

# Before The Court of Appeals Athens Greece

## APPEAL

(against the nLaw enforcement of a court decision based on the article  
43 of the European Regulation)

**Alkiviades Andrew David** of Andreas and Dimitra, British Nationality, resident Antigua and Barbuda, St. John's), legal representing «Hologram Inc», «Alkidavid Productions Inc.», born 23/5/1968 in Lagos Nigeria , passport Nr. 537982155, UK, iss. Date 20/7/2016, exp. Date 20/7/2026.

*Plaintiff*

vs

**Lauren Reeves** resident Los Angeles California, Griffith Park 1, USA

*Respondent*

*against*

The court decision **2663/2022 of the One-Member-Court of Athens** dated 18/3/2022, 23522/1097/2022, law enforcement of the Decision BC 643099/10-9-2020 of the Court of California (14<sup>th</sup> Department).

*Athens the 27<sup>th</sup> of July 2023*

On June 15, 2023, as I was fully unaware that the no. 2663/2022 Decision of the One-Member Court of First Instance of Athens at the request of the Respondent, which I legally appeal with the present Appeal before the Court of Appeals, acting as a court in first instance. Lauren Reeves (hereinafter Lauren Reeves) is a television writer and presenter, and former employee of my companies.

As I am informed, by this decision, which was issued in the process of lending jurisdiction after the application number of 18/3/2022 with the number of deposit reports 23522/1097/2022 of the defendant, a representative of its attorney, recognizes its enforcement of its enforcement. The enforceability of no. BC 643099/10-9-2020 of the Court of Justice of the California State of Los Angeles (Political Address 14th Department), without the competent judge to examine the conditions of its final. the Greek public order, not even the violation of the fundamental principles of fair trial. 6 of the European Convention on Human Rights, without ordering the summoning of any person as having a legitimate interest in this trial, either having my appeal or intervening intervention, and in the absence of notification of Lauren Reeves' request to me, the Greek court proceeded with the Greek Court of Justice. 5/5/2022 without my presence in the Lauren Reeves' request and examine the substantial fundamental of its application.

Furthermore, the contested decision lacks a reasons for the assistance of the lawful conditions of enforcement of the California Court of Justice. While it contains no reason as to whether the amount of the outrageously high and disproportionate punitive damages awarded by the decision declared enforceable is significantly higher than the supposed actual damage of the defendant (below).

The contested decision lacks reasoning as it does not consider the fact that I was not given the opportunity for the US courts to defend and put forward my allegations, so that Art. 6 of the European Convention on Human Rights and the International Pact on Individual and Political Rights, as adopted and opened for signing, validation and accession with the no. 2200 A (XXi) decision of the UN General Assembly with entry into force on 23.3.1976 (in accordance with Article 491 text: United Nations Treaty Series, Vol. 999, p. 171) and ratified by Law

2462/1997 "Ratification of the International Pact on Individual and Political Rights "(Government Gazette 25, vol. A).

In particular, given my absence in this judgment, the court that issued the contested ruling was unable to consider the reasons not proposed by the applicant Lauren Reeves, a violation of my fundamental rights, as I have been following them below, and in particular.

- In the process before the California Court of California, the United States of America, whose decision recognized the enforceability in the Greek territory, the presumption of my innocence was violated ("Every person accused of criminal offense is presumed to be innocent until his guilty is innocent. proved by law ',

- that I was not given the guarantees to attend the trial and to defend myself in propria persona ("pro per") that is, in person or with the help of the lawyer of my choice and to examine or request the examination of the class witnesses and to ensure presence

- And to examine the defense witnesses on the same terms that apply to the class witnesses.

The contested decision, which was not notified to me, is expedited at the expense of my property in Spetses, at the "Panagia Armata or Armada" position, in the no. 449 OT of the homonymous municipality of Spetses, which is on display at a public forced auction on the 27th of September 2023.

2.- Specifically: With its application dated 18/3/2022, Lauren Reeves requested the Greek Court of Justice to recognize the enforceability of the no. BC 643099/10-9-2020 of the Court of Justice of the California State of Los Angeles (Political Address 14th Department), represented by Lawyer Gloria Allred, and with which I was obliged by the legal and historical basis of work harassment, to pay, my companies, the amount of six hundred and fifty thousand (\$ 650,000) of US dollars due to compensation (Compensatory Damages) and the amount of four million fifty thousand (\$ 4,350,000) as "punitive compensation" Damages).

3.- Also the other plaintiff, Mrs Mahim Khan (Mahim Khan), a representative of the (same) lawyer Gloria Allred, consulted with the defendant and other plaintiffs, with whom he has joined a group in order to deceive the California courts of California. The United States of America has filed a lawsuit against me on the same basis and request and has been issued. BC654017 / B305849, B308727 ruling by the Court of Justice of the California of Los Angeles (Political Directorate of 74th Department) with which I was obliged to pay, and my companies, the amount of three million US dollars for non -financial losses, US dollars for future losses, forty thousand US dollars for loss of profits, eighty thousand US dollars for future profits, one hundred and thirty thousand US dollars for its future hospitalizations, as well as fifty million US dollars (US dollars " Damages).

4.- Similarly, Mrs Chasity Jones (Tsassiti Jones), a representative of the same lawyer Gloria Allred, has filed a lawsuit against me with the same request and a decision has been issued under E. BC649025 (Los Angeles Superior Court). of the state of California in the province of Los Angeles (Political Directorate 14th Department) with which I was obliged to pay, and my companies, punitive compensation, of eleven million (\$ 11,000,000) US.

5.- Tom Girardi is a lawyer for the state of California, who is accused of crimes by the California State Prosecutor's Office and is to be tried, and has been deleted by the California Bar Association, after hundreds of complaints against him by US citizens who They have been harmed by his actions, and who coordinates the actions of the defenders in cooperation with their attorney Gloria Allred.

6.- Lauren Reeves (Lauren Reeves), Mahim Khan (Mahim Khan), and Chasity Jones (Tsassiti Jones) were employees of my company and with their lawsuit to Mr Judge of the California Court of California in the province of California. Los Angeles (Political Address 14th Department) I was attributed, in collaboration with other girls who are turning to each other and with the lawyers orchestrated by lawyer Tom Girardi (Tom Jirardi) knowing that I was alleged that I was allegedly harassed. Lauren Reeves (Lauren Rivers) and Mahim Khan

(Mahim Khan) have been integrated into an organization, which is solely aimed at committing deception of the United States Courts, abusing the "Metoo" movement, which has now become a product of the media. Massively, with the purpose of exploiting false accusations against wealthy citizens, and with the aim of illegal asset, composed of huge compensation, mainly "punitive damages", not recognized by the Greek legal system and European rights. The accusation of sexual harassment is a very serious category, which I have denied and categorically refused. I was not given the opportunity for the US courts to defend and put forward my allegations, and I have joined the US Disability Act, as I have proven to be a brain illness, which the defendant and the other plaintiffs knew They pursue my moral and financial extermination.

6.- This accusation is part of a more general attack I have been accepting for several years from the above organization, consisting of the defendant and other persons, who directly or indirectly collaborate on my economic but mainly moral extermination and my slanderous defamation.

7. Influenced and Corrupt Organizations ACT ("Rico") against lawyers and parties who have plotted in the US and internationally to influence their behavior in cases that they introduce with false allegations in the courts. These acts are part of a pattern of corruption orchestrated and directed by lawyer Thomas Girardi who has had an influence similar to other cases for which he is already accused in the United States of America. Girardi's law firm was used by the organization's center to develop citizens and courts internationally. Among other things, the action of the above criminal organization has led to court rulings against me for about seventy -four million US dollars. (\$ 74,000,000) To date, as "punitive damages" against me, not recognized by Greek law and European right.

8. The consequences of this activity have also reached our country, with the recognition, without even listening, of the decisions issued by deceiving courts in the United States of America, with the simple process of jurisdiction. My information, on the basis of this decision and their report on a public forced auction.

