

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, ex rel.,	:	Case No. 03-1572
GREGORY T. HOWARD	:	Trial Court Case No. 97AP-860
	:	
Appellant,	:	
	:	
-vs-	:	
	:	
SEAWAY FOOD TOWN, INC., et al.,	:	
	:	
Appellees.		

APPLICATION FOR LEAVE TO FILE DOCUMENTATION OF WHY THE APPELLANT SHOULD BE AFFORDED THE RIGHT TO PURSUE AN ACTION AGAINST THE OHIO BUREAU OF WORKERS' COMPENSATION IN THIS COURT AND AFFORDED THE OPPORTUNITY TO PRESENT THE PREVIOUS INSTRUCTIONS TO THE CLERK OF COURTS AND TO THE JURISTS OF THIS COURT, *INSTANTER*

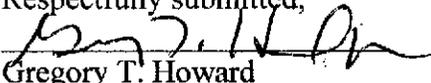
On September 24, 2004, this Court declared Gregory T. Howard, pro-se, a vexatious litigator pursuant to S. Ct. Prac. R. XIV, Section 5(B). Accordingly, Howard must obtain leave of this Court to institute any proceeding, continue any proceeding he instituted, or make any application in this Court.

Appellant herein hereby makes application to this Court for leave to file attached documentation of why he should be afforded the right to pursue an action against the Ohio Bureau of Workers' Compensation in this Court and afforded the opportunity to

FILED
MAY 10 2007
MARCIA J MENGEL, CLERK
SUPREME COURT OF OHIO

present the previous instructions to the Clerk of Courts and the Jurists of this Court,
instanter as filed on May 4, 2007.

Respectfully submitted,


Gregory T. Howard
P.O. Box 3096
Toledo, Ohio 43607-0096
Telephone: (419) 450-3408

Relator-Appellant, Pro-se

PROOF OF SERVICE

This is to certify that a copy of the foregoing of Gregory T. Howard was sent via ordinary U.S. Mail this 8th day of May, 2007 to:

Eastman & Smith, Ltd.
C/O Thomas A. Dixon, Esq.
One Seagate, 24th Floor
Toledo, Ohio 43699-0032

Ohio Attorney General Office
Shawn M. Wollam, Esq.
150 East Gay Street, 22nd Floor
Columbus, Ohio 43215

Governor Ted Strickland
77 High Street, 30th Floor
Columbus, Ohio 43215-6117

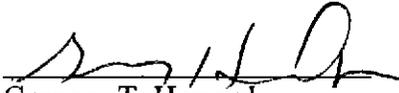
The Ohio Attorney General Chief of
Chief Counsel Staff-Atty Carney
State Office Tower
30 East Broad Street, 17th Floor
Columbus, Ohio 43266-0410

The Federal Trade Commission:
Privacy-Steering-Committee
Federal-Trade-Commission
600-Pennsylvania-Avenue,N.W.
Washington,DC-20580

Attn: Deputy Director, Office of the Executive Director

Re: Eastman & Smith, et al.

State of Ohio Office of the Attorney General Complaint #: 327061
Federal Trade Commission Complaint # 10010756 & 10299071
Comptroller of the Currency #685430


Gregory T. Howard
Appellant-Claimant, pro-se

IN THE SUPREME COURT OF OHIO

STATE OF OHIO, ex rel.,
GREGORY T. HOWARD

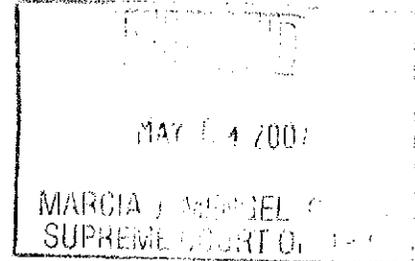
Appellant,

-vs-

SEAWAY FOOD TOWN, INC., et al.,

Appellees.

