

1 Ronald Richards (CA Bar No. 176246)
ron@ronaldrichards.com
2 Morani Stelmach (CA Bar No. 296670)
morani@ronadlrchards.com
3 Law Offices of Ronald Richards & Associates, APC
P.O. Box 11480
4 Beverly Hills, California 90213
Telephone: 310.556.1001
5 Facsimile: 310.277.3325

6 Special Litigation Counsel for Elissa D. Miller, Chapter 7 Trustee

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UNITED STATES BANKRUPTCY COURT

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CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION

10

In re

Case No. 2:20-bk-21022-BR

11

GIRARDI KEESE

Chapter 7

12

13

Debtor.

**NOTICE OF MOTION AND MOTION FOR
ORDER REQUIRING EXAMINATION
AND PRODUCTION OF DOCUMENTS
BY HARRIS GINSBURG LLP AND
LARRY A. GINSBURG PURSUANT TO
RULE 2004 OF THE FEDERAL RULES
OF BANKRUPTCY PROCEDURE;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
RONALD RICHARDS IN SUPPORT
THEREOF**

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DATE:
TIME: [No Hearing Required]
PLACE:

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2 **TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY JUDGE,**
3 **THE DEBTOR, HARRIS GINSBURG LLP AND LARRY A. GINSBURG, AND OTHER**
4 **INTERESTED PARTIES:**

5 **PLEASE TAKE NOTICE** that, pursuant to this “Notice of Motion and Motion
6 for Order Requiring Production of Documents Pursuant to Rule 2004 of the Federal Rules
7 of Bankruptcy Procedure; Memorandum of Points and Authorities; Declaration of Ronald
8 Richards in Support Thereof” (the “Motion”), Elissa D. Miller (the “Trustee”), the duly
9 appointed, qualified, and acting chapter 7 trustee for the estate of the debtor Girardi
10 Keese (the “Debtor”), respectfully requests, pursuant to Rule 2004 of the Federal Rules
11 of Bankruptcy Procedure and Local Bankruptcy Rule 2004-1, an order directing HARRIS
12 GINSBURG LLP AND LARRY A. GINSBURG collectively (“Ginsburg”) to produce the
13 documents identified in Exhibit “A” attached hereto (the “Requested Documents”) by no
14 later than July 20, 2021, and that Ginsburg appear for examination, under oath, and that
15 such examination take place on July 23, 2021, at 10:00 a.m., Pacific Time.

16 **PLEASE TAKE FURTHER NOTICE** that, in light of anticipated continuation
17 of office closures related to the COVID-19 pandemic, the Trustee requests that the
18 documents be produced electronically by email to ron@ronaldrichards.com and
19 morani@ronaldrichards.com.

20 **PLEASE TAKE FURTHER NOTICE** that, in light of anticipated continuation
21 of office closures related to the COVID-19 pandemic, the examination shall take place via
22 “zoom.com” and the instructions for the zoom meeting shall be provided to Ginsburg no
23 later than July 21, 2021.

24 **PLEASE TAKE FURTHER NOTICE** that this Motion is brought in
25 accordance with Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local
26 Bankruptcy Rule 2004-1, in light of the fact that no adversary proceeding is pending in
27 which Ginsburg is a party, and is made on the grounds that the examination is necessary
28 for the Trustee to ascertain and discover assets of the estate including, without limitation,

1 possible avoidance power claims against, among others, Erika Girardi aka Erika Jayne
2 aka Erika Chahoy and her affiliated entities. Due to the limited scope of this Motion, the
3 Trustee anticipates that further document production(s) and examination(s) may be
4 necessary.

5 **PLEASE TAKE FURTHER NOTICE** that this Motion is based on the
6 attached memorandum of points and authorities, the attached exhibits, and the file in this
7 case, of which the Court is requested to take judicial notice.

8 **PLEASE TAKE FURTHER NOTICE** that, unless otherwise ordered by the
9 Court, this Motion will be ruled on without a hearing pursuant to Local Bankruptcy Rule
10 9013-1(p).

11 **PLEASE TAKE FURTHER NOTICE** that, since Ginsburg is not the debtor,
12 the Trustee also will be issuing a subpoena pursuant to Rule 9016 of the Federal Rules
13 of Bankruptcy Procedure and Rule 45 of the Federal Rules of Civil Procedure, which will
14 be served after the order granting the Motion is entered.

15 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy
16 Rule 2004-1(f), the party whose examination is requested may file a motion for protective
17 order if grounds exist under Rule 7026 of the Federal Rules of Bankruptcy Procedure and
18 Rule 26(c) of the Federal Rules of Civil Procedure. A motion for protective order must be
19 filed and served not less than fourteen (14) days before the date of the examination, and
20 set for hearing not less than two (2) days before the scheduled examination, unless an
21 order setting hearing on shortened notice is granted by the court pursuant to Local
22 Bankruptcy Rule 9075-1. The parties may stipulate, or the court may order, that the
23 examination be postponed so that the motion for protective order can be heard on regular
24 notice under Local Bankruptcy Rule 9013-1.