9.- In particular, I am the recipient of attacks and blackmailing large television networks and people associated with them, including ABC, CBS, NBC and Fox Television that abuse the public spectrum, especially through a platform known as Nextgen. I have criticized the Hollywood media cartel, which has been involved in media and political corruption. Lauren Reeves was a person who provided services for Hologram USA and Alkidavid Productions Inc, companies that belong to me.

10. For example, my company "Filmon" moved against "Double Verify", and was recognized by the California Supreme Court to sue the company "Comcast Ventures Inc" for corporate negligence and corporate defamation of me and my companies. "Comcast Ventures Inc" holds "Double Verify Inc". Still two hundred other large American multimedia platforms. Comcast Ventures Inc is one of the largest multimedia/television companies in America.

There are many videos showing the collusion and collaboration of this couple and other television lawyers, such as Gloria Allred who has been a Loyola Law School with Thomas Girardi and his personal girlfriend for more than 40 years.

11.- It should be noted that Tom Girardi and Gloria Allred have been investigated by the US Department of Justice. Thomas Girardi has already been accused of claims of more than five hundred million US dollars. Against him for his activities, promoted by the same Comcast Ventures companies, etc.

12. Hollywood's well -known faces such as Kanye West, artist, Alec Rae Baldwin, American actor, comedian and producer, Chris Brown, artist and singer, Rose McGowen, actor, 50 cent, rapper, Alen Dershowitz Professor , billionaire a hotelier who are available to detail the attacks of the above organization against them with the aim of their economic and moral extermination, with the aforementioned practices of Hollywood Media Cartel, which uses its multimedia products such as "Me-Too /I woke up "with false branded scandalous allegations in the media against these persons.

13.- My lawyer John Quirk is one of my 4 lawyers who died unexpectedly and in unspecified circumstances. Most interesting is that John Quirk was killed by a car in Turkey that was hit as a pedestrian while in business in Turkey and one month after exposing Gloria Allred Practices for money laundering in a detailed asset report world, including Greece. My lawyer John Quirk was tragically killed by a car while a pedestrian in Istanbul.

14.- Tom Girardi, as a lawyer, took advantage of the "Metoo" movement with Lauren Reeves with the aim of illegal asset, in collaboration with Gloria Allred and with contracting agreements on the percentage of punishment of punitive allowances. of Lauren Reeves (in my companies) as hostile, intimidating, offensive or abusive, raising false allegations against me in the Court of California (Los Angeles County) before the honorable Judge Terry A. of September 9, 2019 in Section 14 of the Supreme Court, presented by Gloria Allred, Maroko and Goldberg by Nathan Goldberg and Dolores Y. Leal).

15.- Twelve jurors formed a flattened belief and accepted Lauren Reeves' allegations recognized the punitive compensation against me, accepting their decision, that

Alkis David touched Lauren Reeves in order to harm or offend her. Lauren Reeves refused to touch her. Lauren Reeves was injured or affected by Alki David's behavior and a reasonable person in the Lauren Rives situation would have been infected with the touch. Alkis David was intended to cause harmful or offensive contact with Lauren Rives using his groin country. Contact with Mr. David's groin country led to sexually offensive contact either directly or indirectly and Lauren Reeves did not consent to the touch. Lauren Reeves was a person who provided services for Hologram USA. Lauren Reeves underwent unwanted harassment because she is a woman and harassment was serious or pervasive, while a rational woman in Lauren Reeves would consider the working environment hostile, intimidating, offensive or abusive.

16. Along with incitement to false allegations with the intention of blackmailing or distorting justice against me.

17.- By Decision No. 2663/2022 of the Athens Single Court of Justice, the content of which I ignore, since I was not indulged, the aforementioned California Court's ruling was recognized on 31/8/2022 as a law enforcement and execution against me without being summoned to the court, I had the opportunity to get knowledge of this execution order (my residence has been seized and sealed in Malibu, California, United States of America, 23768 Malibou, 90265, Malibu Road, Malibu CA, 90265 U.S.A.) Lauren Reeves (Lauren Rives) and then Mahim Khan (Mahim Khan), and Chasity Jones (Chasty Jones) seek to execute the decisions that aburper with false allegations against my property in Spetses, with auctioning 27/9 /2023, but also elsewhere.

### **PART FIRST: Recognition of enforcement of foreign court decisions**

1.- Recognition of the enforcement of foreign courts decisions as well as the recognition of judicial judgments of foreign courts concerning in particular the personal status (such as divorce, adoption) can be done in Greece by court, if the statutory conditions are met (Article provided for by law (Article. . 905 in combination with 323 CCPD).

2.- The positive prerequisites are that the present decision is res judicized in accordance with the law of the place where it was issued, and that the case was subject to the provisions of Greek law in the jurisdiction of the state courts to which the court which issued the judgment issued the ruling, While the following are the following as negative conditions:

- That the defendant party was not deprived of the right to defend and participate in the trial, unless deprivation was made in accordance with a provision in force for the citizens of the state, to which the court which issued the judgment belongs to the judgment,

- that it is not opposed to a Greek court ruling issued on the same case and is respected by the parties, including the Court of Justice, and the Court of Justice, and

- That is not opposed to good morals or public order.

3.- From 1-3-2002, in accordance with Article 76, 44/2001 Council Regulation of 22.12.2000 was implemented for international jurisdiction, recognition and execution of decisions in civil and commercial affairs. The above regulation replaced the Brussels International Convention on 27.9.1968 for international jurisdiction and the execution of decisions, as it was amended by the San Sebastian Convention on May 26, 1989, ratified by Greece by Law 1814/1988 and Law 2004/1992, respectively. The establishment of the above regulation became necessary after the Treaty of Amsterdam, which came into force on 1 May 1999 and ratified by Greece with Law 2691/1999, so the issues of cooperation of the Member States in the bourgeois and commercial affairs were passed by the Third pillar of the intergovernmental cooperation of the Member States, as it had been formed under the Treaty of Maastricht (1992), under the broader title "Cooperation in Justice and Internal Affairs", where the appropriate means to regulate them was the conclusion of an international treaty. (See Old Article 220 EEC), in the first pillar, which is now incorporated into the treaty, in the third part of it, entitled IV (Art. 61-69), with the aim of establishing a space of freedom, security and justice. , where the appropriate means to regulate them is to establish rules in the context of secondary Community law.

The purpose of the training of the above regulation was to introduce contemporary rules of international jurisdiction in civil and commercial affairs, and to further simplify the necessary formalities for the rapid recognition and execution of decisions in these cases, through simple and uniform procedures. , addressing and solving the problems that had arisen in the application of the Brussels International Convention. This Regulation in accordance with Article 28 (1) has increased formal validity (CA 93/2017, CA 1027/2011).

If the party against whom the execution is requested has its residence on the territory of a state - a member of the other from the one in which the executor was declared, the deadline for the exercise of the appeal is two months since the day it was served or notified personally. or in his residence (Art. 43 par. 1, 2, 3 and 5),

4.- "Only the remedy referred to in Annex IV (Art. 44)," 1 may be brought against the decision on the appeal. The court before which the appeal has been lodged, pursuant to Articles 43 or 44, may dismiss or withdraw the declaration

of enforceability, only if there is any reason for the designated Articles 34 and 35. Decides unexpectedly. 2. The substantive revision of a foreign decision is excluded "(Art. 45 (1) (2)).

5.- The above provisions externalize that Articles 34 and 35 of the Regulation provides, in a restrictive manner, the reasons for which the decision is not recognized, while Article 53 defines the documents to be provided by the party, which invokes the recognition or calls for the declaration of enforceability.

