



David E Howe <subscriberwise@gmail.com>

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## FW: Claim #10623

1 message

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David E. Howe <dehowe@subscriberwise.com>  
To: subscriberwise@gmail.com

Tue, Jul 30, 2019 at 8:28 AM

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**From:** David E. Howe <dehowe@subscriberwise.com>

**Sent:** Monday, July 22, 2019 3:19 PM

**To:** 'daniel@rockportautoclaims.com' <daniel@rockportautoclaims.com>; 'customercare@acerentacar.com' <customercare@acerentacar.com>; 'dradzis@acerentacar.com' <dradzis@acerentacar.com>; 'Victoria.Butler@myfloridalegal.com' <Victoria.Butler@myfloridalegal.com>; 'William.Featheringill@myfloridalegal.com' <William.Featheringill@myfloridalegal.com>; 'Laura.Boeckman@myfloridalegal.com' <Laura.Boeckman@myfloridalegal.com>; 'scheduling@rubio.senate.gov' <scheduling@rubio.senate.gov>; Hunter\_Koski@rubio.senate.gov; 'elizabeth\_warren@warren.senate.gov' <elizabeth\_warren@warren.senate.gov>

**Cc:** 'Daniel Mann' <danmann1818@gmail.com>; 'dakraemer@cbs.com' <dakraemer@cbs.com>; 'mcc683@gmail.com' <mcc683@gmail.com>; 'renscoren@comcast.net' <renscoren@comcast.net>; 'joshua adelstein' <joshua.adelstein@gmail.com>; 'us\_senators@subscriberwise.com' <us\_senators@subscriberwise.com>; 'us\_house@subscriberwise.com' <us\_house@subscriberwise.com>; 'media@subscriberwise.com' <media@subscriberwise.com>; 'ehi\_federal\_racket@subscriberwise.com' <ehi\_federal\_racket@subscriberwise.com>; 'tips@nytimes.com' <tips@nytimes.com>; 'tips@publicintegrity.org' <tips@publicintegrity.org>; 'tellus@washpost.com' <tellus@washpost.com>; akhahaifa@orlandosentinel.com; 'cfrank@miamiherald.com' <cfrank@miamiherald.com>; 'nnehamas@miamiherald.com' <nnehamas@miamiherald.com>; 'emahoney@tampabay.com' <emahoney@tampabay.com>; 'glewis@sao.cjis20.org' <glewis@sao.cjis20.org>; 'Heather.Fitzenhagen@myfloridahouse.gov' <Heather.Fitzenhagen@myfloridahouse.gov>; 'jeff.leen@washpost.com' <jeff.leen@washpost.com>; 'Criminal.Division@usdoj.gov' <Criminal.Division@usdoj.gov>; 'Peter.Holley@washpost.com' <Peter.Holley@washpost.com>; 'publisher@news-press.com' <publisher@news-press.com>; 'zachary.goldfarb@washpost.com' <zachary.goldfarb@washpost.com>; 'operators@subscriberwise.com' <operators@subscriberwise.com>; 'members@subscriberwise.com' <members@subscriberwise.com>; 'subscriberwise@gmail.com' <subscriberwise@gmail.com>

**Subject:** RE: Claim #10623

Dear Mr. Daniel Bandy: Greetings, Sir.

I've become aware of the CBS Chicago news story involving your agency and Daniel and Mary Mann.

It gives me remarkable concern. And the money that your agency is seeking...well, that has left me literally speechless. My guess is the rest of ethical, honest, and law-abiding citizens – from the USA and around the world -- they too will be speechless to say the least.

Yes, speechless to say the least...

And, for the record, I intend to include the media facts and attribution from the 'CBS Chicago' story which documented elements of the claim, including the jaw-dropping amount of financial recovery your agency is claiming that the Mann's owe following the alleged 'damages' indicated, with my anticipated testimony to the United States Senate Committee on Commerce, Science, and Transportation.

Moreover, I intend to spotlight this particular case – among countless others – for a presentation I'm preparing that I intend to share with FBI Director Christopher Wray, which I believe will complement profoundly my near three-year investigation into federal racketeering, federal Hobbs Act violations, state and federal UDAAP's, as well as a host of irrefutable and demonstrable evidence of predatory and criminal behavior by the USA car rental industry and it's equally shameful lobbying/political action committees.

