

CASE #: B333272, Div: 2

IN THE COURT OF APPEALS OF THE ST.
SECOND APPELLATE DISTRICT

ALKIVIADES DAVID; FILMON TV LTD.;)	
FILMON TV INC.;)	
ALKI DAVID PRODUCTION INC.;)	
HOLOGRAM USA)	
<i>Petitioners</i>)	Court of Appeal No.
-v-)	
)	
LOS ANGELES COUNTY SUPEIOR COURT)	
<i>Respondent</i>)	
)	
)	
ELIZABETH TAYLOR, MAHIM KHAN,)	
CHASITY JONES; LAUREN REEVES)	
<i>Real Parties in Interest</i>)	

Los Angeles County Superior Courts No. BC654017
Hon. Michelle Williams

Los Angeles County Superior Courts No. BC643099
Hon. Terry Green
Hon. Christopher K. Lui

Los Angeles County Superior Courts No. BC649025
Hon. Rafael A. Ongkeko

PETITION FOR WRIT OF PROHIBITION;
MEMORANDUM OF POINTS AND AUTHORITIES

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PETITION FOR WRIT OF PROHIBITION

Alkiviades David, Filmon TV LTD, Filmon TV INC, Alki David Productions Inc, Hologram USA, petitions this Court for a writ of prohibition or other appropriate relief, directing respondent Los Angeles County Superior Court to vacate its orders of civil liability and its orders to enforce civil judgments in the relevant cases whereas said orders are void ab initio as the results of extrinsic fraud(s) imposed upon the relevant courts by attorneys operating under or in concert with THOMAS VINCENT GIRARDI.

PRAYER

WHEREFORE, Alkiviades David, Filmon TV LTD, Filmon TV INC, Alki David Productions Inc, Hologram USA prays that a writ of prohibition issue from this Court directing respondent Los Angeles County Superior Court to vacate its orders of civil liability and its orders to enforce civil judgments in the relevant cases whereas said orders are void ab initio as the results of extrinsic fraud(s) imposed upon the relevant courts, and for such other relieve as may be just.

VERIFICATION

I am the attorney for Alkiviades David, Filmon TV LTD, Filmon TV INC, Alki David Productions Inc, Hologram USA in this case. I have read the foregoing Petition and know its contents. The facts alleged in the Petition are within my own knowledge and I know these facts to be true. I declare under penalty of perjury that the foregoing is true and correct and that this verification was executed on this 5th day of November, 2023 at Los Angeles, California.



Matthew Huzaineh

MEMORANDUM OF POINTS AND AUTHORITIES

I.

INTRODUCTION

“A lie doesn't become truth, wrong doesn't become right, and evil doesn't become good, just because it's accepted by a majority.”

Booker T. Washington

Former and now disbarred attorney Thomas Girardi was successful in organizing a parasitic criminal element into the California state judiciary that span more than four decades and victimized numerous litigant defendants and insurance companies.

The criminal element created by Thomas Girardi was disguised as the Law Firm of Girardi-Keese, and extended to other lawyers and or law firms that had quasi social relationships with Thomas Girardi through law school, professional interest or affiliated with those who did. But in reality, the Thomas Girardi element engaged in various scheme types to defraud clients, victimized litigant defendants, and even federal and state court systems fell victim to the extrinsic frauds of the Thomas Girardi element throughout the United States. In other words, the civil cases were “fixed” by Thomas Girardi in favor of their non-attorney co-participant clients. (A1) (Pg 9)

“I get along great with all the judges, I can do some real good sh*t
But I want to make sure you know we’d be joined at the hip.”

Thomas Girardi

The perception of bias in trial proceedings destroys the public's confidence in our justice system and must not be tolerated.” *Hall v. Superior Court of San Diego Cnty.*, 3 Cal.App.5th 792, 802 (Cal. Ct. App. 2016)

Many attempts to alter or stop the Thomas Girardi element have been futile save for the courageous reporting steps taken in this Court against the Thomas Girardi element by the Petitioners, and the Honorable United States District Judge Thomas Durkin, Northern District of Illinois, from another and unrelated Girardi

scheme case, *In re Lion Air Flight JT 610 Crash* (18 C 7686 at *1-2 (N.D. Ill. Nov. 2, 2022)).

Thomas Girardi engaged in criminal activities under the guise of common civil torts and or contract disputes. By way of extrinsic fraud, and due to Thomas Girardi's massive acquisition of illegally derived wealth, political, and judicial influences, Mr. Girardi was allowed to corruptly operate unscathed by state officials which subsequently deprived opposing litigant(s) to include the Petitioners of property, reputations, constitutionally guaranteed due process, and fundamental fairness within the California state courts. "The maxim that fraud vitiates every proceeding must be taken, like other general maxims, to apply to cases where proof of fraud is admissible." *United States v. Throckmorton*, 98 U.S. 61, 68 (1878)

There are far more victims to the criminal practices of the Thomas Girardi element, however many attorneys throughout the state of California have been dissuaded from commencing litigation against Mr. Girardi, due to his previous stronghold or influences on the state court judiciary via extrinsic fraud, to include but not limited to influence over the California State Bar.

The Thomas Girardi element had successfully outfoxed the State of California and many of the nation's federal judiciaries for over four decades.

Thomas Girardi was finally charged by criminal indicted on January 31, 2023, in Cause No. 2:23-cv-00047-JFW, by the United States District Court, Central District of California, in relations to [a] fraudulent scheme type stemming

from *In re Lion Air Flight JT 610 Crash*. The Petitioners to this writ of prohibition are seeking relief against yet another scheme type of the Thomas Girardi element.

II. STATEMENT OF THE CASES

The Thomas Girardi element described *supra*, are “*associates in fact*” formed as an element of persons informally associated together for a common purpose of engaging in a course of conduct, as a continuing unit to defraud by acts of deception and or misrepresentations outside of the merits to the civil tort actions involved. “Extrinsic fraud usually arises when a party is denied a fair adversary hearing because he has been “deliberately kept in ignorance of the action or proceeding, or in some other way fraudulently prevented from presenting his claim or defense.” *Id at Wong v. Mah*, B301018, at *18 (Cal. Ct. App. Nov. 18, 2020).

