

## **Complaint according to the Optional Protocol to the International Covenant on Civil and Political Rights**

### **I Information on the Complainant**

Name: Briody  
First Names: Peter Justin  
Nationality: Irish Citizen  
Place and date of birth: Clonmel, Tipperary, Republic of Ireland, 08.04.1941  
Address: Bergstrasse 36, 88697 Bermatingen, Germany

Submitting the complaint on behalf of:

Name: „Schultz“  
First Names: „Lisa“

Name: „Miller“  
First Names: „Wolfgang“

Nationalities German ( both )

Date of birth: 06.04.1962 ( „Lisa“ „Schultz“ )  
Date of birth: 22.03.1943 ( „Wolfgang“ „Miller“ )

Place of birth: ( „Schultz“ ) Überlingen, Germany.  
Place of birth: ( „Miller“ ) Wuppertal, Germany

Address: Hauptstrasse 7, 88690 Uhldingen-Mühlhofen (both persons )

Authorization of Complaint: See Annex 'A'

### **II State concerned / Articles violated**

Federal Republic of Germany under the following Articles:

Universal Declaration of Human Rights of 10 December 1948:

- |   |           |   |
|---|-----------|---|
| 1 | Art 7     | The right to an independent Justice system. |
| 2 | Art 17    | The right to ownership of property          |
| 3 | Art 23(1) | The right to earn a living                  |

Additionally the Federal Republic of Germany is in contempt of the UN-Principles governing the independence of the Judiciary as laid down in the UN-Resolutions **40/32** of 29 November 1985 and **40/146** of 13 December 1985

### **III Exhaustion of domestic remedies / Application to other international procedures**

The livelihood of the affected persons is in immediate jeopardy ( see section IV ) and will certainly be destroyed by delayed justice ( a likely tactic in such cases, anyway ). Recourse to the Supreme Constitutional Court, which would take about five years, is planned but not likely to produce a remedy, because the very basis of the German Justice system is being challenged here. Within the five years, the affected persons are likely to "run out of steam". The German Supreme Court of the Constitution decided on 14.10.2004 that the decisions of the European Court for Human Rights are not binding in Germany, which constitutes a blatant violation of international treaties, e.g. The European Convention for Human Rights. Until appropriate sanctions can be instituted against Germany by the EU and / or OSCE for this transgression, a ruling by the European Court of Human Rights to the benefit of „Schultz“ / „Miller“ would by definition not mean very much. A Petition to the State Parliament Baden-Württemberg has been submitted but has little or no chances of success, because the delinquent here is the Federal Republic and not the State of Baden-Württemberg. Apart from that, the submission of a petition in Germany has no delaying effect on the issues taken up in it. The affected persons submitted an application for a temporary injunction on 10.12.2004 for the restoration of their existence base, which they maintain was taken from them under the false pretences by the profit-making official receivers. The chances of success for this move are thought to be very slender indeed, because the court is effectively being asked to issue a temporary injunction against its own misdeeds ( the Official Receivers were acting on behalf of the court ). The delays incurred in the procedures are likely to result in the continued uninterrupted attacks on the rights of the affected persons at the lower administrative levels (see remarks in section IV and Annex 'B' on the 'LLAMS' human rights abuse model).

The undeserved predicament of „Lisa“ „Schultz“ and „Wolfgang“ „Miller“ here is very acute indeed. Without swift action their existence basis is likely to disappear before any national or international remedies can take effect.

### **IV The Facts of the Complaint**

#### *The Background*

„Lisa“ „Schultz“ and „Wolfgang“ „Miller“ ( common law partners ) went into business with a bakery in 1996. „Lisa“ „Schultz“ is a Master Baker and produces excellent wares, which are much appreciated in the town of Uhldingen-Mühlhofen. In particular, the traditionally organized shop which they run is highly valued in this age of the Supermarkets.

In the year 2000 „Lisa“ „Schultz“ became ill and had to undergo serious surgical operations. As a result the business got into financial difficulties from which it never recovered, mainly because banks and local authorities did not provide any assistance. The services provided, however, remained undiminished in quality. The business under the name of „Lisa“ „Schultz“ was put in the hands of the Official Receiver on 13.11.2003. The Court Order ( Annex 'C' ) is written in the passive case and is not

signed by a judge. As such it would not be worth the paper it is written on in any justice system outside Germany. The Attorney Bureau Stephan Schmidt and Manuela Dietzel in Owingen was appointed to conduct the receivership.

