

Dan Rosenblum

To: dept736@HESC.ny.gov
Cc: 'dmr417@stern.nyu.edu'; 'dan@21centdig.com'; 'dmr@21centdig.com'
Subject: Income information for borrower of HESC account #90002888700 for ten year period 2004-2014
Attachments: ALL PAYCHECKS TO DMR FROM QUALITY ENCLOSURES 96 Week Period January 2013 and thru November 2014.pdf; DMR November 2014 Cumulative IRS Tax Binder 2004 to 2014 for HESC REDACTED.pdf; DMR Social Security Statement and Benefit Verification Letter printed Columbus Day 2014 EFILED NYSCEF 10132014.pdf

To HESC:

Please note, this correspondence is sent from Daniel M Rosenblum ("DMR" below), insofar as HESC account # 90002888700 is concerned. I, Daniel M Rosenblum ("DMR" below) am the borrower/student associated with HESC account # 90002888700, willing but unable to make payments on the account and unable to state that my inability to pay is due to a "temporary hardship" which circumstance I can foresee will change in the "foreseeable future"; as a result the account defaulted on September 12 2014 for loans which paid for my first semester at New York Law School in Fall 2006- Spring 2007, HESC purchased the debt of \$ 26,071.98 on September 12 2014.

It is my understanding that, according to HESC records, policy, and contract, the 60 day period during which I may ask for Administrative Review by HESC and arrange a payment plan with HESC to avoid HESC adding collection costs of 15% ends on Wednesday November 12. Today's correspondence follows DMR dialogue with Ms. Green at HESC last week, during which dialogue DMR was instructed to submit recent income information to HESC. Today's correspondence to HESC provides a complete rendering of my income during the past decade, through IRS and SSA documents (which shows two decades), and all of my paystubs for the past 96 weeks. Below is an index of the attached PDFs and the Adjusted Gross Income per year which the PDFs document, followed by an itemization of my current expenses. Please note I have Efiled each PDF in Suffolk County Supreme Court in New York State Supreme Court Index # Index No. 061458/2013, the matter of AMERICAN EXPRESS BANK, FSB -v- Daniel M Rosenblum, as shown at the header of each PDF which header is the NYSCEF Efile receipt.

Please note, my intention is to write a separate "Request for Administrative Review" prior to November 12 2014 (I am working on such request very diligently during the hours I am not working at my full time job driving a truck and lifting shower door glass, to address this matter, I have already written related correspondences, transmitted to HESC and filed in Suffolk County Supreme Court the New York State Supreme Court Index # Index No. 061458/2013, the matter of AMERICAN EXPRESS BANK, FSB -v- Daniel M Rosenblum on 10/13/2014, 8/4/2014, and to ACS, from whom the loan was purchased, also on 9/15/2013, all items are filed in Suffolk Supreme Court, and, all items were verbally discussed with ACS in the years 2006-2014.

Note, of great importance, the same items pertain to loans which paid for my degrees at New York Law School and NYU Stern School of Business serviced not by ACS but by Sallie Mae Inc. The remaining loans are scheduled to go into default status and be purchased by HESC during the first week of January, 2015, for the sum of roughly \$700,000.00 (seven hundred thousand).

DMR states variously that HESC should not purchase the debt from Sallie Mae, DMR desires very much to pay but is unable and puts forth a variety of defenses to breach of the loan contract in materials provided to ACS, Sallie Mae, HESC to date. DMR cannot foresee a change in income commensurate to resolving the dilemma in the foreseeable future, but, DMR can foresee continued work driving for Quality Enclosures and editing and re-submitting the materials here provided to HESC during the first week of November 2014 pertaining to the #90002888700 \$26,071.98, and again during the 60 days following the HESC purchase of \$700,000.00 debt from Sallie Mae first weeks of 2015 if HESC in fact purchases from Sallie Mae. DMR advises HESC not to purchase from Sallie Mae. A rendering of my Adjusted Gross Income for the decade 2004-2014 follows (and attached in PDF):

The borrower has defenses to the alleged breach of contract; HESC should be estopped from the purchase from Sallie Mae during January 2015 until such time that the alleged defenses, and related joinder issues have been properly adjudicated (please see below).