And it's perfect timing, to have obtained your name and contact information, as I recently sent President Donald J. Trump a message via his preferred form of contact – Twitter – <https://twitter.com/SubscriberWise/status/>

Additionally, as well to continue with my love of transparency, I'll direct my staff to 'Tweet' this very correspondence – aggressively – to not only the women and men of America who own and operate the nation's communications companies...my industry colleagues and friends of nearly a quarter-century...but to the Credit Czar's fellow citizens, including in particular a 'boosted blast' to the south Florida rental market with explicit instruction to rental consumers to consume the CBS story concerning your agency.

But aside from this informal introduction, Mr. Bandy, I do have an otherwise respectful request of you and 'Rockport Auto Claims' including your senior executive management and key decision makers.

I request that you provide me and the Florida State Attorney General's investigators included above the following information:

1. You've asked for 'diminished value' in the claim involving Daniel and Mary Mann. Is this a proprietary formula that your agency employs to arrive at the amount? Or is this an industry standard? If it's an industry standard, please cite for me and the Florida State AG investigators the source of this formula so that my investigators can confirm additional facts. And, as you can imagine, I'll certainly include this for any prepared remarks that I intend to provide members of Congress – and during my next visit to the Hill in the coming weeks.
2. Florida has very strong spoliation laws for which I, nor the Florida investigators named above, have any discretion to ignore or overrule. In other words, when a company or individual is making a claim that involves a potential financial liability (aka a financial harm) and there also happens to be recorded video surveillance, for example, that would substantiate unequivocally the liability and/or the scope of the 'damage' at the very moment in time when the claim for liability was made, then it is expected you'd obtain this critical evidence and 'copy duplicate preserve and safeguard' it – not only because it's simple common sense – but because if there's even a reasonable expectation of a legal dispute in a court of law, then it's mandated by Florida law for you to perform the legal duties indicated above; otherwise, if it's not done, then the court is required to 'draw an adverse inference against the spoliator – or destroyer – of the evidence. And that's the minimum requirement, the 'adverse inference'.

Yes, there are no 'ifs'...no 'ands'...and no 'buts' about this duty, Mr. Bandy? In other words, given the remarkably high amount that your agency is seeking to recover from the Mann's, I'd argue -- as any reasonable lay person would -- that it's a logical and a foreseeable expectation that you'd have safeguarded and preserved all the video evidence to substantiate your claims – 3 months after the vehicle was returned according to the CBS story.

Therefore, Mr. Bandy, it begs the question: Do you have said video evidence with date and time stamps that you can provide me and the Florida investigators above? I'd appreciate the opportunity to view it ASAP...and I promise I'll include it with the RICO presentation(s) I'm planning to soon provide the United States Congress and the American people.

3. Your agency itemized 'loss of use'. Can you provide proof that every class of vehicle that the Mann's rented also happened to be 'sold out' during the time the vehicle was 'out of service'? In other words, is it possible that the vehicle would have not generated the additional revenue simply because of 'supply and demand' at the very time your agency just happened to increase this otherwise remarkable money demand by an additional \$188.58?
4. Does your repair shop have 'after photos' to document every single repair? If so, please supply to me and other others. If not, then why? Are you able to provide proof of purchase for every item included in the nearly \$5000.00 'body damage' claim?
5. Did your 'body shop' of choice report this 'repair' to CARFAX? If so, would you be so kind to provide me the VIN so that my investigators may confirm with CARFAX directly?

6. Would you be so kind to tell us the source of the \$65.00 appraisal? And do you know if this is reported – and how it's reported – on your agency's tax line items? Specially, what's the tax classification your agency is reporting for the IRS...if you don't mind sharing?

7. I noticed nearly \$500.00 for 'administrative fees'; would you describe exactly what this fee covers? And how does this get reported as income to the IRS? I'm just curious.

Thanks much, Mr. Bandy. And on behalf of the Florida investigators named above – who by the way are on the public dole, so-to-speak, and who are legally bound to protect the interests of not only Florida businesses, but -- of course -- innocent consumers who are easily preyed upon by un/under regulated organizations that may be perpetrating a litany of state and federal violations as they relate to 'unfair deceptive abusive acts or practices', please reply promptly and with as much detail as possible.

And again, if you don't mind, please be extremely detailed and thorough so that all of us are able to have full and complete confidence that this incredible financial liability is entirely justified and, well frankly, fully corroborated to avoid any public demand for the state of Florida and/or the United States Department of Justice to vigorously enforce existing deceptive trade practices that protect consumers from unconscionable, and often times criminal, behavior.

