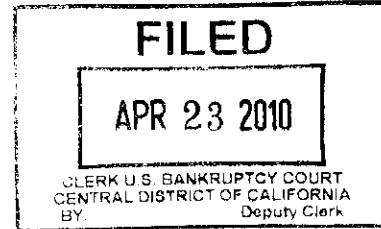


ORIGINAL

1 KAREEM SALESSI  
2 30262 Crown Valley Pkwy, B-174  
3 LAGUNA NIGUEL, CA. 92677  
4 TEL: (949) 870 6352



6 Chapter 11

7  
8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

10 LL

11 ) Case No.: 8:09-bk-13791-ES  
12 In re KAREEM SALESSI, ) Honorable Erithe A. Smith  
13 Debtor, )  
14 ) Kareem Salessi's Request for Judicial Notice # 4 (RJN-4)  
15 ) as to proof of fact: that reporter's transcript provided by  
16 ) Briggs Reporting Company of 6/9/09 hearing is a forgery;  
17 ) that Salessi's transcribed version is correct;  
18 )  
19 )  
20 )

21 Pursuant to, *inter alia*, Fed. Rules of Evidence 201, and California's  
22 evidence code §620, Salessi moves this Court to take JUDICIAL NOTICE  
23 OF FACT that the 6/9/09 transcript is a forgery, per California Penal Codes  
24 §§470:480, and for the acceptance of Salessi's uncontested version as the  
25 true statements made by this court on 6/9/09.

26 Respectfully submitted.  
27 Dated: April 20, 2010

Kareem Salessi,  
Debtor In Possession



1 4- Thereafter, I cited to my percision version of the transcript, and the  
2 court's finding and served it to numeours other courts, entities, and even  
3 served it personally to the Office of Sandra Hutchens, the Orange County  
4 Sheriff, who replaced the convicted O.C. Sheriff, Michael Carona.

5  
6 5- My precision version of the actual wordings and exclamaiton marks  
7 of the court's statements, approximately 9 minutes into the recording was  
8 the following exact statements, as made by the Court:

9 **"...I am granting the motion and I am granting the motion**  
10 **because as far as and I am looking at very narrow view of this.**  
11 **Foreclosure did occur whether you believe it was valid or**  
12 **invalid. I already believe it was invalid which you believe is**  
13 **invalid. Wachovia believes is valid. It did occur before the**  
14 **bankruptcy was filed, OK?..."**

15  
16 6- However, the Briggs altered version on page 6, lines 9-15 reads:

17 "THE COURT: I'm granting the motion and I'm  
18 granting the motion because as far as -- and I'm looking at a  
19 very narrow view of this. If foreclosure did occur whether  
20 you believe it was valid or invalid -- I already believe it's  
21 invalid which you believe it's invalid and Wachovia believes  
22 it's valid. It did occur before the bankruptcy was filed.  
23 So that's already happened."

24 7- Briggs has not contested the falsity of its own version cited above.  
25 Briggs has evaded correcting it, for some unlawful purpose. Here, Briggs'  
26 purpose seems to be to prevent the disclosure of a fraudulent foreclosure.  
27

1 8- As of the first filing of my precision transcript with the BAP, on  
2 8/7/09, no one ever contested the accuracy of its wording as cited above.  
3 The altered version of Briggs, cited above, was first prepared on 8/20/09,  
4 after I had already established the contents of the subject paragraphs.  
5 Thereafter, I contested the Briggs version and even provided the slowed  
6 recording to Briggs, upon which they were further convinced that their  
7 version was false. Briggs' owner, a Ms. Lu / Loo, promised to make the  
8 corrections and provide it to me but failed to do so. Upon follow ups, she  
9 told me that Briggs would not provide me a corrected transcript, even  
10 though they had found it incorrect. I took it up with the Bankruptcy Court's  
11 operations manager, Mr. Ben Verella, who requested a complaint in writing.  
12

13 9- I sent Mr. Verella a complaint and heard nothing for weeks. Upon  
14 follow up, Mr. Verella sounded astohished that Briggs had not responded,  
15 and stated that he had not kept a copy of my complaint, and requested  
16 another copy, which I sent him, including the attachment letter, herein  
17 attached and incroporated with this reference as **(Exhibit-1)**.  
18

19 10- Once again, weeks went by and I heard nothing from Mr. Verella.  
20 Eventually, sometime in late March, 2010, he told me on the phone that  
21 Briggs had found an insignificant error in the 9/17/09 transcript, but he  
22 refused to specify the error. Mr. Verella further promised to have Briggs'  
23 corrected version of the 6/9/09 transcript by the next week. Two weeks  
24 later, and upon multiple contacts with Mr. Verella, he told me that Briggs  
25 prepared corrections to all three transcripts of 6/9/09, 8/6/09, and 9/17/09,  
26 and it was ready for me to pick up!  
27

