

October 13, 2007

BEYOND FINANCIAL RECKLESSNESS-

COUNTRYWIDE AND THE CORRUPTION OF THE COURTS

SAMAAN V ZERNIK, SC087400, SUPERIOR COURT OF LOS ANGELES COUNTY, WEST DISTRICT

Claims Filed: Oct 25, 2005
Trial Date: Jan 11, 2008

RECENT DEVELOPMENTS

On October 11, 2007 I received a fax indicating that Retired Judge O'Brien, who was acting as a Referee in Samaan v Zernik SC087400, resigned. A copy of that letter can be viewed at:
< http://home.earthlink.net/~jz12345/COUNTRYWIDE/07-10-11_obrien&adr_resign.pdf>

That letter states:

"...certain circumstances have arisen that make it imprudent for me to remain as the referee" and "Please also consider this letter to be on behalf of ADR Services, Inc., which shall decline any further reference as to this case."

PREVIOUSLY INVOLVED:

Judge Neidorf

Judge, recused per CCP §170.6

- Judge Neidorf was recused following a peremptory challenge that allowed the assignment of Judge Connor to this case

Judge Connor

Judge, disqualified per CCP §170.3, 9/10/07

- I filed a declaration, under penalty of perjury, including allegations amounting to willful misconduct, fraud and deceit, conspiracy, subversion of justice, etc...
 - In her disqualification Judge Connor chose not to file any declaration to oppose my declaration.
- "The Court despite the allegations made in Mr Zernik's declaration, without conceding the disqualification statement, the Court believes that in the interest of justice, the Court should recuse itself"***

Vivian Jaime

Judicial Assistant to Judge Connor ("clerk")

- With Judge Connor engaged in fraud and deceit against me, through the manipulation of entering and/or retrieving/display of data from the Court's privileged file system, **Sustain** (see below).

Judge Goodman

Judge, recused per §CCP170.1, 10/3/07

- Acted as Presiding Judge for several weeks without being duly assigned as required by law, in disregard of my protests
- In his recusal Judge Goodman stated:
"This Court.... has a longstanding close personal relationship with General Counsel of Countrywide [- Sandor Samuels - jz]".

Judge Biderman

Judge, recused per CCP §170.1, 10/4/07

- Judge Biderman filed for recusal immediately upon transfer of the file to him (without being duly assigned as required by law).
- Judge Biderman failed to disclose the reason of his recusal.

Judge O'Brien -

Referee, resigned, 10/11/07

- Judge O'Brien was never duly appointed as a referee, as required by law.

- Judge O'Brien conducted several ex parte communications and one ex parte conference with Att Keshavarzi, Sheppard Mullin, Counsel for Samaan
- Judge O'Brien declined to provide notice/minutes of such conference
- Judge O'Brien resigned after I protested his conduct on numerous communications.
- In his resignation he stated:
"I know of no fact or appearance that would require my disqualification."

ADR Services - Neutral services provider, resigned, 10/11/07
"...shall decline any further reference as to this case."

Bryan Cave LLP- Counsel for Countrywide, resigned, 10/2/07

- Participated in numerous appearances in court in front of Judge Connor, without establishing their legal standing in the case.
- Appeared in Court in an ex parte application for a Protective Order against me, before Judge Connor, in a special session of the Court outside of normal hours, where I was the only case on the agenda, at a time that Discovery Motions were not allowed in *Samaan v Zernik*.
- Their appearances and the involvement of Countrywide were most of the times concealed by Judge Connor by listing them in Minute Orders as either counsel for Plaintiff or Counsel for Defendant
- Both Judge Goodman and Judge Segal denied ex parte applications to correct such deceitful Court records generated by Judge Connor
- When most recently contacted regarding *Samaan v Zernik*, Bryan Cave's response was:
"We decline to get further involved in this matter"

CURRENTLY INVOLVED:

Sheppard Mullin et al, LLP- Counsel for Samaan

- Hearing of Motion for sanctions against Att Keshavarzi of Sheppard Mullin per CCP§128.7 is still pending. The motion passed 21-day *safe harbor*, and alleges the filing of offending documents and declarations under the hand signatures of counsels for Samaan.

Judge Segal - Acting Presiding Judge

- No documentary evidence found that he was duly assigned as required by law.
- When asked upon first appearance in court whether he had been duly assigned, as required by law, Judge Segal responded:
"You don't expect me to issue orders against my supervisor?"
- When asked upon second appearance in court whether he had been duly assigned, as required by law, Judge Segal responded:
"I am the one asking questions in this Courtroom."

Judge Rosenberg - Supervising Judge, West District, LA Superior Court

- Had two armed sheriffs physically harass me in his Courtroom, in an attempt to plant on my body a complaint that I had duly filed with the Supervising Judge. That complaint protested the fact that I had been denied access to the Court file of *Samaan v Zernik*, transcripts, minute orders, etc, for over six months. The Supervising Judge demanded that I withdraw that complaint. Regardless of harassment, I refused to withdraw that complaint.
- Repeatedly denied my requests for access to *Samaan v Zernik* data, out of compliance with the 14th Amendment. Such data are essential for my complaint against Judge Connor and for effective defense in *Samaan v Zernik*.

Judge Czuleger - Presiding Judge, LA Superior Court

- Complaints were filed with the Presiding Judge.
- No response received so far
- Staff in his office informed me that access to *Sustain* data would be denied.

California Commission on Judicial Performance

In a complaint to the Commission, I described the scope, the repetitiveness, the length of time of such violations, and the involvement of various ranks from the Supervising Judge to judicial assistants. I suggested that on this background, a full review of the West District as a whole would be in place, rather than limiting itself to review of complaints against individuals (judges), who fall under the authority of the Commission.

Of particular significance is the establishment of ***Sustain***, which is probably operational for more than two decades now in the entire LA Superior Court. This is effectively the governing system for case management in the courts today, but the information in it is held "***privileged to the Court only***". In contrast, Court Files and Court Book were always held public records pursuant to Due Process of the Law and the 14th amendment. ***Sustain***, and its privileged status, out of compliance with the 14th amendment, allowed the manipulations by Judge Connor and her assistant Jaime. Continued denial of

In concluding review of all of the above, I also raised the question whether the West District, LA Superior Court should be considered a *Corrupt Organization* pursuant to *US Racketeering laws*. I left such questions for the consideration of the Commission.