In the unrelated case which was presided over by United States District Judge Thomas Durkin, Northern District of Illinois, the court discovered existence of “*a decades-long RICO enterprise involving*” *** (*Thomas Girardi*), “*as well as a number of other individuals and entities. Lira, No. 2022-cv-03977, dkt. 1 (N.D. Cal. July 6, 2022).*”¹ Judge Durkin identified other pending proceedings—criminal and civil—as one of the ways that justice might ultimately be done.

During an unknown period but at least between the dates of December 7, 2016, through the present day and hereafter, said persons identified as Thomas

¹ Case: 1:20-cv-07115 Document #: 197 Filed: 11/16/22

Girardi; Gloria Allred; Lisa Bloom; Nathan Goldberg; Renee Mochkatel; Dolores Y. Leal; Joseph Chora; Allred, Maroko & Goldberg; associated together to form an element which devised a scheme to defraud the Petitioners and other members of the litigating public out of wealth, property, and or reputations by way of fraud induced civil awards and judgments through the California state courts.

The herein identified real parties in interest, Elizabeth Taylor; Mahim Khan; Chasity Jones; and Lauren Reeves, acted as "runners" or otherwise litigant victim / recruiters. (A2) The real parties in interest acted as non-attorney co-participant clients in one or more civil litigation schemes against the Petitioners for the Thomas Girardi element.

For decades the Thomas Girardi element to include but not limited to: Thomas Girardi; Gloria Allred; Lisa Bloom; Nathan Goldberg; Renee Mochkatel; Dolores Y. Leal; Joseph Chora; Allred, Maroko & Goldberg, have developed and operated an element in what is estimated by federal prosecutors to well exceed \$100 million USD, by way of sophisticated extrinsic fraud scheme[s].

The scheme of the Thomas Girardi element which is now under this Court's consideration for prohibition relief, was to procure illicit money from the Petitioners, wealthy persons, Trusts, corporations (both domestic and international), celebrities, and business executives such as Kanye West, Chris Brown, Rose McGowen, Steve Wynn, Russel Brand, Curtis Jackson, Alan Dershowitz, Prince Andrew, Paul Marciano, Kyle Hunter, Morgan Freeman, Kevin Spacey, Scott Baio, and Bill Cosby, through a pattern of civil litigations facilitated by deceptive, misleading, or fraudulent (sexually related) civil tort allegations.

In furtherance of the extrinsic fraud schemes, the Thomas Girardi element operated through bribes and or industry favors (to include judicial and political favors or support), so as to acquire lucrative court induced monetary judgments, judgment liens, awards and or concealment favors.

Non-attorney co-participants with the Thomas Girardi elements, while at all times purporting to be legitimate clients, engaged in a course of conduct in furtherance of the overall scheme to defraud. (A2)

TAYLOR: "If the tables were turned I would have you girls back in a heartbeat. No questions asked. This entire thing just sucks & all leads back to being scared of Alki. Like we make 2,000 a month, it's a joke. I already had a final interview today. Lol" --- "All I need is Chasity and MK" --- "MK to say he touched her boobs (which she told me she would say)" (Emp added)

"Extrinsic or collateral fraud, which is defined to be "actual fraud, such that there is on the part of the person chargeable with it the *malus animus*, the *mala mens* putting itself in motion and acting in order to take an undue advantage of some other person for the purpose of actually and knowingly defrauding him." *Flood v. Templeton*, 152 Cal. 148, 155 (Cal. 1907).

On or about June 2, 2015, evidence establishes that Gloria Allred and Elizabeth Taylor conspired with one another to encourage others to join with the element's common scheme and purpose to defraud. (A2)

TAYLOR: "No one is willing to be a witness now and Gloria Allred won't take my case if not"...

Other parties who were subsequently persuaded to join the extrinsic frauds in this particular scheme were Lauren Reeves, Mahim Khan and Chasity Jones as evidenced by the cell phone text records. (A2) thru (A7)

Whereas, in 2015 Alkiviades David, engage in a consensual relationship with Mary Rizzo. Ms. Rizzo worked as an employee for Petitioner Hologram USA. At some time during the acquaintance but after the relationship had begun to stale, Ms. Rizzo employed the legal services of Gloria Allred to bring forth a workplace related lawsuit against Petitioner Alkiviades David and Hologram USA.

Like Kanye West, Chris Brown, Rose McGowen, Steve Wynn, Russel Brand, Curtis Jackson, Alan Dershowitz, Prince Andrew, Paul Marciano, Kyle Hunter, Morgan Freeman, Kevin Spacey, Scott Baio, and Bill Cosby, Alkiviades David also choose to settle the case to avoid all the negativities associated with the scheme.

As a wealthy person living in Malibu, California, Alkiviades David, who is an heir to the Coca-Cola fortune, is privy to the private conversations of his Malibu, California, neighbors. It was during many of these conversations that Alkiviades David learned that he was not the only wealthy person who had fallen victim to the Thomas Girardi element. But, even collectively, the victimized persons to include the Petitioners were helpless to combat the extrinsic frauds perpetrated against them. This is because Thomas Girardi controlled many of the area lawyers, and even worse, Thomas Girardi controlled quite a few of the areas state court judges. For these reasons the Mary Rizzo lawsuit was settled under a strict confidentiality agreement and for an undisclosed amount. It is well settled that "the right of access to the courts is also "founded in the Due Process Clause and assures that no person will be denied the opportunity to present to the

judiciary allegations concerning violations of fundamental constitutional rights." *Wolff v. McDonnell* (1974) 418 U.S. 539, 579 " *People v. Rotroff*, 178 Cal.App.4th 619, 643 (Cal. Ct. App. 2009)

During this period other former employees of Filmon / Hologram USA, (Lauren Reeves, Mahim Khan, Elizabeth Taylor, Chasity Jones, and Marguerita Nichols), discovered settlement details from the lawsuit involving Mary Rizzo and decided to engage in copycat schemes for the purpose of acquiring more of the Petitioner's money for themselves.

