

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 12/28/09

DEPT. 1A

HONORABLE

JUDGE

M. Y. CARINO

DEPUTY CLERK

HONORABLE BRUCE MITCHELL
#38

JUDGE PRO TEM

S. LOPEZ, ASSISTANT CLERK

ELECTRONIC RECORDING MONITOR

M. LEWIS

Deputy Sheriff

NONE

Reporter

9:00 am	BS123009	-NO LEGAL FILE-	Plaintiff	LAWRENCE SEMENZA	(X)
	WYNN LAS VEGAS LLC		Counsel	MITCHELL J. LANGBERG	(X)
	VS		Defendant		
	JOSEPH FRANCIS	(X)	Counsel	DAVID P. SCHACK	(X)

NATURE OF PROCEEDINGS:

EXAMINATION OF JUDGMENT DEBTOR: JOSEPH FRANCIS

The matter is called for hearing.

A court intervention is held in chambers as follows:

Counsel for judgment debtor request for a continuance based on the grounds that there are pending related criminal case filed in Las Vegas and pending tax case against Joseph Francis. The judgment debtor is invoking his 5th Amendment Rights.

The Court orders the examination to proceed but limited to any questions that does not impede on any aspect of the pending criminal or tax case.

The Certified Court Reporter is to administer the oath for Joseph Francis.

Later, further court intervention is held in chambers.

Counsel for judgment creditor represents that the judgment debtor refuses to answer questions regarding his assets. The judgment debtor is to answer questions relating to any items in his possession such as wallets, driver license and credit cards.

Counsel for judgment creditor requests any and all

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Plaintiff

LAWRENCE SEMENZA

(X)

Counsel

MITCHELL J. LANGBERG

(X)

WYNN LAS VEGAS LLC

Defendant

VS

Counsel

DAVID P. SCHACK

(X)

JOSEPH FRANCIS

(X)

NATURE OF PROCEEDINGS:

information regarding judgment debtor's bank account from the period of January 2009. The judgment debtor is invoking the 5th Amendment Rights due to the pending criminal case in Las Vegas.

Counsel are to meet and confer and exchange five page briefs regarding 5th Amendment Rights to be exchange no later than February 18, 2010.

The Judgment Debtor Examination is continued to February 22, 2010, at 9:00 a.m. in Department 1A.

A copy of the judgment debtor's creditor cards and driver license is turned over to the court to be kept confidential pending briefing and further orders.

A partial payment of nineteen hundred dollars in cash is turned over to counsel for judgment creditor as payment toward the judgment. Counsel for judgment creditor is to file a partial acknowledgment of satisfaction of judgment by the next court date.

Joseph Francis is ordered to return on the above date, time and place, without further notice, order or subpoena.

Any subpoena duces tecum is to remain in full force and effect.

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