6.- Finally, the Court of First Instance is responsible for the declaration of the enforcement of the enforceability, in the process of voluntary jurisdiction (Art. 740 et seq. Code), in accordance with the relevant regulation of Annex II of the Regulation, which stipulates that the Court of Appeal is in accordance with the "appeal" of Article 43 of the Rules of Procedure, in accordance with the relevant regulation of Annex III of the Regulation, while the "remedy" which It may be exercised, pursuant to Article 44 of the Regulation, is the appeal, in accordance with the provision of Annex III of the Regulation.

7.- Therefore, the combination of the above provisions of Regulation 44/2001, which basically retains the structure and regulatory framework of the Brussels International Convention, shows that within the framework of the rapid and simple procedure for the above-mentioned procedure for the Declaration of an enforcement of a foreign -Member State, the Court (One -Member Court of First Instance for Greece) of the execution member state, is limited to finding that it is an enforcement of a judicial decision derived from another Member State, whose object is subject to its scope as Abody above, without any right to investigate, if any of the reasons justifying the refusal of enforceability under Articles 34 and 35 of the Regulation (as opposed to the Brussels International Convention) and without the defendant's defendant) and without the defendant The execution is entitled to attend the trial and to submit observations (similarly under Article 34 of the Brussels International Convention).

8.- Consequently, the above decision of the Single Member Court of First Instance, which accepts the declaration of a executive of the foreign judicial decision, is not a substantial judicial decision, but a mere court order subject to Article 43 (1) of the Rules of Procedure. which resembles, in the context of

domestic law, to the opposition to Article 583 of the Code of Civil Procedure (CA 1024/2001).

9.- This remedy, despite the above unfortunate name under the Brussels International Convention, was used by the most correct term "appeal", does not constitute an "appeal" against the decision of the One -Member Court of First Instance, but the Court of Appeal, shall act as a first instance of the Court of Appeal, exceptionally the rule of Article 12 (2) of the Code.

10.- For this reason, this shall be filed by the case file to the Court of Appeal to which it is addressed (Court of Appeal) and with the service of the defendant is addressed (CCP 585 (1) (215 (1))) within the provisions of Article 43 (5) of the Declaration of an exclusive deadline of one or two months (CA 1028/2009).

11.- Moreover, the enforceability of the foreign decision can be dismissed if the expansion of its energy to the domestic would result in the creation of situations that are largely inappropriate to the detainees of a domestic legal order and only on the proposal of the prosecution of the appeal, if the decision is controlled if the decision is controlled, Class in the narrower sense of the regulation (Krombach Decision of 28-3-2000).

12.- Further from the combination of the provisions of Articles 68 and 73 CCP, it is clear that, for the procedural condition of the trial legitimacy of the party, it is sufficient to claim the plaintiff's assertion that he and the defendant are the subjects of the deprived of the legal judgment. Relationship without (in principle) the truth or not of this is influenced, since the lack of a subscription of the above procedural condition implies the rejection of the lawsuit as legally unfounded during the legal basis of the lawsuit, and substantially unfounded in the case of Non -proven (at the stage of research of substantial groundwork) of those cited for its foundation (active legitimacy) of facts (OP 25/2008, CA 628/2010, CA 1928/2008, CA 2402/2007).

13. In view of that the legalization of the party and the legitimate interest are essential prerequisites for the provision of judicial protection. The incorrect judgment of the Court of Justice on the subscription of these conditions establishes the appeal of Article 559 of the Code of Civil Procedure and not that of the number 14, which arises only when the application for the lawsuit does

not display the evidence that establishes legalization and justify the legal interest in its exercise (OPP 25/2008, AP 1157/2017).

14.- After all, while the assistance of the active and passive legalization of the parties is on its own motion by the court of substance, it does not concern public order and, therefore, the claim to establish a ground of appeal must have been proposed to the Court of Appeal and refer to the Court of Appeal and to refer to the Court of Appeal. In the appellant that the relevant proposal was made (AP 529/2009, AP 244/2004).

15.- Further, the combined provisions of Articles 905 par. contrary to the "public order". In these provisions, the public order is understood within the meaning of Article 33 of the AK.

16.- Therefore, the declaration of a foreign court ruling in Greece is not forgiven when, due to its content and in view of the specific circumstances arising from a foreign decision, its execution would turn into fundamental states, social, legal or economic perceptions that in the country and (b) it would distribute the legal pace it holds in the country (OP 17/1999, CA 2273/2009, CA 1066/2007).

## **PART TWO:**

### **The Punitive Damages Institution in Common Law Legal Classes**

#### **1. Concept, Purpose and Functions of Punitive Damages**

1.- The term "punitive compensation" (hereinafter referred to as Punitive Damage, or Exemplary Damages) defines the increase in civil damages awarded to the plaintiff beyond and in addition to the amount required to repair its actual damage when the defendant is highly acclaimed violent, blackmailing, fraudulent, delusional, malicious or tangible and unethical.

2.- Purpose of Punitive Damages, as it is repeated in the judicial decisions of the US Courts, is the defendant's punishment for the act he committed, as well as the detence of his own offender as well as third parties by the commitment of similar behavior in the future.

3.- Punishment is justified on the one hand by the particularly heinous nature of the act and by the consequences that this act can bring to the community.

4.- Achieving the purpose of detence objective via Punitive Damages depends on the help of two basic factors, namely (a) whether the law actually applies and punishes those who have grossly violated other people's rights and (b) Whether potential offenders understand the provisions of the law, as well as the possibility that they will be punished for punishment for the commitment of wrongdoing.

Also interesting is the fact that the purposes of imposing penalty and deterrence are strongly intertwined, and it is even argued that prevention (general and specific) is one of the main (if not the most basic) purposes of imposing sentence.

5.- Punitive Damages differ from the Compensatory Damages, as the former are in practice oriented by the offender, by focusing on the latter's face, while having a look in the future (preventing the performance of similar behaviors in the future), as opposed to the Compensatory Damages which are oriented to the damage suffered by the injured person and on his face have retroactive power (that is, refer to something that was done), while seeking to bring the injured in the same position that he would be if the offensive behavior had not taken place.

6.- The institution of Punitive Damages has been characterized that it balances between civil and criminal law and is quasi-criminal, as the prestige and punishment purposes they seek are, in principle, purposes that come across criminal law. But in a civil trial taking place between two individuals.

7.- In addition, it has been supported by the double character of Punitive Damages that the term "punitive" has two meanings. The first is that of the defendant's punishment for the particularly heinous behavior he has shown, while the second concerns the plaintiff's right to a civil trial to impose the right to be punitive. The first concept is the one that suggests the criminal side of Punitive Damages, while the second constitutes the core of their bourgeois appearance. It is even this dual substance that raises issues regarding the application of constitutional guarantees that are implemented on penalties imposed by criminal law and for Punitive Damages, in particular as to the aspects of the latter approaching criminal law.

8. It becomes unjustifiably richer, collecting without subscription documentation, an amount that exceeds the damage it has suffered. This is the argument of the Windfall Argument, which argues that the plaintiff is reaping an unexpected profit he is not entitled to, while the public, whose interests are at risk by the defendant's behavior, is not the amount of money. In addition, it has been proposed to distribute the amount awarded as Punitive Damages between the plaintiff and the state, so as to ensure that an amount is indeed available for the benefit of the community. Further, due to the fairly indefinite guidelines given to the jurors regarding the criteria to be taken into account for the amount to which Punitive Damages should be raised, the jurors often see amounts excessively, based on prejudices that are highly at great expense. Wealthy defendants, as was the case in this case with the decision that the contested executable in the Greek territory. It is ruthlessly confident that decisions that see Punitive Damages are unpredictable and introduce an element of uncertainty in the legal order, while not provided for in the Greek legal order, coming to direct contradiction with the Greek public order.

9.- As early as 1986, in the United States of America, there has been a strong dialogue on the issue of constitutionality of the Punitive Damages institution. The opponents of the institution claimed that it is hitting the eighth and fourteenth amendment of the Constitution. The first prohibits excessive monetary penalties ("Excessive Fines Clause"), while the latter provides the "Due Process Clause", which has the meaning that the trial must be fair and rationally linked to the pursuit of a legal purpose (Rationally Related to Legitimate Purposes).