Lauren Taylor and Mahim Khan's conduct caused Alkiviades David to threaten criminal charges as evidenced by the May 7, 2016, telephone text communication between Mary Rizzo and Chasity Jones. (A3)(A4)

JONES: "He told me he was filing criminal charges against her." (A4)

RIZZO: "Damn. Poor Elizabeth. MK too?" (A4)

JONES: "No." (A4)

RIZZO: "You know what's crazy...I still have text from Elizabeth saying all she needs is MK and you to talk." (A4)

JONE: "She asked me to help her case and kept calling me over and over via text but I'm not sure if she told me to file against him or not bc I wasn't paying attention to her." ***** "Yes I'm sure. Elizabeth prob said we all seen it or something. Who knows (A4)

RIZZO: "Yea she probably did. I never did tho." (A5)

JONES: "I never seen him touch her but she always had something to say about everyone lol (A5)

RIZZO: "OMG she did! Lol" – "She liked to gossip" JONES: "Yep" (A5)

RIZZO: "Even about fake stuff" JONES: "Lol yes" (A5)

At a date uncertain but following the date of the Confidential Settlement Agreement, Allred confided in Lauren Reeves the settlement amount that

Alkiviades David had made with Mary Rizzo. Lauren Reeves then shared the breached settlement information with Elizabeth Taylor who subsequently announced the confidential settlement amount during an employee related dinner at Cafe Roma in Beverly Hills, California, where Chasity Jones, Mahim Khan and others were present.

According to Mary Rizzo, news of the settlement amount inspired a plot by Lauren Reeves, Mahim Khan, Elizabeth Taylor, and Chasity Jones to extort the Petitioners by way of fraudulent sexual allegations, whereas each woman agreed to falsely testify for one other as needed.

The extrinsic frauds between Lauren Reeves, Mahim Khan, Elizabeth Taylor, and Chasity Jones, failed to initiate because of any sexual related activities, but for reasons that each woman was disgruntled because of the dollar amount of salaries, and or commissions that each woman was paid under employ by the Petitioners. (A2)(A8)(A9)

Mary Rizzo later provided cell phone text evidence of the extrinsic scheme to defraud on the part of Lauren Reeves, Mahim Khan, Elizabeth Taylor, and Chasity Jones. In the May 26, 2015, text conversation between Mary Rizzo and Chasity Jones, Ms. Jones reveals as much:

JONES: "I hate Filmon!!" – "I'm quitting for sure! They only paid me part of my commission and Alki agreed to pay me and Peter don't want to pay. Alki said he was going to make sure I get paid but this is not right I have to fight for my money." (A8)

RIZZO: "I can't believe that. That company is ridiculous. It's funny how everyone has trouble getting paid there commissions but that never was a problem for Jill in the UK. Makes you wonder." (A8)

***** NOVEMBER 16, 2015.

JONES: "I'm going to call the lawyer back. That what Alki get!!!!"
(A7)

RIZZO: "Lol" --- "Yea I knew something was up when MK stopped showing up." JONES: "I think I'm going to sue him too bc he deserves it by the way he treat people and the things he do to people"
(A7)

JONES: "I'm going to call Elizabeth today this afternoon" (A7)

RIZZO: "It's not just Elizabeth but MK and now you" (A7)

JONES: "Yes" --- "He's a looser!!!!" (A7)

NOVEMBER 17, 2015*****

JONES: "I'm going to sue Alki for hassassment. I'm going to go home and find another attorney today and go over all my notes I kept"--- "That whok company is dirty"--- "They are trying to go public and that not fair how he does me and people" --- "I'm going to call and retract my statement from Barry Rotyman too" (A9)

Gloria Allred and Lisa Bloom encouraged Elizabeth Taylor, Mahim Khan, and Chasity Jones to recruit one another for retaining their law firms with a common purpose to defraud by way of court process before Girardi influenced judges. Gloria Allred wouldn't take Elizabeth Taylor's case unless Ms. Taylor recruited two more clients in an effort to add credibility to the extrinsic fraud scheme. The two other clients were Khan and Jones. (A2)

Parts of a June 2, 2015, text message (A2) confirms not merely the motive behind the fraud, i.e., . "Like we make 2,000 a month, it's a joke." But further details extrinsic fraud predicates that each woman acted in furtherance of the frauds, i.e., "All I need is Chasity and MK" --- "MK to say he touched her boobs (which she told me she would say)." (A2)

JONES has a federal criminal conviction relating to a 2002 scheme to defraud Wells Fargo Bank utilizing like conduct as described within the engaged racketeering activities to the instant lawsuit. See – (A9).

Beginning in or about August 2002, and continuing to in or about November 2002, in Los Angeles County, within the Central District of California and elsewhere, defendants CHASITY JONES, *** and others known and unknown to the Grand Jury, knowingly executed and attempted to execute a scheme to defraud Wells Fargo Bank, and to obtain monies and funds owned by and in the custody and control of said financial institution by means of material false and fraudulent pretenses, representations and promises. The fraudulent scheme operated in the following manner. Defendant CHASITY JONES would improperly access and retrieve Wells Fargo Bank customer account information using her position as an employee at Wells Fargo Bank, 9354 Wilshire Boulevard, Beverly Hills, California. (Omissions added)

Chasity Jones' conduct within the Thomas Girardi element is a continuation of her fraudulent criminality. Ms. Jones was hired by the Petitioner as an employee of Filmon / Hologram USA, until the date of her 2015 termination by the company for "faking a \$40K sales contract" in pursuit of greater commissions.

CONCLUSION

Extrinsic fraud is perpetrated where a party does not reveal the whole truth, to the extent of his or her knowledge, *In re Sydney V.*, No. B216860, at *1 (Cal. Ct. App. Apr. 14, 2010). A writ of prohibition should issue on the grounds that extrinsic fraud perpetrated by Lauren Reeves, Mahim Khan, Elizabeth Taylor, and Chasity Jones acting in concert with the Thomas Girardi element prevented the Petitioners

from having a fair adversary hearing. *Ersheid v. Fernando*, No. B219368, at *1
(Cal. Ct. App. Dec. 3, 2010)

Respectfully submitted,



Matthew Huzaineh

Attorney for Petitioner ALKIVIADES DAVID, et al.

CERTIFICATE OF COMPLIANCE

Pursuant to rule 8.204(c) of the California Rules of Court, I hereby certify that this brief contains words the requisite number of words, including footnotes. In making this certification, I have relied on the word count of the computer program used to prepare the brief.

By 

Matthew Huzaineh

Attorney for Petitioner ALKIVIADES DAVID, et al.

EXHIBITS

[ATTACHMENTS 1-9]

IN THE COURT OF APPEALS OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT

ALKIVIADES DAVID, FILMON TV LTD.;)
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A1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EDELSON PC, an Illinois professional
corporation,

Plaintiff,

v.

THOMAS GIRARDI, an individual,
GIRARDI KEESE, a California sole
proprietorship, DAVID LIRA, an individual,
and KEITH GRIFFIN, an individual

Defendants.

