

**MCCLESKEY, HARRIGER, BRAZILL & GRAF**  
**ATTORNEYS**

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
OF INDIVIDUALS AND PROFESSIONAL CORPORATIONS

ALLEN L. ADKINS\*  
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LUBBOCK, TEXAS  
PLAINSCAPITAL BANK BUILDING  
5010 UNIVERSITY - ZIP 79413  
P.O. BOX 3340 - ZIP 79452  
(866) 796-7378 - Telephone  
(806) 796-7365 - Facsimile

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Writer's Direct Dial Number: (806) 796-7375

July 20, 2005

PAMELA M KNIGHT  
4401 SHOALWOOD AV  
AUSTIN TX 78756-3216

Re: CITIBANK (SOUTH DAKOTA) N.A.  
Amount Claimed: \$8,544.29  
Account No.: 5466536061197868

This office has been retained to collect the above-referenced claim against you.

Unless, within thirty days after receipt of this notice, you dispute the validity of the debt or any portion thereof, we will assume the debt to be valid and will proceed in accordance with that assumption.

If, within thirty days of your receipt of this notice, you notify us in writing that the debt or any portion thereof is disputed, we will obtain a verification of the debt or, if the debt is founded upon a judgment, a copy of the judgment, and we will mail to you a copy of such verification or judgment.

If the original creditor is different from the creditor named above, then upon your written request within thirty days of the receipt of this notice we will provide you with the name and address of the original creditor.

**YOU ARE PUT ON NOTICE THAT WE ARE ATTEMPTING TO COLLECT A CONSUMER DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.**

You may direct payment to this office. Checks or money orders should be made payable to CITIBANK and mailed to:

**Allen Adkins**  
**P.O. Box 3340**  
**Lubbock, TX 79452**

If payment is not made and it becomes necessary to file suit, we will also seek to recover such court costs and attorneys' fees as may be allowed by law.

Please be advised that we do not negotiate with debt settlement/negotiation companies. Any negotiations on the above referenced accounts will need to be done directly with our office.

Sincerely yours,

MCCLESKEY, HARRIGER, BRAZILL & GRAF, L.L.P.



ALLEN L. ADKINS  
PLEASE NOTIFY US IMMEDIATELY IF YOU ARE IN MILITARY SERVICE (1-866-796-7378).

PAMELA M KNIGHT®  
4401 SHOALWOOD AV  
AUSTIN, TX 78756

28<sup>th</sup> day of July, A.D. 2005

ALLEN L. ADKIN  
MCCLESKEY, HARRIGER, BRAZILL & GRAFF  
5010 UNIVERSITY  
LUBBOCK, TEXAS 79413

P.O. Box 3340  
Lubbock, TX 79452

re: artifice as found in mailbox, dated July 20, 2005; alleged Re: CITIBANK (SOUTH DAKOTA) N.A.; alleged Amount Claimed: \$8,544.29; alleged Account No.: 5466536061197868

**Demand to Cease and Desist Collection Activities Prior to Validation of Purported Debt**

Thank you for your recent inquiry. This is not a refusal to pay, but a notice in good faith that your claim is disputed. Pamela M Knight® disputes your alleged debt collection-related allegations, denies the same, and demands strict proof and verification thereof. This dispute, denial, and demand is made in accordance with federal law pursuant to the Fair Debt Collection Practices Act. Your artifice is refused for cause without dishonor pursuant to V.T.C.A., Bus. & C. UCC §3-501 as there is no liability evidenced. Please complete, in timely manner, the attached form and follow its instructions and your alleged claim will be processed when all of the requested information is received.

Please limit your communication with Pamela M Knight® to writing only. If Pamela M Knight® receives any telephone calls from your company, Pamela M Knight® will consider them to constitute harassment. Please be advised that the Public Utility Regulatory Act §55.151 and §55.152, requires a telephone solicitor to make every effort not to call a consumer who asks not to be called. The Public Utility Commission of Texas investigates violations of this law. A log of each phone call is maintained.