Dietzel appeared together with Court Bailiff Trautmann on 12. May 2004 at the premises for the purpose of seizing the same as an asset. The "Eviction Order" for the 25.02.2004. had been resisted by „Schultz“ / „Miller“ ( It should be noted that this "Eviction Order" also does not bear the signature of a court judge and is, therefore, just as worthless as the Receivership Order. On the basis of a telephone conversation between Attorney Missbach of Markdorf and Receiver Dietzel in April 2004, the receivers promised a rental agreement for „Schultz“ / „Miller“ so that the business could be continued. If Mr. „Miller“ would ring her at 6.30 PM, she would lay out the rental agreement for signature. At the appointed time, however, Dietzel had disappeared. On the basis of this promise „Schultz“ / „Miller“ gave up the keys to the premises on 12.05.04 declaring also that they would forgo their legal rights to apply for a stay of execution and vacated the shop. It should be mentioned here that threats were uttered against „Lisa“ „Schultz“ ( immediate arraignment before a judge in court and a dummy threat with the police in Ühldingen ) which were designed to intimidate a person without any legal knowledge but had no substance since neither the receiver nor the court bailiff were empowered to order such things. The promise of a rental agreement, however, turned out to be a primitive deception by Dietzel according to „Miller“. No such rental agreement came from the receivers. On the contrary, the shop was handed over to a competing bakery by the receivers on 12.05.2004 ( on the evening of the seizure ! ) - which „Schultz“ / „Miller“ did not hear of until much later.

The loss of the main premises results in a loss of 60% of the business according to the affected persons. This takes the business down to below a sustainable level and can only result in the rapid destruction of their livelihood.

### *The Human Rights Violations*

Whilst one can say all kinds of things about the banks and local authorities, who allowed a flourishing business to be destroyed, this is unfortunately not unknown in the rest of Germany. The author does not consider the legal aspects of disputes in such cases. However, there is a quintessential human rights violation in the proceedings of the Federal Republic in this case. Official receivers and court bailiffs in Germany are accorded the right to a share of the spoils in bankruptcy and debt-recovery actions. This right is laid down in German Law (§ 63 Vergütung des Insolvenzverwalters - for the Receiver ) and ( § 154 des Gerichtsverfassungsgesetzes (GVG) ) - for the court Bailiff ). In both cases the remuneration has a substantial element which is directly proportional to the value of the recovered objects

The profit-based participation of the receivers and bailiffs in the division of the spoils of their trade is a substantial erosion of the principles of the independence of the of the Justice in Germany, because official receivers and court bailiffs form the executive arm of the courts for the implementation of their decisions in civil law. Such contractors as Schmidt & Dietzel can have only one aim in life, by definition and that is to ensure that the businesses that they are administering, do not recover from the situation - metaphorically to reverse the car over the accident victim.

The human rights violations which are immediately identifiable in this case include the denial of the right to impartial justice, which is part and parcel of Article 7 of the Universal Declaration, which says:

**Art 7.** *All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*

A profit-making official receiver together with a profit-making bailiff acting for the court are certainly not impartial by definition.

At the same time, the UN-Resolutions **40/32** of 29 November 1985 and **40/146** of 13 December 1985 make abundantly clear what is required:

*3. The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.*

*6. The principle of the independence of the judiciary entitles and requires the judiciary to ensure that judicial proceedings are conducted fairly and that the rights of the parties are respected.*

It is not possible for a court to assert its impartiality while at the same time "setting the dogs loose" on one of the parties in the dispute in the form of profit-making executive bodies. This is an unacceptable abdication of responsibility on the part of the German Justice Authorities.

The additional violations below are a direct consequence of the above.

**Article 17.**

*(1) Everyone has the right to own property alone as well as in association with others.*

*(2) No one shall be arbitrarily deprived of his property*

It must be said that the seizure of the shop could well have been the ultimate outcome of legitimate proceedings. However, the proceedings were anything but legitimate. In any honest justice system the official receiver is duty-bound to seek solutions to the problem, which would lead to a restoration of the business. Quite the opposite of that was the case here.