On the issue of the opposition of the institution to the eighth amendment of the Constitution, the case-law has already ruled negatively with the *Browning - Ferris Industries of Vermont, Inc. v. Kelco Disposal Inc.*, accepting that Excessive Fines Clause does not apply to cases between two private parties in which the court is awarding Punitive Damages. On the contrary, this clause, both in principle and based on its historical interpretation, seems to be exclusively implementing in the field of criminal law. The first fundamental decision to deal with the control of Punitive Damages in the light of Due Process Clause was the decision *Pacific Mutual Life Insurance Co V. Haslip*, in which the court initially

accepted that the institution of Punitive Damages Per Se does not violate the fourteenth amendment of the Constitution.

However, the court then made a very significant assumption that the unacceptable discretion of the jurors or court to determine the amount of Punitive Damages could lead to extreme results that are contrary to the principle of fair process clause, while accepting that The most important factor to be taken into account when checking the constitutionality of the decision to see Punitive Damages is "... if this decision is in a reasonable relationship with the purposes of deterrence and punishment".

10.- The Supreme Court plenary issued no. 17/1999, which ruled that the fact that Greek law ignores an institution provided for in foreign law does not mean that this institution is in the national public order.

In addition, OLAP 17/1999 accepted that although the restorative nature of the law of compensation constitutes the rule in the Greek legal order, the additional amount due to a "penalty" to the bad debtor is not generally prohibited. In support of the above, the majority reference was made to the institution of the criminal clause, while also explicitly referred to the provisions of a law providing for an increase in compensation beyond the actual damage.

The court also accepted that, in order to educate his judgment on whether or not to contradict the foreign decision that he or she seeks such a "penalty" to domestic public order, to evaluate this foreign decision in terms of the supreme penalty of the sentence awarding. , based on the relevant obligation on Article 409 AK, which according to the Court constitutes a manifestation of AK 281. He thus considered (OLAP 17/1999) that the Court of Appeal, "to the extent that it did not consider the issue of the excess of the Punitive Damages funds. , must be undone. "

A first minority in Decision 17/1999 argued that the restorative nature of compensation is considered a major and fundamental principle of the national legal order, which reflects the moral, social and economic perceptions that govern the country's living rhythm in modern times and therefore the foreign judiciary Decision, which awards an amount, as a result of compensation, in the form of a penalty, is, regardless of the amount of the amount, contrary to public order, because, in addition to conveying criminal perceptions in the field of

private transactions and imposes sanction , which is only for the benefit of the one who has been damaged, contradicts the restorative nature of the compensation.

A second minority, contrary to the first, argued that the appeal had to be rejected as unfounded. This is as the restorative nature of compensation, which is a general principle of Greek law, does not fall into a principle that is part of the fundamental legal, political, social or moral perceptions that govern the Greek legal order and regulate living relations within the boundaries of Greek territory so that To prevent the declaration of an enforcement in Greece a foreign court ruling imposing punitive damages.

11.- Undoubtedly the concept of public order is of excellent character, as is evident from the Paratite of AK 33 that refers to "reservation of public order" and has the meaning that public order is only in exceptional cases and cases. Always sparingly.

To respond to the character of the criminal clause as a civil penalty, the argument that a private sentence has the debtor's face, while the criminal clause has the focus of the lender, as it is a minimum collateral for him. In the event that the debtor shall athe at the deficit of his contractual obligations.

12.- In addition, no general prevention purposes are done by the regulation of the criminal clause, as the contractual relationship in which it has been agreed operates purely inter partes, due to the principle of relativity of guilt (see and AK 177). However, even if the criminal clause does not constitute a private penalty, however, acting as a means of pressure for the debtor, it has the element of prevention and ratification at its expense, regardless of whether these elements constitute the basic supporting reason for its establishment.

13. such as Punitive Damages that are sovereign sovereign by the court. The fact that the Greek legislator accepts the conclusion under the private will of a criminal clause, which has, inter alia, a sanctioned purpose, does not indicate that the above purpose is compatible with the fundamental principles of the Greek legal order, as punitive damages can be the result of Only the will of the parties, when the parties agree to be subject to the difference between them, which is aware of this institution.

14.- A provision that involves a preventive- ratification in accordance with the preventive- sanctioning nature of Article 10 (16) (b) of Law 2251/1994 concerning the advice of moral damage to collective education. According to this provision, "in order to determine the financial satisfaction, the Court takes, in particular, the intensity of the infringement of the legal order constituted by the illegal conduct, the size of the defendant of the supplier and, in particular, the annual turnover of its turnover, as and the needs of general and special prevention. " And in this case, however, the legislator uses (and) in this provision the term "financial satisfaction due to moral damage", despite the fact that the financial satisfaction is different from the moral damage as found in Articles 59, 299 and 932 AK and which which It is restored, but it does not disconnect it from it. This is because in this case we are not dealing with non -property damage, but contrary to the introduction of a bourgeoisie against the supplier - offender.

15.- The majority of OLAP 17/1999 accepted that the institution of Punitive Damages is not contrary in abstracto in the Greek public order, but in concreto the foreign decision seeking Punitive Damages to hit it when the amount is sufficient is in the midst of the amount. Others of the kind and the importance of default, fault and moral and economic status of the parties.

The Court cited a basis for the Article 409, which provides for a judicial reduction in the appropriate measure of the disproportionately large private sentence agreed by the parties and which, according to the court, constitutes a manifestation of AK 281.

The majority did not directly refer to the principle of proportionality, but it was indirectly cited when it referred to AK 409, which is an expression of the principle of proportionality in civil law. The general hesitation of the case -law to immediately invoke the principle of proportionality, as provided today in Article 25 (1) (1). d of the Constitution, it derives from the point of view that the constitutionally guaranteed principles cannot be implemented directly to regulate relations between individuals.

On the contrary, the introduction of their radiation into the field of private law is through the general saying, which includes AK 409, as AK 281.

In addition, it is argued that any acceptance of the immediate tribalty of constitutional rights would overthrow the independence of private law.

It is best to resort to the judge directly to invoke the principle of proportionality, as provided for in Article 25 (1) (d) of the Constitution, in view of the fact that the recipient of the principle of proportionality is other than the legislator and himself and himself and himself and himself. the judge.

An argument in favor of this view can also be derived from the fact that AK 409 is directly implemented only on a criminal clause and not in any case of ratification.

16.- Unacceptable condemnation of the case? The question arises that the judgment of the majority of AP 17/1999 that the Greek Court of Justice must control the amount awarded by the foreign court on the basis of criteria such as the species and the importance of the debtor, the degree and the extent of its fault, The interests of the lender, which have been infected or at stake, the moral and financial situation of the parties and the special circumstances, pave the way for the reactive auction (Revision Au Fond).

17.- Indeed, when the Greek Court of Justice comes to judge again evidence that has already been examined by the foreign court, it appears to be resolving the case.

Regarding whether or not this case is permitted, it has been argued that condemnation is exceptionally permissible in extreme cases where there is a risk of financial extermination of the perpetrator and there is a disproportionate of means and purpose, resulting in the principle of proportionality leading to in retreat of the principle of non -condemnation of the case.

As a result, control based on the principle of proportionality constitutes a permissible deviation from the principle of prohibition of condemnation, as long as it is sparing and leads to the refusal of foreign decision only in extreme cases, where the principle of proportionality is - in view of the Conditions in this case - obvious.

18.- Some enforceable in terms of actual damage

The Court may judge in public order the foreign judicial ruling on the Punitive Damages budget, and (a) declare it some enforceable for the actual damage or (b) to modify the amount of Punitive Damages, adapting to the Greek public class tolerable levels. In this regard, it has been argued that partial

execution presupposes the existence of more funds in the same alien title, and if the subject of the proceedings are partial execution is not accepted. Consequently, the concept of capital is critical, which according to the prevailing view presupposes a provision that is definitively ruled by any independent application for judicial protection.