Case No. 03-1572
Trial Court Case No. 97AP-860



APPLICATION FOR LEAVE TO FILE OR PURSUE AN ACTION AGAINST THE
OHIO BUREAU OF WORKERS' COMPENSATION IN THIS COURT AND
INSTRUCTIONS TO THE CLERK OF COURTS AND TO THE JURISTS OF THIS
COURT, *INSTANTER*

On September 24, 2004, this Court declared Gregory T. Howard, pro-se, a vexatious litigator pursuant to S. Ct. Prac. R. XIV, Section 5(B). Accordingly, Howard must obtain leave of this Court to institute any proceeding, continue any proceeding he instituted, or make any application in this Court.

On September 2, 2003, the Appellant *inter alia* filed this appeal from an order denying him leave to proceed to pursue a claim against the Industrial Commission of Ohio, pursuant to O.R.C. 2705.02 (A), or which violated the terms of the Ohio Constitution within the meaning of Article I, Section 16 or the U.S. Constitution within the meaning of the 1st & 14th Amendments, which originated in the Tenth District Court

Date: Tue, 8 May 2007 04:27:37 -0700 (PDT)
From: "gregory howard" <hwrldgrgry@yahoo.com>
Subject: Re: Response to your complaint Ref No. 10010756 & 10299071-Request for FTC to Reinvestigate
To: COMPLAINT@FTC.GOV

Dear FTC:

I, respectfully request that you reinvestigate the elements of the information/complaints that I previously sent to you concerning an invasion of my privacy by Eastman & Smith, Ltd. and related matters. As the FTC knows privacy is a fundamental right. Accordingly, I request that you render results to my above said request verifying or concluding the matter and that you pursue an action in the Federal District Court in Ohio for Eastman & Smith, Ltd., violation or invasion of my privacy rights and related matters arising out of the said violation of my privacy rights. Thank you for your prompt response concerning this federal issue. See, Leasecomm Corp. v. Dull, 2007-Ohio-454; 2007 Ohio App. LEXIS 405.

Very truly yours,

Electronically signed

Gregory T. Howard

P.O. Box 3096

Toledo , Ohio 43607-0096

Telephone: (419) 450-3408

Enclosure

cc: Thomas A. Dixon, Esq. (wo/ enc.) Facsimile: 419.247.1777
Bureau of Workers' Compensation (wo/enc.):866.457.0594
Industrial Commission of Ohio (wo/enc.) Fax: (419) 245-2652
Treasurer REPRESENTATIVE (wo/enc.) Fax: (614) 995-3864-Article III, Section 1
Chief Justice Thomas J. Moyer (wo/enc.) 614.387.9019
JUDGE JOHN F. BENDER-(Fax #) 614.462.2462
Court of Appeals Administrator-(Fax) 614-462-7249
Office of the Ohio Senate-(Fax) 614.644.5208
Governor Ted Strickland-(Fax) 614.466.9354
Treasurer-(Fax) 614.644.7313
Acting Administrator of BWC-(Fax) 614.621.1024
General Counsel-(Fax) 614.487.1008
Disciplinary Counsel-(Fax) 614.461.7205
Court of Claims of Ohio-Fax 614.387.9836
Regional Columbus Director-Fax 614.644.8373
Columbus Hearing Administrator-Fax 614.466.7043
Jonathan W. Marshall, Secretary-Fax (614) 387-9379
Mackinaw Administrator (w/o/enc.) 734-856-6226
John Smart, Assistant Attorney General-Fax (614) 728-9535
Marc Dann, State of Ohio Attorney General-Fax (614) 728-7583
Comptroller of the Currency-Fax (713) 336-4301 (Case No. 685430)
Director of Hearing Services-Fax (614) 644-5209

COMPLAINT@FTC.GOV wrote:

Thank you for visiting the FTC's web page and for using our NEW electronic Talk To Us form. Here's

http://us.f611.mail.yahoo.com/ym/ShowLetter?box=Sent&MsgId=3657_2326405_145858_... 5/8/2007

what happened to your information after you sent it to us:

One of our consumer counselors reviewed the information you sent us. If it was related to the FTC's law enforcement responsibilities, we entered it into our shared law enforcement data system. We share this data system with law enforcement agencies throughout the United States and Canada. Attached is your electronic response, which includes your reference number. Any enclosures can be found at www.FTC.GOV under the News Releases, Publications, Speeches option.

