

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE  
HONORABLE ROBERT B. KUGLER

Dte

MAX ZWEIZIG,

Plaintiff(s).

v.

TIMOTHY ROTE, INDIVIDUALLY AND  
D/B/A NORTHWEST DIRECT  
TELESERVICES, INC., JOHN DOES 1-5,  
AND JOHN DOES 6-10.

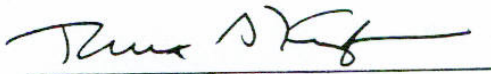
Defendant(s).

Civil No. 04-2025(RBK)

ORDER TO SHOW CAUSE

**THIS MATTER HAVING** come before the Court upon its own Motion, and it appearing that Timothy C. Rote, on May 22, 2005, faxed to the undersigned, a letter of the same date which purports to seek "reconsideration" of an Order of this Court, and it further appearing that in this letter, Mr. Rote implies that a law clerk employed in this Court had improper contact with plaintiff through plaintiff's girlfriend, and it further appearing that Mr. Rote implies that a law clerk employed in this Court had improper contact with plaintiff through a pedophile web site, and that these comments, and the conduct in contacting the Court, may constitute contempt,

**IT IS ON THIS** 27<sup>th</sup> day of May, 2005, **ORDERED** that Timothy C. Rote, **SHOW CAUSE** before this Court on **June 21, 2005, at 4:00 P.M.**, in Courtroom 4D, Mitchell H. Cohen United States Courthouse, 1 John F. Gerry Plaza, Camden, New Jersey, why he should not be subject to **CRIMINAL CONTEMPT PROCEEDINGS**, pursuant to F.R.Crim.P. 42(a). Rote is cautioned that failure to appear in Court on that date in response to this Order to Show Cause may result in an arrest warrant being issued to take him into custody.

  
ROBERT B. KUGLER  
United States District Judge



May 22, 2005

The Honorable Robert B. Kugler  
Mitchell H. Cohen Federal Building  
1 John F. Gerry Plaza  
Camden, New Jersey 08101

By Facsimile: 856-757-5370

Dear Judge Kugler:

My attorneys in New York City have charged us close to \$90,000 for the motion to transfer on the Zweizig matter. Your order and response to the request for reconsideration follow.

Our federal court system is a birthright we as citizens enjoy. On occasion, we need to make a comment or two if we have been treated unfairly. Based on my experience with the federal docket, and the large workload your court undertakes, it is most likely your clerk sought a way to find an easy way out of the effort that would have otherwise been necessary to decide this matter. Unfortunately for us, we needed you make the effort.

While we are not in a position to argue that all of our documents supplementing our motion to transfer were sufficient, it is clear that the preponderance of the evidence established diversity. Even plaintiffs documents established diversity sufficiently to keep the matter in Federal court.

This of course leads us to wonder what may have been going on with your clerk and Plaintiff's counsel or Plaintiff, behind the scene. Since, Plaintiff clearly received a great gift from the court, we have to ask why? Plaintiff's girl friend graduated fro Rutgers Law School a few years ago and manufactured this case. Is it possible your clerk knows her and sought to assist their effort?

Our diagnostic review of the computer Plaintiff used in New Jersey provides a history of information on what Plaintiff may have been doing with his time. One page follows. The information was recovered from a hard drive Plaintiff attempted to destroy by reformatting it prior to returning it to us. Note that Plaintiff has been downloading video from a pedophile sight. Is it possible that Plaintiff has some contact with your clerk.

We hope the decision was not made because we are a teleservices company. Naturally, if we were Hallmark store, it would be more difficult for a Plaintiff to find an attorney

Confidential

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5/22/2005

NorthWest Direct Teleservices | P.O. Box 29 | West Linn, OR 97068 | 503-722-1640 | 503-722-4330 fax

PLAINTIFF'S EXHIBIT 22  
Case No. 3:15-cv-02401-HZ  
Page 2 of 6

1/9

willing to take on the case. Both Plaintiff and his girl friend worked for a teleservices company for many years, in fact longer than we have been in business.

We hope your clerk was not influenced by the ex-parte contact by Plaintiff counsel, pointing out one of our subsidiaries had registered in New Jersey under the telemarketing registration act. The action by Plaintiff is not against that subsidiary. Registration does not mean we the parent company are organized to do business in New Jersey.

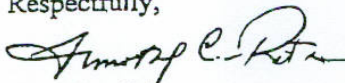
We have been forced to spend a small fortune defending a fraudulent action by Plaintiff. While we appreciate the purpose of the Whistle Blower statute in New Jersey as it applies matters of public health or policy, our case is more analogous to an **alleged** isolated event of overpricing a candy bar in a neighborhood grocery store. It's a tremendous waste of company resources. It's a tremendous waste of the courts resources as well.

We had a contract. Mr. Zweizig was paid \$20,000 more than he was making at his former employer to come to work for us in Delaware. His attorney reviewed the contract and they agreed to arbitrate in Oregon and to Oregon law as governing. The lawsuit by Plaintiff clearly establishes the diversity necessary to be in Federal Court. In fact they fled their New Jersey lawsuit only after we refused to pay for Plaintiff's attorneys fees regardless of the arbitration outcome. Being in Superior Court in New Jersey asking a jury to decide a matter between a resident of New Jersey and a resident of Oregon hardly seems appropriate. Avoiding a miscarriage of justice because of this state bias is one of the reasons the Federal Court System exists.

Why did your clerk work so hard for this result? We need to ask you that question and assume after having read this that you would be equally interested.

