

# Enterprise Exhibits from Judge Hayward's Lee Courtroom Raises Police Concerns while Manager Admits Video Evidence Erased

*Unsigned and undated exhibits presented as evidence of vehicle condition at trial in Lee County generates concern for law enforcement and others. Video erased.*

BALTIMORE, MD, UNITED STATES OF AMERICA, September 28, 2018 /EINPresswire.com/ --

“

Small claims court is a special court where disputes are resolved quickly and inexpensively. The rules are simplified and the hearing is informal. Attorneys are generally not allowed.”

*Department of Consumer Affairs, State of California*

[SubscriberWise](#), the nation's largest issuing CRA for the communication industry and the leading protector of children victimized by identity fraud, announced today an example of a single courtroom exhibit -- among a number of similar questionable exhibits -- that was presented in a small claim hearing and without the benefit of counsel for the plaintiff as 'proof of vehicle condition' in *Howe vs. Enterprise Holdings dba National Car Rental*. The exhibit above is not dated and the signature is entirely illegible for everyone who has examined it, including police in Baltimore, Maryland.

Related: IBM Gets Desperate Plea from Enterprise Holdings

Crime Victim and Survivor -- <https://www.linkedin.com/pulse/ibm-gets-desperate-plea-from-enterprise-holdings-crime-david-howe/>

In addition to law enforcement, the courtroom exhibits have been scrutinized by others and have generated concern for all who have viewed. A source involved in the investigation has confirmed to the plaintiff, David Howe, that the case-number information from the [Lee County Port Authority Police Investigation](#) (Case No. 2016000055203) and the Lee Clerk of Court (Case No. 18-SC-001768) would be provided to a field agent from the FBI, Baltimore, following a review with law-enforcement professionals in Maryland.

The independent Lee County Port Authority Police investigation and its fact-finding report including sworn witness statements were repeatedly and aggressively objected to in the small claim hearing by counsel for Enterprise Holdings' National Car Rental; under no circumstance would Enterprise Holdings Counsel allow Judge Archie B. Hayward to read one word from the independent and unbiased police investigation. It begs the question for every single reasonable person everywhere: "Why would an ethical rental agency so aggressively and so persistently suppress a comprehensive, unbiased and independent, police investigation? Why did EHI Counsel insist that Judge Hayward be kept ignorant and uninformed to the findings of a sworn law enforcement officer from the same community the Judge presides concerning facts and evidence to reach the truth of a matter? What is Enterprise so eager to conceal and hide with its constant objections?"

FACT: The Federal Bureau of Investigation Washington Division had the very same question regarding the plaintiff's attempt to share the police report and sworn statements with Judge Hayward (FBI to Howe: Why Was the Lee Port Authority Police Report Not Shown to Judge in Enterprise National Car Rental Hearing? -- <https://www.einpresswire.com/article/462387866/fbi->

[to-howe-why-was-the-lee-port-authority-police-report-not-shown-to-judge-in-enterprise-national-car-rental-hearing](#)).

Plaintiff Howe is providing this perceived due-process outrage to the Florida Bar Association in a formal sworn complaint

(<https://www.floridabar.org/public/acap/>; reference 19-4183) and asking for a review of what Howe argues may be serious statutory violations of a victim's rights regarding Florida State Law as it relates to exceptions to so called 'hearsay' that was repeatedly asserted by defense counsel

([http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0000-0099/0090/Sections/0090.803.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0090/Sections/0090.803.html)). Moreover, Howe is making the argument that an 'Officer of the Court' has a sworn and ethical duty to ensure a non-attorney in a 'small claim' hearing is not disadvantaged by the chess-match-approach to complex civil rules of civil procedure that was brazenly on display in Judge Hayward's courtroom as it relates to a plaintiff's ability to present evidence to substantiate the facts otherwise aggressively suppressed by the defense counsel.

