

Matters Currently Pending

Grobstein v. Sharron, USBC Case No. 15-AP-01122-RK (Pending)

Appointed by Greenberg Glusker in adversarial proceeding on behalf of Howard Grobstein, as liquidating trustee, against insiders of debtor corporation in Chapter 11 proceeding. Rendered expert testimony at bench trial and at deposition in regard to insolvency, fraudulent transfer, and alter ego allegations. Matter is pending.

Confidential Civil Litigation, Los Angeles County Superior Court (Pending)

Appointed by Jeffer Mangels on behalf of majority shareholders of a number of related closely-held California corporations, in several Superior Court actions adverse to the minority shareholder. Allegations include diversion of company assets, manipulation of accounting records, and destruction of evidence. Expertise includes fraud examination and forensic accounting. Matter is pending.

Confidential Criminal Matter (Insurance Fraud), Riverside County (Pending)

Appointed by Riverside County District Attorney. Performed analysis of 80,000 pages of financial records in relation to a network of 48 different business entities in control of 63 separate bank accounts, and allegedly comprising a common enterprise to commit insurance fraud and money laundering. Victim losses estimated at \$30 million. Rendered expert testimony over two days at grand jury proceeding. A true bill was returned, and the matter is proceeding to trial.

Confidential Criminal Matter (Murder), Los Angeles County Superior Court (Pending)

Appointed under seal by the Los Angeles County Alternate Public Defender on behalf of defendant charged with murder under special circumstances (PC §190.2). Defendant allegedly had her ex-husband killed for financial gain, subjecting defendant to potential death penalty. Expertise includes examination of life insurance, banking, and other financial records. Matter is pending.

Confidential Probate Litigation, Riverside County (Pending)

Appointed by counsel for children of medical doctor in civil and probate litigation against former care custodian who became trustee and primary beneficiary under new testamentary instruments, executed prior to doctor's death under suspicious circumstances. Relevant allegations include fraud, duress, undue influence, and elder financial abuse. Expertise includes discovery consultation, as well as examination and analysis of banking, financial, partnership, and corporate records. Matters are pending.

Confidential Probate Litigation, Santa Cruz County Superior Court (Pending)

Appointed by petitioner's counsel in "sister v. brother" trust dispute. Analysis of financial records related to alleged misappropriation and waste of assets of family trust. Damages claimed in the mid-six figure range. Report and opinion issued. Matter is pending.

Azinian v. Abadisians, LASC Case No. SC118469 (Pending)

Appointed by defense counsel on behalf of defendant in a dispute among shareholders of a number of business entities which own and operate a number of franchise restaurants in several states. Rendered expert testimony in declaration form and at deposition. Expertise included analysis of business records in relation to allegations of waste and embezzlement, as well as breach of fiduciary duty, breach of a covenant not to compete, and unfair competition. Matter is pending.

Matters Concluded in 2016

Chemoil v. Apex, RCSC Case No. MCC1500325 (2016)

Appointed by Ezra Brutzkus in receivership proceeding on behalf of Receiver Stephen Donell in connection with claims against insiders of the subject corporation, as well as a newly-formed successor entity. Rendered accounting analysis and expert testimony by declaration, in regard to fraudulent transfer and alter ego allegations.

Shaw v. Schlaifer, LASC Case No. PC056528 (2016)

Appointed by plaintiff's counsel in dispute between partners of a private general partnership. Allegations involved fraud, embezzlement, and breach of fiduciary duty. Expertise included financial investigation and analysis of banking and accounting records. Rendered expert testimony at jury trial. Unanimous jury verdict included special finding of fraud, oppression, and malice.

Comikaze v. Mannion, LASC Case No. SC123453 (2016)

Appointed by plaintiff's counsel in a dispute among shareholders of a privately held corporation, which conceived and produced an annual pop culture convention. Allegations involved fraud, embezzlement, breach of fiduciary duty, and money had and received. Expertise included financial investigation and analysis of banking and accounting records. Rendered expert testimony in declaration form and at deposition. Matter settled to satisfaction of client.

City of South El Monte Forensic Audit (2016)

Appointed by City in relation to dealings with two City contractors. Reviewed and examined performance of active contracts, including timesheets, staff rates, task descriptions, work product, management approvals, payment details, and other aspects of contract compliance and control. Report and guidance issued, resulting in the termination of a number of City contracts, and the resignation of the City Manager.

