

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 07/27/2020

TIME: 07:29:00 AM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Joel R. Wohlfeil

CLERK: Andrea Taylor

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT:

CASE NO: 37-2019-00049151-CU-MC-CTL CASE INIT.DATE: 09/09/2019

CASE TITLE: People of the State of California vs Silver Saddle Commerical Development LP

[IMAGED]

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Misc Complaints - Other

EVENT TYPE: Motion Hearing (Civil)

APPEARANCES

The Court, having taken the above-entitled matter under submission on and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

After entertaining the arguments of counsel and taking the matter under submission, the Court confirms its tentative ruling (ROA # 206) granting the preliminary injunction. The Court will sign the proposed order submitted by Plaintiff. However, the signed order does not include subparts 2.c. – 2.e. (page 2, line 27 – page 3, line 8). This language is improper because it seeks to prohibit conduct beyond the scope of this litigation. This language has been redacted, i.e., lined-out, from the signed order.

IT IS SO ORDERED.

Joel R. Wohlfeil

Judge Joel R. Wohlfeil

1 MARY ANN SMITH
Deputy Commissioner
2 SEAN ROONEY
Assistant Chief Counsel
3 DANIEL O'DONNELL
Assistant Chief Counsel
4 ROBERT R. LUX (State Bar No. 189191)
Senior Counsel
5 BORYANA ARSOVA (State Bar No. 282703)
Counsel
6 Department of Business Oversight
1350 Front Street, #2034
7 San Diego, California 92101
Robert.Lux@dbo.ca.gov
8 Telephone: (619) 525-3729
Facsimile: (619) 525-4045

9 Attorneys for Plaintiff

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN DIEGO

12 PEOPLE OF THE STATE OF CALIFORNIA,)
13 by and through the COMMISSIONER OF)
BUSINESS OVERSIGHT,)
14 Plaintiff,)

15 v.

16 SILVER SADDLE COMMERCIAL)
DEVELOPMENT, LP, a California limited)
partnership; SILVER SADDLE RANCH &)
17 CLUB, INC. a California corporation; THE)
GALILEO COMMERCIAL PROPERTY)
18 OWNERS ASSOCIATION, INC., a California)
non-profit corporation; THOMAS M. MANEY,)
19 an individual, and DOES 1 through 100,)
inclusive,)

20)
21 Defendants.

22 And,

23 MARIAN G. DUCREUX, an individual,)
24 CLIFFORD J. REYNOLDS, an individual,)
WAYNE A. PEDERSEN, an individual, and)
25 Relief Does 1 through 10, inclusive,)

26 Relief Defendants.
27
28

ELECTRONICALLY RECEIVED
Superior Court of California,
County of San Diego

05/26/2020 at 08:41:25 PM

Clerk of the Superior Court
By Vanessa Bahena, Deputy Clerk

F E D
Clerk of the Superior Court

JUL 24 2020

By: A. TAYLOR

CASE NO.: 37-2019-00049151-CU-MC-CTL

IMAGED FILE

~~PROPOSED~~ ORDER ISSUING
PRELIMINARY INJUNCTION RE:
DEFENDANTS ACCELERATED ASSETS,
LLC; SS PURCHCO, LLC; AND PAHRUMP
VALLEY REAL ESTATE CO., LLC

Date: July 24, 2020

Time: 9:00 a.m.

Dept: C-73

Judge: Hon. Joel R. Wohlfel

1 Plaintiff's Motion for Preliminary Injunction against Defendants Accelerated Assets, LLC;
2 SS Purchco, LLC; and Pahrump Valley Real Estate Co., LLC came on for hearing on July 24, 2020,
3 at 9:00 a.m., in Department 73 of the above-entitled court located at 330 W. Broadway, San Diego,
4 California 92101, the Honorable Joel R. Wohlfeil, presiding. Robert Lux, Senior Counsel, and
5 Boryana Arsova, Counsel, appeared for Plaintiff, the People of the State of California, by and
6 through the Commissioner of Business Oversight. Donald Rez, Esq., appeared for defendants
7 Accelerated Assets, LLC, SS Purchco, LLC and Pahrump Valley Real Estate Co., LLC.

8 On good cause shown and proof made to the satisfaction of the court that the motion ought to
9 be granted, IT IS HEREBY ORDERED as follows:

10 1. Plaintiff's motion is GRANTED.

11 2. A Preliminary Injunction is hereby issued restraining and enjoining Defendants
12 Accelerated Assets, LLC, SS Purchco, LLC, Pahrump Valley Real Estate Co., LLC, and their
13 officers, directors, successors in interest, agents, employees, attorneys in fact, and all persons acting
14 in concert or participating with them, or any of them, from directly or indirectly, or substantially
15 assisting any person in:

16 a. Collecting, receiving, accepting, and/or taking any money or any object or property of
17 value from any person pertaining or relating in any way to undivided real property interests
18 marketed as the "Landbanking Plus+" and/or "Galileo Project" investment in Kern County,
19 California, including, but not limited to, promissory notes secured by real property interests in the
20 "Galileo Commercial and Industrial Development."

