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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In re)	Case No. 10-16183
SALMA H. AGHA,)	
Debtor.)	
<hr/>		
SALMA AGHA-KHAN, MD.,)	Adv. Proc. No. 16-01107
Plaintiff,)	
v.)	USDC No. 1:17-cv-0011-LJO
Bank of America, a national bank, and a California Business Entity; et al.,)	
Defendants.)	

**RECOMMENDATION FOR WITHDRAWAL OF THE REFERENCE
FOR THIS ADVERSARY PROCEEDING 16-01107
28 U.S.C. § 157(d) and (e)
(Non-Core Proceedings and Demand for Jury Trial)**

The Clerk of the Bankruptcy Court shall transmit a copy of this Recommendation to the Hon. Lawrence J. O’Neill, Chief Judge of the United States District Court for the Eastern District of California as the recommendation for the withdrawal of the reference for the above captioned adversary proceeding by the undersigned Chief Judge of the Bankruptcy Court for the Eastern District of California.

On December 15, 2016, Salma Agha-Khan, M.D. (“Plaintiff-Debtor”) filed a Complaint with the United States Bankruptcy Court for the Eastern District of California (Fresno Division), titled *Salma Agha-Khan, M.D. v. Bank of America, et al.*, Bankr. E.D. Cal. No. 16-01107 (“Adv. Pro. 16-01107”). Plaintiff-Debtor is the bankruptcy debtor in Chapter 7 bankruptcy case number 10-16183

1 (“Bankruptcy Case”). That Bankruptcy Case was filed on May 30, 2010, with the Bankruptcy Court
2 for the Eastern District of California (Fresno Division). The bankruptcy court’s Docket reflects that
3 Plaintiff-Debtor was granted a Chapter 7 discharge on September 23, 2010. The Docket further
4 reflects that the bankruptcy case was closed on January 7, 2011 (Dckt.66);¹ reopened on
5 September 18, 2012 (Dckt. 70); re-closed on September 14, 2016 (Dckt. 260); and reopened on
6 September 20, 2016 (Dckt. 263).

7 The Complaint has nineteen named Defendants and additional Doe Defendants 1 to 100. The
8 fifty-two page Complaint (to which is attached 262 pages of exhibits) denominates fifteen causes
9 of action in the title.² Two of the named defendants are Bankruptcy Judge Richard Lee and
10 Bankruptcy Judge Fredrick Clement, both who sit in the Eastern District of California (Fresno
11 Division). Plaintiff-Debtor’s bankruptcy case is currently assigned to Judge Lee, with Judge
12 Clement having previously adjudicated issues in the Bankruptcy Case. Other named defendants
13 include private attorneys and law firms, financial institutions, and loan servicers.

14 After review of the Complaint, consideration of the claims therein, and the proper exercise
15 of federal judicial power by Article I bankruptcy judges, the undersigned respectfully recommends
16 that the reference of this Adversary Proceeding to the bankruptcy judges in this District be
17 withdrawn and the Adversary Proceeding adjudicated in the United States District Court before an
18 Article III judge.

19
20 **REFERRAL OF BANKRUPTCY CASES TO THE BANKRUPTCY
JUDGES FOR THE EASTERN DISTRICT OF CALIFORNIA**

21 Federal court jurisdiction for all bankruptcy cases arising under Title 11 of the United States
22 Code and all matters arising in or relating to said bankruptcy cases is vested in the United States
23 district courts. 28 U.S.C. § 1334. Pursuant to 28 U.S.C. § 157(a), the district court may refer any
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25
26 ¹ Unless otherwise stated, all references to “Dckt.” are to the bankruptcy case docket in
case no. 10-16183.

27
28 ² A copy of the Complaint is attached as Appendix A, without exhibits attached due to
the size of the document. The Complaint with all exhibits attached filed with the bankruptcy
court. Adv. Pro. 16-01107, Dckt. 1.

1 or all cases under Title 11, and any or all proceedings arising in or related to any case under Title 11,
2 to the bankruptcy judges in that district. All cases under Title 11, and all proceedings arising in or
3 related to any case under Title 11, have been referred to the bankruptcy judges in the Eastern District
4 of California. E.D. Cal. Gen. Orders Nos. 182, 223.

5 **PRIOR ADVERSARY PROCEEDING COMMENCED BY**
6 **PLAINTIFF-DEBTOR FOR WHICH REFERENCE WAS**
7 **WITHDRAWN BY DISTRICT COURT**

8 As stated in the Complaint, Plaintiff-Debtor has been litigating another complaint against
9 various persons, including the two above-named bankruptcy judges, in the Eastern District of
10 California. In that prior adversary proceeding, *Agha et al v. Clement et al*, E.D. Cal. Case No.
11 1:15-cv-00042-DAD (“2015 Action”), the reference of that matter to the Bankruptcy Court was
12 withdrawn,³ and the adversary proceeding was assigned to a District Court judge in the Eastern
13 District of California.

14 The District Court’s docket for the 2015 Action indicates that the defendants in that action
15 have been dismissed with prejudice (2015 Action, Dckt. 134) and that the order of dismissal is on
16 appeal before the Ninth Circuit Court of Appeals. An order of the Ninth Circuit Court of Appeals
17 filed November 16, 2016, summarily affirming the dismissals of the two bankruptcy judges,
18 members of the Office of the U.S. Trustee, and the United States is on the District Court Docket.
19 2015 Action, Dckt. 148.

20 **SUMMARY OF CLAIMS ASSERTED IN COMPLAINT**

21 A summary of the causes of action includes, but is not limited to, the following claims
22 asserted in the Complaint:⁴

23 ³ The “referral” of bankruptcy cases and proceedings to a bankruptcy judge is commonly
24 called the “reference” to the judge and the withdrawal is commonly called a “withdrawal of the
25 reference.” The terms “referred,” “referral,” or “reference” are used in this Recommendation in
26 connection to bankruptcy cases and bankruptcy-related proceedings referred to bankruptcy judges
27 pursuant to 28 U.S.C. § 157, and the withdrawal thereof by a district court to bankruptcy court
28 judges.

⁴ The Complaint, which is fifty-two pages in length and includes 253 numbered
paragraphs, contains extensive citations and general references to “California Statutes” and
“Nevada Statutes.” This court does not attempt to provide an exhaustive restatement of each and

- 1 A. First Cause of Action – asserting a claim against the Defendants arising under the
2 federal law for bankruptcy crimes. 18 U.S.C. § 157 (scheme or artifice to defraud
3 using a bankruptcy petition, filing documents in a case under Title 11, or false
4 representation, claim, or in a related proceeding). Complaint ¶¶ 128–37.
- 5 B. Second Cause of Action – asserting a claim against the Defendants under the federal
6 bankruptcy crime statutes. 18 U.S.C. § 152 (including false oath, statement, or
7 declaration under penalty of perjury). Complaint ¶¶ 138–46.
- 8 C. Third Cause of Action – asserting a claim against the Defendants for “fraud,” based
9 on misrepresentations made to recorders in Nevada and California, on the world wide
10 web, and in state courts and the bankruptcy court. This appears to be a claim based
11 on the applicable non-bankruptcy state law. Complaint ¶¶ 147–55.
- 12 D. Fourth Cause of Action – asserting a claim against the Defendants for violation of
13 Plaintiff’s rights arising under 42 U.S.C. § 1982 (property rights) and 42 U.S.C.
14 § 1983 (civil action for deprivation of rights). Complaint ¶¶ 156–69.
- 15 E. Fifth Cause of Action – asserting a claim against the Defendants for violations of due
16 process under the U.S. Constitution, Nevada Constitution, and California
17 Constitution. Complaint ¶¶ 170–80.
- 18 F. Sixth Cause of Action – asserting a claim against the Defendants for “negligence”
19 against all of the Defendants. This appears to be a claim based on the applicable state
20 law. Complaint ¶¶ 181–87.
- 21 G. Seventh Cause of Action – asserting a claim for “conversion” against the Defendants,
22 specifically identifying Citi et al. and its attorneys. This claim appears to be based
23 on applicable state law. Complaint ¶¶ 188–94.
- 24 H. Eighth Cause of Action – asserting a claim for “Trespass to Chattel” against the
25 Defendants, specifically identifying Citi et al., Citimortgage, and their attorneys.
26 This claim appears to be based on applicable state law. Complaint ¶¶ 195–201.
- 27 I. Ninth Cause of Action – asserting a claim for “Defamation” against the Defendants.
28 This claim appears to be based on applicable state law. Complaint ¶¶ 202–08.
- J. Tenth Cause of Action – asserting a claim for “False Light” against the Defendants
for publishing false and damaging information which placed Plaintiff in a “false
light.” This claim appears to be based on applicable state law. Complaint
¶¶ 209–13.
- K. Eleventh Cause of Action – asserting a claim for “Slander of Title” and to “Quiet
Title” against the Defendants for property of the Plaintiff. This claim appears to be
based on applicable state law. Complaint ¶¶ 214–24.
- L. Twelfth Cause of Action – asserting a claim against the Defendants, specifically
identifying GMAC, for violation of Nevada foreclosure statutes, civil and criminal.
This claim appears to be based on applicable state law. Complaint ¶¶ 225–30.

every specific allegation or legal grounds, but provides a general summary as assistance to the District Court in beginning its consideration of whether the referral for Adv. Pro. 16-01107 should be withdrawn.

- 1 M. Thirteenth Cause of Action – asserting a claim against Defendants, specifically
2 identifying Citimortgage and their attorneys, for violation of California foreclosure
3 statutes, civil and criminal (Cal. Civ. §§ 2945 et seq. and Cal. Pen. § 115 identified
4 in this Cause of Action). This claim appears to be based on applicable state law.
5 Complaint ¶¶ 231–35.
- 6 N. Fourteenth Cause of Action – asserting a claim against the attorney Defendants for
7 violation of California Business and Professions Code and Canons governing the
8 conduct of attorneys. (The title also makes reference to Nevada Statutes, but none are
9 identified in the Fourteenth Cause of Action.) This claim appears to be based on
10 applicable state law. Complaint ¶¶ 236–42.
- 11 O. Fifteenth Cause of Action – asserting federal law claims against the “lending and
12 collecting entities” under “TILA,” “FERA,” “FCRA,” “RESPA,” “18 U.S.C.
13 §§ 1002, 1028,” and “15 U.S.C. §§ 1601 et seq.” This claim appears to be based on
14 applicable nonbankruptcy federal law. Complaint ¶¶ 243–47.
- 15 P. Unnumbered Cause of Action – seeking an award of punitive damages against all
16 Defendants pursuant to California law. This claim appears to be based on applicable
17 state law. Complaint ¶¶ 248–52.

18 The monetary damages are stated to be in excess of \$50,000,000.00, and punitive damages
19 are requested in the amount of \$22,000,000.00.

20 In the Complaint, Plaintiff-Debtor also makes demand for a jury trial. Though rarely
21 conducted in the bankruptcy court, Congress provides in 28 U.S.C. § 157(e) that a bankruptcy judge
22 may conduct a jury trial for non-core proceedings, but only with the consent of all parties. Here,
23 there are at least nineteen Defendants and the Plaintiff who must first consent to an Article I
24 bankruptcy judge conducting a jury trial to the extent Plaintiff is entitled to a jury trial.

25 **Summary of Allegations Regarding Bankruptcy Judges**

26 With respect to the judges, it is asserted that Judge Clement “deliberately, knowingly and
27 intentionally allowed fraud, forged documents and filings to be presented to this [bankruptcy] Court
28 in Plaintiff’s bankruptcy” to assist a long time attorney friend, David Chandler and the Chandler law
firm. Mr. Chandler represents clients asserting claims in Plaintiff’s bankruptcy case, which claims
Plaintiff asserts are fraudulent. In addition, Plaintiff asserts that Judge Clement improperly
reopened Plaintiff’s Bankruptcy Case so that fraudulent claims could be asserted in the bankruptcy
case and assets of Plaintiff improperly pursued.

As to Judge Lee, Plaintiff asserts that when he replaced Judge Clement in Plaintiff’s
bankruptcy case, he allowed fraudulent evidence to be presented in Plaintiff’s bankruptcy case.

1 Further, Plaintiff alleges that Judge Lee refused to have the defaults entered against persons Plaintiff
2 was litigating against and dismissed Plaintiff's complaint in that adversary proceeding, even as to
3 those defendants who had failed to respond. Plaintiff also contends that Judge Lee continued as the
4 judge in Plaintiff's bankruptcy case notwithstanding Plaintiff suing him in the 2015 Action.⁵

5
6 **RECOMMENDATION FOR WITHDRAWAL OF REFERENCE BY
DISTRICT COURT OF ADVERSARY PROCEEDING 16-01107**

7 In making this recommendation, this bankruptcy judge does not express any opinion as to
8 the merits of the Complaint or allegations therein. The recommendation, as discussed below, is
9 based on the nature of the claims asserted and the exercise of federal judicial power by a United
10 States district court judge (an Article III judge⁶) and a United States bankruptcy judge (an Article I
11 judge).

