

Ronald Lou Osburn

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559-967-2298

June 29, 2025

TO: William Robert Jarrell

Aldridge Pite, LLP

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San Diego, CA 92108

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Email: wjarrell@aldridgepite.com

Subject: Violation of Automatic Stay in U.S. Bankruptcy Court Case No. 25-11909 and Demand for Immediate Cessation of Illegal Actions

Dear Mr. Jarrell,

I am writing to formally notify you of your egregious violation of the automatic stay imposed under 11 U.S.C. § 362(a) in connection with my Chapter 13 bankruptcy case, filed on June 9, 2025, in the U.S. Bankruptcy Court, Eastern District of California, Fresno Division (Case No. 25-11909). Your actions, as counsel for an alleged creditor, have caused irreparable harm to me and my family, including the unlawful eviction from our home at 4523 W Evergreen Court, Visalia, CA 93277, on June 25, 2025. I demand that you immediately cease all collection and foreclosure activities, provide proof of your client's standing, and rectify these violations, or I will pursue all available legal remedies, including sanctions and disbarment proceedings, with unrelenting determination.

Violations of the Automatic Stay

Upon the filing of my Chapter 13 bankruptcy petition, an automatic stay took effect, prohibiting all collection actions, including foreclosures, evictions, or attempts to seize property of the bankruptcy estate (11 U.S.C. § 362(a)). Your actions, individually and through Aldridge Pite, LLP, in pursuing or facilitating the eviction of my family from our homestead-protected property (Cal. Code Civ. Proc. § 704.710 et seq.), constitute a willful violation of the stay. Specifically:

- **Unlawful Eviction:** On June 25, 2025, you or your agents, in coordination with the Visalia Police Department, forcibly evicted my family from our home despite being notified of the active bankruptcy case and the automatic stay. This action directly violates 11 U.S.C. § 362(a)(3), which prohibits acts to obtain possession of property of the bankruptcy estate.
- **False Claim of Deutsche Bank Involvement:** You have falsely represented Deutsche Bank National Trust Company as a creditor with standing to foreclose on my property. No evidence exists in the Fannie Mae or Freddie Mac databases (fanniemae.com/loanlookup, freddiemac.com/mymortgage) to support your claim

of GSE-backed loan status, nor have you provided the original promissory note or valid assignments as required by Federal Rule of Bankruptcy Procedure 3001(c) and UCC § 3-301. This misrepresentation violates 11 U.S.C. § 362(a)(6) by attempting to collect a debt through fraudulent means during the stay.

- Harassment and Coercion: Your actions, including coordinating with law enforcement to threaten my family with Child Protective Services and exacerbate my daughter's serious medical conditions, constitute harassment and coercion in violation of the stay (11 U.S.C. § 362(a)(6)) and the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692e, which prohibits false or misleading representations in debt collection.

Additional Legal Violations

Your conduct also violates multiple federal and California laws, exposing you and Aldridge Pite, LLP, to significant liability:

Federal Violations

- FDCPA (15 U.S.C. § 1692–1692p): Your failure to validate the alleged debt upon request and continued collection efforts during the automatic stay violate 15 U.S.C. § 1692g and § 1692e (false representations). Pursuing an eviction without proving note ownership further breaches FDCPA standards (see *Goodin v. Bank of America, N.A.*, 114 F. Supp. 3d 1197 (M.D. Fla. 2015)).
- RICO (18 U.S.C. § 1961–1968): Your pattern of filing fraudulent foreclosure documents, including false claims of Deutsche Bank's standing, may constitute racketeering activity under 18 U.S.C. § 1962, with predicate acts of mail fraud (18 U.S.C. § 1341) and wire fraud (18 U.S.C. § 1343).
- TILA (15 U.S.C. § 1601 et seq.): By misrepresenting the creditor's identity and failing to disclose loan terms or GSE status, you have violated TILA disclosure requirements, subjecting you to liability for damages or rescission.
- False Claims Act (31 U.S.C. § 3729–3733): Submitting or facilitating fraudulent foreclosure documents to courts, particularly if claiming GSE-backed status without proof, violates this act when taxpayer-funded entities like Fannie Mae or Freddie Mac are involved.

California Violations

- California Homeowner Bill of Rights (Cal. Civ. Code § 2920 et seq.): Your pursuit of foreclosure without providing the original note, assignments, or proof of GSE status violates Cal. Civ. Code § 2924.17, which requires accurate foreclosure documents. The eviction during the bankruptcy stay further breaches Cal. Civ. Code § 2924.12, allowing me to seek injunctive relief and damages.
- California Unfair Competition Law (Cal. Bus. & Prof. Code § 17200 et seq.): Your fraudulent misrepresentations and unlawful eviction constitute unfair and deceptive business practices, entitling me to restitution and injunctive relief.
- California Rosenthal Fair Debt Collection Practices Act (Cal. Civ. Code § 1788 et seq.): Your collection efforts during the stay, without validating the debt or proving standing, violate Cal. Civ. Code § 1788.13 and § 1788.14, prohibit false representations and abusive practices.

