

ORIGINAL

**AGGRIEVED RELATOR'S MOTION TO EXPEDITE DECISION**

IN THE SUPREME COURT OF OHIO  
Franklin COUNTY, OHIO

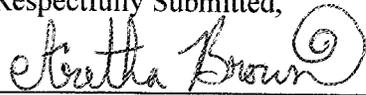
|                                  |   |  |
|----------------------------------|---|--|
| <u>Aretha Brown</u>              | : | CASE NUMBER <u>14-1485</u>                       |
| Aggrieved Relator                | : |  |
|                                  | : |  |
|                                  | : | JUDGE: <u>OH Supreme Court Justices</u>          |
|                                  | : |  |
|                                  | : | <b>RELATOR'S MOTION TO EXPEDITE<br/>DECISION</b> |
|                                  | : |  |
| <u>James E. Williams et. al.</u> | : |  |
| Respondent(s)                    | : |  |

**AGGRIEVED RELATOR'S MOTION TO EXPEDITE DECISION**

Now comes the Aggrieved Relator and respectfully moves this Court to expedite a decision from the Ohio Supreme Court.

Again, 02/13/08 caused CONCUSSION & MYELOPATHY "Catastrophic Injuries", loss of vehicle, lowered credit score as a direct result of this unpaid claim by Respondents' with all surrounding "Insult to Injury" crime(s)/cases beyond victim of CRASH impact's control. OH Disciplinary Counsel(s) has ruled two attorneys disbarred or being disbarred: 08/12 Vlad Sigalov & Geoffrey Damon.

Regardless, Aggreived Relator's victimization continues to date, still coping in nearly fatal post auto collision life recovery status. OH Dept. of Ins. 1-800-686-1526 Ms. Craft commented it's never seen a situation like this ever before, filed 03/21/13 Complaint#: CSD0003279, most claims resolve in far less than 3-years, not over 6-years!

Respectfully Submitted,  
  
 \_\_\_\_\_  
 Attorney/Pro se for the Relator  
 Supreme Court of Ohio  
 Registration Number: N/A

**FILED**  
 OCT 01 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**RECEIVED**  
 OCT 01 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO



**MOTION TO LOOK: At OH Law(s), For “Disqualification of Judges & Fraud On the Court”, Issues Overlooked By Judges/Lower Courts Failure To Act On Aggrieved Relator’s Writ Of Error Coram Vobis Which Is Blatantly Obvious Within Respondents’ 09/19/14 Motion For Dismissal, & Consult Scott Drexel OH Disciplinary Counsel To Take Into Consideration All The Grievances Filed By Relator In Disciplinary Counsels of City: Cincinnati & State: Ohio**

IN THE SUPREME COURT OF OHIO  
Franklin COUNTY, OHIO

Aretha Brown, : CASE NUMBER 14-1485  
Aggrieved Relator :  
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James E. Williams et. al., :  
Respondent(s) :

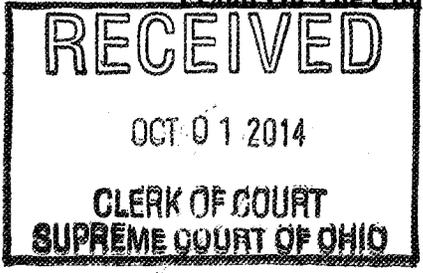
JUDGE: OH Supreme Court Justices  
**RELATOR’S MOTION TO LOOK...**

**Motion To Look At Law(s), For “Disqualification of Judges & Fraud On the Court”, Issues Overlooked By Judges/Lower Courts Failure To Act On Aggrieved Relator’s Writ Of Error Coram Vobis Which Is Blatantly Obvious Within Respondents’ 09/19/14 Motion For Dismissal, & Consult Scott Drexel OH Disciplinary Counsel To Take Into Consideration All The Grievances Filed By Relator In Disciplinary Counsels of City: Cincinnati & State: Ohio**

*“The Law is Reason, Free From Passion.”-Aristotle*

*I do not believe I have received justice, I do not think any attorney or judge can look at this claim/case & believe I have received justice, nor is there the appearance of justice to anyone!*

As a non-attorney, rules for non-represented parties begin to apply in every case at such times I was Pro Se. I have been victimized by “**Failure of Disqualification of Judge Winkler & Fraud On The Court**” issues, quite evident with the fact that most Personal Injury Lawsuits



settle in 3-years or less. Also this type of case normally does not include the crime of Signature Forgery committed by an attorney, nor transition into other types of lawsuits as a direct result of **UNCONSTITUTIONAL** (U.S.,OH, & Human Rights)/LAW(s) violations.

My most recent legal consultation has identified, the newest transition with the fact I now have a **1983 Civil Rights/Human Rights case(s)** stemming from this nearly fatal 02/13/08 auto collision caused by James E. William's **GROSS NEGLIGENCE** having extremely adverse repercussions impacting the victim to present, the very catalyst for Ms. Brown even filing: case#14-1485.

