessary to file within 14 days of the initial filing.

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#### Part Four - The crushing blow.

Within a week, the ("lawful currency" - friendly) creditor signs an objection that gets filed into the court pertinent to the IRS, FTB or bank, etc. Anyone can file the document. Obtain a court hearing date, if you had not already done so, by telephoning the judge's clerk to schedule a hearing date for the opposition. The hearing should only take fifteen minutes because you will probably be the only one there and there will probably be no evidence from your adversaries upon which the court can make a determination. This date must be included in a notice to the court and notice to all parties of interest. The document "How to File" details the mechanics of filing. Any agency opposed has an obligation to prove its claim if it desires to maintain the status of creditor/claimant. The court must then have a hearing on the issue, for each "opposed creditor" (this is the opposition hearing date you need to get). Then the court must make a determination, based upon evidence of debt or evidence of obligation, of the amount - in lawful currency - that is owed to each adversary opposed.

This creates a "catch 22" situation - we have no lawful currency, and, I have yet to see substantive evidence of obligation or debt. Immediately after opposition is filed, a plan and asset and liability statements are filed. These three documents only have to cover your admitted debts not the opposed claims. We are actually awaiting the court's determination of the opposed claims but we must get something into the court (form over substance) so we do not get dismissed.

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#### Part Five - Service



There are a number of ways to serve Notice:

(1) The best way to serve Notice is by three disinterested parties who have no financial interest in the outcome of the bankruptcy.

One serves the Notice to the person or organization while the other two witness the service. Then all three sign affidavits of service detailing the service (I have copies of these if you need them). Cost is usually lunch for the three friends.

(2) Certified and 1st class mail, sent by a disinterested party, with a Certification of mailing (approximately \$4 each with copies).

(3) Registered mail. (approximately \$7 each)

(4) Certificate of mailing (fifty five cents each plus postage).

(5) Process serving agency (approximately \$20 to \$35 each service).

(6) Fax from one agency to its agent (not provable).

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Part Six- the beginning to the end

The court will probably avoid the opposition hearing. I have never seen a determination of debt in lawful currency evolve from a court.

You then file a Notice to Dismiss yourself (because you have determined you have no need for the bankruptcy procedure) with specified relief and sanctions. Thus, Bankruptcy without Bankruptcy.

You probably did not pay the entire (\$160) fee, no debts were discharged. You merely used the court to determine your adversaries claims were frivolous because your adversaries would not substantiate their claims outside or inside bankruptcy protection. Now you may, or may not, engage a paper war with credit agencies to get the opposed claimants to drop their entries on credit reports. Send me advance compensation if you want to discuss this. It is not part of the package.

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NOTICE:

This is an educational program. No question should remain unanswered. It will be taught to you for compensation for the education. The compensation is one hundred dollars U.S.A., that is silver or gold (an alternative is a seven hundred dollar postal money order). The least expensive is gold coin. The length of the program is three months.

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