25 **WHEREFORE**, the Trustee respectfully requests that the Court enter an
26 order:

27 1. granting the Motion;

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- 1 2. directing Harris Ginsburg LLP and Larry A. Ginsburg to produce the
2 documents identified in Exhibit “A” by no later than 5:00 p.m. on July 20, 2021, and that
3 such documents be produced electronically by email to ron@ronaldrichards.com and
4 morani@ronaldrichards.com;
- 5 3. directing Harris Ginsburg LLP and Larry A. Ginsburg to appear for
6 examination, under oath, on July 22, 2021, at 10:00 a.m., Pacific Time, with the
7 examination to take place via “zoom.com”;
- 8 4. retaining jurisdiction to consider any additional request for
9 information and documents on appropriate notice; and
- 10 5. granting such other and further relief as this Court deems just and
11 proper under the circumstances.

12 DATED: June 22, 2021

Law Offices of Ronald Richards & Associates, APC

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By: /s/ Ronald Richards
Ronald Richards
Special Litigation Counsel for Elissa D. Miller,
Chapter 7 Trustee

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

PREFATORY STATEMENT

In order to uncover the whereabouts of potential assets of the estate, including the location of millions of dollars of litigation settlement proceeds or other firm assets which may have been fraudulently transferred to Erika Girardi aka Erika Jayne aka Erika Chahoy and her affiliated entities (collectively, “Erika”), the Trustee must examine witnesses who may have first-hand knowledge of this widespread fraud. Harris Ginsburg LLP and Larry A. Ginsburg, who are Erika’s family law attorneys, are one such witnesses. Because the Motion’s aim is to uncover potential recipients of fraudulently transferred monies, and will aid the Trustee in fulfilling her fiduciary duties to creditors by enabling her to access key financial information relative to the Debtor’s business operations and potential avoidance actions, the Motion must be granted.

II.

RELEVANT BACKGROUND

Girardi Keese (the “Debtor”) was, before its downfall, a highly regarded plaintiff’s law firm based in Los Angeles, California. As the layers of the onion began to be peeled back, it was discovered that a wide-spread fraud had been perpetrated, to the detriment of scores of litigants who placed their trust in the Debtor and its widely-known founder, Thomas Girardi (“Girardi”). As a result of the unearthed information, on December 18, 2020, petitioning creditors Jill O’Callahan, as successor in interest to James O’Callahan, Robert M. Keese, John Abassian, Erika Saldana, Virginia Antonio, and Kimberly Archie (collectively, the “Petitioning Creditors”) filed an involuntary chapter 7 bankruptcy petition against the Debtor.¹

¹ The Petitioning Creditors also filed an involuntary chapter 7 bankruptcy petition against Thomas V. Girardi, which is currently pending as Case No. 2:20-bk-21020-BR.

1 On December 24, 2020, the Petitioning Creditors filed a “Motion for
2 Appointment of Interim Trustee Pursuant to 11 U.S.C. § 303(g)” (the “Interim Trustee
3 Motion”) [Docket No. 12]. The Court entered an order granting the Interim Trustee
4 Motion on January 5, 2021 [Docket No. 45] and, on January 6, 2021, the Trustee was
5 appointed as the interim trustee. On January 13, 2021, the Court entered its “Order
6 Directing: (1) The Clerk of Court to Immediately Enter an Order for Relief Under Chapter
7 7; (2) the United States Trustee to Immediately Appoint a Chapter 7 Trustee; (3) the
8 Debtor to File All Schedules and Related Documentation for Chapter 7 Case Within
9 Fourteen Days of the Entry of This Order; and (4) Vacating February 16, 2021 Status
10 Conference” [Docket No. 68]. The same day, the Clerk of Court entered an order for
11 relief against the Debtor, and the Trustee was subsequently appointed and accepted her
12 appointment in the Debtor’s case.

13 The Trustee is six months into her administration of the estate, and is
14 beginning to unravel the numerous transactions which may be avoidable and recoverable
15 for the benefit of creditors. Among the possible assets to be recovered are the millions of
16 dollars of settlement proceeds which the Debtor may have transferred to Erika. The
17 Trustee’s Special Litigation Counsel (“SLC”) has already corroborated that settlement
18 funds were diverted to Erika. The SLC for the Trustee has already confirmed that the
19 Debtor has admitted in numerous filed tax documents that Erika’s related companies
20 have received over \$20,000,000 according to the tax documents spanning multiple years.
21 Erika has created a new company AFTER the news broke of this scandal which appears
22 to simply be a successor company. Erika has multiple financial accounts and the
23 Debtor’s books show Erika owes large receivables to the Debtor. Erika has refused to
24 provide access to her management company, her CPA which also houses her
25 management company, any books and records of EJ Global or any of her affiliated
26 companies. As each day goes by, Erika has been publicly dissipating community assets
27 by selling her clothes on public websites, flaunting large jewels on social media and on
28 television, and has done nothing to assist in return structured firm payments being made

1 to her instead of the firm by the California lottery, notwithstanding she was contacted
2 through counsel over twelve days ago.

3 Moreover, to further hide assets, she has created a successor company
4 using the same CPA and management company. They will be the next targets of the
5 2004 motion shortly.

6 At every turn, Erika has used the glam to continue to aid and abet this sham
7 transactions that have been occurring with respect to large transfers of assets from the
8 Debtor to Erika. Moreover, the Trustee has received zero cooperation from Erika which
9 is constant with someone hiding assets.

10 To the extent Erika has spent the \$20,000,000 plus that is showed owed to
11 the Debtor, the SLC will bring an action for a money judgment for any Debtor funds
12 received then spent.