In essence the above violation accompanied by more serious questions related to the methods employed by the receivers leads to another transgression - this time against Article 23:

**Article 23.**

*(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.*

Here the author draws attention to the statement by the then Commissioner for Human Rights Dr. Mary Robinson in an interview with CNN in 2001. *"Human rights cover the full social and economic freedoms of the individual."*

Certainly, a larger company would not be so affected by these irregular procedures. Mr. Gates of Microsoft e.g. would probably not be able to complain about the violation of his human rights. The difference is that „Lisa“ „Schultz“ and „Wolfgang“ „Miller“, two diligent and honest citizens, need the business to earn their living, it is their very existence which is at stake here.

#### *Additional remarks on the dependency of German Judiciaries*

Violations of the UN-Resolutions 40/32 of 29. November 1985 and 40/146 of 13 December 1985 which lay down the principles of judicial independence are firmly established customs in Germany. Annex 'B' contains a summary.

#### *Remedies*

Whilst remedies for the outrages perpetrated by the German authorities in this case are needed, it is not the task of the author or of the affected persons to provide the German government with further alibis by mapping out solutions for it to consider. Rather the German government should be tasked by the UN to present copper-bottomed proposals for remedies forthwith. These must of course result in immediate restoration of the rights which were taken away from „Lisa“ „Schultz“ and „Wolfgang“ „Miller“.

### **V Checklist of supporting Documentation**

<b>Annex 'A':</b>	Authorization of Peter Briody
<b>Annex 'B':</b>	Summary of the effects of dependent Judiciaries in Germany
<b>Annex 'C':</b>	The Receivership Order of 13.11.2003 (not signed by any judge)
<b>Annex 'D':</b>	The Eviction Order of 21.01.04 (not signed by any judge)
<b>Annex 'E':</b>	The Application for a temporary injunction dated 10.12.2004

### **VI Signature**

( Peter Briody )

Authorized to act for the affected persons

16.12.2004

Note 1: The author is a former officer of the Royal Air Force with legal training at the military academy backed up by 20 years of part-time experience in the field of mili-

tary law as defending officer or judge at disciplinary hearings and courts martial as well as Commissions of Inquiry into e.g. aircraft accidents.

Note 2: This complaint is also being copied to human rights specialists outside Germany.

ANNEX A' TO  
UN-COMPLAINT 16.12.04

### Vollmacht

Hiermit erteilen wir Herrn Peter Briody, wohnhaft Bergstrasse 36, 88697 Bermatingen ( Deutschland ) die Vollmacht, eine Beschwerde gegen die Bundesrepublik Deutschland an die UN-Menschenrechtskommission in meinem / unseren Namen einzureichen

### Authority to represent

We hereby authorize Mr. Peter Briody of Bergstrasse 36, 88697 Bermatingen ( Germany ) to submit a complaint against the Federal Republic of Germany on our behalf to the UN-Commission for Human Rights.

( Andrea Strickel )

( Rolf Weber )

Datum

Ort:

Mühlhausen - Weildungen 88697 RM  
15.12.04

A1 vor 1.

Seite 2 von 2

**Annex 'B' To UN-Complaint**  
**Dated 16.12.2004**

## **The Effects of dependent Judiciaries in Germany**

### *General*

Violations of the UN-Resolutions 40/32 of 29. November 1985 and 40/146 of 13 December 1985 which lay down the principles of judicial independence are firmly established customs in Germany.

### *Active membership in political parties*

All judges can become active functionaries of any political party in Germany. Certainly mere membership would not be much different to giving a vote in the state elections. The role of functionary, however, calls for an internal candidacy and subsequent vote, making the judiciary dependent on the structures of the party. Many judges even flaunt such activities in public. At the retirement party for the President of the District Court in Ravensburg Georgii his active political activities over 19 years on the town council were praised lavishly by local public figures as well as the Justice Minister of Baden-Württemberg Dr. Ulrich Goll.

