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1 **DAVID MARCUS, ESQ. (SBN: 90460)**
2 **MARCUS, WATANABE & DAVE, LLP**
3 1901 Avenue of the Stars, Suite 300
4 Los Angeles, California 90067-6005
5 Telephone No.: (310) 284-2020
6 Facsimile No.: (310) 284-2025

7
8 Attorneys for Plaintiff and Judgment Creditor
9 JANICE M. McCLANAHAN

FILED
LOS ANGELES SUPERIOR COURT
APR 09 2012
JOHN A. CLARKE, CLERK
BY B. GREGG, DEPUTY

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

13 JANICE M. McCLANAHAN, an individual,

14 Plaintiff,

15 v.

16 HARRY MANSDORF, individually, et al.,

17 Defendants.

CASE NO. BC 363659

[Action filed December 18, 2006]

[Department 1A]

**DECLARATION OF DAVID M.
MARCUS IN SUPPORT OF
APPLICATION FOR ORDER TO SELL
RESIDENTIAL REAL PROPERTY**

[C.C.P. §§ 704.750 - 704.770]

Hearing Date: May 18, 2012

Time:

Hearing Judge: Hon. Matthew St. George

Trial Date: None

21
22 I, DAVID M. MARCUS, state and declare as follows:

23 1. I am an attorney at law admitted to practice by the State Bar of California, and am a
24 member of the law firm Marcus, Watanabe & Dave, LLP, the attorneys for the Plaintiff and
25 Judgment Creditor, Janice M. McClanahan.

26 2. I make this declaration in support of the Application for Order to Sell Residential
27 Real Property. In connection with preparing the Application, I reviewed:

28 **000385**

1 a. The Los Angeles County Tax Collector's Substitute Secured Property Tax Bill
2 for the property. A true and correct copy of the Substitute Secured Property Tax Bill is attached to
3 this Declaration as Exhibit "1."

4 b. The Notice to Creditor of Levy on Dwelling. A true and correct copy of the
5 Notice to Creditor of Levy on Dwelling mailed by the Sheriff to my firm on March 19, 2012, is
6 attached to this Declaration as Exhibit "2."

7 c. A Preliminary Report from Old Republic Title Company, dated March 20,
8 2012. A true and correct copy of the Preliminary Report is attached to this Declaration as
9 Exhibit "3."

10 1) The Preliminary Report states that title to the property is vested in
11 HARRY MANSDORF AS TRUSTEE OF MANSDORF FAMILY TRUST.

12 2) The Mansdorf Family Trust is revocable trust.

13 3) The Preliminary Report lists three Certificates of Lien by the Los
14 Angeles County Tax Collector as Items 8, 9, and 11 on the Preliminary Report.

15 When the Substitute Secured Property Tax Bill was obtained from the
16 Los Angeles County Tax Collector's Office during the last week of March, 2012, the Los Angeles
17 County Tax Collector's Office said that there were no outstanding taxes other than those as stated
18 on the Substitute Secured Property Tax Bill.

19 Accordingly, I believe that the Certificates of Lien listed as Items 8,
20 9, and 11 on the Preliminary Report are not currently existing liens against the property, but have
21 been satisfied and releases have not been recorded.

22 d. An appraisal of the property by Rodd Hitch, placing the value of the property
23 as of March 23, 2012, at Five Million and 00/100 Dollars (\$5,000,000.00) is attached to the
24 Application as Exhibit "A."

25 3. I believe that no liens against the property have priority over the Abstract of Judgment
26 which Applicant recorded on April 18, 2008, and re-recorded on August 28, 2009. The judgment
27 awarding the equitable lien of Chevy Chase Bank was recorded against the property on January 31,
28 2012, and the *lis pendens* recorded by John C. Torjesen was recorded on November 13, 2009.

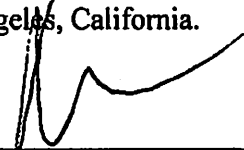
1 4. Moreover, the judgment obtained by Mr. Torjesen is not enforceable against the
2 property on Alta Drive, but against other property owned by Mansdorf as Trustee of the Mansdorf
3 Family Trust located in Malibu in Ventura County. Furthermore, under the terms of the judgment
4 that Mr. Torjesen obtained, the two million dollars (\$2,000,000.00) is only to paid upon the
5 occurrence of certain events relating to the Ventura County property, such as sale or development.
6 A true and correct copy of the judgment in Mr. Torjesen's claim is attached to this Declaration as
7 Exhibit "4."