12 An Article I bankruptcy judge exercises federal judicial power to enter final orders and
13 judgments for all matters arising under Title 11 (the Bankruptcy Code) and in the bankruptcy case
14 (which are commonly referred to as "core proceedings"). For related-to matters (commonly referred
15 to as "non-core proceedings"), all parties must consent (express or implied) to the entry of final
16 orders and judgment by the bankruptcy judge. *See Wellness Int'l Network, Ltd. v. Sharif*, ___ U.S.
17 ___, 135 S. Ct. 1932 (2015); *Exec. Benefits Ins. Agency v. Arkison*, ___ U.S. ___, 134 S. Ct. 2165
18 (2014). If unanimous consent is not given for a non-core proceeding, the bankruptcy judge may
19 conduct the judicial proceedings and thereafter make proposed findings, conclusions, orders, and
20 judgment to an Article III district court judge, who will make the final determinations thereof after
21 *de novo* review. 28 U.S.C. § 157(c)(1). "Non-core" proceedings are commonly the normal state and
22 federal non-Bankruptcy Code rights and interests which would normally be adjudicated in actions
23 filed in the state court or the district court, and are not adjudicated in proceedings arising under the
24

25 ⁵ The court has identified the following paragraphs of the Complaint in which specific
26 allegations are made concerning the conduct of the two judges: ¶ 40, ¶ 41, ¶ 43, ¶ 44, ¶ 49, ¶ 110,
¶ 111, ¶ 112, ¶ 114, ¶ 116, ¶ 119, ¶ 120, ¶ 121, ¶ 122, ¶ 123, ¶ 124, ¶ 125 and ¶ 126.

27 ⁶ The "Article" reference being to the Articles of the United States Constitution, with
28 Article I defining the scope of the legislative branch of the federal government and Article III
establishing the judicial branch of government.

1 Bankruptcy Code (such as an objection to claim).

2 For both core and non-core proceedings, the district court may elect to withdraw the reference
3 to allow a United States district court judge, as an Article III judge, to exercise the federal judicial
4 power for which federal court jurisdiction exists pursuant to 28 U.S.C. § 1334(a).

5 **Allegation of Federal Court Jurisdiction**

6 In the Complaint, Plaintiff-Debtor alleges federal jurisdiction arising under 28 U.S.C. § 1334,
7 with that jurisdiction being vested in the district courts. Complaint ¶¶ 1, 4. Plaintiff-Debtor further
8 alleges that this matter has been referred to the bankruptcy judges in this District and that this is a
9 core proceeding (for which a bankruptcy judge may exercise federal judicial power without the
10 consent of the parties). Plaintiff does not specifically address what grounds exist under 28 U.S.C.
11 § 157(b)(2) for the various causes of action and matters therein to be a “core proceeding.”

12 **Recommendation**

13 A review of the various claims asserted discloses that the matters are based on non-
14 bankruptcy federal and state law. Some of the allegations relate to documents and arguments
15 presented in the bankruptcy court and rulings of the bankruptcy judges, but those documents and
16 proceedings relate to matters that did not arise in the bankruptcy case. While filed in bankruptcy
17 court, the claims appear to be significantly comprised of matters which would be adjudicated in
18 federal court (to the extent that non-bankruptcy § 1334 federal jurisdiction exists) or in the
19 appropriate state court of general jurisdiction. The claims relating to “bankruptcy fraud” and “false
20 oaths and claims” are stated in the context of the federal criminal statutes, not Bankruptcy Code
21 provisions. There do not appear to be any allegations indicating that the adjudication of the claims
22 asserted herein involve the ongoing administration of the bankruptcy estate.

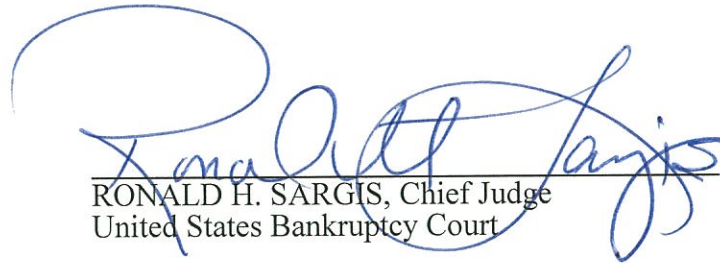
23 The district court may withdraw, in whole or part, any referrals of bankruptcy matters made
24 to bankruptcy judges. 28 U.S.C. § 157(d). The withdrawal may be made by the district court on its
25 own motion or timely motion of any party for “cause shown.” *Id.*

26 In light of the demands for relief relating to matters which occurred outside of the bankruptcy
27 court proceedings and not arising under Title 11, it is submitted to the District Court that cause exists
28 to withdrawal the referral of Adversary Proceeding 16-01107. The full exercise of the Article III

1 federal judicial power will be required to adjudicate the various state law and federal non-bankruptcy
2 law claims, rights, and interests asserted by Plaintiff-Debtor. Additionally, the exercise of the
3 Article III federal judicial power will be required to make a determination of the ownership rights
4 and interests for those related to matters which do not arise under the Bankruptcy Code nor arise in
5 the Plaintiff-Debtor's Chapter 7 case.

6 It is therefore recommended that the referral of *Salma Agha-Khan, M.D. v. Bank of America,*
7 *et al.*, Bankr. E.D. Cal. No. 16-01107, to the bankruptcy judges in this District be withdrawn and the
8 Adversary Proceeding be assigned to an Article III district court judge.

9 Dated: January 4, 2017

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12 RONALD H. SARGIS, Chief Judge
United States Bankruptcy Court

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ADDENDUM A
Copy of Plaintiff's Complaint filed in
Adversary Proceeding 16-01107
(Exhibits to Complaint Not Included
in Addendum A)

FILED

DEC 15 2016

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

SALMA AGHA-KHAN, M.D.
3751 Motor Ave # 34727
Los Angeles, California 90034
Telephone: (949) 332-0330
email: salmahagha@aol.com
Plaintiff in Propria Persona

TJOF

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA, BAKERSFIELD DIVISION**

In Re: SALMA H. AGHA,

Case No: 10-16183

Debtor,

Adv No: 16-01107

COMPLAINT FOR

SALMA AGHA-KHAN, MD.,

1. BANKRUPTCY FRAUD 18 USC 157;

Plaintiff,

2. MAKING OF FALSE OATHS 18 USC 152;

vs.

3. FRAUD;

Bank of America, a national bank, and a California business entity; BAC Home Loans Servicing, LP, a California business entity; Citibank NA., a bank doing business in US; Citimortgage; a US Banking and Lending entity, subsidiary of Citibank, NA; Citicorp owns Citibank, NA. a business in US, form unknown; Citigroup Inc., owns Citicorp, a publicly traded corporation; CR Title Services, Inc. a US Banking and Lending entity, subsidiary of Citibank, NA; GMAC Mortgage, LLC, a US banking and lending entity; OCWEN Financial Corp., that took over GMAC Mortgage LLC loans; Aurora Loan Services Inc., a defunct Delaware Corporation; Routh Crabtree Olsen, P.S., a law firm in California; Edward T. Weber, an individual and attorney at Routh Crabtree Olsen, P.S; Brett P. Ryan, an individual and attorney at

4. VIOLATIONS OF DEBTOR'S RIGHTS 42 USC 1982; 42 USC 1983;

5. VIOLATION OF DUE PROCESS CLAUSE OF US CONSTITUTION, NEVADA STATE CONSTITUTION, CALIFORNIA STATE CONSTITUTION; LACK OF NOTICE;

6. NEGLIGENCE;

7. CONVERSION;

8. TRESPASS TO CHATTEL;

9. DEFAMATION;

10. FALSE LIGHT;

11. SLANDER OF TITLE AND QUIET TITLE;

12. VIOLATION OF NEVADA REVISED STATUTES;

13. VIOLATION OF CALIFORNIA STATUTES;

1 Routh Crabtree Olsen, P.S; Jonathan
 2 J. Damen an individual and attorney
 at Routh Crabtree Olsen, P.S;
 3 McCarthy & Holthus, LLP, a law firm in
 California; JaVonne M. Phillips, an
 4 individual and attorney at McCarthy &
 Holthus, LLP; Mishaela J. Graves, an
 5 individual and attorney at McCarthy &
 Holthus, LLP; Pite Duncan, LP., a law
 6 firm in California; Eddie R. Jimenez,
 an individual and attorney at Pite
 7 Duncan, LP; Brian A. Paino, an
 8 individual and attorney at Pite
 Duncan, LP; Travis Nurse, an
 9 individual and employee of
 Citimortgage Inc; Wolfe & Wyman,
 10 LLP, a law firm in California; Andrew
 A. Bao, an individual and attorney at
 11 Wolfe & Wyman, LLP; Megan S. Tom,
 an individual and attorney at Wolfe &
 12 Wyman, LLP; Heather S. Kim, an
 13 individual and attorney at Wolfe &
 Wyman, LLP; Judge Fredrick E.
 14 Clement, an individual and US
 Bankruptcy Judge; Judge W. Richard
 15 Lee an individual and US Bankruptcy
 Judge; Bruce Breitman, an individual,
 16 an attorney, a real estate agent and
 broker, and principal of BBG Ltd; BBG
 17 LTD, a California corporation; David
 Chandler, Sr., aka David Chandler,
 18 aka David N. Chandler, an individual,
 an attorney at law and principal at
 19 David N. Chandler, PC; David N.
 Chandler, Jr., aka David Chandler,
 20 aka. David N. Chandler an individual,
 an attorney at law and principal at
 21 David N. Chandler, PC; David N.
 Chandler, PC aka. Law Offices of
 22 David Chandler, a California law firm;
 and Does 1 through 100 inclusive
 23
 24
 25

Defendants.

- 14. VIOLATION OF NRS AND CALIFORNIA BUSINESS AND PROFESSIONS CODE;**
- 15. VIOLATION OF FCRA, FERA, TILA 18 USC 1002 AND 18USC 1028**

Demand for Jury Trial

**Judge: HON. W. RICHARD LEE
(also Defendant in same case)**

I. JURISDICTION

1
2 1. 28 U.S.C. §1334 provides that "District Courts shall have original and
3 exclusive jurisdiction of all cases under title 11" (28 U.S.C. §1334(a)), and
4 that "District Courts shall have original but not exclusive jurisdiction of all
5 civil proceedings arising under title 11, or arising in or related to cases
6 under title 11" (28 U.S.C. §1334(b)). In re Combustion Engineering, Inc.,
7 391 F.3d 190, 225 (3d Cir. 2004). Further, 28 U.S.C. §157(a) permits
8 District Courts to refer most matters to the Bankruptcy Courts.

9 2. Thus, Bankruptcy Court jurisdiction extends potentially to: (i) cases
10 under title 11; (ii) proceedings arising under title 11; (iii) proceedings
11 arising in a case under title 11; and (iv) proceedings related to a case under
12 title 11.15 Combustion Engineering, 391 F.3d at 225.

13 3. Pursuant to Federal Rules of Bankruptcy Procedure 7008 which is
14 stated herein as follows:

15 (a) Applicability of Rule 8 F.R.Civ.P. Rule 8 F.R.Civ.P. applies in adversary
16 proceedings. The allegation of jurisdiction required by Rule 8(a) shall also
17 contain a reference to the name, number, and chapter of the case under the
18 Code to which the adversary proceeding relates and to the district and
19 division where the case under the Code is pending. In an adversary
20 proceeding before a bankruptcy judge, the complaint, counterclaim, cross-
21 claim, or third-party complaint shall contain a statement that the
22 proceeding is core or non-core and, if non-core, that the pleader does or
23 does not consent to entry of final orders or judgment by the bankruptcy
24 judge.

25 (b) Attorney's Fees. A request for an award of attorney's fees shall be
pleaded as a claim in a complaint, cross-claim, third-party complaint,
answer, or reply as may be appropriate;

4. Plaintiff Debtor alleges Jurisdiction is met by 28 USC 1334.

5. This is an adversary proceeding in bankruptcy brought by Salma
Agha, the debtor in this case, pursuant to US statutes; and California and
Nevada Statutes.

1 6. Plaintiff is the debtor, in the underlying action, and an individual
2 residing in the State of California, and is a citizen of the United States of
3 America, and therefore is entitled to bring this action.

4 7. This is the district where Plaintiff's bankruptcy case is pending,
5 therefore, this is the appropriate district to bring this adversary proceeding,
6 pursuant to U.S. Bankruptcy Rule 7003.

7 8. Plaintiff is the Debtor in this bankruptcy proceeding.

8 9. Plaintiff filed a voluntary Chapter 7 bankruptcy on May 30th, 2010.
9 This case was discharged on September 23rd, 2010, and Plaintiff has an
10 action pending to determine that was illegally reopened on September 18th,
11 2012, lacking jurisdiction. Notice was sent to all creditors that a dividend
12 may be possible, after the case was reopened. The case is presently still
13 pending in the Ninth Circuit.

14 10. 11 USC 157 provides that bankruptcy judges may hear and determine
15 all cases arising under title 11 and any proceedings arising under title 11,
16 and all core proceedings arising in title 11, or in a case under title.

17 11. This is a core proceeding, under 11 USC 157(b)(2)(o), which lists core
18 proceedings as including "other proceedings affecting the liquidation of the
19 assets of the estate and/or the adjustment of the debtor-creditor or the
20 equity security holder relationship".

21 **II. PARTIES**

22 12. Plaintiff, Salma Agha-Khan, MD is a medical doctor, a single mother of
23 two sons, and is a minority colored woman of Pakistani descent, is and
24 during all times material hereto, has been an individual residing in both Los
25 Angeles County, State of California, and in Kern County, State of California.

