

For the State of ILLINOIS
IN CHAMPAIGN COUNTY COURT
101 e main Urbana IL 61801
www.cccircuitclerk.com

JAMES FRANK OSTERBUR , Plaintiff
2191 COUNTY ROAD 2500 E
ST. JOSEPH, IL 61873

V.

PROVENA COVENANT MEDICAL CENTER, Defendant
1400 W. PARK
URBANA IL 61801

DATED: NOVEMBER 5, 2009

case number: 09LM1414

**a case: expanded to determine whether the law, or the criminal rules
this nation.**

The critical question here is money/ not the illusion of numbers; but actual money. The amount of time and effort expended, equals life/ materials used, the claim “my fair share”: that has been allotted to me in this exercise of this work. I do owe a fair and legitimate return for that amount of life/ and intend to pay that amount. Consequently I am in court to determine “fair and legitimate” as a respect for my life/ each life, in a similar situation. As the question extends within the claim of medicine: “we can charge anything we want”. It is not so!

The legal question extends: that when this country is in need or crisis, **the first amendment of the US Constitution** provides THE LAW, from which all employees called government shall comply: or be recognized as criminal. **That law for: WE THE PEOPLE. Is a redress of grievances/ the guaranteed legal right of the people & the legal demand made upon the government employee: to obey the law.** Therefrom, this court must according to law, PROVIDE the foundation upon which this people themselves: shall become the voice of their nation, displaying ownership through law; over their employees. Creating Democracy: as the truth, we

shall determining for ourselves which employee, if not all: has done harm. An accounting is due/a demand for redress is made: and this

courtroom is declared “for the people”: YOU shall bring us to the US SUPREME COURT. Because this is a national issue of healthcare and justice for all. Fundamental argument has already occurred before the nation itself: as clearly even healthcare has been tragically aligned with greed, power, and pride; RISKING a nation. The demand is for the law to be carried out, by the judiciary: critically proving for the people themselves, THE LAW rules over this nation/ not greed/ not power or pride/ or people; **but the law, as our constitution provides.** There is NO political reference, NO political conference or declaration: “they will fix this problem/ THEY FAILED”. **This is a legal right of the people**, the law that allows the people, to decide for themselves. NOT “the few, the powerful, or the proud; claiming to vote for us”/ but WE THE PEOPLE, literally voting for ourselves as the constitution demands: **it is our right.**

The first amendment is the law of this nation; it is clear and needs no interpretation. It reads in substance to the employees called “government”: *“thou shalt not interfere in religion (failed)/ thou shalt not interfere in free speech/ thou shalt not cause the press to be controlled (failed). AND, you the employee SHALL PROVIDE a legal remedy for the people to claim ownership of this, their own nation; when it is clear trouble has come.”* no doubt exists, this nation is in trouble! Consequently no argument can be made against redress for a nation. The evidence is all around us, the foundation of errors, lies, theft, and failure an absolute certainty!

Construction of the legal right, under the terms of justice begins: by acknowledging the base information that leads to court.

We must then begin with a completed assessment of exactly what was done for me. *The initial position statement to the hospital, sent prior to courtroom proceedings; is included at the end.*

Upon believing I would see a doctor under the program “fast track”/ as that is what I had asked for, and was clear; established by the fact, the person behind the counter came up with what can be believed as the name for such a program/ and the two women also behind the counter at a different station were listening, and said nothing to make me believe otherwise. I waited in the waiting room for about 20 minutes. A nurse then took my blood pressure and pulse/ I gave her a urine sample, to be tested. Told to go

through the emergency room doors; to be seen by a doctor; I was skeptical if this was not going to then be an emergency room visit charge/ but did not ask, believing instead since it was Sunday, perhaps they simply did that here, more efficient if not busy. Nonetheless, put in a small room, given a gown and waited for the doctor 20 minutes or so. He came in,

