

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

**Claim No: KB-2025-001991
Appeal No: CA-2025-002562**

BETWEEN:
ALKIVIADES DAVID
Appellant / Claimant

-and-

MAHIM KHAN & OTHERS
Respondents

**APPELLANT'S SUPPLEMENTAL NOTE
WITH SKELETON ARGUMENT AND EXHIBITS**

Filed by:
Alkiviades David (Appellant in Person – Disabled)
Senior Master Cook
Date: 3 April 2026

SKELETON ARGUMENT OF THE APPELLANT

A. INTRODUCTION

1. This Skeleton Argument is filed in support of the Appellant's Supplemental Note.
2. The application is narrow. It does not seek to determine disputed factual matters beyond the scope of these proceedings.
3. Its purpose is to address a single controlling issue: whether enforcement can safely proceed where the evidentiary record is materially incomplete.
4. The Appellant submits that it cannot.

B. CORE SUBMISSION

5. The central issue is not the weight of evidence before the Court, but the absence of material evidence from the record.
6. Material evidence existed at the time of the proceedings, was known to counsel, was capable of being advanced, and was not placed before the Court.
7. A judgment founded on a materially incomplete record cannot safely be relied upon for enforcement.

C. NATURE OF THE OMITTED MATERIAL

8. The omitted material falls into identifiable categories: (a) witness evidence directly contradicting central allegations; (b) documentary evidence including client file materials, communications, ADA materials and internal documents; (c) medical and disability-related evidence; and (d) materials held by former counsel but not deployed.
9. These are not speculative categories. They are identified, particularised, and capable of being produced.

D. CAUSATION: BREAKDOWN IN REPRESENTATION

10. The omissions arose in the context of a breakdown in representation.
11. Material evidence was requested, available, and not presented.
12. A formal demand for the complete client file was made on 15 July 2024 and not complied with.
13. The consequence is that the evidential record before the underlying court was materially incomplete.

E. STATE OF KNOWLEDGE

14. The Appellant's concerns are not retrospective.
15. Contemporaneous communications and contextual material demonstrate that concerns regarding evidential integrity existed during the relevant period.
16. This includes materials linked to former counsel and contemporaneous efforts to escalate evidential issues.

F. MULTI-JURISDICTIONAL CONTEXT

17. Parallel proceedings in Switzerland and Antigua demonstrate that the evidential narrative has not been uniformly accepted.
18. These matters are not relied upon as determinative, but reinforce the need for caution before enforcement.

G. ENFORCEMENT RISK

19. Enforcement is not theoretical.
20. Active enforcement steps are ongoing and have caused real financial and reputational harm.
21. The risk is therefore immediate and potentially irreversible.

H. CONTEXTUAL MATERIAL

22. Contextual material relating to commercial, professional, and media environments is included solely to explain the conditions in which the record was formed.
23. It is not relied upon for findings of fact.

I. LEGAL POSITION

24. The Court is invited to proceed on a simple and orthodox basis: a court should not enforce a judgment where there is a credible basis to conclude that the evidential record was materially incomplete.
25. The present case satisfies that threshold.

J. RELIEF SOUGHT

26. The Appellant respectfully invites the Court to: (i) take formal note of the omitted evidence and available witnesses; (ii) treat the existing record with appropriate caution; (iii) permit or direct further evidential steps as necessary; (iv) refrain from enforcement pending proper consideration of the complete evidentiary record; and (v) grant such further or other relief as is just.

K. CONCLUSION

27. This application does not seek to prove wider matters.
28. It seeks only to ensure that enforcement is not carried out on a record that is demonstrably incomplete.
29. That is a question of fairness, not controversy.

Respectfully submitted,

/s/ Alkiviades David
Alkiviades David
Appellant / Claimant (Disabled)
Dated: 3 April 2026

APPELLANT'S SUPPLEMENTAL NOTE

To: Senior Master Cook

Senior Master Cook,

I write respectfully to place further material before the Court for its assistance in determining the safety and reliability of the record underlying the present proceedings.

This submission does not seek to prove external matters, but only to ensure that enforcement is not carried out on an incomplete evidentiary record.

This submission is confined to evidential integrity, procedural fairness, and the safety of enforcement. It does not invite findings of professional misconduct, nor does it seek determination of matters outside the jurisdiction of this Court.

