

## EXHIBIT [E29]

### PLAINTIFF'S COMPLAINT TO SERGEANT MIKE MANSON OF THE COSTA MESA POLICE DEPARTMENT<sup>1</sup>

JUNE 18, 2022

[(0:01)]Sgt.Manson: Commander Sergeant Manson.

[(0:03)]Plaintiff: Hi, Sergeant Manson. My name is Adam Bereki. How are you?

[(0:06)]Sgt.Manson: Good, how's it going today?

[(0:08)]Plaintiff: I'm doing well. Thank you. I have a pretty complex situation and wanted to know if you had some time to talk about it.

[(0:18)]Sgt.Manson: Well, it depends. What can I help you with? What's this regarding, and give me the Reader's Digest version here real quick so we can figure out the direction we need to go.

[(0:31)]Plaintiff: The Reader's Digest version is that I need to make a complaint against a judge for taking nearly a million dollars without lawful authority. As a result of that judgment, there has been a fraudulent lien placed on my house in Costa Mesa to essentially take the property. And I have been unlawfully suspended as a result of the judgment from working in my profession, which is a general contractor, unless I pay the illegal judgment for declare bankruptcy.

The gist of what has happened is that the judge acted unlawfully and is taking my property, which now I understand that maybe, there may not be any criminal intent on the part of the judge. But the unlawful taking of my property has occurred and my health and well-being is being threatened because of not being able to work. Now, my property is being threatened from being taken without lawful authority. Basically, in other words, the state has created a harm in danger, and so I'm coming to the police department because I've exhausted all my apparent remedies in the courts, and they're not doing anything to remedy the situation. So, I need the police department to investigate my claim, and if they are determined to be valid and verified that some executive action coming to intervene to stop this unlawful taking.

Because if that doesn't happen, then the police could and likely would become principals in the aiding and abetting of the crimes. I have already reached out to Santa Ana and the Orange County Sheriff's Department, and Santa Ana refused to even take a crime report, let alone do an

---

<sup>1</sup> NOTE: All efforts have been made to ensure this transcript's accuracy. However, it was created by a third-party transcription company. It is not a verbatim transcript in that 'words' such as "um" and "uh", stuttering, and other 'abnormalities' inconsistent with written speech have been excluded. Because neither the transcriber nor Plaintiff's assistant (who reviewed the transcript for accuracy) were present during the call, there may be slight discrepancies. The actual audio recording should be relied upon for best evidence.

investigation. The sheriff's department, after I made a complaint, took a report, but then their investigator didn't do a full investigation, and they closed the case. Whatever the case may be, my rights and property are still being violated and taken, and I am unable to find any public official in the State of California to do anything about it.

[(3:03)]Sgt.Manson: If I'm understanding you correctly, you were involved in some manner of court case in which - who sued you initially? I didn't catch that part.

[(3:16)]Plaintiff: Okay. Initially, it was - see, there was a fraud that was perpetrated on me in the case, and that fraud was...

[(3:24)]Sgt.Manson: Let's not get there yet. My understanding is that whoever brought suit against you, somebody brought suit against you or some entity. Correct?

[(3:34)]Plaintiff: Correct.

[(3:35)]Sgt.Manson: Okay. That entity or that person prevailed within court, and you said that you've exhausted all appeals? Am I understanding that right?

[(3:50)]Plaintiff: Yes, you are. Yes, you are.

[(3:52)]Sgt.Manson: Okay. You received a judgment, you appealed that judgment and it was affirmed in appeal court?

[(4:02)]Plaintiff: Correct, but there's a nuance to this is that both the trial and the appellate court affirmed the judgment without authority. Meaning, the police can make any judgment, but that judgment has to be within the realm of their authority. The police can't do something illegal and then call that a valid judgment. Do you see what I'm saying? That's the issue. Both courts made the same, even if you want to call it an error in law, they didn't have the authority to do what they did. As a result of that, literally, I was fined almost a million dollars for not having a construction like this. Anyone who hears that it's outrageous, right off the bat. It doesn't make sense, especially when the criminal penalty for the same offense is a maximum of \$5,000. This, I think, is 146 times that amount.