refused to listen to my complaint as a whole/ insisting instead he only wanted the information regarding the first night, and how that went; since he would not listen to more, I told him/ he said prostate examine: I complied, and he left me with an ass full of “lubricant”/ did not tell me, and when the pants were pulled up, had “lubricant” inside them. He left within less than 5 minutes of appearing; said enlarged prostate, sent the nurse back to tell me, he ordered a blood test; did not say why). Blood taken, papers signed questioning the person who wanted my signature “what is the minimum price for: fast track”? She said nothing here is less than \$300.00 do I want to pay that now. I said no; intending to see the billing first. All people involved aside from the person behind the counter, who misinformed me of what I would be charged/ and **except for the doctor** who intentionally left me with an ass full of grease; no towels, no anything to clean it up myself (a humiliation)/ and grease inside the pants (a ridicule) were professional. Psa test had to be delivered out of this hospital for results two days later/ was told to go to a urologist to find out the results. An expected \$200.00 or more. I went back to the emergency room and asked for the results instead; insisting, I just want to know if its normal/ it was. Complained to the department supervisor of the moment, as to “the lubricant”/ and went to financial.

This is the completed story to date.

Construction of the demand for fair play, begins:

The question is work/ the reality is divided between what is fair in an emergency room environment/ and what is fair, in a situation wherein I was made to believe, “the price would be much less”. And the demand of “hospital” for money they want/ and a price they set for themselves/ in a situation entirely without the basis of a business environment. An assumption of equal standing. The hospital assumes “it has a right to profit” from this work. The human believes, “I/ we have a right to survive without the challenges of tragedy or long term disabilities. BOTH have a legitimate claim: IF that can be resolved in honest and realistic terms, for all of

society”: then life is respected by all. Not just me. But if that is simply devoid of reality, and money is the only thing that matters; critical harm is done to society or medicine within every single instance of this work. We must have FAIR AND LEGITIMATE TRUTH, lead the purpose of healthcare.

The question most intricate to the billing, is the claim of a university degree proclaiming “we have a right”. So then in this particular instance let us examine the charge. Someone with a high school diploma probably moved the urine sample to the machine that reads the result/ 5 minutes (correct me if I am wrong: is not the machine “the professional”). The various people with exception of the doctor;

who where professional, but without “the big degree”, such as a nurse; provided information which was useful; 10 minutes altogether. The doctors job: which I recognize is not a “pleasant job”; let his finger do all the examining; 15 seconds; [I, am thinking, the finger did not get a degree; and if it did have “training”/ I want to know how much; and why “many people” could not do this job]. And included is a test, that without my acceptance of the need; as would be based upon the information I was given and thereby agreed to because the evidence suggested it was necessary. Can only be considered an attempt to collect money, in this instance/ if there is no evidence to support the cost. Even then, I am a distinct participant, and deserve the option of knowing in advance why, how much, and what the value of that test would be to me.

The net effect: a work largely professional, but with a character whose job is “not glamorous”/ and as a consequence shows psychological problems, with the fact “no respect” {leaving my ass full of lubricant, saying nothing, and leaving me without the slightest evidence of how to clean it up myself}. The human body, is a literal miracle/ and as such, whether properly cared for by the evidence of a healthy lifestyle or not, it is worthy of respect.

The critical factors are: I am “largely professional” within all the work that I do as well. We both treat the human condition as workers for life/ its just a different job: I provide heat, shelter, delivery or goods or services, utility works, and so on. They provide much the same, with an exception: a different kind of schooling is suppose to make saving an individual life possible. While “just plain work” for me and every other person working, is inevitably a reality of “saving society itself” every individual as a result: because without food, shelter, water, and much more we would not survive

as a society, or as humanity. Literally just a different job, for the same purpose; we all want to live a reasonable and healthy life. Although not with the same IMMEDIATE individual impacts, without this attention this human being dies today; under most circumstances, but that too changes with circumstances. And we as a society do, “rescue each other” in circumstances that are life or death as well.

So the question is: WHAT do I owe, for an education I was NOT “entitled to”? WHAT do I owe, an individual supported by the work of all society for thirty years: for the excuse of schooling/ when they did little or nothing for society itself? WHAT do I owe an individual that probably received 8 years of schooling beyond high school; in a situation MOST college students report, “*BEST years of my life*”. *And why should they not be*: free to reap the rewards of youth/ without the work and frustrations the others must endure: of being told what to do, when, and why; and at low pay for most, 60 hours a week for many? What do I owe, for supporting young adults being in an environment with other young adults, who are sexually

ready, able, and willing; where they are allowed to choose to do whatever they wish/ so long as they do “something”? What do I owe a hospital of any kind, for its monopoly over the crisis of pain, or the fear of death, or our need for information so that critical decisions can be made; or at least prepared for: **when it is our lives** that gave them the possibility to learn anything but survival? **Where is our respect?** Where is our right to expect fair play, and a return on our investment of allowing these people a simply happy life, while we did their work?