### **Code of Judicial Conduct CANON 3**

#### **A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently**

(2) A judge shall be **FAITHFUL TO THE LAW** and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor, or fear of criticism.(D) Disciplinary Responsibilities.

(1) A judge who has knowledge that another judge has committed a violation of this Code shall report the violation to a tribunal or other authority empowered to investigate or act upon the violation.

(2) A judge who has knowledge that a lawyer has committed a violation of the Ohio Rules of Professional Conduct shall report the violation to a tribunal or other authority empowered to investigate or act upon the violation.

\*Review **LAW(s)** listed on each page filed 08/26/14 with Case#14-1485, especially **OH FR LAW**, 09/19/14 Motion For Dismissal by Respondents' is **UNLAWFUL & "THERE IS NO TIME LIMIT FOR FRAUD ON THE COURT CASES:**

I think Nationwide Insurance lawyers just committed "**Fraud On The Court**" by **attempting to influence** this court minimally by directing it to look at my Pro Se re-file Case#: A1106653 instead of the prior case which is supposed to be the same case according to lower court clerks according to **Tracey Winkler's Clerk of Courts** (an **01/13/10** Amended Complaint copy has been included, for the courts convenience to see there is a detailed claim by which relief can be granted by initial counsel of Ms. Brown attorney Scott Mullins), in my opinion as, any lower court rulings are irrelevant because of the issues pertaining to "**Disqualification of Judges & Fraud On The Court**" that vexed the victim of the 02/13/08 suffering from **CONCUSSION + MYELOPATHY** (a copy of detailed medical evaluation, also provided) in light of the full circumstances/LAW(s) applicable to this very meritorious case/claim.

It was by **Nationwide's UNLAWFUL** adherence to a forged check by Vlad Sigalov that forced very injured & aggrieved Relator, Ms. Brown, to have to file a lawsuit in the first place. Judge Winkler should have been disqualified or disqualified himself from cases at lower court levels, for his obvious partiality/bias against Relator. Judge Winkler released attorney Joseph M. Lyon from his legal obligations to Ms. Brown after he already made his appearance on case# A0911260, next came Judge Winkler's discourteous name calling of Aggrieved Relator, by mislabeling as **"Vexatious Litigant"** within his chamber notes, additionally, doing the same on a dismissal, **which in turn created undue bias/prejudice against me, thusly, inhibiting my ability to hire a replacement counsel for my case/claim, many attorneys' declined citing Judge Winkler's Chamber Notes.** Additional examples of **Judge Ralph Winkler's "appearance of partiality"** are below.

Judge Winkler has engaged in many activities that make me question his impartiality, especially in dealing with the non-represented which he once again, caused as I have explained above. Futhermore, I'm not the only one questioning the lower level court Judge Winkler's Judicial conduct, there's a document about his financial activity on-line, from the time period he was actively presiding on my claim in the lower courts, a grievance by the Cincinnati NAACP, plus Judge Winkler defaced a Board of Elections sign when Tracey Winkler was running for Clerk of Court. Robert C. Winkler was Judge assigned my other case stemming from this legal matter, **UNLAWFUL** eviction case#A1010569, I feel **Winkler Nepotism with history of the "appearance of partiality"** is all to apparent, judgments in my lower court cases were **UNFAIR:**

1. Hiring of GOP Chairman's Wife Smells Odd - CityBeat [citybeat.com/.../article-21380-hiring\\_of\\_gop\\_chairm..Cincinnati](http://citybeat.com/.../article-21380-hiring_of_gop_chairm..Cincinnati) CityBeat **Aug 11, 2010** - Trustee **Tracy Winkler's daughter helps operate the township-owned Nathanael Green Lodge, which has had a deficit of more than \$2 million ...**

17 **Hereditary** privileges, etc. (1851) - **Constitution Online** [www.legislature.state.oh.us/constitution.cfm?Part=1&Section=17](http://www.legislature.state.oh.us/constitution.cfm?Part=1&Section=17) 130th Ohio General Assembly · Ohio Legislation · Ohio Constitution ... **No hereditary emoluments, honors, or privileges, shall ever be granted or conferred by this ...**

## 2. **2007 Grievance filed Against Judge Ralph E. Winkler**

**The Cincinnati Branch of the NAACP has noticed a disturbing trend of very high bonds being placed on the poor and African-Americans by Judges in the Hamilton County Courts. The Grievance filed Against Judge Ralph E. Winkler is focused on Judge Winkler's decision to maintain/place a \$100,000 straight bond on Marc Fison on September 27, 2007 (case # B079707127, the State of Ohio vs. Marc C. Fison).**

3. Tracy Winkler - Clerk of Courts <https://www.courtclerk.org/>  
Hamilton County Clerk of Courts Welcome to the **Tracy Winkler**, Hamilton County Clerk of Courts Web Site. This site is a service to the general as well as legal community, and provides timely ...