- California Penal Code § 532f (Mortgage Fraud): Your false claim of Deutsche Bank's involvement and use of potentially fabricated documents to pursue foreclosure constitutes mortgage fraud, a wobblers offense punishable by up to 3 years in prison and fines.
- California Civil Code § 1572 (Fraud): Your intentional misrepresentations regarding the creditor's identity and standing amount to fraud, exposing you to civil liability.
- Wrongful Eviction (Cal. Civ. Code § 789.3, § 1940.2): The self-help eviction, executed without a court-ordered Writ of Possession (CCP § 1174), violates California's prohibition on self-help evictions, entitling me to actual damages, statutory damages of up to \$100 per day, and a civil penalty of up to \$2,000. Your actions also breach Cal. Civ. Code § 1940.2 by using coercive tactics to interfere with my family's quiet enjoyment of our home.

Impact and Harm

Your actions have caused catastrophic harm to my family. The unlawful eviction left us homeless in 105-degree heat, exacerbating my daughter Peyton's rheumatoid arthritis and fibromyalgia, and causing severe emotional distress, including PTSD, depression, and anxiety for my spouse and daughters. The Visalia Police Department, acting at your direction or in coordination, used excessive force, falsely arrested me, and threatened to separate my children, demonstrating deliberate indifference to their well-being (*Estelle v. Gamble*, 429 U.S. 97 (1976)). These actions have also caused financial ruin, property damage, and loss of income.

Demands

I demand that you:

- Immediately Cease All Collection and Foreclosure Actions: Halt any further attempts to seize my property or collect alleged debts in violation of the automatic stay.
- Provide Proof of Standing: Submit the original promissory note, all assignments, and proof of Deutsche Bank's authority, as required by Federal Rule of Bankruptcy Procedure 3001(c) and UCC § 3-301, within 7 days of receiving this letter.
- Compensate for Damages: Pay actual damages, including moving costs, temporary housing, medical expenses, and emotional distress, as well as punitive damages for willful stay violations under 11 U.S.C. § 362(k).
- Withdraw Fraudulent Claims: Retract any false claims of Deutsche Bank's involvement or GSE-backed status from court filings and public records.
- Issue a Formal Apology: Acknowledge your violations and the harm caused to my family.

Legal Actions and Consequences

Be advised that I have filed an adversary proceeding in the U.S. Bankruptcy Court, Eastern District of California, against you, Aldridge Pite, LLP, and other parties for violations of the automatic stay, fraud, and civil rights abuses. I have also lodged a complaint with the Visalia Police Department's Internal Affairs Division and the Tulare

County Civilian Oversight Board regarding their role in the unlawful eviction.

Additionally, I will:

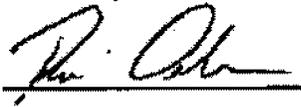
- File a motion for sanctions in bankruptcy court for your willful stay violations, seeking actual and punitive damages (In re Snowden, 769 F.3d 651 (9th Cir. 2014)).
- Report your conduct to the California State Bar for potential disbarment, citing violations of professional ethics and California Business and Professions Code § 6068.
- Pursue civil claims under 42 U.S.C. § 1983, California's Bane Act, and RICO for your coordinated fraudulent activities.
- Report suspected mortgage fraud to the California Department of Insurance and the U.S. Department of Justice under Penal Code § 532f and the False Claims Act.

I will dedicate every waking hour to ensuring accountability for your actions, up to and including your disbarment, for the harm inflicted on my family.

Conclusion

Your violation of the automatic stay, fraudulent misrepresentations, and facilitation of an unlawful eviction have caused irreparable harm and violated multiple federal and California laws. I urge you to comply with my demands immediately to mitigate further liability. Failure to respond within 7 days will result in escalated legal action, including motions for contempt and sanctions in bankruptcy court.

Sincerely,



Ronald Lou Osburn

cc:

U.S. Bankruptcy Court, Eastern District of California, Fresno Division

Case No.: 25-11909, Chapter 13

U.S. Trustee Program, Region 17 (justice.gov/ust)

California State Bar, Office of Chief Trial Counsel

Consumer Financial Protection Bureau (consumerfinance.gov)

Tulare County Civilian Oversight Board

Visalia Police Department, Internal Affairs Division