Kim v. Foo, LASC Case No. BC579405 (2016)

Appointed by counsel for plaintiff in purchase-and-sale dispute involving sale of insurance agency. Allegations include fraud, unfair competition, and breach of contract. Seller allegedly diverted policy holders to new agency owned by seller's wife, post-close. Expertise includes statistical analysis of seller's book of insurance business, and extrapolation of anticipated returns. Report and guidance issued. Matter settled to satisfaction of client.

Palombi v. Wampler, LASC Case No. BC549518 (2016)

Appointed by plaintiff's counsel in investment fraud case. Expertise included examination of banking and financial records. Established that investor funds were not used in a manner consistent with the investment representations, and much of the money was embezzled for the personal use of promoters and their families. Plaintiff ultimately recovered approximately 100% of his investment through settlement with two of the facilitators of the scheme.

People v. Van Ekelenberg, RCSC Case No. RIF1404041 (2016)

Appointed by Riverside County District Attorney. Issued expert report, and subsequently rendered expert testimony at restitution hearing in criminal prosecution regarding a securities fraud scheme. Victims' losses estimated at \$2.2 million. Subsequent to issuance of expert report, the defendant pleaded guilty to securities fraud charges, and was sentenced to 10 years in state prison.

Confidential Criminal Matter (Public Corruption), Riverside County (2016)

Appointed by Riverside County District Attorney in political corruption probe involving officials of small city, suspected of conflict of interest and misappropriation of public funds. Performed analysis of 38,000 pages of financial records in relation to a number of city contractors. Constructed database of approximately 74,000 transactions undertaken by contracting entities over a ten-year period.

Confidential Criminal Matter (Consumer Fraud), Riverside County (2016)

Appointed by Riverside County District Attorney in ongoing criminal investigation of consumer products retailer involved in direct sales aimed primarily at the elder population. Defendants are suspected of violations of law and regulation related to consumer protection statutes. Defendants sold products labeled "Made in USA." Analysis of financial records revealed products originated in the People's Republic of China. Expertise includes examination and analysis of banking and financial records in excess of 31,000 pages.

Confidential Criminal Matter (Embezzlement), Riverside County (2016)

Appointed by Riverside County District Attorney in ongoing criminal investigation of property manager accused of embezzling rents and failing to make required payments for mortgage and property tax obligations. Expertise includes examination and analysis of banking and financial records in excess of 13,000 pages.

Matters Concluded in 2015

Confidential Internal Investigation, Los Angeles, CA (2015)

Appointed as internal investigator by high-profile non-profit corporation (a leasee of a County-owned facility) in reference to allegations of waste, mismanagement, and abuse. Performed examination of accounting records, as well as review of contracting procedures, and control environment. Report and guidance issued to satisfaction of client.

Confidential Bankruptcy Matter, United States Bankruptcy Court, Los Angeles (2015)

Appointed by plaintiff's counsel in complaint for nondischargeability under 11 USC §523(a). Expertise includes financial analysis of business and financial records in relation to allegations of fraud and concealment of assets. Report and guidance issued to satisfaction of client.

People v Najarro, LASC Case No. GA076747 (2015)

Appointed by Los Angeles County Public Defender on behalf of criminal defendant in an internal embezzlement matter. Rendered expert testimony at jury trial. Expertise included detailed evaluation of the reliability of prosecution's accounting evidence.

Confidential Regulatory Investigation, Los Angeles, CA (2015)

Appointed by the State Bar of California to provide confidential analysis of banking and financial records in relation to allegations that a member of the Bar, in his position as the trustee of a charitable foundation, had mismanaged, wasted, or embezzled assets of the foundation.

Idewu v. Clark, LASC Case No. BC494315 (2015)

Appointed by plaintiff's counsel in a dispute among members of a privately held LLC. Allegations involved fraud, embezzlement, and breach of fiduciary duty. Expertise included financial investigation and analysis of banking and accounting records. Rendered two-and-a-half days of expert testimony at bench trial.

Bui v. Nguyen, USDC Case No. 8:14-CV-00757-DOC-RNB (2015)

Appointed by plaintiff's counsel in civil RICO action against a number of defendants accused of operating a real estate fraud scheme in which an elderly immigrant was defrauded of her life savings, totaling approximately \$5 million. Performed analysis of banking and escrow records.

