

AFFIDAVIT OF SERVICE

State of New York )
) ss.:
County of New York )

Raphyel Rozon, being duly sworn, deposes and says that he is over the age of 18 years and resides in the County of Westchester and State of New York, and he is not a party to this action.

That on the 12th day of June 2020, he served a copy of the within:

- LETTER DATED JUNE 12, 2020
COPY OF DOCUMENT NO. 113 FILED ON NYSCEF ON JUNE 1, 2020

By First Class Mail, upon Maximo Sanchez, Jr., by depositing a true copy thereof in properly sealed postpaid addressed wrappers, in a post office/official depository under the exclusive care and custody of the United States Postal Service within the State of New York, addressed as follows:

Maximo Sanchez, Jr.
5517 Broadway Suite 471
Bronx, New York 10463

Raphyel Rozon (with signature)

Sworn to before me this
21st day of July 2020

Notary Public (with signature)

REGGIONI F BRYAN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BR6051846
Qualified in Kings County
Commission Expires February 10, 2023



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June 12, 2020

**VIA US MAIL**

Maximo Sanchez, Jr.  
5517 Broadway Suite 471  
Bronx, New York 10463

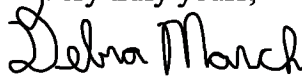
**Re: Sandra Marie Kassem v. Maximo Sanchez, Jr., Index No. 650277/2020**

Mr. Sanchez:

We represent Sandra Marie Kassem (“Plaintiff”) in the above-mentioned matter *Sandra Marie Kassem v. Maximo Sanchez, Jr.*, Index No. 650277/2020. Please be advised that to the extent your papers with the cover “EMERGENCY FILING DURING COVID 19 PANDEMIC: DEFENDANT MAXIMO SANCHEZ, JR.’S CONSOLIDATED RESPONSE TO SHOW CAUSE FOR CIVIL AND CRIMINAL CONTEMPT ACTION FOR WANT OF PERFECTION OF SERVICE AND WANT OF DUE NOTICE, AND MOTION FOR DISMISSAL NUNC PRO TUNC AND RETURN OF FUNDS WRONGFULLY ATTACHED” filed as Docket No. 113 under “Answer in Special Proceeding” are supposed to be an answer to Plaintiff’s Complaint, Plaintiff objects to this answer filed as untimely, and rejects it. A copy of the document that you filed on June 1, 2020 is enclosed, as we are sending it back to you. Plaintiff will not respond because on the date this document was filed as an “Answer in Special Proceeding” (June 1, 2020), Defendant could not amend as of right, has not sought our consent to amend, and has not sought leave from the Court to amend pursuant to CPLR 3025.

Moreover, this purported answer is not properly verified as required and we intend to treat it as a nullity under CPLR 3022. The Answer filed by Adam Kalish and the Reply to Counterclaims filed by Cullen and Dykman were both verified. Under CPLR 3020, “where a pleading is verified, each subsequent pleading shall also be verified.” As such, your answer must be verified. This “Affidavit of Truth in Verification” is not a proper verification because it is not a sworn notarized affidavit.

Accordingly, we reserve our right to supplement and/or further object to this document, including to the extent we are compelled to answer.

Very truly yours,  
  
Michael J. Lane  
Debra March

/Enclosures

**BEFORE THE SUPREME COURT OF THE STATE OF NEW YORK**

COMMERCIAL DIVISION, COUNTY OF NEW YORK

60 CENTRE ST, NEW YORK, NEW YORK 10007

\_\_\_\_\_  
SANDRA MARIE KASEM

PLAINTIFF

V.

| Index no.: 650277/2020

MAXIMO SANCHEZ, JR

DEFENDANT

\_\_\_\_\_  
**EMERGENCY FILING DURING COVID 19 PANDEMIC:**

**DEFENDANT MAXIMO SANCHEZ, JR's CONSOLIDATED RESPONSE TO SHOW CAUSE FOR CIVIL AND CRIMINAL CONTEMPT ACTION FOR WANT OF PERFECTION OF SERVICE AND WANT OF DUE NOTICE, AND MOTION FOR DISMISSAL NUNC PRO TUNC AND RETURN OF FUNDS WRONGFULLY ATTACHED**

\_\_\_\_\_  
Honorable Supreme Court:

Comes now MAXIMO SANCHEZ, JR, Pro Se, (hereafter SANCHEZ") in this his EMERGENCY FILING DURING COVID 19 PANDEMIC: DEFENDANT MAXIMO SANCHEZ, JR's CONSOLIDATED RESPONSE TO SHOW CAUSE FOR CIVIL AND CRIMINAL CONTEMPT ACTION FOR WANT OF PERFECTION OF SERVICE AND WANT OF DUE NOTICE, AND MOTION FOR DISMISSAL NUNC PRO TUNC AND [SEEKING IMMEDIATE] RETURN OF FUNDS WRONGFULLY ATTACHED.