Judges for the higher courts are selected according to party quotas at federal as well as State level. Any young judge with ambition will feel it necessary to become a party activist, so that he or she will not be disadvantaged later. The President of the State Court in Stuttgart Eberhardt Stolz was involved in an ugly smear campaign against a Lady judge ( independent ) who wanted a place on the supreme court. ( see [www.berlinOnline.de](http://www.berlinOnline.de) 27.02.2001 ). The degree of independence of Stolz's judges is commensurate with his own behavior. One of them, Senior Judge König is a member of the supervisory board of the Liebenau Trust, a charitable concern in name only, in practice a real estate concern with an annual turn-over of several hundred million Euros. König has been known to sit in judgement on matters affecting the trust. Justice Pottschmidt in Bremen retired three years ago. At his farewell party the Mayor of Bremen, Scherf praised Pottschmidt for his services to the city. In a later interview with the press Pottschmidt said that judges were political fellow travellers.

### *The LLAMS abuse Models*

As a by-product of anticorruption research, the NGO "institut voigt" has produced new definitions of Human rights violations in Germany. Certainly there is no need to go looking for pulled-out fingernails and or cigarette burns in Germany today. The human rights abuses are well camouflaged and take place at municipal level. They have three structural elements: Administration, Justice and Industry ( mostly Banks ). The NGO has named these the **Low Level Abuse Models ( LLAMS )**. The LLAMS are perpetrated by the extraneous structures of the three main elements, which means that they follow their own goals, not necessarily these of the stately authorities. The prime movers most often observed at present are corruption, avariciousness and authoritarianism.



Recruitment of the judicial element is easy where judiciaries are allowed, even forced to become party members. If a judge decides to vie for party office then he automatically gets drawn in to the extraneous structures where he can be useful in misusing justice in support of nefarious interests.

During the allied occupation of West Germany human rights abuses had to be much better camouflaged than in the former German Democratic Republic. In the eastern Zone, the violations were much more open and much more symptomatic of the backward mentality still prevailing in considerable sections of the German state today. Whilst the murder of would-be escapers was well-known in the rest of the world, one of the most hideous forms of sadism imaginable was not so highly profiled. The justice in the east was capable of inventing a crime called fleeing the Republic ( Republikflucht ) and of punishing this with not only a stiff prison term but also with abduction of the children of the family and offering them up for adoption ( Zwangsadoption ).

A display of this mentality present in large sections of the German establishment can be seen in the case „Schultz“ / „Miller“, in particular the cowardly psycho-terror exercised against „Lisa“ „Schultz“ on 12. May 2004 during the assets seizure. Here it must be said that „Lisa“ „Schultz“ and „Wolfgang“ „Miller“ are industrious and honest people who did nothing whatsoever to deserve the treatment meted out to them. It was „Lisa“ „Schultz“'s illness which triggered off the variant of the LLAMS seen in their case.

The modus operandi of the LLAMS is in many ways similar to that of parents abusing their children behind closed doors. Usually such shocking crimes escape the notice of even the closest neighbors and remain undetected until the children as teen-agers decide to “spill the beans”. As with the abused children there is an equivalent victim-syndrome in the LLAMS cases, which mostly prevents the injured parties from pointing the finger at their tormentors. The terror to which „Lisa“ „Schultz“ was subjected would of course be part of the scheme to ensure that the victim does not complain

Whilst not all is understood about the LLAMS it is thought that it came about in the western zone of occupation, where the allied authorities were still deeply suspicious of the brittle democracy which was emerging in the in the post-war years. Effectively human rights abuses had to be conducted surreptitiously – “beneath the radar”. The methodology is almost ingeniously simple – The abuses take place only at local or district court level. Only a minority of the victims are prepared to take their cases further. If they do, then the perversion at lower levels goes unpunished.

The earliest manifestation which has been retraced up to now dates from 1968 when, according to a study by the Free University of Berlin, about 70 % of Germany's senior judiciaries had been Nazi judges and / or prosecutors in the Third Reich. It appears, therefore, quite possible that we are dealing with one of the hideous legacies of National Socialism. The base mentality which had been necessary to terrify the innocent Master-Baker „Lisa“ „Schultz“ is comparable not only with the Zwangsadoption era ( which lasted until 1989 – not all that long ago ) but also with the excesses of the notorious Volksgerichtshof, the court where even innocuous Hitler-

Jokes were punished with the guillotine and the bill for the execution together with stamp duty and tax was sent to the surviving relatives.

