



Doc#: 0908629037 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 03/27/2009 02:46 PM Pg: 1 of 7

NOTICE OF DEFAULT

**Illinois) NOTICE TO AGENT IS NOTICE
TO PRINCIPAL) ss NOTICE TO
PRINCIPAL IS NOTICE TO AGENT
Cook County)**

Having been duly sworn, Affiant declares that affidavit and response... The parties to the contract entitled, NOTICE AND DEMAND, hereinafter "Contract," are in full agreement regarding the following:

1. Affiant is competent to state to the matters included in their declaration, has knowledge of the facts, and declared that to the best of their knowledge, the statements made in this affidavit are true, correct, and not meant to mislead;
2. Affiant is the secured party, superior claimant, holder in due course, and principal creditor having a registered priority lien hold interest to all property held in the name of Volodymyr: Dziuma© organization # 357-90-0640, evidenced by UCC-1 Financing Statement Doc# 0822510055, filed with the Secretary of State of the State of Illinois.
3. Respondent, Karen A White, is herein addressed in his/her private capacity, but in his/her public capacity is a citizen and resident of the State of ILLINOIS and is participating in a commercial enterprise with his/her co-business partners, including but not limited to STATE BANK OF COUNTRYSIDE/BURKE & WHITE, P.C., hereinafter collectively referred to as "Respondent";
4. The governing law of this private contract is the agreement of the parties supported by the Law Merchant and applicable maxims of law;
5. Affiant at no time have willing, knowingly, intentionally, or voluntarily agreed to subordinate their position as creditor, through signature, or words, actions, or inaction's;
6. Affiant at no time has requested or accepted extraordinary benefits or privileges from the Respondent, the United States, or any subdivision thereof;
7. Affiant is not a party to a valid contract with Respondent that requires Affiant to perform in any manner, including but not limited to the payment of money to Respondent;
8. On October 28, 2008, Affiant sent a security, entitled NOTICE AND DEMAND, to the COUNTY OF COOK CIRCUIT COURT to file (on the court record). The second document, entitled NOTICE TO END, instructed Respondent on the procedure of concluding the contract. The COUNTY OF COOK CIRCUIT COURT filed the instruments and they were delivered (via certified mail) the now registered security, herein "presentment," to the Respondent evidencing proof.
9. Affiant gave Notice that Respondent's failure to properly and timely respond to this good faith effort to settle the account noted above, would constitute Respondent's consent that Affiant, in the capacity of "Bailor" for Respondent(s), would record the UCC FINANCING STATEMENT both on Respondent(s) and all of it's attorneys individually as debtors to secure the debt owed VOLODYMYR DZIUMA©

UNOFFICIAL COPY

10. Respondent(s) have dishonored Affiant's presentment by not issuing a FULL RELEASE as stipulated in the NOTICE AND DEMAND, NOTICE TO END when NOTICE OF DEMAND, NOTICE TO END were delivered via certified mail. This dishonor is now deemed to be a charge against Respondent(s) and all of it's attorneys individually as debtors to secure the debt owed VOLODYMYR DZIUMA©.

11. In order to exhaust all administrative remedies, it is required that a Notarial Protest be executed to obtain any evidence and/or testimony from Respondent that could aid in his defense.

Since no response was received by the Public Official (Notary), this is a witness against Respondent and all of it's attorneys individually as debtors. Now in default, a UCC FINANCING STATEMENT will be issued which will act as a Default Judgment against Respondent(s) and all of it's attorneys individually as debtors to secure the debt owed VOLODYMYR DZIUMA© who are now being taken into bankruptcy liquidation whereby all the equity in the name of Respondent (and all of it's attorneys individually as debtors to secure the debt owed VOLODYMYR DZIUMA©) will be disposed of in a foreign proceeding.

It has been said, so it is done.

Dated this 27TH day of MARCH, 2009.

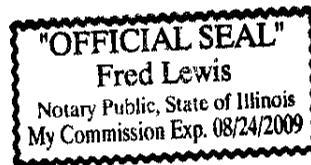
Volodymyr: Dziuma,
Affiant

Illinois)
) ss ACKNOWLEDGEMENT
Cook county)

As a Notary Public for said County and State, I do hereby certify that on this 27TH day of MARCH, 2009 the above mentioned appeared before me and executed the foregoing.

Witness my hand and seal:

[Signature] Notary Public



You failed to provide the above verified documentation within 10 days, which constitutes your agreement that no such evidence exists and your agreement to end any further collection activity on said account.

You have committed criminal trespass violating these federal statues/codes.

UNOFFICIAL COPY

15 USC

Section 1692i(b) cautions that the section does not confer authority for any legal action by a debt collector. In many jurisdictions, a collection agency may neither file suit in its own name, have its attorney file suit in its name, or take an assignment of a debt for collection and then have its attorney file suit in its name. If the commencement of legal action by the debt collector is unauthorized or constitutes the unauthorized practice of law under state law, it will also violate the FDCPA.

