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The Honorable United States Attorney Preet Bharara
United States Attorney's Office
One St. Andrew's Plaza
New York City, NY 10007

**Re: New York State, Moreland Commission
Testimony was denied & The Right To Due Process have been violated by law
makers**

Dear Sir;

My name is Galit Schloss. I would like to submit my own testimony as part of an upcoming Umbrella submission to the U.S attorney office.

I was delighted to learn that you recognized that the Moreland Commission could not "conduct a comprehensive review of the broken legal system without reaching out to those having direct first hand-experience either as complainants or as attorneys who have been the subject of this state's attorney disciplinary proceedings and from all the law makers who are involved."

I am one of the many of the Court's victims who were denied due process. I have also been violated by my attorneys and the law makers. I was not born in the USA and my first language is not English. In 14 years of my divorce litigation, I will try to explain in this letter, how many of the court decisions were not supported by the facts, and evidences and the law makers who abused their power, and the law which lead to abstraction of Justice.

When the Moreland Commission was formed, I submitted my request to testify before the Commission about what my experience the Court and especially with my previous attorney who represented me in my divorce action and the "broken legal system." However, when I arrived, I as well as others were not allowed to enter the meeting initially but were later allowed to go in the room in the middle of the meeting but I was not permitted to speak.

Over a period of more than fourteen years my constitution rights have been violated in the court system. One of my experience with the courts involved my former attorney named Mr. Stephen Jones (Westchester) who represented me in my divorce action and with the courts , the Westchester Supreme Court, and the Appellate Division Second Department. The actions were under Index No. 11032/2004 Appellate Docket 2005-5642 and 2005-6382, and Index No. 22732/2007 Appellate Docket 2008-0764.

I am presently in the process of perfecting another appeal under the Index No. 58442/2014 second department, Appellate Docket 2015-01183. In all of these actions of litigation my former attorney exhibited a pattern of making false statements, and presenting false documentation. In spite of this behavior, the courts granted him Summary Judgments in each and every action. For example, in my action, Index No. 11032/2004 Appellate Docket No. 2005-5642, the Notice of Appeal of the decision made by Judge Barone on November 15, 2004 of a money Judgment , It was ruled false fully as being untimely. Then in the following action that I filed against Mr. Jones, Index No.22732/2007 Appellate Docket 2008-0764 was ruled as being Res Judicata even though new evidence, admissions and claims were presented. Mr. Jones under oath in a deposition admitted to the fact that the documents presented in the action were not true documents. He further admitted that he never mailed me the Notice of Entry for the Judgment, filed by him with the court, he never mailed it to me by overnight mail and/or by regular mail, the affirmation of service he filled with the Court was a "mistake", the service was a "mistake", that he sent it to me by regular mail a different Notice of Entry that did not belong to me and was not file with the Court. Further, the notice of entry sent to me by regular mail, had incorrect Index Number, with the wrong caption names with the wrong judge was the only notice of entry mailed to me . Yet he requested in his Summary Judgment's motion to be dismissed on the grounds of Res Judicata. The court granted him the Summary Judgment in spite of his admissions. It was quite apparent that the Courts sided with my

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attorney who himself is a Town Judge and regardless of what evidence, facts or on the merits of the case that were presented, the courts ignored it all. The courts consistently violated the rules and denied me due process.

A more detail description of what occurred over the last fourteen years is as follows. I hired Mr. Stephen Jones to represent me in the Bronx where I live in my divorce action .Mr. Jones was well aware of my financial situation., that I couldn't afford to pay for his legal fee, My English at the time was very poor and I had no knowledge of the legal system. He knew from the very start that I did not have the money to give him in his Retainer Agreement. As a result of this, I signed the Retainer Agreement without having to give him any money. He did know that my husband is a dentist, and we had a dental's clinic, that I had a house and that he would collect his fees one way or other. During the process of the matrimonial action, Mr. Jones failed to represent me properly. He was not prepare during court appearances, had communications with my ex-husband without my consent or knowledge. In addition to this, Mr. Jones billed me enormous charges without any justification and later when he sued me for his fees he also falsified the billing statements that he submitted to the Court. His English language, and lacked of legal knowledge. I was forced to defend myself as best as I could against my previous attorney, who was not only a town judge but was a partner in a large Westchester Law Firm.