The LLAMS is a packet of measures taken against selected victims in an aggregated total sociological attack. This can be effected in series or all at once. The attacks come from Administration where procedures for the victim can be made extremely difficult. Anything from over-inflated tax demands to withdrawal of commercial licenses are commonplace. Banks can recall loans or discriminate against a customer in countless other ways. In cases of the private person against the state or against extraneous structures, perversion of justice at the low levels is very much the rule rather than the exception. The offences are perpetrated by a minority in the three branches but supported indirectly by the majority of those who prefer to look the other way. Symptomatic is the amateurish quality of the "Court Orders" from the local court in Überlingen ( see Annexes 'C' and 'D' ). The absence of an identifiable source on the documents comes directly from that sense of shame being felt by many judiciaries who whilst disapproving of the abuses being committed in the name of the courts are too weak to take issue with them. This kind of behavior is observable in the proceedings of the Nuremberg War-Crimes Tribunal: The individuals wanting to avoid responsibility for their deeds had tried to cover their tracks by creating an artificial distance between themselves and the activities within their areas of responsibility. This proved in Nuremberg to be nothing but a widely held Germanic superstition - and it still is.

### *The catalytic Effect of Dependent Judges*

An alarming characteristic of the LLAMS is the apparent unity of mentalities which can be found throughout the Federal Republic, and which produce the kind of compound of malevolence and avariciousness illustrated by the „Schultz“ / „Miller“ case. Another case being studied in Nordrhein-Westfalen ( NRW ) has been running for some 20 years. The NRW case showed identical parameters in the early phases to that in Uhldingen-Mühlhofen, leading to the conclusion that the LLAMS can escalate to a systematic long-term persecution, especially if the victims can successfully defend themselves in the early stages. The primitive grudge-syndrome of certain old German traditions, that inability to be able to deal with resistance and criticism, takes control.

Because the extraneous structures of the municipalities have little opportunity for harmonization, there must logically be a unifying influence somewhere. The political parties with their regular assemblies e.g. delegate conventions and the like, offer a good opportunity for subterfuge. The clique-ridden judicial conventions for which Germany is famous – the so-called "Vortragsrunden" or "Juristen-Tage" is another source for such unifying discussions. Germany's politically dependent judiciaries thus have plenty of opportunities to compare notes.

### *The necessary remedies*

The participation of the Justice in such abominations as the LLAMS is almost certainly a direct result of the violation of the UN-Principles of judicial independence by the Federal Republic of Germany.

A change in the pernicious system of judge selection according to party quotas and the participation of judges in politics and otherwise sleaze-ridden extraneous structures would logically greatly reduce the incidence rate of the LLAMS. The abolition of the particularly outrageous procedure of remunerating official receivers and court bailiffs on a cut-of-the-profits basis can only reduce human rights violations and benefit Germany industry as a whole through a reduction in the number of company corpses littering the scene.

EU-Sanctions on the lines of an improved "Haider"-model and or the expulsion of Germany from the Council of Europe will probably have to be imposed on Germany to achieve this. This would in the end protect decent people like „Lisa“ „Schultz“ and „Wolfgang“ „Miller“ from some of the monsters lying in wait for them.



Aktenzeichen  
3 L 12/03

ANNEK 107 5.4.05  
TO UN-COMPLAINT 16.07  
**Amtsgericht Überlingen**

- Vollstreckungsgericht -  
Bahnhofstraße 8, 88662 Überlingen  
Tel.: 07551/935-320 Fax: 07551/935-328  
Bankverbindung: Landesoberkasse Metzingen, BW-Bank  
Reutlingen (BLZ 640 200 30) Kto.-Nr. 140 8050 100

## B E S C H L U S S

vom 13.11.2003

Gemäß § 146 II ZVG wird mitgeteilt, dass am 31.07.2003 die  
Zwangsverwaltung des im Grundbuch von Uhldingen-Mühlhofen  
eingetragenen Grundbesitzes:

- a) Blatt 1484  
317/10.000 Miteigentumsanteil an dem Grundstück

Flst-Nr. 82/1 Gebäude- und Freifläche  
Aachstr. 18, 18a, 18b, 18c, 18d

verbunden mit dem Sondereigentum an einer gewerblichen  
Einheit im Erdgeschoss, im Aufteilungsplan vom 21.5.1993  
mit G 3 bezeichnet.