13 13. Defendant, Bank of America, N.A., ("BOA") is and was at all times
14 mentioned a US Banking entity, having offices in California, deliberately,
15 knowingly and fraudulently claimed to be Creditor in this Court in Plaintiff's
16 bankruptcy.

1 14. Defendant Citibank, NA., ("Citi") is a banking concern that owns
2 Defendants Citimortgage, CR Title Services, Inc deliberately and knowingly
3 appeared before this Court and submitted fraudulent request for Relief, so
4 as to obtain Relief, in Plaintiff's bankruptcy, submitting forged Title
5 documents.

6 15. Defendant Citicorp ("Citicorp") owns Defendant Citibank, NA., a US
7 banking concern, deliberately and knowingly appeared before this Court and
8 submitted fraudulent request for Relief, so as to obtain Relief, in Plaintiff's
9 bankruptcy, submitting forged Title documents.

10 16. Defendant Citigroup, Inc., ("Citigroup) is owner of Defendant
11 Citicorp., a publicly traded company deliberately and knowingly appeared
12 before this Court and submitted fraudulent request for Relief, so as to
13 obtain Relief, in Plaintiff's bankruptcy, submitting forged Title documents.

14 17. Defendant Citimortgage, Inc. ("CMI") is a subsidiary of Defendant
15 Citibank, NA, a US banking and lending entity, with branches all over the
16 United States, deliberately and knowingly appeared before this Court and
17 submitted fraudulent request for Relief, so as to obtain Relief, in Plaintiff's
18 bankruptcy, submitting forged Title documents.

19 18. Defendant CR Title Services, Inc., ("CRT") is a subsidiary of Defendant
20 Citibank, NA, a US banking and lending entity that deliberately and
21 knowingly appeared before this Court and submitted fraudulent request for
22 Relief, so as to obtain Relief, in Plaintiff's bankruptcy, submitting forged
23 Title documents.

24 19. Defendant Pite Duncan, LLP., ("Pite") are at all times mentioned
25 herein, on information and belief, a law firm comprising of attorneys duly
licensed in the state of California, who represented CR Title Services,
deliberately and knowingly appeared before this Court and submitted
fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
submitting forged Title documents.

1 20. Defendant Eddie R. Jimenez ("Jimenez") is an attorney from Defendant
2 Pite Duncan, LLP., who at all times mentioned herein, on information and
3 belief, is duly licensed in the state of California, who represented CR Title
4 Services, deliberately and knowingly appeared before this Court and
5 submitted fraudulent request for Relief, so as to obtain Relief, in Plaintiff's
6 bankruptcy, submitting forged Title documents.

7 21. Defendant Brian A. Paino ("Paino") is an attorney from Defendant Pite
8 Duncan, LLP., who at all times mentioned herein, on information and belief,
9 is duly licensed in the state of California, who represented CR Title Services,
10 deliberately and knowingly appeared before this Court and submitted
11 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
12 submitting forged Title documents.

13 22. Defendants Wolf & Wyman, LLP., ("Wolf") at all times mentioned is a
14 law firm, and on information and belief, comprises of attorneys duly
15 licensed in the state of California, who represented Citi et. al., deliberately
16 and knowingly appeared before this Court and submitted fraudulent request
17 for Relief, so as to obtain Relief, in Plaintiff's bankruptcy, submitting forged
18 Title documents.

19 23. Defendant Megan S. Tom ("Tom") is an attorney from Wolf & Wyman,
20 LLP., who at all times mentioned herein, on information and belief, is duly
21 licensed in the state of California, who represented Defendant Citimortgage,
22 Inc., deliberately and knowingly appeared before this Court and submitted
23 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
24 submitting forged Title documents.

25 24. Defendant Heather S. Kim ("Kim") is an attorney from Wolf & Wyman,
LLP., who at all times mentioned herein, on information and belief, is duly
licensed in the state of California, who represented Defendant Citimortgage,
Inc., deliberately and knowingly appeared before this Court and submitted

1 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
2 submitting forged Title documents.

3 25. Defendant Andrew A. Bao ("Bao"), is an attorney from Wolf & Wyman,
4 LLP., who at all times mentioned herein, on information and belief, is duly
5 licensed in the state of California, who represented Defendant Citimortgage,
6 Inc., deliberately and knowingly appeared before this Court and submitted
7 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
8 submitting forged Title documents.

9 26. Defendant Travis Nurse, ("Nurse") is an employee of defendant
10 Citimortgage Inc., as Business Operations Analyst gave Declaration
11 deliberately and knowingly appeared before this Court and submitted
12 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy,
13 submitting forged Title documents.

14 27. Defendant GMAC Mortgage LLC, a business entity, ("GMAC") is and
15 at all times mentioned, a lender, and who also was during this period, a
16 debtor in US Bankruptcy, and who on information and belief, had offices
17 throughout the United States, deliberately and knowingly appeared before
18 this Court and submitted fraudulent request for Relief, so as to obtain
19 Relief, in Plaintiff's bankruptcy.

20 28. Defendant Routh Crabtree Olsen, P.S., ("RCO"), at all times
21 mentioned is a law firm, and on information and belief, comprises of
22 attorneys duly licensed in the state of California, who represented GMAC
23 deliberately and knowingly appeared before this Court and submitted
24 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy.

25 29. Defendant Edward T. Weber ("Weber"), is an attorney from Routh
Crabtree Olsen, P.S., who at all times mentioned herein, on information
and belief, is duly licensed in the state of California, who represented
Defendant GMAC. deliberately and knowingly appeared before this Court

1 and submitted fraudulent request for Relief, so as to obtain Relief, in
2 Plaintiff's bankruptcy.

3 30. Defendant Brett P. Ryan ("Ryan"), is an attorney from Routh Crabtree
4 Olsen, P.S., who at all times mentioned herein, on information and belief,
5 is duly licensed in the state of California, who represented Defendant GMAC.
6 deliberately and knowingly appeared before this Court and submitted
7 fraudulent request for Relief, so as to obtain Relief, in Plaintiff's bankruptcy.

8 31. Defendant Jonathan J. Damen ("Damen"), is an attorney from Routh
9 Crabtree Olsen, P.S., who at all times mentioned herein, on information
10 and belief, is duly licensed in the state of California, who represented
11 Defendant GMAC deliberately and knowingly appeared before this Court and
12 submitted fraudulent request for Relief, so as to obtain Relief, in Plaintiff's
13 bankruptcy.

14 32. Defendant OCWEN Financial Corp., acquired Defendant GMAC's home
15 loans and thus liabilities related to their actions pertaining to the loans
16 exists in US with branches in several states.

17 33. Defendant Aurora Loan Services LLC., ("Aurora"), is a surrendered
18 Delaware Corporation, unable to conduct business in California at all times
19 mentioned herein, deliberately and knowingly appeared before this Court
20 and submitted fraudulent request for Relief, so as to obtain Relief, in
21 Plaintiff's bankruptcy.

22 34. Defendant McCarthy & Holthus, LLP., ("MH"), at all times mentioned is
23 a law firm, and on information and belief, comprises of attorneys duly
24 licensed in the state of California, who represented Defendant Aurora Loan
25 Services LLC deliberately and knowingly appeared before this Court and
submitted fraudulent request for Relief, so as to obtain Relief, in Plaintiff's
bankruptcy.

35. Defendant JaVonne M. Phillips ("Phillips"), is an attorney from

1 McCarthy & Holthus, LLP., who at all times mentioned herein, on
2 information and belief, is duly licensed in the state of California, who
3 represented Defendant Aurora Loan Services LLC deliberately and knowingly
4 appeared before this Court and submitted fraudulent request for Relief to
5 obtain Relief, in Plaintiff's bankruptcy.

6 36. Defendant Mishaela J. Graves ("Graves"), is an attorney from McCarthy
7 & Holthus, LLP., who at all times mentioned herein, on information and
8 belief, is duly licensed in the state of California, who represented Defendant
9 Aurora Loan Services LLC deliberately and knowingly appeared before this
10 Court and submitted fraudulent request for Relief to obtain Relief, in
11 Plaintiff's bankruptcy.

12 37. Defendant BAC Home Loan Servicing LP., ("BAC") is a subsidiary of
13 Defendant Bank of America that collected fraudulent mortgage from Plaintiff
14 and enrolled her into fraudulent loan modification for a loan that did not
15 exist.

16 38. Defendant, Bruce Breitman ("Breitman"), is an individual, believed to
17 be residing in the San Francisco area, State of California believed to be a
18 licensed California Attorney and is also named in that capacity, as well as he
19 is believed to be a licensed California Real Estate Agent and or Broker and
20 in also named in that capacity and owner of BBG Ltd and is also named in
21 that capacity who fraudulently claimed to be a Creditor in Plaintiff's
22 Bankruptcy after defrauding her.

23 39. Defendant BBG, Ltd., ("BBG") is a California Corporation believed to
24 be the alter ego of Defendant Bruce Breitman that was fraudulently claimed
25 to be the entity Plaintiff owed money to for a fraudulent business
26 transaction.

27 40. Defendant David N. Chandler Sr., ("ChandlerSr") is an individual and
28 believed to be a licensed California attorney; also known as David N.

1 Chandler, an individual and an attorney; also known as David Chandler,
2 David N. Chandler represented Defendant Breitman and a longtime friend of
3 Defendant Judge Clement responsible for fraudulently enrolling his Clients
4 Defendants Breitman and BBG Ltd as Creditors in Plaintiff's Bankruptcy

5 41. Defendant David N. Chandler Jr., ("ChandlerJr") is an individual and
6 believed to be a licensed California attorney; also known as David N.
7 Chandler, an individual and an attorney; also known as David Chandler,
8 David N. Chandler represented Defendant Breitman and a longtime friend of
9 Defendant Judge Clement responsible for fraudulently enrolling his Clients
10 Defendants Breitman and BBG Ltd as Creditors in Plaintiff's Bankruptcy

11 42. Defendant David N. Chandler, PC., ("ChandlerPC") aka. Law Office of
12 David Chandler, is a law firm, believed to be a California Professional Legal
13 Corporation owned by Defendant David Chandler responsible for
14 fraudulently enrolling his Client s Defendants Breitman and BBG Ltd as
15 Creditors in Plaintiff's Bankruptcy.

16 43. Defendant Judge Fredrick E. Clement ("Clement"), US Bankruptcy
17 Judge on the case who deliberately, knowingly and intentionally allowed
18 fraud, forged documents and filings to be presented to this Court in
19 Plaintiff's bankruptcy.

20 44. Defendant Judge W. Richard Lee ("Lee"), US Bankruptcy Judge on the
21 case who deliberately, knowingly and intentionally allowed fraud, forged
22 documents and filings to be presented to this Court in Plaintiff's bankruptcy
23 refusing to Default defendants in a related case to fraudulently dismiss that
24 complaint, fraudulently not allowing notice of appeal to be filed shunting it
25 into a wrong district, under wrong case number,, with wrong case title.

45. All the acts complained of and alleged herein occurred in the County
of Los Angeles, County of Kern, State of California, and in Clark County
State of Nevada, at the various places as alleged.

46. Plaintiff is ignorant of the true names and capacities of the defendants
sued herein as Does 1 through 100, inclusive, and therefore sue said

1 defendants by said fictitious names. Plaintiff will amend this complaint to
2 state said defendants' true names and capacities when the same have been
3 ascertained.

4 47. Upon information and belief, at all times mentioned herein the Doe
5 defendants, and each of them, were the alter egos, agents, servants,
6 partners, transferees of any type, successors-in-interests, and/or
7 employees of the named defendants and of one another. Said defendants
8 aided and abetted or participated with the named defendants and with each
9 other in the wrongful acts and course of conduct complained of herein, or
10 otherwise caused the damages sought herein and are responsible for the
11 acts, occurrences, and events alleged in this complaint. In doing the things
12 herein alleged, they were acting within the scope of their authority and with
13 the permission and consent of the named defendants and of each other,
14 and said acts, and each of them, have been ratified and consented to by
15 each of the defendants.

16 **III. GENERAL ALLEGATIONS**

17 48. Plaintiff filed a voluntary Chapter 7 bankruptcy on May 30, 2010. This
18 case was discharged on September 23, 2010. Plaintiff has an appeal
19 pending on these incidents

20 49. Plaintiff has an action pending against this Court, the original Judge
21 Fredrick Clement and the presiding Judge W. Richard Lee in her action, the
22 Trustee and many others.

23 50. This adversary complaint is filed by Plaintiff in the underlying
24 Bankruptcy, including but not limited to real properties owned by Plaintiff,
25 against creditors known who had no interest in her Properties but
fraudulently claimed an interest.

51. In 2015, Plaintiff retained experts to review, title documents relative
to her foreclosures, and reliefs granted/administered through this Court,
because Plaintiff has realized and alleged other frauds in her bankruptcy.

1 These experts have uncovered that Defendants and each of them, as well
2 as their attorneys and agents have not been truthful with this Court, and
3 have filed or caused to be filed false claims and even forged documents,
4 containing many untruths, and have engaged in a scheme to deprive
5 Plaintiff of her property rights under US and state laws.

6 52. This action includes the wrongful foreclosure actions resulting from
7 reliefs obtained in this court through filing of false information and even
8 forged documents of Plaintiff's real property titles.

