

COURT OF APPEAL - STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION THREE

KAREEM SALESSI, )  
 )  
 )  
 Plaintiff and Appellant, )  
VS. ) CASE NO.  
 ) G038002  
 )  
 )  
MICHAEL SHADAB, et al., )  
 )  
 )  
 Defendants and Respondents. )  
 )  
\_\_\_\_\_ )

TRANSCRIPTION OF RECORDED PROCEEDINGS  
HELD SEPTEMBER 18, 2008 BEFORE HONORABLE JUSTICES;  
SILLS, P.J., RYLAARSDAM, J., AND ARONSON, J.

KAREEM SALESSI APPEARING IN PRO PER FOR PLAINTIFF  
AND APPELLANT.

BASSIRI ASSOCIATES AND MICHAEL H. BASSIRI FOR  
DEFENDANTS AND RESPONDENTS MICHAEL SHADAB AND ALPHA  
APPRAISALS.

MANNING & MARDER, KASS, ELLROD, RAMIREZ AND DARIN L.  
WESSEL FOR DEFENDANTS AND RESPONDENTS FIRST TEAM REAL  
ESTATE-ORANGE COUNTY, TAMZI RICHARDSON AND CAMERON N.  
MERAGE.

KATHLEEN A. SHEEHY, CSR, RPR  
Certificate No. 4429

1 THE COURT: Thank you. Salessi versus Shadab.  
2 You may proceed.

3 MR. SALESSI: Good morning, your Honors.  
4 Kareem Salessi, plaintiff and appellant, and I am  
11:21 5 appearing on my own behalf. I'm not an attorney, and  
6 I'm also appearing, as I've pled throughout my  
7 Complaints, under the Consumer Legal Remedies Act on  
8 behalf of the California community under Civil Code 1750  
9 to 1780.

11:21 10 And may I please the Court by either responding  
11 to the justices' questions or going through the points  
12 that I believe are the central issues here?

13 THE COURT: We've read your briefs.

14 MR. SALESSI: Okay. Thank you, your Honor.

11:22 15 So, may I go through the points which I believe  
16 are at issue here, in reply to what the -- what the  
17 respondents had raised in their responding briefs?

18 THE COURT: Go ahead, sir.

19 MR. SALESSI: Yes, sir. Thank you. Yes.

11:23 20 Our issues were three or four. One was -- the  
21 first was the matter of challenge for cause which I had  
11:27 22 served to Honorable Judge Gray.

23 And the second one was the matter of false  
24 advertising and UCL against First Team Real Estate  
11:27 25 defendants, respondents. And the last, and the third,

11:27 1 was the matter of Michael Shadab and Alpha Appraisals  
2 regarding frauds and forgeries in terms of the appraisal  
3 reports which they had fabricated.

4 And this case, this case should be reversed,  
11:30 5 number one, primarily on the fact that the  
6 Honorable Judge Gray, who dismissed these defendants  
7 himself, on the record regretted that a year later, and  
11:27 8 stated that he would like them to be reversed, remanded  
9 to be taken care of in the court.

11:31 10 And the substance of the challenge for cause  
11 and effect that I had made on October 12th, 2006, had  
12 made the following rulings and judgments, dismissal  
13 judgments void, your Honors, is the fact that Code of  
14 Civil procedure 170.3, subsection C, subsection 5, does  
11:33 15 not allow the passing on his own judgment of himself by  
16 a judge, but that he has to give it to another judge to  
17 decide on or strike it.

18 However, here, the Honorable Judge Gray made an  
19 error by neither striking nor answering it, instead  
11:35 20 taking it under submission and temporarily denying it,  
21 going on to dismiss the response, First Team  
11:35 22 respondents, and then answering it and then passing it  
23 on to Presiding Judge Rodenstock to decide on.

24 So that's what, statutorily, made the -- all  
11:35 25 the orders and dismissal judgments after that void,

11:35 1 and/or avoidable. And plus the fact that on -- during a  
2 default prove-up trial, during Octobers -- October 25th  
3 and 6th of 2007, after -- for first time getting some  
4 facts into evidence, including the forged appraisal  
11:37 5 report of Mr. Shadab and Alpha Appraisals, the  
6 Honorable Judge regretted having mistakenly dismissed  
7 the defendants, and said that he hopes the -- that your  
11:35 8 honorable court will remand that to him to take care of  
9 it.

