

In re:

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF SUFFOLK
Index No. 061458/2013

AMERICAN EXPRESS BANK, FSB

-v- {DMR#25} DMRAMEX08042014 Efiled Document #31.
DMR REAFFIRMS DMR09152013

DANIEL M ROSENBLUM

Plaintiff attorney of record Zwicker & Associates action commenced July 2013.

Amex card 371339213796009 exp 1/11

and also in re: ..

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK
Index No. 100156/2011

AMERICAN EXPRESS BANK, FSB

-v- {DMR#25} DMRAMEX08042014 Efiled Document #31.
DMR REAFFIRMS DMR09152013

DANIEL M ROSENBLUM

Plaintiff attorney of record: Jaffe & Asher action commenced March 2011

Amex card 371339213796009 exp 1/11

{DMR#25} Letter / Correspondence DMRAMEX08042014 Efiled
Document #31. DMR REAFFIRMS DMR09152013

1. Re-affirm all items filed by DMR 9/15/2013 for the purposes stated therein, and, as applicable directly to all parts of 8/04/14 Intent to cause Joinder for any alleged debt on part of Daniel M Rosenblum, and, insofar as liability of the parties to DMR given causal factors deliberated in content filed 9/15/13 and 8/04/14 and insofar as the goal of a just result in the adjudication of subject matter here articulated

in this case file and DMR's finances and related business herein described and defined:

- 1.1. Document list and Filing Receipts for the 21 Items filed 9/15/2013 by Daniel M. Rosenblum in NY State Supreme Court Index # 061458/2013 American Express FSB v Rosenblum
- 1.2. 21 Documents electronically "Efiled" on 9/15/13 in NY State Supreme Court, Suffolk County. NY State Court Filing was PDF format (21 PDFs).
- 1.3. The same 21 Documents are written in HTML therefore the links below are active to the HTML materials version. Note the 21 documents listed below are representative of 21 (twenty-one) HTML links in Dan Rosenblum's main 9/15/2013 filing, which bears the title "DMRAMEX09152013. The 21 documents are : two (2) 'Answer' documents, eighteen (18) Appendices, and 1 Notice of Discovery = 21 documents Efiled in Suffolk by Dan 09/15/2013. Previous to Dan's 9/15 filing, the firm representing American Express had E-filed six (6) documents.
- 1.4. Therefore Dan's first Efile Document # below is Efiled Doc # 7, through Efiled Doc # 28:
2. {DMR#1} **TITLE: Answer 1; Affidavit in Opposition; originally filed April 14 2011 on Amex Card 371339213796009 Summons and Complaint NY County Supreme Index # 100156/2011 Attorney of record: Jaffe & Asher. Answer 1, Efiled Document #7. viewable at <http://www.twentyfirstcenturydigital.com/DMROriginalApril142011answer.php>**
3. {DMR#2} **TITLE:DMRAMEX091513 : Answer2/Main Document/Information TITLE:DMRAMEX091313: filed Suffolk County September 8, 2013. Efiled Document # 8. Please see Appendices 1-18 below. Viewable on the internet at <http://www.twentyfirstcenturydigital.com/amex.php>**
4. {DMR#3} **Appendix 1 of 18 to DMRAMEX091513 ¶ 3 Filing Receipt August 12 2013 NY County Index # 100156/2011, Efiled Document #9. viewable in HTML at <http://www.twentyfirstcenturydigital.com/amexaug2013receipt.php>**
5. {DMR#4} **Appendix 2 of 18 to DMRAMEX091513 ¶ 6 , ¶ 7 ¶ 4 ¶ 10 ¶¶¶¶¶ Subject: DEFENDANT PROPOSED "JUST RESULTS" PRESENTLY: JUDICIAL STAY OF PROCEEDINGS ON DEFENDANT'S FUTURE MOTION OR STIPULATION BETWEEN PARTIES. , Efiled Document #10. viewable on the internet at <http://www.twentyfirstcenturydigital.com/JustResultAmex.php>**
6. {DMR#5} **Appendix 3 of 18 to DMRAMEX091513 ¶ 6.1 ¶ 4 ¶¶¶¶¶¶¶¶ et al Subject: POSSIBLE ABUSES OF NY CIVIL PRACTICE LAW AND RULES, AND NY MODEL RULES OF PROFESSIONAL CONDUCT BY AMEX ATTORNEYS: ZWICKER FIRM AND JAFFE FIRM IN THE CAPTIONED ACTIONS. Efiled Document #11. viewable at : <http://www.twentyfirstcenturydigital.com/ZwickJaffeCPLRConduct.php>**
7. Efiled Doc # 11 includes consideration of CPLR including as per Paragraph 4 of DMRAMEX091513:
 - 7.1. CPLR §§ 3217 (d) {"All notices, stipulations, or certificates pursuant to this rule shall be filed with the

county clerk by the defendant."} CPLR §§ 8008 CPLR §§ 8020(d) {"Filing a stipulation of settlement or a voluntary discontinuance.....pursuant to §§3217 (d), defendant shall file and pay \$35 in supreme court and county court."} CPLR §§ 2104 Stipulations {"terms of stipulation shall be filed by the defendant with the county clerk."}.