9 53. Plaintiff's properties include:

10 A. 2448 Granada Bluff Court, Las Vegas, Nevada 89135 ("Granada").

11 The legal description of this property is:

12 Lot 269, SUMMERLIN VILLAGE 19 - PARCEL "G" PHASE 2 , in the
13 City of Las Vegas, County of Clark, State of Nevada, as shown by Map
14 thereof on file in Book 120 of Plats Page 73, in the Office of the County
15 Recorder of Clark County, Nevada. APN 164-02-813-040

16 B. 1967 Cherry Creek Circle, Las Vegas, Nevada, 89135 ("Cherry
17 Creek"). The legal description of the property is:

18 Parcel I: Lot 9 in Block 6 of Red Rock Country Club at Summerlin Unit
19 24, as shown by map thereof on file in Book 107 of Plats, Page 71, in the
20 office of the County Recorder of Clark County, Nevada. APN:164-02-218-001

21 C. 11545 Cantina Terlano Place, Las Vegas Nevada, 89141.

22 ("Cantina11545"). The legal description of the property is as follows: Lot 10
23 of Amended Plat of San Sevino West at Southern Highlands. As shown by
24 Map thereof on file in Book 115 of Plats, Page 81, in the office of the County
25 Recorder of Clark County, Nevada. APN: 191-05-217-007

D. 11539 Cantina Terlano Place, Las Vegas Nevada, 89141.

("Cantina11539"). The legal description of the property is as follows: Lot 9
of Amended Plat of San Sevino West at Southern Highlands. As shown by

1 Map thereof on file in Book 115 of Plats, Page 81, in the office of the County
2 Recorder of Clark County, Nevada. APN: 191-05-217-006

3 E. 11622 Harrington Street, Bakersfield, California 93311.

4 ("Harrington"). The legal description of the property is as follows: Lot 3 of
5 Tract No. 5946, Phase C, in the City of Bakersfield, County of Kern, State of
6 California, as per map recorded March 31, 2000 in Book 45, Page 189 of
7 Maps, in the Office of the County Recorder of Said County. APN: 523-121-
8 03-00-3

9 54. The complete extent of the schemes and frauds may still be not
10 known to Plaintiff, and this is an ongoing investigation, which includes other
11 arms of the US Government.

12 55. To effectuate their scheme these Defendants and each of them filed
13 and pursued non-judicial foreclosure documents recorded by Defendants
14 which are fraudulent, containing untrue and fabricated statements, willful
15 omissions of critical information, including forged title documents, and
16 were promulgated through counterfeit securities and/or assignments
17 instruments which were not made available to Plaintiff, and which defrauded
18 the this Court, the United States Government, including the Securities and
19 Exchange Commission, the state of Nevada and the State of California.

20 56. Plaintiff alleges that the non-judicial foreclosure of Plaintiff's homes
21 were wrongful and that Defendants acted "intentionally, fraudulently and in
22 conscious and callous disregard for the rights of Plaintiff.

23 57. Plaintiff alleges that Defendants were collecting mortgages from her
24 without having any legal right to do so, enrolled her in loan modification for
25 a loan they legally did not have all actions pushing her into bankruptcy.

1 58. Plaintiff alleges that Defendant became "Creditors" and their
2 representing Counsel in her Bankruptcy by fraudulent mis-representations.

3
4 **A. DEFENDANT BANK OF AMERICA, BAC HOME LOAN**
5 **SERVICING LP'S BECOMING CREDITORS FRAUDULENTLY**

6 59. Plaintiffs repeats and realleges the allegations contained in the
7 preceding paragraphs of this Complaint as though said paragraphs were
8 fully set forth herein.

9 60. Defendants Bank of America and BAC Home Loan Servicing's conduct
10 concerns Plaintiff's Cantina11545 and Cantina11539 homes.

11 61. There is no valid Deed of Trust recorded on these properties under
12 their respective parcel numbers (Exhibits A, B)

13 62. These Defendants had been fraudulently collecting mortgage
14 payments from Plaintiff for about \$5,000.00 per month, issued Notice of
15 Default when she defaulted, enrolled her in loan modification for a loan that
16 did not exist, even collected \$50,000.00 from her for it to record a fraud
17 modification of the non-existing loan without disclosing the facts to her at
18 any time.

19 63. Defendants even staged a fraud foreclosure sale of Cantina1139
20 property causing Plaintiff to get involved in excessive litigations/expenses
21 etc. to clear the titles of her properties.

22 64. They are responsible for forcing Plaintiff into filing for Bankruptcy.

23 65. Plaintiff is informed and believes that to date these Defendants are
24 trying to claim an interest in her property.

25 **B. DEFENDANT GMAC, OCWEN AND THEIR DEFENDANT ATTORNEYS**
FRAUDULENT FILINGS AND RECORDINGS

66. Plaintiffs repeats and realleges the allegations contained in the
preceding paragraphs of this Complaint as though said paragraphs were
fully set forth herein.

1 67. Plaintiff is informed and believes and thereon alleges that, at all
2 relevant times mentioned in this Complaint, Defendant, GMAC MORTGAGE,
3 LLC, a corporation, organized and existing under the laws of the state of
4 Delaware and under the laws of United States, was conducting business in
5 the State of Nevada and claims to be the beneficiary under the deed of trust
6 executed by Plaintiff when no valid recorded assignment of Deed of Trust
exists against the parcel number (Exhibit C).

7 68. Defendant and its attorneys participated in the unlawful and wrongful
8 foreclosure and subsequent illegal sale of Plaintiff's real property. GMAC
9 has been in an extended bankruptcy and was bought over by OCWEN.
10 GMAC MORTGAGE, LLC is not a bonafide purchaser of Plaintiff's real
property.

11 69. Defendant GMAC and their attorneys caused to be filed and recorded
12 multiple fraudulent documents including deliberate omission of facts and
13 truths to fraudulently obtain relief from this Court pertaining to a real
14 property they had no claim to whatsoever. They filed Bk. Doc #53, 54, 55,
15 56, 58 with fraudulent relief Order gained, Doc #65.

16 70. These Defendants had been fraudulently collecting mortgage
17 payments from Plaintiff for about \$4,000.00 per month, issued Notice of
18 Default, enrolled her in loan modification for a loan they did not have, to
19 fraudulently foreclose and sell the property during the loan modification
20 process without disclosing the true facts to her at any time.

21 71. They are responsible for forcing Plaintiff into filing for Bankruptcy.

22 **C. DEFENDANT AURORA AND THEIR ATTORNEYS**
23 **FRAUDULENT FILINGS AND RECORDINGS**

24 72. Plaintiff repeats and realleges the allegations contained in the
25 preceding paragraphs of this Complaint as though said paragraphs were
fully set forth herein.

73. Plaintiff purchased the Cherry Creek property by paying the full purchase price cash subsequently getting a mortgage loan for a portion of the price paid from Pacific Community Mortgage Inc. (PCM)

74. Plaintiff was never told that Pacific Community Mortgage had ceased to exist for over ten prior so that no lender by that name existed and thus Plaintiff had no mortgage (Exhibit D)

75. Also a non-existing entity cannot have any beneficiaries and assignees or assets that it could transfer etc. So that the Deed of Trust was an unenforceable fraud piece of paper that was recorded.

76. Defendants Aurora and its attorneys knew these facts. Yet they fraudulently collected about \$5,000.00 in mortgage from Plaintiff, issuing Notice of Default and even enrolled her in a fraud loan modification program for a loan that did not exist.

77. Defendants during loan modification process, foreclosed and sold the property illegally to pocket the money.

78. Defendants even defrauded SEC and other agencies as well.

79. Defendant Aurora and its attorneys knew they had no right, title or interest legal or beneficial in the Cherry Creek Property, when it filed documents in Plaintiff's Bankruptcy asking for relief Doc #16, 17, 18, 19, 20, 21 to fraudulently obtain Order for Relief Doc #30..

80. Plaintiff alleges that notwithstanding that she believed she obtained a loan later with Pacific Community Mortgage (PCM) However that entity did not exist at the time Plaintiff signed a contract with them. This is a true and correct copy of the status of PCM with the California Secretary of State

Entity Name:	PACIFIC COMMUNITY MORTGAGE COMPANY
Entity Number:	C1670354
Date Filed:	08/02/1990
Status:	FTB SUSPENDED
Jurisdiction:	CALIFORNIA
Entity Address:	2608 VAN GOGH DRIVE

1	Entity City, State, Zip:	MODESTO CA 95356
2	Agent for Service of	
3	Process:	DALE F. MURATORE
4	Agent Address:	2608 VAN GOGH DRIVE
5	Agent City, State, Zip:	MODESTO CA 95356

6 81. At the time of the recording of the documents Defendant Aurora and
7 its attorneys knew the documents were false and forged, yet they
8 intentionally or recklessly recorded them.

9 82. They are responsible for forcing Plaintiff into filing for Bankruptcy.

10 **D. DEFENDANT CITIMORTGAGE AND THEIR ATTORNEYS**
11 **FRAUDULENT FILINGS AND RECORDINGS**

12 83. Plaintiffs repeats and realleges the allegations contained in the
13 preceding paragraphs of this Complaint as though said paragraphs were
14 fully set forth herein.

15 84. Defendant Citi et. al.'s conduct and fraudulent and falsified forged
16 documents submitted to this court concern her Harrington property. This is
17 the home where Plaintiff and her two sons had resided from January 2003
18 till at the June 2013 when she was illegally locked out of her home by these
19 Defendants so they could steal her invaluable properties and illegally cash
20 in on her quiet title property.

21 85. Defendant Citi et. al. had no valid claim on this property as there is no
22 recorded valid, enforceable Assignment of Deed of Trust on this property.

23 86. Defendant Citi et. al. were fraudulently collecting about \$5,000.00 as
24 mortgage from Plaintiff till she defaulted. That is when Defendant Citi et. al.
25 recorded the fraudulent Assignment of Deed of Trust, Notice of Default AND
Substitution of Trustee SIMULTANEOUSLY, ON THE SAME DAY, March 08,
2010. (Exhibits E, F, G)

87. Defendant Citi et. la. knew very well that their filed Assignment was
forged as it had missed its cut-off date by OVER SIX YEARS.

1 88. Defendant Citi et. al. also knew very well that their filed Assignment
2 was forged as the only entity that could have assigned anything into the
3 SASC 2003-18XS was Structured Asset Securities Corp and not Defendants
4 Citi et. al.

5 89. Defendant Citi et. al. also knew very well that their claim to MERS
6 nominee was fraud as Structured Asset Securities Corp was not a MERS
7 member and could not have assigned anything to the Defendants using
8 MERS.

9 90. Defendant Citi et. al. were listed as secured creditor on Plaintiff's
10 voluntary Chapter 7 bankruptcy.

11 91. At no time during the administration of the Chapter 7 Bankruptcy did
12 Defendant Citi et. al. file a claim or seek other relief from stay to pursue
13 any action against Plaintiff's Harrington Home. (Exhibit H)

14 92. Defendant Citi et. al. did not seek to foreclose on the supposed
15 security and the note, because of all the facts listed above Defendants Citi
16 et. al. knew they had no legal or beneficial right to the title or had any
17 interest in the property to do so.

18 93. Defendant Citi et. al.'s fraudulent claim to being a Creditor in
19 plaintiff's Bankruptcy in lieu of their fraudulent claim to the note was thus
20 discharged when the Bankruptcy was discharge on September 23, 2010.

21 94. Yet Defendants Citi et. al. continued to illegally lay a claim on the
22 property enrolling Plaintiff in a loan modification program for a loan they
23 had no right to collect anything on.

24 95. Defendants Citi et. al. kept Plaintiff fraudulently in their loan
25 modification program for about two years, an extended modification
negotiation to "bait and switch" her that Plaintiff entered into in good faith
negotiation, providing documents, calling, emailing, faxing them through a
third party and added cost believing that Defendant Citi et. al. had the right
to modify her loan.

96. Defendant Citi et. al. fraudulently approved the modification to keep her

1 in underwriting for about five months and than because they had no real
2 papers to backup the modification, they stage an illegal foreclosure which is
3 doubly illegal as they did it during the loan modification process.

4 96. Defendants Citi et. al. did all of the above in violation of Bankruptcy
5 Protection Laws and the injunction which arises from discharge under 11
6 U.S. Code § 524; and the Fair Debt Collection Act, The Fair Debt Collection
7 Practices Act, 42 U.S.C. section 1692 – not to mention fraud, forgery and
8 other criminal acts they committed. (Exhibit J, K)

9 97. Defendant Citi et. al. knowing they were committing frauds and
10 criminal actions than illegally sold the property to Wilmington Trust
11 Company (Wilmington) that was undergoing criminal investigation at that
12 time. And its principals were later indicted. (Exhibit I)

13 98. This sale was fraud in itself as Plaintiff's was told by the FBI Officer in-
14 charge of Wilmington's criminal investigation that there was no way
15 Wilmington could have entered into any agreements at that time.

16 99. Defendant Citi et. al. posing as Wilmington pursued an illegal Unlawful
17 Detainer action on behalf on Wilmington in Kern County Superior Court,
18 while the Bankruptcy was reopened, Automatic Stay existed, their fraud
19 debt had been discharged in 2010.