8 5. Based on the foregoing, I believe that with the exception of the statutory homestead
9 exemption for Mr. Mansdorf in the amount of \$175,000, there are no senior liens and, with the
10 exception of the equitable lien for approximately \$145,000 in favor of Chevy Chase Bank, there are
11 no junior liens to Applicant's judgment lien.

12 6. Since the property is appraised at \$5,000,000, there is at least \$4,500,000 in value to
13 apply to satisfaction of Applicant's judgment.

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

16 Executed this 4 day of April, 2012, at Los Angeles, California.

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18 
19 DAVID M. MARCUS
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25 I:\w\Client Matters\DM\McCLANAHAN v. MANSDORF 1533-1\PLEADINGS\Dec D Marcus re Application for Order to Sell Residential Real Property (rev150d) 040412.wpd
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SUBSTITUTE SECURED PROPERTY TAX BILL

CRT: V@15
V@15
JULY 1, 2011 TO JUNE 30, 2012
LOS ANGELES COUNTY TAX COLLECTOR
225 North Hill Street, Los Angeles, CA 90012
FOR ASSISTANCE CALL 1(213) 974-2111 OR 1(888) 807-2111, ON THE WEB AT www.lacountypropertytax.com

4350 001 018
MANSDORF, HAROLD TR
MANSFORD FAMILY TRUST
PO BOX 5252
BEVERLY HILLS CA 90210

ELECTRONIC FUND TRANSFER NUMBER
ID#:19 4350 001 018 5 YR:11 SEQ:0007

SITUS ADDRESS:
811 N ALTA DR
BEVERLY HILLS CA 90210-2640

ASSESSORS ID. NO.					1ST INSTALLMENT	2ND INSTALLMENT	TOTAL TAX
Map Book	Page	Parcel	Year	Seq. No.	10% Penalty After	10% Penalty + \$10.00 Cost After	Payable After
					12 10 11	04 10 12	
					25245 31	25245 30	50490 61
					2524 53	00	2524 53
					27769 84	25245 30	53015 14
					00	00	00
					27769 84	25245 30	53015 14

ROLL YEAR	CURRENT ASSESSED VALUE	PRIOR ASSESSED VALUE	TAXABLE VALUE
LAND	3391429		3391429
IMPROVEMENTS	1130473		1130473
FIXTURES			
AUTH. NO.: 000153 LC	TOTAL		4521902
PRINT DATE: 03 27 12	LESS EXEMPTION		
	NET TAXABLE VALUE		4521902

ANY RETURNED PAYMENT MAY BE
SUBJECT TO A FEE UP TO \$50.00.

ANNUAL

MANSDORF, HAROLD TR
PO BOX 5252
BEVERLY HILLS CA 90210

000153 LC

PAY THIS
AMOUNT BY: 04 10 12

USE THESE NUMBERS ON ALL PAYMENTS AND CORRESPONDENCE						
ASSESSORS ID. NO.						Pay Key
Map Book	Page	Parcel	Year	Seq. No.		
						2
2ND INSTALLMENT						INDICATE AMOUNT PAID
25245 30						

07628

If not paid by
add penalty and cost 04 10 12

of
to 2nd installment 2534 53

MAKE PAYMENT PAYABLE TO:
Please write the ASSESSORS
ID. NO. on the lower left corner
of your payment.

for a total of: 27779 83

LOS ANGELES COUNTY TAX COLLECTOR
P.O. BOX 54018
LOS ANGELES, CA 90054-0018

CRT: V@15
V@15

12011000743500010180002524530000277798362820410

DETACH AND MAIL THIS STUB WITH 2ND INSTALLMENT PAYMENT

ANNUAL

MANSDORF, HAROLD TR
PO BOX 5252
BEVERLY HILLS CA 90210

000153 LC

PAY THIS
AMOUNT BY: 12 10 11

USE THESE NUMBERS ON ALL PAYMENTS AND CORRESPONDENCE						
ASSESSORS ID. NO.						Pay Key
Map Book	Page	Parcel	Year	Seq. No.		
						1
1ST INSTALLMENT						INDICATE AMOUNT PAID
27769 84						

67611

If not paid by
add penalty and cost

of
to 1st installment

MAKE PAYMENT PAYABLE TO:
Please write the ASSESSORS
ID. NO. on the lower left corner
of your payment.

for a total of:

LOS ANGELES COUNTY TAX COLLECTOR
P.O. BOX 54018
LOS ANGELES, CA 90054-0018

CRT: V@15
V@15

99611000743500010180002776984000277698461119999

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EXH-1

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The **Substitute Secured Property Tax Bill** is in lieu of the Annual and Supplemental Tax Bills issued by the **Treasurer and Tax Collector**. This **Substitute Secured Property Tax Bill** is provided upon request to be used as a payment instrument or as a record of payment activity as of the date the bill was printed for this particular property if the stub(s) indicates paid.