- 7.2. Here, Rosenblum is stating as well that the Zwicker firm may be misleading its client by claiming to have 'resolved in the eyes of the State' the countless cases which are marked as disposed but are active under the Rosenblum analysis above. Or, perhaps Amex is aware of the Zwicker practice described (and other such firms similar to Zwicker doing the same thing), and in such scenario Amex is aware and believes the Zwicker practice pertaining to 'disposed' cases and CPLR §§ 8008 CPLR §§ 8020(d) §§3217 (d), and CPLR §§ 2104. Perhaps Amex General Counsel would argue that the contracted firms' interpretation and use of CPLR §§ 8008 CPLR §§ 8020(d) §§3217 (d), and CPLR §§ 2104 is legitimate and should cause the status of the case to move to disposed from active- and that all Zwicker's settlement negotiated and related release and waivers are valid.
- 7.3. For the reasons stated above, and variously throughout this filing, the cases 061458/2013 and 100156/2011 are not disposed. And, if the Zwicker firm had led one or three or even 10 litigants over the course of a significant time period to believe that the 3317 Notice filed by Zwicker following 20 days or after any responsive pleading terminated the case, perhaps such error might be excusable as a law firm error. However, the bottom line is that Zwicker has made an operational decision to misrepresent the CPLR and the weight of their repeated filing to litigant after litigant; the practice is a tactical strategy, and is reprehensible in the industry under analysis in particular given the Rosenblum analysis including 21st Century Digital criticism taking into consideration Permissible Activities and Tying Law for commercial entities, namely banks, engaged presumably primarily in the commercial, regulated, banking activity of loans, discounts, deposits, and trusts- and utilizing the canon of law associated with such status to utmost advantage in the marketplace.
- 7.4. *And, the same Efiled doc 11 is referred to in the pages surrounding Page 24 of 55 in 9/15/2013 Main filing; Paragraph 17; re: Sanctionable Actions by Zwicker and Jaffe; New York Office of Court Administration :*
- 7.5. Here, the firms are Zwicker Associates or Jaffe and Asher filing Summons and Complaints and using the authority of the State to profit from default judgments but the same genre of legal actions are in sum not being reviewed by the Authority of the State, which purpose of review by the state in the judicial system is to have an end sum "just result" politically and economically in the market where such actions are being brought before the court. In this type of action, Consumer Credit, these firms are not litigating to the benefit of the US economy but to the detriment of progress in the data processing market. That

is to say, Rosenblum is of the understanding that proper legal adjudication of the sum of cases in which Zwicker, for example, used a 'null instrument CPLR §§ 3217' and paid a fee in contravention to the intents and purposes of the CPLR including CPLR §§ 3217 (d) {"All notices, stipulations, or certificates pursuant to this rule shall be filed with the county clerk by the defendant."} CPLR §§ 8008 CPLR §§ 8020(d) {"Filing a stipulation of settlement or a voluntary discontinuance.....pursuant to §§3217 (d), defendant shall file and pay \$35 in supreme court and county court."} CPLR §§ 2104 Stipulations {"terms of stipulation shall be filed by the defendant with the county clerk."}.

8. {DMR#6} Appendix 4 of 18 to DMRAMEX091513 ¶ 9 ¶ ¶¶¶¶¶¶¶¶¶. Subject : TOLLING MOTION SUPPORT: June 26 2002 EAST HAMPTON VILLAGE TOLLING MOTION AS BASIS FOR NEW SIMILAR MOTION TO STAY PROCEEDINGS Efiled Document #12. can be reviewed at <http://www.twentyfirstcenturydigital.com/EHTollwebTTS.php>
9. {DMR#7} Appendix 5 of 18 to DMRAMEX091513 §§¶¶¶ ¶¶¶¶¶¶¶¶¶¶ Subject : "July 2013 Materials; MATERIALS/webpage titles by Defendant Rosenblum as "July 2013 Materials", relevant in many ways to Amex v Rosenblum" Efiled Document #13. can be reviewed at : <http://www.twentyfirstcenturydigital.com/July2013.php>
10. {DMR#8} Appendix 6 of 18 to DMRAMEX091513 introduced at §§¶¶¶ 9 all ¶ ¶ 20.4 Subject : "TTS Industries established May 20 1996 by DMR at NY County Clerk's Office, 60 Centre Street, NY NY, historical perspective" Appendix 6 of 18, Efiled Document #14. Can be reviewed at <http://www.twentyfirstcenturydigital.com/TTSMay1996toMay2012.php>
11. {DMR#9} Appendix 7 of 18 to DMRAMEX091513 ¶ 10 ¶¶¶¶¶¶¶¶¶¶ Subject : "ROSENBLUM INTENDED CALENDAR IN THIS ACTION", Efiled Document #15. <http://www.twentyfirstcenturydigital.com/intendedcalendar.php>
12. {DMR#10} Appendix 8 of 18 to DMRAMEX091513 §§¶¶¶ 12, ¶ 20-22 below ..., & ¶ 35. "21st Century Digital Analysis/Critique Generally": RE: PERMISSIBLE ACTIVITIES & TYING IN BANKING INDUSTRY; DURBIN AMENDMENT TO DODD FRANK ACT, 21ST CENTURY DIGITAL, Efiled Document #16 please also see <http://www.twentyfirstcenturydigital.com/DurbinSwipeFeeFederalReserveDecision.php>
13. {DMR#11} Appendix 9 of 18 to DMRAMEX091513 ¶ 16 ¶¶¶¶¶¶¶¶¶¶ REGARDING AMEX FIRM PHONE RECORDED EVIDENCE & COMMUNICATIONS TECHNOLOGY GENERALLY; FIRM/&LENDER OPERATIONAL COST&POLICIES SACRIFICING DILIGENT LEGAL PRACTICE. Efiled Document #17. Viewable at <http://www.twentyfirstcenturydigital.com/ThuottePhoneRecordedEvidence.php>
14. {DMR#12} NOTICE OF DISCOVERY CPLR 3120 Zwicker and Amex Phone Recordings and Communications by Amex and Zwicker; re: subject matter at issue in Amex v Rosenblum. Notice of Discovery , Efiled Document #18. Referred to in DMRAMEX091513 ¶16, ¶, ¶¶¶¶¶ Viewable at