11:38 10 And when we come to the matter of false  
11 advertising cause of action, which is under -- against  
12 First Team defendants, Cameron Merage, the owner of the  
13 conglomerate of companies under the flag of First Team,  
14 operating throughout Orange County and California, under  
11:39 15 its numerous false pretenses including -- including  
16 false names which they themselves have admitted that  
17 don't exist.

18 And the false advertising claim that they made  
19 the summary judgment on is regarding this colorful one  
11:39 20 piece of paper.

21 And in the summary judgment I -- I meticulously  
11:40 22 pointed out that every one in this colorful brochure was  
23 a complete fraud, including the name of the company,  
24 First Team Real Estate, because they have actually  
11:40 25 claimed that this doesn't exist, that I have erroneously

11:40 1 sued them under this, that actually I should have sued  
2 First Team Real Estate of Orange County.

3 And then the -- the fact that false advertising  
4 is a -- under 17204 a private plaintiff is permitted to  
11:43 5 pursue injunction and restitution with (inaudible) UCL  
6 on behalf of the public, also without showing that he  
7 was directly harmed.

11:40 8 Some changes occurred through Proposition 64,  
9 but, however, the Proposition 64 continues to respect  
11:44 10 and repeat that an injured-in-fact plaintiff is always  
11 entitled to bring an action on his own behalf as well as  
12 on behalf of similarly-injured people.

13 And then moving on to the fact that through the  
14 UCL, a plaintiff may obtain restitution and injunctive  
11:46 15 relief against unfair, unlawful practice in order to  
16 protect public and restore to the parties an interest,  
17 money, or property taken by means of unfair competition.  
18 These actions supplement the efforts of law enforcement  
19 and regulatory agencies.

11:47 20 The court has repeatedly recognized, this  
21 court, meaning the Supreme Court, has repeatedly  
11:50 22 recognized the importance of these private enforcement  
23 efforts. And I'm citing from the case of Kraus versus  
24 Trinity Management Services, Inc., which is  
11:50 25 23 Cal 4th at page 126.

11:50 1 And the other matter that this case should be  
2 reversed is the fact that very similar to the -- one of  
3 the previous cases you heard today is that all the deed,  
4 grant deed and loan documents were forged, physically  
11:51 5 forged multiple times by the defendant respondents  
6 First Team Real Estate and its escrow company  
7 Coast Cities Escrow.

11:50 8 And you've taken judicial notice of that which  
9 I filed last week, I believe, the 15th of September.

11:52 10 There was an objection to that filed by the opposing  
11 counsel. And so that makes the entire transaction void  
12 as a matter of law, and a reversible instance all  
13 together.

14 Then we come to the matters of Michael Shadab  
11:53 15 and Alpha Appraisals which have contested that, in their  
16 response, in their reply brief, they have contested that  
17 I had never alleged common counts, which is incorrect.

18 Common counts was number 7 cause of action.  
19 And I had repeatedly alleged common counts -- counts  
11:57 20 cause -- cause of action, which is not demurrable, and  
21 also the -- the other defendants had demurred to it,  
12:00 22 including First Team defendants.

23 And in fact the appendix page number 0248 of  
24 Shadab and Alpha Appraisal has a letter from -- from  
12:00 25 Alpha -- Alpha Appraisals, signed by Mr. Shadab, of

12:00 1 having been paid \$400 by Century Funding. And I had  
2 continuously pleaded that I had paid \$500 to Century  
3 Funding in San Mateo, \$400 of which was to be paid and  
4 was paid for this particular appraisal report.

12:01 5 Century Funding, Judge -- Honorable Judge Gray  
6 rendered a monetary judgment against Century Funding a  
7 year ago of \$75,000, and they were also in the employ of  
12:00 8 World Savings, which was the lender.

9 And when the lien -- more important matter is  
12:02 10 Shadab had never contested to the first cause of action,  
11 which says -- which is actual fraud, in parentheses,  
12 CC 1572, which has no defense.

13 And -- and in the reply brief counsel filed he  
14 repeatedly mentions fraud. And this had gone down by  
12:03 15 Honorable Judge Nakamura against him, I believe May --  
12:03 16 the last one, May 11 or so, the ruling, that they had  
12:03 17 not contested 1572, actual fraud, and common counts.

18 So, they played this -- they played around that  
12:04 19 by not mentioning common counts in the -- in their final  
20 second motion for summary judgment of pleadings, and  
21 taking out both the number of the cause of action and  
12:05 22 confusing the -- the Honorable Judge about the cause of  
23 action. The name -- the word "fraud" had appeared in  
12:05 24 several of the cause of action.