13 On November 3, 2021, Erika filed for divorce in the Los Angeles Superior
14 Court, Case Number: 20STFL11050, entitled GIRARDI, ERIKA VS GIRARDI, THOMAS
15 VINCENT. The case is stayed pending the personal bankruptcy of Thomas Girardi and
16 his conservatorship. Thomas Girardi's attorney is Michael Abrams.

17 This filing was done before the involuntary bankruptcy. There are
18 communications with counsel for Thomas Girardi, financial statements, discloses, and
19 non-privileged documents that are provided to divorce counsel.

20 Furthermore, Larry A. Ginsburg was paid for his services. The incoming
21 wire or check payments will provide accounts. How those accounts were capitalized and
22 who paid her legal fees will provide valuable information to recover assets. It will also
23 potentially identify any aiders and abettors assisting Erika in hiding the Debtor's assets.
24 Payments to an attorney are not privileged nor are Harris Ginsburg's financial records.

25 In order to assist her in the performance of her statutory duties, on April 26,
26 2021, the Trustee filed an application seeking to employ the Law Offices of Ronald
27 Richards & Associates, APC ("Richards APC") as her special litigation counsel to
28 investigate and, if warranted, sue Erika. The Court overruled Erika's objection to the

1 Trustee's application, and an order authorizing the employment of Richards APC was
2 entered on June 10, 2021. Not surprisingly, it was only Erika, a non-creditor who
3 objected to the appointment.

4 On June 10, 2021, the SLC sent a demand to Erika's attorney demanding
5 repayment of a Girardi Keese fee that was improperly assigned to Erika. Erika has
6 received for years this improper assignment of the Debtor's attorney fee portion arising
7 from a client settlement instead of the money going to the firm. The irrefutable evidence
8 was provided to Erika's counsel which included a notarized form signed by Erika and
9 other irrefutable evidence including a court order. Despite numerous communications
10 asking Erika's counsel to confirm receipt of the demand, no response or acknowledgment
11 was provided. Twelve days have passed, and this detailed letter remained unanswered.

12 On June 15, 2021, Erika's attorneys filed a motion to withdraw alleging a
13 breakdown in the relationship which suggests of a loss of client control.

14 On June 15, 2021, Thomas Girardi's trustee filed a motion seeking relief
15 from stay to pursue a third party state debtor's exam against Erika.

16 On June 17, 2021, Erika's attorneys withdrew their motion to withdraw as
17 counsel.

18 Due to the mounting legal matters, the SLC is concerned that absent the
19 investigation occurring rapidly, Erika may further dissipate the Debtor's assets. The
20 necessity to trace her money and investigate the receipt of funds, her purchases
21 including the bling and the glam, (diamonds and high expenditures of beauty
22 maintenance, etc.) has become more heightened by these recent events.

23 To determine if funds Erika used to pay Harris Ginsburg, LLP and Larry A.
24 Ginsburg ("Ginsburg"), her family law counsel, were fraudulently procured from the
25 Debtor, it is necessary for Ginsburg to produce key financial documents and be subject to
26 testimony under oath. Specifically, the Trustee's investigation already has uncovered
27 transfers of assets to Erika that purportedly belong to the Debtor. This Rule 2004
28 examination seeks financial records from a third party who receives monthly lease

1 payments from Erika and has received relevant financial information, including emails to
2 Michael Abrams and ancillary documents. There will be communications between Erika's
3 CPA and Ginsburg, and financial records provided to Ginsburg. Once a privilege log is
4 made, counsel will be able to determine of items other than exclusive attorney client
5 communications or Ginsburg work product is being withheld. Any email between
6 Ginsburg, Erika, and a non-attorney shall be pursued as no privilege shall attach to those
7 emails. There is no privilege associated with the requested documents as they are
8 financial records Ginsburg received from Erika, one of the targets of the Trustee's
9 ongoing investigation, checks or wires, and non-privileged communications or Erika's
10 financial records.

11 As noted, since there is no pending adversary proceeding between the
12 Trustee and Ginsburg, Rule 2004 is the proper vehicle for the Trustee to obtain the
13 necessary financial records.

14 III.

15 **THE COURT SHOULD ORDER GINSBURG TO PRODUCE THE REQUESTED**
16 **DOCUMENTS AND ATTEND AN ORAL EXAMINATION**
17 **PURSUANT TO RULE 2004 OF THE FEDERAL RULES**
18 **OF BANKRUPTCY PROCEDURE**

19 Rule 2004 provides that “[o]n motion of any party in interest, the court may
20 order the examination of any entity.” Fed. R. Bank. P. 2004(a). The scope of the
21 examination may relate to “the acts, conduct, or property or to the liabilities and financial
22 condition of the debtor, or to any matter which may affect the administration of the
23 debtor’s estate, or to the debtor’s right to a discharge,” as well as matters regarding “the
24 operation of the Debtor’s business, the source of any money acquired or to be acquired
25 by the Debtor for purposes of consummating a plan and the consideration give or offered
26 therefor, and other matters relevant to the case and the formulation of a plan.” Fed. R.
27 Bank. P. 2004(b). Thus, the purpose of the examination is to “view the condition and
28 whereabouts of the bankrupt’s estate.” Keene Corp. v. Johns-Manville Corp. (In re

1 Johns-Manville), 42 B.R. 362, 364 (Bankr. S.D.N.Y. 1984). Furthermore, Rule 2004 also
2 provides for an order requiring the production of documents in connection with the Rule
3 2004 examination. Fed. R. Bank. P. 2004(c).