As a preliminary matter it must be stated that the authority, basis, and legal theory for this suit is very foggy, Plaintiffs basis for the suit is untenable and makes no sense such that it makes a true answer or

response impossible such that in its present state the case must be dismissed and all requests for relief which were built upon the initial suit are inaccurate record/incomplete record-based applications for adverse decisions against SANCHEZ which violate Federally Required Substantive Due Process of the Law, Equal Protection, First Amendment Rights to accurate and complete records where adverse decisions will be made, and in breach of Federal rights respecting property, assets, and the rights of persons to be secure in their person, property, and personal effects. Further, by and through the action against SANCHEZ all involved and using the state mechanisms by and through the court *may be* interfering with and impairing the Private and Jural rights, duties, and legal relations under and secured by Private Contracts and/or commercial agreements in breach of the State and Federal Constitutional Injunctions against doing so and in violation and breach of International Common Law and the International TRUST and International Real Estate Trust Laws. Matters well beyond authority of this court under the totality of the circumstances.

SANCHEZ has been notified of the filing of a motion to cite for contempt and order to show cause *that no lawyer nor party involved in the case told him of nor made him aware of prior to this instant submission*, and which nobody told him the ramifications of, prior to the expiration of the date for response thereon. Here he replies timely to that, as under the jurisdictional limitations clause of this court the 'Motion to Cite for Contempt and Order to show cause' mechanisms are PROCEDURAL CREATIONS which have their root in procedural rules solely or principally. The jurisdictional limitations clause provides that no rule may be used to extinguish a litigants REAL substantive rights nor to magically create any which did not exist and the laws says specifically that procedure "shall not" be used to create, alter, or amend rights of litigants.

As such because SANCHEZ had no clue about the attempt to invoke criminal procedure against him, nor civil contempt leading to criminal process, he presents this timely response to the court in honor of its order seeking his reply. Noting first and foremost that the action was began based on inaccuracy and

misrepresentation, the accusations against SANCHEZ are premature, the contracts involved require NOTICE to SANCHEZ which was not issued before initiation of action against him, the contracts require MEDIATION AND ARBITRATION exclusively should a difference between the parties arise and that has not happened such that this court has (1) lack of subject matter jurisdiction, and (2) no claim is stated over which this court may exercise jurisdiction.

As such the order to show cause was ultra vires it appears for the reasons above and below and as such was both extra-jurisdictional and extra-judicial. Any resulting warrant was without authority and is void, and any hearings held were in violation of equal protection and due process of the law in violation of federal laws. Inasmuch as it addresses either or both (1) foreign originating contract, or (2) foreign originating marriage it is premature and in the wrong venue and jurisdiction over ones not subject in this transaction to the authority of this court.

#### BACKGROUND

SANCHEZ and the Plaintiff are HUSBAND AND WIFE. Married Islamically under the laws of Shariah as applied in the Muslim Faith and Registered in the Rolls and Under the laws of Australia, NSW.

SANCHEZ entered into a contract with the Plaintiff to create a realty company for their mutual benefit and prosperity and to – if conditions permit – to use a portion of the funds to buy them a primary residence. The funds (\$2M) were allocated, thereby creating the TRUST in which SANCHEZ was principal trustee with express broad discretion in execution of his duties under the established trust, in December 2019 in Australia. It should be noted that SANCHEZ and the Plaintiff were CO-GRANTORS of the established trust. Indeed they are husband and wife married under Sharia law and under the laws applicable of Australia, NSW. There is no prenuptial agreement between the two. There has been no divorce. No divorce is agreed to nor sought by SANCHEZ. SANCHEZ does not know of any divorce initiated by his wife the Plaintiff herein or elsewhere.

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