Mr. Jones sued me in two different Supreme Courts at the same time for legal fees.

Mr. Jones sued me for charging liens in both the Westchester and the Bronx Courts. I petitioned these Courts to allow my case remain in the Bronx Court where I reside and have the same Judge who was familiar with my case. I filed a motion to fire my attorney for cause and for malpractice.. Mr. Jones duped both Courts by making false claims of the nature of this action. He told the Bronx Court that a trail was going to take place in the Westchester Supreme Court with Judge Barone presiding and asked that it be continued in the Westchester Supreme Court but in fact he never had any intentions of having the Court conduct a trail. He avoided a trail by filling a motion for summary judgment. In this action as to whether or not there was cause for firing my attorney, It was proven that there

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were tribal issues that required a trail Evidence of fee disputes misrepresentation, over charging, higher hourly rates that were not stipulated to in the Retainer Agreement and fraudulent altered charges. Judge Barone blatantly disregarded the fact the Mr. Jones submitted fraudulent billing statements. Mr. Jones submitted altered billing statements that were different from the "original billing statements" given to me by Mr. Jones. He also inserted additional new charges while other charges for i.e. communication between myself and my attorney that should have charged less were erased. Charged me for the same request over and over again which he already promised to do, but he never did. He charged for complaining about the Charges for his associates were \$160/hr were charged at a higher fee of \$225/hr. And for 350 hours of work. It was also proven that Mr. Jones submitted erroneously an affirmation instead of an affidavit since the attorney was the plaintiff in the action and based on that alone, the motion for summary judgment should have not be granted. With all these facts in front of the court, the Westchester Supreme Court ruled that Mr. Jones was not discharged for cause in the matrimonial action, that a trial was never requested by me and that the action was about a retainer lien and not a charging lien or that a fee dispute was challenged. In essence, there was no proof given. Mr. Jones was granted the summary judgment.

The Westchester Court disregarded the decision made by the Honorable Judge La Tia Martin in the Bronx Court. It contradicted the decision made by the Westchester Court on November 15, 2004. The Judge wrote in her order dated February 1, 2005 that there was an issue of whether or not Mr. Jones was fired for cause. She stated, "The party does, however, dispute whether the discharge was with or without cause. In light of the pending action in Westchester County, this Court declines to conduct a hearing to fix the attorney fees that may be owed by the plaintiff to her former counsel."

My appeal was dismissed wrongfully for being untimely

My rights to appeal the decision dated November 15, 2004 that granted Mr. Jones a money judgment. Although the appeal was timely and perfected timely, the Court dismissed it. In Mr. Jones response brief, he made a false claim that the Notice of Entry was filed with the Court and with the Affirmation of Service for the Judgment. He stated that this was done by overnight mail, dated November 20, 2004. This was in fact false. This was never sent to me. Then on a following action Index No. 22732/2007 appellate docket 2008-0764, Mr. Jones admitted

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during a deposition that he made a new claim about the Retainer Agreement that he submitted to the Court in his summary judgment motion. (11-32/2004) that it was the "wrong retainer", that he never sent it to me the same Notice of Entry he filed with the Court. He further admitted that he never sent it to me by overnight mail or by regular mail, and stated that his Notice of Entry and his Affirmation of Service were a "mistake". He continued to say that he sent the notice of entry which was not belong to me by regular mail. A Notice of Entry that did not belong to me, that the index numbers were incorrect, had the wrong caption names and the name of the Judge was also incorrect. In this new action he made new admissions and the evidence was presented to the Court that illustrated how Mr. Jones orchestrated a scam against the Court. Again, Mr. Jones prevailed. Court granted him in his motion for a summary judgment on the grounds of Res Judicata.

The current action Index Number 58442/201 appellate docket 2015-01183

.On the expiration of the money judgment filed against me by Mr. Jones ten years ago, a new action to renew the money judgment was filed. This new action was supported by two exhibits. They were: The decision dated November 15, 2004 Westchester Index No. 11032/2004 was determined on the grounds of the Account Stated. (The exhibits filed to support it were the Retainer Agreement and the fraudulent billing statements. November 15, 2004 from the Westchester Index Number 11032/2004 by Judge Barone who granted Mr. Jones the money judgment.)The other was the correct Notice of Entry for the Judgment and its Affirmation of Service by overnight mail which he filled with the Court but Mr Jones already admitted, that never sent to me. Both of these were dated November 20, 2004 but its back cover dated November 23, 2004, indicating those documents were produced on November 23, 2004.