Information from consumers like you helps Federal, State and Local authorities investigate possible illegal practices and enforce our laws. Someone from the Federal Trade Commission or another law enforcement agency may contact you if they need additional information to help them in an investigation.

Thank you for using our Talk To Us form, and please continue to use the FTC's web page, www.ftc.gov, to get free information to help you avoid costly consumer problems.

Have a HUGE year through

response[1]

March

22, 2007

Howard Gregory
PO Box 3096
Toledo, OH 436070096

Re: FTC

Ref. No. 10299071

Dear Howard Gregory:

This is in response to your complaint concerning an invasion of your privacy. Privacy is a fundamental right. Advances in computer and telecommunications technology, allowing unscrupulous people access to personal information, has become a problem we all must worry about. The federal government has implemented a number of laws and rules for the sole purpose of limiting access to non public information and protecting citizen's rights to privacy. Included in these are: provisions under the Fair Credit reporting Act, the Children's Online Privacy Protection Act, the Telephone Consumer Protection Act and the Telemarketing Sales Rule. There may also be local state legislation addressing your complaint. We hope that this letter, briefly summarizing some of the federal legislation dealing with privacy concerns, will answer your question.

The Fair Credit Reporting Act (FCRA) deals with the practices of organizations who prepare or request credit reports, or volunteer data to credit reporting agencies. Credit reports contain private financial information and the Act is designed to limit its dissemination. Under the Act, credit reporting agencies can only issue a consumer credit report if they reasonably believe that the person requesting the report has a legitimate business need for the information that involves a business transaction with the consumer. All reports containing medical information must be consented to by the consumer. Knowingly or willfully obtaining consumer credit information under false pretenses can lead to a fine, imprisonment, or both.

The FCRA also allows "opt out" programs. These allow consumers to exclude their name from lists that credit reporting agencies frequently provide to credit card and insurance companies. Consumers may remove their name from these lists by either calling the credit reporting agencies or filling out the bureau's "opt out" form. Calling will remove your name and address from the list for two years, filling out an "opt out" form will remove your name permanently. Below are a list of the three major credit reporting agencies with their toll-free phone number:

Equifax
P.O. Box 720241
Atlanta, GA 30374
(800) 685-1111

Experian
P.O. Box 949
Allen, TX 75013
(800) 682-7654

Trans Union
760 West Sproul Road
P.O. Box
Springfield, PA 19064-0390
(800) 916-8800

Consumer financial data is also protected by laws targeting other financial institutions. Effective this November, the Gramm-Leach-Bliley Act will require that institutions like finance companies, mortgage lenders, and check cashing

response[1]

companies must provide notice of their privacy policy to their customers. The Act also limits the disclosure of this information to third parties.

The Consumer Telephone Protection Act and the Telemarketing Sales Rule both protect a consumers privacy at home. Both include "Do Not Call" provisions. Under these a consumer can ask to be taken off the list of a telemarketer. The telemarketer must honor this request and stop calling the consumer. Continued invasions of privacy made by the company through harassing telemarketing calls can lead to civil liability in state or federal court.

Consumers may also "opt out" of lists used by mass mailings advertisers and telemarketers by contacting the Direct Marketing Association. This organization offers the Mail and Telemarketing Preference Services. These services allow a consumer to reduce the amounts of mass mailings and telemarketing calls they receive for five years. Many national companies belong to the DMA and contacting them should drastically reduce the number of solicitations within three months.

Direct Marketing Association
Mail Preference Service
PO Box 9008
Farmingdale, NY 11735-9008

Direct Marketing Association
Telephone Preference Service
PO Box 9014
Farmingdale, NY 11735-9014

Finally, another law dealing with telemarketing and direct mail advertisers is the Drivers Privacy Protection Act. It allows states to only distribute personal information to law enforcement officials, courts, government agencies, private investigators, insurance underwriters and other similar businesses.

The Commission has been at the forefront of Internet privacy since its inception. The Commission has held multiple work shops, public forums and has conducted numerous surveys and web surfs on the subject to determine the current state of online privacy. In general, the Commissions position has been one in favor of self regulation by the industry.