After all, what's the point of a 'small claim' courtroom if the merits, facts, and truth of a case are trumped by the unfair advantage of a cadre of lawyers against a pro-se plaintiff in a Lee Court where counsel for the plaintiff was unattainable because EHI intentionally forced the case into the wrong court of law through adhesion contracts -- a contract that apparently wasn't signed by the plaintiff-victim as now evidenced by exhibits docketed in Lee County, Howe vs. Enterprise Holdings.

Related: 'Lost in the Fine Print' -- <https://www.afj.org/multimedia/first-monday-films/films/lost-in-the-fine-print>

For the record, Plaintiff Howe filed a motion to transfer the case to an appropriate court of jurisdiction where due process could be obtained for this complex civil case but, as the court transcript now proves, Enterprise Counsel strongly objected to this effort for fairness, equity, and truth. Remarkably -- and an urgent issue for review by the Florida Bar, Florida Attorney General Pam Bondi, and the Florida Supreme Court -- concerning equity and due-process of law in a small claim hearing in the state of Florida, Judge Archie B. Hayward never read a single word from the independent police investigation docketed prior to trial and provided to defense Counsel.

And Judge Archie B. Hayward never heard or saw a single item of audio and video evidence from the same evidence previously docketed and sent electronically to Counsel -- as directly instructed by EHI Counsel prior to trial except for the relentless money demand which also exposed proof of video surveillance viewed by EHI manager that was later taped-over.

To reiterate, the critical video evidence for which the state of Florida provides duties to safeguard and which would have unequivocally determined the pre-existing minor 'wear and tear' was,

The image shows a detailed Enterprise Rental Agreement form. At the top left is the Enterprise logo. The form includes sections for 'OWNER OF VEHICLE', 'ORIGINAL VEHICLE', 'RENTAL AGREEMENT NO.', 'OPERATOR', 'RENTAL PERIOD', 'OPTIONAL PRODUCTS', 'REPLACEMENT VEHICLE', and 'TOTAL CHARGES'. There are several handwritten signatures and initials throughout the document, including 'JAY H' and 'EHI'. A large handwritten note '2021X' is written in the right margin. The form also contains various checkboxes for insurance and optional services, and a section for 'AMOUNT DUE'.

One Lee Court exhibit among a number of others: Enterprise contract undated and questionable for police and others. Agency fails to safeguard video but presents this rudimentary 'damage slip' as evidence of vehicle condition.

conveniently, erased after police and victim demanded the evidence. And the manager claimed he just didn't know better to copy, duplicate, and safeguard this incredibly significant evidence.

Nevertheless, the undeniable and mountain of facts from the investigation have been provided to media, law enforcement, and staff members of the United States Senate, as well as staff from the FTC and the CFPB.

Related: Howe Successfully Passes the Baton to USA Federal and State Congressional and Law Enforcement Apparatus, as well as Major Media Outlets --  
<https://www.businesswire.com/news/home/20180920005979/en/Howe-Successfully-Passes-Baton-USA-Federal-State>

Listen to the money demand with admission that video was viewed (company [spoliated](#) evidence despite the fact it was requested hours after the illicit money demand was made claiming they just didn't know better): <https://soundcloud.com/user-370781554/national-car-rental-damage-recovery-scam>

Related: <https://documents.akerman.com/SpoliationOfEvidence.pdf>

Related: Ex-Chipotle manager, accused of stealing \$626, gets \$8 million for wrongful termination (Jeanette Ortiz was accused in 2015 of stealing \$626 in cash from a safe at the Fresno restaurant. Ortiz's bosses claimed the theft was caught on camera, but she was never shown the video because her bosses told her the evidence had been destroyed.) -- <http://www.foxnews.com/food-drink/2018/05/14/ex-chipotle-manager-accused-stealing-626-gets-8-million-for-wrongful-termination.html>

Read the unedited and stunning court testimony below and recognize Enterprise Holdings' management negligence and incompetence regarding common-sense safeguards of video evidence:

20. . . . Q. . Okay. Were you aware that the Lee Port

21. Authority Police made multiple calls to Steven Carter?

22. . . . A. . No, sir.

