

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NATIONSTAR MORTGAGE
LLC,

Plaintiff,

v.

PATRICK JOSEPH SORIA, et
al.,

Defendants.

CV 18-3041 DSF (RAOx)

Order Imposing Sanctions and
Attorneys' Fees

On December 10, 2018, the Court ordered Brett Wolcott to disclose to the Receiver (1) any money received from Patrick Soria or any of the Receivership Defendants since January 1, 2018; (2) any money he received as part of, or proceeds of, any transaction involving Patrick Soria or any of the Receivership Defendants since January 1, 2018; and (3) to the degree that he has knowledge, the location of any assets of Patrick Soria or any of the Receivership Defendants.

The Receiver reported that Wolcott had failed to comply with the Court's order. Therefore, the Court ordered Wolcott to show cause, in writing, no later than March 4, 2019, how he had complied with the Court's December 10, 2018 order or to provide good cause for the failure to comply. His response was to be supported by a declaration under penalty of perjury. Wolcott was advised that if he failed to demonstrate compliance or good cause

for the failure to comply, he would be held in civil contempt and ordered to pay \$1,000 per day until the Court is satisfied that he has complied or shown good cause for the failure to comply. The Court found that \$1,000 per day was the smallest adequate amount necessary to coerce Wolcott into compliance given the large sums that are potentially being hidden from the Receiver.

The Receiver served the Order on Wolcott by delivering it to his home and providing it to his wife. Wolcott has not shown cause why he should not be held in contempt and has not responded in any way to this Court's orders. The Court therefore found Wolcott in civil contempt. (Dkt. 455.) He was ordered to pay \$1,000 per day to the Clerk of Court/Executive Officer, U.S. Courthouse, Room 4311, 350 West First St., Los Angeles, CA, 90012, beginning April 22, 2019 and continuing until he complies with the Court's orders and provides a declaration that he has done so. He was further ordered to appear in Department 7D of the U.S. Courthouse, 350 West First St., Los Angeles, CA, 90012 at 8:30 a.m. on May 13, 2019. Wolcott was advised that the Court would issue an order vacating the hearing date if Wolcott had complied with this Court's orders.

The Receiver served the Court's order on Wolcott. On April 22, 2019, Wolcott filed the Response of Brent Wolcott to Order to Show Cause re Contempt of Court. (Dkt. 460.) The Response appeared to argue that Wolcott had not been properly served with any documents related to this Court's orders. He requested that under the circumstances, he be given an extension of time to comply with the Court's orders.

Wolcott obviously received the Court's orders as he describes them in detail. Nevertheless, he failed to appear at the hearing on May 13, 2019, causing the Receiver to incur attorney's fees to attend a hearing that did not take place.

The Court declined to find that Wolcott's failure to timely comply with the Court's orders was excusable. However, the Court set a hearing on June 3, 2019 at 8:30 a.m. to determine whether sanctions, including payment of the fees of Receiver's attorney should not be imposed. Wolcott was also ordered to provide to the Receiver or the Receiver's counsel, at the time of the hearing or before, all of the documents and information required by the Court's previous orders.

The Court made clear that Wolcott's personal attendance at the hearing on June 3, 2019 was required even if Wolcott provided documents and information to the Receiver or the Receiver's counsel before the date of the hearing. The Court stated that failure of Wolcott to personally appear at the hearing on June 3, 2019 at 8:30 a.m. would result in the issuance of a warrant for Wolcott's arrest.


On June 3, an attorney appeared on Wolcott's behalf, asserting that Wolcott had been in Turkey since October 2019, and that he could not fly due to an abscess.

The Court found the support for this contention to be inadequate. The Court will issue a warrant for Wolcott. Wolcott is ordered to pay sanctions in the amount of \$1,000 per day for the reasons stated in its previous order. In addition, Wolcott is ordered to pay the attorney fees and costs incurred by the

Receiver. Counsel for the Receiver is to submit a statement of the fees and cost incurred and a proposed order no later than June 24, 2019.

IT IS SO ORDERED.

Date: June 5, 2019



Dale S. Fischer
United States District Judge