The basis was that the judges were required to minimally apply all the protections of the excessive fines clause. Number 1, they have to take into account your ability to pay it. Number 2, it has to be proportional to the offense, these types of things. They did none of that. As a result of that, what happened is, there's a law that says that if you have a judgment against you as a contractor, immediately, your license becomes suspended or revoked until you pay the fine. Obviously, I don't have the money to pay that, and number 2, it's illegal. I can't pay it because I don't have the money and it's illegal, so I haven't been able to work, or I've been restrained from earning a living in my profession as a general contractor since the judgment or right after that happened. My attempts have thus far been, of course, to go through the court process that's in place to get an effective remedy, and none of that has worked.

Here I am in this situation. So then, I started going to the legislature and I made complaints to

both my senator and assemblywoman. They said they would do an investigation, and they've stopped responding to me. Nothing's become of that. Actually, the senator closed the investigation without doing anything. Then I started going to the executive branch, meaning police departments, to get help. They've refused to do anything that would remedy the situation in that regard so far. I also made a complaint to the Commission on Judicial Performance. They don't have criminal law enforcement authority from what I understand, and they refuse to investigate. I also called the DOJ or made a complaint to the DOJ. They refused to investigate and told me to contact the Judicial Council. I've also made a complaint to the OCDA's Office Special Investigations Unit, and they've not done anything. Here I am, essentially, with no effective remedy. Again, whether the judge committed a crime or not may be an issue, but whatever the case, my property is being taken without lawful authority. This is my livelihood that's involved here.

[(7:37)]Sgt.Manson: What property are we talking about that's got to lien on it. This is from the judgment?

[(7:43)]Plaintiff: Yes, this is my house in Costa Mesa. I live right by South Coast Plaza.

[(7:48)]Sgt.Manson: What's the address?

[(7:50)]Plaintiff: 818 Spirit.

[(7:52)]Sgt.Manson: 818 Spirit?

[(7:54)]Plaintiff: Yes.

[(7:55)]Sgt.Manson: Okay. That was attached as part of the judgment?

[(8:01)]Plaintiff: Yes.

[(8:02)]Sgt.Manson: Okay. It seems to me, the reason that - let me ask you this. Have you filed a complaint? If I'm understanding you right, you don't agree with and you think the judges in all cases acted unlawfully within the scope of their authority for this case...

[(8:34)]Plaintiff: Let me stop you right there. Not within the scope of their authority.

[(8:37)]Sgt.Manson: [crosstalk], is that right?

[(8:40)]Plaintiff: I'm sorry. Not within the scope of their authority.

[(8:44)]Sgt.Manson: You're saying they acted outside of the scope of their authority?

[(8:49)]Plaintiff: Correct. Without authority, is what I'm saying.

[(8:52)]Sgt.Manson: Okay, okay. That's not police or an individual Police Department issue. That's probably why you're not getting anywhere with, even all the way up to the DOJ and your

state senator's office, as you've mentioned. We're not going to be able to do anything with you there because that's out of the scope of our authority.

[(9:17)]Plaintiff: Well, I disagree with that because...

[(9:20)]Sgt.Manson: You can disagree with it, Sir, and I'm sorry to hear the situation you're in, but this is a civil court issue that doesn't have any remedy through law enforcement. I mean, if we had a police investigation started up for every decision that a judge made that somebody didn't like, that's not even within the...

[(9:49)]Plaintiff: Let me differentiate what you're saying here. There's a difference between someone being unhappy with the judgment even though it's the law and the judgment being made without lawful authority and in violation of constitutionally protected rights that are easily verifiable.

[(10:07)]Sgt.Manson: The part I said was outside the purview of the local police department to even look at, so the avenue that you've already told me that you addressed all the way up through DOJ and Judicial Ethics Office and all the way up. Presumably, because this is within their purview, they've looked at the facts of the case and determined that there's no further remedy where they're concerned. You're not going to get any further with the legal department.