4 Courts routinely permit a wide range of inquiry pursuant to Rule 2004. See
5 In re Drexel Burnham Lambert Group, Inc., 123 B.R. 702, 711 (Bankr. S.D.N.Y. 1991)
6 (scope of a Rule 2004 examination is very broad, broader even than discovery under the
7 Federal Rules of Civil Procedure); In re Table Talk, Inc., 51 B.R. 143, 145 (Bankr. D.
8 Mass. 1985) (courts uniformly recognize that the scope of a Rule 2004 examination is
9 “unfettered and broad”); In re Mittco, Inc., 44 B.R. 35, 36 (Bankr. E.D. Wis. 1984) (“The
10 scope of inquiry under Bankruptcy Rule 2004 is very broad. Great latitude of inquiry is
11 ordinarily permitted.”). As the bankruptcy court explained in In re Mantolesky, 14 B.R.
12 973 (Bankr. D. Mass. 1981):

13 Rule 205 [now Rule 2004] provides all interested parties a
14 mechanism for the investigation and reconstruction of the
15 debtor’s affairs. That mechanism may cut a broad swath
16 through the debtor’s affairs, those associated with him, and
17 those who might have had business dealings with him.
18 Further, those persons who might have been closely
19 connected with the debtor in his business arrangements, or
20 who even participated in them, will most likely be exposed to
21 the most extensive inquiry.

22 Id., at 976.

23 In short, under the broad scope of Rule 2004(b), an examination of the
24 debtor, or third parties with relevant information regarding assets of the estate, is
25 inquisitorial in nature, and consequently the field of inquiry is wide. Within the limitations
26 prescribed, any question is permissible which seeks to ascertain facts concerning the
27 debtor’s conduct, property, and financial affairs. An examination pursuant to Rule 2004

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1 may therefore “cut a broad swath through the debtor’s affairs.” Johns-Manville, 42 B.R.
2 at 364.

3 Relative to this case, the Trustee seeks documents from Ginsburg
4 regarding the source of funds used to pay the attorney fee and retainer payments for
5 Erika’s counsel, as well as other financial documents which may be relevant to the
6 Trustee’s investigation. The Trustee seeks to discover the identity of the sources of
7 payments made to Ginsburg to determine, among other things, whether the funds can be
8 traced to the Debtor, or were funds fraudulently procured from the Debtor. Emails and
9 other communications to opposing counsel and others, are important for the SLC’s
10 investigation.

11 Since the requested document production cannot proceed under Rules
12 7034 or 9014 of the Federal Rules of Bankruptcy Procedure - since no adversary
13 proceeding or contested matter has been commenced with respect to the specific issues
14 and transactions Creditors wish to investigate through these requests - the requested
15 document production and examination is appropriate under Rule 2004.

16 **IV.**

17 **PLACE OF RESIDENCE AND/OR EMPLOYMENT OF EXAMINEE**

18 The Trustee is informed that the principal business address of Ginsburg is
19 (This information is being provided pursuant to Local Bankruptcy Rule 2004-1).

20 **V.**

21 **MEET AND CONFER**

22 In accordance with Local Bankruptcy Rule 2004-1(a), prior to filing the
23 Motion, the Trustee, through Richards APC, conferred with Ginsburg on June 14, 2021,
24 regarding the nature and scope of the requested document production and examination.
25 At that time, Ginsburg agreed to follow any order of this Court including the production of
26 documents and attend an examination, but required the Trustee go through the formal
27 process and required an order of this Court. See declaration of Ronald Richards, affixed
28 hereto.

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VI.

LOCATION OF EXAMINATION

Rule 2004(c) provides that “[t]he attendance of an entity for examination and for the production of documents, whether the examination is to be conducted within or without the district in which the case is pending, may be compelled as provided in Rule 9016 for the attendance of a witness at a hearing or trial.” Rule 9016 of the Federal Rules of Bankruptcy Procedure states that Rule 45 of the Federal Rules of Civil Procedure applies in bankruptcy cases. Rule 45(c)(2) provides that a subpoenaed party may be required to attend at any place within 100 miles from the place where that person resides, is employed, or transacts business in person. Here, the Trustee proposes to conduct the examination of Ginsburg via “zoom.com” such that there will no inconvenience to Ginsburg. The examination will be recorded by audio, audiovisual, and/or stenographic means. If the examination is not completed on the date set forth herein, it will continue from business day to business day, Sundays and holidays excepted, until completed unless otherwise agreed by the parties.

VII.

CONCLUSION

The requested production of documents and oral examination are central to the Trustee’s independent investigation into the Debtor’s assets and liabilities which will assist the Trustee in her administration of the estate. Accordingly, the Trustee requests that the Court order Ginsburg to produce documents responsive to the requests in Exhibit “A” on or before July 21, 2022. In light of anticipated continuation of office closures related to the COVID-19 pandemic, the Trustee requests that the documents be produced electronically by email to ron@ronaldrichards.com and morani@ronaldrichards.com. Due to the limited scope of the Motion, the Trustee anticipates that further document production(s) could be necessary and the Trustee, therefore, reserve the right to serve additional document requests.

1 In addition, the Trustee requests that the Court order Larry A. Ginsburg and
2 the Custodian of Records for Harris Ginsburg LLP to appear for examination, under oath,
3 on July 22, 2021, at 10:00 a.m., Pacific Time. In light of anticipated continuation of office
4 closures related to the COVID-19 pandemic, the examination shall take place via
5 “zoom.com” and the instructions for the zoom meeting shall be provided to Ginsburg no
6 later than July 21, 2021, unless the Trustee, in her sole discretion, designates another
7 means of electronic examination.