Chaver v. Kenner, LASC Case No. BC510313 (2015)

Appointed by defense counsel in civil action against attorney for alleged negligence related to dismissal of underlying arbitration. Expertise included calculation of underlying damages arising from complex real estate LLC operating agreement, with numerous amendments, and side letters. Report and guidance issued. Matter was settled privately.

Confidential Internal Investigation, Los Angeles, CA (2015)

Appointed in forensic accounting engagement regarding internal management dispute within 73-year-old charitable corporation. Performed examination and analysis of accounting records to reconcile uncertainty and confusion regarding fund revenue, expense, and inter-fund transfers, among numerous funds within the organization. Report and guidance issued.

Confidential Criminal Matter, Los Angeles County Superior Court (2015)

Appointed under seal by the Los Angeles County Public Defender in a criminal matter involving an alleged attempted theft of realty by way of a fraudulent quit claim deed. Report and guidance issued.

People v. Amaro, RCSC Case No. RIF1400172 (2015)

Appointed by Riverside County District Attorney. Performed analysis of financial records in relation to alleged real estate Ponzi scheme. Victim losses estimated at \$5.2 million. Expertise included examination and analysis of banking and financial records. Rendered expert report. Defendant subsequently pled guilty, pursuant to a plea agreement.

Johansen v. Nania, LASC Case No. BD484837 (2015)

Appointed by respondent's counsel. Rendered expert testimony at bench trial, in reference to equalization, Watts charges, reimbursements, free cash flow for support, and attorneys' fees. Substantial cash flow was discovered, far in excess of petitioner's representations. Consequently a significant spousal support order was issued in favor of respondent.

Waecker v. Kim, AAA Matter No. 01-14-0000-9354 (2015)

Appointed by counsel for defendant and cross-complainant. Rendered expert testimony at arbitration, in reference to damages suffered by judgment creditor arising from attorney's failure to record judicial lien upon real property.

Confidential Criminal Matter (Foreclosure Prevention Scam), Riverside County (2015)

Appointed by Riverside County District Attorney. Performed analysis of financial records in relation to alleged fraudulent loan modification scam. Expertise included examination and analysis of banking and financial records.

Confidential Criminal Matter, Los Angeles County Superior Court (2015)

Appointed under seal by the Los Angeles County Public Defender in a criminal proceeding charging the defendant with theft from elder. Expertise included examination of financial records for evidence supporting defense theory that the alleged victim was a habitual gambler who lost funds at local casino.

Confidential Criminal Matter, Los Angeles County Superior Court (2015)

Appointed under seal by the Los Angeles County Public Defender in a criminal matter involving alleged welfare fraud. Expertise included the analysis of financial records to determine whether or not the defendant misrepresented her net income from a sole proprietorship on applications for public assistance.

Matters Concluded in 2014

People v. Hernandez, LASC Case No. BA-404100 (2014)

Appointed by the Los Angeles County Superior Court on behalf of criminal defendant in a real estate fraud matter. Rendered expert testimony at jury trial. Expertise included characteristics of a Ponzi scheme, and allocation of overhead in construction projects. Defendant was found not guilty of all charges.

USA v. Blauvelt, USDC Case No. CR-14-282-R-2 (2014)

Appointed by the District Court under the Criminal Justice Act in a criminal matter involving alleged securities fraud, wire fraud, and mail fraud. Expertise included examination of extensive business documents and analysis of banking records. Report and guidance issued.

Confidential Internal Investigation, Los Angeles, CA (2014)

Appointed as forensic accountant on behalf of a newly-formed surgical center in the process of a full-floor build-out in medical office building. The center's project manager was terminated in connection with findings of waste, mismanagement, and abuse, and removed all of the center's accounting records when he was terminated. Expertise included reconstruction and review of financial and accounting records to establish opening balances for balance sheet accounts, particularly furniture, fixtures, and equipment, and tenant improvements. Report and guidance issued.

Confidential Criminal Matter (Public Corruption), Riverside County (2014)

Appointed by Riverside County District Attorney in a public integrity investigation regarding allegations of improper contracting practices and conflicts of interest, by an executive-level administrator of a special district. Expertise included examination and analysis of banking and financial records in excess of 25,000 pages. Report and guidance issued.