In this regard, as shown by the overview of the institution of Punitive Damages in foreign legal classes, the lawsuit is not accepted with a separate request for the advice of Punitive Damages, but on the contrary, it is necessary to bring a lawsuit for Compensatory Damages.

Subsequently, the Funds of Punitive Damages cannot be considered independent chapter, establishing a uniform chapter with the other component of Compensatory Damages. Based on this view, any impact of Punitive Damages in the Greek public order would lead to a refusal to execute a foreign decision as a whole, rejecting the possibility of partial execution. It has also been argued, however, that even in a single proceedings, partial execution can be accepted, since the decision can be easily divided into conflicting sections and non -public sections.

19.- View that appears to be holding the case-law, rightly, the partial execution of a decision on the actual injury is permissible, provided that the punitive compensation will be present in concreto contrary to the national international public order, as it is easy to intervene, without intervention in The rationale of the foreign judge, the separation of the part of the decision that he encounters in the public order from what is in accordance with it.

As to whether the Court can amend the amount of Punitive Damages by adapting it to the height of the public order, it is the view that this would constitute an unacceptable condemnation of the case, as it would have been controlled by the domestic court. The legal and substantive reasoning of the foreign court and to issue a new decision on the same issue.

20.- An important decision to recognize a foreign dietary decision seeking Punitive Damages was AP 1260/2002. The decision concerned a recognition of a foreign arbitration ruling issued by the Kiev International Arbitration Court and under which the arbitral court had awarded US \$ 106,100 for a non -paid price and \$ 62,599 as an additional compensation for overdue payments. , which is a

sanction for the unconventional behavior of one party. AP disappeared of the Court of Appeal ruling before him, due to the fact that the Court of Appeal had not examined whether the "penalty" imposed was excessive, establishing the relevant obligation of the Court of Appeal to undergo proportionality in Articles 281 and 409 AK. .

21.- Interesting is the Brethavon ruling 160/2010, which concerned a declaration of an enforceable arbitration decision issued by the International Commercial Arbitration Court of the Ukrainian Chamber of Commerce and Industry under which the Arbitration Court had obliged to pay the defendant court to pay the defendant court. Among other things in the applicant (a) EUR 120,000 as a remaining balance and (b) EUR 79,015 as a conventional criminal clause due to non -payment of the main debt. The court first accepted that the above amount of the criminal clause is not disproportionate and does not confront the Greek International Public Order, taking into account "(a) the subject of the whole contract; (b) the consistent fulfillment of the applicant salesman; (c) the Undefeated non -fulfillment of the obligations of the debtor and the degree of its fault, (d) the continued refusal to fulfill its main debt and (e) the financial interests of the beneficiary 'and in view of them preached enforceable in the entirety. this dietary decision.

The Athens Court of Appeal, however, the Decision of the COURT OF APPEALS Nr 4332/2011 overturned the decision of the One Member Court of Thivas, considering that in this case "the increase in the real claim of the lender applicant with" criminal "ratification in favor of it, which for a period not exceeding the five months is approximately about the five -month period. 2/3 of the main Debt, is considered unhappy in the face of the interests of the traders, the degree and the size of the debtor's fault, the unfavorable international economic situation and the generally special circumstances of the transaction. " of the Arbitration Court in terms of all its provisions, except that of the € 79,015 funds of the criminal clause.

22.- Another worthwhile decision is the Decision of the One Member Court of Thivas 13432/2012, which also concerned the recognition of a foreign dietary decision coming from the International Commercial Court of Justice of the Chamber of Commerce and Industry of Ukraine and which sought against its

obligation Payment of 99,751.00 as a removal price due and 99,751.00 as a criminal clause. The court, after checking the proportionality of the criminal clause, ruled it disproportionately and denied the recognition of the relevant funds, in view of the "(a) the deserted of the defendant and the consequent inability of the court to check the degree and the extent of the court. the latter on the non -fulfillment of Convention b) of the event (which the decision accepts) that the applicant's interests were not affected by further damage due to the partial fulfillment of the contract. "

23.- The newest decision to declare a foreign decision in Greece to see Punitive Damages is One Member Court of Piraeus 722/2019. This case involved a lawsuit filed on 20.12.2013 by the applicant company by - among other things - two foreign companies based in New York State in the US.

The New York Supreme Court issued a ruling established on the bases of "breach of contract, fraud under common law / deceitful, bourgeois conspiracy, malicious prosecution and false identity (abuse of legal personality)," defendants to pay to the plaintiff (and applicant in the case), in solidarity and each of each amount of \$ 7,857,066.00. as compensation for positive damage and the amount of \$ 10,000,000.00 USA. as punitive damages.

The Greek Court of Justice, judging the issue of the declaration of the executor of that ruling in Greece, followed in the principle the rationale of CA 17/1999, accepting that the institution of Punitive Damages per Se does not hit the Greek public order.

He referred, as the Decision by the SUPREME COURT Nr 17/1999, to the institution of the criminal clause in force in the Greek legal order, as well as to the provisions of Greek law mentioned in SUPREME COURT Nr 17/1999 and which provide for an increase in compensation beyond the actual damage. Judging on the issue of the proportionality of punitive damages, the court considered it reasonable, in view of the specific circumstances that emerged from a foreign ruling, which, according to the court, were "on the one hand that the debtors deceived the initially contracting company by presenting the company. Know the false events as true (that they had a large amount of carbon they wanted to sell), in order to persuade her to conclude her contract, on the other hand, to the extent of the positive damage and the moral damage suffered by the above company. After her reputation was irreparably damaged, and because of the disagreement by the plaintiff, she defied her agreement with another company in

which she would transfer the carbon and the ship she had chartered to carry the above commodity.

24.- It is obtained that the Greek Court of Justice has made an ad hoc weighting of the criteria formed by the case-law and on the basis of which the disproportionate or non-disproportionate nature of the sanctioned compensation is judged.

This decision seems to be a shift in Greek case law to a more flexible and pragmatic approach to the institution of Punitive Damages. To date, Greek case-law has used to accept the recognition of a foreign decision to see Punitive Damages, only in cases where the amount of sanctioning compensation was significantly lower than the amount that the foreign decision sought as a positive damage. Thus, although per se he acknowledged that the institution of Punitive Damages was not confronted with the national international public order, it ended up in practice rarely recognizing the relevant funds, in view of the usually amount of the proceedings was not significantly lower than the actual damage.

**In this case, however, the Piraeus Court of First Instance has reversed this presumption, accepting that Punitive Damages should not be significantly higher than the amount of actual damage. Following this turn of the case-law, the applicant to recognize and execute a foreign decision to see Punitive Damages does not need to indicate that the amount of sanctioning compensation is significantly lower than the actual damage (positive condition), but that it is not significantly higher than the actual damage (negative condition).**

### **PART THREE:**

The decision of the foreign court declared enforceable by the contested decision

1.- The contested ruling by which the judgment of the foreign court was declared not to be subject to any of the above concerns and the examination of these positive and negative conditions of contrast with the nation-class legal order, a Fortiori did not exist at all if its amount Renactive - punitive

compensation is significant, disproportionately higher than the actual damage to the Lauren Reeves applicant.

