

MARY CUMMINS
Defendant
645 W. 9th St. #110-140
Los Angeles, CA 90015-1640
In Pro Per
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

BAT WORLD SANCTUARY,
et al

v.

MARY CUMMINS
Defendant

) Case No. BS140207

) REPLY TO PLAINTIFFS' EX PARTE
) APPLICATION, MOTION TO
) CONTINUE DEBTOR EXAM;
) QUASH EXAM; PROTECTIVE
) ORDER; SANCTIONS; STRIKE
) BENCH WARRANT

) Date: October 12, 2017

) Time: 9:15 a.m.

) Room: Dept 44

) Judge: Hon. Edward B. Moreton, Jr.

) Fee Waiver: August 5, 2014

Defendant will be appearing for this hearing by Court Call as Defendant cannot physically attend a hearing as Defendant is disabled and awaiting back surgery.

Defendant is having a friend hand file and deliver this document to the court.

Defendant filed this Motion September 15, 2017 before the September 18, 2017 debtor hearing. Plaintiff did not serve that subpoena so that debtor hearing was taken off calendar. Since that date Plaintiff filed a new subpoena for debtor hearing October 25, 2017. There is not enough time to schedule a hearing to quash before that date.

Plaintiff again has not served, emailed, faxed or sent by mail the subpoena. That

1 document is not yet available online. Hearing will be recorded. Defendant doesn't
2 know if Plaintiff is requesting any documents or merely a debtor hearing.

3 September 26, 2017 Plaintiff filed another ex-parte hearing. In that document
4 Plaintiff states that Defendant was served notice of that hearing on September 25, 2017
5 by email. DEFENDANT WAS NOT SERVED. They show a forged email. Defendant
6 checked spam and trash. There is no email from john@jjlittlelaw.com. Defendant has
7 received one email from @jjlittlelaw.com in the past. That shows that an email from
8 that domain could be received. Defendant would have written and filed a reply if
9 Defendant were served just like Defendant did for the previous ex-parte hearing.
10 Plaintiff intentionally did not want Defendant to reply and appear by brief.

11 Attached to that ex-parte document is a statement by Stephen Seretan. Seretan
12 states that Seretan personally served Defendant at 858 N. Beverly Glen, Los Angeles,
13 CA 90077 on June 11, 2017. DEFENDANT HAS NOT LIVED THERE SINCE 2015!
14 If someone by the name of Stephen Seretan actually exists they should be forced to
15 appear in court and be charged with perjury as their statement is false and was made
16 "under penalty of perjury" (Pla ex-parte pg 6).

17 This Court ordered Plaintiff on September 26, 2017 to give notice of the proposed
18 order for bench warrant. As of today seven days later Defendant has received no fax,
19 email or USPS mail. Defendant is calling Defendant's UPS p.o. box and checking
20 lacourt.org daily. Defendant saw the minute order online. Plaintiff continues to not
21 serve Defendant in the hope that Defendant will not reply or appear so Defendant can
22 be arrested. Plaintiff have been stating for seven years that their goal is to get
23 Defendant arrested. Plaintiff has filed many requests for arrest of Defendant in Texas
24 and now they are trying to do it here in California. Texas denied all of their requests.
25 Plaintiffs filed the proposed order for bench warrant so they could post online that
26 there is a bench warrant out for Defendant's arrest. Plaintiff is abusing the Court to
27 harass, embarrass, humiliate, defame and attack Defendant. Defendant suffers from
28

high blood pressure because of all of these attacks and is violently ill before each Court Call appearance. That is the goal is this present litigation. They are not trying to collect a debt as Plaintiffs know and have posted all over the Internet that Defendant is penniless and homeless. A sane person would not spend thousands in legal fees to try to collect a debt from someone who is penniless. Defendant requests that the order for bench warrant be stricken.

Plaintiff's counsel James Jeffrey Little committed fraud and perjury in his filing. Little has a 28 year documented history of lying to Judges, Courts, IRS ... under oath. He was disbarred once in Ohio¹ and a few times in California². In 1999 James Little was indicted for "subscribing to a false tax return, Felony" USA v James J Little Case #2:99-cr-00359-GHK-1³. In that case he became a fugitive from the law with a warrant for his arrest and he was arrested. The Court ordered "intensive PSA supv, not to use/possess illegal drugs and to cooperate w/PSA in drug trtmnt and tstng program, participate in residential drug/alcohol trtmnt program as apprvd by PSA," "undergo psycho/psychia eval and cnslng as dir by PSA." The Judge and Courts believed that James Little is a drug addict, alcoholic with a mental illness. Clearly anyone who would commit obvious forgery and perjury must have some sort of mental issues. Below is more of James Little criminal history in Ohio and California. He was charged with some very serious and violent crimes. Because he has a common name records were searched for his name and his DOB 10/**/56 to confirm this is the same James Little.

