

No. 18-6529

In The

THE SUPREME COURT OF THE UNITED STATES

Don Kozich, Individually,

Petitioner

v.

Ann Deibert, Individually and as

Chief Executive Officer (CEO) of the Broward County Housing Authority (PHA)

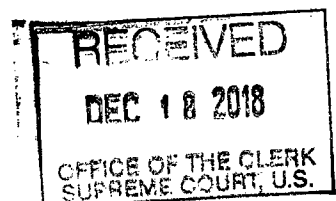
and its Symbiotic Subsidiaries (collectively BCHA), et al.,

Respondent(s)

**On Petition for Writ of Certiorari
To The 11th Circuit Court of Appeals**

**REPLY BRIEF TO DEIBERT'S/BCHA'S RESPONDENTS' BRIEF IN
OPPOSITION TO PETITION FOR WRIT OF CERTIORARI**

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PARTIES TO THE PROCEEDINGS

PETITIONER:

Don Kozich, Individually

RESPONDENTS:

Ann Deibert, Individually, and as CEO of the Broward County Housing Authority (PHA) and Secretary of its Affiliates and Subsidiaries (collectively BCHA);

Broward County Housing Authority (PHA), Building Better Communities Inc (BBC), Broward Workforce Communities Inc (BWC), and Reliance-Progresso Associates Ltd (RPA) (collectively "BCHA");

Michael S. Long, Individually and as former Chairman of the Board of Commissioners of Broward County Housing Authority (PHA); former President of Broward Workforce Communities, Inc. (BWC) and former President of Building Better Communities, Inc. (BBC);

Florida Housing Finance Corp. (FHFC);

Bernard E Smith, Individually and as Chairman of the Board of Florida Housing Finance Corp. (FHFC);

Respondents below this line were served with process late by the US Marshall in District Court and were not required to plead, made no appearance in Kozich's 11th Circuit Appeal, and may or may not be Respondents here:

Professional Management Inc (PMI);

US Dept. of Veteran Affairs (VA); and

US Dept. of Housing and Urban Development (HUD).

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January 11, 2018	<u>Kozich v Deibert</u> , 708 Fed.Appx 644 (11th Cir. 2018) (Mootness Doctrine), <u>aff'g on other grounds</u> , 15-CV-61386 (DC SD Fla. 2016) (Rooker-Feldman Doctrine)	A, 1-4
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May 20, 2015	Kozich's Notice of Appeal. <u>RPA v Kozich</u> , State Court Eviction Case No. COCE1500473511;	E., 17-24
April 20, 2015	Judge Skolnik's ex parte <u>non-final</u> Default Final Judgment for Removal	19
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May 20, 2015	Kozich's Notice of Filing BCHA's secret ex parte emails to State Judge Skolnik; fn.1.	F., 25-37

fn.1. BCHA actually sent its secret emails to pskolnik@hotmail.com which is former State Judge Peter Skolnik's personal email address. (As Judge Skolnik is no longer a judge and his personal email address is in the public domain it is no longer exempt from disclosure). Kozich obtained former State Judge Skolnik's private email address independently from the other documents from his Judicial Records Request, Fla.R.Jud.Admin. 2.420.

DOCUMENT DATE	DOCUMENT DESCRIPTION	(APP."_", AND PAGE NO'S_)
April 7, 2015	BCHA's secret emails to State Judge Skolnik relating to BCHA's Motion to Strike and proposed Order Striking Kozich's Answer and Entering Default Final Judgment for Removal and for Writ of Possession	27-33
November 10, 2015	<u>Kozich v PHA</u> , PHA Administrative Hearing Order permanently terminating Kozich's HUD-VASH HCV	G., 38-47
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I. PROLOGUE

The Florida Housing Finance Corp. (FHFC) and Bernard Smith declined to file a Brief in Opposition and therefore Kozich's Reply Brief will focus primarily on BCHA's Brief in Opposition (OB).

