

Honorable Judge Smoak
United States District Court
Panama City, Florida

November 14, 2011

Sleptone Music vs.
Bob Paynter
Case No: 5:11cv32-RS/CJK

**RESPONSE TO PLAINTIFF'S RESPONSE IN OPPOSITION OF ROBERT
PAYNTER, SR. TO SET ASIDE DEFAULT JUDGEMENT**

Dear Judge Smoak,

This letter is in response to the response letter that Slep-Tone recently filed with the Court on 12-07-2011. I would first like you to know that I have no financial means to provide adequate legal counsel to help me navigate my way through these very complicated proceedings. I am a man of limited means and education, having only completed 12 years of school. I apologize to for my lack of knowledge and terminology concerning the proper legal protocol that I know must exist and needs to be followed. However, I do believe that Slep-Tone, being fully aware of this and of my situation, is using my circumstances to their advantage and I find myself being "outmaneuvered" as a result. This has resulted in me being presented to you as someone who is being "derelict in his attention to this case.." I assure you sir, that nothing can be further from the truth. I wish to clarify to the Court several matters that were presented to the Court concerning the time lines and factual accounts concerning this case. These are outlined as follows:

1) Concerning the issue of where I legally reside:

I can confirm that I do own (with a mortgage attached) a single family residence located at 9083 Seafair Lane. I did reside at this residence from November of 2004 until March of 2009. My parents also resided with me at this residence beginning around December of 2008.

I moved out of my residence at 9083 Seafair Lane in March of 2009 and moved in with my fiance at her residence located at 3119 Foxwood Lane. We also resided at Arrowhead RV Park in Marinana, Florida during the week. My parents were renting my house at Seafair Lane from me after I moved out. I have attached copies of canceled checks and utility bills from my parents as proof for you with this letter.

I was married in November of 2010 and continued to reside at 3119 Foxwood Lane. In May of 2011, My wife and I moved back in to the Seafair Lane residence and my parents moved in to the Foxwood Lane house. They are currently renting that house from us. I have attached copies of checks and utility bills for this as well.

Slep-Tones assertions that I lived at the Seafair Lane address are solely based on false conclusions of their own convenience. They cite as "proof" the fact that the Seafair Lane address is used as a mailing address for my business. This is true. But it fails to prove that I was actually living there, which I was not.

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I contend that they are using the most indirect manner and methods of notifications and communications to advance their cause and keep me as uninformed as possible for as long as possible to my disadvantage.

2) Concerning the legal process serving of papers to my father:

My father, Jack Paynter, is battling dementia and several physical ailments that require the daily use of high doses of narcotic medications such as morphine, oxycodin, zanax and several other medications. Also, my father suffers from severe hearing loss and requires the use of a hearing aid. Even with this aid, his capacity to understand conversations is severely limited.

My father is also homebound and his mobility extremely limited and he has been this way for 10 years now. My father also struggles with the ability to discern reality from dreams and memories. If he was served legal papers, he lacks the mental ability to comprehend what that is and what to do with the papers. I never received, or have ever been informed by my father about any legal papers that were left for me at 9083 Seafair Lane. It is very offensive to me to think that my father would be exploited in this way.

Again, I contend that they are using the most indirect manner and methods of notifications and communications to advance their cause and keep me as uninformed as possible for as long as possible to my disadvantage.

3) Concerning my E Mail address that Slep-Tone is using:

During my conversation with a Slep-Tone attorney, I can't recall that my e mail address in use at that time was indeed callbigbob@comcast.net. However, after that conversation occurred, I can verify that my e mail address was shut down by Comcast due to lack of payment. They assert that because my Comcast e mail address was still posted on my Facebook page that I was still receiving e mails there, which was not true. It just had not been updated at that time. Therefor, I was unable to receive any settlement offer that may have been sent there. My new e mail address that I use is callbigbob@gmail.com.

I can't recall that a settlement offer was even coming to me via e mail. What I was expecting was a return phone call to verify that they had accepted the offer. Consequently, I never received any phone call or any settlement offer.

4) Concerning the phone message that Slep-Tone says they left for me:

In their motion, Slep-Tone contends that a phone call was made to me and a recorded message was left that Slep-Tone was about to proceed with the lawsuit and was urging me to contact them to discuss a settlement. As "proof" that I had received this message they say that I had "pocket dialed" them back and that "faint talking" of what "sounded like a lecture" was heard. I say that I never received any such call, or recorded message because I was anxiously awaiting for that specific phone call. I have demonstrated by my previous actions that I had never avoided any of their phone calls and I had no reason to do so again. I find it hard to believe that "faint talking in the background" would be "proof" that they had successfully contacted me.

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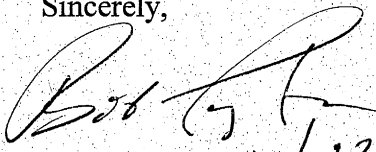
In summary, I would like to say that I have not avoided my responsibilities in this matter. I believe that Slep-Tone has used my ignorance of the legal process and has exploited my financial hardships to their advantage.

The most important fact that needs to be made is that **I was never served**. Slep-Tones assertion that my father was served is very hard to believe. My father is physically unable to walk around the house without help. He cannot hear the doorbell when it rings. He battles dementia. He is in such excruciating physical pain that he has to constantly take narcotic pain medications to remain comfortable. How was a process server able to gain access to my parents house to serve the papers under these conditions? **I was not living there at that time.**

Again, I am a man of limited means and education. I plead with this court to rescind the judgment against me and assign me legal counsel so that I can properly defend myself against this lawsuit.

Thank you for consideration in this matter.

Sincerely,



Bob Paynter 12/13/2012