

# Game Codes Newsletter of Games People Play



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## Special points of interest:

- \* Bankers are legendary bean counters. They do not make mistakes. However, if it's a game, it's a Game.
- \* It is evident that "Let's Pull A Fast One On Joey" is a three or four-handed game, and that it is related to the game "Let's You And Him Fight."

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## Homes, Banks, and Mortgage Foreclosure Fraud

The current "economic crisis" has far reaching implications. At the center is the validity of currency and private property. HOMES have been used to collateralize the excesses of financiers and bankers. Leadership has participated and/or been duped.

Bankers are legendary bean counters. They do not make "mistakes," especially the same mistake hundreds of thousands of times, maybe millions of times.

Two years ago CNN "scooped" a story about mortgages being bundled, sold and resold. The question now is who owns individual properties? Recording property ownership with the county recorders, tax assessors, tax collectors (supervised by county administrators) is standard operating procedure. OOPS. This story went nowhere, till recently.

Homeowners have been catching on and this past few months the coming storm has become visible on the horizon. Curious that bankers are calling for a moratorium just before the near elections in November. The size of this brewing storm is unknown.

A few months ago a Congresswoman was reportedly encouraging her constituents to stay in their homes, even if they were being fore-

closed / could not pay the banker. She said that many "notes" / paperwork had been "lost." This past spring/summer lawsuits started surfacing regarding foreclosures.

This is big. And I do mean BIG. In recent days news reports, blogs, email, conversations have been abuzz.

The second shoe is about to be gaveled down on the podium. (Reminds me of Khrushchev banging his shoe down on the podium at the U.N.) Americans are being HAD, again.

A story titled "Foreclosure Fraud Reveals Structural & Legal Crisis" posted at [www.ritholtz.com/blog](http://www.ritholtz.com/blog). The author writes "... the woes in the mortgage market are complex, deep and structural. This is more than just a few shortcuts taken by paralegals here and there - there are endemic structural problems within the US real estate and mortgage markets." ... "What is being discussed here is a full blown crisis underlying home titles, foreclosure procedures, and securitized mortgages. The rampant, epidemic and systemic abuse of legal property protections is now reaching a crisis." The writer's footnotes reveal that the industry has published concerns of their own. For example see "The American Banker." Questions

have been raised as to whether these mortgage notes are really lost or might have been fraudulently used in multiple securitizations, a concern raised by some Wall Street veterans."

An Associated Press story of 10/9/2010 titled "Real Estate: Foreclosure Freeze Could Undermine Housing Market" says quote: "Allegations of possible mortgage fraud against financial giants GMAC, JPMorgan Chase and Bank of America read like a corporate thriller: forged documents, faked Social Security numbers, phantom titles, disappearing paper trails, 'robot-signers', and mortgages sliced and diced so many times that nobody knows who owns them. ..."

So this is filled with a lot of challenges for private property. Is this the goal: wreck ownership of land, property?



The game of "Big Store" is a big time confidence game and is the prototype of the game "Let's Pull A Fast One On Joey."

## The Game of "Let's Pull A Fast One On Joey" (FOOGY)

In the book "Games People Play" Dr. Eric Berne describes Underworld Games. One of those games is "Let's Pull A Fast One On Joey." On page 132 Berne writes: "With the infiltration of the "helping" professions into the courts, probation departments and correctional facilities, and with the increasing sophistication of criminologists and law enforcement officers, those concerned should be aware of the more common games prevalent in the underworld, both in prison and out of it. These include "Cops and Robbers", "How Do You Get Out of Here" and "Let's Pull a Fast One on Joey."

Berne continues on page 139: "Let's Pull A Fast One On Joey."

Thesis. The prototype of this game is "**The Big Store**", the big-time confidence game, but many small grifts and even the badger game are **FOOJY**. No man can be beaten at **FOOJY** unless he has larceny in his veins, because the first move is for Black to tell White that dumb-honest-old-Joey is just waiting to be taken. If White were completely honest, he would either back off or warn Joey, but he doesn't. Just as Joey is about to pay off, something goes wrong, and White finds his investment is gone. Or in the badger game, just as Joey is about to be cuckolded, he happens to walk in. Then White, who was playing his own rules in his own honest way, finds that he has to play Joey's rules, and they hurt.

Curiously enough, the mark is supposed to know the rules of **FOOJY** and stick to them. Honest squawking is a calculated risk of the con mob; they will not hold it against White, and he is even allowed a certain latitude in lying to the police to save his face.

But if he goes too far and accuses them falsely of burglary, for example, that is cheating, and they resent it. On the other hand, there is little sympathy for a con man who gets into trouble by working a mark who is drunk, since this is improper procedure, and he should know better. The same applies if he is stupid enough to pick a mark with a sense of humor, since it is well known that such people cannot be trusted to play the straight man in **FOOJY** all the way down the line through the terminal game of "Cops and Robbers."

It should be noted that a practical joke is not a game of **FOOJY**, because in a practical joke Joey is the one who suffers, while in **FOOJY** Joey comes out on top, and White is the one who suffers. A practical joke is a pastime, while **FOOJY** is a game in which the joke is arranged to backfire.