Be advised that you have the right to remain silent. If you ignore this notice and attempt to contact Pamela M Knight® by telephone, you and your employees unconditionally agree to allow Pamela M Knight® or assigns to make an audio recording of the conversation and you and your employees unconditionally agree to allow the recording and any other information obtained to be used against you and your employees in a court of law. Pamela M Knight® will accept only your written communication.

Please be advised that Pamela M Knight® is not requesting a “verification” that you have Pamela M Knight®’s mailing address, Pamela M Knight® is requesting a “validation” that is competent evidence that there exists, and, that Pamela M Knight® has some contractual obligation with you or to pay anything you are relating to in this specific alleged matter.

You should also be aware that sending unsubstantiated demands for payment such as the artifice received most likely constitutes Mail Fraud (18 U.S.C.A. §§ 1341, 1343). You may wish to consult with a competent legal advisor before your next communication with Pamela M Knight®.

Please consider this to be constructive notice and Contract by Waiver of Tort that your failure to satisfy this request within the requirements of the Fair Debt Collection Practices Act and this writing will be construed and presumed to be your absolute and unconditional waiver of any and all charges and/or claims against Pamela M Knight®, a cessation of contact, no further assignment of alleged account, the immediate authorization for and/or deletion of any listing by you with or in any credit reporting agency / bureau and your tacit admission and your unconditional assent and agreement to compensate Pamela M Knight® and/or Agent for all costs including lawyer/attorney fees and extras as they may occur. Also, if Pamela M Knight®’s finds, or suspects that there is any evidence of fraud Pamela M Knight® feels that it will be proper to discuss the matter with the Attorney General for the State of Texas and the Securities and Exchange Commission. If you or your agents/heirs/assigns/successors think or feel you are representing Me or Pamela M Knight® be it known that you do not. You are fired, dismissed. You are incompetent in this matter. If there is any evidence of a trust – any alleged trustee is hereby removed and fired and trust is hereby revoked. Without prejudice, without recourse. Equality under the law is paramount and mandatory by law.

**Notice to principal is notice to agent – notice to agent is notice to principal.**

Thank you.

*Pamela M Knight®*

By order of: *Pamela-Marsha: Knight®*  
Pamela-Marsha: Knight®, grantor, authorized agent  
Travis county Texas

cc: file

## LAWFUL CREDITOR DISCLOSURE STATEMENT

Name and address of Collector: \_\_\_\_\_

Name and address of alleged debtor: \_\_\_\_\_

Alleged account number: \_\_\_\_\_

What are the terms of assignment for this particular alleged account? \_\_\_\_\_

Have any insurance claims been made by any creditor or assignee regarding this alleged account?

Yes / No If so, who, when: \_\_\_\_\_

Has the purported balance of this alleged account been used in any tax deduction claim? \_\_\_\_\_ Yes / No

If yes please provide details: \_\_\_\_\_

Factually who funded this alleged account? \_\_\_\_\_

Factually who is the real party of interest in this matter? \_\_\_\_\_

Please list alleged particular products or services allegedly sold by the Collector to the alleged debtor and the alleged dollar amount of each:

\_\_\_\_\_  
\_\_\_\_\_

Upon failure or refusal of Collector to completely and competently validate this collection action said Collector tacitly and unconditionally agrees to waive all claims against the party named herein and pay for any and all costs including lawyer/attorney fees and extras as may appear involved in defending this alleged collection action.

**“I hereby affirm under penalty of perjury that all information is true, correct and complete.”**

\_\_\_\_\_  
Authorized signature for Collector

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name and title for the above-authorized signature

Please return this form completed and attach any and all related materials including and not limited to any/all assignments and/or other transfer agreements that establishes your alleged right to collect this particular alleged debt. Your claim cannot be considered if any portion of this form is not completed and returned with the required documents. This is a request for validation made pursuant to the Fair Debt Collection Practices Act. If you do not respond as required by law, your claim will not be considered and you may be liable for damages for any continued collection efforts. Please allow thirty days for processing after receipt of your request. Thank you.

MCCLESKEY, HARRIGER, BRAZILL & GRAFF’s artifice as found in mailbox, dated July 14, 2005; alleged Re: CITIBANK (SOUTH DAKOTA) N.A.; alleged Amount Claimed: \$8,544.29; alleged Account No.: 5466536061197868