

1 Timothy B. Sottile, Esq. SBN: 127026
2 **LAW OFFICES OF TIMOTHY B. SOTTILE**
3 4333 Park Terrace Drive, Suite 160
4 Westlake Village, CA 91361
5 Telephone (818) 889-0050
6 Fax (818) 889-6050
7
8 Thomas P. Cacciatore Esq. SBN: 052256
9 **LAW OFFICES OF THOMAS P. CACCIATORE**
10 99 South Lake Avenue, Suite 502
11 Pasadena, CA 91101
12 Telephone (626) 795-0200
13 Fax (626) 795-1626
14
15 Attorneys for Plaintiff, JANICE M. McCLANAHAN

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

JUN 08 2012

John A. Clarke, Executive Officer/Clerk
BY Shanaya Wesley Deputy

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11
12 FOR THE COUNTY OF LOS ANGELES
13
14 CENTRAL JUDICIAL DISTRICT

15 JANICE M. McCLANAHAN

16 Plaintiff,

17 vs.

18
19 HAROLD MANSDORF, individually and as
20 Trustee of the Mansdorf Family Revocable
21 Trust also known as the Mansdorf Family
22 Trust; MILDRED MANSDORF, NORMAN
23 MANSDORF and DOES 1 through 50,
24 inclusive

25 Defendants
26
27
28

Case No.: BC363659

BY FAX

**DECLARATION OF WENDY K.
MARCUS AND EXHIBITS A-F**

DATE: June 21, 2012
TIME: 9:00 a.m.
DEPT: 1

DECLARATION OF WENDY K. MARCUS

001332

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3 DECLARATION OF WENDY K. MARCUS

4 I, WENDY K. MARCUS, declare as follows:

5 1. I am an attorney at law licensed to practice before all the courts of the State of
6 California. I am an associate of Timothy B. Sottile, the attorney of record for Plaintiff, JANICE
7 M. McCLANAHAN in this matter entitled JANICE McCLANAHAN v. HAROLD MANSDORF,
8 et al., LASC Case No. BC363659 and JANICE McCLANAHAN v. HARRY MANSDORF, et al.,
9 LASC Case No. BC389522, the follow-on case for fraudulent conveyance. I have personal
10 knowledge of the facts stated herein. If called as witness to testify to the matters herein, I could
11 and would competently testify thereto.

12 2. Attached hereto is a true and correct copy of the March 15, 2010 Notice of Ruling
13 in this case denying Defendant's Motion to Set Aside the Default, marked as Exhibit "A".

14 3. Attached hereto is true and correct copy of the Court of Appeal's opinion on
15 October 21, 2011 affirming the trial court's denial of Defendant's Motion, marked as Exhibit "B".

16 4. Attached hereto is a true and correct copy of the Minute Order from Department 51
17 on May 8, 2012, denying Defendant's *Ex Parte* Application to Set Aside Service, Default and
18 Default Judgment, marked as Exhibit "C".

19 5. Attached hereto is a true and correct copy of the Mansdorf trust document which
20 was attached as Exhibit B to the First Amended Complaint in the case Marilyn Mansdorf v.
21 Rhoades et al, Case Number BC316011, marked as Exhibit "D". The trust document refers to
22 Defendant as "Harold" Mansdorf, and he signed the document as "Harry" Mansdorf.

23 6. Attached hereto is true and correct copy of the Fourth Amendment to the Mansdorf
24 Family Revocable Trust, which was attached as Exhibit D to the First Amended Complaint in the
25 case Marilyn Mansdorf v. Rhoades et al, Case Number BC316011, marked as Exhibit "E". The
26 Amendment refers to Defendant as both "Harry" and "Harold", and he signed the document as
27 "Harry".
28

DECLARATION OF WENDY K. MARCUS

7. Attached hereto is true and correct copy of the Joint Venture Agreement between "Harry aka Harold Mansdorf" and Jaime Gonzales, which was attached as Exhibit J to the Third Party in Interest Objection to Application for Order to Sell the Property filed by John Torjesen, Esq. in this case, marked as Exhibit "F".

8. I have practiced civil litigation law in California since 2006. I have spent no less than 15 hours reviewing Defendant's Motion, including the exhibits, researching the issues brought in Defendant's Motion and preparing Plaintiff's Opposition. My hourly rate is \$350.00. I therefore request sanctions in the amount of \$5,250.00 (15x\$350.00).

9. Mr. Sottile, has spent no less than 2 hours revising the Opposition and will spend 4 hours traveling to Court and opposing Defendant's Motion. His hourly rate is \$450.00. He is therefore requesting sanctions in the amount of \$2,700.00 (6x\$450.00).

10. The total amount of sanctions requested in this matter is \$7,950.00.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 8th day of June, 2012 at Westlake Village, California.

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WENDY K. MARCUS