Case No.: 20-cv-7115

Hon. Matthew F. Kennelly

PLAINTIFF’S OPPOSITION TO DEFENDANTS’ MOTION TO TRANSFER

Defendants David Lira and Keith Griffin both want this matter transferred to California. Consistent with Defendants’ repeated requests to stay or otherwise delay this case, the purpose of seeking that transfer is not to serve any of the factors that 28 U.S.C. § 1404(a) requires, but to hit the brakes on this 2020 case. Discovery in this case is advanced, Defendants have already filed (and lost) their summary judgment motions, and short of a significant plot twist—like a transfer to a new court—this case is proceeding quickly to trial. Defendants have been clear that completing discovery here is precisely what they are trying to avoid. (*See* Ex. A to Declaration of J. Eli Wade-Scott (“Wade-Scott Decl.”), E-mail from Saba to Wade-Scott (Oct. 28, 2022) (“During our conversation, you insisted that the depositions in the Illinois case move forward even though there is a motion to change venue pending. . . . However, please note, if the Illinois case is transferred to California, and assuming there is no stay on discovery in the California case, this deposition date must also be agreed to by all of the parties in the California action.”); *see id.*, E-mail from Robie to Wade-Scott (Nov. 1, 2022) (“If the Illinois case is transferred to

California, and assuming there is no stay on discovery in the California case, this deposition date must also be agreed to by all of the parties in the California action.".) In short, Defendants want this case knocked back to first base along with the far newer *Edelson v. Lira*, No. 3:22-cv-3977-JSC (N.D. Cal.) action.

This betrays the efficiency claims advanced by each Defendant, which are the core of the transfer motions. When Defendants are cooperating, discovery can and is being conducted efficiently here. And this District is the appropriate venue for these claims: it is Defendants who reached into this forum to find (and defraud) Illinois-based counsel for an Illinois-based case. The case should be tried here before an Illinois jury. Defendants have not cleared their high burden of demonstrating transfer is appropriate, and the motion should be denied.

BACKGROUND

Nearly two years ago, Plaintiff Edelson PC filed this action and a contempt motion after uncovering evidence that Girardi Keese was stealing client money to prop up the firm and fund the extravagant lifestyles of Thomas ("Tom") and Erika Girardi. (*See* Compl., dkt. 1; *see also In re Lion Air Flight JT 610 Crash*, No. 18-cv-07686, dkt. 842 (N.D. Ill. Dec. 2, 2020).)

Unfortunately, we were right: within days of those filings, the Girardi Keese firm collapsed, Tom and the firm were held in contempt, and both were pushed into involuntary bankruptcy. The contempt proceedings against Defendants David Lira and Keith Griffin continued, as did this case.

Judge Durkin held a three-day evidentiary hearing in December 2021 on contempt against Lira and Griffin. *See In re Lion Air Flight JT 610 Crash*, No. 18 C 7686, 2022 WL 16635552, at *1 (N.D. Ill. Nov. 2, 2022) ("*Lion Air Order*"). At that hearing, Judge Durkin asked whether Plaintiff had considered simply paying the clients and proceeding with an assignment of

their claims. Plaintiff took the Court up on that suggestion, arranging to have the clients paid in part by the firm and in part by its insurer, and receiving an assignment of the clients' claims in exchange effective July 1, 2022. *See id.*; *see also In re Lion Air Flight JT 610 Crash*, dkt. 1404 (N.D. Ill. July 1, 2022). Plaintiff has since filed a case as assignee of the clients, which alleges a decades-long RICO enterprise involving Defendants Lira and Griffin, as well as a number of other individuals and entities. *Lira*, No. 2022-cv-03977, dkt. 1 (N.D. Cal. July 6, 2022).

Meanwhile, this case has proceeded and narrowed. Lira and Griffin tried to insert venue and jurisdictional objections with a 12(b)(3) venue motion and personal jurisdiction argument, respectively, which the Court denied. (Mot. to Dismiss Order, dkt. 91.) But the Court also made clear that Edelson would be permitted to proceed solely as to harms to Edelson as the firm—attorneys' fees owed to it, primarily—and not the claims of the clients. (*Id.* at 28 (“In sum, Edelson has standing to seek the equitable remedies of constructive trust and accounting, as well as to pursue its claim for conversion. It may not, however, seek relief on behalf of the *Lion Air* plaintiffs.”).)¹ Defendants both sought, and lost, summary judgment on Edelson's entitlement to damages. (*See* Summ. J. Order, dkt. 171.) The parties have engaged in significant document discovery, including litigation of three motions to compel and a protective order. (*See* Minute Order, dkt. 129.) Despite Defendants attempting to avoid them, the depositions of Griffin and Lira are scheduled to proceed in Los Angeles in December and early January. (*See* Wade-Scott Decl. at ¶ 4.)

Last, Judge Durkin has also recently issued a detailed order on contempt, finding that Lira's “failure to inform Edelson that Girardi was lying is a lie by omission” and that “like Lira,

¹ That essential fact has remained true with Edelson's amended complaint: the case concerns only Edelson's own losses. (*See, e.g., Am. Compl.*, dkt. 179, ¶ 211 (“Plaintiff's reliance resulted in damages in an amount to be proved at trial, including but not limited to loss of attorneys' fees owed to it, investigation costs, reputational harm, and the costs of litigating the contempt proceeding.”).

Griffin abetted [Girardi's] lies by hiding them from the Edelson firm." *Lion Air Order*, 2022 WL 16635552, at *4-5.) However, Judge Durkin determined that although Griffin and Lira's conduct was "entirely unreasonable," "improper," and "simply inexcusable," (*id.*), civil contempt was not an appropriate remedy because Edelson made their former clients whole, (*id.* at *1). He identified other pending proceedings—criminal and civil—as one of the ways that justice might ultimately be done. (*Id.*)

ARGUMENT

The interests of justice do not point toward transferring this case to California. This action has only to do with Edelson's own claims, is far narrower, and is far more advanced than proceeding in California. Transferring this litigation to be subsumed into a broader action (if that is even possible) risks an effective reset of the progress in this well-developed case. The case should remain in Plaintiff's choice of forum.