1989 Los Angeles County, Case #SM89M05118, PC 23152 (A) "under the influence of alcohol while driving a vehicle," 23103 "reckless driving." LITTLE, JAMES JEFFERY 89M05118 09/01/1989 Santa Monica Courthouse (SM) Convicted.

1994 Los Angeles County, Case #MAL94M01383 PC 242 "assault, battery."

¹ James J Little Ohio Bar record <https://www.supremecourt.ohio.gov/attorneysearch/#/9227/attyinfo>

² James J Little California Bar record <http://members.calbar.ca.gov/fal/Member/Detail/123373>

³ USA v Little docket <https://drive.google.com/file/d/0BxE8KfVPjYF4ZktXYnFfV3gwc2s/view>

1 LITTLE, JAMES JEFFREY 94M01383 08/08/1994 Malibu Courthouse (Closed)
2 (MAL)

3 1995 Los Angeles County, Case #MAL95M00728 PC 11550(A) "under the
4 influence of a controlled substance," 415.2 "disturbing the peace." LITTLE, JAMES
5 JEFFERY 95M00728 05/09/1995 Malibu Courthouse (Closed) (MAL) Convicted.
6 Probation.

7 1996 Ohio, Case #1996-CRB-001442 Ohio, "liquor in motor vehicle."

8 1997 Art Theft, Insurance Fraud. LATimes.com June 10, 1997 pg 36⁴ "Stolen
9 Paintings by Monet, Picasso Found in Cleveland," "police in Rocky River, Ohio,
10 responded to a domestic violence call and found a woman who said her companion,
11 entertainment lawyer James J. Little, was in possession of paintings stolen from
12 California." LA Times "2 stolen paintings found in Cleveland."

13 2006 article about the fall of law firm Milberg Weiss⁵. "The fall of America's
14 meanest law firm. Milberg Weiss, the lawsuit factory that took corporations for \$45
15 billion, is in the feds' cross hairs. Fortune's Peter Elkind reports on the saga." "A
16 domestic disturbance: The Cleveland lawyer confesses. When police showed up at
17 20563 Beachwood Drive in Rocky River, Ohio, an upscale Cleveland suburb, they
18 were probably expecting to find just another domestic dispute. It was about 4 p.m. on
19 Aug. 22, 1996, and a 37-year-old woman named Pamela Davis had reported that her
20 boyfriend had assaulted her, bloodying her mouth. What the officers were not
21 expecting was the dizzying tale that Davis began telling. She identified her attacker as
22 James "J.J." Little, an attorney with Arter & Hadden, the big Cleveland firm. She said
23 she'd met Little five months earlier at a bar and that although she was still married and
24 had a young son, she and Little planned on tying the knot in December. She explained
25

26
27 ⁴ LA Times, James Little in possession of stolen art worth millions http://articles.latimes.com/1997-06-10/local/me-1811_1_stolen-paintings-found-in-cleveland

28 ⁵ Fortune Magazine, America's meanest law firm
http://archive.fortune.com/magazines/fortune/fortune_archive/2006/11/13/8393127/index.htm

that Little had a \$1,000-a-week crack habit, that it wasn't the first time Little had struck her, that one time she'd ended up in the emergency room, that Little was usually "a very gentle man," that she didn't really want to press charges, and that she was three months' pregnant with his child.

By this point it was clear to the officers that this was no ordinary lovers' quarrel. Davis turned out to be a local socialite on felony probation for buying clothes using stolen credit card numbers. In fact, she wasn't pregnant (and today denies ever telling police that she was). For his part, Little - who really did have a drug problem and who'd been calmly leaning against his Jeep in the driveway when the cops arrived, according to police - denied hitting Davis and claimed that he'd been trying to end the relationship.

Sometime during this dog day afternoon, according to the seven-page police report, Davis dropped another tidbit: Little, who had recently moved to Cleveland from California, was in possession of stolen paintings worth "millions of dollars" from Los Angeles. With that off her chest, Davis went back to complaining about her boyfriend's crack habit.