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12 DATED: June 22, 2021

Law Offices of Ronald Richards & Associates, APC

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By: /s/ Ronald Richards
Ronald Richards
Special Litigation Counsel for Elissa D. Miller,
Chapter 7 Trustee

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DECLARATION OF RONALD RICHARDS

I, Ronald Richards, declare:

1. I am an individual over the age of eighteen, a principal of Law Offices of Ronald Richards & Associates, APC, and am duly admitted to practice before this Court. I am one of the attorneys principally responsible for the representation of Elissa D. Miller (the "Trustee"), the duly appointed, qualified, and acting chapter 7 trustee for the estate of the debtor Girardi Keese (the "Debtor") in this case. I have personal knowledge of the facts set forth below, and if called as a witness, could and would competently testify thereto under oath.

2. I make this declaration in support of the "Notice of Motion and Motion for Order Requiring Production of Documents Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure; Memorandum of Points and Authorities; Declaration of Ronald Richards in Support Thereof" (the "Motion"), pursuant to which the Trustee requests, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2004-1, an order directing Harris Ginsburg LLP and Larry A. Ginsburg ("Ginsburg") to produce the documents identified in Exhibit "A" attached hereto (the "Requested Documents") by no later than July 21, 2021, and that Ginsburg appear for examination, under oath, and that such examination take place on July 23, 2021, at 10:00 a.m., Pacific Time.

[Remainder of page intentionally left blank]

1 3. In accordance with Local Bankruptcy Rule 2004-1(a), prior to filing
2 the Motion, I conferred with Ginsburg regarding the scope and nature of the proposed
3 Rule 2004 production of documents and examination. Specifically, on June 14, 2021, I
4 spoke with Ginsburg who wanted my office to go through a formal process to obtain this
5 Court's order but he did agree he would comply with any court order to produce the
6 requested documents and attend an examination, but only after the Trustee first obtained
7 an order of this Court.

8 I declare under penalty of perjury under the laws of the United States of
9 America that the foregoing is true and correct.

10 Executed this 22nd day of June, 2021.

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/s/ Ronald Richards
Ronald Richards

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EXHIBIT A
INSTRUCTIONS

1. You are instructed to produce the Requested Documents (as defined and described below) that are in your possession, custody or control, including, but not limited to, Requested Documents in the possession of your attorneys, accountants, bookkeepers, agents, and/or representatives. You are further instructed to produce the Requested Documents as they are kept in the usual course of business. In addition, Requested Documents are to be produced in their entirety; redacted Requested Documents will not constitute compliance with this request.

2. If you contend that the contents of a Requested Document are protected from disclosure because of privilege or the work-product doctrine, you must supply a description of that Requested Document by providing the following information:

- A. Each privilege or doctrine which you contend protects the contents of that Requested Document from disclosure;
- B. Each fact upon which you rely to support your claim of privilege;
- C. The type of Requested Document (e.g., letter, memorandum, telegram, facsimile transmission, e-mail, computer database, notes, memorandum of telephone conversation, etc.);
- D. The date of the Requested Document or if it bears no date, the date on which it was prepared;
- E. The name of each author of the Requested Document;
- F. The name of each person to whom the Requested Document was directed;
- G. The name of each person who received or reviewed the Requested Document or to whom the Requested Document or a copy of it was supplied;
- and
- H. The general subject matter of the Requested Document.

1 3. In the event that any Requested Document described below has
2 been destroyed, discarded, or otherwise disposed of (a "Disposal"), each such
3 Requested Document is to be identified as completely as possible, including, without
4 limitation, the following information:

5 A. The type of Requested Document (e.g., letter, memorandum,
6 telegram, facsimile transmission, e-mail, computer database, notes, memorandum of
7 telephone conversation, etc.);

8 B. The date of the Requested Document or, if it bears no date,
9 the date on which it was prepared;

10 C. The name of each author of the Requested Document;

11 D. The name of each person to whom the Requested Document
12 was directed;

13 E. The name of each person who received or reviewed the
14 Requested Document or to whom the Requested Document or a copy thereof was
15 supplied;

16 F. The general subject matter of the Requested Document;

17 G. The date of Disposal;

18 H. The manner of Disposal;

19 I. The reasons for the Disposal;

20 J. The name of the person who authorized the Disposal;

21 K. The name of the person who disposed of the Requested
22 Document;

23 L. The name of the custodian of the Requested Document at the
24 time of the Disposal.

25 4. These requests are not limited as to time period unless so stated.

26 **DEFINITIONS**

27 The following definitions apply herein:

28 A. The term "Case" shall mean that bankruptcy case styled In re Girardi

1 Keese, presently pending in the United States Bankruptcy Court, Central District of
2 California, Los Angeles Division, bearing Case No. 2:20-bk-21022-BR commenced on
3 December 18, 2020.

4 B. The term “Claim” shall have the meaning ascribed to it in 11 U.S.C. §
5 101(5).

6 C. The terms “Trustee” or “Miller” shall mean Elissa D. Miller, the duly
7 appointed, qualified, and acting chapter 7 trustee for the Debtor’s estate.