2.- The foreign court in the disputed cases has accepted two applications by the plaintiff *in limine*: one to exclude the applicant Alcibiades David from a person's deposition in the exercise of the defense right, and the other prohibited him to "invite witnesses because they were not informed. In the pre -trial disclosure of the discovery ("Discovery") and/or from the introduction, reporting, commentary and/or attempt to submit documents that had not been previously disclosed during the pre -trial. In limine applications of the plaintiff are investigated for abuse of the discretion of the evidence of the evidence [Piedra against Dugan, 123 Cal.app.4th 1483, 1493 (2004)]. However, the courts examine the essence of an application, not in their title. [One v. County of Los Angeles, 171 Cal.app.4th 1058, 1064 (2009)]. Although they seemed to be in Limine applications, despite the applications of the Apostles were movements of a new covert pre -trial hearing, and were submitted as such on the basis of the US Codeciv.proc. §2030.030. 3AA 1386: 2-6, 1410: 2-7. While there are decisions that impose sanctions on pre -trial procedure for abuse of discretion [Karlsson v. Ford Motor Co., 140 Cal.app.4th 1202, 1217 (2006)], this discretion is "not unlimited" [Motown Record Corp. v. Superior Court, 155 Cal.App.3d 482, 489 (1984) (reversal): "Of course, it is a basic rule in California, constitutional origin, these sanctions must be appropriate to allow the part of the parties pursued preliminary rulings to acquire the subject of the preliminary ruling; ratification should not put the dominant party in a better position than if the preliminary ruling was requested nor can the sanction be in the form of punishment. "[El Dorado County v. Schneider, 191 Cal.app.3d 1263, 1282 (1987)].

3.- With Alciviades David's prohibition from testifying himself for his own defense, the Court **directly violates these rules and deprived of fundamental rights resulting in a violation of his claim for a fair trial**. Mrs Khan's lawyer said that the subject of Mr Alciviades David's deposition was to receive information by the plaintiff Khan on the case. Alcibiades David's ban on testifying did not allow the plaintiff Mr. Khan to obtain this information [see Motown, 155 Cal.app.3d at 490 (reversal of evidence "because they are not

reasonably calculated towards achieving the goal of compliance with pre-trial acts").

The acceptance of the in Limine request in favor of the plaintiff also brought her (Mrs Khan) in a better position than Mr David would be allowed to testify. In this case, evidence would have to gather and develop arguments to refute his testimony and convince the jurors that Mrs Khan's version of the events was more convincing than his own. On the contrary, with the acceptance of the application in Limine, Mrs Khan's version was the only one heard by the jurors - as Mrs Khan's lawyer said when Mr Alkiviades David was criticized that she did not testify [see McGinty by Senior Court, 26 Cal.app.4th 204, 214 (1994) (inverse ratification of evidence because it put the accused in a better position than the infringement would be absent). In addition, pre-trial sanctions cannot "be a form of punishment." [Schneider, 191 Cal.app.3d at 1282. Motion #1 explicitly argued that Mr David's punishment should not be given only for discovery of bad behavior but sexual harassment. ("Although the accused David has been sued for sexual harassment many times, he feels invincible. Nothing happened to correct his illegal behavior.")

4.- Acceptance of the application in limine in favor of the plaintiff was unacceptable for other reasons. "The procedural conditions for the pre-trial pre-trial approach, starting with financial sanctions and ending with the final ratification of the deposit prohibition." [Doppes by Bentley Motors, Inc., 174 Cal.app.4th 967, 992 (2009). Greater sanctions generally should not be imposed until they are tried and missing more penalties. [Lopez v. Watchtower Bible & Tract Society etc., 246 Cal.app.4th 566, 604-606 (2016) available and had not been tested). No previous penalties were imposed on the deposition of Mr David. The MTs was deposited before the deposit was made and was not based on Mr David's deposition behavior. Consequently, the prohibition of Mr David's deposition as a sanction is not justified in procedurally. Motown, 155 Cal.app.3d at 491 (inappropriately strict penalties for document production cannot be based on financial sanctions to fail to respond to interrogations).

5.- In addition, no further attempt was made to receive deposition by Mr Alcibiades David after his performance of September 18, 2018, although he remained more than a month. Under these circumstances, passing directly to a

mandate prohibiting Mr David to testify in person for his own defense was a clear abuse of discretion.

6.- Courts that adopt and review orders of pre-trial acts "should do so with the principles of the legislative system". [Williams v. Superior Court, 3 Cal.5th 531, 540 (2017)]. These principles include preventing the trial, enlightenment on each side of the strengths and weaknesses of its case, accelerating preparation and trial, formulating testimonies to refer to trial and minimization of "opportunities for forgery and forgery. oblivion". [Puerto v. Superior. Court, 158 Cal.app.4th 1242, 1249 (2008); Kelly v. New West Federal Savings, 49 Cal.App.4th 659, 672 (1996).] "The review court cannot abuse a discretion for the deficiency of pre -trial orders: any file indicating failure to be adequately taken into account. The concepts are subject to the accusation of abuse of discretion ', even if the provision "does not exhibit such abuse". [Williams, 3 Cal.5th 540].

7.- The defendant's limitation on his right to deposit his witnesses was inconsistent with the purposes of the prerequisites. First, the court ruled out seven witnesses on the grounds that the defendants had not recognized them in the answers to investigations as people with knowledge of the events. Providing names of witnesses and communication information to interrogations are important because it gives the proposal to "a starting point for future investigations". Puerto, 158 Cal.app.4th at 1250. But Mrs Khan did not need investigative answers to find out who these witnesses were: she already knew.

8.- Mrs Khan's lawyers had just completed the trial of Mrs Lauren Reeves, in which they testified five of these witnesses and there were essential evidence of others. In fact, Mrs Khan's lawyers argued that Mrs Reeves was so similar to the present case that she should be allowed to testify in Mrs Khan's trial (something she did). There could be no "surprise" for Mrs Khan if the same witnesses who had just testified (or for which evidence had been presented) in Mrs Reeves' trial were filed a few weeks later in Mrs Khan's trial. Indeed, when Mr Alcibiades David's defense lawyer opposed the change of witnesses by Mrs Khan at the last minute, calling Mrs Lauren Reeves the scheduled witness for whom the defense lawyer had prepared, Mrs Khan's lawyer rejected them. Her complaints: "She

examined Ms. Lauren Reeves in the last trial extensively, so it's not as if she doesn't know [what Reeves will say.]"

9.- In addition, the exclusion of the witnesses of the applicant Alcibiades David brought Khan to a better position than they would be in question because much of their testimony in Mrs Lauren Reeves' trial was favorable to Alcibiades David. Excluding these witnesses, Mrs Khan kept their evidence away from the jurors - and gained the additional benefit of being able to underestimate David to the last argument because he did not call any witness to support his position.

10.- It also constitutes a violation of the fundamental right of the applicant to exclude the documents. The court accepted the plaintiff's request to exclude (witnesses and documents by Mr Alcibiades David) on the condition that he prove that Khan "had actually asked for the pre -trial (sic) was hidden". It is not disputed that all the excluded documents had already been submitted to Mrs Khan. Thus, the condition set by the Court for the acceptance of the plaintiff's request, Mr Khan, was fulfilled. However, the court found that the documents had been "intentionally withheld", a finding contrary to the undoubted evidence.

11.- The California court acknowledged that the documents were prescribed. However, the court ruled that they should continue to be excluded because they had been produced a few months after their production was ordered. Delayed production of documents does not justify their exclusion. [See *Motown*, 155 Cal.app.3d at 490-491 (the delay of the plaintiffs in the provision of the privilege log did not justify penalties for evidence when the defendant had fully complied with the mandatory production of the order until the sanctions were heard and He was the plaintiff). These documents were submitted to Mrs Khan in September, before the application for exclusion was filed and more than a month before the trial began (3AA 1266, 1409-1415). See *Lee v. Lee*, 175 Cal.app.4th 1553, 1558 (2009) (bills accepted correctly, although only five days before the trial were prepared). Nor did Mrs Khan claim (or proved) any prejudice from delayed production. See *Sauer* by Supreme Court, 195 Cal.app.3d 213, 2130 (1987) (sanctions are allowed when production is delayed until the scheduled start of the trial and the other part is damaged by delayed offer).

12.- The exclusion of reading documents constitutes abuse of discretion. When "the error results in the refusal of fair listening, the error is reversible itself.