**Missing on-line article: Judge Winkler Defaces Board Election Sign** *(There was an article about how during the election preceding of his wife becoming the Hamilton County Clerk of Courts, Judge Ralph Winkler defaced a Board of Elections sign to assist his wife in winning, later refused to apologize, despite several witnesses of his actions in public, please feel free to inquire of Tracey Winkler Clerk of Courts or her husband Judge Winkler for their details, however, locally it was a known/controversial fact; I read it on-line).* Aggrieved Relator viewed Judge Ralph Winkler so very partial/biased against her when she had problems getting lower court documents filed, she decided it was not to in her best interest nor that of her case to address the issues to his wife Mrs. Tracey Winkler who's now the Clerk of Courts, handling such issues.

**OHIO JUDICIAL CODE:** <http://www.supremecourt.ohio.gov/LegalResources/Rules/conduct/judcond0309.pdf>

**Canon 3** A judge shall conduct the judge's personal and extrajudicial activities so as to minimize the risk of conflict with the obligations of judicial office.

**RULE 3.1 Extrajudicial Activities in General** A judge may engage in extrajudicial activities, except as prohibited by law. However, when engaging in extrajudicial activities, a **judge shall not do any of the following:** (A) Participate in activities that will interfere with the proper performance of the judge's judicial duties; (B) Participate in activities that will lead to frequent disqualification of the judge; (C) Participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality; (D) Engage in conduct that would appear to a reasonable person to be coercive;...

## ***Model Rules of Professional Conduct: Preamble & Scope***

[http://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/model\\_rules\\_of\\_professional\\_conduct\\_preamble\\_scope.html](http://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_preamble_scope.html)

## **Preamble And Scope**

### **PREAMBLE: A LAWYER'S RESPONSIBILITIES**

[1] *A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having SPECIAL RESPONSIBILITY for the QUALITY of JUSTICE.*

*First Claim – 42 U.S.C. §1983 - - United States Constitution*

*Judge Ralph Winkler & Respondent's (Counsel past & present), acting under color of law, have violated rights secured to the Relator by the 9th & Fourteenth Amendment to the United States Constitution including the right to due process of law and the right to equal protection under the law.*

An attorney I was going to hire at lower court levels cited Judge Winkler's Chamber Notes, additionally, stating "the LAW has FAILED you", with how I read it the LAW IS ON MY SIDE, it was several: Judges', Lawyers', Prosecutors', & Nationwide Insurance NOT adhering to their roles for my JUSTICE as defined by: U.S. Constitution, OH Constitution, & OH Law(s): "Fraud On The Court By An Officer Of The Court And "Disqualification Of Judges, State and Federal"

*Pro Se Ias Quaesitum Tertio questions for the court with this potentially "Landmark" decision case(s).*

1. Who is an "officer of the court"?
2. What is "fraud on the court"?
3. What effect does an act of "fraud upon the court" have upon the court proceeding?
4. What causes the "Disqualification of Judges?"
1. Who is an "officer of the court"?

**A judge is an officer of the court, as well as are all attorneys.** A state judge is a state judicial officer, paid by the State to act impartially and lawfully. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. **State and federal attorneys fall into the same general category and must meet the same requirements.** A judge is not the court. *People v. Zajic, 88 Ill.App.3d 477, 410 N.E.2d 626 (1980).*

## **2. What is "fraud on the court"?**

**Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In *Bulloch v. United States*, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." *Kenner v. C.I.R.*, 387 F.3d 689 (1968); 7 *Moore's Federal Practice*, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final."**

## **3. What effect does an act of "fraud upon the court" have upon the court proceeding?**

**"Fraud upon the court" makes void the orders and judgments of that court. It is also clear and well-settled Illinois law that any attempt to commit "fraud upon the court" vitiates the entire proceeding.** *The People of the State of Illinois v. Fred E. Sterling*, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); *Allen F. Moore v. Stanley F. Sievers*, 336 Ill. 316; 168 N.E. 259 (1929) ("The maxim that fraud vitiates every transaction into which it enters ..."); *In re Village of Willowbrook*, 37 Ill.App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything."); *Dunham v. Dunham*, 57 Ill.App. 475 (1894), affirmed 162 Ill. 589 (1896); *Skelly Oil Co. v. Universal Oil Products Co.*, 338 Ill.App. 79, 86 N.E.2d 875, 883-4 (1949); ***Thomas Stasel v. The American Home Security Corporation*, 362 Ill. 350; 199 N.E. 798 (1935).** Under Illinois and Federal law, when any officer of the court has committed "fraud upon the court", the orders and judgment of that court are void, of no legal force or effect

#### 4. What causes the "Disqualification of Judges?"

Federal law requires the automatic disqualification of a Federal judge under certain circumstances.

In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994).