8 D. The term “Creditor” shall have the meaning ascribed to it in 11
9 U.S.C. § 101(10).

10 E The term “Communications” shall mean any transmission of
11 information from one person or entity to another by mail, facsimile, electronic mail, text
12 message, instant messaging, audio recordings, journals, diaries, logs, or calendars,
13 including (without limitation) any form of memorialization of personal meetings,
14 conferences, telephone conversations, radio, electronic mail, teleconference, etc.

15 F. The term “Debt” shall have the meaning ascribed to it in 11 U.S.C. §
16 101(12).

17 G. The term “Involuntary Petition” shall mean that certain involuntary
18 chapter 7 petition styled In re Girardi Keese, presently pending in the United States
19 Bankruptcy Court, Central District of California, Los Angeles Division, bearing Case No.
20 2:20-bk-21022-BR.

21 H. The term “Ginsburg” shall mean Harris Ginsburg LLP, Larry A.
22 Ginsburg and any of their respective employees, affiliates, representatives, agents,
23 attorneys, accountants, and all other persons acting or purporting to act on their behalf.

24 I. The term “Erika” shall mean Erika Jayne aka Erika Girardi aka Erika
25 Chahoy, and any of their respective employees, affiliates, representatives, agents,
26 attorneys, accountants, and all other persons acting or purporting to act on her behalf.

27 J. The term “Petition Date” shall mean December 18, 2020, the date
28 the Involuntary Petition was filed.

1 K. The terms “and” or “or” or “and/or” shall be construed either
2 disjunctively or conjunctively or both, as necessary, to bring within the scope of any
3 request for responses which might otherwise be construed to be outside the scope.

4 L. The term “Contact Information” shall mean information upon which a
5 person or entity may be reached via mail, telephone, facsimile, e-mail or in person or any
6 other medium that is reasonable, and shall include without limitation, present and last
7 known address(es), phone number(s), facsimile number(s), and e-mail address(es).

8 M. The terms “Document” or “Documents” shall mean and includes any
9 medium, including without limitation, writings, drawings, graphs, charts, photographs,
10 audio and video recordings, computerized records, such as e-mails, microfilm,
11 microfiche, data compilations, upon which intelligence or information can be recorded,
12 maintained or retrieved, including without limitation, the original or a copy thereof,
13 regardless of the origin and location, of any writing or recording of any type or
14 description, however produced or reproduced, which is in your or your representatives’
15 possession, custody or control, or to which you have or had access, or of which you have
16 knowledge or which you have a right or privilege to examine upon request or demand,
17 and includes any and all writings and recordings as the term is used in Rule 1001(1) of
18 the Federal Rules of Evidence and includes the original (or a copy if the original is not
19 available) and any nonidentical copies (whether different from the original because of
20 notes made on the copy or otherwise).

21 N. The terms “relate to”, “refer to”, “evidence”, “concern”, “pertain to”
22 and “pertaining to” shall mean mentioning, discussing, including, summarizing,
23 describing, reflecting, containing, referring to, relating to, depicting, connected with,
24 embodying, evidencing, constituting, concerning, reporting, purporting or involving an act,
25 occurrence, event, transaction, fact, thing, or course of dealing.

26 O. The term “you” or “your” shall mean Harris Ginsburg LLP, Larry A.
27 Ginsburg, both collectively, and Larry A. Ginsburg individually, and any of their respective
28 employees, affiliates, representatives, agents, attorneys, accountants, and all other

1 persons acting or purporting to act on their behalf. The term “Ginsburg” shall be used
2 interchangeably with the terms “you” or “your”.

3 P. The singular form of a word should be interpreted as plural and the
4 plural should be interpreted as singular to give the word or words the broadest possible
5 meaning.

6 Q. The masculine gender of any word shall be construed to include the
7 masculine, feminine, and neuter gender.

8 **REQUESTED DOCUMENTS**

9 1. All communications between you and Erika where a non-attorney
10 was on the email chain or group text message. including, but not limited to, emails and
11 text messages.

12 2. All financial statements, pleadings, or non-privileged portions of the
13 legal family law file for Erika.

14 3. All communications between Ginsburg and attorney Michael Abrams
15 or Thomas Girardi.

16 4. All documents evidencing any payments you received from Erika, or
17 any third party on Erika’s behalf, including, without limitation, copies of checks, cashier’s
18 checks, money orders, wire transfers, or other forms of payment.

19 5. All receipts documenting any form of payment you received from
20 Erika, or any third party on Erika’s behalf.

21 6. All documents from any credit reporting agency regarding Erika.

22 7. All checks, cashier’s checks, money orders, wire transfers, or other
23 forms of payment you received from Erika, or any third party on Erika’s behalf, meant to
24 serve as a retainer or payment of a Ginsburg invoice including any expert witnesses.

25 8. All financial documents and/or financial statements you received
26 from Erika, or any third party on Erika’s behalf.

