

JOHN DOE
c/o xxxxxxxxxxxx
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**CIRCUIT COURT OF THE STATE OF FLORIDA
FOR THE COUNTY OF PALM-BEACH**

BANK OF AMERICA, N.A.

Case/Index No: **XXXXXXXX**

Plaintiff

MOTION TO SHOW CAUSE AT IN
CAMERA HEARING AND MOTION TO
DISMISS AND MOTION TO STRIKE
PLAINTIFF'S ALLEGATIONS IN
COMPLAINT

v.

JOHN DOE

Defendant

MOTION TO SHOW CAUSE AT IN CAMERA HEARING

COMES NOW JOHN DOE, an aggrieved party, makes this notice and motion to appear and move the court to enforcing the private record of settlement submitted *in camera* (*Article # RR 333 444 555 US*); that has a likelihood of causing this court to dismiss the case (Case/Index No. xxxxxxxxxxx) and all the allegations in the complaint (hereinafter the "COMPLAINT"), dated February 1, 2014, submitted to this Court by BANK OF AMERICA, N.A. (hereinafter the "PLAINTIFF").

This MOTION is supported by the MOTION FOR MANDATORY JUDICIAL NOTICE, attached hereto and incorporated by this reference herein.

WHEREFORE, Defendant hereby moves the Plaintiff, BANK OF AMERICA, N.A., and Bruce E. Thompson, Chief Financial Officer, to appear under SUMMONS (see attached); and

show cause as to why the matter should not be dismissed, via the private settlement showing acceptance of the terms of the NOTICE OF SETTLEMENT OFFER.

WHEREFORE, the Defendant requests the Plaintiff and its Chief Financial Officer Bruce E. Thompson appear and answer the following questions, and has the opportunity to take the following actions:

1. Is there any record in opposition to the record *in camera* showing acceptance of the “SETTLEMENT AGREEMENT”?
2. Is there any valid reason why the SETTLEMENT AGREEMENT is not lawfully binding upon the parties?
3. Are you disputing any of the “Statement of Facts” in the PRIVATE RECORD with a verified claim?
4. Are you disputing that the SETTLEMENT AGREEMENT and the PRIVATE RECORD does not expressly state that upon DEFAULT and NOTICE OF CLAIM that the BANK OF AMERICA, N.A. must dismiss the action in Case XXXXXX?
5. Does the BANK OF AMERICA, N.A. or its Chief Financial Officer have any verified evidence to show that they did respond via the terms of the SETTLEMENT AGREEMENT (via Affidavit on a point-by-point basis)?
6. Does the BANK OF AMERICA, N.A. or its Chief Financial Officer have any verified evidence to show that the TENDER sent as consideration binding the BANK OF AMERICA, N.A. in the SETTLEMENT AGREEMENT was not kept, not refuted by verified claim, and not returned?
7. Does the BANK OF AMERICA, N.A. or its Chief Financial Officer have any verified evidence to show that the creation of a Contract with BANK OF AMERICA,

- N.A. via it's Chief Financial Officer is not binding upon BANK OF AMERICA, N.A. and all it's agents, employees, assigns, successors, and the like?
8. Is there any unresolved original charging or accusatory instruments in this case?
 9. Please present any unresolved charging or accusatory instruments for the inspection of the Defendant?
 10. Please provide a Verified Claim that any outstanding unresolved charging or accusatory instruments exist?
 11. Can you show any verified claim that the charges in Case No. XXXXXXXX that have not been discharged and that the terms in the NOTICE OF SETTLEMENT AGREEMENT are not binding upon the parties, and that this court should not ratify the PRIVATE RECORD of settlement and dismiss the case?
 12. Can you show any verified claim as to why a MOTION TO DISMISS signed by the Claimant in the NOTICE OF SETTLEMENT AGREEMENT, as limited power of attorney for BANK OF AMERICA, N.A., has not been granted and should not be enforced by this court?

The Defendant respectfully requests that this Honorable Court deny any and all motions, relief, unverified statements, or allegations in contrary to the agreement with the BANK OF AMERICA, N.A. in the PRIVATE RECORD. The Defendant requested that the court enter an Order dismissing the Plaintiff's Complaint with prejudice, enter an Order Striking the allegations in PLAINTIFF'S COMPLAINT, and enter any other relief this Court deems reasonable or proper.

The Defendant hereby moved this court and orders the Respondent and its Chief Financial Officer, subject to the SUMMONS attached, to appear and show cause on _____ of _____, 2014, at _____ a.m./p.m.

Respectfully submitted, executed and sealed by the voluntary act of my own hand, this _____ day of _____, 20____.

By: _____
JOHN DOE