

## **HOUSEWIFE SUES WELLS FARGO ON RICO, SHAMES ATTORNEY IN COURT**

By Jeff Sedgwick, voidjudgements.net, July 14, 2007

Montpelier, Maryland

(RICO - Racketeer Influenced and Corrupt Organizations Act)

The Debt Collection Industry is simply a multi-billion dollar racket run throughout the country. Just as a photocopy of a \$100 bill is evidence of a \$100 bill, it is not the actual Federal Reserve note -- it's a copy. It doesn't spend. Yet, debt collectors are collecting billions on photocopies of alleged debt. That is, evidence of alleged debt, not the debt.

The evidence of alleged debt is being sold for and purchased for pennies on the dollar, while debt collectors/attorneys are collecting on the full face value plus penalties and attorney fees.

There have been numerous occasions where 2, 3, and even 4 debt collectors have had photocopies of the same alleged debt and were all trying to collect on the same, at the same time. How many times does one owe on the same alleged debt -- if at all?

The Courts have been rubber stamping these transactions for so long that they have become accustomed to being a rubber stamp - a custom that is at its best, difficult to overcome. The Courts don't like having to actually consider the facts and evidence; it is so much easier for them to hand out your money than to behave according to their own rules of procedure and evidence. The Courts want you to prove a negative - that you don't owe. While refusing to require the Plaintiff to prove the charges brought against you. Does the word "kangaroo" come to mind?

Recently, a housewife in Colorado had gotten totally fed up. She sued Wells Fargo Bank for their participation in this racket. What happens most often is that a bank or credit card company will bundle defaulted accounts and sell them on the debt wholesale market. This is after they have written them off on their corporate taxes and collected the bad debt insurance. Then they destroy all of their records so they cannot be compelled to show that they have collected insurance to pay off the debt. You can verify this via a GAO report.

The wholesaler will then rebundle and sell either to Attorneys or to companies dedicated to collecting on these defaulted, and already paid for, accounts. (Again, this is after they have been written off on corporate taxes and bad debt insurance has been collected.) What is being sold are photocopies of alleged debt, they don't (except on very rare occasions) have the original thus cannot extinguish the debt when paid. What is worse, if there are a thousand photo copies, there will be a thousand claims and since none are the original, none can be satisfied/extinguished. Isn't it great!

A few days ago when the judge, in the WF RICO case, entered the courtroom he announced that in his court they would be going by the rules of procedure and rules of evidence. Set back by this announcement, the Attorney for Wells Fargo motioned the court to dismiss. This angered the judge. The defendant had already filed a motion for summary judgment ahead of their motion to dismiss. The judge knew this, and he knew the Attorney knew it as well. The Attorney's motion was a violation of procedure, but what did she care; she's an Attorney, a member in the brotherhood referred to as the BAR. The defendant, wisely, remained silent.

The Attorney for WF asked the court's indulgence for she was unaware that the defendant was a paralegal, considering the quality of the defendant's briefs. At that point the defendant stated to the court that she was NOT a PARALEGAL, rather, a HOUSEWIFE who had been compelled to do a lot of research because of the abuse of WF. The woman noted that the Attorney was

physically shaking after her announcement. The papers in the Attorneys hands were rattling from her shaking.

The judge scheduled a settlement hearing, a requirement in Colorado before proceeding to trial. The Attorney for WF stated to the court that she didn't know if her client would be available on the date the Judge set. The judge told her to call her client and verify. She said she would and started to leave the courtroom. The judge halted her and said, "No, call your client right now. Do you have a phone of your own or do you need to use the court's phone?" Again the Attorney was shaken. The Attorney said she had her own phone and would step out into the hall and call her client. The judge, again, said, "No, you will call your client from where you stand, we're all waiting."

The Attorney didn't know the phone number for her client. She had to call her office and they didn't know the phone number for WF. What an image that must have been.

All of this begs the question, who is the Attorney really representing? Is the Attorney really representing Wells Fargo, or are they actually a [the] Debt Collector Attorney who alleged that they represented Wells Fargo in the debt collection action they filed against the defendant?

At this point the defendant motioned the court to demand that the representative from WF be authorized to settle. The defendant's motion was affirmed. After all, what good would be served if the representative from WF could not negotiate an enforceable settlement? None! This should smoke out who the Attorney is really representing.

During the defendant's research she found a website where Attorneys can go to purchase supposed affidavits from their supposed clients. They just fill in the blanks and low and behold an affidavit appears. Now isn't that slick? The affidavit that appears is at best defective, at worse, a fraud upon the court. But don't forget the 'rubber stamp factor' of the courts.

The scheduled settlement hearing has not occurred at this writing, it should be conducted within the next few days. It will be interesting to see what comes out at that meeting.

One of the results of this RICO action, though it may be remote, is that Wells Fargo could by the laws under the RICO Act be forced to dissolve. Now wouldn't that be interesting?

This case has caught the eye of the Office of the Comptroller of the Currency. They are watching and perhaps investigating. But who knows what or whom they may be investigating. They are a regulator, and a protector.

At the same time, the Colorado State Attorney General is returning to the woman all of her complaints saying they will not take action on this and to stop sending complaints to them.

Humm... so much for the protection of the State from unfair and deceptive practices. Guess the Colorado Attorney General must also be a member of the [cult] brotherhood called the BAR.

It should be noted at this point that the housewife attended several weekend seminars along with attending the Helm Society School. It was during this time that she learned how to fight back without the risk of being thrown under the bus by a hired representative that is a member of the brotherhood called the BAR. She preferred to loose on her own instead of paying someone to betray her.

Contact this author for additional information.

###