

IN CHAMPAIGN COUNTY COURT
STATE OF ILLINOIS
101 E MAIN URBANA IL, 61801

JAMES FRANK OSTERBUR (plaintiff)

Vs.

PROVENA COVENANT MEDICAL CENTER (defendant)

case 09LM1414

DATED 12/23/09

RE: Having received the billing from “Shemauger Emergency Physicia” totaling \$407.00/ stating “your account is now seriously past due, and a delinquency review is being conducted” for services 10/11/ 09 acct # PVN 20231502 billing date 12/19/09. Received by me 12/22/09

Service report 99283 emergency eval & mgmt. DX 600.90 Dr. YOO/
PROVENA.

THE REALITY of specific and real involvement in the matter before the court as the case above is hereby amended to include “Shemauger Emergency Physicia” located at PO BOX 37757 PHILADELPHIA PA 19101/ emcare.com; and its doctor by proxy (or in person if he should so choose): Dr. YOO. And their billing.

Regarding the billing itself, the initiation of “delinquency review” constitutes sufficient cause/ and is hereby rebuked as this is the very first notice of billing received. As stated in the original filing, the brief 5 minute diagnosis, based upon insufficient testimony regarding my complaint/ as that was not allowed by Dr Yoo/ is now charged at: 60 minutes divided by 5= 12 times \$407.00 = a total hourly charge of \$4,884.00 per hour (give or take a few seconds). This is reduced by “prompt pay discounted” to a balance of \$244.20 or times 12 for an hourly rate of merely \$2,930.40

BUT the statement itself says: delinquent/ so it is unclear if in fact they want nearly \$5,000.00 per hour or almost \$3,000.00 per hour.

The question before the court is fundamentally broken down into the simple truth: based upon testimony given. Having requested “any service less than an emergency room visit/ and told YES, we have quick care”; AND ACCEPTING

TREATMENT based upon that assertion that yes we will “give you a medical examination” that is not emergency room related. DO I OWE, an emergency room doctor/ or an emergency room visit at a hospital called provena: when it was clear to me at least that I did NOT ask for emergency room treatment. Nor did I present trauma, or fright, or any aspect that would have expected emergency room treatment/ so as to simply be taken into emergency due to health concerns.

I expected a “convenient care” type of service as would be available elsewhere/ I asked for that specific service at provena medical/ and I expected to receive that particular service at its competitive cost with other area hospitals.

In opposition to this testimony/ I knew I was entering into an emergency room environment: which is why I made a clear and deliberate question at the reception area. DO YOU HAVE an alternative to the emergency room here. As I was being directed into the emergency room area/ the thought struck me, NOT what I expected: BUT HOW was I to know, that “quick care” was not a participant in this area, or for some reason there today. IF that service was not established here/ IF that service was not available at this time or on this day: I DID DESERVE to be told/ prior to entry. And I was not.

That is the functional statement to be reviewed in the presence of this courtroom/ BUT IT IS NOT the only one. As I am distinctly opposed to anyone who charges what can only be considered an extortion of me/ when they believe they can get away with it simply by demanding money. That is the critical and real assertion of REDRESS OF GRIEVANCES against healthcare in this nation.

I am not complaining as to the service provided by the hospital/ I am complaining as to the price for services rendered/ even though I did not ask for these specific services; IT IS ABSOLUTELY CLEAR, had I intended to enter the emergency room/ this would have been the charge, and has become so.

I am complaining as to the service of Dr. YOO/ as he did not do his job correctly, nor properly, nor with dignity for me. But left me intentionally in a state of undress, with an ass full of “grease”/ and without the slightest method to clean it up personally. Nor even the dignity of knowing it was left that way, until redressing; another ridicule of me.

I am further complaining at the ordering of an expensive test/ for which I was not advised by the doctor, that I might inquire of WHY, and the cost involved/ and what possible benefit it would provide to me: MY MONEY/ MY DECISION. And find no direct reason for that test apart from simply “collecting more money from me”. Not told why/ not established in any assertion of need: simply added to the billing is NOT enough. My decision/ because it is my money; YOU have no right to spend it/ unless and without permission. Had the doctor been present/ he

would have been questioned; he did not reappear, his nurse told me, and took the blood.