A court considering a motion to transfer under 28 U.S.C. § 1404(a) weighs two sets of factors: private-interest factors and public-interest factors. *See O'Connor v. RealPage Inc.*, No. 21 C 6846, 2022 WL 1487374, at *2 (N.D. Ill. May 11, 2022). The private-interest factors are "the plaintiff's choice of forum, the situs of material events, relative ease and access to the source of proof, the convenience of the parties, and the convenience of the witnesses." *Id.* (citing *A.M. Castle & Co. v. Byrne*, No. 13 C 4835, 2013 WL 5511673, at *2 (N.D. Ill. Oct. 3, 2013).) The public-interest factors are "the respective courts' familiarity with the applicable law, the likely pace at which the case will proceed to trial, the relationship between the respective districts and the occurrence at issue, and the desirability of resolving controversies in their locale." *Id.* (citing *Amoco Oil Co. v. Mobil Oil Corp.*, 90 F. Supp. 2d 958, 962 (N.D. Ill. 2000)). But the analysis must be undertaken in light of the heavy burden on defendant to show that the

potential transferee district is superior: “Unless the balance is strongly in favor of the defendant, the plaintiff’s choice of forum should rarely be disturbed.” *Gulf Oil Corp. v. Gilbert*, 330 U.S. 501, 508 (1947).

I. The private-interest factors weigh in favor of the Northern District of Illinois, because several of its key witnesses are here and the underlying *Lion Air* case was litigated here.

Each of the private-interest factors counsels in favor of keeping the case in the Northern District of Illinois or are neutral. And as discussed below, there are significant public-interest reasons for this action to be litigated to trial here.

Plaintiff’s choice of forum. Plaintiff’s choice of forum should not be disregarded in this case. Significant deference is given to Plaintiff’s forum choice, particularly if it is Plaintiff’s “home forum.” *O’Connor*, 2022 WL 1487374, at *2 (citing *Piper Aircraft Co. v. Reyno*, 454 U.S. 235, 255 (1981)). Edelson’s Chicago office is the firm’s headquarters and, as discussed below, several key witnesses in the case are based here and the underlying litigation in *Lion Air* occurred here. It is far more fair and convenient to the Chicago-based attorneys that are witnesses and litigants in the case to litigate it in Chicago. Defendants have no reality-based response to this argument, and instead flatly state that none of the conduct complained of occurred in Chicago. (Def.’s Mem., dkt. 195, at 6–7.) That isn’t correct.

The situs of material events. Both Lira and Griffin have tried to get away from this forum before, if half-heartedly on Lira’s part.² In ruling against them, the Court explained exactly why this case has a connection to the Northern District of Illinois: Griffin and Lira sought out Chicago-based counsel to litigate a Chicago-based case. (See Mot. to Dismiss Order at 18 (“Griffin traveled to Illinois to participate in the underlying litigation. He contracted with an

² The Court found Lira’s 12(b)(3) argument to be so under-developed that it was waived. (Mot. to Dismiss Order, dkt. 91, 35 n.14.)

Illinois based firm so that he could appear in an Illinois court. He executed the necessary paperwork to represent the Lion Air plaintiffs in Illinois.”.) Defendants’ unadorned statement that none of the relevant conduct occurred in this forum is simply wrong. Indeed, a primary thread undergirding Plaintiff’s claims is that Griffin and Lira lied to Edelson’s Chicago-based attorneys Jay Edelson and Ari Scharg. (Am. Compl. ¶¶ 55–57; 59–63.) That conduct prompted years of proceedings before Judge Durkin in the Northern District of Illinois, for which Plaintiff also seeks compensation. (*E.g.*, *id.* ¶ 158.) Certainly, a material part of the underlying events occurred in this District, and Edelson’s injury was felt here. *O’Connor*, 2022 WL 1487374, at *3 (“[T]he material events also include the injury that O’Connor suffered, which occurred in Illinois.”).

Ease of access to sources of proof. This factor is neutral given that most of the information at issue here is electronically stored. *See id.* at *3. Lira and Griffin attempt to shade this factor in favor of California given that the files of the Girardi Keese firm are now managed by California-based bankruptcy trustee there, but that concern is speculative. Practically speaking, third-party document discovery has proceeded without issue in this District, including with the Girardi Keese bankruptcy trustee.

Convenience of the parties and witnesses. “To bring this factor into play, the party seeking transfer must specify the key witnesses to be called and provide a general statement of their anticipated testimony.” *Id.* at *3. Lira and Griffin have abdicated that burden, submitting only the unadorned broadside that all of the defendants in the California action will be potential witnesses here, but failing to describe the subject of their testimony. (Def.’s Mem. at 7.) To be sure, Lira and Griffin are based in Los Angeles. But they are suffering no inconvenience, as Plaintiff has already agreed to take their depositions in their home city. (Wade-Scott Decl. at ¶¶

3, 4.) And Plaintiff's Chicago-based witnesses (who were also identified in Defendants' Rule 26(a)(1) disclosures) must be given significant weight, neutralizing the balance of party interests.

As to non-party witnesses, there will be no location-related burden on them regardless of where they are: "[I]n this day and age the depositions of these persons can, and likely will, be taken by video conference, thereby avoiding any travel-related inconvenience." *O'Connor*, 2022 WL 1487374, at *4. Defendants are again wrong, in any event, that all other witnesses are California-based. Joseph DiNardo, from whom Plaintiff will seek testimony on his funding companies' relationship with the firm and the "direct-pay" arrangement in the *Lion Air* case, is a resident of New York. (See Am. Compl. ¶ 27.) Mohamed Eltaher, from whom Plaintiff will seek testimony about how the clients were located by the Girardi Keese firm and his own payment arrangement, is based in Virginia. And Boeing's counsel at Perkins Coie, who have knowledge regarding the transfer of the settlement funds to Girardi Keese, are in Seattle.

Moreover, if Defendants have their way, this action will be transferred along with the *Edelson v. Lira* case from the Northern District of California to the Central District of California. Plaintiff does not have a physical office in the Central District and, by requirement of local rule, will be forced to retain local counsel with an office in that district "in which the attorney is physically present on a regular basis to conduct business." C.D. Cal. R. 83-2.1.3.4. Plaintiff's California office is in the Northern District, meaning that Plaintiff would be required to hire additional counsel to satisfy this rule, increasing the expense and inconvenience to Plaintiff.

II. The public-interest factors weigh heavily in favor of this District, because this case arose from misconduct in *Lion Air*, and there should be an unimpeachably neutral forum for these claims.