**NOTE: "... the joke is arranged to backfire."**

Notes by FH Ernst Jr.: "Experienced con men are scared of marks who laugh after they have been taken." "In some 'scenarios' one game is played after another in a sequence." FHE Jr.

It is evident that **FOOJY** is a three- or four-handed game, and that it is related to "**Let's You and Him Fight**" as the way it would be."

For further information about "**Cops and Robbers**" and games played by prison inmates, see: Ernst, F H and Keating, W C, "Psychiatric Treatment of the California Felon." American Journal of Psychiatry. 120:974-979, 1964. Excerpts from the paper: "Soon after joining a

group the patient came to see that being in jail resulted from playing a game called "cops and robbers", i.e., "professional robbers" very rarely are caught. Being captured was often reported to writer by inmates as a "relief." Being caught after all was the expected outcome of this, his "game."

The psychogenesis of "cops and robbers" is seen in the normal 2 to 4-year-old game of "hide-and-seek." In this latter game, contrary to popular opinion and as any parent can tell you, the objective is to be "found and caught." In the childhood "hide-and-seek" there is a specified time during which the hider will stay quiet, but if not found at its end he begins to give hints to the seeker. Upon being found the squeals and giggles of delight of the 3-year-old who has been found attest to the joy of the game and the gratification of being caught. When roles are reversed 3-year-olds as a rule also squeal at the successful conclusion of seeking the sibling or parent acting as the would-be hider.

This article is aimed to identify that the therapist of an inmate therapy group can direct his energies and work toward correcting the behavior of the offending inmates by attending to the repetitively carried out conversational transactions which lead to loss of behavioral options when one is locked up in prison. Recognition of alternative behavioral choices provides the inmate with a markedly improved measure of personal control over his day to day situations. For example the euphemistic stimulus: "Why, my goodness! You can't let somebody run over you like that," previously would have unflinchingly

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"... Once in a group, a man (generally by two months) had become:

- 1) verbal,
- 2) apparently interested in learning and tolerant of criticism, and
- 3) had improved his social control."

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"Climate Gate, another example of the game of FOOGY. see a letter of resignation by a renowned physicist from IPCC at <http://thegwpf.org/ipcc-news/1670-hal-lewis-my-resignation-from-the-american-physical-society.html>

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evoked the response of "Of course not, I know it." But treatment can lead an inmate to choose either the above response or a second, such as, "I can if I want to," or a sophisticated group member may reply, "Haven't you got

something else to do besides offering to hold my coat" (while I fight this other guy)? The objectives of psychiatric treatment of the incarcerated felon are (a) correction and "care" of his psychological and social tactics

which lead to loss of his "freedom," (b) teaching behavioral options and showing how the loss of control over his social (behavioral) stimuli and responses contributes to the loss of freedom. ....

## The movie "Joe Kidd"

In the movie "Joe Kidd" private property owners are in a fight to keep their land. At issue is "property ownership." Most of you know the story and/or have seen the movie several times. It's a classic.

Joseph gets caught up in the middle of the property matter when (1) is in court for poaching and disorderly conduct, as the Marshal said "he claims he was going to urinate on the court house," (2) his employee was roughed up by Louis Chalma's men seen earlier in the court room, (3) is recruited by hired killers/carpet-baggers to track down Louis Chalma.

The scene that stands out is when Louis Chalma, storming into the court room with his associates defiantly says: "We have listened to you enough. Now, now it is our turn. You know when the Anglo first wanted to build a house, he asked permission. Yes, yes, our grandfathers say this: 'There is enough land. Let the Anglo have a home.' Then you build more houses and then you bring in the railroad and you make the court house. That is when we hear you say strange things. Two years ago we go to see about our land claims. We go to the records office in Santa Fe and asked the man

for the copies of our Deeds and the Titles. You know what he say: 'No, we don't have any records like that any more. There was a fire in the court house and all the records, they got burnt up.' ... ."

Along the way a Padre speaks to Joe Kidd and the Gospel of St James is introduced. Joe Kidd goes into action. He defends the lives and property of his neighbors. (see the Biblical Book of James). Joseph convinces Louis Chalma to turn himself in.

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"... As Dr Berne has said, "Most people, in most of their family and business relationships, are constantly playing games with each other. What's more they are striving -- often unconsciously -- for an emotional 'payoff' which is startlingly different from what they might rationally expect to get from winning or losing their game. Here is an intriguing phenomenon which everyone has observed at one time or another ..."

"As far as the theory of games is concerned, the principle which emerges here is that any social "interaction" whatever has a biological advantage over no "interaction" at all. This has been experimentally demonstrated ... in some remarkable experiments by S Levine in which not only physical, mental and emotional development but also the biochemistry of the brain and even resistance to leukemia were favorably affected by handling. The significant feature of these experiments was that gentle handling ... were ... effective in promoting the health ... ." pg. 15 GPP

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## The Encounterer Vol.2, No.21

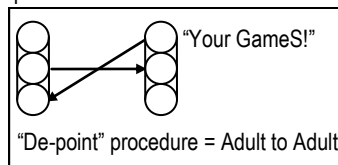
The following is taken from Vol.2, No.21 of The Encounterer, edited by FH Ernst Jr., M.D.