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but its appearance); *United States v. Balistreri*, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased.") ("Section 455(a) of the Judicial Code, 28 U.S.C. §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.").

That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v. Lord*, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice."

The Supreme Court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice", *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954). A judge receiving a bribe from an interested party over which he is presiding, does not give the appearance of justice. "Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989).

Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act SUA SPONTE even if no motion or affidavit is filed." *Balistreri*, at 1202.

Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the law. Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge, then the second judge

has evidenced an "appearance of partiality" and has possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect.

Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his / her property, then the judge may have been engaged in the Federal Crime of "interference with interstate commerce". The judge has acted in the judge's personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a judge). However some judges may not follow the law.

**If you were a non-represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the LAW, it would seem that he/she has disqualified him/herself.**

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on this subject. Notice that it states "disqualification is required" and that a judge "must be disqualified" under certain circumstances.

**The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution. If a judge acts after he has been automatically disqualified by law, then he is acting without jurisdiction, and that suggest that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce.**

Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts, no judge has immunity to engage in such acts.

**FRCP60. RELIEF FROM JUDGMENT OR ORDER**

**THERE IS NO TIME LIMIT ON AN INDEPENDENT ACTION CLAIMING FRAUD ON THE COURT. See "This rule does not limit the power of a court to entertain an independent action ...to set aside a judgment for fraud upon the court." Federal Rules of Civil Procedure 60(b). - Substantive Error.**

- **U.S. ex. rel. Reunion v. Fairchild Industries, No. CV88-2898-WDK(JRx)(C.D. Cal) (The government's negotiated settlement "stands" and is not reversable absent supporting grievances as to the means by which it was arrived at.)**
- 

Other relief. If a party misses the one-year deadline to assert complaints about errors in the judgment listed in FRCP 60(b), only two avenues of relief remain.

- **FRCP 60(a). - Clerical Error.**
  - If the party can convince the court the error in the judgment was clerical, and not substantive, the district court is not limited to one year to amend the judgment. (See "Motion to Correct Clerical Error in the Judgment," ch. 10-1, p. 488.)
  -
- **FRCP 60(b). - Substantive Error.**
- **"(b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; FRAUD, Etc. On motion and upon such terms as are just, the court may relieve a party or a party's legal representative from a final judgment, order, or proceeding for the following reasons:**
  - 
  - **(1) mistake, inadvertence, surprise, or excusable neglect;**
    - 
    - **(2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b);**
    - **(3) FRAUD (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;**
    - **(4) the judgment is void;**
    - 
    - **(5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer EQUITABLE that the judgment should have prospective application;**  
**or**
    - 
    - **(6) any other reason justifying relief from the operation of the judgment.**
    -
  - The motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than one year after the judgment, order, or proceeding was entered or taken. A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation.
  -

- This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding, or to grant relief to a defendant not actually personally notified as provided in Title 28, U.S.C., §1655, or to set aside a judgment for fraud upon the court.
- 
- Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review, are abolished, and the procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action."

## **LAW *Writer*<sup>®</sup> Ohio Laws and Rules**

- **Ohio Revised Code**
- **» Title [29] XXIX CRIMES - PROCEDURE**
- **» Chapter 2913: THEFT AND FRAUD**

### **2913.31 Forgery**

**(a) Whoever violates division (A) of this section is guilty of forgery.**

**(b) Except as otherwise provided in this division or division (C)(1)(c) of this section, forgery is a felony of the fifth degree.** If property or services are involved in the offense or the VICTIM SUFFERS A LOSS, forgery is one of the following:

### **Chapter 4509: FINANCIAL RESPONSIBILITY**

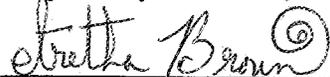
4509.01 Financial responsibility definitions.

#### **16 Redress in courts - Constitution Online**

[www.legislature.state.oh.us/constitution.cfm?Part=1&Section=16](http://www.legislature.state.oh.us/constitution.cfm?Part=1&Section=16)

130th Ohio General Assembly ... View the entire Ohio Constitution in pdf format ... All courts shall be open, and every person, for an injury done him in his land,...

Respectfully Submitted,



Pro Se - Ias Quaesitum Tertio

OH Supreme Court

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

Exhibit A

ARETHA BROWN  
7432 Drake Road  
Cincinnati, Ohio 45243

CASE NO. A0911260

JUDGE RALPH E. WINKLER

Plaintiff

AMENDED  
COMPLAINT AND JURY  
DEMAND

v.

JAMES E. WILLIAMS  
7906 Euclid Ave.  
Cincinnati, Ohio 45243

and

ABC CORPORATION/COMPANY  
(Name and Address Unknown)

and

LAW OFFICES OF VLAD SIGALOV, INC.  
1721 Section Rd.  
Cincinnati, Ohio 45237

and

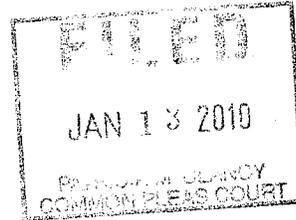
VLAD SIGALOV  
1721 Section Rd.  
Cincinnati, Ohio 45237

Defendants.

