

Paul Bixler
Palisades Collection, LLC
P.O. Box 1274
Englewood Cliffs, NJ 07632

NOTICE OF JUDGMENT AND DEFAULT AND ESTOPPEL

Regarding Account Number 549087500028648, the following statements are true.

On November 4, 2008, a Sight Draft was sent to Palisades Collection to pay off the above referenced account in the amount stated by Palisades Collection, Palisades Collection received it on November 10, 2008. Palisades Collection has had 147 days to present it but has failed to do so.

U.C.C. §3-603 Tender of payment.

(a) If tender of payment of an obligation to pay an instrument is made to a person entitled to enforce the instrument, the effect of tender is governed by principles of law applicable to tender of payment under a simple contract.

Further, the United States Supreme Court has ruled:

"His tender, as we have already seen, was equivalent to payment, so far as concerns the legality of all subsequent steps by the collector to enforce payment by distraint of his property." *Poindexter v. Greenhow*, 114 U.S. 270 quoted in *AYERS, SCOTT, MCCABE.*, 8 S. Ct. 164, 123 U.S. 443 (U.S. 12/05/1887)

Further:

"Silence can only be equated with fraud when there is a legal or moral duty to speak, or when an inquiry left unanswered would be intentionally misleading... We cannot condone this shocking conduct... If that is the case we hope our message is clear. This sort of deception will not be tolerated and if this is routine it should be corrected immediately" *U.S. v. Tweel*, 550 F2d 297, 299-300.

Based on the foregoing evidence Palisades Collection is hereby deemed to be in default.

DECISION

Decision in favor of PAUL BIXLER is hereby granted and it is hereby ordered that:

Pursuant to U.C.C. § 3-603 (a) the failure of Palisades Collection to present tendered Sight Draft is in breach of contract;

It is ordered that the agreement involving the above mentioned account has been lawfully surrendered and is void;

It is hereby ordered that shall rep Palisades Collection report the instant account to all credit bureaus as "paid as agreed" and show the balanced owed as zero (0);

It is hereby ordered that Palisades Collection will discontinue all collection efforts and harassment of PAUL BIXLER regarding the instant account;

Palisades Collection has refused or is unable to provide proof of debt. This refusal or inability is prima facie evidence that original alleged creditor used undersigned's property to fund the instant account. Palisades Collection has failed or refuses to return undersigned's property as required. Therefore, it is ordered that Palisades Collection pay undersigned in the amount shown on the attached invoice for the unauthorized use of undersigned's property.

Failure to comply with this decision will result in the undersigned taking any and all action necessary under natural law to protect their rights, life, and property.

I, Paul Bixler, knowing the penalty of bearing false witness, hereby affirm, under penalty of perjury, the foregoing to be true and correct to the best of my knowledge and belief and do affix my signature in testimony of the foregoing default judgment.

EXECUTED THIS 6th day of April, 2009

Paul Bixler
Paul Bixler
P.O. Box 14379
Spokane Valley, WA 99214

This document has been recorded at PeoplesRecorder.com for the world to see.

Record #: paul - bixler

Date: April 6, 2009

Prepared and Mailed by:

Paul Bixler
Paul Bixler
P.O. Box 14379
Spokane Valley, WA 99214