[(10:51)]Plaintiff: I wouldn't go so far as to make that determination because, in many of the cases, they didn't investigate the claim.

[(10:58)]Sgt.Manson: Sir, I would go so far as to make that determination. I can tell you very clearly, this is not within the purview of a local police department, okay? I'm sorry, and I'm sorry for the situation you're in, but there's nothing that we can do to assist you with that. You're going to have to go through the court process to whatever end, and ultimately that court process end somewhere. The final judgment is going to be the final judgment. So you can continue - my assumption is, you haven't exhausted all appeals within the state may be locally in the county. But that's the theater where this is going to be remedied ultimately, but it's outside the police department.

[(11:45)]Plaintiff: Okay. I do hear what you're saying. To give you an example, the Fourteenth Amendment to the constitution says that no state can deprive of anyone of due process. If I'm making a complaint to you, that due process has been violated and that I need police intervention because that might...

[(12:06)]Sgt.Manson: You should bring your attorney to address.

[(12:10)]Plaintiff: How is that not a police department matter?

[(12:12)]Sgt.Manson: That's an issue for your attorney to address within the court system, within the civil court system. Okay? Furthermore, that would be a federal violation. If you're going to assert that, it doesn't start at the local police department. There's no local violation here.

[(12:27)]Plaintiff: It is if the state creates a danger.

[(12:30)]Sgt.Manson: Sir, Sir, I'm not going to argue with you.

[(12:33)]Plaintiff: I'm not asking you to. What I'm saying though, is that the state has created a harm and a danger, right?[crosstalk] If the police department...

[(12:41)]Sgt.Manson: This is the local police department. We have nothing to do with the state per se. You can take this to a state authority or federal authority, or use your attorney to help with the...

[(12:54)]Plaintiff: But don't you enforce state law and the state constitution?

[(12:59)]Sgt.Manson: Well, if you're asserting a civil rights violation, that's a federal violation per se or the Fourteenth Amendment. That's where you go. You can't just go to any local police department and file a grievance of some kind or an allegation and expect it to be investigated.

[(13:22)]Plaintiff: Oh, oh, I absolutely can. I absolutely can because[crosstalk]

[(13:25)]Sgt.Manson: No, Sir. Is there anything else I can do for you today? Anything else?

[(13:30)]Plaintiff: No. I mean, yes, you can investigate my claim, and you can do something to stop this from happening.

[(13:36)]Sgt.Manson: That's an unreasonable request given the scope of our authority, so the answer is no.

[(13:46)]Plaintiff: Okay. Is this going to be the official policy or decision of the city of Costa Mesa on this?

[(13:55)]Sgt.Manson: Well, I'm going to tell you we're not going to take this. Okay?

[(13:58)]Plaintiff: You're not going to take a report or do an investigation or protect my property.

[(14:04)]Sgt.Manson: No, we will not. Again, it's not within the scope of our authority. Your remedy is, I would retain an attorney or presumably, you already have one and this will be handled through the proper channels. This is not the proper channel, okay? It's like if you went into a bank, and you ask them for a scoop of chocolate ice cream and the banker told you no, it doesn't mean he's a bad banker, it just means he doesn't do ice cream. Same thing here, Sir.

[(14:33)]Plaintiff: Well, I hear you, but my understanding...

[(14:38)]Sgt.Manson: I don't think you do hear me, Sir. The answer is no. Is there anything else I can do for you today? Okay. I've given you quite a bit of time, and I have other things that I need to be doing right now since I'm running a police station right now.

[(14:51)]Plaintiff: Okay, I understand. Well, then I guess if you're going to refuse to do all of the things that I requested that you do, then I don't have any other requests for you.

[(14:59)]Sgt.Manson: All right, best of luck, Sir. Take care.

[(15:01)]Plaintiff: Thank you.

[(15:02)]Sgt.Manson: Bye.

[END]