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7 David, beneficiaries of the Harmonia Trust D

8
9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES- EAST DISTRICT
11

12 ELIZABETH TAYLOR, an individual,
13 CHASITY JONES, an individual,

14 Plaintiffs,

15 v.

16 ALKIVIADES DAVID, an individual,
HOLOGRAM USA, INC., a Delaware corp.,
17 HOLOGRAM USA ENTERTAINMENT, INC., a
Delaware corp., FILMON MEDIA HOLDINGS,
18 INC., a Delaware corp., FILMON.TV, INC., a
Delaware corp., FILMON.TV NETWORKS,
19 INC., a Delaware corp., ALKI DAVID
PRODUCTIONS, INC., a Delaware corp.,
20 ANAKANDO MEDIA GROUP USA, an
unknown business entity, FILMON.TV UK
21 LIMITED, a foreign corporation; and DOES 1
through 25, inclusive

22 Defendants.
23

Case No. BC649025

**JOINDER OF SPECIALLY APPEARING
BENEFICIARIES TO HARMONIA TRUST D
AND HARMONIA TRUST'S OBJECTION TO
CREDITOR'S EX PARTE APPLICATION
FOR TEMPORAY RESTRAINING ORDER TO
PREVENT TRANSFER OF PROPERTY**

Trial Date: June 6, 2023
Time: 9:00 a.m.
Dept.: K

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1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Alexander David and Andrew David (the “Beneficiaries”), beneficiaries of Harmonia Trust D and
3 Harmonia Trust, hereby specially appear¹ and join in and support in its entirety the Objection to the Ex
4 Parte Application for a Temporary Restraining Order filed by Harmonia Trust D and Harmonia Trust on
5 June 5, 2023.

6 The Beneficiaries oppose the relief requested by the Judgment Creditor in the instant motion
7 because the existing Judgment Debtor, specifically, Alkiviades David (“Alki”), does not have any
8 ownership or beneficial interest in either Harmonia Trust D or Harmonia Trust (collectively, the “Trust”),
9 nor has any order been entered making Trust assets liable for the judgments of Alki. As such, the Ex Parte
10 relief should be denied, as until such an order is entered, the Trust may not be enjoined from using its
11 assets for administration expenses. Additionally, this Court does not have jurisdiction over the Trust,
12 which is a South Dakota directed trust with a South Dakota trustee, and over which a South Dakota court
13 has taken supervision. Based thereon, the motions which were concurrently filed with the Ex Parte, and
14 which form the foundation for the relief requested by the Ex Parte, were improperly filed in California and
15 should be withdrawn and filed in South Dakota, as that is the proper forum that has jurisdiction over the
16 Trust and the issues raised by the motions. As California does not have jurisdiction over the Trust, or the
17 motions, it does not have jurisdiction to grant the Ex Parte as the Ex Parte is based solely upon the filed
18 motions.

19 If the Ex Parte is granted, this Court would be allowing Alki’s creditors the authority to control the
20 management of the Trust’s assets and to preserve such assets for their benefit despite the fact that the Trust
21 assets belong to Alki’s children, who are innocent third parties who have nothing to do with the
22 underlying judgment against Alki and who would be unjustly damaged. Based on the foregoing, and as set
23 forth further in the Trust’s Objection, the Ex Parte should be denied in its entirety.

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27 ¹ Beneficiaries are specially appearing in this matter as a South Dakota Court has already taken supervision
28 over Harmonia Trust D and the Harmonia Trust, and therefore has exclusive jurisdiction to hear this Ex
Parte and the related motions filed concurrently with the Ex Parte.

1 Dated: June 5, 2023

KEYSTONE LAW GROUP, P.C.

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3 By: 

4 Lindsey Munyer
5 Attorneys for Andrew David and Alexander
6 David, beneficiaries of Harmonia Trust D
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 11300 W. Olympic Blvd., Ste. 910, Los Angeles, CA 90064. On the date stated below, I served the following document(s) on all the persons/entities described in the attached service list by the method(s) of service described below:

JOINDER TO HARMONIA TRUST D AND HARMONIA TRUST OBJECTION TO CREDITOR’S EX PARTE APPLICATION FOR TEMPORAY RESTRAINING ORDER TO PREVENT TRANSFER OF PROPERTY

BY MAIL: I served said document(s) by enclosing it/them in a sealed envelope addressed to the person(s) on the attached service list, postage prepaid, and placing the envelope for collection and mailing by the United States Postal Service (USPS) following our ordinary business practices. I am readily familiar with this business’s practice for collecting and processing correspondence for mailing using the USPS. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the USPS in a sealed envelope with postage fully prepaid.

BY PERSONAL SERVICE: I caused such envelope to be delivered by a process server.

BY OVERNIGHT DELIVERY: I served said document(s) by enclosing it/them in a sealed envelope and placing the envelope for collection and mailing by Federal Express (FedEx) following our ordinary business practices. I am readily familiar with this business’s practice for collecting and processing correspondence for mailing using FedEx. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with FedEx in a sealed envelope with postage fully prepaid.

BY FAX: I faxed said document(s) to the person(s) identified on the attached service list using the fax number(s) indicated, and the transmission was reported as complete without error.

BY ELECTRONIC TRANSMISSION: I transmitted said document(s) electronically to the addressee(s) identified on the attached service list using the email address(es) indicated, such that each addressee was sent said document(s) as an attachment to an email, or was emailed a link where the document(s) could be viewed and downloaded.

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

(Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 5, 2023 at Los Angeles, California.

Julia Sukhong

SERVICE LIST

Chasity Jones v. Alkiviades David, et al., LASC Case No. BC649025

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COMPANY, TRUSTEE OF
HARMONIA TRUST, DATED
2/12/19;
(3) BRIDGEFORD TRUST
COMPANY, MANAGER OF AD
ADVISERS LLC; and
(4) BRIDGEFORD TRUST
COMPANY, TRUSTEE OF AD
ADVISERS LLC OWNERSHIP
TRUST, DATED 6/14/18.

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