Dem jeweiligen Eigentümer ist das Sondernutzungsrecht an  
einer Passagenfläche eingeräumt.

- b) Blatt 1549  
5/10.000 Miteigentumsanteil an dem Grundstück

Flst-Nr. 82/1 Gebäude- und Freifläche  
Aachstr. 18, 18 a, 18 b, 18 c, 18 d

verbunden mit dem Sondereigentum an dem Kfz-Stellplatz in  
der Tiefgarage im Untergeschoss, im Aufteilungsplan  
vom 21.5.1993 mit T 31 bezeichnet.

Eigentümer: Andrea Stickel  
Hauptstr. 7, 88690 Uhldingen-Mühlhofen

angeordnet wurde.

Als Zwangsverwalterin ist Frau Dietzel, Carl-Benz-Weg 5 in  
Owingen bestellt.

Mentz  
Rechtspflegerin

Ausgefertigt

Jopic  
Justizfachangestellte



C-1

**Berndt Trautmann**  
Gerichtsvollzieher

Steinhausgasse 2  
88662 Überlingen

Berndt Trautmann, Steinhausgasse 2, 88662 Überlingen  
an  
**BGD Brezel Discount GmbH**  
Miss. Uhl.-Mühlh. B. R. Stadel  
Nachstr. 18b  
88690 Uldingen-Mühlhofen

88690 Uldingen-Mühlhofen

Mein Zeichen: DR11 142/04

Gläubiger/Versandter Zeichen: 500/0320111

Datum: 15.01.05

Verfahren: Dietzel, Rainer  
vertreten durch: SCHUBT & KOLL

LAURENCE STR. 5, 88662 ÜBERLINGEN

gegen: BGD Brezel Discount Miss. Uhl.-Mühlh. B. R. Stadel  
Nachstr. 18b, 88690 Uldingen-Mühlhofen

Titel: Urteil vom 13.12.03 des  
Landgericht Konstanz Az: 3 O 453/03 II

Sehr geehrte Damen und Herren,

auf Antrag des Gläubigers/Versandters wird auf Grund des o.g. Titels

**Termin zur Zwangsäumung**

~~am~~ anberaumt auf

**Mittwoch, den 25.02.04, 08:00 Uhr.**

Vollstreckungsschutz können Sie **nur** beim Vollstreckungsgericht, Räumungsschutz (sofern noch möglich) **nur** beim Prozessgericht beantragen. Der Schutzantrag ist bis spätestens zwei Wochen vor dem Termin bei Gericht zu stellen. Ich selbst bin zur Einstellung der Räumung **nicht** befugt.

Die Räumung findet statt, wenn nicht **rechtzeitig** zur dem Termin entsprechende gerichtliche Einstellungsbeschlüsse oder die Rücknahme des Gläubigers hier schriftlich vorliegt.

~~Wenn Sie keine dem oben genannten Termin entsprechende~~  
fort an das **Ordnungsamt** (Ordnungsbehörde) Ihres Stadt-  
viertels. Der **Gerichtsvollzieher** muss die Räumung auch durch-  
führen, falls Ihnen keine dem Termin entsprechende schriftl.

Strafbarkeit, wenn Sie es unter Verletzung der oben genannten  
Bestimmungen nicht innerhalb der dafür vorgesehenen Zeit

Seite 2 zum Räumungsvertrag an 25.02.08, 09:00 Uhr

Sehr geehrte Damen und Herren:

1. Dem. 1 Abs. 1 ZPO werden Sie aufgefordert, mir eine Abschrift mitzugeben, unter welcher Sie auch nach der Räumung einstweilen verbleiben sind.
2. Unpfändbares Räumungsgut können Sie bis zwei Monate nach der Räumung gegen Zahlung der Räumungskosten abholen. Nach Ablauf dieser Frist wird es verwertet. Ein nach Räumung der Kosten evtl. verbleibender Erlös wird hinterlegt.
3. Nicht verwertbares Räumungsgut können Sie innerhalb von zwei Monaten ohne Zahlung von Kosten abholen. Nach Ablauf dieser Frist wird es verwertet.