IRMO Babcock, SBSC Case No. FAMRS-803960 (2014)

Appointed by respondent's counsel in divorce case. Rendered expert testimony at deposition and bench trial, in reference to alleged misappropriation of assets of community-owned construction company. Matter was settled to the satisfaction of client subsequent to testimony.

Bascoy v. Bank of America, USDC Case No. CV-12-9370-GW(MANx) (2014)

Appointed by plaintiff's counsel. Performed quantitative and qualitative analysis of loan application and underwriting files, escrow and title files, bank records, and other financial records in relation to allegations of racketeering, fraud, and elder abuse in an action arising from a series of trust deeds placed on an elderly consumer's homestead by a broker employed by Countrywide Mortgage. Findings submitted in declaration form. Matter was settled subsequently.

Matters Concluded in 2013

People v. Rude, RCSC Case No. RIF-1206689 (2013)

Appointed by Riverside County District Attorney. Performed analysis of financial records in relation to alleged real estate Ponzi scheme. Victim losses estimated at \$4.9 million. Rendered expert testimony at preliminary hearing and jury trial. Defendant was found guilty of 41 counts of securities fraud, grand theft, burglary, and selling unqualified securities, and was sentenced to 26 years in state prison.

Confidential Internal Investigation, Hollywood, CA (2013)

Appointed as internal investigator by a minority member of LLC that owns and operates an upscale Hollywood nightclub. Performed examination of banking, inventory, and accounting records, as well as point-of-sale software reports, in relation to alleged misappropriation of assets by general manager of club. Damages alleged in the low-seven figures. Report and guidance issued.

Confidential Criminal Matter, Los Angeles County Superior Court (2013)

Appointed under seal by the Los Angeles County Public Defender in a criminal matter involving the alleged unlawful operation of a marijuana collective. Expertise included financial analysis of business records in relation to Attorney General Guidelines requiring collectives to operate on a non-profit basis. Report and opinion issued; matter was dismissed subsequently.

Confidential Criminal Matter, San Bernardino County Superior Court (2013)

Appointed by private defense counsel in a criminal matter involving alleged political corruption and felony tax evasion. Expertise included financial analysis of accounting and business records in relation to California fair political practice laws, as well as the Revenue and Taxation code. Report and opinion issued; matter was subsequently resolved voluntarily.

Confidential Criminal Matter, US District Court, Los Angeles (2013)

Appointed by private defense counsel in a criminal matter involving alleged mail fraud and bankruptcy fraud. Expertise includes examination of business records in relation to federal Truth in Lending Act and Home Ownership and Equity Protection Act. Report and guidance issued.

Mercer v. Austin, SBSC Case No. CIVRS-1108302 (2013)

Appointed by plaintiff's counsel. Performed analysis of financial records in relation to economic damages sustained by dentist in dog attack. Plaintiff's damages estimated in the mid-six figures. Rendered expert testimony at deposition in January 2013. Matter was settled to satisfaction of plaintiff subsequent to testimony.

Matters Concluded in 2012

IRMO Kenneth Lanning Trust, Los Angeles County Superior Court (2012)

Appointed by petitioner's counsel. Analysis of financial records related to alleged misappropriation and waste of assets of family trust. Damages claimed in the mid-six figure range. Report and opinion issued; matter settled subsequently.

Confidential Contractual Audit, San Diego, CA (2012)

Appointed by recipient of software license fees in agreed-upon-procedures engagement, to verify compliance with gross-percentage provisions of technology contract. Report and guidance issued.

Financial Due Diligence (Buy-Side), Cerritos, CA (2012)

Appointed by Japanese public company, a prospective acquirer of wholesale merchandising company in Cerritos. Performed extensive data acquisition, interviews with key management personnel, and financial analysis. Report and guidance issued to satisfaction of client.

Confidential Contractual Audit, Los Angeles, CA (2012)

Appointed by major non-profit institution (a leasee of a County-owned facility) in an agreed-upon-procedures engagement, to verify compliance with various provisions of complex, long-term facilities sublease. Performed examination of financial and accounting records, as well as extensive internal documentation of the counterparty. Report and guidance issued to satisfaction of client.

Confidential Contractual Audit, Los Angeles, CA (2012)

Appointed by County in an agreed-upon-procedures engagement, to verify compliance with gross-sales provisions and other terms of long-term food-service concession at museum facility. Performed examination of financial and accounting reports, daily sales and cash register records, as well as extensive review of control procedures of the County and concessionaire. Report and guidance issued to satisfaction of client.

