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ROBB EVANS & ASSOCIATES LLC

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

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11 NATIONSTAR MORTGAGE LLC,
12 Plaintiff,
13 v.
14 PATRICK JOSEPH SORIA, et al.,
15 Defendants.

Case No. 2:18-cv-03041 DSF (RAOx)

**STATUS REPORT REGARDING
PATRICK SORIA’S COMPLIANCE
WITH ORDER FINDING
DEFENDANTS PATRICK J. SORIA,
WEST H&A LLC, WESTWOOD
LEGAL, AND HBSC US IN ITS
CAPACITY AS LEGAL TITLE
HOLDER INCORPORATED IN
CONTEMPT (DOC. 107)**

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20 **I. INTRODUCTION**

21 On August 27, 2018, the Court held a status conference regarding Patrick
22 Soria’s compliance with the Court’s Order Finding Defendants Patrick J. Soria,
23 West H&A LLC, Westwood Legal, and HBSC US In Its Capacity as Legal Title
24 Holder Incorporated in Contempt (Doc. 107) (“Contempt Order”). The Contempt
25 Order contains 20 categories which are to be complied with in order for the
26 contemnors to purge their contempt. At the status conference, the Court directed
27 the Permanent Receiver, Robb Evans & Associates LLC (“Receiver”) to provide a
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1 written status report within 30 days regarding the extent to which the contemnors
2 have purged their contempt. This status report will address the extent to which
3 Patrick Soria (“Soria”) and the entity-contemnors have complied with the Contempt
4 Order, on a category-by-category basis.

5 **II. STATUS OF COMPLIANCE ON A CATEGORY BY**
6 **CATEGORY BASIS**

7 **CATEGORY NO. 1**

8 Disclose to and provide the Receiver the location of and access to all
9 electronic and paper accounting records for the Receivership Defendants
10 (“Receivership Defendants” is used throughout the Contempt Order to include all
11 entities defined as such in the Preliminary Injunction and also specifically includes
12 without limitation Soria individually), including without limitation QuickBooks.

13 **STATUS OF COMPLIANCE WITH CATEGORY NO. 1**

14 As set forth in the e-mail from Soria’s counsel dated August 24, 2018,
15 attached hereto as Exhibit 1, which provided information related to purging Soria’s
16 contempt (“Soria Contempt Memo”), the accounting records are apparently located
17 on Quickbooks. However, the Receiver has never been provided the Quickbooks
18 accounting records, nor has the Receiver been provided any paper accounting
19 records. To the extent accounting records were seized by the Los Angeles County
20 Sheriff (“Sheriff”), the last seizure of any documents from Soria and the
21 Receivership Defendants by the Sheriff occurred in February 2018, and therefore
22 such seizure would not include accounting records created and maintained after the

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1 seizure in February.¹

2 **CATEGORY NO. 2**

3 Disclose to and provide to the Receiver all locations of and access to all business
4 operations for the Receivership Defendants.

5 **STATUS OF COMPLIANCE WITH CATEGORY NO. 2**

6 The Soria Contempt Memo provided a list of locations for the business
7 operations of the Receivership Defendants, however the Receiver has determined
8 that it may be an incomplete list because subsequent to receipt of the Soria
9 Contempt Report, counsel for Soria confirmed another property was used to store
10 documents and/or or assets of the Receivership Defendants, 10809 Wellworth
11 Avenue, Los Angeles, California (“Wellworth Property”), including a computer,
12 monitors, desks and a photocopy machine. The Receiver and counsel for the parties
13 are presently negotiating the terms of a stipulated order under which the Receiver
14 will be able to take possession and control of the documents and assets of the
15 Receivership Defendants stored at the Wellworth Property. However, Soria’s
16 counsel has not yet agreed that the Receiver may have unfettered access to and
17 review all electronic and paper records retrieved from such location because of
18 concerns regarding Soria’s attorney-client privilege, Soria’s privilege against self-
19 incrimination, and consumers’ personal financial information.

20 **CATEGORY NO. 3**

21 Disclose to and provide to the Receiver the location of and access to all
22 electronic and paper consumer records for the Receivership Defendants.

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24 ¹ As to the records seized by the Sheriff, the Los Angeles District Attorney’s Office (“LADA”) has advised counsel for plaintiff that the electronic records are in the process of being imaged and that copies of the electronic records will be made available to the Plaintiff and the Receiver around the week of October 8, 2018. LADA is requiring a copy service to copy all 20 boxes of paper documents in its possession without permitting the Plaintiff or Receiver to inspect the documents first in an effort to limit the expense of copying everything. The Receiver and the Plaintiff are evaluating whether to expend approximately \$20,000 to copy all paper documents in LADA’s possession without prior review.