These are questions for you, in a court of law: so that we as a society: can determine what is justice, fair play, and equal standing before the court/ and this society. Not simply a justice of numbers, but a justice created by the real contributions of life surviving, because not only are we equals; WE KEEP THIS NATION ALIVE. Their job, is to keep the individual alive/ ours is to keep all society from failing.

BUT behind closed doors, it is the university graduate, that stole, lied, cheated, and led the march of greed which ended in economic tragedies still coming. WHO ELSE LEADS this society/ who else controls every position that decides for the majority? *The personal tragedies of greed, wherein the absolute thievery created by an ability to extort the vast majority:* becomes the loss of teeth/ the loss of limbs/ the loss of family/ the

loss of personal abilities/ the loss of personal freedoms and options through debts/ the entrapment of millions/ the failure of marriages/ depressions/ suicides/ drug addictions/ and a long list of hate that is multiplied against society itself, **because greed is NEVER fair.** As is constant and true, the greatest failures of humanity always begin with: “let us rejoice”/ we got everything from them, WE WANTED. The medical community wanted greed/ and the nation went down the shit hole, **because we are in this together; whether you like it or not!** And nobody earns “a slave”/ they simply brutally take them, by whatever means or weapon possible. **GREED is a weapon/ society is its enemy.**

As for me, and what I want from this case, I demand: fair play as determined by a level of respect that understands, MY/ OUR contribution to society, is not less than yours/ its just different. Not necessarily my contribution to an individual within that society/ but my contribution to the harmony, peace, security, and well being of society itself. Because working gives us that right to claim: I DID MY PART! We are people, not numbers or machines to serve your greed. The whole of any society is greater, than the individual parts: this is my claim to you, therefore those who sustain society, are greater than those who sustain the individual. In terms of reality, as a truth called life on earth.

There are other demands for justice, fair play, and an equal standing to determine the money, and what is owed by me, or by us all. As it is absolutely clear, “the government employees” have failed in everything they chose to do, for this people called the United States of America. Therefore REDRESS OF GRIEVANCES, according to the US CONSTITUTION is absolutely necessary in resolving all that is wrong. By WE THE PEOPLE, as owners and in charge of the future, **ourselves.**

Construction of the base elements, assigned by need; to establish the foundations upon which we the people can choose our new beginning, our future as citizens of this nation.

1. I/WE DEMAND complete and open accounting of everything the doctor or hospital does; there can be no secrets, no traps, no enticement, etc. YOU chose to participate in arena’s where life or death is a process of individual preparations and decision. BUT IT IS OUR LIFE, and we WILL KNOW if you are functionally prepared, and legitimately honest: by free, REAL,

complete, and appropriate information released and within the public hands, as an ongoing up to date public forum; whereby the patient also has a say. No secrets/ but no civil lawsuits, unless clear or deliberate criminal conduct exists. Everyone makes mistakes: that's what insurance is for/ fight with them. No more civil trials because we don't like the outcome, if not criminal/ a demand for license restriction or removal; then it is for insurance. BUT if your lying, stealing, manipulating, or plain incompetent/ there will be criminal trials to judge you, the doctor and his or her support.

2. I/WE DO DEMAND, that whenever surgery is done, the evidence of that surgery shall be inspected, maintained for a period of time deemed necessary for possible criminal prosecution. The process and evidence photographed & video taped during the procedure of surgery; so that real life, cannot be substantially denied. The hospital and its doctor, shall pay for any surgery deemed unnecessary, and carry insurance for "pain and suffering, due to a failed diagnosis". An appropriately schooled person to examine, test, and define the actual cause attributed to this work, is a cost to society/ is an employee of society. And they will NOT know, who the patient, doctor, or hospital was; that their assessment may be considered valid. Any that wish, can contest in court. WE WILL KNOW, if the diagnosis is real, correct, and treatment substantially necessary, as a patient/ AND as society itself through public information as decidedly clear, to the majority. This is: Fundamentally necessary to conceive of an equal and real standing in every financial transaction. And applies to all levels of business.