.As mentioned above, in an action that I filed against Mr. Jones Index Number 22732/2007 appellate docket 2008-0764.Mr. Jones was deposed on February 27,2008. The exhibits presented were the correct Retainer Agreement, billing statements, Notice of Entry for the Judgment dated November 20, 2004 ,Affirmation of Service by overnight mailed. Mr. Jones reveled that they were "mistakes." On February 27, 2008 during Mr. Jones deposition he made a new claim about the Retainer Agreement that he submitted to the Court in his Summary judgment's motion 11-32/2004. He said that it was the wrong retainer, a mistake. This admission presented in the deposition he falsified the correct retainer which showed his fraudulent charges of the hourly rate for about 350

hours, by making changes to the first page of the original retainer and how it was set up to reflect the over charge of a new hourly rate of \$225 to comply with the hourly charges in the billing statements. The billing statement submitted by Mr. Jones in his summary judgment's motion 11-32/2004 were not the same as he mailed me during the time he was representing me. Most of the details in the billing statements were erased and Judge Barone could not be able to determine if the charges were legitimate or not. The Notice of Entry for the Judgment dated November 20, 2004 which was filed with the Court, he reattached in this new action to renew the money judgment. These were "mistake" that Mr. Jones never mailed to me by overnight mail or by regular mail. Mr. Jones' Affirmation of Service for the Judgment by overnight mail dated November 20, 2004 filed with the Court were a "mistake". In spite of this admission, he attached these same false documents again in this new action to renew the money judgment.

Summary

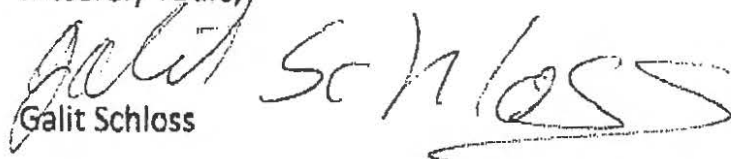
Mr. Jones used a pattern of deception, lies, and falsified documents in all of his motions and was allowed to get away with it. His motions were always granted to him and the Courts were behind him 100 percent. Mr. Jones orchestrated a scam against the Court and against me. The Court failed time and time again to conduct a trial and refused to investigate the falsified document, perjury, false statements and fraud. I was never permitted to "have my day in court." The appeals were dismissed summarily. At one point, I reached out for help by filing a complaint with the grievance committee against my attorney in the hopes that they would intervene. I presented all the documents with the evidence which supported my claims of Mr. Jones misconduct, fraud upon the Court, perjury and fraud. Unfortunately, the committee responded by letter that they did not investigate attorney crimes and referred me to follow it up with the Court. I knew that this was incorrect because I had contacted the DA's Office and they directed me to the grievance committee.

As difficult as my divorce was, the experience that I had with my attorney and the Courts for more than 14 year has been a nightmare. I have paid a huge price for this. It has affected my children's lives and it has taken a toll on my health. Going forward I cannot afford an attorney. I am living on a very fixed income from disability and temporary maintenance which hardly allows me to pay for the basic necessary bills to maintain my very basic needs.

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My hope for justice lies in your office. Investigation into the conduct of attorney and judges along with the law makers needs to be done. This abuse against litigants has to stop. This is a scene that is played over and over again. You are at the mercy of the Courts if you do not have the funds to defend yourself. And if you are fortunate enough to have the financial means, you can still be a victim and lose your home. Lives of families have been destroyed at the hands of dishonest attorneys and the legal system who has a judgment against my home for about \$200,000, that prevent me from refinance my home or sell it, and affected my divorce case. I pray that an investigation by your office will be done to put a stop to the legal injustice. More importantly, I am hoping that my children will be able to see that their mother is no longer abused by her attorney and the broken legal system. This is my prayer for all of us who have been victimized by the legal system. I look forward to hearing from you.

Sincerely Yours,


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