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

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11 TARZANA PLAZA CONDOMINIUMS
ASSOCIATION, a California nonprofit
12 mutual benefit corporation,
13 Plaintiff,
14 v.
15 EUGENE SAAL, an individual; RUBICELIA
SCHULTZ, an individual; JUDY WEISS, an
16 individual; PASCAL BRENNINKMEIJER, an
individual; and DOES 1-25, inclusive,
17 Defendant.
18

Case No. LC106595
NOTICE OF RULING
DATE: May 14, 2019
TIME: 8:30 a.m.
DEPT: A
The Hon. Huey P. Cotton, Dept. A
Complaint Filed: December 14, 2017
Discovery Cutoff: Unknown
Motion Cutoff: Unknown
Trial Date: Unknown

19 TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:
20 PLEASE TAKE NOTICE that on May 14, 2019 at 8:30 a.m. in Department A of the
21 above-entitled Court, before the Honorable Huey P. Cotton, Judge of the Superior Court, the Court
22 conducted a hearing regarding:

- 23 1. Mr. Saal's and Mr. Brenninkmeijer's Ex Parte Application for Order
24 Authorization to Litigate the Receiver Releasing Personal Data Civil Code 1798.84
25 Failing in His Fiduciary Duty; Order Requesting Copy All Relevant Legal
26 Documents/Bills Pertaining Misappropriated Funds; Write-Off/Waiver \$40,000
27 Delinquent Amount Owed by Owners Offset Forgiveness of Misappropriated Money;
28 Order Proof of Documents Showing Settlement Negotiations; Replace Jalmar Property

1 with Bowker & Roth, Managing Fee \$2,200; Memorandum of Points and
 2 Authorities; Declaration of Eugene Saal; Pascal Brenninkmeijer, Judy Weiss;
 3 Arie Pathi; Barbara Ramsey; Ruibicelia Schultz in Support of; Exhibits
 4 (“Application #1”);

5 2. Mr. Saal’s and Mr. Brenninkmeijer’s Ex Parte Application
 6 Contesting the Receiver’s Performances and Effectiveness Per Court Order
 7 and a Preliminary Injunction for a Stay on All Foreclosing Procedure Against
 8 Delinquent Owners; Memorandum of Points and Authorities; Declaration of
 9 Eugene Saal & Pascal Brenninkmeijer; Exhibits (“Application #2”);

10 3. Mr. Saal’s Ex Parte Application for Order to Sanction Mr. Moldo to
 11 Misinterpretation of Court Order Dated 25 October 2018 Who I Have to Give Notice To:
 12 Objecting to the Receivers Fee Report of March 2019; Memorandum of Points and
 13 Authorities; Declaration of Eugene Saal; Declaration of Pascal Brenninkmeijer
 14 (“Application #3”); and

15 4. Mr. Saal’s Ex Parte Application for Order to Seek Postponement of Owners
 16 Hearing Set for May 14, 2019 at 3:00 PM; Challenge the Due Process of the Elections for
 17 the CC&Rs and Bylaws Held on May 7, 2019; Memorandum of Points and Authorities;
 18 Declaration of Eugene Saal (“Application #4”).

19 Byron Z. Moldo (“Moldo”) of Ervin Cohen & Jessup LLP appeared on behalf of Stephen J.
 20 Donell, State Court Receiver; Stephen J. Donell, State Court Receiver (“Receiver”) appeared;
 21 Robb Strom of Strom Associates appeared on behalf of Plaintiff Tarzana Plaza Condominiums
 22 Association (“Association”); Robert D. Hillshafer of Loewenthal Hillshafer & Carter LLP
 23 appeared as Special Counsel for the Receiver; Defendant Eugene Saal (“Saal”) appeared in propria
 24 persona; David Ingram appeared on behalf of Defendant Rubicelia Schultz; there were no other
 25 appearances.

26 The Court, having read and considered Application #1; Application #2; Application #3,
 27 Application #4; Receiver’s Opposition to Application #1; Receiver’s Opposition to Application
 28 #2; Receiver’s Opposition to Application #3; Mr. Saal’s and Mr. Brenninkmeijer’s Reply to the


1 Answer of the Receiver to Application #1, Mr. Saal's and Mr. Brenninkmeijer's Answer to the
2 Receiver's Opposition to Application #2, and the Receiver's Further Opposition to Defendant
3 Eugene Saal and Pascal Brenninkmeijer's Ex Parte Application Regarding Oral Testimony, and
4 after hearing the statements, comments and argument of all counsel and parties present, ruled as
5 follows:

- 6 1. The Court stated that Application #1 was previously denied. The Court re-denied
7 Application #1.
- 8 2. Application #2 was denied.
- 9 3. Application #3 was withdrawn by Defendant Saal. The Court stated that if Moldo
10 wanted to file a request for attorney's fees incurred to oppose Application #3, the Court would
11 consider the request.
- 12 4. Application #4 was denied.

13 DATED: June 3, 2019

Respectfully submitted,

ERVIN COHEN & JESSUP LLP

By: 
BYRON Z. MOLDO
Attorneys for Stephen J. Donell, State
Court Receiver