Plaintiff, by way of counsel, states for her Complaint as follows:

FIRST CLAIM

1. On or about February 13, 2008, the Defendant, James E. Williams, negligently, carelessly, and unlawfully operated a motor vehicle on Montgomery Rd. in Cincinnati, Hamilton County, Ohio, in such a manner as to cause a collision with the motor



vehicle operated by the Plaintiff, Aretha Brown.

2. The conduct of Defendant, as alleged herein, was in violation of the laws of the State of Ohio.

3. The Defendant, ABC Corporation/Company, name and address unknown, is any company or entity also liable for the injuries to Plaintiff, Aretha Brown, as a result of negligence or as a result of respondeat superior or agency. The true identity of ABC Corporation/Company cannot be ascertained until the Plaintiff is given a reasonable opportunity to engage in discovery.

4. As a direct and proximate result of the negligence of Defendants, Plaintiff, Aretha Brown, suffered severe injuries, some of which injuries are disabling and permanent in nature.

5. As a direct and proximate result of the negligence of Defendants, Plaintiff, Aretha Brown, has incurred medical expenses and she will continue to incur medical expenses into the future all in amounts to be proven at trial.

6. As a direct and proximate result of the negligence of Defendants, Plaintiff, Aretha Brown, has lost income and incurred economic loss.

7. As a direct and proximate result of the negligence of Defendants, Plaintiff, Aretha Brown, has endured great suffering of the body and mind and she will continue to suffer great pain of the body and mind into the future.

8. As a direct and proximate result of the negligence of Defendants Plaintiff, Aretha Brown, has suffered a loss of her ability to do her usual activities, and such loss will continue into the future.

9. As a direct and proximate result of the negligence of Defendants Plaintiff,

Aretha Brown, has incurred property damage to her motor vehicle. Her vehicle was a complete loss and Plaintiff should receive the fair market value for her vehicle.

### SECOND CLAIM

10. Plaintiffs hereby incorporate the first nine paragraphs of the Complaint by reference as if fully rewritten herein.

11. The Defendant, Law Offices of Vlad Sigalov, Inc. was an Ohio corporation with a principal place of business at 1721 Section Rd., Cincinnati, Ohio 45237.

12. The Defendant, Vlad Sigalov worked at the Law Offices of Vlad Sigalov, Inc. located at 1721 Section Rd., Cincinnati, Ohio 45237.

13. Plaintiff, Aretha Brown entered into a contingency fee contract with Loveleen K. Bajwa, Attorney at Law and Bajwa Law Offices on June 16, 2009 to represent her for injuries she sustained in the automobile accident.

14. Defendant Vlad Sigalov settled Aretha Brown's personal injury claim with Nationwide Insurance Company without the consent of Aretha Brown and any authority to represent Aretha Brown.

15. Defendant, Vlad Sigalov, acting within the course and scope of employment with the Law Offices of Vlad Sigalov, Inc. failed to exercise ordinary skill and competence as an attorney acting under similar circumstances.

16. As a direct and proximate result of the Defendants' negligent acts, Plaintiff has sustained various losses, including without limitation loss of her claim, loss of recovery, loss of remedies and other damages and has been required to incur costs and attorney fees in bringing this action and seeking to mitigate her damages.

THIRD CLAIM

17. Plaintiff incorporates herein by reference her allegations in Paragraphs 1-16 of this Complaint.

18. By reason of the foregoing, Defendants, Vlad Sigalov and Law Offices of Vlad Sigalov are liable to Plaintiff under the Ohio Consumer Protection Act, Ohio Rev. Code §1345.01 et seq., for all statutory remedies, including statutory damages, costs, expenses, and attorneys' fees.

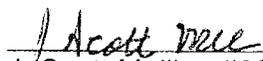
FOURTH CLAIM

19. Plaintiff incorporates herein by reference her allegations in Paragraphs 1-18 of this Complaint.

20. By reason of the foregoing, Plaintiff is entitled to prejudgment and post judgment interest on all sums due.

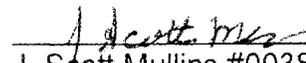
WHEREFORE, the Plaintiff demands judgment against the Defendants in an amount in excess of \$25,000 plus her costs incurred herein, plus further relief to which they may be entitled.

Respectfully submitted,

  
\_\_\_\_\_  
J. Scott Mullins #0038009  
SCOTT MULLINS & CO., L.P.A.  
Attorney for Plaintiff  
915 Cincinnati Club Building  
30 Garfield Place  
Cincinnati, OH 45202  
(513) 381-3579  
(513) 721-7008 (Fax)

JURY DEMAND

Plaintiff hereby requests a trial by jury on all issues herein.