Annual Tax Bills are mailed on or about October 15 to the assessee of record or property owner as of January 1.

When a change in ownership or change of address occurs, property owners may not receive the annual bill. The address used for mailing annual bills comes directly from your Grant Deed. Section 2610.5 of the California State Revenue and Taxation Code states that non-receipt of a tax bill is not a basis for the cancellation of penalties as long as the tax bill was mailed to the address the Assessor places on the tax roll. A supplemental bill may be mailed anytime during the year; and as a result, may have various delinquency dates.

The **Substitute Secured Property Tax Bill** provides assessed value information which is the basis for the 1% tax levy. Totals due for voted indebtedness and direct assessments are not specified, but the total tax amount includes such charges.

Pay Online - To make online payments on our website at www.lacountypropertytax.com, select "Pay Online" under "Payment Options". There is no charge for electronic check payments. However, there are processing fees when paying by credit/debit card.

For your convenience, taxes due information is available 24-hours a day at 1(213) 974-2111, if outside of Los Angeles County, or 1(888) 807-2111, if in Los Angeles County. Anyone who is hearing impaired and has TDD equipment may contact us or leave a message at 1(213) 974-2196 or use California Relay Services 1(800) 735-2929. Our Fax number is 1(213) 620-7948. You may also contact us on the website at www.lacountypropertytax.com.

Para su comodidad tenemos a su disposición línea de 24 horas al día 1(213) 974-2111 fuera del condado del Los Angeles o y dentro del condado de Los Angeles 1(888) 807-2111. Para aquellos con problemas de auditivos el equipo Telecomunicaciones Para Las Personas Sordas está disponible hable o deje su mensaje al 1(213) 974-2196 o use el Servicio de Telecomunicaciones 1(800) 735-2929. Nuestro número de Fax es 1(213) 620-7948. Nuestra página web es www.lacountypropertytax.com.

ELECTRONIC CHECK PROCESSING - When you provide a check as payment, you authorize the County of Los Angeles to either use information from your check to make a one-time electronic fund transfer from your bank account or process the payment as a check transaction. If we use information from your check to make an electronic fund transfer, funds may be withdrawn from your bank account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution. However, the transaction will appear on your bank statement.

THE TAX COLLECTOR CANNOT CHANGE ANYTHING ON THIS BILL.

SEND THIS STUB WITH YOUR 2nd INSTALLMENT PAYMENT

SEND THIS STUB WITH YOUR 1st INSTALLMENT PAYMENT

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EXHIBIT 2

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
COURT SERVICES DIVISION
Real Estate Section
110 N. Grand Ave. Rm 525
Los Angeles, CA 90012

NOTICE TO CREDITOR OF LEVY ON DWELLING

David M. Marcus, Esq.
Marcus, Watanabe & Dave, LLP
1901 Avenue of the Stars, Suite 300
Los Angeles, CA 90067

Plaintiff: Janice M. Mcclanahan
Defendant: Harold Mansdorf, etc.
Case No.: BC363659 R

A levy on property that is a dwelling has been made in the above case. In accordance with CCP §704.750, the property will be released unless you do the following ***WITHIN TWENTY (20) DAYS*** from the date this notice was served:

1. Apply to the court for an Order for Sale of a Dwelling.
2. Afterwards, file a copy of the application for the Order for the Sale of a Dwelling in the Sheriff's office at the address above.

This notice was mailed:

LEROY D. BACA, SHERIFF

Date: **MAR 19 2012**
at Los Angeles, California 90012
Reference CCP §684.120

By

F. Espinal
Deputy

The following is provided for your assistance with the application:

1. See CCP §704.750 for the proper court to which you should apply for the order.
2. There is no official "form" to fill out for the application. It must be done as a petition to the court in legal form. See CCP §704.760 for application contents.
3. See CCP§704.770(b) for the proper method of service on the debtor and occupant(s).
4. If you are not an attorney and have further questions, please contact an attorney.

The following is provided for future use when preparing the Order for the Sale of Dwelling pursuant to CCP §§704.780 & 704.790:

A CERTIFIED COPY OF THE ORDER MUST BE FILED WITH THE SHERIFF'S OFFICE.

The following must be in every Order for the Sale of a Dwelling:

1. An order that the dwelling is to be sold.
2. Whether there is, or is not, a current homestead exemption granted.
3. Whether the debtor, debtor's spouse or debtor's attorney was at the hearing.