3. I/WE DEMAND TO KNOW: why the competition has been kept particularly scarce in a day when the population increases in this world would demand a

completely alternate approach. Consequently the term MONOPOLY occurs, with the criminal intent of COMPLETE MARKET CONTROL, AND THE FUNDAMENTAL AND REAL PURPOSE IS: PRICE FIXING. It is a breach of duty by government and medicine, a traitorous act created and enforced upon this nation and even this world. As America steals doctors from other nations to account for this failure in government and medicine; it is the worst kind of price fixing/ those who have done this, DID SO WITH EXTORTION IN MIND. The demand to play god, and establish slaves for themselves.

4. I/ WE DEMAND TO KNOW: why, when even though; no person

retains significant information during schooling/ and every person learns what they need to know by actually being on the job. And by specializing in that work; to become more proficient: such as a prostrate exam. WHY is, The compulsory process of 8 or more additional years of schooling, and the consequent bankruptcy of the medical student: justified? Why is there mandatory instruction that we must pay for/ the medical student saturated with debt because of: WHEN IT HAS NOTHING OF SUBSTANTIAL VALUE TO DO, with the job? Why, should we not consider this a concerted action, not only to control the price by withholding students from the practice of medicine/ but also enslaving them, and confiscating not only their time, but enslaving them with debt, to establish: DO WHATEVER WE SAY! Enforcing destitution upon this nation as a whole/ and any student or young doctor that refuses control.

It is said 5 trillion dollars goes to healthcare in this country every year. In a nation of 50 million workers, that = \$100,000.00 each worker/ to pay you; the medical businessman, who hides behind the need of humanity/ relying on pain to demand payment. How is that not extortion? How is this not a lie, when every other debt is expected to be paid as well? **How is this not deception, from those in government and society; who continue to pretend, this is not a complete fantasy and delusion,** used by liars to assert “we need not” pay our own bills, or do our own work of intervention, design, and governing/ LET THE CHILDREN PAY INSTEAD. Let their future be death. Is this not the evidence of “murderers”? We return to: YOU WANT IT/ YOU PAY, as a society. YOU BY VOTE as a society, refuse to pay; then they die. No more fantasy. No more delusion, “let the children pay”. Either yes, or no: no more debt, for the future/ pay or don’t pay, and let the people die. CHOOSE, because that is what is NECESSARY for the children, and for life as a society. Same for all.

5. I/ WE DEMAND TO KNOW, from the court; why the conflict of interest between healthcare, and the business of medicine is not a conflict of law; under the compulsory conditions that literally define an extortion not only can exist, but does exist within the human body. This demand then allows an absolute dependence

upon those who may or may not intervene/ giving them control. Allowing them, to demand whatever they choose; because the body can deliver pain, death, losses, and even fear. Can’t survive without them (so medicine would say. And reality knows the body can die or reap severe costs as it fails; thereby eliminating freedom of

choice, by the cost of refusal).

But in the real world “the medical community” cannot survive without us either; you would starve/ die a thousand deaths, reality has not even taught you. That we challenge and resolve for you. Thereby equal in every sense: just a different job, and a different way. But in medicine the fact, that immediate work must at times be done or death occurs, does in fact attack “our loved ones”; adding another dimension of , “we cannot refuse without severe repercussions”. This and more; Clearly eliminates the opportunity of play or business as equals. And fear they may be refused help, eliminates the majority from complaint. These are issues of reality that destroy every concept of “business”/ as a legitimate enterprise in society. Therefore ALL medicine, is not a business, but a monopoly on the human being who has little or no appropriate choice. Thereby MONEY, becomes a hostile possession of the entire being, when confronted with life: or pay anything they want, regardless of value or equity or truth. The collusion between government employee and medical business is therefrom ironclad: as one protects and defines the other, by the realities of money. Leaving the people a prey.

6. I/ WE DEMAND, in this twenty four hour society/ that there shall be a “fast track” system of medicine, at that appropriate cost. It shall be available twenty four hours a day, 7 days a week; whether that be included in the emergency room or not. Because there are many people who simply cannot afford or access a medical facility unless they serve us too. It is your duty to “service the community”/ and the community deserves the competition, of an option less than: your emergency room; to establish fair pay. The reality is: the community itself, shall pay an increased “ fair labor charge” for this work/ but the hospital shall provide the rest.