20 100. Defendant Citi et. al. proceeded to do an illegal lock-out on Plaintiff's
21 residence, broke-in, vandalized, trespassed and illegally removed all of
22 Plaintiff's belongings from her home and attaching of list to items removed
23 for their fraudulent motion asking for relief from stay Bk. Adv. Doc #105,
24 106, 107, 108, 109 filed August 04, 2014 (Exhibit J, K). This is AFTER
25 Defendant Citi et. al. had SOLD the property to Wilmington.

101. Defendant Citi et. al. enlisted Re/Max to try and illegally sell the
property none of them owned. Re/Max et. al. keep putting the property on
the market and than taking it off knowing full well that there case pending
with lis-pendens on file and they have no right to do so.

102. Defendant Citi et. al. to justify their illegal claim on the Harrington

1 property have filed multiple motion in the Adversary Case 13-01086 with
2 increasing amounts of forgeries/alterations of documents submitted with
3 the same motion they were filing over and over again. Bk Adv 13-01086
4 Doc #9, 10, 11, 12, 17, 18, 19, 20, 21, 22, 123, 124, 125, 126, 134, 135,
5 136, 137, 138, 139, 140 (Exhibit L compared to Exhibits E, F, G)

6 103. Defendant Citi et. el. Even though they had illegally sold the property
7 in May 2012 to Wilmington are illegally holding on to the property and to
8 Plaintiff's belongings to this day.

9 104. It is because of these actions of Defendant Citi et. al. that Plaintiff
10 was forced into Bankruptcy.

11 **E. DEFENDANT BRUCE BREITMAN AND BBG, LTD. AND THEIR**
12 **ATTORNEYS FROM LAW OFFICES OF DAVID CHANDLER, PC**
13 **FRAUDULENT FILINGS AND RECORDINGS**

14 105. Plaintiffs repeats and realleges the allegations contained in the
15 preceding paragraphs of this Complaint as though said paragraphs were
16 fully set forth herein.

17 106. Defendants Breitman and BBG had defrauded the Plaintiff in her
18 attempt to purchase a business in San Francisco from Defendants close
19 friends/family members.

20 107. Defendants Breitman and BBG signed an exclusive representation
21 agreement with her not disclosing to her that sellers of that business were
22 his close friends/family and they had been doing business together for a
23 long time. Defendants were thus Undisclosed Double Agents.

24 108. Defendants also did not disclose to the Plaintiff that Seller's of that
25 business had recently defrauded an innocent buyer before the Plaintiff and
that case was pending in San Francisco Superior Court. Later that buyer
was awarded almost \$700,000.00 in judgement.

109. Plaintiff had disclosed all the above facts to the Trustee, listed in
Creditors meetings transcripts along with her Vodka From Around the

1 World, LLC's documents that were handed to the Trustee on record so he
2 may try to recover the LLC's \$50,000.00 in businesses escrow account.

3 110. Thus when Plaintiff discovered these facts she filed a lawsuit against
4 Defendants Breitman and BBG Ltd which she was sure to million when
5 considering the precedence case till Defendants hired Defendant Judge
6 Clement's friends Defendant Chandler et. al. as they had practice
7 Bankruptcy in Redding area together for over 20 years.

8 111. Defendant Chandler et. al. have admitted to this relationship but
9 Defendant Judge Clement has yet to admit this relationship even though the
10 entire reopening of Plaintiff's Bankruptcy is fraught with lies, document
11 alterations, conflicts-of-interest, hiding of true nature of hearings, hiding of
12 documents/filings, alteration of filings etc.

13 112. Defendant Judge Clement helped his friend out by illegally reopening
14 Plaintiff's Bankruptcy lacking jurisdiction to lie and state that previously
15 abandoned LLC and lawsuit were not disclosed and they are now property of
16 the estate to be sold to his friends clients for \$15,000.00 instead of the
17 multimillion dollar judgement the case would have gotten.

18 113. Needless to say that the LLC never changed ownership and has
19 remained in Plaintiff's name further proving that these Defendants used
20 public resources, Bankruptcy Court for their own criminal personal gains.

21 114. Defendant Judge Clement to justify his all his illegal, corrupt actions
22 even claimed his friends Clients Creditors in Plaintiff's Bankruptcy when all
23 they did was defraud the Plaintiff. Bk Doc #93, 94, 95, 84. He even invited
24 his friend to give an opinion on the case when he was not a duly admitted
25 witness, expert or any person of any significance in the case (See Transcript
of hearing January 23, 2013)

115. Once Plaintiff realized the connection between Defendants and started
filing Motions against their illegal actions Defendants Breitman were
fraudulently named as Creditor's in Plaintiff's Bankruptcy without Plaintiff
owing them a penny for the way they had defrauded her causing her to

1 loose hundreds and thousands of dollars for a business that was designed to
2 steal from unsuspecting innocent people.

3 116. Plaintiff's than attorney did complain but Defendant Judge Clement
4 and his friend simply ridiculed the Plaintiff on record ignoring the complaint
5 and protest.

6 117. Plaintiff was forced into Bankruptcy because of these Defendants
7 actions.

8 **F. DEFENDANTS JUDGE CLEMENT AND JUDGE W. RICHARD LEE**

9 118. Plaintiffs repeats and realleges the allegations contained in the
10 preceding paragraphs of this Complaint as though said paragraphs were
11 fully set forth herein.

12 119. Defendant Judge Clement took his personal bias against the Plaintiff
13 even further by deciding to run her out of town. This was accomplished by
14 his helping Defendants Citi et. al. with their fraud claim n Plaintiff's home.

15 120. Defendant Judge Clement while stating that Automatic Stay of
16 Bankruptcy existed Bk. Adv. 13-01086 Doc #110 denying Defendant Citi
17 et. al's Motion for relief simply ignored the attached list of items these
18 Defendants had illegally removed from Plaintiff's home by breaking-in,
19 vandalizing and trespassing. (Exhibit K, L)

20 121. Defendant Judge Clement had placed a stay on Bankruptcy
21 proceedings pending resolution of misconduct complaint filed against him.
22 Bk Doc #118, 119 and Bk. Adv. Doc #28, 29.

23 122. During the hearing held on February 12, 2014 Defendant Judge
24 Clement denies Plaintiff's Motion for his recusal by lifting the stay but also
25 refuses to allow Plaintiff' s home and her belonging to be returned to her as
he found that "balance of equities did not favor the Debtor" as "she had a
new residence"! (See Transcript of Hearing Bk. Adv. 13-01086 Doc # 82)

123. Defendant Judge Clement thus committed Bankruptcy fraud as well as
Mortgage Fraud by refusing to acknowledge Plaintiff's ownership and lack of
Defendant Citi et. al.'s ownership of that property.

1 124. Defendant Judge Lee despite actively defending himself in related
2 case for about two years now has still managed to preside over this case to
3 further the illegal actions of his friend Defendant Judge Clement – so
4 hopefully they will be enjoying the same cell in the prison together soon.

5 125. Defendant Judge Lee also covered up the fact that the debt/note even
6 if it was valid had been discharged in Bankruptcy in 2010. He also covered
7 up all the facts presented to him in the form of Title Chain records to deny
8 the Plaintiff her home and her belongings and even refusing to Default
9 Wilmington. Plaintiff Notice of Appeal and Statement of Issues is missing
10 from the Docket to this day (Exhibit N, O, P)

11 126. Defendant Judge Lee DISMISSED Plaintiff's complaint against Citi et.
12 Al. for violation of Automatic Stay, Bk. Adv. 13-01086, against all
13 Defendants, including Defaulting Defendants which he later refused to
14 Default acting as BOTH JUDGE AND PLAINTIFF IN THE SAME CASE! (Bk.
15 Adv. 13-01086 Doc #264, 267, 274, 275) (Exhibit M)

16 127. Plaintiff has suffered enormously and is suffering to this day because f
17 the ruthless, criminal actions of these corrupt judges.

18 **IV. FIRST CAUSE OF ACTION - VIOLATION OF 18 USC §157**

19 **BANKRUPTCY FRAUD AGAINST ALL DEFENDANTS**

20 128. Plaintiffs repeats and realleges the allegations contained in the
21 preceding paragraphs of this Complaint as though said paragraphs were
22 fully set forth herein.

23 129. In doing the acts heretofore alleged Defendants, and each of them
24 violated **18 USC § 157 – BANKRUPTCY FRAUD**

25 130. **18 U.S. Code § 157** provides as follows:

A person who, having devised or intending to devise a scheme or artifice to
defraud and for the purpose of executing or concealing such a scheme or
artifice or attempting to do so -

(1) files a petition under title 11, including a fraudulent involuntary
petition under section 303 of such title;

1 (2) files a document in a proceeding under title 11; or

2 (3) makes a false or fraudulent representation, claim, or promise
3 concerning or in relation to a proceeding under title 11, at any time
4 before or after the filing of the petition, or in relation to a proceeding
5 falsely asserted to be pending under such title, shall be fined under this
6 title, imprisoned not more than 5 years, or both.

7 131. Plaintiff-Debtor is the victim of bankruptcy fraud, with VIOLATION OF
8 18 USC § 157 by virtue of the violations of Title 11 as plead previously,
9 committed by all Defendants herein and has been gravely harmed.

10 132. On each and every occasion, as heretofore plead, Defendants and
11 each of them, made false and fraudulent representations and claims in the
12 Plaintiff's bankruptcy, intentionally or recklessly, and without proper
13 investigation of the true facts.

14 133. On each and every occasion, as heretofore plead, Defendants and
15 each of them, made false and fraudulent representations, even forging Title
16 documents and hiding critical facts, claiming an interest in Plaintiff's
17 properties, that they did not legally or beneficially have.

18 134. Plaintiff alleges that all the Defendants had no rights title or interest
19 in Plaintiff's properties, yet they intentionally or recklessly recorded or
20 caused to be recorded, forgeries, frauds and documents that were not
21 truthful, real, original or conformed true and correct copies.

22 135. In addition to the violations of the US Bankruptcy Laws these
23 Defendants violated both the California Statutes and the Nevada Revised
24 Statutes.

25 136. As a result of these fraudulent transfers, Plaintiff has been gravely
damaged so much so that she had to file Bankruptcy, and has been losing
\$5,000.00 per month in rent money for each property amounting to another
\$480,000.00 for each property and it is accruing daily from this property
not to mention over \$240,000.00 mortgages the Defendants collected from

1 her for years and the BOA collection of \$50,000.00 for "loan modification",
2 not to mention the over \$,1,000,000.00 cash in down payments.

3 137. Plaintiff-Debtor's damage total is estimated to be over fifty million US
4 dollars. An exact amount is yet unknown presently but Plaintiff will amend
5 this complaint when the full amount of her damages is known.

6
7 **V. SECOND CAUSE OF ACTION**
8 **VIOLATION OF 18 USC §152 MAKING OF FALSE OATHS**
9 **AGAINST ALL DEFENDANTS**

10 138. Plaintiffs repeats and realleges the allegations contained in the
11 preceding paragraphs of this Complaint as though said paragraphs were
12 fully set forth herein.

13 139. In doing the acts heretofore alleged Defendants, and each of them
14 violated **18 USC § 152 - CONCEALMENT OF ASSETS, FALSE OATHS,**
15 **CLAIMS AND BRIBERY**

16 140. **18 U.S. Code § 152** provides as follows:

17 A person who -

18 (1) knowingly and fraudulently conceals from a custodian, trustee,
19 marshal, or other officer of the court charged with the control or custody
20 of property, or, in connection with a case under title 11, from creditors or
21 the United States Trustee, any property belonging to the estate of a
22 debtor;

23 (2) knowingly and fraudulently makes a false oath or account in or in
24 relation to any case under title 11;

25 (3) knowingly and fraudulently makes a false declaration, certificate,
verification, or statement under penalty of perjury as permitted under
section 1746 of title 28, in or in relation to any case under title 11;

1 (4) knowingly and fraudulently presents any false claim for proof against
2 the estate of a debtor, or uses any such claim in any case under title 11,
3 in a personal capacity or as or through an agent, proxy, or attorney;

4 (5) intentionally omitted

5 (6) knowingly and fraudulently gives, offers, receives, or attempts to
6 obtain any money or property, remuneration, compensation, reward,
7 advantage, or promise thereof for acting or forbearing to act in any case
8 under title 11;

9 (7) in a personal capacity or as an agent or officer of any person or
10 corporation, in contemplation of a case under title 11 by or against the
11 person or any other person or corporation, or with intent to defeat the
12 provisions of title 11, knowingly and fraudulently transfers or conceals
13 any of his property or the property of such other person or corporation;

14 (8) after the filing of a case under title 11 or in contemplation thereof,
15 knowingly and fraudulently conceals, destroys, mutilates, falsifies, or
16 makes a false entry in any recorded information (including books,
17 documents, records) and papers relating to the property or financial
18 affairs of a debtor; or

19 (9) after the filing of a case under title 11, knowingly and fraudulently
20 withholds from a custodian, trustee, marshal, or other officer of the court
21 or a United States Trustee entitled to its possession, any recorded
22 information (including books, documents, records, and papers) relating
23 to the property or financial affairs of a debtor, shall be fined under this
24 title, imprisoned not more than 5 years, or both.

25 141. On each and every occasion, as heretofore plead, Defendants and
each of them, made false and fraudulent representations and claims in the

1 Plaintiff's bankruptcy, intentionally or recklessly, and concealing the proper
2 true facts.

3 142. On each and every occasion, as heretofore plead, Defendants and
4 each of them, made false and fraudulent representations claiming an
5 interest in Plaintiff's properties, that they did not legally and or beneficially
6 have.