  
\_\_\_\_\_  
J. Scott Mullins #0038009  
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Complaint was served upon the following, by regular U.S. Mail on this 13<sup>th</sup> day of January 2010.

Allison Taylor  
125 East Court Street, Suite 203  
Cincinnati, Ohio 45202

  
\_\_\_\_\_  
J. Scott Mullins #0038009  
Attorney for Plaintiffs

View Unlawful Eviction Theft  
Case # A1010569 former Counsel  
Geoffrey Damon (disabled or being disabled)  
Exasperated "ballistic Catastrophic Injuries"  
+ created Intimacy Affidavit  
basis, et. al.



**Integrative Hospital Associates, LLC**  
2020 NE 48th Court. \* Fort Lauderdale, FL \* 33308  
Toll Free: 888-840-4325 \* Fax: 954-473-5993

Exhibit B

Surprise of new medical findings:  
Concussion / Brain Trauma &  
myelopathy

Medical Malpractice by  
Dr. Robinson Case Issue #12

Ohio M.D.  
& Respondent to Unlawful actions  
Caused 6-year loss of BMW  
Vehicle, plus lowered credit score, &  
out of pocket expenses for  
Relator's past, present, &  
future medical care!!!

May 19, 2011

Re: Aretha Brown  
D/A: 02/13/08

### REPORT OF FINDINGS

HISTORY: Please be advised that the above captioned patient was evaluated for injuries sustained in an automobile accident which occurred on the above captioned date. The patient stated that she was a driver of an automobile that was collided in a rear head-on collision with a conversion van in Ohio. The patient stated the accident occurred while traveling at approximately 40 mph. Following the accident the patient complained of head pain, neck pain, pain in both her shoulders, pain in the right wrist, and pain in the right ankle. She also reported difficulty concentrating, dizziness, headaches, and memory loss. She came under the care of several physicians following the accident including Dr. Robinson, Dr. Horn and Dr. Schmerl of Riverhills Neuroscience in Ohio. The patient stated that she underwent electro diagnostic tests including EMG and nerve conduction velocities which according to the patient were abnormal. Since that time the patient has relocated to Florida. She currently resides in Miami. Due to the persistence of pain the patient she sought the services of Dr. Ching in August of 2010 for acupuncture, and had one treatment. As explained to me by the patient she is not having any form of therapy to manage her pain due to lack of health insurance. She also reports that she had made many visits to the local ER for her pain.

PRESENT COMPLAINTS: At the time of my initial examination on May 13, 2011, the patient reported the following complaints: head pain, dizziness, difficulty concentrating, forgetfulness, neck pain, pain in both shoulders, tingling sensations and pain in the right arm, middle back pain and lower back pain. The patient stated that the symptoms have

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Re: Aretha Brown  
D/A: 02/13/08

been erratic since the accident, but are always present.

PRIOR HISTORY: According to the patient she was involved in a prior automobile accident in the past. She was uncertain of the date of that accident. Furthermore the patient stated that she had MRI examinations performed in April of 2007 of the her neck and low back. The patient denied residual complaints related to her prior accident when the accident of February 13, 2008 occurred.

WORK HISTORY: At the time of the accident the patient was full time model and IT professional. The patient stated that she continues to miss work as a result of her injuries.

INITIAL EXAMINATION: The patient is a female who is thirty-six years old. She gave her height as 5'5" and her weight as 110 pounds.

PALPATION: Examination revealed palpable spasm in the paraspinal muscles of the cervical, thoracic and lumbar regions. Motion palpation revealed restricted joint play in the cervical, upper and mid thoracic and lumbar regions.

SPINAL RANGE of MOTION: The values were as follows: Cervical flexion was 50 degrees (N=65 degrees). Cervical extension was 30 degrees (N=50 degrees). Cervical right lateral flexion was 25 degrees (N=40 degrees). Cervical left lateral flexion was 35 degrees (N=40 degrees). Cervical right rotation was 30 degrees (N=55 degrees). Cervical left rotation was 40 degrees (N=55 degrees). Lumbar flexion was 80 degrees (N=95 degrees). Lumbar extension was 20 degrees (N=35 degrees). Lumbar right lateral flexion was 30 degrees (N=40 degrees). Lumbar left lateral flexion was 30 (N=40 degrees). Lumbar right rotation was 25 degrees (N=35 degrees). Lumbar left rotation was 25 degrees (N=35 degrees).

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Re: Aretha Brown  
D/A: 02/13/08

DEEP TENDON REFLEXES: The right biceps reflex was absent. The left biceps reflex, and the triceps reflexes were normal. The patellar reflexes were normal. The Achilles reflexes were normal.

