

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

-----X
 TRADE WELL INTERNATIONAL,
 A Pakistan Corporation,
 Plaintiff, **Case No. 12-cv-701**
 v.

UNITED CENTRAL BANK, a
 Texas Corporation,
 Defendant.

-----X

MOTION TO SUPPLEMENT THE RECORD

NOW COMES, a third-party to this action, Maurice James Salem, of Law Offices of Salem & Associates PC, (“Salem”) in his *pro se* capacity who moves this Court for an order granting him leave to modify the record by supplementing it with the attached four (4) documents: **Exhibits A – D**.

1. An appeal is taken from two of this Court’s orders, one dated April 4, 2014, (Doc. 71) and the other dated April 22, 2014 (Doc. 75). The April 4, 2014, order held Salem in contempt of court and permitted Plaintiff Trade Well International to post a bond for the sale’s price of Defendant’s property, a hotel. The April 22, 2014, order denied Salem’s motion to reconsider and prohibited Salem from filing any documents in this district court.

2. The US Court of Appeals, for the Seventh Circuit, permitted Salem to proceed with an appeal of said two orders and **Exhibit E** hereto is the scheduling order. Salem had moved to supplement the record in the Court of Appeals, but this was not permitted. Circuit rule 10(b) states: “A motion to correct or modify the record pursuant to **Rule 10(e), Fed. R. App. P.**, or a motion to strike matter from the record on the ground that it is

not properly a part thereof shall be presented first to the district court. That court's order ruling on the motion will be transmitted to this court as part of the record.”

3. This Court prohibited Salem from filing documents in his capacity as counsel for Plaintiff herein or any other client. Now, Salem comes to this Court in his *pro se* capacity, as a third-party, while seeking to vacate this Courts two orders on appeal. In such a situation Salem should be permitted to file this motion because that is what Circuit Rule 10(b) requires. Moreover, this Court should wait to see how the Seventh Circuit will rule in the pending appeal before imposing any more sanctions against Salem.

4. The first document Salem seeks to include in the supplemental record is an email from the Bank’s attorney stating the sale price of the hotel is \$1,200,000.00 **Exhibit A**. The second document is Plaintiff’s offer to purchase the property, rather than post a bond, for \$1,300,000.00 **Exhibit B**, which is \$100,000.00 greater than the sale’s price. The third document is the Bank’s rejecting the offer **Exhibit C**, and the fourth document is the Bank stating that the property had already been sold. **Exhibit D**.

5. In this case, Defendant United Central Bank (“the Bank”) sought sanctions against Salem for filing a lien because the lien allegedly interfered with the sale of the subject property two days before a scheduled closing date; see the Bank’s motion to Strike Lien and other relief (Doc. 56, 57 & 58). The documents Salem seeks to supplement the record with show two things. First, one of the reasons Salem filed the lien was his concern that the Bank was self-dealing and making insider deals that may render it judgment proof or without enough money for all of its creditors. The evidence that the sale price was \$1,200,000, **Exhibit A**, supports this belief; particular when Salem showed evidence, in his Declaration in Opposition to strike the lien (Doc. 61), of a two-

year old offer, that was still an open offer, to purchase the property for \$2,500,000, which the Bank continued to reject.

6. The second reason to allow this supplemental record is that the reason the Bank's counsel sought sanctions against Salem was that the lien filed interfered with a sale. However, **Exhibit D** clearly contradiction this claim by counsel for Bank stating that the property was already sold.

7. These documents could not have been entered into the record because they resulted after Salem's motion to reconsider and thereafter, Salem was prohibited from filing any more documents in this Court.

8. **WHEREFORE**, Salem respectfully request an order be entered granting him leave to modify the record by supplementing it with the attached four documents, **Exhibits A – D**, together with such other and further relief this Court deems just and proper.

Dated: May 28, 2014,

Respectfully submitted,

/s/Maurice James Salem,
Law Offices of Salem &
Associates, P.C.
7156 W. 127th Street, B-149
Palos Heights, IL. 60463
Tel. (708) 277-4775
Fax (708) 357-4029
salemlaw@comcast.net

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2014, a copy of the foregoing Motion was served on the all attorneys of record through electronic means.

/s/Maurice James Salem

XFINITY Connect

salemlaw@comcast.net

± Font Size _

RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

From : Brian P. Thill <bthill@murphydesmond.com>

Fri, Apr 04, 2014 02:34 PM

Subject : RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

To : 'salemlaw@comcast.net' <salemlaw@comcast.net>

I assume you already know this, but to the extent your client may wish to avail itself of the bond posting route, to be clear, the hotel sales price was \$1,200,000.

Brian P. Thill
Murphy Desmond S.C.
33 East Main Street, Suite 500
P.O. Box 2038
Madison, WI 53701-2038
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(608) 257-2508 (Fax)
www.murphydesmond.com

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From: wiwd_ecf@wiwd.uscourts.gov [mailto:wiwd_ecf@wiwd.uscourts.gov]

Sent: Friday, April 04, 2014 11:56 AM

To: wiwd_nef@wiwd.uscourts.gov

Subject: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS There is no charge for viewing opinions.