The following must also be in an Order for the Sale of a Dwelling if a homestead is granted:

1. The amount of the homestead exemption granted.
2. The fair market value of the dwelling.
3. Names and addresses of all persons having a lien or encumbrance to be satisfied by the sale proceeds with the amounts to be paid to each including the daily rate of interest commencing from a specific date to the date of sale.

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EXH-2

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EXHIBIT 3



OLD REPUBLIC
TITLE COMPANY

101 North Brand Blvd., 14th Floor
Glendale, CA 91203
(818) 247-2917

PRELIMINARY REPORT

Our Order Number 2607123824-10

Customer Reference T/F

LAW FIRM MARCUS WATANABE
1901 AVENUE OF THE STARS # 300
LOS ANGELES, CA 90067
Phone: (310) 284-2020
Fax: (310) 284-2025

Attention: DAVID MARCUS

Property Address:

811 North Alta Drive, Beverly Hills, CA

When Replying Please Contact:

Rudy Cortez
rcortez@ortc.com
Direct line: (818) 549-4343
Fax: (818) 979-0873

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of March 20, 2012, at 7:30 AM

OLD REPUBLIC TITLE COMPANY
For Exceptions Shown or Referred to, See Attached

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Page 1 of 7 Pages

EXT-3

The form of policy of title insurance contemplated by this report is:

CLTA Standard Coverage Policy - 1990. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

Harry Mansdorf, as trustee of The Mansdorf Family Trust

The land referred to in this Report is situated in the County of Los Angeles, City of Beverly Hills, State of California, and is described as follows:

Lot 2 of Tract No. 7954, in the City of Beverly Hills, County of Los Angeles, State of California, as per map recorded in Book 113 Pages 70 and 71 of Maps, in the office of the County Recorder of said County.

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments, general and special, for the fiscal year 2012 - 2013, a lien, but not yet due or payable.

Code No. : 0002410
Assessor's Parcel No : 4350-001-018

2. Taxes and assessments, general and special, for the fiscal year 2011 - 2012, as follows:

Assessor's Parcel No	: 4350-001-018	
Code No.	: 0002410	
1st Installment	: \$25,245.31	Delinquent
Penalty	: \$2,524.53	
2nd Installment	: \$25,245.30	NOT Marked Paid
Land Value	: \$3,391,429.00	
Imp. Value	: \$1,130,473.00	

3. Covenants, Conditions and Restrictions, but omitting any covenants or restrictions if any, based upon race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Title 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, as provided in an instrument.

Recorded : in Book 7067 of Official Records, Page 191

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Said Covenants, Conditions and Restrictions provide that a violation thereof shall not defeat or render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value.

NOTE: "If this document contains any restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income as defined in subdivision (p) of section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

4. Covenants, Conditions and Restrictions, but omitting any covenants or restrictions if any, based upon race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Title 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, as provided in an instrument.

Recorded : January 20, 1954 in Book 43629 of Official Records, Page 301

Said Covenants, Conditions and Restrictions provide that a violation thereof shall not defeat or render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value.

NOTE: "If this document contains any restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income as defined in subdivision (p) of section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

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5. Action as follows:

Plaintiff : John C. Torjesen
Defendant : Harry Mansdorf, individually and as Trustee of the Mansdord Family Trust
Court : Superior Court of the State of California for the County of Los Angeles
Case No. : BC425880
Commenced : November 13, 2009
Purpose : (As described therein)

As Disclosed by or Notice of Which is

Dated : November 16, 2009
Recorded : November 17, 2009 in Official Records As Instrument No. 20091734388

6. Judgment and/or Order, as follows:

In Favor of : Chevy Chase Bank
Against : Mansdorf as Trustee of the Trust
Court : Superior Court of the State of California County of Los Angeles - Central District
Case No : BC385946
Dated : August 17, 2010
Recorded : January 31, 2012 in Official Records As Instrument No. 20120171360

7. Terms and conditions contained in the Mansdorf Family Trust as disclosed by Judgment After Trial by the Court

Recorded : January 11, 2010 in Official Records As Instrument No. 20100038073

NOTE: The requirement that:

A Certification of Trust be furnished in accordance with Probate Code Section 18100.5
The Company reserves the right to make additional exceptions and/or requirements.