12:05 25 And then -- and then they claimed that --

12:05 1 the counsel claimed that he didn't -- appellant, meaning  
 2 me, Salessi, I didn't know that Shadab or Alpha, who  
 3 they were, other than the fact that a -- and the fact  
 12:09 4 that they had produced the forged and fraudulent appraisal  
 5 report, so that didn't create any reliance. Therefore,  
 6 they should be off the hook.

7 And in fact, Mr. Shadab had a -- had his own  
 12:05 8 forgery, appraisal forgery factory where he was  
 12:11 9 producing these on a large-scale basis and for a lot  
 10 of -- one of its on-going clients was World Savings.

11 And he was finally caught and lost his license  
 12 for putting either dead people's signatures on his  
 13 forged appraisal reports or dying people's, in my case,  
 12:13 14 Mrs. Negohosian. And -- but in any case, on that last  
 15 hearing, Judge Gray in fact ratified -- (inaudible)  
 16 ratified Shadab's forgeries.

17 And then said that even though the appraisal  
 18 was a forgery, he was dismissing them, and that I can  
 12:14 19 appeal it, get an attorney and appeal it.

20 Then he -- then the court, as your Honors know  
 21 in the records, made some alterations, some serious  
 12:16 22 alterations in several court transcripts, beginning from  
 23 the -- from the first appearance before  
 12:16 24 Honorable Judge Gray.

12:16 25 And these alterations were things including

12:16 1 redactions of the words "forgery," sometimes some  
2 sentences, and sometimes, for instance, when  
3 dismissing -- dismissing World Savings, defendant

12:18 4 World Savings, the statement, the complete statement of:

5 "So what, the bank violated lending laws and  
6 statutes, I violate 150 laws every day I drive  
7 from here to my home. They are a bank, they are  
12:16 8 in the business of loaning, so they can do  
12:22 9 whatever they want, and I am going to dismiss  
10 them anyway."

11 So, I put this in my response to  
12 Honorable Judge Gray's answer to the challenge for  
13 cause, and this sentence appears in the appendix of  
12:23 14 First Team Real Estate respondents on page 7,  
15 lines 6 to 8.

16 And -- but these are now beside the point  
17 because the Honorable Judge Gray has already stated on  
18 the record that he would like to see this case remanded  
12:24 19 back to him and to take care of it properly.

20 And the allegation of Shadab here, regarding  
21 his forgery factory on appraisal reports is similar to a  
12:26 22 case that your Honors heard yesterday morning right  
23 here, the first time I was in this court to get  
12:26 24 acquainted, where an appellant who had lost for -- the  
12:26 25 case for having stolen stocks from a victim was

12:26 1 complaining that since four years had gone by, and the  
2 victim had found after four years, and the statute of  
3 limitations had expired, so he should not be on the hook  
12:27 4 anymore. And so this is a similar claim that Mr. Shadab  
5 has.

6 And any questions, your Honors?

7 THE COURT: Thank you. I assume that the  
12:26 8 respondents have nothing to add to their briefs. I  
12:27 9 mean, you very thoroughly covered all of the issues  
10 that we have heard this morning, and will submit.

11 RESPONDENTS' COUNSEL: Yes, your Honor. I'm  
12 just -- want to make a --

13 THE COURT: Thank you.

12:27 14 RESPONDENTS' COUNSEL: -- comment for the  
15 record that --

16 THE COURT: Thank you. Thank you. Thank you.

17 RESPONDENTS' COUNSEL: -- 2000 (inaudible) not  
18 part of the record. [Court prevented counsel to speak.]

12:29 19 THE COURT: Thank you. Thank you. Thank you.

20 It being submitted by respondents, there is no  
21 reply, the matter is submitted. Thank you, gentlemen.  
22 The court will be in recess.

23 (End of transcription.)  
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C E R T I F I C A T E

I, Kathleen A. Sheehy, a transcriber and court reporter for Barrett Reporting, do hereby certify:

That audio recordings were listened to by me and were transcribed into typewriting under my direction and supervision; and I hereby certify that the foregoing transcript of the audio recordings is a full, true, and correct transcript, to the best of my ability.

I further certify that I am neither counsel for nor related to any party to said action, not in any way interested in the outcome thereof.

In witness whereof, I have hereunto subscribed my name.

Dated: 6/21/2017

Kathleen A. Sheehy

Kathleen A. Sheehy, CSR 4429