Unfortunately the state court and the Federal District and Circuit Courts fell into the trap laid by BCHA in that BCHA was and is purposely not forthcoming with the correct facts and law. In violation of their duty not to make false statements of law or fact and to disclose relevant law and facts including disclosing adverse authority and not mislead the court, BCHA and its attorneys purposely failed to disclose and reference relevant facts and law with their Opposition Brief to Kozich's Petition for Writ of Certiorari. And being considered agents of BCHA, under both state and federal law BCHA's attorneys are charged with having the same knowledge as their clients and have no excuse for ignoring and not disclosing controlling law and facts and for misleading the Court.

The court is cautioned that BCHA has a propensity to misrepresent the facts and holdings of cases that it presents.

It is well recognized that in writing to explain and overcome misrepresentations takes four times the words as direct argument and not having to disprove misrepresentations.

Recognizing the need for brevity and so as not to take up the Court's valuable time and resources Kozich will present his Reply Brief in an outline format addressing each of his exceptions to BCHA's Opposition Brief. Except where further facts and law

are necessary Kozich will attempt not to repeat his argument from his Petition. And where appropriate for counter-argument, Kozich will refer the court to the relevant page(s) of his Petition (PET.____) and his Appendix (APP.____).

II. CORRECTNESS OF BCHA'S OPPOSITION BRIEF

Kozich agrees with BCHA that "District Court opinions cannot create conflict with a circuit court of appeal" (OB.9, fn.2). Kozich presented those District Court cases (PET.25-26) because, and with due respect to the hard work of the United States Supreme Court, the District Courts have their noses to the grindstone dealing with everyday issues that affect low income families and their federally subsidized housing in their home venue, cases which the District Courts resolve satisfactorily at the grassroots level and so are never brought before the United States Supreme Court, i.e. Mendoza v. Frenchman Hill Apartments, 2005 US Dist LEXIS Ct 47373, 2005 WL 6581642 (E.D. Wash., Jan. 20, 2005) (Rejecting housing authority's argument that it only held a minute [approximately .01% (1/100th of 1 percent)] interest in the LIHTC apartment community which is ten times less than BCHA's .1% ownership interest in RPA, the de jure record owner of PP, and because the landlord had not as yet fully complied with the IRS "No-Cause Eviction Protection" Ruling 2004-82 and that the landlord's alleged violations of 26 USC § 42 may continue in the interim, the court found that the issue is not moot and that a live controversy still existed, that the good cause eviction of tenants from LIHTC properties is governed by the due process clause and that the landlord is required to provide the

tenant with timely and adequate notice detailing the reasons for a proposed termination or eviction) (PET.25,38-39).

Kozich also presented the District Court cases (PET.25-26) to show, although HUD or the housing authority lost they did not appeal to a circuit court, the state of evolving federal law regarding "No-Cause Eviction Protection," due process requirements in federally subsidized affordable housing and the "capable of repetition yet evading review doctrine." HUD and the housing authorities usually do not appeal because they wisely recognize they would lose on appeal and did not want to set precedent.

III. FOR THE FIRST TIME BCHA IS NOW SILENT ON ISSUES IT HAD PREVIOUSLY RAISED IN DISTRICT AND CIRCUIT COURTS

For the first time, with its Opposition Brief BCHA is silent relating to the filing of Kozich's Notice of Appeal (NOA) in State Court. Previously, in Federal District and Circuit Court BCHA continually argued that Kozich failed to appeal his state case thus bringing finality to the state case and therefore the Rooker-Feldman Doctrine applied. Despite Kozich's contrary argument he believes that both the District and Circuit Courts reached their decisions (APP.A.2. and B.6 respectively) in part based on BCHA's misrepresentation that Kozich failed to appeal thus bringing finality to the state case. During the transition to e-filing in state court somehow Kozich's NOA (APP.E) got lost in cyberspace but was filed with a filing number but not docketed on that same date. More importantly, BCHA never denied receiving a copy of Kozich's NOA and that it is included in the Record in state court and here (APP.E). The State Circuit Court sitting in its review

capacity finally laid the issue to rest when on May 24, 2017 it denied BCHA's Motion to Dismiss Kozich's appeal (APP.H) based on this same issue.