ORTHOPEDIC & NEUROLOGICAL TESTING: Cervical compression elicited cervical spine pain with referred pain into the right shoulder and down the right arm. Cervical distraction alleviated cervical spine pain and right arm pain. Straight leg raise was positive eliciting local lower back pain. Lasegue's sign was negative bilaterally. Braggard's test was negative bilaterally. Goldthwaite's test was positive. Patrick's test was negative bilaterally. Phalen's sign and Tinel's sign were negative bilaterally. Soto Hall revealed cervical and lumbar nerve irritation. Heel walking and toe walking were unremarkable. Apprehension test was positive on the right. Sensory examination in the right upper extremity revealed a decreased pin prick in the C5/C6 dermatomal distribution. The remainder of the sensory examination was within normal limits. Motor examination of the upper extremities revealed generalized weakness of the muscles of the right arm, whereas the left arm muscles were unremarkable. Motor examination of the lower extremities was normal (5/5). The patient's gait was unremarkable. Coordination evaluation revealed negative Romberg. Finger-to-nose and rapid alternating movements were intact, bilaterally. Heel walking and toe walking were unremarkable.

RECOMMENDATIONS: Based upon my examination findings, I initially recommended trial treatment consisting of laser acupuncture to manage pain, inflammation, muscle spasm and loss of range of motion. The patient was also advised to rest and use heat at home on areas of pain. Additionally MRI examinations of the cervical spine and lumbar spine were ordered.

REVIEW OF MEDICAL REPORTS: MRI examination of the cervical spine performed on 05/15/11 by Stand-up MRI of Fort

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Re: Aretha Brown  
D/A: 02/13/08

Lauderdale revealed the following: Loss of the cervical lordosis. Disc herniation at C2/C3, C3/C4, C4/C5 and C6/C7 with varying degrees of stenosis. Disc bulging causing mild canal stenosis was found at C5/C6. MRI examination of the lumbar spine performed on 05/15/11 by Stand-up MRI of Fort Lauderdale revealed the following: Disc herniation at L4/L5 causing thecal sac impression and bilateral foraminal stenosis, a L5/S1 disc herniation causing thecal sac impression and bilateral foraminal stenosis.

DIAGNOSES:

Based upon examination findings, the diagnoses are as follows:

1. Post Head Injury
2. Cervical Radiculopathy C5/C6
3. Cervical Disc Herniation C2/C3, C3/C4, C4/C5 and C6/C7
4. Cervical Disc Bulge C5/C6
5. Cervical Sprain/Strain
6. Lumbar Disc Herniation L4/L5 & L5/S1
7. Lumbar Sprain/Strain
8. Lumbar Neuritis
9. Paraspinal Muscle Spasm

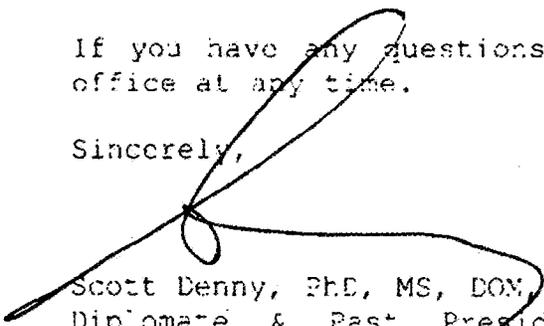
CONCLUSIONS: Causal relationship is established. Ms. Brown has sustained significant injuries which impair her ability to perform her activities of daily living as a result of this accident. Prognosis is guarded at this time due to ongoing neurological deficit and chronicity. The patient will be referred for spinal decompression therapy. Further treatment and evaluations are clinically indicated.

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Re: Aretha Brown  
O/A: 02/13/98

If you have any questions, please feel free to contact my office at any time.

Sincerely,



Scott Denny, PhD, MS, DOY, Dipl. Ac. & NMT,  
Diplomate & Past President, American Academy of Pain  
Management, Fellow, American Association of Integrative  
Medicine

Exhibit C

Subject: Fw: PPL (Pre-paid Legal Complaint) History for UNLAWFUL EVICTION Case: A1010569

**Attorney Damon was handling two cases for me for which I still also require representation, especially since I recently became aware all my storage items (business & personal for my household/entire life, including priceless pictures of my deceased mother) were taken by Deception & Surreptitious Theft# Report#61100577 being handled by District#2 (because he failed to file/plead for injunctive relief)!!!**

Another document which may not be in the box of my case files:

Again, May I Thank You and Have Marvelous Day!

Most Graciously,

~Aretha Brown~

My Pre-paid Legal Representation

As per our discussion I spoke with sum 1 @ 1-800-654-7757 2 follow-up on the Legal Preceedings conducted by the 2nd Referral Esquire Geoffrey P. Damon, Esq. I gave him cash \$1,200.00 from a loan off my 2nd case of record with PPL in order to prevent an UNLAWFUL eviction actions by my landlord only to find myself still seriously injured from an auto collision picking my belongs off the lawn, some of which are missing/damaged! This has added more INSULT TO INJURY from Esquires that I became a member of PPL to avoid only to find Cynthia responding call the Cincinnati Bar to address your issues, perhaps I should have called the bar for an Esquire the situation could not be much worse than it is @ present & the Cincinnati Bar requires no membership fees!