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STATUS OF COMPLIANCE WITH CATEGORY NO. 3

The Soria Contempt Memo provided a list of locations for electronic and paper consumer records for the Receivership Defendants, however it may be incomplete for at least two reasons. First, the Soria Contempt Memo states that “there are two potential websites which we are not disclosing pending further investigation.” These websites have not been disclosed to the Receiver to date. Second, subsequent to receipt of the Soria Contempt Memo, counsel for Soria confirmed that the Wellworth Property was used to store documents and/or assets of the Receivership Defendants, including a computer, monitors, desks, and a photocopy machine. The Receiver and counsel for the parties are presently negotiating the terms of a stipulated order under which the Receiver will be able to take possession and control of Receivership Assets stored there. However, Soria’s counsel has not yet agreed that the Receiver may have unfettered access to all electronic and paper records retrieved from such location because of concerns regarding Soria’s attorney-client privilege and his privilege against self-incrimination. Soria’s counsel also has not committed to turning over personal financial information of consumers that may be stored there.

CATEGORY NO. 4

Provide the Receiver with a list of all tax identification numbers for the Receivership Defendants.

STATUS OF COMPLIANCE WITH CATEGORY NO. 4

The Receiver is in possession of all tax identification numbers for the named Receivership Defendants.

CATEGORY NO. 5

Provide the Receiver with a list of all bank accounts, by name and account number, for the Receivership Defendants.

1 **STATUS OF COMPLIANCE WITH CATEGORY NO. 5**

2 The Receiver is unsure if it has a list of all bank accounts, by name and
3 account number, for the Receivership Defendants. As to this category, the Soria
4 Contempt Memo states: “Please note that our investigation is ongoing.” No further
5 information as to bank accounts has been provided by Soria’s counsel since the
6 Soria Contempt Memo.

7 **CATEGORY NO. 6**

8 Provide the Receiver full and complete copies of the 2015, 2016 and 2017
9 tax returns for the Receivership Defendants.

10 **STATUS OF COMPLIANCE WITH CATEGORY NO. 6**

11 The Receiver is attempting to obtain information and documents from Robert
12 Guglielmi, CPA as suggested in the Soria Contempt Memo.

13 **CATEGORY NO. 7**

14 Provide the Receiver full and complete written financial disclosures for the
15 Receivership Defendants, executed under penalty of perjury, including without
16 limitation detail concerning all assets, liabilities and income.

17 **STATUS OF COMPLIANCE WITH CATEGORY NO. 7**

18 The Receiver understands that Soria is not required to create written financial
19 disclosures in order to comply with this category, pursuant to this Court’s Order re
20 Patrick Soria’s Claim of Fifth Amendment Privilege (Doc. 206). However, the
21 Receiver believes that Soria would be obligated to provide documents already in
22 existence that detail assets, liabilities and income. No such specific documents
23 have been provided to the Receiver.

24 **CATEGORY NO. 8**

25 Provide the Receiver a list of all business activities the Receivership
26 Defendants have been involved in since January 23, 2018 including a detailed status
27 of each activity, including, but not limited to, a full and complete detailed
28 disclosure of all transactions, wires, or money sent to/from the “Law Offices of

1 Joseph F. Hart Client Trust Account,” and to any other trust account maintained by
2 attorney Joseph Hart in any way relating to such activities.

3 **STATUS OF COMPLIANCE WITH CATEGORY NO. 8**

4 The information provided in the Soria Contempt Memo is demonstrably
5 incomplete, in that it does not address several known fraudulent real property
6 transactions in which some or all of the activity post-dated January 23, 2018,
7 including activities concerning 1030 Pitchford Road, Tomball, Texas (“Pitchford
8 Property”), 1001 Usener Street, Houston, Texas (“Usener Property”), and 19856
9 Trotter Lane, Yorba Linda, California (“Trotter Property”). While the Receiver has
10 substantial information concerning those fraudulent business activities, the Receiver
11 is uncertain whether business activities involving other real property have been
12 undertaken by Soria and the other Receivership Defendants since January 23, 2018.
13 The incompleteness of the Soria Contempt Memo makes it likely that there are
14 other undisclosed business activities.