7. I/ WE DEMAND OF THE COURT: The dissolution of ALL corporate entities, that express or expand the influence of a monopoly upon our lives. That monopoly is: a discrimination between the patient and medical businesses which control a necessary right of access to public healthcare. BY establishing UNFAIR PRACTICES IN BILLING. Thereby assuming and asserting: we have no say/ because they have established control over the competition.

This is a redress of grievances according to the first amendment; established by the fact the government has failed to create a respect necessary for the people. Failing to provide that competition for the people, so that they would have access

to “FAIR AND REASONABLE HEALTHCARE”. WE WERE ABANDONED, for the transaction of business in medicine. The people in charge of creating competition for themselves: literally cheating us, being traitors to us and this nation/ and the employees of government using treason to fill their pockets. The people are abandoned, to bankruptcy and the elements of both fraud and extortion/ and will soon experience the result of your failures, as foreign doctors leave. These government employees have failed to respect, the constitutional demand: “...establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, or secure the blessings of liberty for ourselves and our children”..

When one essential business has all the power, and we the people have effectively none of the power. Both freedom and liberty in all matters of healthcare, have been sold to treason: you the government handed over our rights, to be treated as equals/ with justice for all. It is failure, and a foundation built for intervention by we the people. Because we must produce change.

8. I/ WE DEMAND OF GOVERNMENT, the diminished capacity of the vast majority of people to understand their “healthcare”/ shall be corrected, with critical and real instruction within the schooling of children throughout the grades. THAT THIS complete failure of an education system shall be corrected; and any that shall be inclined to medicine shall have their start, and subsequent choice to be schooled at a very early age. As to the current majority of patients who are critically at the mercy of a healthcare system or doctor or hospital or insurance agency: WE DEMAND not only shall there be a second opinion in every case that can be considered life-threatening: it shall be done at an alternate facility where possible, and if they find your diagnosis wrong or inadequate: the originating physician shall pay. If the second diagnosis proves wrong as well/ then both shall pay triple to the patient all hospital costs established. BUT this shall be conceived as, the demand for real public services; and the patient shall receive whatever compensation is justified through insurance.

The evidence of “post-surgery, or similar diagnosis”, shall be provided by random selection with any and all facilities available (so as to avoid, the suppression of truth); with appropriate actions to follow. This is a first amendment redress of grievances by the people; established from the fact, that government has failed, to adequately prepare or protect the people. From those who have control over their lives, when pain establishes an

enemy in their midst.

9. I/ WE DEMAND, the irrelevant and unnecessary testing without significant evidence to establish need; shall end. **WE DEMAND**, the formal investigation of testing procedures and equipment used: to decide as a public **IF INDEED** this test is worth the price that has been charged. We demand a refund, for any testing

done, that proves utterly useless: such as genetic testing to decide if you might want to get a colon-oscopy. When it is clear simply getting the colonoscopy **IS** the only test useful or necessary. In addition, the review of expensive tests, that are suppose to be “wonderful”/ as presented in advertizement to the public with fancy “colors and lights”; but in reality are nothing like that. They only cost money, and return little; these will prove a right through real value (patients actually helped)/ or be discarded.

10. I/ WE DEMAND as a patient in lieu of equal rights, or adequate real standing to dispute a charge for money against us: **which will never exist**/ due to pain, immediacy, fear, lack of understanding, or a variety of other issues. That the medical environment within which we must choose: either for life first/ or money first: shall be changed. We do insist, that the function of every court is to provide relief to the litigant/ based upon the merits of the case, and the reality of the situation. And it is clear, substantive, and real: that no patient shall ever have the necessary opportunity of an equal standing with the provider of healthcare. That means, the business of medicine does **NOT** meet the standard: of a necessary rule, by which we may use to govern law, in terms of medicine as a business. That means, the essence of medicine/ the reality of pain or loss or fear or needs: dictates the reality, **NO FIXED AMOUNT** stated on a board or otherwise in the presence of an emergency room constitutes an awareness or acceptance of the price. **NO** negotiable instrument or contract fully understands the measure of damage that can be done, by failure of a practicing physician or hospital. **THEREFORE**, the question of money discards the status quo/ and asserts: so-called profits are abandoned. The essential respect changed to what society shall provide or dictate/ and a maximum percentage of income or possession as would be fair to life. Life is equal, regardless of the numbers or possession of things: **THAT MEANS**, billing for specific treatments is “the same percentage” regardless of “broke or billionaire”/ don’t want to pay, then don’t go. If treatment is taken, and disagreement comes/ go to court. To stop medicine from gravitating to the