23. . . . Q. . You were not aware of that?

24. . . . A. . No, sir.

25. . . . Q. . You were not aware that the Lee Port

·1· Authority Police wanted to see the video that you

·2· didn't bother to keep?

·3· . . . A. . No, sir.

·4· . . . Q. . Very interesting. But I'm trying to

·5· understand, why do you keep these, but you don't keep

·6· video evidence that would clearly tell us whether this

·7· was preexisting or not?

·8· ······ ·You have this, but where's the video?· Did it

·9· ·just overwrite itself?· What happened to it?

10· ··· ·A· ·Again, the video surveillance for the

11· ·customer safety, for car control measure, it over

12· ·records every 30 days.

13· ··· ·Q· ·You told us, you said, I'm looking at the

14· ·footage and the damages are not preexisting.· Do you

15· ·know it's unreasonable that I did not get to see the

16· ·video, is that unreasonable to you?

17· ··· ·A· ·Sir, I looked at the footage and there was no

18· ·damages.· I don't take into consideration what is

19· ·reasonable for you or not.· I review all the evidence

20· ·in front of me.

21· ··· ·Q· ·Thank you for that.· Does Enterprise Holdings

22· ·have a formal policy when there's evidence of vehicle

23· ·condition and there's video evidence, do you have a

24· ·formal policy what you do with that video evidence that

25· ·would unequivocally tell the story, what happens to

·1· ·that, you just overwrite it?

·2· ··· ·A· ·Sir, I'm not aware of that.

·3· ··· ·Q· ·So you don't have any policy when someone

·4· ·says -- when someone is being implicated for vehicle

·5· ·damage or there's a potential for preexisting damage,

·6· ·which is exactly the case here, you have video evidence

·7· ·that you look at but you don't maintain or know about a

·8· ·policy there?

·9· ··· ·A· ·Let's focus here.· You're focusing on the

10· ·video.· I looked at your contract, okay, there was no

11· ·damages· I looked at four previous contracts, there

12· ·was no damage.

13· ······ ·So, regardless, if there was no video, I

14· ·would still pursue you.

15· ··· Q· · Okay· Fine· We know there is video· You

16· ·already acknowledged that you looked at it· We all

17· ·understand that· Why would you not keep that video?

18· ·Why don't you have a protocol in place, don't you think

19· ·that's critical?

20· ··· A· · If there was any evidence of damages, it

21· ·would have been documented on all the previous

22· ·contracts, it was not documented on yours as well. I

23· ·rely on the evidence before me.

24· ··· Q· · Just to be crystal clear, so I understand,

25· ·Enterprise Holdings has no policy to have video when

·1· ·they're implicating a person for damage, you allow it

·2· ·to rerecord?

·3· ··· A· · As I explained before, after 30 days they

·4· ·rerecord· I explained that to you.

·5· ··· Q· · But I want to make sure I keep a note of

·6· ·that· After 30 days, it rerecords.

·7· ······ ·THE COURT:· Sir, that's the fifth time you

·8· ··· said that· Please move on.

·9· ······ ·MR. HOWE:· I don't think I have much more.

10· ··· This will be used for Congress· Oh, believe me.

11· ·BY MR. HOWE:

Hear the proof that the video was demanded and Howe made a costly and time-consuming trip to Miami exactly as instructed but to no avail: Camera Request MIA 1078722 - Cr - 2016 - 12 - 09.21 - 18 - 37 - 6baa -- <https://soundcloud.com/user-370781554/camera-request-mia-1078722-cr-2016-12-0921-18-37-6baa-1>

Media Relations  
SubscriberWise  
330-880-4848 x137  
[email us here](#)

---

This press release can be viewed online at: <http://www.einpresswire.com>

Disclaimer: If you have any questions regarding information in this press release please contact the company listed in the press release. Please do not contact EIN Presswire. We will be unable to assist you with your inquiry. EIN Presswire disclaims any content contained in these releases. © 1995-2018 IPD Group, Inc. All Right Reserved.