27 9. All communications between you and Ullman Accountancy Corp.,
28 Michael Ullman, Allen Ullman, or Platinum Financial Management Inc.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

PO Box 11480, Beverly Hills, CA 90213

A true and correct copy of the foregoing document entitled (*specify*): _____
_Notice of motion and 2004 motion for Harris Ginsburg LLP, Larry A. Ginsburg_____

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) June 22, 2021, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Kyra E Andrassy on behalf of Plaintiff Elissa Miller
kandrassy@swelawfirm.com, lgarrett@swelawfirm.com; gcruz@swelawfirm.com; jchung@swelawfirm.com

Rafey Balabanian on behalf of Creditor Edelson PC
rbalabanian@edelson.com, docket@edelson.com

Michelle Balady on behalf of Creditor Bedford Law Group, APC
mb@bedfordlg.com, leo@bedfordlg.com

William C Beall on behalf of Interested Party Mullen & Henzell, LLP
will@beallandburkhardt.com, carissa@beallandburkhardt.com

William C Beall on behalf of Interested Party Shane Horton
will@beallandburkhardt.com, carissa@beallandburkhardt.com

Ori S Blumenfeld on behalf of Creditor Jaime Ruigomez
Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com

Ori S Blumenfeld on behalf of Creditor Joseph Ruigomez
Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com

Ori S Blumenfeld on behalf of Creditor Kathleen Ruigomez
Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com

Ori S Blumenfeld on behalf of Defendant ABIR COHEN TREYZON SALO, LLP, a California limited liability partnership
Ori@MarguliesFaithLaw.com,
Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Ori S Blumenfeld on behalf of Defendant Boris Treyzon Esq

Ori@MarguliesFaithLaw.com,

Helen@MarguliesFaithLaw.com;Angela@MarguliesFaithLaw.com;Vicky@MarguliesFaithLaw.com

Ori S Blumenfeld on behalf of Interested Party Courtesy NEF

Ori@MarguliesFaithLaw.com,

Helen@MarguliesFaithLaw.com;Angela@MarguliesFaithLaw.com;Vicky@MarguliesFaithLaw.com

Richard D Buckley on behalf of Interested Party L.A. Arena Funding, LLC

richard.buckley@arentfox.com

Marie E Christiansen on behalf of Creditor KCC Class Action Services, LLC

mchristiansen@vedderprice.com, ecfladocket@vedderprice.com,marie-christiansen-4166@ecf.pacerpro.com

Jennifer Witherell Crastz on behalf of Creditor Wells Fargo Vendor Financial Services, Inc.

jcrastz@hrhlaw.com

Jennifer Witherell Crastz on behalf of Creditor Wells Fargo Vendor Financial Services, LLC

jcrastz@hrhlaw.com

Ashleigh A Danker on behalf of Interested Party Courtesy NEF

Ashleigh.danker@dinsmore.com, SDCMLFiles@DINSMORE.COM;Katrice.ortiz@dinsmore.com

Clifford S Davidson on behalf of Creditor California Attorney Lending II, Inc.

csdavidson@swlaw.com, jlanglois@swlaw.com;cliff-davidson-7586@ecf.pacerpro.com

Lei Lei Wang Ekvall on behalf of Interested Party Courtesy NEF

lekvall@swelawfirm.com, lgarrett@swelawfirm.com;gacruz@swelawfirm.com;jchung@swelawfirm.com

Lei Lei Wang Ekvall on behalf of Plaintiff Elissa Miller

lekvall@swelawfirm.com, lgarrett@swelawfirm.com;gacruz@swelawfirm.com;jchung@swelawfirm.com

Lei Lei Wang Ekvall on behalf of Trustee Elissa Miller (TR)

lekvall@swelawfirm.com, lgarrett@swelawfirm.com;gacruz@swelawfirm.com;jchung@swelawfirm.com

Richard W Esterkin on behalf of Creditor Southern California Gas Company

richard.esterkin@morganlewis.com

Richard W Esterkin on behalf of Interested Party Courtesy NEF

richard.esterkin@morganlewis.com

Timothy W Evanston on behalf of Interested Party Courtesy NEF

tevanston@swelawfirm.com, gacruz@swelawfirm.com;lgarrett@swelawfirm.com;jchung@swelawfirm.com

Timothy W Evanston on behalf of Plaintiff Elissa Miller

tevanston@swelawfirm.com, gacruz@swelawfirm.com;lgarrett@swelawfirm.com;jchung@swelawfirm.com

Timothy W Evanston on behalf of Trustee Elissa Miller (TR)
tevanston@swelawfirm.com, gacruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com

Jeremy Faith on behalf of Interested Party Courtesy NEF
Jeremy@MarguliesFaithlaw.com,
Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com; Vicky@MarguliesFaithlaw.com

James J Finsten on behalf of Interested Party Courtesy NEF
, jimfinsten@hotmail.com

Alan W Forsley on behalf of Interested Party Courtesy NEF
alan.forsley@flpllp.com, awf@fkllawfirm.com, awf@fl-lawyers.net, addy.flores@flpllp.com

Eric D Goldberg on behalf of Creditor Stillwell Madison, LLC
eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com

Andrew Goodman on behalf of Attorney William F Savino
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor Erika Saldana
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor Jill O'Callahan
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor John Abassian
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor Kimberly Archie
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor Robert M. Keese
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Andrew Goodman on behalf of Petitioning Creditor Virginia Antonio
agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com

Suzanne C Grandt on behalf of Interested Party Courtesy NEF
suzanne.grandt@calbar.ca.gov, joan.randolph@calbar.ca.gov

Steven T Gubner on behalf of Interested Party Courtesy NEF
sgubner@bg.law, ecf@bg.law

Marshall J Hogan on behalf of Creditor California Attorney Lending II, Inc.
mhogan@swlaw.com, knestuk@swlaw.com

Sheryl K Ith on behalf of Creditor Daimler Trust

sith@cookseylaw.com, sith@ecf.courtdrive.com

Razmig Izakelian on behalf of Creditor Frantz Law Group, APLC
razmigizakelian@quinnemanuel.com