wealthy: all payments shall go to the community first/ and then back to the medical enterprises so that each person is viewed as equal, none better or worse. Billing shall be defined according to: the literal time and material investment of the people doing the work/ like any other service industry. Your investment in university is irrelevant. However this is a debt created by the society who wants this service, and they should then pay in respectful amounts; as you meet their demands. The result is equal: the pay, At a dedicated and real hourly wage, in full view of the public at all times, OR a weekly wage, which the community pays, and the service is otherwise free to its citizens. BUT THERE WILL BE LIMITS, as society provides!

This shall determine the actual charge. Society provides the building and equipment with their taxes: and cares for the children as their own legitimate medical responsibility. The community shall invest in, a variety of competitions within the facility. Each little enclave an independent service, liable for its own actions; entitled to set its own scope of employment, and liabilities/ BUT the higher the price to the public, the higher and more intense those liabilities if reality enforces them: the more deliberate the enforcement of “perfection” shall be claimed as necessary, or you pay. Or more simply: if you charge a lot/ and fail to do your work properly; the opportunity will exist, for those injured to attack you as well. Only those who are substantially accepted by their respective community for the prices they charge (FAIR, to us all); shall be exempted from civil lawsuits. The community retains the right, to select the buildings they deem suitable for ANY and ALL medical work; and no building shall be allowed to house or create the medical environment, unless allowed by the community itself. In other words, NO private ownership of a building used in the process of medicine in any form. These things, are prepared for a redress of grievances for the people; to establish a foundation upon which we shall build our future healthcare in this nation.

11. I/ WE DEMAND, a full review of all prescription drugs and policies that have created a national pandemic of “pill taking”/ wherein humanity has lived for thousands of years; and this nation believes it can’t survive without them, without any sense at all. The propaganda medium that exercises control over the public conceptions of need, shall be dismantled; and a new method of understanding the human body shall emerge. The elements of tragedy that emanate from side effects, misuse, death, mis-diagnosis, and more MUST be revealed to the general public in clear and unmistakable

reality. [for example] Ten people per thousand dies/ one hundred people per thousand go blind, 300 people have significant challenges; and so on: are “styles of disclosure and substance” as reality decides/ not the drug companies. The functional response of drugs per patient, shall also be introduced: substantially helped/ cured/ failed/ or not at all, with side effects. A reality further supported by the people who take them. The full and complete listing of alternate drugs shall be provided whenever a drug is specified, for a specific disease or problem. These shall be disclosed by; including direct price comparisons/ side effects of each one/ and probable length and percentage of people who do recover, and those who don't.

12. I/ WE, DEMAND: the discovery of risk associated with ALL FORMS of genetic mutilation of nature/ **THE CONSEQUENCE OF FAILURE IN DISCIPLINE OF GENETIC BUILDING BLOCKS OF LIFE. ALL FORMS** of risk, that literally threaten our lives with extinction; as there are many such risks, and **NO possibility to return TO LIFE EXISTS;** once critical consequences have

passed. EVERY LIFE deserves a true and legitimate warning. EVERY LOVE, TRUTH, AND HOPE deserves a future: and reality states, by the evidence: this future OF LIFE ON EARTH, will not continue to exist, without deliberate and true change.

IN SUMMARY: The associated penalties sought after or within this trial: *establishes, the clear and literal decision to produce: FAIR PLAY, and JUSTICE; FOR ME AND SOCIETY itself.* According to the laws of business that apply to every business, governed by society. Wherein the demand for equal standing; is simply not possible when confronted with any disease or true consequence of body or mind/ that does not allow a real or true free choice. Therefore “medical business” as a test of law/ is a reality that does not conform to the standard business model called “fair play”. Because the inequality of the participants/ created within the ultimate control achieved by pain, fear, needs, or other/ clearly define and determine this reality. Medicine as a business: has failed the test of “sobriety, having become drunk on the power & pride of extortion (let the body make them pay)”.