The Commission supports the view that all data collecting organizations and web sites should provide a clear privacy policy. The Commission has taken action against web sites which have used consumer information in violation of their own stated privacy policy under § 5 of the FTC Act.

Children's privacy is a more troublesome issue. The Commission is in charge of implementing and administrating the Children's Online Privacy Protection Act (COPPA). COPPA requires that commercial web sites that target children or are known to be used by children must contain a clearly worded and prominent privacy policy. Before the site can collect personal information from the child it must contact the child's parent and receive verifiable, parental consent. The act also requires sites to display contact information and make disclosures about any dissemination of the collected information to third parties.

Many invasions of privacy and collection of a consumers personal information may be a precursor to identity theft. In 1998 Congress enacted the Identity Theft and Assumption Deterrence Act. This act makes it a federal crime when someone "knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity." Violations of the act are investigated by numerous federal agencies including the U.S. Postal Service and the FBI. If you feel that you have been the victim of identity theft you can file a complaint with the FTC by contacting the FTC's Identity Theft Hotline toll-free: 1-877-IDTHEFT (438-4338).

As you can see, there are many federal laws and government agencies

response[1]
safeguarding consumer privacy. There are also many state laws that deal with these subjects. If you believe your privacy has been violated you should also check with your local law enforcement agencies to determine what actions you can take.

yours,

Sincerely

Response Center

Consumer

Date: Wed, 14 Feb 2007 11:18:38 -0800 (PST)
From: "gregory howard" <hwrdrgrgry@yahoo.com>
Subject: Re: Response to your complaint Ref No. 10010756
To: COMPLAINT@FTC.GOV

Consumer response, to FTC.GOV. Response to Consumer Privacy Complaint against Eastman & Smith, Ltd., et al. Ref. No. 10010756:

Thank you for your prompt response to my online Complaint. I have provided you with pertinent information regarding the deceptive or unfair practices of including Eastman & Smith, Ltd., and other state and local enforcement agencies. I asked that you enforce Federal Trade Commission Laws against Eastman & Smith, Ltd., for their violation of my privacy rights guaranteed under the U.S. Constitution which may in turn affect a number of other consumers in the future. This is not an individual dispute. Eastman & Smith, Ltd., conduct is against Humanity. Eastman & Smith, Ltd., has violated my privacy rights by its unlawful conduct delineated in the undersigned Notice and Proposed Complaint which was forwarded to you on February 12, 2007 via U.S. regular and certified mail service. There is a substantial likelihood of preventing future unlawful conduct by businesses or other authorities of sharing data with financial institutions who may make decisions in whole or in part on information obtained in a report from the consumer reporting agencies that are tainted by an business in order to cause irreparable harm to individuals such as myself. The entire contents of the consumer's Notice and Proposed Complaint are related to the FTC's law enforcement responsibilities, to the extent that such duty authorizes the FTC to investigate the illegal practices of the entities involved in the underlying actions and to enforce its laws against them as directed by Congress.

I have a good faith belief to believe that the forthcoming sensitive information dated 02-12-2007 that will be provided to the FTC is appropriate for initial evidence to begin a thorough investigation and will help this consumer together with future consumers in securing redress or other relief as guaranteed to them by the federal statutes and the U.S. Constitution. If I am wrong about this please point me to the appropriate state and local enforcement agencies so that I will be able to pursue whatever assistance they may be able to provide to me in a separate action. See, LeaseComm Corp. v. Dull, 2007-Ohio-454; 2007 Ohio App. LEXIS 405. If you have additional questions regarding this information, please contact me at the above noted email address.

Sincerely yours,
Consumer Ref. No. 10010756

COMPLAINT@FTC.GOV wrote:

Thank you for visiting the FTC's web page and for using our NEW electronic Talk To Us form. Here's what happened to your information after you sent it to us:

One of our consumer counselors reviewed the information you sent us. If it was related to the FTC's law enforcement responsibilities, we entered it into our shared law enforcement data system. We share this data system with law enforcement agencies throughout the United States and Canada. Attached is your electronic response, which includes your reference number. Any enclosures can be found at www.FTC.GOV under the News Releases, Publications, Speeches option.

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Have a HUGE year through