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8. Certificate of Lien by the Los Angeles County Tax Collector as follows:

Against : Mansdorf, Harry Tr
Last Address : PO Box 5252, Beverly Hills, CA 90210
Year : 2004 - 2005
Account No. : 04/40157433
Amount : \$43,754.28
Recorded : August 15, 2005 in Official Records As Instrument No. 05-1953410

9. Certificate of Lien by the Los Angeles County Tax Collector as follows:

Against : Mansdorf, Harry Tr
Last Address : PO Box 5252, Beverly Hills, CA 90210
Year : 2004 - 2005
Account No. : 04/49956434
Amount : \$14,534.27
Recorded : August 15, 2005 in Official Records As Instrument No. 05-1953551

10. Abstract of Judgment for the amount herein stated and any other amounts due.

Creditor : Janice M. McClanahan
Debtor : Harold Mansdorf et al
Entered : January 23, 2008
Court : Superior Court of California, County of Los Angeles, Central
Case No. : BC363659
Amount : \$12,000,000.00
Dated : March 25, 2008
Recorded : April 18, 2008 in Official Records As Instrument No. 20080686346

And recorded August 28, 2009 in Official Records As Instrument No. 20091325735.

NOTE: A Notice of Levy under Writ of Execution (Money Judgment) issued out of said case was recorded as follows:

Levying Officer : Sheriff's Department
Levying Officer File : 3121203080489
No.
Recorded : March 16, 2012 in Official Records As Instrument No. 20120416535

0411-032

11. Certificate of Lien by the Los Angeles County Tax Collector as follows:

Against : Mansdorf, Harold Tr
Last Address : 500 W Temple St., #153, Los Angeles, CA 90012
Year : 2010 - 2011
Account No. : 10/49950457
Amount : \$29,199.36
Recorded : February 14, 2011 in Official Records As Instrument No.
20110237604

12. The effect of instruments, proceedings, liens, decrees or other matters which do not specifically describe said land but which, if any do exist, may affect the title or impose liens or encumbrances thereon. The name search necessary to ascertain the existence of such matters has not been completed and, in order to do so, we require a signed Statement of Identity from or on behalf of Harry Mansdorf.

----- Informational Notes -----

A. The applicable rate(s) for the policy(s) being offered by this report or commitment appears to be section(s) 1.1.

ACD/Plats enclosed.

If you anticipate having funds wired to Old Republic Title Company, our wiring information is as follows: Comerica Bank, 275 Battery Street, San Francisco, CA 94111 ABA # 121 137 522 credit to the account of: Old Republic Title Company Acct #1892673425.

When instructing the financial institution to wire funds, it is very important that you reference Old Republic Title's order number 2607123824.

Should you have any questions in this regard, please contact your title officer immediately.

04031412

Disclosure to Consumer of Available Discounts

Section 2355.3 in Title 10 of the California Code of Regulation necessitates that Old Republic Title Company provide a disclosure of each discount available under the rates that it, or its underwriter Old Republic National Title Insurance Company, have filed with the California Department of Insurance that are applicable to transactions involving property improved with a one to four family residential dwelling.

You may be entitled to a discount under Old Republic Title Company's escrow charges if you are an employee or retired employee of Old Republic Title Company including its subsidiary or affiliated companies or you are a member in the California Public Employees Retirement System "CalPERS" or the California State Teachers Retirement System "CalSTRS" and you are selling or purchasing your principal residence.

If you are an employee or retired employee of Old Republic National Title Insurance Company, or its subsidiary or affiliated companies, you may be entitled to a discounted title policy premium.

Please ask your escrow or title officer for the terms and conditions that apply to these discounts.

A complete copy of the Schedule of Escrow Fees and Service Fees for Old Republic Title Company and the Schedule of Fees and Charges for Old Republic National Title Insurance Company are available for your inspection at any Old Republic Title Company office.

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**CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.-
 (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments Which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims Which are not shown by the public records but which could be ascertained by an inspection of the land which may be asserted by persons in possession thereof,
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

OLD REPUBLIC TITLE COMPANY

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of OLD REPUBLIC TITLE COMPANY

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from [our affiliates or] others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

ORT 287-C 5/07/01

05/01/01

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Disclosure to Consumer of Available Discounts

Section 2355.3 in Title 10 of the California Code of Regulation necessitates that Old Republic Title Company provide a disclosure of each discount available under the rates that it, or its underwriter Old Republic National Title Insurance Company, have filed with the California Department of Insurance that are applicable to transactions involving property improved with a one to four family residential dwelling.

You may be entitled to a discount under Old Republic Title Company's escrow charges if you are an employee or retired employee of Old Republic Title Company including its subsidiary or affiliated companies or you are a member in the California Public Employees Retirement System "CalPERS" or the California State Teachers Retirement System "CalSTRS" and you are selling or purchasing your principal residence.