Thank you for your time.

Respectfully,



Timothy C. Rote  
CEO  
Northwest Direct

# Digital Recovery Systems

Case: NW Direct 120gb Maxtor

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## 57) Maxtor HDD\C\Unallocated Clusters

□ We had a good meeting to discuss some current projects that we will try to get done next week before the new business rolls in

Max Zweizig      ax      ax      Normal.dot      Max  
 Zweizig      2 x      Microsoft Word 9.0 n8      88      e      ,00 ,A e      ou ,A

## X 58) Maxtor HDD\C\Unallocated Clusters

1 file:D:\shared\Gay Sex  
 Video - Anal - Hardhats (Falcon) - Older Muscle Guy Fucks Young Twink - 57 sec.mpeg - AA F8 X Gay Sex  
 Video - Anal - Hardhats (Falcon) - Older Muscle Guy Fucks Young Twink - 57 sec - AA A8 SA  
 SA Ou>  
 Max Zweizig

## 59) Maxtor HDD\C\Unallocated Clusters

Following is the requested information for Harry L. Lechman. Please forward any moneys from his NFCU accounts to my address below for dispersal to his estate, along with moneys from any entitlements that he may be due under your policies.

Thank you for all of your help in this matter.

Max Zweizig Executor  
 140 Ford Avenue  
 Woodbury NJ 08096

## 60) Maxtor HDD\C\Unallocated Clusters

DAILY DTGMS DATA  
 To: Discover Group From: NorthWest Marketing Fax: 630/ 355-8387 Pages: 1 Phone: Date: 3/20/03 Re: Daily DTGMS Vendor Sign Off CC:  
 Daily DTGMS data for file name NWD0320.TS1.txt in zip file NWD0320.ZIP has been placed on the The Allant Group FTP site. For End of Campaign files fill in Campaign ID and # of records sent for campaign.

Campaign ID	A55	A58	DCS	DCT	DCX	DD1	Total # of Records in transmission	10	10	10	10	10	10	10	Total Sales (\$S, SO and SL disposition type)	10	5	Total Contacts	10	10	10	10	10	Total Depletors	10	10	10	10	10	Total Sales per Hour (SEH)	.88	3.69	Total Hours (HHHHH:MM:SS)	11:21:56	1:21:13	18:51	15:00	1:49:32	1:21:50	Total Talk Time	2:11:29	1:21:43	18:31	15:00	1:49:32	1:21:50	Total Wait Time	9:10:27	My signature
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Indicates that I have reviewed and approved the data for the transmission date listed above.

Max Zweizig  
 (If anyone other than the Account Manager signs off, then print the alternates name and provide a phone number where this person can be reached for questions / clarification)

Contacts calculation = Sales + Refusal + UNW Person + NQR (see list of valid disposition codes for classification)  
 Depletor calculation = Contacts + UNW phone (see list of valid disposition codes for classification)

3/

May 31, 2005

The Honorable Robert B. Kugler  
Mitchell H. Cohen Federal Building  
1 John F. Gerry Plaza  
Camden, New Jersey 08101

By Facsimile: 856-757-5370

Dear Judge Kugler:

I am in receipt of your order to show cause. I will need some time to find counsel and I expect we would ask for an extension of time 30 days after June 21, 2005, for the hearing. I am not an attorney, did not seek counsel on the letter I sent, did not advise counsel that I sent the letter and did not send or make my letter available to anyone other than you.

Clearly my earlier letter offended you. That was not my intent. There have been so many strange revelations in this case that I wanted to bring some of them to your attention, to put it in your hands as it were. The world is sometimes very small and undisclosed relationships sometimes exist. That is all. If in doing so, I crossed an invisible line, I'm sorry. I don't know how to effectively share my concerns without being absolutely candid.

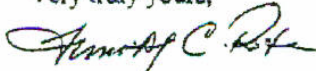
I have the utmost respect for you and the position you hold. Nonetheless, I don't believe that any law-abiding citizen of the United States should fear you or any other Federal Court Judge.

Contacting you via letter was not inappropriate. There is no matter before your court concerning Northwest Direct or me. I understand that it would have been inappropriate to contact you before ruling. I did not infer that your clerk did anything wrong other than ex-parte contact, but have certainly raised the possibilities of contact in other areas. I left that to you to decide.

I did not ask for reconsideration of the motion to transfer. You made it clear that the matter of remand is not subject to review and that the case was closed.

We have already turned over the pedophile video download information to the FBI and other law enforcement. It was imperative, since Zweizig teaches guitar lessons in his home. I encourage you to do an Internet search on him. Our greatest fear is that a child will be hurt before law enforcement can do anything about it.

Very truly yours,

  
Timothy C. Rote

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**ROBERT B. KUGLER**  
UNITED STATES DISTRICT JUDGE

**MITCHELL H. COHEN U.S. COURTHOUSE**  
1 John F. Gerry Plaza - Room 6040  
CAMDEN, NJ 08101  
856-757-5019

June 8, 2005

Kevin M. Costello, Esq.  
LEVOW & COSTELLO  
Cherry Hill Plaza - Suite 200  
1415 Marlton Pike East  
Cherry Hill, NJ 08034

Re: Zweizig v. Rote, et al  
Civil No. 04-2025(RBK)

Dear Mr. Costello:

I enclose copies of correspondence dated May 22, 2005 and May 31, 2005, which we received from Mr. Rote.

Very truly yours,



**ROBERT B. KUGLER**  
United States District Judge

RBK:mg  
Encl.