Here the content of the above attached PDFs are described, which document my earnings and Adjusted Gross Income 2004-2014, and document all wages earned 1985-2014:

PDF # 1 Attached is titled "ALL PAYCHECKS TO DMR FROM QUALITY ENCLOSURES 96 Week Period January 2013 and thru November 2014" . The PDF has 102 Pages; the first six (6) pages give a quick synopsis of all paychecks from Quality Enclosures for the two years 2013 thru the writing of correspondence to HESC first week of November 2014 following HESC purchase from ACS, the six pages are snapshots of payroll indices for the 96 week period . Following these six pages are all paystubs from the same period, each paystub is one page, so, there are 96 pages for the 96 week period Jan 1 2013 thru October 30 2014. Please note while I have redacted the address for the home where I rent since 2010 to protect the privacy of the homeowner, I receive all mails continuously since 1996 at PO Box 3377 New York, N.Y. 10163-3377.

PDF # 2 is titled "DMR November 2014 Cumulative IRS Tax Binder 2004 to 2014 for HESC REDACTED" contains all filings available presently at IRS.gov, all wage and income reports for the 20 year period 2004 to 2014; contains IRS letters indicating the years I did not file, and so on, the binder includes all available IRS data for my person 2004-2014. Please note, I have redacted my current rental address and the first five numbers of my social security number throughout the document for privacy purposes. Please note while I have redacted the address for the home where I rent since 2010 to protect the privacy of the homeowner, I receive all mails continuously since 1996 at PO Box 3377 New York, N.Y. 10163-3377.

PDF #3 is my SSA Benefits Statement and Benefit Verification Letter which contains a printout of my taxed SSA earnings yearly 1985 through 2013.

PDF # 4 is simply the NYSCEF Efile Receipt for this self same instant email, which is Efiled prior to sending today November 3, 2014. PDF 4 is identical verbatim to the instant email except for the NYSCEF Efile receipt stamp at the header. My purpose in E filing this instant November 3 Email, and attachments, is described in greater detail, inter alia, in my October 13 2014 email to HESC Dept 736, and in my previous emails May 4 2014 and August 4 2014 to defaultprevention@hesc.ny.gov, and donna_fesel@hesc.ny.gov and Sharon_forbes@hesc.ny.gov; and will be described in greater detail in my forthcoming request for administrative review prior to November 12 2014. My purpose in Efiling todays PDFs is also described in short below, in eight numbered lined items in the final paragraph of this email.

Here is a basic description of the "DMR November 2014 Cumulative IRS Tax Binder 2004 to 2014 for HESC REDACTED ", highlighting my Adjusted Gross Income ("AGI") for the 10 year period as stated in these IRS documents:

IRS Binder:

Page 1 AGI 2013 Employer Quality Enclosures 2013 : \$ 36,767.00

Page 1 AGI 2013 Employer Hamptons Film Fest 2013: \$ 850.00

Page 3-5 : DMR did not file 2013 Tax Return

Page 6 2012 DMR AGI Employer Quality Enclosures 2013 AGI \$32, 522

Page 6 2012 DMR AGI Employer Hamptons Film Fest 2012 AGI \$ 750

Page 8-11 DMR did not file a 2012 Tax Return

Page 12 2011 DMR AGI Employer J King 2011 AGI \$ 165

Page 12 2011 DMR AGI Employer Hamptons Film Fest 2011 AGI \$ 750

Page 13 2011 DMR AGI Employer Superior Vending 2011 AGI \$ 300

Page 14 2010 DMR AGI Employer Hamptons Film Fest 2010 AGI \$ 750
Page 14 2010 DMR AGI Employer Village of Ocean Beach 2010 AGI \$ 1408
Page 15 2010 DMR AGI Employer Village of Ocean Beach 2010 AGI \$ 6336

