

Date June 10, 2008

Delivery Confirmation 7006-0100-0006-6710-3511

**NOTICE AND DEMAND TO VALIDATE DEBT CLAIM**

From: Name Dana J. Miller  
Street Location 11665Centervillage Road  
Zip Code Near 43021  
City & State Galena Ohio

To: Name Countrywide Home Loans  
Address P.O. Box 660694  
City & State Dallas Texas  
Zip Code 75266-0694

COPY

REF: Your correspondence purporting to allege a debt claimed by:

Name Countrywide Home Loans  
Address P.O. Box 660694  
City & State Dallas Texas  
Alleged Account # 133043177  
Alleged Balance \$ 268,681.63

This is an offer to fully pay/discharge the attached claim of debt on the condition that the claiming parties comply within 10 days of receipt of this correspondence.

**NOTICE AND DEMAND TO CEASE AND DESIST COLLECTION ACTIVITIES  
PRIOR TO VALIDATION OF PROPORTED DEBT**

Pursuant to the truth in lending laws of the United States Code, Title 15, § 1601 et. seq. and the Fair Debt Collection Practices Act laws of the United States Code, § 1692 et. seq.

This notice constitutes a timely written response to your Fair Debt Collection Practices Act notice that you are attempting to collect an alleged debt and is not a dishonor of your alleged claim of debt.

This notice is my, required by law, demand to "cease and desist" collection activities prior to validation of purported debt and you must validate the enclosed claim of an alleged debt. You must provide verification that an actual debt really exists by producing the following:

- (1) The name and address of the organization or other governmental unit alleging a debt;
- (2) The name and address of the person or persons in that organization or other governmental unit alleging a claim of a debt;

EXHIBIT B

- (3) The name of the actual creditor even if that is myself;
- (4) The origin of the funds used to create this alleged claim of a debt
- (5) The actual records of the organization or other government unit showing the time and place of the deposit and distribution of the funds used to create this alleged claim of debt;
- (6) The actual records of the organization or other governmental unit showing that an actual loan was made from the organization or other governmental unit's own funds that resulted in the enclosed alleged claim of a debt;
- (7) The actual records of the organization or other governmental unit with a live signature on any and all document/instrument(s) used to allege the existence of a real loan of funds or debt from the organization or other governmental unit to myself or anyone else by a similar name;
- (8) The actual records of the organization or other governmental unit showing that any and all document/instrument(s) containing my signature or the likeness of my signature were not negotiated by the organization or other governmental unit against my credit to create the funds used for the appearance of a loan and resulting in this alleged claim of debt.
- (9) The actual records of the organization or other governmental unit showing that an honest disclosure of facts relating to the alleged loan was made by the organization or other governmental unit in compliance with the truth in lending laws of the United States Code, Title 15, § 1601 et. seq. and Regulation Z.
- (10) The actual records of the organization or other governmental unit showing that any and all document/instrument(s) containing my signature or the likeness of my signature were not negotiated or pledged by the organization or other governmental unit against my credit to create the funds used for the appearance of a debt and resulting in this alleged claim of debt.
- (11) The person that prepares and swears to the validation of debt must describe: 1) your job description on a daily basis; 2) if you are the regular keeper of those books and records and are familiar with how they are kept and their contents; 3) how long have you been in your position; 4) when did you first come in contact with the alleged account/debt; 5) how frequently do you work with the files and information they are presenting to validate the alleged debt; 6) are you the person/employee who regularly works with the alleged account/debt; and 7) do you have personal knowledge about the alleged debt and/or any alleged account.

15 U.S.C. § 1692 (e) states that a "false, deceptive, and misleading representation, in connection with the collection of any debt," includes the false representation of the

character or legal status of any debt and further makes a threat to take any action that cannot legally be taken a deceptive practice.

Pursuant to 15 U.S.C. § 1692 (g) (4) **Validation of Debts**, if you have evidence to validate your claim that the attached presentment does not constitute fraudulent misrepresentation and that one owes this alleged debt, this is a demand that, within 10 days, you provide such validation and supporting evidence signed and certified under penalty of perjury to substantiate your claim. Until the requirements of the Fair Debt Collection Practices Act have been complied with and your claim is validated, you have no consent to continue any collection activities.

This is a constructive notice that, absent the validation of your claim within 10 days, you must "cease and desist" any and all collection activity and are prohibited from contacting me through the mail, by telephone, in person, at my home, or at my work. You are further prohibited from contacting any other third party. Each and every attempted contact, in violation of this act, will constitute harassment and defamation of character and will subject your agency and/or attorney and any and all agents in his/her individual capacities, who take part in such harassment, and defamation, to a liability for actual damages, as well as statutory damages of up to \$1,000 for each and every violation, and a further liability for legal fees to be paid to any counsel which I may retain. Further, absent such validation of your claim, you are prohibited from filing any notice of lien and/or levy or judgment and are also barred from reporting any derogatory credit information to any credit reporting agency, regarding this disputed purported debt.

Further, pursuant to the **Fair Debt Collection Practices Act**, 15 U.S.C. § 1692 (g) (8), as you are merely an "agency" or other governmental unit of the United States, acting on someone else's behalf, this is a demand that you provide the name of the original "principle", or "holder in due course", for whom you are attempting to collect this alleged debt.

Please take notice that this is a criminal investigation of the business practices of the above named organization or other governmental unit, it's agents, officers, employees and attorney to determine violations of the United States criminal laws. Your enclosed claim of collection of a purported debt appears to be founded upon a false record in violation of U.S.C. Title 18 § 2071 and 2073 (falsifying records) and further; uttering and possessing false obligations and counterfeit securities based upon the falsified records in violation of U.S.C. Title 18 § 471, 472, 473 and/or 513, and further: using corrupt business practices to make and possess false records and claim of obligation, not substantiated by truthful facts in violation of the Federal Racketeer Influences and Corrupt Organization (RICO), U.S.C. Title 18 § 1961 et. seq. and further: using the U.S. Mail to present such fraud and false instruments amounting to Mail Fraud, criminal conduct falling under Title 18 U.S.C. § 1341 – Frauds and Swindles laws, and further sending mail with false and fictitious names, a criminal conduct falling under Title 18 U.S.C. § 1842 – Fictitious Names.

EXHIBIT B

This response will constitute my effort to resolve this on-going debt claim between the parties involved.

Until full disclosure is achieved, there can be no case, collection or action. "No civil or criminal cause of action can arise lest, out of fraud, there be a valid, honest contract." See *Eads v. Marks*, 249 P. 2d 257, 260.

Done this Jan 13 Day of 1674 2008

We declare under penalties of perjury in accordance with the laws of the United States of America (without the "United States") Title 28 U.S.C. § 1746(1) the forgoing is true and correct and is admitted when not rebutted, so help me.

David J. Miller  
 Autograph  
 28 U.S.C. § 1746(1)

Victoria S. Hawk 6/16/08



VICTORIA S HAWK  
 NOTARY PUBLIC  
 STATE OF OHIO  
 Comm. Expires  
 June 14, 2012

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage	\$ 5.79
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	1.00
<b>Total Postage &amp; Fees</b>	<b>\$ 11.69</b>
Sent To	COUNTRY WIDE HOMEBOANS
Street, Apt. No., or PO Box No.	PO BOX 660694
City, State, ZIP+4	DALLAS TX 75266

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No                      If YES, enter delivery address below: _____</p>
<p>1. Article Addressed to:</p> <p>COUNTRY WIDE HOME                      PO BOX 660694                      DALLAS TEXAS 75266</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>75266 660694 2090</p> <p>7006 0100 0006 6710 3511</p>