Garrett v. Lee, LASC Case No. PC-048276 (2012)

Appointed by plaintiff's counsel. Performed analysis of financial records in relation to alleged fraudulent estate planning scheme and a number of related property transfers. Victim losses estimated in the mid-six figures. Rendered expert testimony at deposition in January 2012. Matter was settled to satisfaction of client subsequent to testimony.

McPherson v. FJR Pacific, Orange County Superior Court (2012)

Appointed by defense counsel. Analysis of business records in relation to alleged overtime, and meal and rest break violations, in matter filed by former employee of construction company. Damages claimed in low-six figure range. Report and opinion issued. Matter settled subsequently.

Matters Concluded in 2011

Hasso v. J&J Real Estate, SBSC Case No. CIV-DS-909740 (2011)

Appointed by plaintiff's counsel. Performed analysis of financial and real estate records in relation to alleged fraudulent transfer of 60-acre residential development in Loma Linda, California. Issues included presence of "badges of fraud" in real estate transaction, as well as breach of fiduciary duties by principals of corporate defendant. Victim losses estimated in the mid-seven figures. Rendered expert testimony at deposition in April 2011 and jury trial in May 2011. Matter was settled to satisfaction of plaintiff subsequent to testimony.

Herrera v. Lopez, RCSC Case No. RIC479176 (2011)

Appointed by counsel for plaintiff, the majority shareholder of privately held construction company. Allegations included diversion of company assets and opportunities, breach of fiduciary duties, breach of covenant not to compete, and unfair competition. Expertise included financial investigation of activities of vice-president and minority shareholder. Damages claimed in excess of \$5 million. Report and opinion issued; matter settled subsequently.

Confidential Matter, Ontario and Riverside, CA (2011)

Financial investigation of activities of two investment brokers in Ontario and Riverside, CA, in relation to an alleged Ponzi scheme, on behalf of three individual investors. Allegations included fraud, securities fraud, and money laundering. Damages claimed in excess of \$2.5 million. Referred for criminal prosecution. Matter is under investigation by FBI.

Confidential Matter, Los Angeles County Superior Court (2011)

Appointed by defense counsel. Forensic reconstruction of accounting and financial records of seven-clinic medical corporation in reference to corporate dissolution proceedings between shareholders. Allegations include fraud, conversion, embezzlement, and contempt. Damages claimed in excess of \$5 million.

Confidential Matter, San Bernardino County Superior Court (2011)

Appointed by counsel for plaintiff, a minority shareholder. Financial investigation of activities of president and majority shareholder of privately held manufacturing firm. Allegations include fraud, conversion, and breach of fiduciary duty. Damages claimed in excess of \$2.5 million.

Matters Concluded in 2010

Risk v. Alexander, Los Angeles County Superior Court (2010)

Appointed by plaintiff, a limited partner in three apartment buildings in Santa Monica and West Los Angeles. Performed financial investigation of activities of general partner. Allegations included fraud, embezzlement, and breach of fiduciary duty. Expertise included financial investigation, title research, selection of trial counsel, and extensive economic analysis of settlement options and tax consequences. A receiver was appointed to take control of all of the apartment buildings. The matter ultimately was settled privately, with the general partner forfeiting all interests in plaintiff's favor.

Davidson v. Stone, Los Angeles County Superior Court (2010)

Appointed by plaintiff's counsel. Financial investigation of activities of debtor on \$1 million private note. Allegations included fraud and money due. Expertise included financial investigation, economic analysis of settlement options, title research, and closing services. Matter was settled privately to the satisfaction of client.

Bato v. Laboratory Corporation of America, USDC Case No. 2:09-CV-04671 (2010)

Appointed by plaintiff's counsel. Performed quantitative and qualitative analysis of extensive electronic business records in wage and hour class-action against Fortune 500 firm. Allegations included deliberate manipulation of computerized time-keeping system and mechanical forgery of accounting records of a publicly-traded corporation. Report and opinion issued; matter subsequently settled to the satisfaction of plaintiffs' counsel.

Confidential Homeowners' Association (2010)

Forensic audit of residential homeowners' association in Los Angeles County. Issues included improper and incomplete accounting for approximately \$2.6 million in association funds. Report and guidance issued of the satisfaction of client.