If you are an employee or retired employee of Old Republic National Title Insurance Company, or its subsidiary or affiliated companies, you may be entitled to a discounted title policy premium.

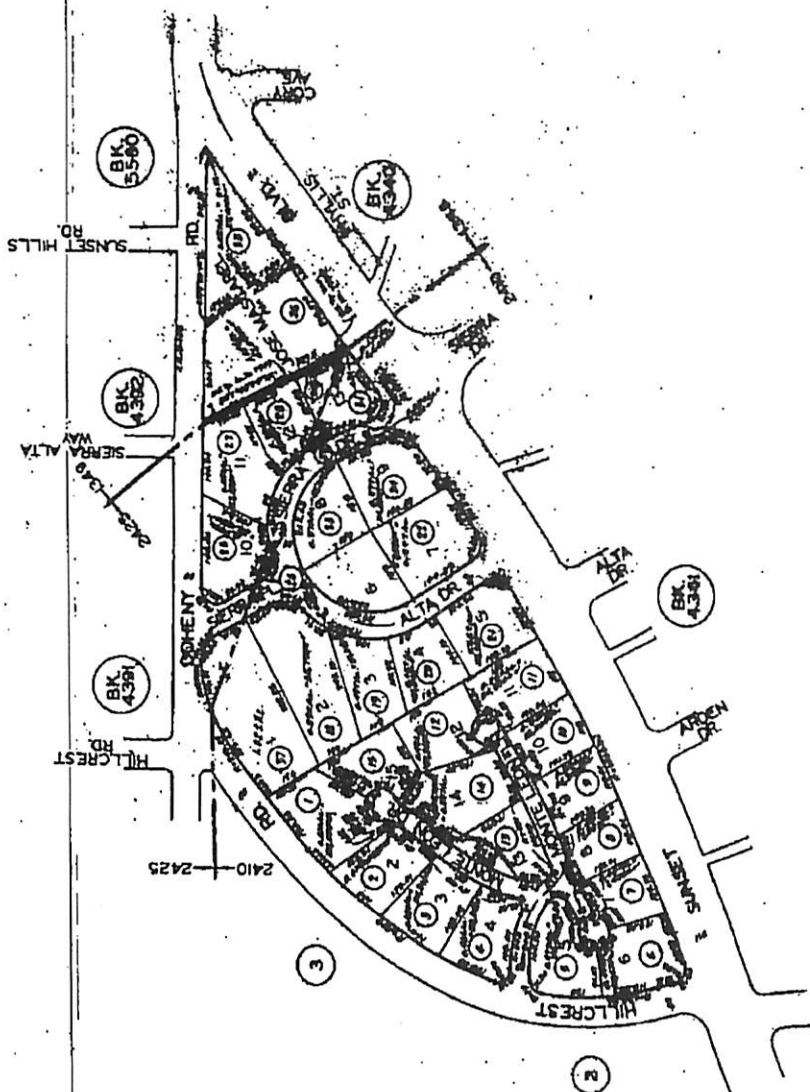
Please ask your escrow or title officer for the terms and conditions that apply to these discounts.

A complete copy of the Schedule of Escrow Fees and Service Fees for Old Republic Title Company and the Schedule of Fees and Charges for Old Republic National Title Insurance Company are available for your inspection at any Old Republic Title Company office.

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Tract
 4350-1
 2010



ROCHA TRACT PART OF N.W.1/4, SEC. 16
 J.1 S.1 R.14.W. - M.R. 30-31
 TRACT NO. 7954 M.B. 113-70-71
 TRACT NO. 16559 M.B. 400-44-46

