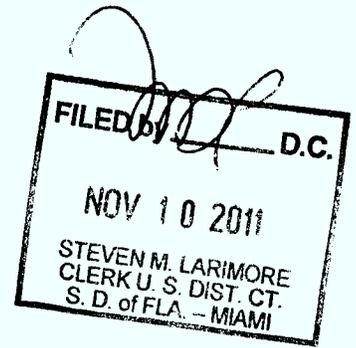


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA



DAVID KARDONICK, JOHN)
DAVID, and MICHAEL CLEMINS,)
individually and on behalf of all others)
similarly situated,)

Plaintiffs,)

v.)

C.A. NO. 1-10-CV-23235-wmh

JPMORGAN CHASE & CO. and)
CHASE BANK USA, N.A.,)

Defendants.)

RESPONSE TO MOTION TO POST APPEAL BOND

I, Margaret E. Wheeler, pro se, am a member of this class action lawsuit. I recently received the Plaintiffs' motion to direct objectors to post an appeal bond of \$35,000. I wish to respond to that motion by requesting that the court not deprive me of my right to due process of the law.

As I understand the motion, Plaintiffs want me to post a bond in order to proceed with my appeal in this case. In considering this request, I want to point out to the court that I am a 76 year-old, retired woman, and my husband who is also retired, is 84. Our primary, and sometimes ONLY, source of income is our monthly Social Security checks, when combined totals less than \$1,600.00 per month. At the present time, much of our income is going to pay medical bills and the related expenses for my husband's treatment of recently diagnosed lung cancer. We do not have the income at this time to spare after these payments.

As a result of my present financial situation, I am unable to post a bond in order to pursue my right to appeal. A requirement to post an appeal bond would deny me the right to appeal since I am unable to afford a bond. The Plaintiffs' lawyers, who purport to represent me in this case, should not be allowed to deprive me of the right to access the court system. It is obvious this is simply a maneuver by them in an attempt to force me to withdraw my appeal, whereby my voice can't be heard. I sincerely support and believe in our justice system, and would hope and pray not to believe that it is only available for the benefit and protection of the wealthy.

It should also be noted that even though my husband and myself have for many years managed to survive on a very modest income, we have never to my recollection faulted on any of our financial obligations as the Plaintiffs' lawyers again would like for you to believe.

I respectfully request that the court allow my appeal to proceed and not deprive me of my right to appeal by requiring a bond, which I cannot afford.

Sincerely,


Margaret E. Wheeler, *Pro Se*
572 Herman Nerren Rd.
Huntington, Texas 75949
(936)422-3300

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was sent for filing with the Court, and served on the listed attorneys of record in the above entitled and numbered cause the 8th day of November, 2011, via the U.S. Mail, general delivery:

Clerk of the Court
United States District Court
Southern District of Florida
400 North Miami Avenue
Miami, Florida

Carney, Williams, Bates, Bozeman & Pulliam, PLLC
11311 Arcade Drive, Suite 200
Little Rock, Arkansas 72212

Zachary Parks
Covington & Burling LLP
1201 Pennsylvania Avenue NW
Washington, DC 20004
Kim D. Stephens



Margaret E. Wheeler