Mr. Damon finally returned my phone call & I let him know that I wish to forego he offer to lend me \$600.00 I gave him, but expects it @ reimbursed @ some point in the future to compensate him for filing motions which failed to serve their purpose! Furthermore, he will not touch the primary case I wish to address of the aftermath of an auto collision resulting in my present debilitating conditions to my person & my car without my advancing him the costs of \$7,500.00 plus 331/3% instead of a regular contingency fee for PPL case# 675181 which he has valued @ \$190K, it also involves Legal Malpractice & in light of the circumstances I expect I hire resolve due to my Entrepreneurial pursuits that may be almost a complete wash from the exasperation of my injuries from dealing with an eviction, even as I type this message & several key business files, documents, & books among other items vanishing as a direct result, when I could have gave the landlord \$1,200.00 or filed for a continuance without an attorney! I have not been able to: my entire spine aches from pain, plus I

cannot eat, sleep, or wash as normal, I can't really feel the right side of my body, no one seems to be able to assist me on such short notice & my belongings are in disarray regardless, I must move household items which to me to move-in, moved out by tonight quite possibly alone or with greater loss suffered being considered a trespasser if anything is left for retrieval @ dawn! Nationwide Insurance refuses to pay & for over 3-years I have been forced to go without required medical treatments & a detrimentally decreased existence as I am unable to earn an income, maintain my home-based business residence, provide for my beloved pet that helps me feel better, nor have the quality of life as I enjoyed before the 02/13/08 collision that was absolutely not my fault!

This could have & could happen to anyone even, you, I'm not in a wheelchair like one PPL Rep., my trainer Elvira showed me which I believe makes my situation more severe because people have little or no empathy for serious internal wounds unless you die, yet for the dead there is no pain & suffering for me it is a daily battle just not to become clinically depressed & to function in extreme circumstances like an eviction! Plus, my dream of being a Victoria's Secret/VS Model my remain incomplete as I struggle just to have food to eat & a painfree goodnight's sleep! My special request: An attorney who will do case# 675181 on contingency & finish my evictions or jury trial for less than \$1,200k or admonish Damon to do so, I'm not made of money I'm regularly in pain from my injuries being made of flesh & blood pursuing my legal defense to the FULL EXTENT OF THE LAW @ this time I know the Hamilton county court system & I didn't hire an Esquire to have a more negative resolve!

One more item for your review: The landlord says they went to court without me! Damon, my attorney originally said the landlord filled no motions, he simply requested a writ & got it without having to notify me by mail which I thought was required by Civil law! Today, my attorney said he went to court without me because I couldn't make it! If he could pick-me up to receive his \$1,200.00 cash payment he could have picked me to go to court with him! Interestingly, enough neither of their stories don't add up, so I have requested copies of his motions & the Stenographers notes, PLEASE HAVE ANOTHER ONE OF YOUR ESQUIRES REVIEW, I must continue on trying to cope, even more so today! Have A Pleasant One, Best Regards Extremely Disappointed With Outcome, former PPL Client : (

Exhibited



A.B.

Date: March 21, 2013, 12:52:51 PM MDT

To: "consumer.complaint@insurance.ohio.gov" <consumer.complaint@insurance.ohio.gov>

Subject: Complaint# CSD0003279

\*\*\*02/13/08 Legal Lending Loan

Repayment Information Below\*\*\*

\*\*\*My legal plights are **URGENT** suffering with indigency + injury issues daily since the 02/13/08 auto collision.

ITz been like having all the **losses/damages to your person & property & more** by the "**domino effect**" for 1/2 a decade with **NO JUSTICE** to the causation catalyst of "**GROSS NEGLIGENCE**"\*\*\*\*\*

Preferred Capital Legal Lending

\*Lizette - CSR, previous attorney listed in the loan Geoffrey P.Damon\*

**Illinois Office**

368 W. Huron, Suite 4S

Chicago, IL 60654

Local Number 312-212-5000

Toll-Free 800-992-9661

info@pcfcash.com

**-Thanks Ever So Much For Your Review & Have A Terrific Day!-**

Most Cordially,

~ Ms.Aretha D. Brown ~

-02/13/08 SEVERELY INJURED

Auto Collision + Crimes Victim-

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motions were served upon the following, by regular U.S. Mail on this 29th day of September 2014.

James E. Williams  
7906 Euclid Avenue  
Cincinnati, OH 45243  
Respondent

Nationwide Headquarters  
Attention: Esquire Cook  
& Esquire Rolfes  
One Nationwide Plaza  
Columbus, OH 43215-2220  
Respondent

A handwritten signature in cursive script that reads "Artha Brown". The signature is written in black ink and is positioned above a horizontal line.

Aggreived Pro Se Relator-Ias Quaesitum Tertio