

Mr Suki Bhangra
Customer Service Officer
Her Majesty Court Service
2nd Floor
Rose Court
2 Southwark Bridge
London SE1 9HS

Ms N Klosterkotter-Dit-Rawé
[]
[]
London []
(Defendant)

27 December 2007

(By 'Special Delivery')

Your reference: LC-07-385

My reference: West London County Court claim, **7WL 00675**, dated 27 February 2007

Dear Mr Bhangra

CONFIRMATION OF COLLUSION ¹

Leading me to insist that my case is immediately transferred to a court and a judge committed to operating under CPR's 'Overriding Objective'

So that I can exercise my rights under the European Convention on Human Rights, comprised under the Human Rights Act 1998: Article 6 – "Right to fair hearing", and Article 13 - "Right to effective remedy"

I acknowledge receipt of your letter, dated 20 December 2007, "on behalf of Area Director, Linda Lennon", you state is in reply to my complaint of 13 November 2007 against West London County Court (WLCC).

You conclude your letter by stating: "I hope that I have been able to address the issues you have raised in your letter and that this matter can now proceed without any further delays".

I am sure that my reply will come as no surprise to you: not only does your letter not address any of "the issues" I raise in my complaint, it also totally ignores my 5 December 2007 letter in which I "demand that my case is immediately transferred to a court and a judge committed to operating under CPR's 'Overriding Objective'"

Am I to conclude from this that this country has now reached the stage where it has become impossible to find a court and a judge committed to operating under CPR's 'Overriding objective'?

If further evidence of legitimacy in my demand for the transfer of my case to a court and a judge who meet the above requirement was required, your letter certainly provides it, sealing the evidence that collusion has and continues to take place.

Your replies to my complaint

1. My question: "I want to know why it cost somebody £250 to file a fraudulent claim against me whereas I am expected to pay seven times as much i.e. £1,700 to defend myself against it"

Your reply: "The Court has informed me that they received your Defence and Counterclaim bundle on 13 September 2007, there was Counterclaim fee of £1700 payable, which is the reason why you were required to pay £1700 is that in your Counterclaim you stated that

"The Defendant - a litigant in person demanding payment of the sum of £10,356.59, comprising £8,937,28 for charges, £1069.31 of interest, £250 court fee and £100 of solicitors fees"

¹ **Collusion** – Definition from the Concise Oxford English Dictionary: "Secret or illegal cooperation in order to cheat or deceive others"

Once the court totalled the sum of the counterclaim it was £20713.18”

My reply to your reply

Thank you for giving me the opportunity to have a very good laugh. ‘In case’ you do not know why, please compare the following:

What I wrote under point 2, page 1 of my 12 September 2007 “Defence & Counterclaim”	v. WLCC’s reply to your Office
<i>“The Defendant – a Litigant in Person - was served the 27 February 2007 Claim, 7WL 00675, on 9 March 2007 – demanding payment of the sum of £10,356.59, comprising £8,937.28 for charges, £1,069.31 of interest, £250 court fee, and £100 of solicitor’s costs”</i>	<i>“The Defendant - a litigant in person demanding payment of the sum of £10,356.59, comprising £8,937,28 for charges, £1069.31 of interest, £250 court fee and £100 of solicitors fees”</i>

As to the evidence that the above is what I wrote, with my 13 November 2007 complaint, I provided your Office with a copy of my 12 September 2007 “Defence & Counterclaim”.

I am surprised that, in the process of “investigating [my] complaint thoroughly” (15 November 2007 letter from Mr Pogson’s Office), you ‘appear’ to not have referred to my 12 September 2007 “Defence & Counterclaim”. **Why not?**

Likewise, you ‘appear’ to not have referred to the 27 February 2007 claim – of which I also supplied a copy with my complaint. **Why not?**

Having ‘apparently’ failed to check the veracity of the reply from WLCC, you also failed to pursue the demand for payment of the sum of £1,700 for a “counterclaim of £20,713.18” As it is twice the amount of the claim, how come that it costs seven times as much to file it? **Why was this not pursued?**

(I note from HMCS EX50 ‘County Court Fees – Including fees for family cases – From 1 October 2007’ that the cost for filing a claim ranging in value from £15,000 to £50,000 is £360).