The refusal to a party to the right to testify or provide evidence is reversible in itself. " Kelly, 49 Cal.app.4th at 677.

13.- With the unacceptable exclusion of witnesses, the applicant "the opportunity to present his defense" was deprived of his defense and was reversible. The acceptance of Mrs Khan's requests has deprived the applicant "the opportunity to present his defense".

14.- He was prevented from testifying for his own defense by calling on key witnesses whose previous testimony in Lauren Reeves' trial had supported his refusals for sexual harassment and even presenting documents already submitted to Khan. These orders for exclusion of evidence, especially when combined with decisions that limit the applicant's ability to examine Mrs Khan's witnesses and ultimately deprive self -sustaining right to refuses to 'opportunity to expose his defense' and reversible error.

15.- Even if the elements of a prejudice at the expense of the applicant needed to prove to be proven. This was a classic case "he said, he said." But because of the proof of evidence by the court, the jurors only heard what she "said".

16.- Mrs Khan's lawyer emphasized this point by closing, criticizing the applicant Alcibiades David because he did not testify and called witnesses who could support his version of the case. In her final position, Mrs Khan's lawyer also mocked the applicant because they did not present Mrs Khan's employment - which was excluded from the act of the court - stating that the defendants should have refused to be detrimental to them. This was clearly popular with the judgment of the jurors because they immediately raised multiple questions about the employment contract. None of these questions were answered by the court, leaving the implied positions of Mrs Khan.

17.- If he had been allowed to the applicant Alcibiades David to expose his defense, it was "reasonably possible" that the result would be more favorable to him than a negative crisis of \$ 60 million. Diamond vshko, 239 Cal.app.4th 828, 849-850 (2015) (inappropriate excluding evidence prevented the jury from evaluating the credibility of witnesses and evaluating the arguments of the respondents; the crisis was reversed). "[The right to represent yourself in urban processes is carried out in this situation. . . It is firmly integrated into California's case -law. The right is necessary to protect and ensure the free exercise of explicit

constitutional rights, including the right to acquire and protect property and access to the courts. " [Baba v. Board of Supervisors, 124 Cal.app.4th 504, 526 (2004). This right "serves a critical function in accordance with California's law" and its deprivation "can create constitutional problems".

18. However, the Court began to limit the right to self -confirm the applicant even before the jury was selected.

19.- First, the Court ordered the applicant to submit his procedural questions to the jurors in advance, after an inquisitive examination of Mrs Khan and after a confrontation for all her witnesses. Eventually the court completely removed the right to self -confirm the applicant, Mr. Alkibiades David.

20. He states in a relevant place: "The judge must allow the lawyer to carry out a voir dire exam without the prior submission of questions unless the defendant has been involved in inappropriate interrogation." · The choice of jurors had not even begun. The behavior of a first instance court is usually checked for Voir Director by abuse of discretion. However, because this restriction on the applicant's voir direction violated the procedure, it is a fortiori abuse of discreet discretion.

21.- A party exercising the right to represent the pro per per, that is, in person (pro per status, derived from Latin in Propria Persona) is entitled to "the same treatment as if represented by a lawyer- no different, no better, no worse." Nuno by California State University, Bakersfield, 47 Cal.app.5th 799, 811 (2020). Treatment of the applicant was different and worse. The Voir Direction of the other party was not limited and the violation of §222.5 (b) (1) by the court prevented the applicant from realistic or substantial involvement in the selection of jurors who eventually sought nearly \$ 60 million against him.

22.- The court ruling was deprived of fair trial, denying the applicant his constitutional and statutory right to jury trial (Shaw V. Superior Court, 2 Cal.5th 983, 993 (2017)) and constitutes a structural error that Requires Automatic Turnover (Conservatorship of Maria B., 218 Cal.app.4th 514, 534 (2013). It was a reversible mistake to require the submission of the applicant in advance. It is said to represent absolute right, not just a privilege. "This right" is fundamental and its refusal or unjustified restriction is a reversible error ".

23.- The contradiction "is necessarily exploratory", requires a "reasonable margin" for the examiner "although it is not able to declare in court what events could arise a reasonable counter-examination". *Fost*, 80 Cal.app.4th 733. Thus, while a court can control the "way of interrogation of a witness", this test must be "reasonable". CODE §765 (a). See, for example, *City of Ontario v. Kelber*, 24 Cal.app.3d 959, 972 (1972) (since the lawyer asked the same question in six ways, a court rightly told the adviser to proceed). *Flagg by SENG*, 16 Cal.app.2d 545, 552 (1936) (the Court of First Instance reasonably reduced the counter - 1000 pages). This is not a case in which the interrogation was repeated or prolonged. The court demanded David's preliminary examination before asking only one question. In addition, the claim for the court's preliminary clearance was more burdensome than the restrictions ratified as "reasonable".

The court restricted the counter -examination of all witnesses by the applicant. He limited the appeal of the applicant to all matters. [*Kelber*, 24 Cal.app.3d in 972 ("The lawyer was not excluded from further anti -examination of the witness, only by repeated questions for a particular point").

The court only restricted the applicant's counter -examination. [Cf. *People v. CONAGRA GRCERY PRODUCTS CO.*, 17 Cal.app.5th 51, 146 (2017) (supports the prohibition of re -crossing from any place). The exercise of the power of the Court of First Instance in accordance with §765 (a) is checked for abuse of discretion. *People v. Chenault*, 224 Cal.app.4th 1503, 1514 (2014). Here the discretion was abused at the expense of the applicant's right to a fair trial. The Court of First Instance cannot use its power to control the procedure to destroy the evidence of a party. *Monroy v. City of Los Angeles*, 175 Cal.app.4th 248, 266-267 (2008).

"The procedure is due to include the right to listen, deposit witnesses and a confrontation of examination and confrontation with witnesses." In *Re Armando L.*, 1 Cal.app.5th 606, 620 (2000). The court deprived the applicant and all three. The revocation of the right to self -represent a part of a subversive or inhibitory proceedings is re -examined for abuse of discretion. *People v. Carson*, 35 Cal.4th 1, 12 (2005).

"When to determine whether the complaint is necessary and appropriate, the court will have to consider many factors beyond the nature of the offense and its

effects on the trial." These include whether the defendant was aware that this misconduct would result in his termination of his property being present in person to represent the defense of in propria persona (pro per) himself and if there were proper smaller alternatives. "The most critical, a reviewing court should be aware of the exact wrongdoing in which the Court of First Instance supported the ruling on deprivation of rights. The court should also explain how inappropriate behavior threatened to harm the basic integrity of the trial. " Carson, 35 Cal.4th at 11.

24.- The court revoked the applicant's pro per status on November 15, 2019 for "conduct that is seriously disturbing and preventing this trial and the court finds that the need to control and resolve this case outputs the right of the applicant to represent himself " The court neither clarified the behavior nor explained how this behavior threatened the "basic integrity" of the trial. The 15 -minute command of November repeated the same wording, without specifying either the behavior or the threat of the "basic integrity" of the test. 7a 2587-2588. He only stated that the revocation was ordered "for the reasons referred to herein and to the registration incorporated herein with this report" (id.) — Inadequate report, since the file did not contain the required information. The minutes continued: "Mr David has stated his own intention of continuing this behavior despite numerous orders, names and warnings and the imposition of financial and evidence." This still does not specify which "behavior" justified the recall. Without this information, it is impossible to say what "commands" the applicant allegedly ignored - or if he did it at all. For example, shortly before the court revokes David's Pro Per Status, he saw a video taken by the applicant, partly in his car and partially outside the courtroom about his inaugural statement. Then the court told the applicant that it was "illegal to record anywhere in the courthouse". When the applicant complained that other judges had told him that this was not the case, the court replied: "I also issued an order anywhere in court." He had no photography in the courtroom, an order that the applicant had not violated.