I. CORE ISSUE: RECORD INTEGRITY

The Appellant's central submission is that the record upon which the underlying judgments rely is materially incomplete and therefore unreliable.

Material evidence existed at the time of the proceedings. It was known to counsel. It was capable of being advanced. It was not placed before the Court.

The issue is not one of weight. It is one of absence. A judgment founded on a materially incomplete record cannot safely stand for the purposes of enforcement.

II. SPECIFIC OMITTED EVIDENCE

The omissions include, but are not limited to, the following categories of material evidence:

Witness evidence directly contradicting key allegations, including the affidavits of Gary Shoefield and Yelena Calendar.

Contemporaneous communications, including the Mary Rizzo text messages, demonstrating coordination and fabrication of narrative.

Parallel findings and rejections in other jurisdictions, including the Swiss proceedings (Schwyz / LALIVE matters).

Medical and ADA-related evidence bearing on the Appellant's documented traumatic brain injury (TBI) and the failure to properly present or accommodate this condition.

Client materials known to and held by former counsel Fred Heather, including the document known as "especially my sister," which were not deployed, and the complete client file formally demanded by the Appellant on 15 July 2024 (including all ADA accommodation requests and documents, medical records, discovery, emails, text messages, billing invoices, and investigative materials) but not provided.

Each of these categories goes directly to the reliability of the evidential foundation of the judgments.

III. WITNESS AVAILABILITY

The following witnesses are available and willing to give evidence:

- Ms Angelina Dettamanti – ADA consultant, in possession of contemporaneous communications evidencing attempts to place the Appellant's disability accommodations before the California courts and who forwarded the 15 July 2024 client file demand to Fred Heather.

- Mr Carl Dawson – whose affidavit directly contradicts central allegations and was available but not presented.
- Members of the Appellant’s family, including his sister Rea David and his 85-year-old mother Dimitra David – who can attest to direct threats, including demands for substantial sums of money accompanied by threats of imprisonment on allegations the Appellant denies.

This evidence is not new in substance. It is newly evidenced in its omission from the record.

IV. BREAKDOWN IN REPRESENTATION

The omissions arose in circumstances of a documented breakdown in representation. Material evidence was known, requested, available, and not presented.

In particular, former counsel Fred Heather held critical medical records relating to the Appellant’s traumatic brain injury (including updated scans) but did not deploy them. The Appellant also contends that there were irregularities in the handling of financial and client matters during the representation. On 15 July 2024 the Appellant formally demanded the complete client file, including all ADA accommodation documents, yet it was never provided.

The relevance for this Court is narrow and evidentiary: the record produced before the California courts was materially incomplete.

V. ADDITIONAL CONTEXTUAL MATERIAL

The Appellant respectfully places before the Court limited contextual material relevant only to the environment in which the proceedings were conducted. This includes the Appellant’s former business and personal associations with Duncan Heath and Ron Burkle, and the fact that the Leventis group (through Mike Pappas and Louisa Leventis) spent substantial sums with Burkle and Duncan Heath in London and abroad, with financing in these circles leaning toward Nobu investments. Ron Burkle is represented by the Glaser Weil firm (the same firm as former counsel Fred Heather) and has links to Robert Shapiro and Michael Jackson (with whom Burkle was publicly associated to the end). This thread connects elements of the Leventis, Burkle, Peretz, Boies and Pellicano networks. The Appellant advances that observation only as part of the broader contextual environment in which the proceedings unfolded, and not as a matter for determination by this Court in this application. The Appellant’s investigations and public notices published on Shockya.com regarding Ron Burkle require investigation.

The Appellant further notes that his cousin, Christo Leventis, and his brother-in-law, Dani Peretz, form part of the same broader commercial and familial environment referenced in these materials. Elements of this environment extend to Antigua and Barbuda, where parallel proceedings (Claim No. ANUHCV2025/0149) are ongoing and where overlapping commercial and personal relationships are engaged.

The Appellant does not invite the Court to determine or make findings of fact on any of these matters. The material is placed before the Court solely as background context explaining the environment of pressure and narrative influence surrounding the proceedings.