7 143. Plaintiff alleges that all the Defendants had no rights title or interest
8 in Plaintiff's properties, yet they intentionally or recklessly recorded or
9 caused to be recorded, forgeries, frauds and documents that were not
10 truthful, real, original or conformed true and correct copies while concealing
11 the true facts.

12 144. In addition to the violations of the US Bankruptcy Laws these
13 Defendants violated both the California Statutes and the Nevada Revised
14 Statutes as well as Federal Statutes and Judicial Canons.

15 145. As a result of these fraudulent transfers, Plaintiff has been gravely
16 damaged so much so that she had to file Bankruptcy, and has been losing
17 \$5,000.00 per month in rent money for each property amounting to another
18 \$480,000.00 for each property and it is accruing daily from this property
19 not to mention over \$240,000.00 mortgages the Defendants collected from
20 her for years and the BOA collection of \$50,000.00 for "loan modification",
21 not to mention the over \$,1,000,000.00 cash in down payments.

22 146. Plaintiff-Debtor's damage total is estimated to be over fifty million US
23 dollars. An exact amount is yet unknown presently but Plaintiff will amend
24 this complaint when the full amount of her damages is known.

25
**VI. THIRD CAUSE OF ACTION
FOR FRAUD AGAINST ALL DEFENDANTS**

1 147. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 148. In doing the acts heretofore alleged Defendants, Plaintiff alleges that
5 each and every Defendant, intended to misrepresent, and did misrepresent,
6 certain facts to Plaintiff, the recorders in the States of Nevada and
7 California, the entire world wide web, and the state courts, Bankruptcy
8 Court, as well as the local Bakersfield Unlawful Detainer Court.

9 149. Plaintiff alleges that each and every Defendant represented than an
10 important fact about her and her property, was true, when in fact it was
11 false.

12 150. Plaintiff alleges that each and every Defendant knew that the
13 representations were false when they made them, or that they made the
14 representation recklessly and without regard for its truth hiding the facts
15 deliberately.

16 151. Plaintiff alleges that each and every Defendant intended that Plaintiff,
17 the states of Nevada and California, the Courts, and the entire world rely
18 on their misrepresentation.

19 152. Plaintiff reasonably relied upon each and every Defendant's
20 representation, and was harmed in doing so. The harm is continuing to this
21 day.

22 153. Plaintiff alleges that her reliance upon each and every Defendant's
23 representation, was a substantial factor in causing her harm.

24 154. As a result of these fraudulent transfers, Plaintiff has been gravely
25 damaged so much so that she had to file Bankruptcy, and has been losing
\$5,000.00 per month in rent money for each property amounting to another
\$480,000.00 for each property and it is accruing daily from this property

1 not to mention over \$240,000.00 mortgages the Defendants collected from
2 her for years and the BOA collection of \$50,000.00 for "loan modification",
3 not to mention the over \$,1,000,000.00 cash in down payments.

4 155. Plaintiff-Debtor's damage total is estimated to be over fifty million US
5 dollars. An exact amount is yet unknown presently but Plaintiff will amend
6 this complaint when the full amount of her damages is known.

7 **VII. FOURTH CAUSE OF ACTION FOR VIOLATIONS OF**
8 **42 USC 1982, VIOLATION OF PLAINTIFF DEBTOR'S PROPERTY**
9 **RIGHTS; AND VIOLATIONS OF 42 USC 1983**
10 **DEPRIVATION OF PLAINTIFF RIGHTS AGAINST ALL DEFENDANTS**

11 156. Plaintiffs repeats and realleges the allegations contained in the
12 preceding paragraphs of this Complaint as though said paragraphs were
13 fully set forth herein.

14 157. In doing the acts heretofore alleged Defendants, acted as
15 governmental entities, in non-judicial foreclosure states, and each of them
16 violated 42 USC 1982, the property rights of Plaintiff Salma Agha- Khan,
17 MD, a single mother of two, a woman of color, and of Pakistani descent.

18 158. Plaintiff alleges that in foreclosing in a non-judicial foreclosure states,
19 Nevada and California Defendants who foreclosed, or otherwise caused to
20 be recorded and filed false and forged documents, held themselves out to
21 the world, as committing a state action against Plaintiff.

22 159. Inasmuch as Defendants have performed and committed "judicial
23 acts" and are entrusted with performing them legally, Plaintiff alleges that
24 Defendants are liable for the deprivation of her rights caused by the use of
25 otherwise known judicial acts, their permission to act judicially.

160. **42 USC 1982** provides as follows:

1 **42 U.S. Code § 1982 – PROPERTY RIGHTS OF CITIZENS:** All citizens of
2 the United States shall have the same right, in every State and Territory, as
3 is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold,
4 and convey real and personal property.

5 161. Plaintiff is the victim of violation of 42 USC 1982 by virtue of the
6 violations of statutes as plead previously, committed by all foreclosing
7 Defendants and other knowingly and deliberately participating in the acts
8 detailed herein and has been harmed.

9 162. Plaintiff's damages are accruing daily.

10 163. In doing the acts heretofore alleged Defendants, and each of them
11 violated 42 USC 1983, by depriving Plaintiff, Salma Agha- Khan, MD, a
12 single mother of two, a woman of color, and of Pakistani descent, her
13 rights. No remedy was available to her because she did not know of the
14 acts and omissions which give rise to these allegations at the time they
15 were committed.

16 164. **42 USC 1983** provides as follows: **CIVIL ACTION FOR**
17 **DEPRIVATION OF RIGHTS** - Every person who, under color of any
18 statute, ordinance, regulation, custom, or usage, of any State or Territory
19 or the District of Columbia, subjects, or causes to be subjected, any citizen
20 of the United States or other person within the jurisdiction thereof to the
21 deprivation of any rights, privileges, or immunities secured by the
22 Constitution and laws, shall be liable to the party injured in an action at law,
23 suit in equity, or other proper proceeding for redress, except that in any
24 action brought against a judicial officer for an act or omission taken in such
25 officer's judicial capacity, injunctive relief shall not be granted unless a
declaratory decree was violated or declaratory relief was unavailable.

1 165. Plaintiff alleges herein that Defendants in doing the actions herein
2 complained of, conducted themselves in taking state actions, in non-judicial
3 foreclosure states, California and Nevada. As such Plaintiff alleges their
4 conduct, mirrored court action, but because the laws in these states do not
5 require court actions, such actions taken by Defendants was state action
6 against Plaintiff to deprive her of her rights and property.

7 166. Plaintiff is the victim of violation of 42 USC 1983 by virtue of the
8 violations of this and other US STATUTES violated as plead previously and
9 subsequently , committed by all Defendants herein.

10 167. Plaintiff and has been harmed in many ways and the harm is
11 continuing to this day.

12 168. As a result of these fraudulent transfers, Plaintiff has been gravely
13 damaged so much so that she had to file Bankruptcy, and has been losing
14 \$5,000.00 per month in rent money for each property amounting to another
15 \$480,000.00 for each property and it is accruing daily from this property
16 not to mention over \$240,000.00 mortgages the Defendants collected from
17 her for years and the BOA collection of \$50,000.00 for "loan modification",
18 not to mention the over \$,1,000,000.00 cash in down payments.

19 169. Plaintiff-Debtor's damage total is estimated to be over fifty million US
20 dollars. An exact amount is yet unknown presently but Plaintiff will amend
21 this complaint when the full amount of her damages is known.

22
23 **VIII. FIFTH CAUSE OF ACTION**

24 **VIOLATIONS OF DUE PROCESS CLAUSE OF US CONSTITUTION,**
25 **NEVADA STATE CONSTITUTION, CALIFORNIA STATE**
CONSTITUTION, LACK OF NOTICE AGAINST ALL DEFENDANTS

1 170. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 171. In doing the acts heretofore alleged, the Defendants, and each of
5 them violated 42 USC 1982, the property rights of Plaintiff Salma Agha-
6 Khan, MD, a single mother of two, a woman of color, and of Pakistani
7 descent.

8 172. The California Constitution provides:

9 **CALIFORNIA CONSTITUTION: ARTICLE 1 DECLARATION OF RIGHTS**

10 **SECTION 1.** All people are by nature free and independent and have
11 inalienable rights. Among these are enjoying and defending life and liberty,
12 acquiring, possessing, and protecting property, and pursuing and obtaining
13 safety, happiness, and privacy.

14 **SECTION 7. (a)** A person may not be deprived of life, liberty, or property
15 without due process of law or denied equal protection of the laws;

16 173. The **NEVADA CONSTITUTION** also provides: **INALIENABLE**
17 **RIGHTS:** All men are by Nature free and equal and have certain inalienable
18 rights among which are those of enjoying and defending life and liberty;
19 Acquiring, Possessing and Protecting property and pursuing and obtaining
20 safety and happiness.

21 174. Plaintiff alleges that in foreclosing in a non-judicial foreclosure states,
22 Nevada can California, Defendants who recorded false and forged
23 documents, and caused to be filed false and forged documents, and untruths
24 in Plaintiff's bankruptcy, held themselves out as committing a state action
25 against the Plaintiff.

1 175. In as much as Defendants have performed and committed "judicial
2 acts" and are entrusted with performing them legally, Plaintiff alleges that
3 Defendants are liable for the deprivation of her rights caused by the use of
4 otherwise known judicial acts, their permission to act judicially.

5 176. Plaintiff had no notice of her rights in her properties. Plaintiff was
6 defrauded and the victim of crimes, as were the states of Nevada and
7 California and the US and Local courts.

8 177. Plaintiff was denied her US Constitutional and her Nevada
9 Constitutional rights as well as her California Constitutional rights to notice,
10 and therefore was deprived her substantive and procedural due process.

11 178. Plaintiff was damaged by conduct of Defendants in denying her notice.

12 179. As a result of these fraudulent transfers, Plaintiff has been gravely
13 damaged so much so that she had to file Bankruptcy, and has been losing
14 \$5,000.00 per month in rent money for each property amounting to another
15 \$480,000.00 for each property and it is accruing daily from this property not
16 to mention over \$240,000.00 mortgages the Defendants collected from her
17 for years and the BOA collection of \$50,000.00 for "loan modification", not to
18 mention the over \$,1,000,000.00 cash in down payments.

19 180. Plaintiff-Debtor's damage total is estimated to be over fifty million US
20 dollars. An exact amount is yet unknown presently but Plaintiff will amend
21 this complaint when the full amount of her damages is known.

22 **IX. SIXTH CAUSE OF ACTION FOR NEGLIGENCE**
23 **AGAINST ALL DEFENDANTS**

24 181. Plaintiffs repeats and realleges the allegations contained in the
25 preceding paragraphs of this Complaint as though said paragraphs were fully
set forth herein.

1 182. To bring a negligence claim , a plaintiff must show that (1) defendant
2 owed a duty of care to plaintiff; (2) defendant breached that duty; (3)
3 defendant's breach was the actual and proximate cause of plaintiff's injuries;
4 and (4) plaintiff was injured.

5 183. Plaintiff alleges that each and every lender and bank, as well as their
6 attorneys, and Judges had a duty to the Plaintiff to ensure that any party
7 instructing it to conduct a foreclosure sale of the property actually owned
8 and had rights under the note and deed of trust, and that any party making
9 claims and allegations in the US Bankruptcy Court abide by the law, and
10 make true statements.

11 184. Plaintiff also alleges that Defendant's failure to take the appropriate
12 steps to comply with this duty was the actual and proximate cause of
13 damages to Plaintiff.

14 185. Plaintiff alleges that all lending and foreclosing Defendants, as well as
15 their attorneys, presiding Judges violated these statutes as and against an
16 innocent Mother of two sons, and that all statutes plead herein should be
17 equitably tolled in her favor to accomplish justice.

18 186. As a result of these fraudulent transfers, Plaintiff has been gravely
19 damaged so much so that she had to file Bankruptcy, and has been losing
20 \$5,000.00 per month in rent money for each property amounting to another
21 \$480,000.00 for each property and it is accruing daily from this property
22 not to mention over \$240,000.00 mortgages the Defendants collected from
23 her for years and the BOA collection of \$50,000.00 for "loan modification",
24 not to mention the over \$,1,000,000.00 cash in down payments.

25 187. Plaintiff-Debtor's damage total is estimated to be over fifty million US

1 dollars. An exact amount is yet unknown presently but Plaintiff will amend
2 this complaint when the full amount of her damages is known.

4 **X. SEVENTH CAUSE OF ACTION**

5 **CONVERSION AGAINST ALL DEFENDANTS**

6 188. Plaintiffs repeats and realleges the allegations contained in the
7 preceding paragraphs of this Complaint as though said paragraphs were
8 fully set forth herein.

9 189. Defendants through their misrepresentation converted her high-end
10 properties, illegally selling some of them to pocket the monies generated
11 through the sales preventing Plaintiff from enjoying the rents from these
12 properties and also monies from the sale of these properties if she chose to
13 sell them.

14 190. Defendants specially Citi et. al. converted her personal possessions in
15 her primary residence on Harrington where she also owned business,
16 intellectual, professional and personal property contained in her Harrington
17 home that was all illegally removed by the Defendants without any legal
18 claim. Their only motive was HATE and BIAS!

