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Byron Z. Moldo (SBN 109652)
bmoldo@ecjlaw.com
ERVIN COHEN & JESSUP LLP
9401 Wilshire Boulevard, Ninth Floor
Beverly Hills, California 90212-2974
Telephone (310) 273-6333
Facsimile (310) 859-2325

Attorneys for Applicant, Stephen J. Donell, State Court Receiver

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

TARZANA PLAZA CONDOMINIUMS
ASSOCIATION, a California nonprofit
mutual benefit corporation,

Plaintiff,

v.

EUGENE SAAL, an individual; RUBICELIA
SCHULTZ, an individual; JUDY WEISS, an
individual; PASCAL BRENNINKMEIJER, an
individual; and DOES 1-25, inclusive,

Defendants.

Case No. LC106595

~~PROPOSED~~ **ORDER GRANTING
AMENDED EX PARTE APPLICATION
OF STEPHEN J. DONELL, STATE
COURT RECEIVER, FOR ORDER
AUTHORIZING THE RECEIVER TO
TURN OVER POSSESSION AND
CONTROL OF TARZANA PLAZA
CONDOMINIUMS ASSOCIATION TO
THE NEWLY ELECTED BOARD OF
DIRECTORS AND APPROVAL OF THE
NEW BOARD OF DIRECTORS**

DATE: August 27, 2020

TIME: 8:30 a.m.

DEPT: A

The Hon. Huey P. Cotton

Complaint Filed: December 14, 2017

On August 27, 2020, at 8:30 a.m., in Department A of the above-entitled Court, located at
6230 Sylmar Avenue, Van Nuys, California 91401, the Amended *Ex Parte* Application of Stephen
J. Donell, State Court Receiver (“Receiver”), for Tarzana Plaza Condominiums Association

08/26/2020

Sherri R. Carter, Executive Officer / Clerk of Court

By: R. Redmond Deputy

1 (“Association”), for an order authorizing the Receiver to turn over possession and control of the
2 Association to the newly elected board of directors (“Board”) (the “Application”) and to approve
3 the newly elected board of directors, came on for hearing by the Court. Notice of the Application
4 was provided to all parties in accordance with all applicable rules and statutes, and all members of
5 the Association. Byron Z. Moldo of Ervin Cohen & Jessup LLP, appeared on behalf of the
6 Receiver. All other appearances were stated on the record as reflected in the Court’s minute order.

7 After considering the Receiver’s moving papers, supporting declarations and exhibits, and
8 Opposition papers, if any, and good cause appearing therefor,

9 **IT IS HEREBY ORDERED** that:

- 10 1. The Application is granted.
- 11 2. The Receiver is hereby directed to take reasonable steps to turn over possession and
12 control of the Association to the Association’s Board, including, but not limited to transferring or
13 assigning all of the known Association bank accounts; books and records; legal files relating to
14 pending lawsuits to the Board’s counsel, or any other documents relating to the Association that
15 are in the actual possession of the Receiver or Bowker & Roth Property Services, Inc. (“Bowker”),
16 the property management company retained by the Receiver.
- 17 3. The Receiver is no longer authorized to take any action on behalf of the
18 Association.
- 19 4. The Receiver is hereby authorized to terminate the services of the Association’s
20 special counsel, Loewenthal, Hillshafer & Carter LLP
- 21 5. The property management services of Bowker are terminated.
- 22 6. Any and all of the existing vendor, utility insurance, and/or service contracts
23 (“Executory Contracts”), entered into by the Receiver on behalf of the Association, excluding
24 Bowker, are hereby assigned or transferred to the Board. The Receiver and Bowker shall assist
25 said assignment or transfer of Executory Contracts in a commercially reasonable manner.
- 26 7. The following individuals, who were duly elected in a secret ballot election of the
27 members on July 28, 2020, are hereby approved as the Board of Directors for the Association for
28

1 the terms indicated on the Official Election Results attached hereto: Shannon Bankhead, Simon
 2 Elza, Silvana Solari, Robert Taylor and Lina Wirsamihardja. The Board is approved to take over
 3 possession and control of the Association and its assets as tendered by the Receiver pursuant to
 4 this order.

5 8. As of the filing of this order, the outstanding and unpaid claims of the Association
 6 consist of the following:

- 7 a. Stephen J. Donell, Receiver - \$93,257.48
- 8 b. Ervin Cohen & Jessup LLP - \$284,178.80
- 9 c. Loewenthal, Hillshafer & Carter LLP - \$42,181.43
- 10 d. Kevin Singer, Receiver - \$77,410.13
- 11 e. Wolf Rifkin - \$51,337.87
- 12 f. Cruiser Mitchell - \$764.71
- 13 g. Kulik Gottesman Siegel & Ware LLP - \$58,514.04
- 14 h. Anthony Okopnik - \$20,922.86
- 15 i. Antonio Harris - \$3,503.75
- 16 j. Eandi Fitzpatrick- \$57,977.94
- 17 k. Emma Taylor Family Trust - \$109,431.54
- 18 l. Farzaneh Kerendian - Amount Unknown
- 19 m. Law Office of Barak Issacs - \$9,019.90
- 20 n. SC Anderson Group - \$772.39
- 21 o. Silvana Solari - \$3,743.75
- 22 p. Judge Law Firm - \$2,561.92
- 23 q. Vida Jedian - \$53,097.75

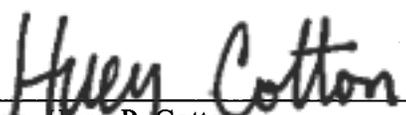
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9. The Receiver is directed to file and serve his Final Report and Account ("Report")
as soon as practicable.

IT IS SO ORDERED.

Dated: August 6, 2020



Hon. Huey P. Cotton
Judge of the Superior Court