Beyond the private interests, "the 'interest of justice' is a separate component of a § 1404(a) transfer analysis, and may be determinative in a particular case, even if the

convenience of the parties and witnesses might call for a different result.” *Coffey v. Van Dorn Iron Works*, 796 F.2d 217, 220 (7th Cir. 1986) (citations omitted). The relevant factors³ here are the relationship between this community and the controversy and the speed to trial, both of which point heavily toward keeping the case in this District.

The relationship between the respective districts and the occurrence at issue. Plaintiff filed this case here for good reason. The theft that finally brought the Girardi Keese scheme crumbling down was in an action in this district, pending before Judge Durkin, and Judge Durkin recently issued his ruling on Plaintiff’s motion to hold Lira and Griffin in contempt. While denying contempt (because Edelson made the clients whole), Judge Durkin detailed at length the “stain on the legal profession” that the Girardi Keese firm represented, and Griffin and Lira’s misconduct with regard to both Plaintiff and the clients. *See Lion Air Order*, 2022 WL 16635552, at *5. Lira and Griffin reached into this District to represent clients before this Cour and defrauded Plaintiff in connection with that case. This action—brought by Plaintiff to vindicate its own rights—should be heard here. *Dale v. Deutsche Telekom AG*, No. 22 C 03189, 2022 WL 6123365, at *6 (N.D. Ill. Oct. 7, 2022) (“[T]he interest of justice is better served when a forum contains a community that has a strong desire to resolve a particular dispute and that has an invested stake in the matter such that the venue is ‘closer to the action.’”) (quoting *Craik v. Boeing Co.*, 37 F. Supp. 3d 954, 963-64 (N.D. Ill. 2013)). It should also be decided not by a California jury, but a jury based in the Northern District of Illinois. *See Coffey*, 796 F.2d 217, 221 n.4 (noting, as additional “interest of justice” factor, “in which district could a jury best apply community standards”).

³ The respective courts’ familiarity with applicable law is a neutral factor, as both courts are well-equipped to apply the law. Defendants do not mount a real argument to the contrary under this banner, instead focusing on consolidation.

That interest is strengthened by Plaintiff's desire to litigate this case in a Court untainted by even the suggestion of Girardi's influence. As a prefatory matter, Defendants are fudging about where they want this case to go, but in the end the answer is Los Angeles. Defendants claim in their motion that "venue is proper in both districts," (Def.'s Mem. at 5 (decapitalized)), but in reality, Lira has openly opposed the Northern District of California as an appropriate District, and Griffin has stated that he joins that position, *Lira*, No. 22-cv-03977-SK, dkt. 47 (N.D. Cal. Sept. 20, 2022) (Lira motion seeking dismissal for improper venue); *Lira*, No. 22-cv-03977-SK, dkt. 51 (N.D. Cal. Sept. 21, 2022) (Griffin "notice of joinder"). They—and the other defendants in the *Lira* action—intend to transfer all the cases arising from the Girardi Keese criminal enterprise to Los Angeles.

Thomas Girardi openly boasted of his expansive web of control in Los Angeles and tried to bribe the Edelson firm into making this case go away by "join[ing] us at the hip" in the eyes of the southern California judiciary. (See Girardi Voicemail ("I get along great with all the judges, I can do some real good sh*t. But I want to make sure you know we'd be joined at the hip.");⁴ see also Girardi Voicemail ("I wanna be in charge of all of your sh*t. At the end of about 9 months, I want you to say, 'God Tom, you made me another million.'")⁵.) The point is not that any federal judge in the Central District of California would have any actual bias in this case; it's a matter of public perception regarding the handling of matters related to Girardi in southern California. Girardi's claims of influence are both well-publicized and, unfortunately, entirely credible in some instances: the California Bar recently revealed that despite more than two hundred complaints against Girardi (and *one hundred* involving client trust account violations), it

⁴ See Wade-Scott Decl. at ¶ 7, and hosted at https://edelson.com/wp-content/uploads/Girardi_Voicemail_2.wav.

⁵ See Wade-Scott Decl. at ¶ 6, and hosted at https://edelson.com/wp-content/uploads/Girardi_Voicemail_1.wav.

protected him and the firm by refusing to act for nearly four decades.⁶ The extent of Girardi's influence (attempted or otherwise) continues to be investigated and exposed.⁷

This case is an important one, as it is part of Plaintiff's broader effort to "demonstrate that the legal system Girardi besmirched has the ability to rectify its errors and bring bad actors to account." *Lion Air Order*, 2022 WL 16635552, at *5. It is critical that it be litigated in a forum known by everyone involved—potential witnesses, the profession, and the public at large—to be neutral.

Speed to trial. This case has been pending for nearly two years. After a number of delays, fact discovery is set to close on February 24, 2023. (*See Minute Order*, dkt. 186.) The Court rejected Defendants' requests to defer setting a schedule and has been clear that it will not grant further extensions. (*Id.* ("The Court has reviewed the parties' joint status report and overrules defendants' request to defer setting a further schedule given the age and progress of the case. The Court sets the following deadlines and advises the parties that they should not expect further extensions.")). Defendants' very first reaction after filing their motion to transfer venue, however, was to delay their depositions on the assumption that the case would get sent to California, consolidated, and largely ground to a halt. (*See Ex. B to Wade-Scott Decl.*, E-mails between Wade-Scott & Saba (attempting to delay depositions until after motion to transfer venue).) Even after the Court made clear it would not be staying discovery pending the transfer motion,

⁶ David Thomas, *Lawyer Tom Girardi drew over 200 ethics complaints, California bar says*, REUTERS (Nov. 3, 2022), <https://reut.rs/3DXIp4N>.

⁷ Matt Hamilton, Harriett Ryan, *'Real Housewives' attorney Tom Girardi used cash and clout to forge powerful political connections*, LOS ANGELES TIMES (Mar. 6, 2021), <https://www.latimes.com/california/story/2021-03-06/tom-girardi-used-cash-clout-see-political-favors>; Brandon Lowrey, *Girardi Paid For House Now Owned By Los Angeles FBI Head*, LAW360, <https://www.law360.com/legalethics/articles/154991>.

Defendants have been quick to make clear their intention to try to get the case stayed or, at the least, significantly delayed in the event of a transfer. (*See id.*, *see also* Ex. A.)