U.S. District Court

Western District of Wisconsin

Notice of Electronic Filing

The following transaction was entered on 4/4/2014 at 11:56 AM CDT and filed on 4/4/2014

Case Name: Trade Well International v. United Central Bank

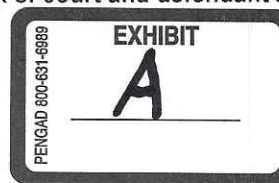
Case Number: [3:12-cv-00701-wmc](#)

Filer:

Document Number: [71](#)

Docket Text:

ORDER denying [55] Motion to Compel preservation of evidence; granting in part and denying in part [56] Motion to Strike notice of lien and for further relief; granting [68] Motion to Strike inadmissible portions of declaration of Maurice J. Salem. Attorney Salem held in contempt of court and ordered to pay \$500 to clerk of court and defendant's attorneys' fees



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salemlaw@comcast.net

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Re: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

From : salemlaw@comcast.net

Fri, Apr 18, 2014 05:26 PM

Subject : Re: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel**To :** Brian P. Thill <bthill@murphydesmond.com>

State Farm Insurance declined to issue a bond. Rather than continue seeking a bond my client offers to purchase the hotel for 1.3 million dollars and settle the case.

Maurice James Salem,
Law Offices of Salem & Associates P.C.
Tel. (708) 277-4775
Fax. (708) 357-4029
Email: salemlaw@comcast.net

7156 West 127th Street, B-149
Palos Heights, IL. 60463

91 Bennett Avenue
Yonkers, NY 10701

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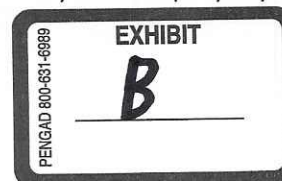
From: "Brian P. Thill" <bthill@murphydesmond.com>**To:** "salemlaw@comcast.net" <salemlaw@comcast.net>**Sent:** Monday, April 14, 2014 10:21:49 PM**Subject:** RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

What we also require is:

1. A recorded copy of the release;
2. Attaching the Exhibit A referenced therein.

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RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

From : Brian P. Thill <bthill@murphydesmond.com>

Fri, Apr 18, 2014 06:11 PM

Subject : RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel**To :** salemlaw@comcast.net

Rejected.

Brian P. Thill
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-----Original Message-----

From: salemlaw@comcast.net [salemlaw@comcast.net]

Received: Friday, 18 Apr 2014, 5:26PM

To: Brian P. Thill [bthill@murphydesmond.com]

Subject: Re: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

State Farm Insurance declined to issue a bond. Rather than continue seeking a bond my client offers to purchase the hotel for 1.3 million dollars and settle the case.

Maurice James Salem,

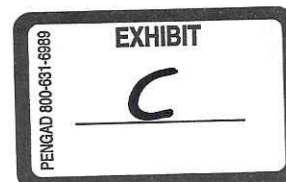
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Yonkers, NY 10701



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salemlaw@comcast.net

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RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

From : Brian P. Thill <bthill@murphydesmond.com>

Fri, Apr 18, 2014 08:15 PM

Subject : RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel**To :** salemlaw@comcast.net

The hotel is already sold, so we would be unable to do so.

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From: Brian P. Thill**Sent:** Friday, April 18, 2014 6:12 PM**To:** salemlaw@comcast.net**Subject:** RE: Activity in Case 3:12-cv-00701-wmc Trade Well International v. United Central Bank Order on Motion to Compel

Rejected.

Brian P. Thill
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-----Original Message-----

From: salemlaw@comcast.net [salemlaw@comcast.net]

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

May 13, 2014

By the Court:

TRADE WELL INTERNATIONAL,] Appeal from the United
Plaintiff,] States District Court for
] the Western District of
	and] Wisconsin.
]
MAURICE J. SALEM,] No. 3:12-cv-00701-wmc
Appellant,]
] William M. Conley, Chief Judge.
No. 14-1907	v.]
]
UNITED CENTRAL BANK,]
Defendant-Appellee.]

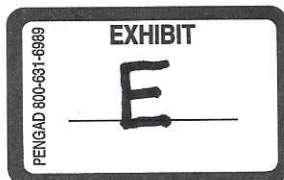
ORDER

On consideration of the "MOTION FOR VOLUNTARY DISMISSAL OF APPELLANT TRADE WELL INTERNATIONAL ONLY" filed by attorney Maurice James Salem on May 8, 2014,

IT IS ORDERED that the motion is GRANTED, and plaintiff Trade Well International is DISMISSED as an appellant in this appeal. The appeal will continue with attorney Salem as the sole appellant.

IT IS FURTHER ORDERED that this appeal shall proceed to briefing. The briefing schedule is as follows:

1. The appellant shall file his brief and required short appendix on or before June 16, 2014.



- over -

No. 14-1907

Page 2

2. The appellee shall file its brief on or before July 16, 2014.
3. The appellant shall file his reply brief, if any, on or before July 30, 2014.

NOTE: Counsel should note that the digital copy of the brief required by Circuit Rule 31(e) must contain the entire brief from cover to cover. The language in the rule that “[t]he disk contain nothing more than the text of the brief...” means that the disk must not contain other files, not that tabular matter or other sections of the brief not included in the word count should be omitted. The parties are advised that Federal Rule of Appellate Procedure 26(c), which allows for three additional days after service by mail, does not apply when the due dates of briefs are set by order of this court. All briefs are due by the dates ordered.