25.- The attitude of the California Court was vindictive for the reasons of 'behavior' by the applicant to the court. The previous "suggestions and warnings" mentioned in the minutes do not support the revocation. The defendant must be warned that this behavior can lead to loss of its property. Carson, 35 Cal.4th at

10, 12; *People v. Becerra*, 63 Cal.4th 511, 518 (2016) ("The inappropriate revocation of Pro Per Status required" appealing the decision as a whole.) In addition, all the requests of the defendant were rejected, including that of November 15. The court denied The termination of sanctions against the defendant because (rightly so) was worried about David's constitutional rights for a fair procedure and access to the courts and because he took "very seriously Mr David's performance in court this morning that it is intention to try to try to We comply with the Court's behavior commands in the future. " Testimony and presentation of other evidence - were equivalent to the sanctions that the court had concluded were unjustified.

26.- The applicant did not have the proper notice that his pro per status could be revoked at the November 15 hearing. This inadequate notice cannot be cured by previous "suggestions and warnings", as they were also inadequate. The "unacceptable behavior" was not clarified, neither the consequences nor the two. See a passage of the decision, eg, 4RT 627: 19-21 ("there will be consequences if you are unable to follow the rules of decency"), 639: 1-9 ("If you do not do [maintain an item cosmos], there you will have consequences "), 646: 15-22 (David must" act in a way that is respected and in a way that - - comply with the local rules and rules of the California Court ").

27. 9rt 2120: 24-28, 2124: 10-13. Some have identified possible consequences, such as David's exclusion from the courtroom (4RT 639: 12-14, 6rt 1225: 24-25, 1237: 22-24), but does not recall David's Pro per state. Also see 4RT 646: 23-28 (call their sheriff's deputies, "talk about sanctions"). 6RT 1319: 16-21 (reduce David time for examination).

28.- On November 8, the Court first reported David's Pro Status withdrawal and found in more detail David's supposed inappropriate behavior (eg his behavior in his deposition, slowly appearing in court or leaving Early, shouting in the courtroom and the corridor in front of candidates, gesturing and directly addressing Khan's lawyer, accusing the lawyer and Khan of unethical behavior). 6rt 1225: 22-23, 1234: 14-1237: 13.

29.- These comments do not justify the removal of fundamental rights of the applicant. First, the Court told the applicant that he would hear a hearing to remove his right before issuing such an order. 6rt 1237: 2-9. The process of

November 15 was, and was perceived as a hearing for Khan's MTS, so as not to revoke David's Pro Status. 7aa 2587, 2588; 8rt 1915: 4-5, 1915: 23-1916: 27, 1966: 21-23; 9rt 2127: 4-10, 2129: 23-25.

30.- Second, even if some of the previous "suggestions and warnings" were quite specific and complete, the revocation was still abusing a discretion, because the court did not first impose smaller, alternative sanctions. Carson, 35 Cal.4th at 11-12; Becerra, 63 Cal.4th at 518. For example, the Court put David being temporarily excluded from the courtroom. 4RT 639: 12-14, 646: 28-647: 1; 6rt 1225: 24-25, 1237: 22-24. But the court did not - except after having already recalled David's Pro Status. See 9RT 2132: 3-10; 11RT 2733: 22-2734: 9, 7aa 2594.

31.- Further, the TRIAL CONDUCT Order in which the court refers to the applicant (4RT 639: 28-640: 6; 6rt 1218: 16-20, 1220: 11-22; 8rt 1897: 17-22) provides that its violation is punishable by monetary sanctions in accordance with codeciv.proc. §177.5. 4AA 1704: 12-16. Such sanctions were not imposed. The previous "monetary and evidence" reported by the Court (7AA 2588; 6rt 1235: 7-8) do not support the revocation because they were not imposed on the trial conduct in question. The evidence (badly) imposed on the limit were for inappropriate behavior. See §§iii (a) (1)-(2), above). The same were the previous monetary sanctions (and in relation to the Slapp proposal). The court acknowledged that David's trial and the attribution of bad behavior are "two different issues", which is not. In any case, the deprivation of the defendant's right to represent himself is a clear violation of the right to a fair trial.

32.- The only way he was left to show his apology was to act as his own lawyer (eg in the final debate). See U.S. v. Mack, 362 F.3d 597, 602 (9th Cir. 2004) ("as a aspect of the end of his self -esteem", "He had no right to present any final argument" nor to examine the witnesses of his choice. "

WHEREAS I was not served and notified of the contested decision, and the defendant is aware that my residence has been seized and sealed in Malibu, California, United States of America, 23768 Malibou, 90265, (Malibu Road, Malibu Ca, 90265 U.S.A.)

WHEREAS the contested number. 2663/2022 Court of Appeal of the Athens Court of First Instance, which recognized the enforceability of no. BC

643099/10-9-2020 of the Court of Justice of the State of California in Los Angeles Province (14th Section) following 18/3/2022 with a submission number 23522/1097/2022, in contrast to The Greek public order, for whatever reasons set out above, and the declaration of this decision, enforceable in Greece, is not forgiven because, because of its content and in view of the specific circumstances arising from the foreign decision, its execution is impacting a). Fundamental state moral, social, legal or economic perceptions that hold in our country and b) disturb the legal pace it holds in our country (OLP 17/1999, CA 2273/2009, CA 1066/2007)

WHEREAS the competent judge who issued the contested no. 2663/2022 a judicial order of the One -Member Court of First Instance of Athens, did not invite the conditions of final courts of the Court of Justice, and did not apply to the substantive conditions for the opposition to the Greek public order, nor the violation of the fundamental authorities of the fair authorities. No. 6 of the European Convention on Human Rights, and without ordering the summons of any person as having a legitimate interest in this trial, either having taken my appeal or intervention, and in the absence of notification of Lauren Reeves' application to me, the Greek Court of Justice proceeded Incorrectly on 5/5/2022 without my presence in the Lauren Reeves' application and examination of the substantive bases of its application.

WHEREAS the contested decision lacks a reason for the assistance of the lawful conditions for enforcement of the California Court of Justice. While it contains no reason as to whether the amount of the outrageously high and disproportionate punitive damages awarded by the decision declared enforceable is significantly higher than the supposed actual damage of the defendant (below).

WHEREAS the contested decision lacks a reason as it does not consider the fact that I was not given the opportunity for the US courts to defend and raise my allegations, so that Art. 6 of the European Convention on Human Rights and the International Pact on Individual and Political Rights,

### **FOR THOSE REASONS**

And those I intend to add legally and over time  
With the explicit reservation of all my legal rights in general

## I Apply

This Appeal to be accepted and the no. 2663/2022 Decision of the One -Member Court of First Instance of Athens, to be CANCELLED, ie. the Decision which recognized the enforceability of no. BC 643099/10-9-2020 of the Court of Justice of the State of California in the province of Los Angeles (Political Address 14th Department) on 18/3/2022 with a submission number 23522/1097/2022.

I ask the Respondent to be condemned to my legal expenses and the remuneration of my attorneys, in particular the Greek expenses rising in accordance with the provisions of the Code of Lawyers of one hundred thousand euros (5,000,000 x 2% = 100,000 euros).

*The competent bailiff is called to deliver to the defendant of Lauren (name) Reeves (surname) (Lauren Rods), resident of Los Angeles of the State California, USA, Griffith Park Avenue, Piraeus lawyer Mr. Nikolaos Gerasimos of Georgios, AM/DSP 2814, a partner of the law firm under the name "Gerasimou and Partners Law Firm", AM/DSP 30051, based in Piraeus, Mavrokordou Street, Mavrokordou Street, 1855, to her knowledge of her and for the legal consequences, called as attended by the discussion hereof, where the following acts.*

Athens, July 27, 2023

The attorney



**COURT HEARING DATE**  
**23 NOVEMBER 2023**  
**COURT OF APPEALS**  
**ATHENS GREECE**  
**STAMP & SIGNATURES**