Lillian Jordan on behalf of Interested Party Courtesy NEF
ENOTICES@DONLINRECANO.COM, RMAPA@DONLINRECANO.COM

Lewis R Landau on behalf of Creditor Virage SPV 1, LLC
Lew@Landaunet.com

Lewis R Landau on behalf of Interested Party Courtesy NEF
Lew@Landaunet.com

Daniel A Lev on behalf of Interested Party Courtesy NEF
dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com; dlev@ecf.inforuptcy.com

Elizabeth A Lombard on behalf of Creditor American Express National Bank c/o Zwicker & Associates, P.C.
elombard@zwickerpc.com, bknotices@zwickerpc.com

Craig G Margulies on behalf of Defendant ABIR COHEN TREYZON SALO, LLP, a California limited liability partnership
Craig@MarguliesFaithlaw.com,
Vicky@MarguliesFaithlaw.com; Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com

Craig G Margulies on behalf of Defendant Boris Treyzon Esq
Craig@MarguliesFaithlaw.com,
Vicky@MarguliesFaithlaw.com; Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com

Craig G Margulies on behalf of Interested Party Courtesy NEF
Craig@MarguliesFaithlaw.com,
Vicky@MarguliesFaithlaw.com; Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com

Peter J Mastan on behalf of Interested Party Courtesy NEF
peter.mastan@dinsmore.com, SDCMLFiles@dinsmore.com; Katrice.ortiz@dinsmore.com

Peter J Mastan on behalf of Interested Party Erika Girardi
peter.mastan@dinsmore.com, SDCMLFiles@dinsmore.com; Katrice.ortiz@dinsmore.com

Edith R. Matthai on behalf of Defendant David Lira
ematthai@romalaw.com, lrobie@romalaw.com

Edith R. Matthai on behalf of Interested Party Courtesy NEF
ematthai@romalaw.com, lrobie@romalaw.com

Kenneth Miller on behalf of Interested Party Courtesy NEF
kmiller@pmcos.com, efilings@pmcos.com

Elissa Miller (TR)

CA71@ecfcbis.com, MillerTrustee@Sulmeyerlaw.com; C124@ecfcbis.com; ccaldwell@sulmeyerlaw.com

Eric A Mitnick on behalf of Interested Party Courtesy NEF

MitnickLaw@aol.com, mitnicklaw@gmail.com

Scott H Olson on behalf of Creditor KCC Class Action Services, LLC

solson@vedderprice.com, scott-olson-2161@ecf.pacerpro.com, ecfsfdocket@vedderprice.com, nortega@vedderprice.com

Carmela Pagay on behalf of Interested Party Courtesy NEF

ctp@lnbyb.com

Leonard Pena on behalf of Interested Party Robert Girardi

lpena@penalaw.com, penasomaecf@gmail.com; penalr72746@notify.bestcase.com

Michael J Quinn on behalf of Creditor KCC Class Action Services, LLC

mquinn@vedderprice.com, ecfladocket@vedderprice.com, michael-quinn-2870@ecf.pacerpro.com

David M Reeder on behalf of Interested Party Courtesy NEF

david@reederlaw.com, secretary@reederlaw.com

Ronald N Richards on behalf of Creditor Law Offices of Phili Sheldon APC

ron@ronaldrichards.com, morani@ronaldrichards.com

Ronald N Richards on behalf of Interested Party Courtesy NEF

ron@ronaldrichards.com, morani@ronaldrichards.com

Ronald N Richards on behalf of Plaintiff Robert P Finn

ron@ronaldrichards.com, morani@ronaldrichards.com

Kevin C Ronk on behalf of Creditor U.S. Legal Support, Inc.

Kevin@portilloronk.com, Attorneys@portilloronk.com

William F Savino on behalf of Creditor California Attorney Lending II, Inc.

wsavino@woodsoviatt.com, lherald@woodsoviatt.com

Kenneth John Shaffer on behalf of Creditor Frantz Law Group, APLC

johnshaffer@quinnemanuel.com

Richard M Steingard on behalf of Other Professional Christopher Kamon

, awong@steingardlaw.com

Philip E Strok on behalf of Interested Party Courtesy NEF

pstrok@swelawfirm.com, gacruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com

Philip E Strok on behalf of Trustee Elissa Miller (TR)
pstrok@swelawfirm.com, gacruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com

Boris Treyzon on behalf of Defendant ABIR COHEN TREYZON SALO, LLP, a California limited liability partnership
jfinnerty@actslaw.com, sgonzales@actslaw.com

United States Trustee (LA)
ustregion16.la.ecf@usdoj.gov

Eric D Winston on behalf of Creditor Frantz Law Group, APLC
ericwinston@quinnemanuel.com

Christopher K.S. Wong on behalf of Interested Party L.A. Arena Funding, LLC
christopher.wong@arentfox.com, yvonne.li@arentfox.com

Timothy J Yoo on behalf of Interested Party Courtesy NEF
tjy@lnbyb.com

Timothy J Yoo on behalf of Interested Party Jason M. Rund
tjy@lnbyb.com

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) June 18, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Benjamin Khakshour
c/o Khakshour Freeman, A Law Corporation.
5455 Wilshire Boulevard, Suite 2111
Los Angeles, California 90036-4290

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.
June 18, 2021 Ronald Richards /s Ronald Richards

Date Printed Name Signature