1 11- On, or about 4/8/2010, I picked up a large envelope from the  
2 bankruptcy clerk, purporting to contain three corrections transcripts. Upon  
3 careful examinaiton of the papers they turned out to be exact photocopies  
4 of the already provided partially incorrect transcripts. Thus, at this point it  
5 was clear that Mr. Verella had also joined Briggs' concealment game, even  
6 thought I had previously informed him that the 9<sup>th</sup> Circuit Court of Appeal  
7 may issue contempt orders agaisnt Briggs, and anyone else involved in the  
8 alteration of court transcript/s, whose subject matters are now on appeal.  
9

10 12- I believe that the charge of forgery to Briggs alteration of  
11 transcript/s is applicable here, in particular as to the 6/9/09 hearing, since  
12 my precision version had been at the court's disposal, since 8/7/09, long  
13 before Briggs prepared its version. The cover up is also a matter of fact.  
14 The alteration is classified as forgery pusuant to Ca. Penal Code §470.

15 13- I have cited to the above two versions of transcriptions of the  
16 hearing of 6/9/09, in numerous courts, and venues, and even taken  
17 judicially notice of both versions, as well as the actual voice recordings,  
18 such as in my federal case # **SACV 08-01274 DOC (MLGx)**.  
19

1 14- In none of the references to my percision transcript has anyone  
2 contested its accuracy. This includes the Honorable Bankruptcy Judge  
3 Smith, Briggs Reporting Company, Mr. M. Phillips, in addition to all the  
4 lawyers appearing on behalf of a phony non-enitty called: "WACHOVIA  
5 MORTGAGE, FSB FKA WORLD SAVINGS BANK, FSB, A FEDERAL SAVINGS BANK"  
6 (ARTIFICE), in violation of, *inter alia*, 18 U.S.C. § 1342, which violation  
7 must be referred by this court to the FBI for indictments of the involved  
8 lawyers, inevitabbly leading to their disbarments, pursuant to In re Bill  
9 David SCHWARTZ on Disbarment. L.A. 31489. (1982) 31 Cal.3d 395, 644  
10 P.2d 833, 182 Cal.Rptr. 640. On 6/9/09, Mr. Phillips, by the way of waiver  
11 and estoppel, had conceded to the fact that the above artifice was a phony,  
12 and non-existent, artifice fabricated to steal thousands of houses.

14 14- Therefore, as a matter of applicable federal rules of evidence, in  
15 addition to the conclusive presumption effect of Ca. Evidence Code § 620,  
16 and pursuant to the laws of waiver and estoppel, and for the absense of  
17 proof to the contrary, my above cited precision-version of the transcript is to  
18 be taken judicially notice of by this court as proof of fact as to the actual  
19 declarations of the court, and the official Briggs transcript of 6/9/09's  
20 subject paragraph should be herewith declared as false and <sup>ORDERED</sup> stricken.

22 I declare, under the penalty of perjury, that the foregoing is true and  
23 correct to the best of my knowledge.

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25 Dated: 4/20/2010

  
26 Kareem Salessi  
27 Debtor In Possession

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# EXHIBIT-1:

**12-16-2009**

**Mr. Ben Verela**

**Operations Manger, Bankruptcy Court  
411 W. Fourth St Suite  
Santa Ana, CA 92701**

**RE: Deficient Briggs Reporting Transcripts of:  
Bankruptcy Case #: 8:09-bk-13791-ES  
Adversary Case # 8:09-AP-01444-ES**

Dear Mr. Verela:

I had a conversation with your associate, in the first week of December, 2009, regarding the deficiencies, and inaccuracies, of the transcripts of Briggs Reporting Company in the above numbered cases held on 6/9/09, 8/6/09, and 9/17/09. The transcripts are inaccurate and at best made in a sloppy manner. Evidently they are unable to slow-down the recorded voice and thus can not hear the details of the proceedings word by word, as is expected, particularly when transcripts are made from pre-recorded voice, where nothing should go wrong in transcriptions, as it has in the transcriptions of the above voice-recordings.

The final, and interlocutory, rulings in the above two cases are now on appeal in the three appellate cases below:

- 1- 9<sup>th</sup> Circuit Court of Appeal Case # 09-60050;**
- 2- Central District APPEAL CASE #: SACV 09-01257 DOC;**
- 3- Central District APPEAL CASE #: SACV 09-01258 DOC;**

Wherefore the court's clerk, Ms. Bolte, has included the transcripts as a part of the record on all the above three appeals. However, these are deficient and since Briggs Reporting refused to take any further steps to rectify them I was directed to your office to file a complaint in search of a possible solution to this issue. The inaccuracies are too many, however, just to identify a couple of them are two examples below:

- 1- in the 6/9/09 transcript I managed to extract the following exact words, and exclamation marks, from the recording on page 6, Lines: 9-15:

**"...I am granting the motion and I am granting the motion because as far as and I am looking at very narrow view of this. Foreclosure did occur whether you believe it was valid or invalid. I already believe it was invalid which you believe is invalid. Wachovia believes is valid. It did occur before the bankruptcy was filed, OK? So, it has already happened. With respect to any claims that you may have regarding the validity of that foreclosure sale it sounds that you are actively pursuing that and nothing that I am doing today will prevent you from continuing to pursue that. For example as you mentioned you brought an action in the district court..."** However, Briggs has it as follows:

**"THE COURT: I'm granting the motion and I'm**



granting the motion because as far as -- and I'm looking at a very narrow view of this. If foreclosure did occur whether you believe it was valid or invalid -- I already believe it's invalid which you believe it's invalid and Wachovia believes it's valid. It did occur before the bankruptcy was filed. So that's already happened."

