

**SCANNED**

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA

BANK OF AMERICA, N.A.,  
a national banking association,

CASE NO.: 08-21917-CIV-GOLD/MCALILEY

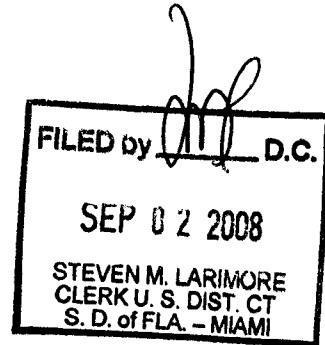
Plaintiff;

NOTICE OF SPECIAL APPEARANCE;  
CHALLENGE TO JURISDICTION

v.

THE UNITED CITIES GROUP, INC  
a global banking association,  
Angel Cruz, Individually,  
Harry William Marrero, Individually,  
Gladstone Gardner, Individually, et al;

Defendants,



AUTHORITIES

Know All Men By These Presents In Commerce, that in accord with, and in substantial compliance with Ancient Custom, Law, Statute, Rules, Regulations, Public Policy, and all other applicable International Treaties, including, but not limited to, the Uniform Commercial Code as adopted and enacted en toto, the Party identified below hereby gives notice to all whom it may concern of the claims and demands made herein, and performs the following acts herewith, as follows, to wit:

NOTICE OF SPECIAL APPEARANCE

Comes now Angel Cruz©, a Natural man, in commerce, and for himself and no others and Gladstone Gardner©, a Natural man, in commerce, and for himself and no others, and Harry William Marrero©, a Natural man, in commerce, and for himself and no others; and which by way of this document hereby gives notice to all whom it may concern, that they hereby challenge the complaint made against them by way of Special Appearance in the above entitled action, reserving all rights and admitting to no jurisdiction of any kind whatsoever. Please take notice that hereinafter, Angel Cruz© shall be referred to as Mr. Cruz; Please take notice that

hereinafter, Gladstone Gardner© shall be referred to as Mr. Gardner; Please take notice that hereinafter, Gladstone Gardner© shall be referred to as Mr. Gardner; Please take notice that hereinafter, Harry William Marrero© shall be referred to as Mr. Marrero;

### CHALLENGE TO JURISDICTION

1) Mr. Cruz, Mr. Marrero, and Mr. Gardner does not agree that the Court and Plaintiff named in the above said action have jurisdiction and/or standing, as these terms have meaning in Law and Statute, in the instant matter because of the many material defects and omissions contained in the above said complaint used to bring the above entitled action to the attention of this court. Mr. Cruz, Mr. Marrero and Mr. Gardner, based upon information and research into the subject matter of the above said action, believes that the acts of the Plaintiff and/or its Representatives as to the instant matter constitute acts of fraud and larceny against it. These material defects and omissions include, but are not limited to, the following, to wit:

a) The Plaintiff has mischaracterized and improperly represented its authority and its standing to bring this claim before this Court by way of the use of false and misleading statements made by the Plaintiff and/or the Representatives of the Plaintiff. The Plaintiff goes on even further in its attempt of fraud and larceny on Mr. Cruz, Mr. Marrero, and Mr. Gardner by way of the use of counterfeit documentation as is evident from the complaint itself.

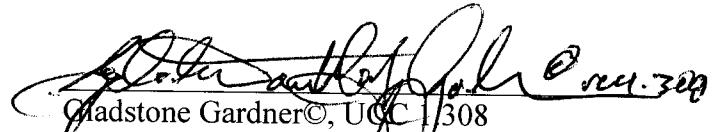
b) The Plaintiff has come before this court in violation of the unclean hands doctrine and in violation of the requirements of the Uniform Commercial Code as enacted.

c) The Plaintiff has purposely and knowingly misled, and continues to mislead this Court by way of the misrepresentation of the true facts and nature of its putative claim. The Plaintiff knows, or should know, that the statements made by an attorney in the prosecution of a complaint are not evidence as those terms have meaning in Law and Statute.

In support of this Challenge to Jurisdiction, Mr. Cruz refers the court to an affidavit duly made and executed by, Mr. Angel Cruz©, a natural man, filed in this case on 7/18/2008 as Exhibit One, //

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Wherefore, Mr. Cruz, Mr. Marrero, and Mr. Gardner hereby demands of the Court that it hold in abeyance any further actions it may take in the instant matter until the issues of jurisdiction and standing have been dealt with on the record.

  
Gladstone Gardner ©, UCC 308  
as Authorized Representative,  
The United Cities Group, Inc  
147 Alhambra Circle, Suite 100  
Coral Gables, Florida 33134