BCHA's Opposition Brief is also silent as to the secret email it sent to State Judge Skolnik (APP.F.27-33) inducing him to ex parte strike Kozich's Answer (but not his affirmative defenses) (APP.E.20) and ex parte enter a non-final Default Final Judgment for Removal (APP.E.19). In the other cases BCHA had argued that it attached a copy of its secret email to its Motion to Strike (APP.F.27-29) in State Court which is an impossibility because its docketed Motion to Strike consists only of 1 page, whereas its Motion to Strike would have had to consists of at least 2 pages if BCHA had attached its secret email. Moreover, BCHA has never filed or produced a copy of its secret email in any court.

BCHA's Opposition Brief is silent as to there being no due process mandated hearings or trial in State Court because of its secret email to State Judge Skolnik.

BCHA's Opposition Brief and its incomplete and legally insufficient Complaint, its incomplete and "fake" lease, its legally insufficient Motion to Strike and its secret email to State Judge Skolnik are all purposely silent that Kozich was a HUD-VASH HCV recipient and resided in Low Income Housing Tax Credit (LIHTC) federally supported housing both of which mandate "No-Cause Eviction Protection." In secretly depriving Kozich of any hearings and trial in state court BCHA deprived Kozich of his constitutionally protected right to due process and equal protection, and is in violation of HUD regulations, Elements of Due Process, HUD Legal Opinion GCH-0078 (September 4, 1992), requiring a court hearing or trial to meet due process requirements as

defined in 24 CFR 966.53(c) and HUD Section 8 Housing Choice Vouchers, Revised Implementation of the HUD-VA Supportive Housing, 77 FR 17086 [Docket FR-5596-N-01] (March 23, 2012), and under the United States and Florida Constitutions (PET.5,20).

BCHA makes no mention whatsoever of forcefully evicting Kozich from its Progresso Point apartments, a LIHTC apartment community, in which Kozich resided under his HUD VASH-HCV. Distinguishing, TWC Twenty-Nine, Ltd. v. Brothers, 13 Fla.L.Wkly. Supp. 715c (Pinellas County Ct 2006) and Green Gables Apts., Ltd. v Williams, 11 Fla.L.Wkly. Supp 1070a (Marion County Ct 2004), on point to the issues relating to LIHTC apartment communities in Florida, in which there was a hearing or trial, the landlords admitted that the properties were LIHTC apartment communities governed by "No-Cause Eviction Protection" and in both cases the state court held there was no proof or evidence of good cause not to renew the lease and reinstated tenancy to

BCHA's Opposition Brief is silent as to its undisclosed Extended Low Income Housing Agreement (ELIHA) with FHFC which is recorded in Broward County and therefore a land use restriction (PET.18-20, 37-39). The ELIHA provides for the renewal of Kozich's lease as a protected property right and requires evidence and proof of good cause not to renew Kozich's lease. The undisclosed ELIHA by which the FHFC allocated tax credits to BCHA provides: (1) For private right of enforcement; (2) Mandates that RPA conform to HUD Policy Handbook 4350.3 which incorporates the HUD Tenancy Addendum, HUD-52641-A; (3) Mandates "No-Cause Eviction Protection" which requires

evidence and proof of good cause not to renew a lease; and (4) Mandates that RPA implement and maintain seven (7) Resident Programs which it has never been done.

IV. BCHA PURPOSELY MISREPRESENTS THE FACTS AND HOLDINGS OF CASES PRESENTED (OB.7-11)

In referencing only three of Kozich's cited cases with its Opposition Brief (OB.9), BCHA misrepresents that "... [M]ost of the cases cited by [Kozich] dealt with constitutional [due process] challenges to procedures utilized in administering benefit programs and did not involve a claim for declaratory and injunctive relief seeking to prevent an eviction after the tenant vacated the premises. ..." (OB.9). First off, BCHA forcefully evicted Kozich; he did not voluntarily vacate his apartment (PET.22-24).