19 191. Defendants Citi et. al. and their Defendant attorneys of record who
20 also represented the Unlawful Detainer Plaintiffs, Wilmington Trust, a
21 disgraced defunct group of incarcerated criminals, intentionally and
22 substantially interfered with Plaintiff Salma Agha-Khan's property by taking
23 possession of it illegally without her consent blessed by the presiding
24 Judges who acted deliberately and intentionally knowing they were
25 committing non-judicial acts for their own personal benefit.

1 192. Plaintiff was harmed and Defendants' conduct was a substantial factor
2 in causing Plaintiff's harm forcing her into Bankruptcy.

3 193. As a result of these fraudulent transfers, Plaintiff has been gravely
4 damaged so much so that she had to file Bankruptcy, and has been losing
5 \$5,000.00 per month in rent money for each property amounting to another
6 \$480,000.00 for each property and it is accruing daily from this property
7 not to mention over \$240,000.00 mortgages the Defendants collected from
8 her for years and the BOA collection of \$50,000.00 for "loan modification",
9 not to mention the over \$,1,000,000.00 cash in down payments.

10 194. Plaintiff-Debtor's damage total is estimated to be over fifty million US
11 dollars. An exact amount is yet unknown presently but Plaintiff will amend
12 this complaint when the full amount of her damages is known.

13
14 **XI. EIGHTH CAUSE OF ACTION TRESSPASS TO CHATTEL**
15 **AGAINST DEFENDANTS**

16 195. Plaintiffs repeats and realleges the allegations contained in the
17 preceding paragraphs of this Complaint as though said paragraphs were
18 fully set forth herein.

19 196. Defendants through their misrepresentation converted her high end
20 properties, illegally selling some of them to pocket the monies generated
21 through the sales preventing Plaintiff from enjoying the rents from these
22 properties and also monies from the sale of these properties if she chose to
23 sell them.

24 197. Defendants specially Citi et. al. converted her personal possessions in
25 her primary residence on Harrington where she also owned business,

1 intellectual, professional and personal property contained in her Harrington
2 home.

3 198. Defendants Citimortgage and their attorneys of record intentionally
4 and substantially interfered with Plaintiff Salma Agha-Khan's use and
5 enjoyment and professional use of her property by taking possession of it
6 without Plaintiff's consent.

7 199. Plaintiff was harmed and Defendants' conduct was a substantial factor
8 in causing Plaintiff's harm.

9 200. As a result of these fraudulent transfers, Plaintiff has been gravely
10 damaged so much so that she had to file Bankruptcy, and has been losing
11 \$5,000.00 per month in rent money for each property amounting to another
12 \$480,000.00 for each property and it is accruing daily from this property
13 not to mention over \$240,000.00 mortgages the Defendants collected from
14 her for years and the BOA collection of \$50,000.00 for "loan modification",
15 not to mention the over \$,1,000,000.00 cash in down payments.

16 201. Plaintiff-Debtor's damage total is estimated to be over fifty million US
17 dollars. An exact amount is yet unknown presently but Plaintiff will amend
18 this complaint when the full amount of her damages is known.

19 20 **XII. NINTH CAUSE OF ACTION**

21 **DEFAMATION AGAINST ALL DEFENDANTS**

22 202. Plaintiffs repeats and realleges the allegations contained in the
23 preceding paragraphs of this Complaint as though said paragraphs were
24 fully set forth herein.

25 203. Defendants and each of them intentionally and recklessly published
false statements about and concerning Plaintiff, individually and as and

1 against her profession, business and personal reputation, by the recording
2 of false and forged documents and by using and preparing such false and
3 forged documents to get Court orders.

4 204. Defendants caused to be falsely published that Plaintiff could not
5 afford to pay her mortgage, which was categorically untrue, and that
6 Plaintiff was not able to pay or refused to pay financial obligations which
7 was also categorically untrue.

8 205. These publications were made recklessly and or intentionally, and
9 under penalty of perjury.

10 206. There is no privilege for these false and forged publications.

11 207. These publications have harmed and damaged Plaintiff and the
12 damage and harm is continuing to this day.

13 207. As a result of these fraudulent transfers, Plaintiff has been gravely
14 damaged so much so that she had to file Bankruptcy, and has been losing
15 \$5,000.00 per month in rent money for each property amounting to another
16 \$480,000.00 for each property and it is accruing daily from this property
17 not to mention over \$240,000.00 mortgages the Defendants collected from
18 her for years and the BOA collection of \$50,000.00 for "loan modification",
19 not to mention the over \$,1,000,000.00 cash in down payments.

20 208. Plaintiff-Debtor's damage total is estimated to be over fifty million US
21 dollars. An exact amount is yet unknown presently but Plaintiff will amend
22 this complaint when the full amount of her damages is known.

23
24 **XIII. TENTH CAUSE OF ACTION**
25 **FALSE LIGHT AGAINST ALL DEFENDANTS**

1 209. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 210. By alleging all of the acts and conduct Plaintiff has heretofore alleged,
5 Defendants widely and intentionally or recklessly caused the publication of
6 false and damaging information which identifies the Plaintiff; and places
7 the Plaintiff in a "false light" that would be highly offensive to a reasonable
8 person.

9 211. Plaintiff is a medical doctor, a nuclear radiologist, a resident of both
10 California and Nevada, in the United States and is a medical doctor in
11 Pakistan. She is a single mother of two, of Pakistani descent, and has been
12 harmed and damaged by such false and forged publication.

13 212. As a result of these fraudulent transfers, Plaintiff has been gravely
14 damaged so much so that she had to file Bankruptcy, and has been losing
15 \$5,000.00 per month in rent money for each property amounting to another
16 \$480,000.00 for each property and it is accruing daily from this property
17 not to mention over \$240,000.00 mortgages the Defendants collected from
18 her for years and the BOA collection of \$50,000.00 for "loan modification",
19 not to mention the over \$,1,000,000.00 cash in down payments.

20 213. Plaintiff-Debtor's damage total is estimated to be over fifty million US
21 dollars. An exact amount is yet unknown presently but Plaintiff will amend
22 this complaint when the full amount of her damages is known.

23
24 **XIV. ELEVENTH CAUSE OF ACTION**

25 **SLANDER OF TITLE AND QUIET TITLE AGAINST ALL DEFENDANTS**

1 214. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 215. Defendants and each of them, acted in concert to disparaged
5 Plaintiff's exclusive valid title by and through the preparing, posting,
6 publishing, and recording of forged and fraudulent real estates documents
7 previously described herein, including, but not limited to, the Notice of
8 Default, Notice of Trustee's Sale, and Trustee's Deed.

9 216. Plaintiff SALMA AGHA-KHAN, MD., entered into consumer credit
10 transactions with GMAC and BOA and BAC Home Loan Servicing, Citi et. al.
11 and thought she was obtaining mortgage loans or modifications, secured
12 by the DEED'S OF TRUST of Plaintiff's real property (all legal descriptions
13 are contained herein above and below and are incorporated by reference
14 herein.

15 217. All Defendants named herein fraudulently claim an interest in estate
16 and in the properties adverse to plaintiff's interests in that Defendants
17 assert that they are the owners of the note secured by the deed of trusts to
18 Plaintiff's real properties.

19 218. Plaintiff alleges that Defendants' claims are without merits
20 whatsoever, and that Defendants have no right, estate, title, lien or interest
21 in or to the properties, or any part of any of the properties.

22 219. The claim of all Defendants herein named, and each of them, claim
23 some estate, right, title, lien or interest in or to the properties adverse to
24 plaintiff's title, and these claims constitute a cloud on plaintiff's title to the
25 properties.

1 220. Plaintiff alleges, upon information and belief, that none of the parties
2 to neither the securitization transaction, nor any of the Defendants in this
3 case, hold a perfected and secured claim in Plaintiff's real Properties and
4 that all Defendants are estopped and precluded from asserting an
5 unsecured claim against Plaintiff's real properties.

6 221. Plaintiff request the decree permanently enjoining Defendants, and
7 each of them, and all persons claiming under them, from asserting any
8 adverse claim to plaintiffs' title to the properties which was secured by the
9 Deed of Trust and legally described above in this complaint.

10 222. Plaintiffs respectfully request the court to award plaintiffs costs of this
11 action, and such other relief as the court may deem proper.

12 223. As a result of these fraudulent transfers, Plaintiff has been gravely
13 damaged so much so that she had to file Bankruptcy, and has been losing
14 \$5,000.00 per month in rent money for each property amounting to another
15 \$480,000.00 for each property and it is accruing daily from this property
16 not to mention over \$240,000.00 mortgages the Defendants collected from
17 her for years and the BOA collection of \$50,000.00 for "loan modification",
18 not to mention the over \$,1,000,000.00 cash in down payments.

19 224. Plaintiff-Debtor's damage total is estimated to be over fifty million US
20 dollars. An exact amount is yet unknown presently but Plaintiff will amend
21 this complaint when the full amount of her damages is known.

22
23 **XV. TWELVTH CAUSE OF ACTION VIOLATION OF NEVADA REVISED**
24 **STATUTES AGAINST ALL NEVADA FORECLOSING DEFENDANTS**
25 **AND THEIR ATTORNEYS OF RECORD**

1 225. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 226. Plaintiff seeks to enforce the provisions of NRS 645 as follows:

5 **NRS 645F.420** Homeowner may bring action to recover damages.

6 1. A homeowner who is injured as a result of a person's violation of a
7 provision of NRS 645F.400 may bring an action against the person to
8 recover damages caused by the violation, together with reasonable
9 attorney's fees, legal and other costs.

10 2. If the homeowner prevails in the action, the court may award such
11 punitive damages as may be determined by a jury, or by a court sitting
12 without a jury, but in no case may the punitive damages be less than
13 one and one-half times the amount awarded to the homeowner as actual
14 damages. Plaintiff seeks punitive damages and reconveyance, as to
15 BOA, Bank of America Home Loan Servicing and GMAC.

16 227. Plaintiff alleges that Defendants engaged in fraud and deceit.

17 **NRS 645F.430** Foreclosure purchasers: Criminal penalty for fraud or
18 deceit against homeowner. A foreclosure purchaser who engages in any
19 conduct that operates as a fraud or deceit upon a homeowner in
20 connection with a transaction that is subject to the provisions of NRS
21 645F.300 to 645F.450, inclusive, including, without limitation, a
22 foreclosure reconveyance, is guilty of a gross misdemeanor and shall be
23 punished by imprisonment in the county jail for not more than 364 days,
24 or by a fine of not more than \$50,000, or by both fine and
25 imprisonment.

(Added to NRS by 2007, 2857; A 2009, 1461; 2011, 1578; 2013, 992)

1 228. Plaintiff seeks rescission.

2 **NRS 645F.440** Foreclosure purchasers: Transaction rescinded due to
3 fraud or deceit upon homeowner.

4 1. In addition to the penalty provided in NRS 645F.430 and except as
5 otherwise provided in subsection 5, if a foreclosure purchaser engages in
6 any conduct that operates as a fraud or deceit upon a homeowner in
7 connection with a transaction that is subject to the provisions of NRS
8 645F.300 to 645F.450, inclusive, including, without limitation, a
9 foreclosure reconveyance, the transaction in which the foreclosure
10 purchaser acquired title to the residence in foreclosure may be rescinded
11 by the homeowner within 2 years after the date of the recording of the
12 conveyance. Plaintiff had no notice of the fraud until very recently.
13 Plaintiff seeks reconveyance. Plaintiff reasonably relied upon the US
14 Bankruptcy Court Documents and was not provided any type of
15 Mediation communication nor afforded any documents that were filed
16 with the SEC, or other US Bankruptcy Courts.

17 2. To rescind a transaction pursuant to subsection 1, the homeowner
18 must give written notice to the foreclosure purchaser and a successor in
19 interest to the foreclosure purchaser, if the successor in interest is not a
20 bona fide purchaser, and record that notice with the recorder of the
21 county in which the property is located. The notice of rescission must
22 contain:

- 23 (a) The name of the homeowner, the foreclosure purchaser and any
24 successor in interest who holds title to the property; and
25 (b) A description of the property.

1 There are FOUR properties in Nevada:

2 A. 2448 Granada Bluff Court, Las Vegas, Nevada 89135 ("Granada").

3 The legal description of this property is:

4 Lot 269, SUMMERLIN VILLAGE 19 – PARCEL "G" PHASE 2 , in the
5 City of Las Vegas, County of Clark, State of Nevada, as shown by Map
6 thereof on file in Book 120 of Plats Page 73, in the Office of the County
Recorder of Clark County, Nevada. APN 164-02-813-040

7 B. 1967 Cherry Creek Circle, Las Vegas, Nevada, 89135 ("Cherry
8 Creek"). The legal description of the property is:

9 Parcel I: Lot 9 in Block 6 of Red Rock Country Club at Summerlin Unit
10 24, as shown by map thereof on file in Book 107 of Plats, Page 71, in the
office of the County Recorder of Clark County, Nevada. APN:164-02-218-001

11 C. 11545 Cantina Terlano Place, Las Vegas Nevada, 89141.

12 ("Cantina11545"). The legal description of the property is as follows: Lot 10
13 of Amended Plat of San Sevino West at Southern Highlands. As shown by
14 Map thereof on file in Book 115 of Plats, Page 81, in the office of the County
15 Recorder of Clark County, Nevada. APN: 191-05-217-007

16 D. 11539 Cantina Terlano Place, Las Vegas Nevada, 89141.

17 ("Cantina11539"). The legal description of the property is as follows: Lot 9
18 of Amended Plat of San Sevino West at Southern Highlands. As shown by
19 Map thereof on file in Book 115 of Plats, Page 81, in the office of the County
20 Recorder of Clark County, Nevada. APN: 191-05-217-006

21 3. Within 20 days after receiving notice pursuant to subsection 2:

22 (a) The foreclosure purchaser and the successor in interest, if the
23 successor in interest is not a bona fide purchaser, shall reconvey to
24 the homeowner title to the property free and clear of encumbrances
25 which were created subsequent to the rescinded transaction and

1 which are due to the actions of the foreclosure purchaser; and

2 (b) The homeowner shall return to the foreclosure purchaser any
3 consideration received from the foreclosure purchaser in exchange for
4 the property.