15 **CATEGORY NO. 9**

16 Provide the Receiver a detailed disclosure as to all payments to any
17 Receivership Defendant or for their benefit, since January 23, 2018. “Payments”
18 include, without limitation, transfers of any money or real or personal property or
19 other thing of value, and whether or not value was exchanged for the payment. This
20 includes, but is not limited to, a full and complete detailed disclosure of all
21 payments made to/from the “Law Offices of Joseph F. Hart Client Trust Account,”
22 and to any other trust account maintained by attorney Joseph Hart, and the
23 disposition of each such payment (i.e., to whom the payment was released, who
24 remains in possession of such payment, if the payment has been transferred, if so a
25 disclosure as to who transferred it and the transferee of such payment), including
26 without limitation the payment of approximately \$513,000 for the benefit of
27 Defendant Deutsche Mellon National Asset, LLC on or about March 22, 2018 in
28 connection with the purported sale of real estate in Frisco, Texas.

1 **STATUS OF COMPLIANCE WITH CATEGORY NO. 9**

2 The information provided in the Soria Contempt Memo is demonstrably
3 incomplete, in that it does not address several known fraudulent real property
4 transactions which generated payments to Receivership Defendants or for their
5 benefit after January 23, 2018, including activities concerning the Pitchford
6 Property, the Usener Property, and the Trotter Property. While the Receiver has
7 substantial information concerning money paid to the Receivership Defendants or
8 for their benefit from these activities, the Receiver is uncertain what other business
9 activities have been undertaken by Soria and the other Receivership Defendants
10 since January 23, 2018 which resulted in payments to Receivership Defendants or
11 for their benefit. The incompleteness of the Soria Contempt Memo makes it likely
12 that there are other undisclosed payments. It is also not credible that “Soria has no
13 knowledge or access to statements and/or payments to and from Joe Hart’s trust
14 account” as set forth in the Soria Contempt Memo. In fact, many of the payments
15 from the activities surrounding the Trotter Property which were funneled through
16 Hart’s trust account were used to fund attorneys representing Soria, including
17 Fischbach & Fischbach, the Law Offices of Benjamin Sternberg, and Leech
18 Tishman Fuscaldto & Lampl, LLC. (“Leech Tishman”).

19 **CATEGORY NO. 10**

20 Turn over all funds received by the Receivership Defendants since January
21 23, 2018, to the Receiver.

22 **STATUS OF COMPLIANCE WITH CATEGORY NO. 10**

23 Soria and the entity-contemnors have not turned over any funds to the
24 Receiver. In the Soria Contempt Memo, it is stated that “Soria has no funds to turn
25 over.” However, this response is inadequate. In addressing compliance or the lack
26 thereof as to this category in the Contempt Order, the Court has stated that “[t]he
27 question is whether he owns, controls or has the right to control any documents or
28 money that he could arrange to have turned over.” (Order re Patrick Soria’s Claim

1 of Fifth Amendment Privilege, Doc. 206, at 2:11-13) Soria must make every
2 possible effort to have funds turned over to the Receiver which were generated
3 since January 23, 2018. Fischbach & Fischbach has turned over \$80,000 to the
4 Receiver and Benjamin Sternberg has turned over \$59,500 to the Receiver. Both of
5 these lawyers were returning funds which are traceable to funds generated by the
6 Receivership Defendants since January 23, 2018. Soria should take steps to ensure
7 that other recipients of funds received by the Receivership Defendants since that
8 date are turned over to the Receiver, including without limitation \$185,000 which
9 was paid to Leech Tishman and is the subject of the Receiver’s turnover motion
10 (Doc. 240) filed September 21, 2018.

11 **CATEGORY NO. 11**

12 Provide the Receiver a detailed disclosure as to all payments made by any
13 Receivership Defendant or for its benefit, since January 23, 2018. “Payments” has
14 the same meaning as set forth in paragraph 2(i) herein.

15 **STATUS OF COMPLIANCE WITH CATEGORY NO. 11**

16 The information provided in the Soria Contempt Memo is demonstrably
17 incomplete, in that it does not address several known fraudulent real property
18 transactions which generated payments to Receivership Defendants or for their
19 benefit after January 23, 2018, which thereafter resulted in payments being made by
20 Receivership Defendants or for their benefit, including activities concerning the
21 Pitchford Property, the Usener Property and the Trotter Property. While the
22 Receiver has substantial information concerning money paid by Receivership
23 Defendants or for their benefit from these activities, the Receiver is uncertain what
24 other business activities have been undertaken by Soria and the Receivership
25 Defendants since January 23, 2018 which resulted in payments being made by the
26 Receivership Defendants or for their benefit, and the Soria Contempt Memo’s
27 incompleteness makes it likely that there are other undisclosed payments.