Goldberg v Kelly, 397 US 254, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970), affirming, Kelly v. Wyman, 294 F.Supp. 893 (Dist. Ct. SDNY 1968) is a consolidated case of 20 welfare beneficiaries where some of the beneficiaries' payments had been terminated (PET.24-25). Contrary to BCHA's misrepresentation (OB.9) with a little research BCHA would have found that in the underlying District Court case, Kelly v. Wyman, 294 F.Supp. 893 (Dist. Ct. SDNY 1968), the beneficiaries' underlying complaint was one seeking declaratory and injunctive relief. In Goldberg, the Supreme Court reasoned that the interests of the recipient in the uninterrupted provision of benefits and of the State in not wrongly terminating benefits outweighed the State's competing interest in summary adjudication (PET.24-25). "This reasoning applies with equal force to public housing assistance provided pursuant to Section 8, where eligible participants rely on subsidies to meet their basic need for housing" (internal citations omitted). Basco v. Macin, 514 F.3d

1177, 1182 n.7 (11th Cir. 2008) (PET.27) and Green v. Carson, 256 F.Supp. 3d 411, 425 (Dist.Ct. SDNY 2017).

Likewise if BCHA had researched and looked to the underlying District Court case, Jeffries v. Ga. Residential Fin. Auth., 503 F.Supp. 610 (Dist.Ct. N.D.Ga., Atlanta Div. 1980), it would have discovered that the tenant, after being evicted, filed her complaint for declaratory and injunctive relief. Jeffries v. Ga. Residential Fin. Auth., 678 F.2d 919 (11 Cir.Ct. 1982) (affirming the District Court judgment granting declaratory relief) (OB.9) (PET.26, 33-34).

And contrary to BCHA's Opposition Brief (OB.9), Ressler v. Pierce, 692 F.2d 1212 (9th Cir. 2015) is not a tenant in possession case or eviction case, but rather a class action lawsuit where applicants and potential applicants for affordable housing alleged they were denied their constitutional rights. Ressler held that applicants for federal rent subsidies have constitutionally protected property interests (PET.17, 34)

BCHA also misrepresents the facts in Philippeaux v. Apt. Invest. and Mgt. Co., 598 F.App'x 640 (11th Cir. 2015) (OB.7-8) with not disclosing that, "In a declaratory and injunctive relief action, after filing suit the tenant (Philippeaux) reached a settlement with the landlord and voluntarily 'vacated' his apartment making the case moot." Here BCHA forcefully evicted Kozich, he did not voluntarily give up or vacate his apartment, and there is no settlement agreement (PET.22-24).

BCHA continues to incorrectly utilize "vacate" as a synonym for "evicted." (OB.9) when the processes are entirely different. A correct Black's Law Dictionary definition of

"vacate" being, "A tenant's relinquishment of occupancy or possession before the lease has expired, allowing the landlord to take possession and treat the lease as terminated." (PET.23).

V. BCHA PURPOSELY IGNORING RELEVANT LAW

With its Opposition Brief (OB.5) BCHA purposely ignores any legal argument opposing the applicability of the "capable of repetition yet evading review doctrine" to Kozich's case, see Defunis (PET.24) and Sims (PET.28-29).

Contrary to BCHA's misrepresentation (OB.10), in DeFunis v. Oegaard, 416 US 312, 94 S.Ct. 1704, 40 L.Ed.2d 164 (1974), vacating and remanding, 82 Wash. 2d 11, 507 P.2d 1169 (Wash.State S.Ct. 197__) the law student brought the lawsuit seeking injunctive relief and the Supreme Court determined that, "Mootness here does not depend upon a "voluntary cessation" of the school's admissions practices but upon the simple fact that the petitioner is in his final term, and the school's fixed policy is to permit him to complete the term." Id. at 316. In DeFunis, the Supreme Court also "suggested that this case presents a question that is "'capable of repetition, yet evading review,' ... and is thus amenable to federal jurisdiction even though it might otherwise be considered moot." (internal citations omitted). Id. at 318-19. (PET.24).

