

In re:

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

AMERICAN EXPRESS BANK, FSB

-v-

RE: Digital Service of Process as of Right

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-

RE: Digital Service of Process as of Right

DANIEL M ROSENBLUM

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

Amex card 371339213796009 exp 1/11

Section on "Digital Service of Process as of Right"

1. In this Section on "Digital Service of Process as of Right", DMR states succinctly that a purpose of 21st Century Digital Brand advocacy insofar as all parts this filing for borrowers to have knowledge of and actual right to serve process electronically to lender in any action in financial services where lender and loan servicer and debt collector actively litigate under State Authority in State Court in the USA electronically, to great efficiency, under the Federal and State laws. In addition, to have ability for instant communications of record to the lending party which communication is of record and reviewable by parties to the contract. This, insofar as ability to respond to any Notice during term of contract/loan with assurance that such response/documentation to Lender or Servicer or Debt Collector is

admissible in court in litigation regarding the contract. This, insofar as any accounting document or statement insofar as borrower's financial profile etc. Cite the American Express case, and, note the same phenomenon in Federal Administrative Court (ie before TTAB) evidences litigant defendant DMR's understanding that in this early decade into the maturation of digital commerce, plaintiff lobbying on policy for electronic filing has far exceeded defendant lobbying and comment in the design of electronic judicial systems. Further, this same detriment to achieving 'just results' at a greater rate in effected markets is further complicated by disparate situation of defendants; large firms litigate on plaintiff side in lender suits- with mechanized operations handling thousands of cases at a clip; however, each defendant- a majority thereof, litigates for the first time and sits at a computer terminal with a web based application which varies from county to county jurisdiction and in each court at state and federal level even as it pertains to file types acceptable and manners by which filing is achieved. Usually, such mechanisms are complex and defendant must familiarize for first time during a 30 day period where in other marketplaces, such as popular social media applications, the same individual has familiarity to easily file jpg or audio or video files; yet, in the this litigation an individual receives communications from lender but has no manner by which to reliably file in response to the corporate entity from whence or on behalf of which correspondences- admissible in court- are sent.

2. toll proceedings to determine if similarly situated class of defendant litigant parties to actions heard or to be heard in NY State Supreme Court similarly damaged by inability to serve process electronically as of right during the functioning of WebCivil Supreme efilng system. Note that the volume of debtor/creditor actions is enormous presently. DMR is of the opinion that the volume of such litigation is a large part of the volume of efiled litigation in NY State and therefore operations relating to efilng technology has been shaped during the course of such high volume at the dawn of the NY State Efilng system

for New York State Supreme Court, Civil . Note that the plaintiff firms associated with Amex v Rosenblum handle a volume of litigation relying on procedural defaults for a high percentage of advantageous decisions. Defendants for the most part litigate as individuals, which, in fact, as of late, in fact fall into class categories which classes have similar valid claims insofar as

3. Such shaping of operations of e-filing, and, lack of "as right" ability to serve process electronically has effect in other areas of manufacture and industry separate from the debtor/creditor loan product for which there is such high volume of litigation. In areas of manufacture and industry presently there is also a dominant lack of ability for consumer to electronically serve process as of right in instances where consumer products fall short of warranty standards etc. In part, this is due to the fact that, for example, a corporation of any sort in any industry does not have a requirement to uniformly for purposes of service of process have enabled directories including the corporations law department and corporate officer or corporate suite for purposes of customers' (purchasers of products upon promise of warranty of performance) ability to provide documentation which efficiently associates customer claim with product failure, in the event there is such failure which merits resolve and which resolve drives competition and productivity and efficiency in value for the consumer. If the producer has too much cost associated with providing such efficiency to the consumer, such producer will fail and the appropriate product will evolve to serve such market. In certain industries there might be fear that there would be too many emails to review, then, the company has to effectuate policy as a result of such emails by resolving issues brought forth by such correspondence. But the answer is NOT simply to make it difficult to consumer to correspond using same electronic platform used by business . In financial services, presently, an example of one individual using one set of forms to litigate without adjudication is at the firm Zwicker, which it seems is simple common practice.

Note to all parts DMRAMEX08042014 items {DMR#23} through {DMR#36} and Supplements DMRAMEX08042014 {Q1- Q19} which cumulatively are DMRAMEX08042014 Efiled Documents #29 through #62; today's filings are not comprehensive. Presently all parts are filed today for August 4th given a variety of factors mostly pertaining to resource allocation and the calendar. DMR cannot spend more weekends working on this necessary filing presently, and is working as a truck driver presently Monday thru Friday. However, the subject matter and format and titles and content of the documents today filed suffice to give Notice of all parts of DMRs contentions, allegations, assertions, etc to the intended recipients of this correspondence filed in NY State Supreme Court presently. DMR states that the categories, for example, of today's Q1 -Q16 supplements are of great import to DMRs filings, and the articles contained therein evidence DMRs assertions throughout this filing; DMR has accomplished more work on the same categories, and, additional work on such categories for this filing are necessary. And, DMR recognizes the fact that the instant filing , although desired to be filed in the NYC case where an RJI has already been filed, is actually filed only in Suffolk Efile where no RJI has been filed, and, no motion fee is paid. DMR cites his 2002 Southampton tolling motion, which is 9152013 {{}}; such fees cannot at present are cost prohibitive by DMR; as necessary DMR will cite this 8041014 request for Joinder if the lenders here cited choose to commence litigation under a different docket # rather than recognizing the appropriateness of the joinder subject matter described in DMRs 08042014 materials. As per this paragraph and related paragraphs, therefore, it is recognized that DMRs 08042014 filing is not suggested to be comprehensive in addressing the relevant and pertinent subject matter and

evidence supporting Rosenblum's assertions and claims made herein.

In any instance DMR reserves right to amend any letter or correspondence to a motion or discovery notice, and, amend any supplement to an exhibit in evidence for the subject matter herein under examination in any litigation.