1 **CATEGORY NO. 12**

2 Provide the Receiver written confirmation under penalty of perjury that the
3 Receivership Defendants and CreativeNote have complied with the Receiver’s
4 repeated requests to lock the Receivership Defendants out of all business email
5 accounts and to provide the Receiver unlimited access to all business email
6 accounts. Soria, West H&A, Westwood and HUCLTH are to provide the Receiver
7 with a list of and immediate access to and exclusive control of every email used by
8 any Receivership Defendant or any of its employees or agents, including but not
9 limited to “soria.patrick@gmail.com” and “patrick.joseph.soria@gmail.com.”
10 Nothing in this Order shall constitute a waiver of any attorney-client privilege that
11 may exist. Furthermore, Soria, West H&A, Westwood and HUCLTH are to provide
12 the Receiver with a list of and immediate access to and exclusive control over every
13 website used by any Receivership Defendant.

14 **STATUS OF COMPLIANCE WITH CATEGORY NO. 12**

15 The Receiver acknowledges that Soria is excused from complying with the
16 first sentence of this category. As to the second sentence of this category, as
17 described below with respect to Category No. 20, the Receiver does not yet have
18 unfettered access to the new cell phone acquired by Soria following the turnover of
19 his original cell phone to the Plaintiff on or about May 30, 2018. Consequently, the
20 Receiver is unable to verify if it has access to all of Soria’s e-mail accounts. As to
21 the fourth sentence of this category, the Soria Contempt Memo acknowledges that
22 two websites are currently being researched and no further information has been
23 provided to the Receiver regarding these two websites.

24 **CATEGORY NO. 13**

25 Provide the Receiver full and complete disclosure as to all recorded real
26 property documents recorded by or on behalf of the Receivership Defendants, in
27 connection with any asserted ownership interest in a secured promissory note,
28 mortgage, deed of trust, or other real property-related security instrument, or in

1 connection with any asserted real property ownership interest obtained following
2 the purported acquisition of an ownership interest in a secured promissory note,
3 mortgage, deed of trust or other real property-related security instrument.

4 **STATUS OF COMPLIANCE WITH CATEGORY NO. 13**

5 The Soria Contempt Memo incorrectly states that “all of the responsive
6 documents to Question 13 are located at the DA’s office or Sheriff’s department.”
7 However, as noted above, the records were seized by the Sheriff in February 2018
8 and numerous fraudulent real property documents were recorded by the
9 Receivership Defendants since that time, including several referred to above. The
10 Receiver cannot state with any assurance that it is in possession of or has
11 knowledge of all of the real property documents recorded by or on behalf of the
12 Receivership Defendants since the seizure of documents by the Sheriff in February
13 2018.

14 **CATEGORY NO. 14**

15 Immediately cancel any open escrow/transaction purporting to sell any
16 property, receive any payoff, or otherwise through which the Receivership
17 Defendants may receive some benefit, and provide the Receiver with a list of all
18 such escrows/transactions.

19 **STATUS OF COMPLIANCE WITH CATEGORY NO. 14**

20 While the Soria Contempt Memo states that Soria has canceled all pending
21 escrows and transactions, the Receiver has determined that money was routed to an
22 account in the name of Zeons Inc., wholly owned by his cohort Garson Silvers
23 (“Silvers”), as recently as **late July 2018** in connection with the Pitchford Property
24 and the Usener Property, in connection with transactions that occurred following
25 the recording of fraudulent real estate documents by the Receivership Defendants.
26 Therefore, the Receiver is unable to conclude that all pending escrows and
27 transactions have been canceled by Soria, as represented in the Soria Contempt
28 Memo.

1 **CATEGORY NO. 15**

2 Provide a full and complete disclosure to the Receiver of each payment
3 (including amount and source of payment) to any attorney since January 23, 2018,
4 whether paid as a retainer or for services rendered or otherwise, by the Receivership
5 Defendants including but not limited to any retainer paid to Leech Tischman
6 Fuscaldó & Lampl, Inc.