In light of this reality, it is surprising that Defendants largely predicate their motion on the supposed efficiencies to be gained by transferring and consolidating the actions. Plaintiff certainly agrees that speed of resolution is a key factor in determining whether or not to transfer a case but hitting the reset button on discovery in this narrower case is neither efficient nor beneficial. *See, e.g., Illumina, Inc. v. Affymetrix, Inc.*, No. 09-CV-277-BBC, 2009 WL 3062786, at *6 (W.D. Wis. Sept. 21, 2009) (“However, there is no evidence that the greater travel or transfer costs would not be canceled out by the money saved by reaching the end of the litigation 18 months sooner than if this case were litigated in the Northern District of California.”). Resolution of the civil portion of this proceeding is all the more pressing when it appears that federal prosecutions in connection with the underlying conduct in this case will soon begin.⁸

Nor is it clear, due to the progress of the case and the relief at issue, that consolidation of the actions would be appropriate even if the case was transferred. The California *Edelson v. Lira* case seeks redress for the *Lion Air* clients’ claims based on a sprawling, decades-long criminal enterprise that involves numerous participants beyond Lira and Griffin. To be sure, there is factual overlap between the two actions: Plaintiff describes in each, for instance, key events underlying the Girardi Keese fraud, like David Lira signing checks stealing clients’ settlement money. (*See* Def.’s Ex. 1, dkt. 195-1 (comparing paragraphs).) But this case is focused solely on the claims of the Edelson firm. (*See* Mot. to Dismiss Order at 28.) To engage with Defendants’ counting exercise, even if we agree that there are 36 similar paragraphs as detailed by Defendant

⁸ *See* Sam Skolnik, *Ex-Girardi CFO Charged With Fraud Denied Bail as Flight Risk*, BLOOMBERG LAW (Nov. 10, 2022), <https://news.bloomberglaw.com/business-and-practice/ex-girardi-cfo-ordered-held-without-bail-on-wire-fraud-charge>.

(see Def.'s Ex. 1), one of these complaints is nearly twice as long and concerns far different relief based on different claims. See *Lira*, No. 22-cv-03977-JSC, dkt. 1 (N.D. Cal. July 6, 2022). Here, Plaintiff seeks factual findings based on misrepresentations made to it, and no broad finding of a criminal enterprise is required to recompense Plaintiff for its lost attorneys' fees.⁹ And of course, this case has proceeded for nearly two years while the *Lira* action is in its preliminary stages. Transfer should not be made on the assumption that these actions can be efficiently consolidated, particularly if Defendants' primary goal is to delay this one. See *Cent. States, Se. & Sw. Areas Pension Fund v. Sun Marsh, LLC*, No. 18 C 2131, 2018 WL 4489527, at *4 (N.D. Ill. Sept. 18, 2018) ("And it is nearly as unlikely that the case could appropriately be consolidated with the WOC defendants' civil RICO suit, which was filed after the present case and involves significantly different issues, both legal and factual.").

CONCLUSION

Defendants' motion to transfer should be denied.

Respectfully submitted,

EDELSON PC

Dated: November 16, 2022

/s/J. Eli Wade-Scott
One of Plaintiff's Attorneys

⁹ Defendants make passing references to claim splitting without any legal argument. This underdeveloped argument should be deemed waived. *Crespo v. Colvin*, 824 F.3d 667, 673 (7th Cir. 2016) ("[P]erfunctory and undeveloped arguments, and arguments that are unsupported by pertinent authority, are waived"). In any event, Plaintiff has already explained why there is no claim splitting: it had not yet been assigned those claims by the clients at the time it moved to amend its complaint here. See *Ellis v. CCA of Tennessee LLC*, 650 F.3d 640, 652 (7th Cir. 2011) ("The federal rule is that claim preclusion generally does not bar a subsequent lawsuit for issues that arise after the operative complaint is filed."); *Howard v. City of Coos Bay*, 871 F.3d 1032, 1040 (9th Cir. 2017) ("We now confirm that for purposes of federal common law, claim preclusion does not apply to claims that accrue after the filing of the operative complaint.").

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A2



Elizabeth ⓘ

+1 (904) 294-3882

No one is willing to be a witness now and Gloria Allred won't take my case if not. If the tables were turned I would have you girls back in a heartbeat. No questions asked. This entire thing just sucks & all leads back to being scared of Alki. Like we make 2,000 a month, it's a joke. I already had a final interview today lol

All I need is Chasity and MK

MK to say he touched her boobs (which she told me she would say)

Chasity (to say she was a witness to the headstand thing)

And just call her office. That's it & both of them are scared of losing their jobs

I can't stop crying

Alki is suing me first

Elizabeth



A3



Chasity



+1 (310) 804-9536

Did they ask you if Elizabeth ask you to file too or to help her case?

Yea but I said no because she didn't



She knew I never saw anything



Ok. They ask me too

I think cuz maybe she can get in trouble

Like they will use it against her

But she asked MK for help and MK jumped on

Right Alki told me that today.

And is getting money

She ask me for help for sure

What that they are using that against her?

Yes

He told me he was filing criminal



A4



Chasity



She ask me for help for sure

What that they are using that against her?

Yes

He told me he was filing criminal charges against her

Damn poor Elizabeth

MK too?

No

You know what's crazy...I still have a text from Elizabethsayind all she needs is MK and you to talk

She ask me to help her case and begged me to help her and kept calling me over and over via text but I'm not sure if she told me to file against him or not bc I wasn't paying attention to her



A5



Chasity



+1 (310) 804-9536

Yes, I'm not sure. Elizabeth prob said we all seen it or something. Who know

Yea she probably did, I never did tho

Me either

How is she gonna go to court with no proof? She kind of set herself up to look dumb

Poor girl

I never seen him touch her but she always had something to say about everyone lol

Omg she did! Lol

She liked to gossip

Yep

Even about fake stuff

Lol yes



A6



chasitycjones@yahoo.com

They called me yesterday

I'm going to call the lawyer back.
That's what Alki get!!!!

Lol

Yea I knew something was up when
MK stopped showing up

I think I'm going to sue him too bc
he deserves it by the way he treat
people and things he do to people

I'm going to call Elizabeth today this
afternoon

Yea if he posted that, it looks like
he's may be worried

Yes

It's not just Elizabeth but MK and
now you lol

Yes

He is a loser!!!!



A7



1 (323) 613-4566

May 26, 2016, 5:30 PM

I hate FilmOn!!