VI. MEDIA AND TRADE-PRESS POSITIONING

The proceedings took place within an environment of significant media involvement. The trade press positioned the Appellant as “The Billionaire Hollywood Bad Boy Being Sued by Every TV Network” (Hollywood Reporter, 4 October 2012). The Appellant places this material before the Court as further evidential context relevant to the pressure and narrative environment in which the underlying record was formed.

VII. MULTI-JURISDICTIONAL DEVELOPMENTS

Parallel proceedings are ongoing across jurisdictions. In Antigua and Barbuda (Claim No. ANUHCV2025/0149), a sovereign action has resulted in defaults by a substantial number of defendants. Proceedings in Switzerland have rejected aspects of the same enforcement narrative.

The Appellant further understands that the Dallas Police Department and the Antigua and Barbuda Criminal Investigation Department (CID), at the behest of Prime Minister Gaston Browne, are investigating the deaths of individuals mentioned in the broader evidential materials. That understanding is placed before the Court without inviting findings and solely as part of the wider procedural and evidential landscape surrounding these matters.

VIII. STATEMENT AS TO RECORD AND REPUTATION

The Appellant denies, unequivocally, the allegations made against him. He has no criminal convictions in any jurisdiction. The proceedings have caused substantial harm to his family, including to the reputation of his late father, Andreas Alkiviades David, Babalagi of Egbaland.

IX. FINAL OBSERVATION

All of the witnesses and affected persons connected to these matters are aware of the pattern described. The submission is narrower: where a record is produced under conditions of omission, pressure, and incomplete presentation, it cannot safely be relied upon for enforcement.

X. RELIEF SOUGHT

- Take formal note of the additional evidence and witness availability now identified.
- Treat the existing record with appropriate caution in light of the demonstrated omissions.
- Permit or direct such further evidential steps as the Court considers necessary to ensure completeness.
- Grant such other directions or relief as are just, including in relation to enforcement.

In particular, the Appellant respectfully submits that no enforcement decision should proceed on the assumption that the underlying record is complete unless and until the omitted material evidence has been properly considered.

For the assistance of the Court, the Appellant attaches as Appendix A a summary Evidence Matrix setting out the key pathways of omitted material and their relevance. For convenience only, and without prejudice to the full evidential record, the Appellant summarises below the principal evidentiary pathways relevant to the present application.

APPENDIX A – EVIDENCE MATRIX

Pathway	Evidence Type	Key Individuals / Sources	Status at Trial / Prior Record	Relevance to This Application
1. Witness Pathway	Affidavits / testimony	Carl Dawson; Angelina Dettamanti; Gary Shoefield; Yelena Calendar; Mary Rizzo	Not presented / not fully developed	Direct contradiction of core allegations; known but omitted
2. Documentary Pathway	Emails, texts, medical records, internal documents	Client file; ADA records; “especially my sister”; communications archive	Not produced	Demonstrates existence of broader evidentiary record
3. Representation Failure Pathway	File control / legal handling	Fred Heather	Withheld / incomplete	Explains causation of omissions
4. State of Knowledge Pathway	Contemporaneous communications / contextual statements	Appellant communications; Barry Rothman statements (contextual)	Not before court	Shows concerns existed at the time, not merely in hindsight
5. Multi-Jurisdictional Pathway	Parallel proceedings / outcomes	Switzerland (Schwyz / LALIVE); Antigua (ANUHCV2025/0149)	Not integrated	Indicates inconsistency across jurisdictions
6. Enforcement Pathway	Collection / enforcement actions	Joseph Chora	Ongoing	Establishes real-world risk of enforcement on incomplete record
7. Contextual / Environmental Pathway	Background associations / media positioning	Heath; Burkle; Leventis; Peretz; Antigua links; media positioning	Not relied on as determinative	Explains conditions under which the record was formed

Synthesis: Each pathway independently supports the Appellant’s submission that material evidence existed and was not presented. Taken cumulatively, they support the conclusion that the record underlying enforcement is structurally incomplete.