7 **STATUS OF COMPLIANCE WITH CATEGORY NO. 15**

8 The Receiver is uncertain if it has all of the information required by this
9 Category. Subsequent to the Soria Contempt Memo, the Receiver discovered that
10 Soheila Soria, Patrick Soria's mother, paid another \$100,000 to Leech Tishman, for
11 a total of \$200,000 paid by Soheila Soria to Leech Tishman. Investigation is
12 ongoing to determine whether some or all this \$200,000 is traceable to the
13 Receivership Defendants.

14 **CATEGORY NO. 16**

15 Close any open PayPal accounts, provide the Receiver with any balance
16 remaining in such accounts, and provide the Receiver with a closing statement for
17 such accounts or other satisfactory proof of closure.

18 **STATUS OF COMPLIANCE WITH CATEGORY NO. 16**

19 The Receiver and the parties are still attempting to close the PayPal account,
20 which requires access to Soria's new cell phone in order to receive a verification
21 code from PayPal in order to enable the Receiver access to the PayPal account for
22 the purpose of closing it. As explained below regarding Category No. 20, the
23 Receiver assumes it will have sufficient access to the new cell phone on September
24 27, 2018 for this purpose.

25 **CATEGORY NO. 17**

26 Provide the Receiver with all debit, credit, and bank cards owned or used by
27 the Receivership Defendants (no new cards are to be issued) and immediate access
28 to any safe deposit box(es) used by or containing assets of the Receivership

1 Defendants.

2 **STATUS OF COMPLIANCE WITH CATEGORY NO. 17**

3 Based on statements made by Soria in open court on June 6, 2018, there is
4 another debit card or credit card in existence which has not yet been turned over to
5 the Receiver.

6 **CATEGORY NO. 18**

7 Immediately return to the Receiver any mail received by the Receivership
8 Defendants since April 23, 2018.

9 **STATUS OF COMPLIANCE WITH CATEGORY NO. 18**

10 While the Receiver has taken control of several business locations where
11 mail has been received, it is uncertain whether there is other mail of the
12 Receivership Defendants since April 23, 2018 that has not been turned over. There
13 are a number of reasons for the Receiver's uncertainty. First, the Receiver has
14 learned of the Wellworth Property described above, and is uncertain if mail has
15 been sent to the Receivership Defendants at that location. Second, Christian Soria,
16 Patrick Soria's brother, has attempted to divert the mail from various business
17 locations since April 23, 2018, and while at least one of his efforts in this regard
18 was rebuffed, the Receiver does not know if he successfully intercepted other mail.
19 Third, Silvers asserted his Fifth Amendment privilege at his recent deposition when
20 asked if he was in possession of any mail of the Receivership Defendants. Fourth,
21 it is not known if Soria received mail while residing at the Waldorf Astoria in
22 Beverly Hills.

23 **CATEGORY NO. 19**

24 19. Provide the Receiver with a list (with contact information) of all
25 employees, agents, associates or anyone working for or with the Receivership
26 Defendants or on their behalf, and immediately instruct the same to immediately
27 cease doing business for or with the Receivership Defendants except only as is
28 necessary to comply with this Order.

1 **STATUS OF COMPLIANCE WITH CATEGORY NO. 19**

2 While the Receiver concedes that Soria is not compelled to create such a list,
3 there are likely various documents that exist which could be turned over to the
4 Receiver that would enable the Receiver to create a list of all employees, agents,
5 associates and others working for or with the Receivership Defendants or on their
6 behalf. The Receiver knows many, but likely not all, of the employees, agents,
7 associates and others working for or with the Receivership Defendants or on their
8 behalf, but should not be required to sift through thousands of documents to
9 determine the universe of all such persons.

10 **CATEGORY NO. 20**

11 20. Provide the Receiver with Soria's cell phone(s) and the requisite
12 usernames/passwords required to access data on the phone(s) by no later than
13 midnight, May 30, 2018 (Soria was ordered not to delete or destroy anything from
14 the phone(s) prior to turnover).

15 **STATUS OF COMPLIANCE WITH CATEGORY NO. 20**

16 The first phone was turned over by Soria on or about May 30, 2018,
17 although not before deleting thousands of items on the phone in violation of the
18 Court's order. His new phone acquired after May 30, 2018 is the subject of an
19 interim agreement between the Receiver and the parties whereby the phone was
20 turned over to the Receiver on September 25, 2018, along with a report prepared by
21 Neil Broom regarding the contents thereof. However, the Receiver and the parties
22 agreed that the Receiver will not begin review of the phone or the report until either
23 Soria's counsel agrees or the Court orders or allows such review. In any event, the
24 Receiver may begin review of the non-privileged contents of the phone on
25 September 27, 2018, unless otherwise ordered by the Court. Prior to September 27,
26 2018, pending the negotiation and agreement of the parties to a stipulated protective
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1 order, counsel for Soria will endeavor to provide the Receiver a list of privileged
2 persons, images, contact information, and items that the Receiver should not
3 review.