With Sims v. Fla. Dept. of HSMV, 862 F.2d 1449 (11th Cir. 1989) BCHA fails to note (OB.10) that it was the state that held the strings to evade review because it "could deliver the documents at any time, even after trial, resulting in the case becoming moot." Id. at 1459-60. So it is the "wrongdoer" whether it be the landlord (forceful eviction) or the

state (purposely withholding documents) that sets up the case to become moot and the "capable of repetition yet evading review doctrine" then coming into play (PET.11, 16-17). "Otherwise the defendant (wrongdoer) is free to return to his old ways." DeFunis at 318.

BCHA purposely ignores that Fla.Stat. 83.42(1) makes Chapter 83, Florida Residential Landlord Tenant law, inapplicable to Kozich because he is a Section 8 HUD-VASH HCV recipient with his housing being incidental to his health care (health care is the first and primary requirement for entry into the VASH program). (PET.13-14).

BCHA also purposely ignores Fla.Stat. 82.04(2) which makes Chapter 82, Unlawful Detainer, inapplicable to residential properties (PET.13-14).

With its Opposition Brief BCHA ignores HUD Section 8 Housing Choice Vouchers: Revised Implementation of the HUD-VA Supportive Housing Program, 77 FR 17086 [Docket FR-5596-N-01] (March 23, 2012). Both of these federal programs as well as the undisclosed but recorded ELIHA independently adopted the HUD Tenancy Addendum, HUD-51641-A, which mandates due process, Elements of Due Process, HUD Legal Opinion GCH-0078 (September 4, 1992), requiring a hearing or trial and "No Cause Eviction Protection" requiring evidence of good cause not to renew a lease, and provide for the tenant's right of enforcement, 24 CFR 982.552, 24 CFR 982.308(a) and (f)(2), and 24 CFR 982.456(b)(2). (PET.5,20).

VI. BCHA PURPOSELY MISREPRESENTATIONS OF LAW

Intertwined with the proceedings in both State and Federal Court is BCHA's continued misrepresentation that the non-final Default Final Judgment for Removal (APP.E.pg.19) in state court as being a final judgment (OB.1,4) when under Florida law as there remains unfinished business in State Court it is a non-final order determining the right to immediate possession of property, Fla.R.App.P. 9.130(a)(3)(C)(ii). Kozich's appeal (APP.E.) of that non-final order (APP.E.pg.19) is ongoing with the appeal being fully briefed as of September 10, 2018 (PET.27).

BCHA's legally insufficient notice of non-renewal and complaint in state court, incomplete and incompressible lease, failure to disclose Kozich's residency under a HUD-VASH HCV in a LIHTC apartment community and, for good measure, throwing in its secret email to State Judge Skolnik to deny Kozich a due process mandated hearing or trial long with Kozich's ongoing state court appeal make the Rooker-Feldman Doctrine inapplicable to Kozich's case (PET.28-30).

VII. BCHA PURPOSELY IGNORING FACTS

With its Opposition Brief (OB.1,4) BCHA ignores the fact that its non-renewal Notice is legally insufficient and conclusionary in that contrary to the HUD Handbook, 4350.3 REV-1, Section 8-6, paragraph A. 3, requires that the violations be described specifically including the date, location and names of persons involved. Green v. Carson, 256 F.Supp. 3d 411, 418-19 (Dist.Ct. SDNY 2017) and Asbury Arms, Inc. v. Lynar, Online Reference: FLWSupp 2305ASBU, Circuit Court Case No. 05-2013-CA-039015

(Fla. 18th Judicial Circuit, May 28, 2015). BCHA's notice is silent as to any facts or details evidencing good cause not to renew Kozich's lease (PET.10).