Page 17 2009 DMR 2009 AGI \$ 0
Page 19 2008 DMR 2008 AGI \$ 0
Page 20 2007 DMR Employer Adecco 2007 AGI \$ 140
Page 20 DMR 2007 Form 1099 SSA Benefits 2007 \$309
Page 22 2006 DMR Employer AGI Spherion 2006 AGI \$ 12,691
Page 22 2006 DMR Employer AGI Adecco 2006 AGI \$ 9,773
Page 25 2005 DMR Employer Franklin First Financial 2005 AGI \$ 250
Page 25 2005 DMR Employer AGI Spherion 2005 AGI \$ 13,425
Page 26 DMR 2005 Form 1099 SSA Benefits 2005 \$ 7,338
Page 27 2004 AGI DMR Employer Hampon Jitney 2004 AGI \$ 15, 705
Page 27 DMR 2005 Form 1099 SSA Benefits 2004 \$ 7,887
Page 28 thru page 41 2010 Tax Return Transcript for DMR AGI 2010 \$ 9109

Here is an basic outlined estimate of my current expenses during year 2014:

Annual rent paid monthly: \$ 13,2000 = \$ 1100 per month

Monthly Electric Average \$ 90 = \$ 1080

Annual cost associated with work and commute and cell phone service = approximately \$ 6000

Basic food and household goods annually approximately, presently, \$ 8000 annually

Please note, I am behind in provision of basic household goods, and cost associated with work and commute and cellphone. However, I make do with my resources, and basically live paycheck to paycheck with little or no monies to my name upon receipt of the following weeks paycheck after deducting for rent and the above expenses, and, on occasion as budget permits, some extracurricular leisure. I will provide more on this subject to HESC forthwith, and, my filings in Suffolk County Supreme Court [the New York State Supreme Court Index # Index No. 061458/2013](#) , the matter of AMERICAN EXPRESS BANK, FSB -v- Daniel M Rosenblum elaborate on the status quo of my finances.

Thank you very kindly, my formal request for Administrative Review and Document Review pursuant to HESC form H4451B (rev. 05/2013) will follow, electronically, before November 12, 2014. My current income and IRS data for the past 10 years, SSA income data for past 20 years is described above and attached above in PDF. Please note, it is my hope and expectation that my account is already under Administrative Review given the facts and circumstances put forth to HESC and ACS to date; however, as there really is no provision of the standards of administrative review, nor form apart from above referenced H4451B, to cover all bases I have an additional submission I am on schedule to complete and submit electronically to HESC prior to 11/12/14. As stated variously by me throughout correspondences to date to the attention of HESC and ACS, I, DMR, am of belief and understanding that the loan contract should not be legally enforceable without first an allegation in a Court of Law subject to the Rules of Civil Procedure, overseen by a State or Federal Judge in the United States of America, which allegation presumably would be that I have breached some contract, at which point I would have opportunity to put forth issues of joinder and defenses to breach of contract, which I have begun to do in the above referenced New York State Supreme Court Index # 061458/2013, my intention is to E-file this item in that court matter, with the Administrative Review Request which I will submit to HESC before November 12 2014, and to notify the parties which may be subject to joinder of the same, as I did August 8th of this year which email also was sent to various HESC email accounts.

Therefore, DMR states that presently, that it would be incorrect and unjust for HESC:

1. to notify all national consumer agencies of the alleged default status of the loan(s) in question ;
2. to notify my schools of the default status of the loan(s) in question;
3. apply federally mandated collection charges

4. report my name to the US Department of Education for referral to the Department of Treasury (and it would be incorrect and unjust for Department of Treasury to seize any income tax refund or other payments made by the Federal Government which I may be entitled to now and in the future)
5. to Garnish my salary through an administrative wage garnishment
6. to Seize my NY State Tax Refund
7. to File a civil suit to compel repayment
8. to Assign my loan to the federal government for further collection activity

Thank you very kindly.

Sincerely,

Daniel M. Rosenblum

//DMR// 11/2/2014