4 Respectfully submitted,

5 Dated: September 26, 2018

6 **BARNES & THORNBURG LLP**

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8 By: /s/ Gary Owen Caris
9 Gary Owen Caris
10 Attorneys for Permanent Receiver
11 ROBB EVANS & ASSOCIATES
12 LLC
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EXHIBIT 1

Caris, Gary

From: Eric J. Wu <EWu@LeechTishman.com>
Sent: Friday, August 24, 2018 4:12 PM
To: Caris, Gary
Cc: Jered T. Ede; Jane M. Kutepova; Philip Toomey
Subject: [EXTERNAL]Soria - Information to Purge Contempt

Dear Gary,

Below is the information related to purging Soria's contempt. Please note the following: (1) There are two websites we are investigating—we need to verify additional information before we disclose them; and (2) We are following up to get additional info from Soria's bankruptcy file that may be relevant. We may be able to provide additional information after reviewing the bankruptcy file.

1. Disclose to and provide the Receiver the location of and access to all electronic and paper accounting records for the Receivership Defendants, including without limitation QuickBooks:

It is our understanding that all paychecks, client payroll records, accounting records, and bank account information should be located on Quickbooks.com within one or more of the following accounts:

- a. Westwood Legal – username: info@thewestwoodlegal.com; password: camden#1
- b. Westward Legal – un: info@westwardlegal.com (the username might be info@thewestwardlegal.com); pw: camden#1
- c. Brighton Legal Group – un: info@brightonlegal.com (the username might be info@thebrightonlegal.com, info@brightonlegalgroup.com, or info@thebrightonlegalgroup.com); pw: camden#1
- d. Christina Wilmington – un: info@christinawilmington.com; pw: camden#1
- e. Camden Legal Group – un: info@camdenlegalgroup.com; password: camden#1

We understand relevant records may be found at the following banks:

- a. Chase Bank on Wilshire Blvd. in Beverly Hills
 - 1) Account name: West H&A LLC dba Westwood Legal, Westward Legal, and Brighton Legal
- b. Wells Fargo Bank, 433 N. Camden, Beverly Hills, CA 90210
 - 1) Account name: Christina Wilmington
- c. Bank of America in Beverly Hills
 - 1) Account: Brighton Legal Group PC (these records were seized by the District Attorney or Sheriff's Department)
 - 2) Account: Deutsche Mellon
- d. HSBC Bank
 - 1) Account: Rebecca Brown

We believe the account numbers are on documents seized by the DA and/or Sheriff. Our investigation is ongoing.

PayPal account – username: info@westholdingsgroup.com; password will autofill using Google Chrome.

2. Disclose to and provide the Receiver all locations of and access to all business operations for the Receivership Defendants;

These are the addresses at which the above-listed entities did business:

- a. 8383 Wilshire Blvd., Suite 800, Beverly Hills, CA 90211
- b. 10880 Wilshire Blvd., Suite 1101, Los Angeles, CA 90024
- c. 433 N. Camden Dr., 6th Floor, Beverly Hills, CA 90210
- d. 433 N. Camden Dr., 4th Floor, Beverly Hills, CA 90210
- e. 2500 North Broadway, Blvd. #F, Suite F-125, Santa Monica, CA 90404
- f. 10940 Wilshire Blvd., Suite 1600, Los Angeles, CA 90024
- g. SLS Hotel, 465 La Cienega #397, Los Angeles, CA 90048
- h. Waldorf Astoria, 9850 Wilshire Blvd #1007, Beverly Hills, CA 90210

3. Disclose to and provide to the Receiver the location of and access to all electronic paper consumer records for the Receivership;

In addition to the response to #1 above, records may be found at:

- a. Theloanpost.com; username: info@thewestwoodlegal.com; password: we do not know the password, but it will autofill if you log into Soria's Google Chrome account on any of the computers seized by the DA or Sheriff.
- b. Paypal.com (account revoked); username: info@westholdings.com
- c. Simplifile.com (account revoked); usernames: WESTHA and BLGPC; passwords: we do not know the passwords, but they will autofill via Soria's Google Chrome account.
- d. Nextlex Real Estate Solutions (already disclosed during the Supplemental OSC re Contempt)
- e. Corpnet.com; username: soria.patrick@hotmail.com; password: may2018 (not sure whether case sensitive)

As mentioned at the outset, there are two potential websites which we are not disclosing pending further investigation.