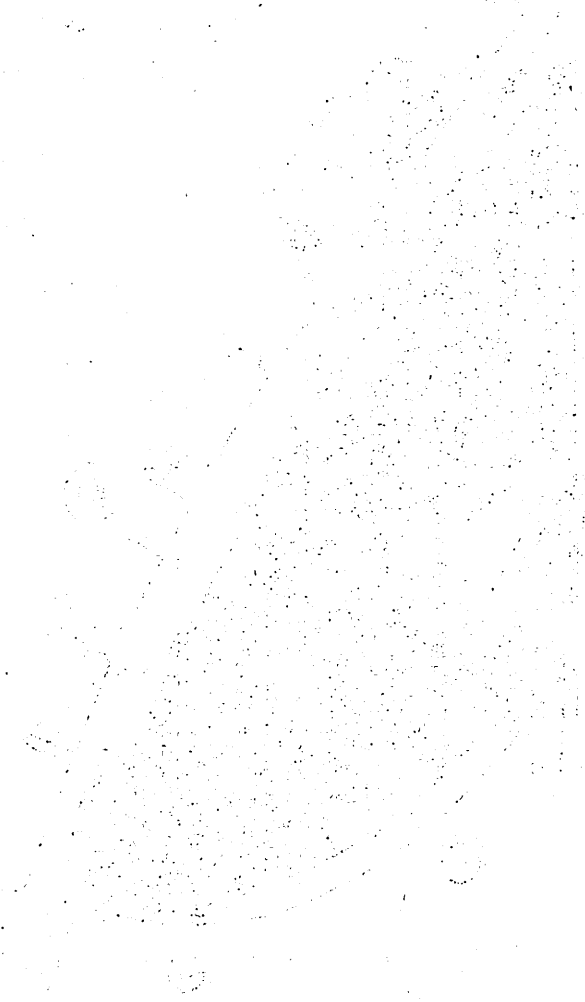
C.T.
 2416
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FOR PREP. ADJUST SEE
 4350-1 28 TO 31

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES 2312

4350-1
 2010

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APPROVED

FOR THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REALTORS

EXHIBIT A

The land referred to is situated in the County of Los Angeles, City of Beverly Hills, State of California, and is described as follows:

Lot 2 of Tract No. 7954, in the City of Beverly Hills, County of Los Angeles, State of California, as per map recorded in Book 113 Pages 70 and 71 of Maps, in the office of the County Recorder of said County.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
COURT SERVICES DIVISION

Real Estate Section
110 N. Grand Ave. Rm 525
Los Angeles, CA 90012

NOTICE TO CREDITOR OF LEVY ON DWELLING

David M. Marcus, Esq.
Marcus, Watanabe & Dave, LLP
1901 Avenue of the Stars, Suite 300
Los Angeles, CA 90067

Plaintiff: Janice M. Mcclanahan
Defendant: Harold Mansdorf, etc.
Case No.: BC363659 R

A levy on property that is a dwelling has been made in the above case. In accordance with CCP §704.750, the property will be released unless you do the following ***WITHIN TWENTY (20) DAYS*** from the date this notice was served:

1. Apply to the court for an Order for Sale of a Dwelling.
2. Afterwards, file a copy of the application for the Order for the Sale of a Dwelling in the Sheriff's office at the address above.

This notice was mailed:

Date: **MAR 19 2012**
at Los Angeles, California 90012
Reference CCP §684.120

LEROY D. BACA, SHERIFF

By

F. Espinal
Deputy

The following is provided for your assistance with the application:

1. See CCP §704.750 for the proper court to which you should apply for the order.
2. There is no official "form" to fill out for the application. It must be done as a petition to the court in legal form. See CCP §704.760 for application contents.
3. See CCP §704.770(b) for the proper method of service on the debtor and occupant(s).
4. If you are not an attorney and have further questions, please contact an attorney.

The following is provided for future use when preparing the Order for the Sale of Dwelling pursuant to CCP §§704.780 & 704.790:

A CERTIFIED COPY OF THE ORDER MUST BE FILED WITH THE SHERIFF'S OFFICE.

The following must be in every Order for the Sale of a Dwelling:

1. An order that the dwelling is to be sold.
2. Whether there is, or is not, a current homestead exemption granted.
3. Whether the debtor, debtor's spouse or debtor's attorney was at the hearing.

The following must also be in an Order for the Sale of a Dwelling if a homestead is granted:

1. The amount of the homestead exemption granted.
2. The fair market value of the dwelling.
3. Names and addresses of all persons having a lien or encumbrance to be satisfied by the sale proceeds with the amounts to be paid to each including the daily rate of interest commencing from a specific date to the date of sale.

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04/11/12

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FILED
LOS ANGELES SUPERIOR COURT

JAN 31 2012

JOHN A. CLARKE, CLERK
A. Barton
BY A. BARTON, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JOHN C. TORJESEN, an individual,

Plaintiff,

vs.