To clarify here, Kozich refused BCHA admittance into his apartment (OB.4) because and contrary to law and reasonable notice requirements and so as to intimidate its tenants, BCHA continually sends short notices for admittance of 12-24 hours, and because BCHA's employees spoke Spanish amongst themselves, with which Kozich is not well versed, and secretly took pictures with their cell phones without Kozich's permission. As to Kozich's housekeeping, after receiving BCHA's notice Kozich called the City of Fort Lauderdale Fire Department to inspect his apartment which found no violations. Kozich notified BCHA of the Fire Department's inspection and finding of no violation, which then withdrew its complaint.

Kozich had numerous negative experiences with BCHA but never refused to meet with BCHA (OB.4). In the instance of the non-renewal of his lease, BCHA had requested the meeting. Kozich requested that BCHA make an "official record" (recording) of the meeting and to bring his attorney and a witness. BCHA refused all of Kozich's requests. So no meeting ever took place.

With its Opposition Brief (OB.3) BCHA ignores the fact that it failed to disclose in state court Kozich's tenancy under a HUD-VASH HCV in a LIHTC apartment community both of which mandate No-Cause Eviction Protection requiring evidence of good cause not to renew a lease (PET.10).

With its Opposition Brief, BCHA ignores the fact that in District Court with Kozich's Complaint and Motion for Rehearing and in Circuit Court with his Briefs and Motion for Rehearing he requested as part of his Wherefore clause, "Or other relief the court deems just and equitable," and further requested leave of court to amend his complaint to allege additional causes of action, which the courts denied.

And with its Opposition Brief, BCHA ignores the fact that in District Court, Kozich requested an extension of time (App.B. pg.5, fn.1) to file his response to BCHA's and FHFC's Motions to Dismiss because following its illegal eviction of Kozich, BCHA was at the same time then seeking to permanently terminate Kozich's HUD-VASH HCV (APP.G) (PET.7, 21, 29, 32). At that time Kozich made the decision that the administrative hearing looming and his defense of the permanent termination of his HUD-VASH HCV required more of his attention and preparation than his federal case, and had requested an extension of time in District Court to respond to the motions to dismiss. At that time Kozich had also requested a continuation of the October 20, 2015 administrative hearing which, of course, BCHA denied. In essence, in holding the administrative hearing at the same time, October 20, 2015, that Kozich had to file his responses in District Court, BCHA had prejudiced Kozich and purposely put him between a rock and a hard place.

Additionally the US Marshall had late served HUD and the VA and Kozich had also requested the District Court defer the motions to dismiss until HUD and the VA filed their responsive pleadings, which relief the District Court also denied relying again, Kozich believes, on BCHA's misrepresentation that Kozich did not appeal the state case

resulting in the state case being final. That the District Court relied on BCHA's misrepresentation and the alleged finality of the state case is reinforced by the fact that the District Court based its dismissal on the Rooker-Feldman Doctrine which requires finality in the state court proceedings (APP.B).

VIII. BCHA PURPOSELY MISREPRESENTATIONS OF FACT

With its Opposition Brief BCHA continues to misrepresent that "Progresso Point (PP) is a privately owned LIHTC apartment complex" (OB.3) when one only has to look to BCHA's Organizational Chart to see that Reliance Progresso Associates Ltd (RPA) d/b/a Progresso Point (PP) is a symbiotic subsidiary of Broward Workforce Communities, Inc. (BWC) which in turn is a symbiotic subsidiary of Building Better Communities, Inc. (BBC) which in turn is a symbiotic subsidiary of Broward County Housing Authority (PHA) (PET. v., Definitions, para. 1.). In making its misrepresentation BCHA fails to explain its holding a "shade session" on July 18, 2018 for state actors as required by Fla.Stat. 286.011 relating to this case and PP (PET.16, para. 11).

With its Opposition Brief, BCHA misrepresents the chronology of the proceedings in State and Federal District Court. BCHA misrepresents that, "Following the District Court's denial of Kozich's motion for a temporary restraining order, Kozich was evicted from his apartment on July 23, 2015." (OB.4-5). However, Kozich filed his State Court still ongoing Appeal on May 20, 2015 (APP.E) and his District Court case on July 2, 2015. The District Court dismissed Kozich's complaint on October 20, 2015 citing the Rooker-Feldman Doctrine (APP.B), and denied his Motion for Rehearing on November 18, 2015

(APP.D). Therefore, BCHA evicted Kozich while Kozich's Appeal in State Court and his District Court case were pending.