4. Provide the Receiver with a list of all tax identification numbers for the Receivership Defendants;

- a. Christiana Wilmington Global Asset Corp 82- [REDACTED]
- b. Deutsche Mellon National Asset, LLC 82- [REDACTED]
- c. West H&A LLC 81- [REDACTED]
- d. Warranted Effectuation of Substitute Transferee 82- [REDACTED]
- e. Please also see attached Westlaw PeopleMap Report on Patrick Soria

5. Provide the Receiver with a list of all bank accounts, by name and account number, for the Receivership Defendants:

- a. West Affiliate: Wells Fargo Account No. [REDACTED] 8172
- b. Brighton Legal Group: The DA has the account information
- c. West H&A LLC All other accounts were DBAs attached to the Brighton Legal Group account

We do not have all the account numbers, but it is our understanding all bank statements and checks were seized by the DA and/or Sheriff. Please note our investigation is ongoing.

6. Provide the Receiver full and complete copies of the 2015, 2016 and 2017 tax returns for the Receivership Defendants;

It is our understanding Soria filed extensions for each year. However, that information can also be obtained from Robert Guglielmi, CPA, at Robert@gohycpa.com. A hard copy is a manila folder entitled "Guglielmi & Ohira", which was seized by the DA.

7. Provide the Receiver full and complete written financial disclosures for the Receivership Defendants, executed under penalty of perjury, including without limitation detail concerning all assets, liabilities and income;

We do not have any financial statements right now and anything else would require Soria to testify orally, which triggers the 5th Amendment issue that we have discussed.

We believe the following are a list of Soria's assets, most of which were seized by the DA and Sheriff: approximately 50 desktop computers, 100 computer monitors, various items of clothing, a watch valued at approximately \$6,000, and three bracelets each worth around \$16,000. We are also aware there are some desks and office furniture. We are not quite sure where they are, but will make efforts to find them.

8. Provide the receiver a list of all business activities the Receivership Defendants have been involved in since January 23, 2018, including a detailed status of each activity, including, but not limited to, a full and complete detailed disclosure of all transactions, wires, or money set to/from the "Law Offices of Joseph F. Hart Client Trust Account," and to any other trust account maintained by attorney Joseph Hart in any way relating to such activities;

It is our understanding there has been one business activity by the Receivership Defendants since January 23, 2018: Deutsche Mellon National Asset was involved in a land deal in Frisco, Texas. We understand there may have been a \$1,000,000 listing in Dallas, Texas but no activity took place and a non-party performed the work.

Any information regarding the Law Offices of Joseph F. Hart Client Trust Account must be obtained from Joe Hart.

9. Provide the Receiver a detailed disclosure as to all payments as to any Receivership Defendant or for their benefit, since January 23, 2018. "Payments" include, without limitation, transfers of any money or real or personal property or other thing of value, and whether or not value was exchanged for the payment. This includes, but is not limited to, a full and complete detailed disclosure of all payments made to/from the "Law Offices of Joseph F. Hart Client Trust Account," and to any other trust account maintained by attorney Joseph Hart, and the disposition of each such payment (i.e., to whom the payment was released, who remains in possession of such payment, if the payment has been transferred, if so a disclosure as to who transferred it and the transferee of such payment), including without limitation the payment of approximately \$513,000 for the benefit of Defendant Deutsche Mello National Asset, LLC on or about March 22, 2018 in connection with the purported sale of real estate in Frisco, Texas;

It is our understanding Soria has no knowledge or access to statements and/or payments to and from Joe Hart's trust account. However, we understand Deutsche Mellon received approximately \$513,000 from the Frisco, Texas deal, which may have been paid to Deutsche Mellon from the Joseph F. Hart Client Trust Account. Soria may also have received \$75,000 from a refinancing deal in Colorado.

We believe Soria spent the money from both transactions on various expenses and purchases. It is our understanding he spent \$2,200 per day at the Waldorf Astoria in Beverly Hills, \$500 per day at the SLS Hotel, \$1,000 on car rentals per day, and unknown amounts on clothing, dining, and tips to hotel staff. We understand Soria paid \$50,000 to Neil Scotti for legal representation. We also believe Soria purchased three bracelets worth approximately \$48,000. The bracelets were seized by the DA or Sheriff. Our investigation is ongoing.