Yes, thanks again Mr. Bandy. No doubt that we all look forward to your responses for this now important political and consumer campaign that's caught the attention of a fellow car rental crime victim...and the angry attention of the United States Credit Czar, I am

Sincerely yours,

David E. Howe, SubscriberWise President and CEO, U.S. Credit Czar, America's child identity guardian, and FICO Professor

Cc: Federal Trade Commission and Consumer Financial Protection Bureau



David E. Howe  
President, SubscriberWise

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----- Forwarded message -----

From: **Daniel Mann** <[danmann1818@gmail.com](mailto:danmann1818@gmail.com)>

Date: Mon, Jul 22, 2019 at 12:06 PM

Subject: Fwd: Claim #10623

To: Customer Care <[customercare@acerentacar.com](mailto:customercare@acerentacar.com)>, Daniel Bandy <[daniel@rockportautoclaims.com](mailto:daniel@rockportautoclaims.com)>, David E Howe <[subscriberwise@gmail.com](mailto:subscriberwise@gmail.com)>, Kraemer, Daniel A <[dakraemer@cbs.com](mailto:dakraemer@cbs.com)>, MaryAnne Herr <[mcc683@gmail.com](mailto:mcc683@gmail.com)>, [dradzis@acerentacar.com](mailto:dradzis@acerentacar.com) <[dradzis@acerentacar.com](mailto:dradzis@acerentacar.com)>, [joshua.adelstein@gmail.com](mailto:joshua.adelstein@gmail.com) <[joshua.adelstein@gmail.com](mailto:joshua.adelstein@gmail.com)>, [pam.bondi@myfloridalegal.com](mailto:pam.bondi@myfloridalegal.com) <[pam.bondi@myfloridalegal.com](mailto:pam.bondi@myfloridalegal.com)>, [renscoren@comcast.net](mailto:renscoren@comcast.net) <[renscoren@comcast.net](mailto:renscoren@comcast.net)>

<https://chicago.cbslocal.com/2019/07/16/rental-car-damage-bill-ace-rent-a-car-rockport-auto-claims/>

<https://www.thedrive.com/news/29031/ace-rent-a-car-agency-at-miami-airport-accused-of-scamming-customers-out-of-thousands>

----- Forwarded message -----

From: **Daniel Bandy** <[daniel@rockportautoclaims.com](mailto:daniel@rockportautoclaims.com)>

Date: Mon, Jul 22, 2019 at 10:48 AM

Subject: Re: Claim #10623

To: Daniel Mann <[danmann1818@gmail.com](mailto:danmann1818@gmail.com)>

Daniel,

This claim is going to collections if payment isn't received by 5:00 pm central. The current balance is \$4,506.14.

Thanks!

On Fri, Jul 19, 2019 at 5:03 PM Daniel Mann <[danmann1818@gmail.com](mailto:danmann1818@gmail.com)> wrote:

Mr. Bandy and Ace,

I haven't heard from either party regarding the email copied below.

The timelines and preferred contacts have become quite confusing and blurred in this case.

For the record, Mr. Bandy first stated that he would send me to collections, then made a new offer in which he said was good for 10 days, which we are not accepting, and is now not returning my messages regarding this claim.

Ace (they still haven't given me the name of the person I am talking to) told me that I should contact them, not Rockport, if I wanted to dispute my claim, gave me a phone number which was a general line that went right to voicemail, then answered some of the parts of some of my emails but is now not responding.

If I don't hear from an Ace agent or Mr. Bandy by the end of business Monday, July 22, I will cease communication on Claim #10623 and consider this matter closed with a \$0.00 balance.

Maybe that's the best conclusion for all parties.

Signed,

Daniel Mann

I will reserve the right to sue for my \$200 deposit in small claims court, although I have no plans to do so at this time.

On Fri, Jul 19, 2019 at 9:45 AM Daniel Mann <[danmann1818@gmail.com](mailto:danmann1818@gmail.com)> wrote:

Mr. Bandy and Ace,

We are still looking to close this claim amicably for \$750 (minus our \$200 deposit) so both parties can move on.

Ace told me I should move my complaints from Rockport to their Customer Care Team to seek a resolution to this matter, but I have not heard from Ace since Monday.

Daniel Mann

Claim #10623

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Daniel Bandy

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