An assertion is made, that the law does not allow a business arrangement wherein both sides cannot achieve an equal footing called true choice/ thereby a functional defense for each one. **Instead, nature has removed “equally free and independent”/ nature has taken away certain**

the demand to defend their industry, by allowing or selecting someone else to take their place. The court has no such option, YOU are a representative of the people/ and this is the law you are employed to defend. CHOOSE.

The assessment of penalties strictly tied too: whatever you would charge me/ is what I charge you. **This clear warning is given: DUE TO, the extreme disgrace of lawyer fees/** I will quickly run out of money; to cover the charges they will create upon you. That means you cannot recover damages, should the court rule in your favor/ and there will be appeals.

The establishment of change in conjunction with the first amendment of the US Constitution: is a doctrine held up to scrutiny under the declaration of independence: “we hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are, life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed; “and more”.

Any assumption or assertion, that a business dealing which commonly bankrupts the uninsured citizen, and others, including this nation: cannot then be governed by the consent of WE THE PEOPLE; is absurd/ WE ARE THE OWNERS, and we will decide the rules. We are the owners/ this is our nation/ and it will exist as we decide for ourselves; under the constitutional declarations of law,

and its demand for, “fair play/ justice/ and equality; AND A FUTURE”for us all. NOT poverty for those working in healthcare/ BUT NOT poverty for those who depend upon that healthcare either.

The foundation in law proceeds to amendment 4 of the constitution: establishing and creating the basic right of the people: to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, “shall not be violated”..... No such condition of sanctuary exists today, because of the medical business: as even a tiny illness or accident can literally devastate the people attacked by ill health, bringing them financial ruin. These “Medical businessmen”, can extort ANYTHING they want: because the essential demand IS: “give this to us/ OR we let you or your loved one die, OR your body turn against you”.

The conditions of law, that assert: the hospital shall indeed intervene to save a life, so that none die unnecessarily; are useful, but errant in that the costs assigned to the taxpayer from these actions is still accounted to be, a

primary factor in the literal bankruptcy of this nation, its businesses, and its people. Consequently it is clear, certain, and without doubt our employees hired to do the work of governing, **HAVE FAILED COMPLETELY**, and **we must assign a new method for ourselves, under the law called, JUSTICE for all. A literal respect for DEMOCRACY, assembling OUR RIGHT TO BE THE OWNERS OF THIS NATION. By accepting our authority as CREATED, BY FIRST AMENDMENT LAW: over these our employees, the foundation of healthcare, the critical consequence of business, money, and more.**

BY UNDERSTANDING our oath and duty to defend and honor this society by the work that is necessary to build our future, and dignify ourselves once again before this world. Our leaders, and their diplomas have disgraced, disrespected, and dishonored us/ and we are more than their slaves, toys, or tools. Either by the law of Democracy we will be known/ OR by the fact, “ a nation NOW riddled, with leaders, called: liars, thieves, and fraud/ a people sold to greed. Today, the facts allow; due to the destruction and absolute gambling with all life on earth: clearly in evidence, whose roots start here. More than any other nation we are threatening extermination of this world: the term “satan” does apply. The criminally insane, threaten us all. Let us return to life, and build for a future instead of greed, power, or pride.

CHOOSE LIFE, and rebuild this nation! This is the way, this is the day; and like any true battlefield: there comes a time when you will fight for your life or death, for your children/ or you lay down to die with worms. Choose. But remember this: Whether I live or die, **the right and the reality of our future even for a world: HAS BECOME YOUR CHOICE. Make your decision.** You can

demand change by the law/ NOT civil war.

This document and its associated responses shall be viewed at www.justtalking3.info read *THE LIST, for a brief review of risks associated with a redress of grievances, in this case;* as each one is fundamentally tied to our health and well being as a nation and world.

total billing from provena to date, as is argued for:

total billing for this trip to provena is \$1,258.00
Of that amount \$250.00 for a prostatic antigen test.

Reduction for self pay/ rather than insurance= \$191.60
Service date 10/11/09

The cost in money, as a number; is to be assessed against Provena Medical center in this case: by whatever is assigned by the court as necessary to enter a courtroom of law. Should that include an accounting for “humiliation and ridicule”/ to establish a courtroom, that will appear. That price as is necessary for a courtroom of law_____.

But it will meet little resistance in a courtroom of law. The court is a liar: because justice is greater than money; yet it is money that decides the courtroom. How is this not a lie, when justice, fair play, equality, the future, and the law are its very purpose of existence?