I am complaining: being told, go to another doctor, to have the test results explained to you or even find out the results. Another billing without my permission/ as I had already accepted that money would be charged for this visit to provena; and it is just adding more debt to me/ to go to another doctor, instead of being told by the people hired. A very simple, test good, or test bad. They want another “hundred or more dollars” for the other doctor to grab more money also/ IT AIN’T LIKELY.

I am in court, to establish a foundation of predation on the public DUE TO the business of medicine/ wherein the public are like sheep, due to their sickness or consequences of health in some form: thereby fundamentally unable to defend themselves against these charges of the medical profession in its every form. And that constitutes not only a monopoly on care, particularly where emergency services are necessary/ but also on other care, as the cost associated with a second opinion; is prohibitively high. That leaves life, dependent upon what and who you get/ without any proper and current diagnosis of the doctor or hospital; through public means. That leaves life, unable to defend itself against the charges being made; because medical trauma is not conducive to barter or cost containment. Instead it is live or die, or fears for the majority/ giving to the medical community all means necessary: to extort any amount they want. The courtroom is no answer either/ as the conversation even in court is beyond the language barriers of the common citizen or judge; thereby reduced to “experts in the field”/ and what do you know; “they stick together”/ regardless of life or death to me or you. Because there are consequences to “fighting the system”/ you can be banned from hospitals, stripped of licensing, set up to take a fall; and more. Because in the end this business is like any other/ and falls under the conception and purpose: WE ARE HERE, FOR THE MONEY! And take it they do, in every form, by every means possible, in every state of the nation. As is always true, “not everyone”/ but the majority have established a debt upon society that it cannot pay. And the consequence of that means: they then have created an environment of extortion that the public cannot surmount unless it joins together in redress of grievances to establish and create what is honestly FAIR, to all.

Due process states: “nor shall any person be deprived of life, liberty, or property without due process of law”. The public purpose here then is: to establish what is due/ for both the public and the medical profession in all its attributes. NOT ANY DAMN THING THEY WANT/ but not without cost or

respect for the work from the public either. THERE MUST BE JUSTICE. And that is the public purpose of law.

The constitutional demand: *“WE THE PEOPLE of this United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessing of liberty to ourselves and our children:...”* Create and establish a direct order on this democracy to do better/ make changes/ and demand justice for our nation on the people themselves.

The interpretation of redress of grievances is NOT GIVEN TO THE SUPREME COURT! Rather it is the right of WE THE PEOPLE/ as is all legal construction possible for the first amendment. As is seen in its wording: **DON'T interfere with religion** (which the court disobeyed with the religion infecting government called evolution)/ **DON'T interfere with speech of the people** (which the congress disobeyed with lobbyists: DON'T hear us, they hear them) / **DON'T interfere with the press** (which the court disobeyed, in creating monopolies) Or more simply it in The first amendment, OUR EMPLOYEES ARE TOLD, & COMMANDED: you shall not interfere with the people in their right to religion/ or speech/ or interfere with the press/ or the right of the people to demand an accounting from their employees, or demand that changes will be made to this society, regardless of what congress (our employees) have in mind. It is our right/ our employees are thereby told to obey the owners of this nation: WE THE PEOPLE! The supreme court is allowed and commanded to defend the first amendment/ but there is no interpretation possible, that removes the right of the people to enforce their own preamble to that very constitution as is written above/ for the purpose of this court case.

Therefrom we begin the legal discussion of who has the right to control, alter, or command: the medical business/ industry in America? Is it regulation by our employees (who have proven themselves incompetent or worse), the evidence is clear: OR OURSELVES?