I am sure that any fair minded, reasonable person would agree with me that this reply from WLCC *cannot* be attributed to gross incompetence.

2. My complaint – “Giving me a three-day notice to pay £1,700 to file a counterclaim and threatening to have my counterclaim “struck-out” if I failed to do this...I view this as bullying and intimidation”

Your reply? – You have not provided a reply as you merely limited yourself to repeating part of what I wrote in my complaint.

Why have you failed to comment on this conduct by WLCC?

3. My complaint – “I also would like to have confirmation that the 27 September 2007 communication from WLCC is as per court regulations”

Your reply? None! You have not even acknowledged my request.

Why have you not replied to my request?

4. My question: “I want to know why WLCC has not responded to my 2 October 2007 letter in which I demonstrated that it was an impossibility for me to file a counterclaim (for reasons that are very clearly explained in my Skeleton Argument which was used during the 24 August 2007 hearing) – in spite of my chasing a reply on two occasions during the month of October (14 and 28 October 2007)”

Moreover, in my follow-on letter of 5 December 2007 to you, I wrote: “At the date of writing, I still have not received: 1. A reply from WLCC to my 2 October 2007 letter. Why not?”

Your reply – *“The court has informed me that following your letter of 2 October 2007 they have at your request, been referred to a District Judge. The contents of your letter are noted. However it is not the functions of the court to enter into detailed correspondence with the parties to litigation about the merits of points taken in pleadings or other aspects of the case”.*

My reply to your reply

This is not a reply. It is a pathetic attempt at avoiding providing a reply.

In my 13 November 2007 and 5 December 2007 letters, I reminded you of the ‘Courts Charter – The Civil Courts’ states: *“When you write to the court, and we need to reply, we will: write to you or phone you within 10 working days of receiving your letter”*

Does WLCC *“need to reply”*? It most certainly does as my 2 October 2007 letter is in direct reply to WLCC deciding that I had to *“pay £1,700 to file a counterclaim”* – which it confirmed in its 27 September 2007 correspondence from *“Mr Joseph, Court Section”*.

The fact that you avoid addressing the total lack of communication from WLCC since its 27 September 2007 correspondence leads me to, yet again, ask: **why have you failed to reply to my question** *“I also would like to have confirmation that the 27 September 2007 communication from WLCC is as per court regulations”*?

Your lack of response to my question, added to your above reply, as well as WLCC’s ‘very unique’ extracts from my 12 September 2007 *“Defence & Counterclaim”* (detailed above) – concocted in order to justify sending the 27 September 2007 correspondence - lead me to the following conclusions:

- **My 2 October 2007 letter foiled the plan to prevent my case from proceeding to a hearing.**
- **The ongoing silence since then is to let time go by until it reaches the point when the case can no longer be heard.**

I really do believe that any fair minded, reasonable person would agree with my conclusion that the above provides further evidence of collusion between WLCC and Portner and Jaskel and its client *“Rootstock Overseas Corp, Steel Services, et. al”* - for which it identified Mr Andrew Ladsky as contact. (NB: Likewise, at the date of writing, I have not received any communication from Portner and Jaskel since the 26 September 2007 *“Defence to counterclaim”*)

5. **My question** – *“I want to know why WLCC is ignoring my request for an amended version of its 3 April 2007 Order – in spite of my sending four requests between 30 June 2007 and 28 October 2007. As I have explained, in the Order, WLCC wrongly captured that I had “responded to the claim indicating an intention to defend the claim” when, in actual fact, I wrote, very clearly I believe, on the Acknowledgment of Service that I was “contesting the jurisdiction of the court”*

Your reply? None! So, yet again, you have totally ignored my question.

Why have you failed to address my question?