The US supreme court constitutes a fraud, because they have already refused their oath, and deserted their own duties. **(FAILED, and tied to treason, as those criminally conspiring to remove the law that governs this land). Failed: because** within the first amendment redress of grievances as identified in US SUPREME COURT CASE 08-1339, a different matter they chose collusion, disrespect, and disgrace . A case viewed at www.justtalking2.info A case: Which means this government of the people, has been criminally deferred to “the power of money”/ instead of WE THE PEOPLE.

Let the court prove me wrong. Let this court prove: whose side are you on! Let this court/ this people/ our police and military: demand the law for WE THE PEOPLE.

The constitutional law is clear, we have a legal right to redress of grievances according to the first amendment: it needs no further interpretation: because it proves either enemy or friend, of we the people.

Choose.

the following,

as sent to Provena: through US mail, on October 26,09: initiating this claim for legal, & financial justice

MY LEGAL POSITION STATEMENT, sent to the hospital:

There will be those who now accuse me of running to the doctors “in fear”/ from the presentation of “threats in the body of me”. I did not, but to

understand that, it is necessary to know the following. Without warning, early on a Friday evening, the body began peeing at regular intervals, and it continued at least every two hours or thereabout for 44 hours straight/ dumping not less than a cup of liquid each time. No irregular flow, no starting and stopping or incomplete emptying: simply dumping fluids. No excessive drinking prior to/ limited, or minimal drinking throughout this period/ and on Sunday afternoon, considering the effects of dumping this volume of fluid, without replenishment: MEANS it must be coming out of the blood stream by now. So I drank a quart of water at 3 pm or so, in an effort to establish a barrier to the losses/ which then immediately was drained in its entirety over the next hour. That states: I am not able to retain fluids/ dehydration is next, and there are true consequences assigned by that; a question of life or death for this body, over the next few days if it does not stop. Since it was Sunday, and the rate of loss was substantial I went to the emergency room at a local hospital: **AND ASKED SPECIFICALLY, do you have a program for seeing the doctor, that is less than an emergency room visit? The woman behind the counter said yes, its called "fast track", but you have to qualify.** The two ladies within the same area which were paying attention said nothing. "I thought, there is absolutely no reason I should not qualify, presenting myself in a clear non emergency manner, without panic, or any other indication this is an emergency." But I did not ask what the qualifications were.

Understanding this was commonly at other hospitals; between \$200-\$300 dollars, I said ok, let me see a doctor. There was no sign of an emergency in me/ no asking for immediacy/ no fanatic voice, nothing: I expected to visit "fast track"/ at that cost. Considering common doctor visits are \$100/ plus going to the hospital from there for tests/ plus returning to the doctor to have the tests results: another probable hundred, and hours taken out of the day; it seemed less trouble to pay the expected additional hundred dollars here. I was wrong about the trouble, even though I was clear about my desire NOT to enter the emergency room and its charges (I would have waited)/ but, am now charged with an emergency room

visit; and at this moment potentially headed for court. Doctor says, "enlarged prostate"/ (a minimal distraction to me); but does not account for the large expenditure of fluids. He ran away quickly, asking only of the night it started. A prostate examine "NOT a highlight of my life"/ two minutes, and left me with an ass full of "lubricant". One urine test/ one blood test the doctor ordered at last

minute without telling me why. Stating go see a urologist to find out the results.

None the less, all symptoms stopped by Monday; and everything returned to normal.

To the legal department: treatment does not get more minimal than this/ I did in real terms ask for “LESS than an emergency room visit”/ AND DID expect to encounter the fast track program mentioned by your staff. THAT is what I am willing to pay for. THAT IS WHAT I AGREED TOO. and we will enter court, without a real and true understanding THIS IS THE BILLING that I will receive. As to the expensive test ordered, since I was not forewarned either of the cost or the reason, even though no possible reason existed for that omission: you will tell me clearly in plain english WHY the test was done, and what clear benefit I received. Apart from that, it is a point of contention in court. And I will expand the argument to include a greater look at healthcare in general; **NOT because I wish to/** but, if I must go to court, I will choose a purpose that suits me. Find a way, to be fair.

You have a week, before I begin preparations and filing.

JAMES FRANK OSTERBUR.
2191 county road 2500 E. St. Joseph, IL 61873
10/26/09