21 b. Taking any adverse action toward any person pertaining or relating in any way to the
22 undivided real property interests marketed as the "Landbanking Plus+" and/or "Galileo Project"
23 investment in Kern County, California. This includes, but is not limited to, adverse credit bureau
24 reporting, and instituting or prosecuting any proceedings at law, in equity, or otherwise, in order to
25 collect, assert, or enforce any claim, right, or title, of any kind, in and to property, rights, titles,
26 interests, or liens in real property interests in the "Galileo Commercial and Industrial Development."

27 ~~e. Selling or purchasing or offering to sell or purchase any security as defined by~~
28 ~~California law, without first qualifying that security as required by law.~~

1 ~~d. Violating Corporations Code section 25110 of the CSL by offering or selling~~
2 ~~unqualified, non-exempt securities, including, but not limited to, the Galileo Project (also known as~~
3 ~~Landbanking Plus) investment contracts.~~

4 ~~e. Violating Corporations Code section 25401 by offering or selling or buying or~~
5 ~~offering to buy any securities by means of any written or oral communication which includes an~~
6 ~~untrue statement of a material fact or omits to state a material fact necessary in order to make the~~
7 ~~statements made, in light of the circumstances under which they were made, not misleading,~~
8 ~~including, but not limited to, the Galileo Project.~~

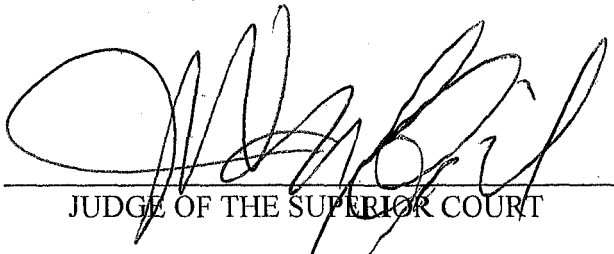
9 f. Removing, destroying, mutilating, concealing, altering, transferring, or otherwise
10 disposing of, in any manner, any books, records, documents, correspondence, brochures, manuals, or
11 other documentation of any kind in the possession, custody or control of any Defendant that relate in
12 any way to the offer and sale of securities, specifically, but not limited to, the Galileo Project.

13 g. Withdrawing from any bank account, transferring, changing, disbursing, selling,
14 dissipating, converting, pledging, assigning, foreclosing, or otherwise disposing of any asset, real
15 property or personal property in their possession or under their control, or in the possession of, or
16 under the control of, any of any of them, which property or other assets were derived or emanated
17 directly, or indirectly, from promissory notes relating to undivided real property interests marketed
18 as the "Landbanking Plus+" and/or "Galileo Project" investment in Kern County, California, without
19 further order from this court.

20 IT IS SO ORDERED.

21 DATED:

22 7-24-20

23 
24 JUDGE OF THE SUPERIOR COURT

25 J. R. WOHLFEL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: People of the State of California vs Silver Saddle Commerical Development LP [IMAGED]

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
37-2019-00049151-CU-MC-CTL

I certify that I am not a party to this cause. I certify that a true copy of the Minute order dated 7/27/2020 & order dated 7/24/2020 was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at San Diego, California, on 07/27/2020.

Clerk of the Court, by: *Andrea Taylor*
A. Taylor, Deputy

EDWARD CHANG
655 W BROADWAY # 1600
SAN DIEGO, CA 92101

JOSEPH M MELLANO
401 W A STREET # 2200
SAN DIEGO, CA 92101

JONAH A TOLENO
401 W A STREET # 2250
SAN DIEGO, CA 92101

ROBERT LUX
1350 FRONT STREET # 2034
SAN DIEGO, CA 92101

CLIFFORD J REYNOLDS
P.O.BOX 36001
PASCO, WA 99302

MARK T HIRAIDE
2049 CENTURY PARK EAST 18TH FLOOR
LOS ANGELES, CA 90067-3120

ROBERT V KVASSAY
565 RANCHO LINDO DRIVE
COVINA, CA 91724

JOSEPH A PERTEL
1717 FOURTH STREET # 300
SANTA MONICA, CA 90401

ANTONIO GARCIA
4636 RICHINS LANE
LAS VEGAS, NV 89122

CARLOS NOVELO
4636 RICHINS LANE
LAS VEGAS, NV 89122

NICOLAS MORGAN
PAUL HASTINGS LLP
515 S. FLOWER STREET # 25TH FLOOR
LOS ANGELES, CA 90071

ORLANDO F CABANDAY
CABANDAY LAW GROUP
21221 S WESTERN AVENUE # 208
TORRANCE, CA 90501

DARRYL HOROWITT
499 W SHAW STE 116
FRESNO, CA 93704

DONALD G REZ
SULLIVAN HILL REZ & ENGEL
600 B STREET # 17TH FL
SAN DIEGO, CA 92101

Additional names and address attached.