Contrary to BCHA's misrepresentation (OB.8) that "[Kozich] did not allege that he intended or desired to rent an apartment from Reliance in the future." runs contrary to the facts and this extensive litigation. Expressly and inherently with Kozich's Answer and Affirmative Defenses and other pleadings and motions (APP.F) and unfinished business in State Court and ongoing appeal (APP.E. and H.), with his District Court pleadings, his Appeal to the 11th Circuit and his Petition here, is his intent to regain his HUD-VASH HCV and regain possession of his apartment at PP (PET.29).

Moreover, BCHA contradicts its own misrepresentation (OB.8) because in the immediate preceding paragraph BCHA states, "[Kozich's] efforts to stay the state court's eviction order in both the state and federal court system proved unsuccessful. Having been evicted from the premises, the District Court could not grant [Kozich] the relief he sought and [Kozich's] claims for injunctive and declaratory relief relating to the judgment of eviction became moot." (OB.8). Therefore, BCHA acknowledges that Kozich desires and intends to regain his HUD-VASH HCV and his apartment at PP (PET.29).

IX. CONCLUSION

Therefore and for the reasons stated Kozich respectfully requests this Court grant certiorari to review the opinion of the 11th Circuit Court of Appeals and the decision of the District Court for the Southern District of Florida, or other relief the court deems just and equitable.

UNITED STATES SUPREME COURT

CASE No. 18-6529

Kozich v. Deibert, et al..

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

EFF: 181214

Actions for Better Future, Inc.

Attorney General of the United States

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Broward Workforce Communities Inc (BWC)

Brown Thomacina

Building Better Communities Inc (BBC)

Christopher Nancy

Deibert Ann

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Goren Cherof Doody & Ezrol

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Lessne Michael

Long Michael S.

Lowenhaupt Kenneth,

Lowenhaupt Sawyer & Spinale

Marcus Russell

UNITED STATES SUPREME COURT

CASE No. 18-6529

Kozich v. Deibert, et al..

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

McCormack Steve

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Reliance-Progresso Associates Ltd (RPA)

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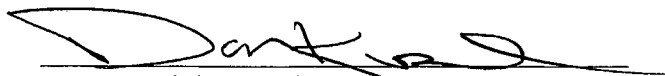
United States Attorney

US Dept of Housing and Urban Development (HUD)

US Dept of Veteran Affairs (VA)

VERIFICATION DECLARATION

I CERTIFY under penalty of perjury that based on the latest available contact information the foregoing is a true and correct list of Certificate of Interested Persons and served on 12/14, 2018.



Don Kozich, Petitioner

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UNITED STATES SUPREME COURT

CASE No.: 18-6529

Kozich v. Deibert, et al.

VERIFIED RESPONDENTS' LIST

28 USC § 1746

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Respondents below this line were served with process late by the US Marshall
in District Court and were not required to plead, made no appearance in the 11th
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VERIFICATION DECLARATION

I CERTIFY under penalty of perjury that based on the latest available contact information the foregoing is a true and correct list of Respondents and served on 12/14, 2018.


/S/Don Kozich

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UNITED STATES SUPREME COURT

CASE No.: 18-6529

Kozich v. Deibert, et al.

VERIFIED PROOF OF SERVICE

28 USC § 1746 and S.Ct. Rule 29

SERVICE LIST: EFF: 181029

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VERIFICATION DECLARATION

I CERTIFY under penalty of perjury and as required by 28 USC § 1746 and S.Ct. Rule 29 that the foregoing is the true and correct proof of service by USPS, commercial carrier or email on the Respondents, counsel and person(s) named as of 12/14, 2018.

/S/Don Kozich 

Don Kozich, Petitioner

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