I'm quitting for sure! They only paid me a part of my commission and Alki agreed to pay me and Peter don't want to pay. Alki said he was going to make sure I get paid but this is not right I have to fight for my money.

I can't believe that...that company is ridiculous...isn't it funny how everyone has trouble getting paid their commissions but that never was a problem for Jill in the UK...makes you wonder

Why

Right!!

Alki should have paid you in full once the deal closed, that's what he did for Nuzzy

She paid herself



A8



Chasity



1 (323) 613-4566

Wed, Nov 16, 5:51 PM

Do you mind if I can have your attorneys number?

Thu, Nov 17, 12:41 PM

Hey girl, so my attorney is a criminal law attorney so I'm not sure if he would be the right one. Is it for work or for something else. I asked him and he said he could recommend someone else for you if it's not criminal. He just really took my case because it was through a family friend

Ok. I'm going to sue Alki...for harassment. I'm going to go home and find another attorney today and go over all my notes I kept

That whok company is dirty

They are trying to go public and that not fair how he does me and people

I'm going to call and retract my statement from Barry Rotyman too



iMessage



A9

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02 NOV 26 PM 3:32
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2002 Grand Jury

UNITED STATES OF AMERICA,)	CR 02-1229
Plaintiff,)	INDICTMENT
v.)	[18 U.S.C. § 1344: Bank Fraud]
CHASITY JONES, and)	
KETURAH CLAIBORNE,)	
Defendants.)	

The Grand Jury charges:

COUNTS ONE through FOUR

[18 U.S.C. § 1344]

INTRODUCTION

1. At all times pertinent to this indictment, Wells Fargo Bank was a federally-insured financial institution.

THE FRAUDULENT SCHEME

2. Beginning in or about August 2002, and continuing to in or about November 2002, in Los Angeles County, within the Central

JDEB:jdeb 

ENTER ON ICMS
NOV 29 2002


①

1 District of California and elsewhere, defendants CHASITY JONES,
2 KETURAH CLAIBORNE, and others known and unknown to the Grand
3 Jury, knowingly executed and attempted to execute a scheme to
4 defraud Wells Fargo Bank, and to obtain monies and funds owned by
5 and in the custody and control of said financial institution by
6 means of material false and fraudulent pretenses, representations
7 and promises.

8 3. The fraudulent scheme operated in the following manner.
9 Defendant CHASITY JONES would improperly access and retrieve
10 Wells Fargo Bank customer account information using her position
11 as an employee at Wells Fargo Bank, 9354 Wilshire Boulevard,
12 Beverly Hills, California. Defendant KETURAH CLAIBORNE and other
13 co-schemers known and unknown to the Grand Jury, would then use
14 the stolen customer account information to pose as legitimate
15 Wells Fargo Bank account holders and to cash and deposit
16 counterfeit checks at various Wells Fargo Bank branch locations
17 throughout the United States.

18 THE EXECUTION OF THE FRAUDULENT SCHEME

19 4. On or about the following dates, within the Central
20 District of California and elsewhere, defendants KETURAH
21 CLAIBORNE and CHASITY JONES committed and willfully caused others
22 to commit the following acts, each of which constituted an
23 execution and an attempted execution of the fraudulent scheme:

24 <u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
25 ONE	8/17/02	26 Deposit of counterfeit check number 4211 27 in the amount of \$2,141.36 with Wells 28 Fargo Bank account number 0776257487 by defendant KETURAH CLAIBORNE using customer information provided by CHASITY JONES

1 TWO 8/17/02 Cashing of counterfeit check number 4212
2 in the amount of \$2,215.25 with Wells
3 Fargo Bank account number 0776257487 by
4 THREE 8/17/02 Cashing of counterfeit check number 4213
5 in the amount of \$2,274.15 with Wells
6 Fargo Bank account number 0776257487 by
7 FOUR 8/19/02 Deposit of counterfeit check number 4214
8 in the amount of \$2,051.11 with Wells
9 Fargo Bank account number 0776257487 by
10 defendant KETURAH CLAIBORNE using customer
11 information provided by CHASITY JONES

12 All in violation of Title 18, United States Code, Section 1344.

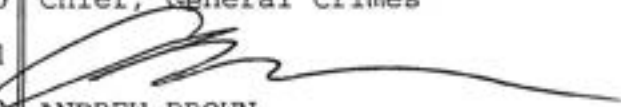
13 A TRUE BILL

14 _____
15 Foreperson

16 DEBRA W. YANG
17 United States Attorney

18 JACQUELINE CHOOLJIAN
19 Assistant United States Attorney
20 Chief, Criminal Division

21 PATRICIA DONAHUE
22 Assistant United States Attorney
23 Chief, General Crimes

24 
25 ANDREW BROWN
26 Assistant United States Attorney
27 Deputy Chief, Criminal Complaints
28

PROOF OF SERVICE

ALKIVIADES DAVID, FILMON TV LTD.; FILMON TV INC.; ALKI DAVID
PRODUCTION INC.; HOLOGRAM USA (Petitioners) v.
LOS ANGELES COUNTY SUPERIOR COURT (Respondent)
Court of Appeals of the State of California, Second Appellate District

I am over the age of 18 years, employed in the county of Los Angeles, and not a party to the within action; my business address is 626 Wilshire Blvd., Suite 410, Los Angeles, CA 90017.

On November 14, 2023, I served the following:

**PETITION FOR WRIT OF PROHIBITION; MEMORANDUM OF POINTS AND
AUTHORITIES; EXHIBITS**

on the parties in said action by OVERNIGHT DELIVERY. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier, addressed to the persons at the addresses as follows:

Los Angeles Superior Court
C/O David Slayton, Executive Officer/Clerk of the Court
111 N. Hill Street, Rm 105E
Los Angeles, CA 90012

Chastity Jones
C/O Joseph Cora
CHORA YOUNG & MASASSERIAN LLP
650 Sierra Madre Villa Ave, Suite 304
Pasadena, CA 91107

Elizabeth Taylor
C/O Arick Fudali, & Alan Goldstein
THE BLOOM FIRM
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Calabasas, CA 91302

Lauren Reeves
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& HOSTETLER LLP
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Costa Mesa, CA 92626

Mahim Kahn
C/O Alexis Cruz
BAKER & HOSTETLER LLP
11601 Wilshire Boulevard, Suite 1400
Los Angeles, CA 90025-0509

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 14, 2023, at Los Angeles, California.



Matthew Huzaineh