§ 809. Validation of debts (a) Within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the following information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing—(e) The sending or delivery of any form or notice which does not relate to the collection of a debt and is expressly required by the Internal Revenue Code of 1986, title V of Gramm-Leach-Bliley Act, or any provision of Federal or State law relating to notice of data security breach or privacy, or any regulation prescribed under any such provision of law, shall not be treated as an initial communication in connection with debt collection for purposes of this section.

§ 807. False or misleading representations. A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: (1) The false representation or implication that the debt collector is vouched for, bonded by, or affiliated with the United States or any State, including the use of any badge, uniform, or facsimile thereof. (2) The false representation of—(A) the character, amount, or legal status of any debt; or (B) any services rendered or compensation which may be lawfully received by any debt collector for the collection of a debt. (5) The threat to take any action that cannot legally be taken or that is not intended to be taken. (9) The use or distribution of any written communication which simulates or is falsely represented to be a document authorized, issued, or approved by any court, official, or agency of the United States or any State, or which creates a false impression as to its source, authorization, or approval. (13) The false representation or implication that documents are legal process. (14) The use of any business, company, or organization name other than the true name of the debt collector's business, company, or organization.

§ 811. Legal actions by debt collectors (a) Any debt collector who brings any legal action on a debt against any consumer shall—(b) Nothing in this title shall be construed to authorize the bringing of legal actions by debt collectors.

§ 1962. Prohibited activities (a) It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering

UNOFFICIAL COPY

activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. A purchase of securities on the open market for purposes of investment, and without the intention of controlling or participating in the control of the issuer, or of assisting another to do so, shall not be unlawful under this subsection if the securities of the issuer held by the purchaser, the members of his immediate family, and his or their accomplices in any pattern or racketeering activity or the collection of an unlawful debt after such purchase do not amount in the aggregate to one percent of the outstanding securities of any one class, and do not confer, either in law or in fact, the power to elect one or more directors of the issuer. (b) It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

(c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

(d) It shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

§ 1964. Civil remedies

(a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of section 1962 of this chapter by issuing appropriate orders, including, but not limited to: ordering any person to divest himself of any interest, direct or indirect, in any enterprise; imposing reasonable restrictions on the future activities or investments of any person, including, but not limited to, prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect interstate or foreign commerce; or ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.

UNOFFICIAL COPY

(b) The Attorney General may institute proceedings under this section. Pending final determination thereof, the court may at any time enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall deem proper.

(c) Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee, except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section 1962. The exception contained in the preceding sentence does not apply to an action against any person that is criminally convicted in connection with the fraud, in which case the statute of limitations shall start to run on the date on which the conviction becomes final.

(d) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this chapter shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought by the United States.

TITLE 18 > PART I > CHAPTER 63 > § 1341

§ 1341. *Frauds and swindles*

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

Title 18 CHAPTER 96 [18 U.S.C. §1957(f) (1)(2)(3)]...

[18 U.S.C. §1962]..

UNOFFICIAL COPY

[18 U.S.C. §1963]...

[18 U.S.C. §1964],

Title 18 CHAPTER 63 [18 U.S.C. §1344]...

[18 U.S.C. §1346]..

[18 U.S.C. §1348]..

[18 U.S.C. §1349]..

[18 U.S.C. §1350(c)(1)(2)],

Respondent(s) have defaulted with the above request and dishonors Secured Party's notice and demand, therefore Respondent(s) have consented to be filed as Debtor on a UCC-1 Financing Statement with the Secretary of State of Illinois and state of incorporation. Respondent also consents to be into involuntary bankruptcy and consented that Secured Party liquidate all the collateral in Respondent's name.

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENTS –NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

You had ten (10) days in which to respond and rebut the Commercial Affidavit, from receipt, UCC 1-204, unless you requested in writing an extension of time. Since there was a lack of response or rebuttal means you assented to the Commercial Affidavit and that fault exists, UCC 1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. expressed or implied, from the beginning, UCC 1-103.

"BLACK'S LAW DICTIONARY, SIXTH EDITION"

"LETTER", (PAGE 903)

LETTER: A dispatch or Epistle; A written or printed message; a communication in writing from one person to another at a distance. Respondent(s)/Defaulted Parties, is by Contract, Mandated to respond to all statements and inquires by:

AFFIDAVIT, POINT FOR POINT, UNDER UNLIMITED LIABILITY OATH, SWORN AND ATTESTED TO; AND RETURNED BY U.S. POSTAL CERTIFIED MAIL TO PETITIONERS NOTARY ACCEPTOR.

LOT 24 IN BLOCK 1 IN WATKINS SUBDIVISION OF THE SOUTH ½ OF THE
NORTH WEST ¼ OF THE SOUTH EAST ¼ OF SECTION 1, TOWNSHIP 39
NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE
EAST 115 FEET THEREOF) IN COOK COUNTY, ILLINOIS PIN 16-01-408-006-0000

C/K/A 1045 North California Chicago, Illinois 60622

Property of Cook County Clerk's Office