

Date: 1 September 2010

Delivery Confirmation: 7007 2560 0000 8470 9649

NOTICE AND DEMAND TO VALIDATE DEBT CLAIM

From : Timothy M Cason
Main Street 371
Bowdoinham, Maine

To: MICHAEL S. HAENN
ATTORNEYS AT LAW
88 Hammond St. ~ 3rd Floor
P.O. Box 915
Bangor, Maine
04402-4905

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

SAVINGS BANK OF MAINE
190 WATER ST.
P.O. BOX 190
GARDINER, MAINE 04345

Alleged Account # 1040147
Alleged Balance \$ 122,317.56

This is an offer to fully pay/discharge the attached claim of debt on the condition that the claiming parties comply with this notice within 30 days of receipt of this correspondence.

NOTICE OF CLAIM DISPUTE
NOTICE TO AGENT IS NOTICE TO PRINCIPAL
NOTICE TO PRINCIPAL IS NOTICE TO AGENT
APPLICABLE TO ALL SUCCESSORS AND ASSIGNS

*******SILENCE IS ACQUIESCENCE*******

NOTICE AND DEMAND TO CEASE AND DESIST COLLECTION ACTIVITIES
PRIOR TO VALIDATION OF PURPORTED 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.

1 |

NOTICE AND DEMAND TO VALIDATE DEBT CLAIM

BANK MUST RESPOND
BY: 4 OCT 10

DEADLINE MISSED 4 OCT 10
NO RESPONSE RECEIVED

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;
- (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) **Be advised that verification is defined (Black's Law Dictionary, 6th Edition) as follows: "Confirmation of correctness, truth, or authenticity, by affidavit, oath or deposition". Affidavit of truth of matter stated and object of verification is to assure good faith in averments or statements of party.**
- (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 verify/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 30 days, you provide such verification/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 verified/validated, you have no consent to continue any collection activities.**

This is a constructive notice that, absent the validation of your claim within 30 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 "principal", 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, its 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.

TAKE NOTICE

Debt Collector's failure in providing Respondent with the requisite verification, validating the above referenced alleged debt within the requirements of law as codified in the Fair Debt Collection Practices Act, Fair Credit Reporting Act and the corresponding laws of each state, signifies that Debt Collector tacitly agrees that:

- a. Debt Collector has no lawful, bona fide, verified claim, re the above-referenced alleged account:
- b. Debt Collector waives any and all claims against Respondent and
- c. Debt Collector tacitly agrees that Debt Collector will compensate Respondent for all costs, fees and expenses incurred in defending against this and any and all continued collection attempts, re the above-referenced alleged account.
- d. Failure of Debt Collector to properly and legally verify/validate alleged debt as required in this notice is a self executing irrevocable power of attorney authorizing Respondent/Alleged Debtor named herein to direct the permanent removal, on behalf of the alleged Creditor, of any and all references to said account in any and all credit reporting agency files of any type.
- e. All questions must be answered. Should even one question be left unanswered then all questions will be deemed unanswered.

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 1st Day of September 2010

I 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.

Timothy M Cason

On the 1 day of Sept., 2010 Timothy M Cason personally appeared before me in Sagadahoc County and State of Maine and placed his signature above.

Pamela C. Ross
Notary Signature



Seal:

MICHAEL S. HAENN

ATTORNEYS AT LAW

MICHAEL S. HAENN
MHAENN@HAENNLAW.COM

AMY A. BURKE
ABURKE@HAENNLAW.COM

88 HAMMOND STREET ~ 3RD FLOOR
POST OFFICE BOX 915
BANGOR, MAINE 04402-0915
PHONE (207) 990-4905
FACSIMILE (207) 990-1843
WWW.HAENNLAW.COM

PLEASE NOTE: This law firm represents the creditor/plaintiff ("the Creditor") named in this pleading. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

The amount due to the Creditor is stated in the pleading.

Unless, within 30 days after receipt of this letter, you dispute the validity of the debt described hereinabove or any portion of the debt, the debt will be assumed to be valid. If you notify the Creditor's counsel in writing within the 30 day period that the debt, or any portion of the debt, is disputed, we will obtain verification of the debt and a copy of the verification will be mailed to you by this firm.

Upon written request within such 30 day period we will provide you with the name and address of the original creditor if different from the Creditor.

Please also note that this advice pertains to your dealings with the Creditor's counsel as a debt collector. It does not affect your dealings with the court, and in particular it does not change the time within which you must answer the Complaint or respond to this or any other legal pleading. The summons is a command from the court, not from the Creditor or its counsel, and you must follow its instructions even if you dispute the validity or amount of the debt. The advice on this page also does not affect the relations of the Creditor's counsel with the court. As an attorney, the Creditor's counsel may file pleadings and other papers with the court and according to the rules of court and any court orders or judicial instructions.

*Copy of Dunning LETTER RECEIVED WITH AND ATTACHED TO
SUMMONS & COMPLAINT*

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Label/Receipt Number: **7007 2560 0000 8470 9649**Expected Delivery Date: **September 2, 2010**Class: **First-Class Mail®**Service(s): **Certified Mail™****Return Receipt**Status: **Delivered**

Your item was delivered at 9:39 am on September 02, 2010 in BANGOR, ME 04401.

Detailed Results:

- **Delivered, September 02, 2010, 9:39 am, BANGOR, ME 04401**
- **Notice Left, September 02, 2010, 7:33 am, BANGOR, ME 04402**
- **Acceptance, September 01, 2010, 3:00 pm, BOWDOINHAM, ME 04008**

Notification Options

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature * <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Manali S. [Signature]</i> C. Date of Delivery <i>SEP 2 2010</i></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>	
1. Article Addressed to: MICHAEL S. HAZEN POBOX 915 88 HAMMOND ST. BANGOR, MAINE 04402-4915		3. Service Type <input 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.	
2. Article Number (Transfer from service label) 7007 2560 0000 8470 9649		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004 Domestic Return Receipt **R2P 030910** 102595-02-M-1540