

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Northwest District, Van Nuys Courthouse East, Department A

LC106595

TARZANA PLAZA CONDOMINIUMS VS. EUGENE SAAL

May 14, 2019

3:00 PM

Judge: Honorable Huey P. Cotton

Judicial Assistant: R. Redmond

Courtroom Assistant: A. Ataryan

CSR: N. Krawiec #14255

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Matthew J Eandi by Robb Strom; Byron Z. Moldo

For Defendant(s): Pascal Brenninkmeijer; Alan Frank Broidy; Eugene Saal

Other Appearance Notes: Stephen Donell, Receiver; Robert D. Hillshafer

NATURE OF PROCEEDINGS: Status Conference re: Homeowner's Association; Ex-Parte Proceedings for Order to Sanction Mr. Moldo to Misinterpretation of Court Order Dated 25 October 2018 who I have to give Notice to; Ex-Parte Proceedings for Order to Seek Postponement of Owners Hearing set for May 14, 2019 at 3:00 PM; Challenge the Due Process of the Elections for the CC&R's and Bylaws held on May 7, 2019

Pursuant to Government Code sections 68086, 70044, California Rules of Court, rule 2.956, and the stipulation of appearing parties, Noelle C. Krawiec, #14255, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date.

Romina Cohen, Spanish interpreter, certification/registration number 300994, interpreted for the Defendant Rubicelia Schultz. Interpreter's certification/registration number has been verified by the Court and the Oath is on file.

The matter is called for hearing.

The Court has read and considered the Ex Parte Applications and evidence submitted.

The Defendant's Ex Parte Application for Order to Seek Postponement of Owners Hearing set for May 14, 2019 at 3:00 PM; Challenge the Due Process of the Elections for the CC&R's and Bylaws held on May 7, 2019 filed by Eugene Saal on is Denied.

The Defendant's Ex Parte Application for Order to Sanction Mr. Moldo to Misinterpretation of Court Order Dated 25 October 2018 who I have to give Notice to filed by Eugene Saal on 05/08/2019 is Withdrawn.

The Court allows Mr. Moldo to file for any attorneys fees related to the Ex Parte Motion.

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The Court continues the matter to 3:00 p.m. for the Status Conference re: HOA.

Later, the Status Conference re: HOA is held.

The Court hears argument and grievances from homeowners as to the Special Assessment.

The Court finds that the matter of a special assessment will be ruled upon at a later date.

The Court and counsel confer regarding the foreclosure amount.

Mr. Moldo is order to draft an Order regarding notice being given to all owners.

The Court also orders that any Ex Parte application that is filed down not require an opposition unless by court order.

Also, the Court orders that not all ex parte's will be heard if considered not necessary.

Mr. Hillshafer is to submit a revised proposal regarding the CC & R's.

Status Conference re: HOA is scheduled for 06/19/19 at 02:30 PM in Department A at Van Nuys Courthouse East. Counsel for the receiver is to give notice.