"With respect to any claims that you may have regarding the validity of that foreclosure sale, it sounds as if you are actively pursuing that. And nothing that I'm doing today would prevent you from continuing to pursue that. For example, as you mentioned you brought an action in the district court..."

2- another example of their sloppy mistake appears in the transcript of 8/6/09, Page, Line, where they have written:

"THEY FORGED THE **GRANTING...**" which makes the entire paragraph meaningless as opposed to what I had really said:

"THEY FORGED THE **GRANT DEED...**", which made the deed void.

I can only speculate that the "sophisticated computer program" which Briggs claims to use for listening to, and slowing down, voice recordings is incapable of such a task, or that they don't know how to use it, which may be why they refuse to disclose the reason for not correcting them.

As a result of the above inaccuracies my record on appeal remains deficient, because of a problem created by the court, and I am herewith requesting that your office take immediate affirmative action to remedy this shortfall, for by instance, having an independent court-reporter transcribe the recordings, in slow motion, such as by recording them on a special tape-recorder and playing it at half-speed. I have attached a tape of the 6/9/09 hearing, which I recorded at double speed, so when played at regular speed each word can be recognized as I wrote above.

Around Mid-Nov. 2009, I played the above paragraph for Briggs, from this tape. It convinced them of my version of the words, whereupon they promised to recall the 6/9/09 recording from the court and to listen to it again, and hopefully correct their mistakes. A couple of weeks went by and I heard nothing from them, finally by talking to Briggs **owner**, a Ms. Loo, she stated that they had decided not to do anything further about it. She refused to state why, and whether she had, or had not, recalled the CD to listen to it again, thus raising further suspensions.

Please also inform the bankruptcy clerk of any actions you take. Thank you.  
Respectfully submitted,

Kareem Salessi

1 KAREEM SALESSI  
2 30262 Crown Valley Pkwy, B-174  
3 LAGUNA NIGUEL, CA. 92677  
4 TEL: (949) 870 6352

6 Chapter 11

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

11 ) Case No.: 8:09-bk-13791-ES  
12 In re KAREEM SALESSI, ) Honorable Erithe A. Smith  
13 Debtor, ) [Proposed] ORDER  
14 ) Kareem Salessi's Request for Judicial Notice # 4 (RJN-4)  
15 ) as to proof of fact: that reporter's transcript provided by  
16 ) Briggs Reporting Company of 6/9/09 hearing is a forgery;  
17 ) that Salessi's transcribed version is correct;  
18 )  
19 )  
20 )

19 Absent proof to the contrary to debtor's version of the subject paragraph in  
20 the 6/9/09 transcript, prepared by Briggs, debtor Salessi's version of this  
21 Court's statement is herewith taken judicially notice of as the true version.  
22 The clerk is to strike the subject paragraph from the 6/9/09 Briggs'  
23 transcript, and replace it with debtor's version cited above.  
24

26 Dated:

Hon. Erithe Smith  
Judge of the Bankruptcy Court

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PROOF OF SERVICE BY MAIL

Case No.: **8:09-bk-13791-ES**

I, Kareem Salessi, declare:

**I am a party** to this action. My business address is: 30262 Crown Valley Parkway, B-174, Laguna Niguel, Ca. 92677

On April **23**, 2010, I deposited in the United States mail at SANTA ANA, California a copy (or original as the Code requires) of the following document(s):

**Kareem Salessi's Request for Judicial Notice # 4 (RJN-4) as to proof of fact that: reporter's transcript provided by Briggs Reporting Company of 6/9/09 hearing is a forgery; that Salessi's transcribed version is correct; TO THE FOLLOWING ADDRESSEES:**

**U.S. TRUSTEE  
411 W. Fourth St Suite 9041  
Santa Ana, CA 92701**

**Mr. Martin Phillips,  
attorney for Movants  
8180 E. Kaiser Blvd, S-100,  
Ahaheim Hills, Ca. 92808**

**Attorney General's Office  
California Department of Justice  
Attn: Public Inquiry Unit 231095  
P.O. Box 944255  
Sacramento, CA 94244-2550**

**U.S. Attorney Joseph Russoniello  
POB 36055, 450 Golden Gate Ave.  
San Francisco, Ca. 94102-3495  
Golden West Savings FRAUDS**

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on April **23**, 2010, in Orange County, California.

  
Kareem Salessi

**12-16-2009**

Mr. Ben Verela  
Operations Manger, Bankruptcy Court  
411 W. Fourth St Suite  
Santa Ana, CA 92701

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