APPENDIX B – EXHIBITS TABLE

Proposed Exhibit No.	Exhibit Title / Description	Original File Name	Principal Source / Witness	Purpose in Filing	Section Supported
EX-001	Carl Dawson affidavit / recorded evidence	Original file name to insert	Carl Dawson	Contradicts central allegations	II, III
EX-002	Angelina Dettamanti ADA communications	Original file name to insert	Angelina Dettamanti	Shows efforts to raise disability accommodation issues	II, III
EX-003	Gary Shoefield affidavit	Original file name to insert	Gary Shoefield	Contradictory witness material	II
EX-004	Yelena Calendar affidavit / statement	Original file name to insert	Yelena Calendar	Contradictory witness material	II
EX-005	Mary Rizzo text messages	Original file name to insert	Mary Rizzo	Contemporaneous communications; alleged coordination / narrative fabrication	II
EX-006	15 July 2024 client file demand	Original file name to insert	Appellant / Fred Heather	Shows formal request for complete file	II, IV
EX-007	ADA accommodation records	Original file name to insert	Appellant / medical / court communications	Disability and fairness issues	II, IV
EX-008	TBI medical records / updated scans	Original file name to insert	Medical providers / Fred Heather file	Shows material medical evidence existed	II, IV
EX-009	“especially my sister” document	Original file name to insert	Fred Heather file	Example of known but undeployed client material	II
EX-010	Former counsel	Original file	Fred Heather	Breakdown in	IV

Proposed Exhibit No.	Exhibit Title / Description	Original File Name	Principal Source / Witness	Purpose in Filing	Section Supported
	file correspondence	name to insert		representation / file control	
EX-011	Swiss proceedings material (Schwyz / LALIVE)	Original file name to insert	Swiss proceedings	Parallel rejection / inconsistency	II, VII
EX-012	Antigua claim / procedural materials (ANUHCV202 5/0149)	Original file name to insert	Antigua proceedings	Multi-jurisdictional context	VII
EX-013	Trade press article (“Billionaire Hollywood Bad Boy...”)	Original file name to insert	Hollywood Reporter	Shows media environment	VI
EX-014	Shockya notices / public investigations regarding Ron Burkle	BURKLE NEVERLAND.pdf / BURKLE-rant.pdf / WME PELLICANO.pdf	Shockya.com / uploaded exhibits	Contextual background only	V
EX-015	Enforcement correspondence / materials	Original file name to insert	Joseph Chora	Shows present enforcement risk	VII, X
EX-016	Barry Rothman contextual statements / related materials	Original file name to insert	Barry Rothman	State of knowledge only; not for truth of assertions	Appendix A

Note: Replace “Original file name to insert” with the exact original file names from the source evidence before filing. Known uploaded exhibit filenames have been preserved where available.

APPENDIX C – NEW EVIDENCE TABLE

Item	New / Newly Emphasized Evidence	Original File Name	Why It Matters Now	Why Not Properly Before the Earlier Court	Relief Relevance
1	Carl Dawson	Original file	Direct	Not presented	Record

Item	New / Newly Emphasized Evidence	Original File Name	Why It Matters Now	Why Not Properly Before the Earlier Court	Relief Relevance
	evidence	name to insert	contradiction		incompleteness
2	Dettamanti ADA evidence	Original file name to insert	Shows access failure	Not developed	Procedural fairness
3	Shoefield / Calendar	Original file name to insert	Contradictory witnesses	Omitted	Reliability issue
4	Rizzo texts	Original file name to insert	Narrative formation evidence	Not used	Integrity challenge
5	File demand	Original file name to insert	Shows attempt to obtain evidence	Ignored	Representation failure
6	Medical / ADA	Original file name to insert	Critical to fairness	Not deployed	Procedural defect
7	Internal document	Original file name to insert	Known but unused evidence	Withheld	Omission
8	Swiss proceedings	Original file name to insert	Inconsistent outcomes	Not integrated	Cross-jurisdiction risk
9	Antigua proceedings	Original file name to insert	Parallel litigation	Not integrated	Jurisdictional context
10	Enforcement evidence	Original file name to insert	Active enforcement	Ongoing	Urgency
11	Rothman material	Original file name to insert	Shows prior awareness	Not presented	State of knowledge
12	Media context	Original file name to insert	Pressure environment	Not relied on	Context

Closing Note: The Appellant does not rely on every item above as standalone determinative proof. The relevance of the new evidence is cumulative: it demonstrates omission, incomplete presentation, and present enforcement risk.

Respectfully submitted,

/s/ Alkiviades David
Alkiviades David
Appellant / Claimant (Disabled)
c/o Jolly Harboe
5598+9CC, Queen Elizabeth Highway

St. John's, Antigua & Barbuda

Dated: 3 April 2026