Nicht verwertbares Räumungsgut sollten Sie zur Vermeidung unnötiger Lagerkosten so bald als möglich abholen.

Mit freundlichen Grüßen



Bernd Trautmann, Berichtsvollzieher

D-2.



ANNEX SE 1

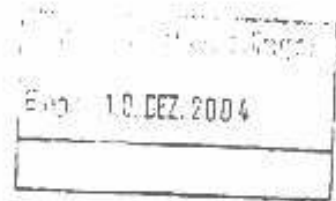
NR. 104 S. 124

TE UN-IMPART H.M. 09

er  
an

Immobilien GmbH  
bH

Amtsgericht Überlingen  
88662 Überlingen



**A N T R A G** auf Erlass einer  
einstweiligen Anordnung / Verfügung

Antragsgegner: Frau Rechtsanwältin Manuela Dietzel  
88696 Owingen, Carl Benz Str. 5  
als Zwangsverwalterin AZ: 3 L 12 / 03

Antrag: Wiederherausgabe des Ladengeschäftes Aachstraße 18  
gemäß Zwangsverwalterbestellung vom 13.11.2003.

**Begründung:**

1. Mit Urkunde 1076/2003 Notar Bernhard Leins kaufte die SIG Stickel Immobilien GmbH -mit bereits vorhandener handelsregisterlichen Eintragung- die Immobilie Aachstraße 18. Beweis: Grundbuch - Empfangsbestätigung vom 2. April 2003
2. Mit Eintragungsnachricht 26. Mai 2003 wurde die Auflassungsvormerkung für die SIG Stickel Immobilien GmbH im Grundbuch vollzogen. Beweis: Eintragungsnachricht vom 26. Mai 2003.
3. Die Zwangsverwaltung wurde -zeitlich danach- erst am 4.9.2003 im Grundbuch eingetragen. Beweis: Eintragungsnachricht.
4. Der Beschluß zur Zwangsverwalterbestellung von Frau Rain Dietzel erging am 13.11.2003. Beweis Anlage Beschluß.
5. Vermieter der Verkaufsräume/Immobilie Aachstraße 18 war die SIG Stickel Immobilien GmbH an die Backhaus GmbH.
6. Die Zwangsverwalterin, Frau Rain Dietzel hatte zu keiner Zeit einen gerichtlichen Beschluß / Urteil weder gegen die SIG Stickel Immobilien GmbH noch gegen die Backhaus GmbH.
7. Aus dem Grundbuch war jedoch Frau Rain Dietzel die Eintragung der SIG Stickel Immobilien GmbH bekannt.
8. Am 12.5.2004 beabsichtigte Frau Rain Dietzel die Räumung der Aachstraße. Da jedoch an Herrn Geschäftsführer Weber avisiert wurde, daß die Backhaus GmbH einen Mietvertrag bekommen würde, tätigte Herr Weber die Schlüsselherausgabe f r e i w i l l i g Zeuge: Herr Gerichtsvollzieher Bernd Trautmann Überlingen.
9. Zur Überraschung von Herrn Weber wurde jedoch bereits in der Nacht vom 12. auf den 13.5.2004 der Bäckerei Kränkel der Schlüssel für die Verkaufsräume Aachstraße 18 übergeben.



[illegible]

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den Lesern der Zeitschrift "Die Welt" die Zeitschrift "Die Welt" und  
die Zeitschrift "Die Welt" herauszugeben.

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1964-1965

1. The first group of people who were involved in the project were the members of the committee who were responsible for the selection of the project. They were the ones who decided that the project was worth doing and they were the ones who gave the project the go-ahead.

Beaufort 1571444 700000 1000000 11. Überlingen

CONFIDENTIAL - SECURITY INFORMATION - UNCLASSIFIED

Die Besatzung des U-Bootes ist durch die Arbeit der Arbeiter der U-Boote vernichtet.

... Martin Vain Ditsch.

Source: 1957 Post Office Directory, 1963 Mannheim

[illegible]

... in der ...  
... wurde eine Patition ein ...  
... mit der Gesamtjuris.

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SECRET

... ..

Amplified: 43