5 4. If the foreclosure purchaser has not reconveyed to the homeowner
6 title to the property within the period described in subsection 3, the
7 homeowner may bring an action to enforce the rescission in the district
8 court of the county in which the property is located.

9 5. A transaction may not be rescinded pursuant to this section if the
10 foreclosure purchaser has transferred the property to a bona fide
11 purchaser.

12 Plaintiff alleges that no Defendant is not a bona fide purchaser, and the
13 Defendant GMAC and others, schemed to defraud and did defraud the US
14 Bankruptcy Court, and Plaintiff in combination with other defendants, to
15 steal her properties based upon fraudulent, forged documents, and
16 documents which are misrepresenting and lacking any interest to transfer.

17 6. As used in this section, "bona fide purchaser" means any person who
18 purchases an interest in a residence in foreclosure from a foreclosure
19 purchaser in good faith and for valuable consideration and who does not
20 know or have reasonable cause to believe that the foreclosure purchaser
21 engaged in conduct which violates subsection. Plaintiff alleges Defendant
22 Defendants and each of them, especially GMAC. is a sophisticated thief of
23 property, and combined with other defendants to record false and forged
24 documents to steal Plaintiff's property.

25 229. As a result of these fraudulent transfers, Plaintiff has been gravely
damaged so much so that she had to file Bankruptcy, and has been losing

1 \$5,000.00 per month in rent money for each property amounting to another
2 \$480,000.00 for each property and it is accruing daily from this property
3 not to mention over \$240,000.00 mortgages the Defendants collected from
4 her for years and the BOA collection of \$50,000.00 for "loan modification",
5 not to mention the over \$,1,000,000.00 cash in down payments.

6 230. Plaintiff-Debtor's damage total is estimated to be over fifty million US
7 dollars. An exact amount is yet unknown presently but Plaintiff will amend
8 this complaint when the full amount of her damages is known.

9
10 **XVI. THIRTEENTH CAUSE OF ACTION**

11 **VIOLATION OF CALIFORNIA STATUTES**

12 **AGAINST ALL CALIFORNIA FORECLOSING DEFENDANTS**

13 231. Plaintiffs repeats and realleges the allegations contained in the
14 preceding paragraphs of this Complaint as though said paragraphs were
15 fully set forth herein.

16 232. Plaintiff alleges that Citimortgage and their attorneys of record
17 engaged in various conduct amounting to a crime in the recording of false
18 and forged deeds and notices , violation of California Penal Code 115;
19 resulting in a grand theft of Plaintiff's Harrington real, personal,
20 professional, and business property, violation of California Penal Code
21 487; that Defendants violated other California and US Banking and Lending
22 statutes; that Defendants had no right title and interest in Plaintiff's
23 Harrington Property, and had no right to take Plaintiff's money in doing so,
24 in violation of California Civil Code 2945 et seq.

25 233. Plaintiff has been harmed and the conduct of Defendants is a
substantial factor in the harm.

1 234. As a result of these fraudulent transfers, Plaintiff has been gravely
2 damaged so much so that she had to file Bankruptcy, and has been losing
3 \$5,000.00 per month in rent money for each property amounting to another
4 \$480,000.00 for each property and it is accruing daily from this property
5 not to mention over \$240,000.00 mortgages the Defendants collected from
6 her for years and the BOA collection of \$50,000.00 for "loan modification",
7 not to mention the over \$,1,000,000.00 cash in down payments.

8 235. Plaintiff-Debtor's damage total is estimated to be over fifty million US
9 dollars. An exact amount is yet unknown presently but Plaintiff will amend
10 this complaint when the full amount of her damages is known.

11
12 **XVII. FOURTEENTH CAUSE OF ACTION**
13 **VIOLATION OF CALIFORNIA AND NEVADA**
14 **BUSINESS AND PROFESSIONS STATUTES**
15 **AGAINST ATTORNEY DEFENDANTS**

16 236. Plaintiffs repeats and realleges the allegations contained in the
17 preceding paragraphs of this Complaint as though said paragraphs were
18 fully set forth herein.

19 237. In doing the acts complained of herein the attorney Defendants in
20 California violated the following:

21 **California Rule of Professional Conduct 5-200, Trial Conduct**, states
22 that in presenting a matter to a tribunal, a member:

23 (A) Shall employ, for the purpose of maintaining the causes confided to
24 the member, such means only as are consistent with truth;

25 (B) Shall not seek to mislead the judge, judicial officer or jury by an
artifice or false statement of fact or law;

1 (C) Shall not intentionally misquote to a tribunal the language of a book,
2 statute or decision;

3 (D) Shall not, knowing its invalidity, cite as authority a decision that has
4 been overruled or a statute that has been repealed or declared
5 unconstitutional; and

6 (E) Shall not assert personal knowledge of the facts at issue, except
7 when testifying as a witness.

8 **California Business and Professions Code 6068 (d)** states that it is the
9 duty of an attorney to "employ, for the purpose of maintaining the causes
10 confided to him or her, those means only as are consistent with truth, and
11 never to seek to mislead the judge or any judicial officer by an artifice or
12 false statement of fact or law." And lest anyone take a violation of an
13 attorney's duties lightly, the California Business and Professions Code
14 contains a section that spells out the potential punishment. California
15 Business and Professions Code Section 6103 states that "a willful
16 disobedience or violation of an order of the court requiring him to do or
17 forbear an act connected with or in the course of his profession, which he
18 ought in good faith to do or forbear, and any violation of the oath taken by
19 him, or of his duties as such attorney, constitute causes for disbarment or
20 suspension."

21 238. Plaintiff alleges that these acts and conduct heretofore plead are
22 dishonest, and are immoral, and are corrupt, some constitute felonies. The
23 Court has a duty to report these offenses.

24
25 **239. California Business and Professions Code Section 6106**
discusses actions unfit for an attorney, that may result in discipline. The

1 section states that "the commission of any act involving moral turpitude,
2 dishonesty or corruption, whether the act is committed in the course of his
3 relations as an attorney or otherwise, and whether the act is a felony or
4 misdemeanor or not, constitutes a cause for disbarment or suspension. If
5 the act constitutes a felony or misdemeanor, conviction thereof in a criminal
6 proceeding is not a condition precedent to disbarment or suspension from
7 practice therefor."

8 **240. California Business and Professions Code Section 6067** requires
9 a lawyer "faithfully to discharge the duties of any attorney at law to the best
10 of his knowledge and ability."

11 241. As a result of these fraudulent transfers, Plaintiff has been gravely
12 damaged so much so that she had to file Bankruptcy, and has been losing
13 \$5,000.00 per month in rent money for each property amounting to another
14 \$480,000.00 for each property and it is accruing daily from this property
15 not to mention over \$240,000.00 mortgages the Defendants collected from
16 her for years and the BOA collection of \$50,000.00 for "loan modification",
17 not to mention the over \$,1,000,000.00 cash in down payments.

18 242. Plaintiff-Debtor's damage total is estimated to be over fifty million US
19 dollars. An exact amount is yet unknown presently but Plaintiff will amend
20 this complaint when the full amount of her damages is known.

21
22 **XVIII. FIFTEENTH CAUSE OF ACTION**

23 **VIOLATION OF TILA, FERA, FCRA, RESPA, 18 USC 1002, 1028;**

24 **15USC 1601 ET SEQ. AGAINST ALL DEFENDANTS**

1 243. Plaintiffs repeats and realleges the allegations contained in the
2 preceding paragraphs of this Complaint as though said paragraphs were
3 fully set forth herein.

4 244. Plaintiff alleges that the lending and collecting entities violated various
5 provisions of federal lending, credit reporting, mortgage fraud, false oath
6 for real estate gain, statutes.

7 245. Plaintiff has been damaged by these violations and seeks the
8 remedies they provide.

9 246. As a result of these fraudulent transfers, Plaintiff has been gravely
10 damaged so much so that she had to file Bankruptcy, and has been losing
11 \$5,000.00 per month in rent money for each property amounting to another
12 \$480,000.00 for each property and it is accruing daily from this property
13 not to mention over \$240,000.00 mortgages the Defendants collected from
14 her for years and the BOA collection of \$50,000.00 for "loan modification",
15 not to mention the over \$,1,000,000.00 cash in down payments.

16 247. Plaintiff-Debtor's damage total is estimated to be over fifty million US
17 dollars. An exact amount is yet unknown presently but Plaintiff will amend
18 this complaint when the full amount of her damages is known.

19
20 **XIX. PUNITIVE DAMAGES ALLEGATION**

21 **AGAINST ALL DEFENDANTS**

22 248. Plaintiffs repeats and realleges the allegations contained in the
23 preceding paragraphs of this Complaint as though said paragraphs were
24 fully set forth herein.

1 249. **CALIFORNIA Civil Code Section 3294.** Plaintiff alleges that
2 punitive damages are sought against all defendants for their conduct as
3 heretofore plead as follows:

4 "(1)"**Malice**" means conduct which is intended by the defendant to
5 cause injury to the plaintiff or despicable conduct which is carried on by
6 the defendant with a willful and conscious disregard of the rights or
7 safety of others.

8 (2) "**Oppression**" means despicable conduct that subjects a person to
9 cruel and unjust hardship in conscious disregard of that person's rights.

10 (3) "**Fraud**" means an intentional misrepresentation, deceit, or
11 concealment of a material fact known to the defendant with the intention
12 on the part of the defendant of thereby depriving a person of property or
13 legal rights or otherwise causing injury."

14 250. As a result of these fraudulent transfers, Plaintiff has been gravely
15 damaged so much so that she had to file Bankruptcy, and has been losing
16 \$5,000.00 per month in rent money for each property amounting to another
17 \$480,000.00 for each property and it is accruing daily from this property
18 not to mention over \$240,000.00 mortgages the Defendants collected from
19 her for years and the BOA collection of \$50,000.00 for "loan modification",
20 not to mention the over \$,1,000,000.00 cash in down payments.

21 251. Plaintiff-Debtor's damage total is estimated to be over fifty million US
22 dollars. An exact amount is yet unknown presently but Plaintiff will amend
23 this complaint when the full amount of her damages is known.

24 252. Plaintiff will therefore seek punitive and exemplary damages against all
25 Defendants.

XX. PRAYER FOR DAMAGES

253. WHEREFORE, PLAINTIFF SALMA AGHA-KHAN, MD., demands judgment as follows:

AS TO ALL DEFENDANTS:

- A. Compensatory damages by virtue of Defendants' willful violation of statutes in the amount of \$50,000,000.00;
- B. All statutory damages as allowed pursuant to law;
- C. Declaratory relief specifically, that all orders and actions arising from the illegal, fraudulent and malicious conduct of defendants be declared null and void; and that Plaintiff be returned to her status before the acts occurred; that her LLC Vodka From Around the World be declared hers; that her homes be returned to her with all its contents prior to time Defendants broke into her home, vandalizing, trespassing etc; that all her professional, business; intellectual; personal; family possessions be returned to her; that all the medical records and information be returned to her; that in the event items cannot be returned that Plaintiff receive reimbursement; that fines be imposed upon Defendants per statute;
- D. For punitive and exemplary damages in the sum of \$22,000,000.00.
- E. Attorney fees, paralegal costs and other costs incurred by her;
- F. Such other and further relief as the court deems just and proper.
- G. Prejudgment Interest;
- H. Interest at the highest legal rate;

Plaintiff demands a jury trial.

DATED: DECEMBER 14, 2016



 SALMA AGHA-KHAN, MD.

Instructions to Clerk of Court

Service List - Not Part of Order/Judgment

The Clerk of Court is instructed to send the Order/Judgment or other court generated document transmitted herewith *to the parties below*. The Clerk of Court will send the document via the BNC or, if checked , via the U.S. mail.

Debtor(s)	Attorney for the Debtor(s) (if any)
Bankruptcy Trustee (if appointed in the case)	Hon. Lawrence J. O'Neill, Chief Judge United States District Court, Eastern District of California (Fresno Division)
Salma Agha-Kahn, M.D. 3751 Motor Ave., #34727 Los Angeles, CA 90034	Hon. Dale A. Drozd United States District Court, Eastern District of California (Fresno Division)
Hon. W. Richard Lee United States Bankruptcy Court Eastern District of California (Fresno Division)	Hon. Anthony W. Ishii United States District Court, Eastern District of California (Fresno Division)
Hon. Fredrick E. Clement United States Bankruptcy Court Eastern District of California (Fresno Division)	