Why are you turning ‘a blind eye’ to the conduct of WLCC? As I highlighted, among others, it amounts to a breach of my right under Principle 4 of the Data Protection Act 1998: information held to be *“accurate”*

I believe that any fair minded, reasonable person would endorse my position that your repeated failures to address the points in my complaint lead to the conclusion that (sadly) the collusion extends to your department.

6. **My complaint** – *“I want an explanation for the three-and-half month delay in rescheduling the 8 May 2007 hearing”.*

Your reply – *“I have been informed by the Court that the reason of this was that the first available date to re-listed your claim was on 24 August 2007, the Court listed was fully booked from May to July 2007”*

My reply to your reply

Of course! Funny how WLCC had no difficulty finding a slot - within one month of my submitting my Evidence for 'contesting the court's jurisdiction' – and thereafter cannot find a slot until three-and-half months hence.

As I highlighted in my complaint, the points to note about 24th August 2007: (1) August is the holiday period; (2) the 24th was a Friday - just before the bank holiday. Hence: a time when many people tend to be away... including judges - right?

7. My question – “I want to know why it took WLCC one month to send the tape for transcription to my nominated company, and why there were further delays apparently caused by the court’s reviewing process – leading to the transcript being finally available to me ten weeks after the hearing. (The outcome of the 24 August 2007 hearing was that I had to file my “Defence & Counterclaim” by 14 September 2007)”

Your reply – “The Court has informed me that there was a delay in sending the tapes to the transcribers as the tapes were with another transcriber who was preparing another transcript for another case that was heard on the same day as your matter. The tapes were then forwarded to another transcribers on 1 October 2007. The transcript was then forwarded to the Court for approval by the Judge on 14 November 2007 and was then sent back on the same day to the transcribers to be amended”

While I do not have sufficient knowledge to challenge the reply, not surprisingly, in light of the rest of your letter: I do not believe this explanation.

In conclusion

NO, **I DO NOT WANT** West London County Court to proceed with my case.

A fraudulent claim has been filed against me, defaming my name and my reputation. I have the right to defend myself against it. You cannot deny me that right. As a result of what can only be described as collusion, this claim has been 'hanging over my head' for ten months. These have been ten months of horrendous torment, anguish and distress - that started with the threat of bankruptcy and of having the flat taken away from me if I did not pay the sum claimed immediately.

Considering WLCC's conduct to date, as well as in 2002-2004 - also in relation to another fraudulent claim filed by at least one of the same parties i.e. Mr Andrew Ladsy (events summarised in my 5 December 2007 letter) - I have the absolute belief that this court would continue to deprive me of my right of access to a “fair hearing” and “effective remedy” – as comprised under the Human Rights Act 1998.

Consequently, I insist that my case is **IMMEDIATELY** transferred to a court and a judge committed to operating under CPR's 'Overriding Objective'. Yes, I do still hold the belief that this requirement can be met – although I will admit that this belief is currently being stretched to the limit.

Yours sincerely

N K-Dit-Rawé

cc.

The Rt. Hon. Jack Straw, MP, Justice Secretary, Ministry of Justice, Selbourne House, 54 Victoria Street, London SW1E 6QW (By 'Recorded Delivery')

Mrs Linda Lennon Area Director, HMCS Area Director, Rose Court, 2 Southwark Bridge Road, London SE1 9HS (By 'Recorded Delivery')

Mr Alex Lark, HMCS Customer Service Unit, 5th Floor Clive House, 70 Petty France, London SW1H 9EX (By 'Recorded Delivery')

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HMCS Area Dup
Rose Court - 2 Southwark
London
S.E.1.1.9.H.S.

Reference DW 1165 2656 5GB

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Write details of where your item is going

Name JACK STRAW
Justice Secretary
Selbourne Hse
51 Victoria St
London
S.W.1.1E.6.D.W

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Thank You

**Proof of delivery of my 27 December 2007 response to HMCS's (2 Southwark Bridge)
20 December 2007 reply to my 13 November 2007 complaint against West London
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