The test is: who has the greater right of self-defense? The medical industry/ or the patient? Because these are life and death issues, realities of disability and life changing events; and mistakes whether justified by the moment/ or unjustified by failure: this reality of self defense CLEARLY AND WITHOUT DOUBT, belongs to the patient. Therein **substantive law shall be owed** to those whose lives are most affected/ IT IS NOT a business, it is a life. The consequent truth of that statement is: The business is second/ and what is most appropriate and fair for LIFE, shall be given the full benefit of its authority.

As has already been established: I am the plaintiff for the people/ BUT I AM NOT their representative in the legal trial of redress. RATHER I am the citizen establishing cause and demanding redress for the nation/ that this nation may indeed be provided the law that is due them, by the process of constitutional demands for WE THE PEOPLE.

That means: while I am asking for LEGAL redress/ this case is establishing the law, for WE THE PEOPLE, as the first amendment does not deny any person the right of law/ but creates access to the law. I not only can demand LEGAL redress for the people/ I DO.

That further means: because I am not currently, the legal representative for the people: until selected for trial, by due process and vote/ I cannot be charged for any portion or type of lawyer charges, that constitute a defense against redress of grievances for the people. **I ASK FOR THE CONSTITUTIONAL LAW OF THIS NATION, to be invoked here in this trial/ and it is the law, and the nation, that defends me.** My right to due process, to the questions and answers provided by the first amendment, and created by the legal oath of every judicial servant in the nation to OBEY THE LAW; are NOT subject to fines or punishments. I ask the court for the law to be invoked/ and that portion of this trial does NOT begin, until the twelve jurors have made their verdict on redress of grievances for the nation. Should they establish redress/ THEN all levels of compensation or cause can be leveled against the people themselves.

ANY assumption, that you can simply; ask the US supreme court to dismiss/ demands and entitles the US supreme docketed case 08-1339 as was unconstitutionally, and criminally trashed by a clerk of the court/ after passing all tests for a demand: ONLY THE JUDGE, can decide this. **A case demanding the decision from the court: WILL YOU OBEY THE FIRST AMENDMENT LEGAL REDRESS OF GRIEVANCES FOR THE PEOPLE, AS LAW, OR NOT? RETURNS TO COURT/** because redress was the question before that court. They knew, because if for no other reason, certified mail was sent to each individual judge/ and they were defendants. It was anarchy, and an impeach able offense. **A criminal conspiracy to deny redress of grievances for the people/ A CONSTITUTIONAL LAW, AND GUARANTEED LEGAL RIGHT.** A case if brought to trial beyond this momentary mention, in a lower court: must come to judgment. BY LAW. The constitution of this United States of America, IS FINAL JUDGE, by its intent, and its law. NO greater authority exists/ and when anarchy comes into view as defined by: WE THE PEOPLE, that authority under the law to establish true interpretation for ourselves, FOR OUR NATION;

under redress and the first amendment becomes our right.

You may view this trial at www.justtalking2.info and the current case (this one) at www.justtalking3.info. If you so desire.

Preliminaries to jury trial begin in courtroom D January 20, 2010 at 1:00 pm. Notice is given to the court, and hereby provided to you. At the earliest possible time/ as this is the first notice received. And as would be common: in any style or expectation of “convenient care/ quick care”; the doctors cost, is included! An extension of time, is not believed warranted or valid under these specific conditions; as the applicable portion of the trial dedicated to \$407.00 is not sufficient to deny **a speedy Solution**. And no other portion of trial as is founded upon the law of redress, by the first amendment: critically occurs until a jury of twelve decides yes, or no. FURTHER NO POSSIBILITY EXISTS that an argument or contention can be made; regarding the crisis in healthcare; THAT has been decided. Not even if the employees of government pass a different law/ as redress is for the people to decide; and this matter of healthcare is beyond debate as to whether **it constitutes a question** for redress as WE THE PEOPLE. The fundamentals ARE decided/ it is up to the twelve jurors of this trial to decide for the people: if WE THE PEOPLE, shall accept the responsibilities of governing ourselves or not. That is not a court issue, it is the people’s decision/ to use the law of redress, or not.

James F. Osterbur