<http://www.twentyfirstcenturydigital.com/NoticeofDiscoveryZwickerPhoneRecordings.php>

15. {DMR#13} Appendix 10 of 18 to DMRAMEX09152013 §¶ 12 & ¶20-22 Regarding Section 106 of the Bank Holding Company Act of 1970, Bank Anti-Tying Legislation. Efiled Document # 19. Viewable at : <http://www.twentyfirstcenturydigital.com/2007BHC106.php>
16. {DMR#14} Appendix 11 of 18 to DMRAMEX091513 ¶ 12 & ¶'s 20-22. Application under 4(c)(8) and 4(j) of the BHC Act to engage in non-banking activity of "21st Century Digital Network Administrator". Efiled Document #20. viewable at : <http://www.twentyfirstcenturydigital.com/BHC2007PermissableActivities.php>
17. {DMR#15} Appendix 12 of 18 to DMRAMEX091513 ¶ 12 & ¶'s 20-22. Section 4(c)(8) and 4(j) of the BHC Act, under the "Procedures for other nonbanking proposals" as described in section 225.24 of Regulation Y. Efiled Document #21 viewable at :<http://www.twentyfirstcenturydigital.com/20084c8.php>
18. {DMR#16} Appendix 13 of 18 to DMRAMEX09152013 ¶ 12 & § ¶ 20.4 ¶ 20-22 , ¶ 30- re: USPTO Patent 12/079,235 application for "21st Century Digital Network"; DMR Response dated 1/31/2011 to Non Final Rejection pages 1 - 14 of 142 only", Efiled Document #22. Viewable at :<http://www.twentyfirstcenturydigital.com/TTS16YearsAgenciesUSPTOpatentfilenonfinal.php>
19. {DMR#17} Appendix 14 of 18 to DMRAMEX091513 §¶ 12 & 20-22 , ¶30- info re: "21st Century Digital" USPTO Trademark Registration in Class 35: Advertising&Business;Class36FinancialServices; Class 38 Telecomm & Class42Computer/Internet R&D". Efiled Document #23. viewable at <http://www.twentyfirstcenturydigital.com/TTS16YearsAgenciesUSPTOTrademarkfile21.php>
20. {DMR#18} Appendix 15 of 18 to DMRAMEX09152013 ¶ 31 et al ¶¶¶. PRELIMINARY RENDERING OF QUESTIONS PRESENTED BEFORE THE COURT IN THIS ACTION, Efiled Document #24. viewable at <http://www.twentyfirstcenturydigital.com/QuestionsPresented.php>
21. {DMR#19} Appendix 16 of 18 to DMRAMEX091513 ¶ 32 ¶¶¶. Subject : "TTS Docket 1996-1997 re: Manhattan Criminal Docket 96NO96424". Efiled Document #25. <http://www.twentyfirstcenturydigital.com/TTSDocket19961997.php>
22. {DMR#20} Appendix 17 of 18 to DMRAMEX091513 ¶ 33 ¶¶ "re: NY Model Rules of Professional Conduct :Daniel M Rosenblum sole previous filing w/ Departmental Disciplinary Committee, re: 96NO96424". Efiled Document #26. Viewable on the internet at <http://www.twentyfirstcenturydigital.com/TTS16YearsAgenciesFedDisciplinary.php>
23. {DMR#21} Appendix 18 of 18 to DMRAMEX091513 ¶ 8 & ¶¶20-22 §¶ 30- §¶ . Business Certificates: Daniel M. Rosenblum Sole Proprietor of 21st Century Digital, TTS Industries, and TMTTP USA Unlimited. Appendix 18 of 18, Efiled Document #27. viewable in HTML at : <http://www.twentyfirstcenturydigital.com/BusinessCerts.php>