HARRY MANSDORF, individually and as
Trustee of the Mansdorf Family, JAMIE
GONZALES, an individual, ROBERT
MULLEN, an individual, PAUL ORLOFF, an
individual, and DOES 1 through 100, inclusive,

Defendants

Case No. BC425880

Los Angeles County Barr Assn. Case No.
M-266-10-HM

[Assigned for all purposes to the
Hon. Elizabeth Allen White, Dept. 48]

**[PROPOSED] JUDGMENT FOR
PLAINTIFF/RESPONDENT JOHN C.
TORJESEN, ESQ. AND TORJESEN &
ASSOCIATES PC**

This action came on for arbitration on July 1, 2011, before hearing arbitrators Jack Fine, Esq., Dr. Martin Martov, and Lee Dicker, Esq.. Plaintiff and Respondent JOHN C. TORJESEN, ESQ. was represented by MARCUS A. MANCINI, ESQ., and CHRISTOPHER BARNES, ESQ., and Defendants and Petitioner, HARRY MANSDORF, and the MANSDORF FAMILY TRUST were represented by ROBERT MULLEN, ESQ.

Witnesses were sworn and testified, and having duly heard the proofs and allegations of the parties, and considered all the briefs and papers filed on the matter(s), the ARBITRATORS issued an award in favor of Plaintiff and Respondent JOHN C. TORJESEN AND ASSOCIATES PC.

The Court hereby confirms the arbitration award, and default having been entered on all

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**[PROPOSED] JUDGMENT FOR PLAINTIFF/RESPONDENT
JOHN C. TORJESEN, ESQ. AND TORJESEN & ASSOCIATES PC**

EXH-4

1 remaining matters, enters judgment as follows:

2 1. John C. Torjesen & Associates PC is awarded a \$2,000,000 bonus for services
3 rendered in Mansdorf v. Giancomazza, Los Angeles Superior Court Case Number BC285946 in
4 that it obtained the Malibu property, eliminated \$115,600,000 in mechanic's liens thereon, and
5 obtained the 811 North Alta Drive property in Beverly Hills for the Trust.

6 2. John C. Torjesen & Associates, PC is awarded \$2,000,000 upon the earliest of:

7 a. Development of the Malibu property and obtaining a take-out loan;

8 b. Sale of the Trust's interest in the Malibu property; or

9 c. Sale of some or all of the Malibu property.

10 3. John C. Torjesen & Associates, PC is not awarded any interest on the \$2,000,000
11 awarded through the date of the earliest of the items set forth in number 2 above.

12 4. John C. Torjesen & Associates is awarded interest on the \$2,000,000 from the date
13 any of the items in section 2 are satisfied to the date the judgment is satisfied.

14 5. John C. Torjesen, Esq., & John C. Torjesen & Associates is awarded attorneys fees
15 and costs incurred in Mansdorf v. Giancomazza, Los Angeles Superior Court Case Number
16 BC285946, in the amount of _____, to be proven by motion, by
17 declaration, or live testimony in any subsequent default prove-up hearing.

18 6. John C. Torjesen & Associates is awarded attorneys fees and costs incurred in
19 Torjesen v. Mansdorf, Case No. BC425880, in the amount of _____
20 to be proven by motion, by declaration, or live testimony in any subsequent default prove-up
21 hearing.

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1 7. John C. Torjesen & Associates is awarded all attorneys fees and costs incurred in
2 the arbitration of Mansdorf, Petitioner, Torjesen, Respondent, Torjesen v. Mansdorf, Los Angeles
3 County Barr. Assn. Case No. M-266-10-HM, in the amount of _____
4 to be proven by motion, by declaration, or live testimony in any subsequent default prove-up
5 hearing.

6
7 DATED: 1/31, 2012

Elizabeth Allen White

HONORABLE ELIZABETH ALLEN WHITE

Superior Court Judge

000410

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

} ss.

4
5 I am employed in the County of Los Angeles, State of California. I am over the
6 age of 18 and not a party to the within action. My business address is 15303 Ventura Boulevard,
7 Suite 600, Sherman Oaks, California 91403.

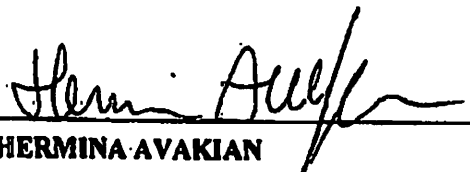
8
9 On January 11, 2012, I served the foregoing document described as
10 [PROPOSED] JUDGMENT FOR PLAINTIFF/RESPONDENT JOHN C. TORJESEN,
11 ESQ. AND TORJESEN & ASSOCIATES PC on the interested party or parties in this action
12 by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

13
14 Harry Mansdorf
15 811 N. Alta Drive
16 Beverly Hills, CA 90210

17 I caused such envelope with postage thereon fully prepaid to be placed in the
18 United States mail at Sherman Oaks, California.

19
20 Executed on January 11, 2012, at Sherman Oaks, California.

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

23
24
25 
26 HERMINA AVAKIAN
27
28

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