FORMULATION: Name of the Species. Homo Ludens vs Homo Sapiens. This species of animal is the sole surviving genus of the family of mammals, Hominidae. SAPIENS is from the Latin meaning wisdom, sagacity, sapience, profoundness of thought. LUDENS refers to the playfulness of man and is derived from the Latin ludus, a child's game, a place where mind and body are exercised. The verb ludere means to play or to amuse one's self. The LUDI were the public games in honor of the gods. Ludus Literarum was a school for learning the elements of knowledge. HOMO LUDENS more accurately reflects that quality of the species-of-animal, man, which learns,

invents ways for and enjoys playful activity. This name also reflects the fact that mind-and-body exercise (in giving and attracting stroking) are a keystone of man's liveliness, aliveness (or as some are prone to call it, "mankind's immaturity and the problems which humanity makes for itself"). The games-people-play (whether successful or unsuccessful by other definitions) are central to the maintenance of life, ie the stroking (biological) advantage. No other time structuring activity conveys the "psychological bread" that a game does.

PARENTAL SUCCINCTISM: "Oh, you're just playing gameS!" "Stop playing gameS and be serious!" "I don't want to play any of your gameS now!"

The above are said in a disparaging tone. The plural of the word GAME is reminiscent of the use of the pronoun "we" as with "super-mommies" on a hospital ward telling patients, "Now we will take our bath!" The speaker of the "your gameS" lines in disparaging, belittling and unsympathetic toward playfulness procedures: with these phrases is trying to stop the other person in order to "finish getting my point across to you." These (toy?) Parental "points" tend to be tedious, tricky or trying to the would-be listener. The Parental talker is trying to stop the other person's activity which might blunt the sharpened point of his pointed remarks.





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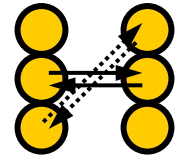
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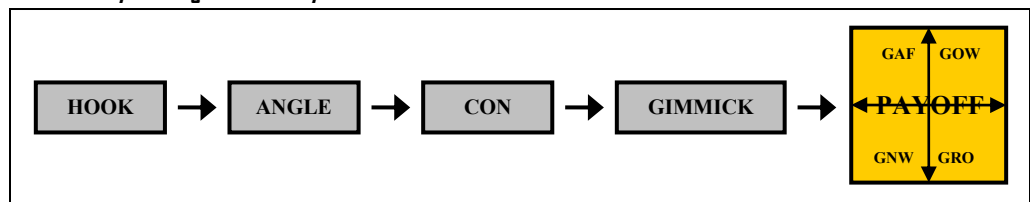
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A game is defined as a recurring set of transactions with ulterior transactions, concealed motivation, a gimmick, and a payoff. Eric Berne, M.D. used a particular variation of the duplex transactional diagram to represent the ulterior aspects of a game. Berne added the concept of switch in 1966 and introduced "The Game Formula."  $Con + Gimmick = Response > Switch > Payoff$



The "Ernst Game Diagram" as described by Franklin H. Ernst Jr., M.D. in his paper "The Game Diagram" shows the phenomena of the variableness of a game and number of variations without contradicting "Berne's Game Formula." The Game Diagram" has five moves: Move #1-Hook, Move #2-Angle, Move #3-Con, Move #4-Gimmick, Move #5-Payoff. Diagrammatically it looks like this:



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*"Mastery of the universe is proportional to the symbols man has by which to represent his universe."*

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## The Structure and Dynamics of Organizations and Groups

Evidently the institutions of banking and finance have some issues to resolve: internal relationships, company culture, company games, and external relationships, games with customers and governing/regulating authorities.

For banking and finance to survive they should "weed out" the "termites" in their groups, organizations, leadership. And they should get a handle on the systemic self-rekidding among their leadership and larger groups. Do all the things necessary to clean-up their own house. Then clean-up the relationships with their "in-bed" vicarious / agency relationships with authorities. Ask for forgiveness of trespass. Forgive all debts.

Re-read, study what Eric Berne, M.D. wrote in "The Structure and Dynamics of Organizations and

Groups." I know that corporate leaders were "educated" in the ways of "transactional analysis" decades ago. And I know they were told to ignore game analysis by leaders of TA. So here they are, stuck with their game culture of FOOGY which is now contaminating and threatening a free society.

"The object of the author in his book is to offer a systematic framework for the therapy of ailing groups and organizations. The use of the system in practice is demonstrated ... (1) by the analysis in some detail of a single group meeting, (2) ... a group model based on historical considerations and contemporary groups set is set up, and its practical applications are illustrated, (3) a consideration of the real individual as a member of

groups and organizations and his anxieties operations when faced with the emotional complexities of personal relationships. (4) a chapter for group therapists and some examples of the direct application of the system to the therapy of ailing groups and organizations."

"The ideal throughout has been to order the facts observed in a way that would be useful in the rough and tumble of practice where people play for keeps."