10. Turn over all funds received by the Receivership Defendants since January 23, 2018, to Receiver;

Soria has no funds to turn over.

11. Provide the Receiver a detailed disclosure as to all payments made by any Receivership Defendant or for its benefit, since January 23, 2018. "Payments" has the same meaning as set forth in paragraph 2(i) herein;

In addition to the disclosures made above and the payments to attorneys, including \$50,000 to Neil Scotti and \$15,000 to Charles Shamash, it is our understanding Soria spent \$13,000 on a private jet to fly to one of the San Joaquin court hearings.

12. Provide the Receiver written confirmation under penalty of perjury that the Receivership Defendants and CreativeNote have complied with the Receiver's repeated requests to lock the Receivership Defendants out of all business email accounts and to provide the Receiver unlimited access to all business email accounts. Soria, West H&A, Westwood and HUCLTH are to provide the Receiver with a list of and immediate access to and exclusive control of every email used by any Receivership Defendant or any of its employees or agents, including but not limited to

With the exception of the two websites we are currently researching, you can log into all of Soria's accounts and change his passwords through his Google Chrome account.

13. Provide the Receiver full and complete disclosures as to all recorded real property documents recorded by or on behalf of the Receivership Defendants, in connection with any asserted ownership interest in a secured promissory note, mortgage, deed of trust, or other real property-related security instrument, or in connection with any asserted real property ownership interest obtained following the purported acquisition of an ownership interest in a secured promissory note, mortgage, deed of trust or other real property-related security instrument;

It is our understanding that all of the responsive documents to Question 13 are located at the DA's office or Sheriff's department. We do not have any objections to providing you all the recorded documents that we can locate. We are still in the process of gathering together everything we can find, in addition to the documents you already have.

We believe all of the documents are located on Soria's Google Chrome account. However, we are investigating to see whether there are additional hard copies of documents that we can produce.

14. Immediately cancel any open escrow/transaction purporting to sell any property, receive any payoff, or otherwise through which the Receivership Defendants may receive some benefit, and provide the Receiver with a list of all such escrow/transactions;

Soria has already complied with the cancellation order, and we are not aware of any current pending escrows.

15. Provide a full and complete list to the Receiver of each payment (including amount and source of payment) to any attorney since January 23, 2018, whether paid as a retainer or for services rendered or otherwise, by the Receivership Defendants including but not limited to any retainer paid to Leech Tischman Fuscaldo & Lampl, Inc.;

In addition to the information disclosed herein, it is our understanding these payments are on the Receiver's July 27 report.

~~16. Close any open PayPal accounts, provide the Receiver with any balance remaining in such accounts, and provide the Receiver with a closing statement for such accounts or other satisfactory proof of closure;~~

The PayPal accounts are closed. Information regarding the account balances can be obtained by logging into the accounts.

17. Provide the receiver with all debit, credit, and bank cards owned or used by the Receivership Defendants (no new cards are to be issued) and immediate access to any safe deposit box(es) used by or containing assets of the Receivership Defendants;

We do not believe there are any safety deposit boxes. We believe you already have all of the relevant debit and credit cards.

18. Immediately return to the Receiver any mails received by the Receivership Defendants since April 23, 2018;

It is our understanding that any mail in Soria's possession was seized at the Waldorf Astoria by the Receiver or was taken during the two seizures under the warrants issued by the DA or Sheriff.

19. Provide the Receiver with a list (with contact information) of all employees, agents, associates or anyone working for or with the Receivership Defendants or on their behalf, and immediately instruct the same to immediately cease doing business for or with the Receivership Defendants except only as is necessary to comply with this Order; and

The names of the employees and their contact information are either in the documents that were seized by the DA or Sheriff or these individuals are already named as defendants in this case.

20. Provide the Receiver with Soria's cell phone(s) and the requisite usernames/passwords required to access data on the phone(s) by no later than midnight, May 30, 2018 (Soria was ordered not to delete or destroy anything from the phone(s) prior to turnover).

Soria's cell phone has already been turned over. It is our understanding Soria has another cell phone that replaced his previous cell phone.

Please feel free to contact us with any questions or to discuss.

Best,

Eric J. Wu | Associate
ewu@leechtishman.com

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