Within a few months the FBI had linked her story to an unsolved art theft back in L. A. Confronted by a pair of agents in February 1997, Little struck an immunity deal, then led the feds to a storage locker outside Cleveland rented by his mother, using the name of the family gardener. Inside were two cardboard boxes. The first contained Pablo Picasso's "Nude Before a Mirror," painted in 1932 and once owned by Henry Ford. The second held "The Customs Officer's Cabin in Pourville," painted by Claude Monet in 1882.

Little explained that he had brought the artwork to Ohio after having been given it to hold for "safekeeping" several years earlier by his former boss in L.A., James Tierney, an entertainment lawyer whose clients had included actor Timothy Hutton and singer Gloria Estefan. Where had Tierney gotten the paintings? He'd taken them,

1 as part of a cunning insurance scam, at the behest of a friend who owned them: a
2 retired eye surgeon named Steven Cooperman, who would become the feds' first big
3 link to the alleged fraud at Milberg Weiss."

4 1997 The Newark Advocate, Ohio, "Rocky River police charged Little on Thursday
5 with a misdemeanor for allegedly breaking the stove at his former girlfriend's Rocky
6 River home."

7 1998 LATimes.com⁶ "Meanwhile, Little, 42, has his own problems. He was
8 convicted in 1997 of driving under the influence and, earlier this year, of attempted
9 possession of cocaine. He once appeared in court shaved of all body hair in what the
10 judge said was an attempt to dodge a drug test. (Police typically require a hair sample
11 to test for drugs.) With Little's credibility in doubt..." LA Times "Little has problems
12 of his own."

13 1999 Indicted Case #2:99-cr-00359-GHK-1 "subscribing to a false tax return,
14 Felony." USA v James J Little. \$50,000 bail, surrender passport, travel restricted,
15 alcohol/drug testing, residence on a boat, no drug use, boat must remain docked. Bench
16 warrant. Motion for bail denied. Re-release, \$75,000 bond, mandatory drug testing,
17 may reside on boat, psychiatric evaluation and counseling, must participate in
18 residential drug/alcohol treatment program, no firearms, must pay for cost of
19 treatment, bench warrant reissued, bench warrant returned executed.

20
21 It is clear by James Little's record that Little is not an honest or forthright person.
22 He has no problem committing perjury and fraud in the Court.

23 PRAYER

24 Defendant respectfully requests that this Court quash the subpoena for debtor
25 exam, order for debtor hearing October 25, 2017 or to continue it so the November 9,
26 2017 Motion to Quash in Dept 24 can be heard first. Defendant cannot physically
27 attend a hearing. Defendant has only appeared by phone in the last few years for this

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⁶ LA Times <http://articles.latimes.com/1998/nov/23/news/mn-46936/2>

reason. In the alternative Defendant requests that the subpoena be limited to only Defendant's records if any exist. There is no need for a physical hearing. Defendant could attend by phone as Defendant did in a settlement conference with Plaintiff. Defendant requests a protective order over any records stating the contents of the records and the records themselves must never be shared with anyone other than Plaintiff, lawyers or assignee in this case including any audio, video or written transcript. Plaintiffs posted 300 videos of Defendant's deposition on YouTube⁷ sharing highly personal and confidential information. The docs may never be posted online, shared publicly or attached to a public legal filing. Defendant requests that the order for bench warrant be stricken and voided. Defendant requests that Plaintiffs and their attorney James Jeffrey Little Bar # 123373 be sanctioned for perjury, fraud, harassment and for not serving, noticing Defendant under California Rules of Court, Rule 3.510 Service of papers⁸. Such other relief as the Court may deem just and proper.

Respectfully submitted,



Mary Cummins, Defendant

Dated: October 2, 2017

⁷ Defendant Mary Cummins' deposition videos <https://www.youtube.com/user/BWSvMC>

⁸ California Rules of Court, Rule 3.510, Service of papers
http://www.courts.ca.gov/cms/rules/index.cfm?title=three&linkid=rule3_510

1 CERTIFICATE OF CONFERENCE

2 Per Los Angeles Superior Court local rule 5.6 Defendant has met and conferred with
3 Plaintiff's, Assignee's attorney James Little about filing this reply via email September
4 21, 2017. Plaintiff did not reply.

5 PROOF OF SERVICE
6 (FRCivP 5 (b)) or (CCP 1013a, 2015.5) or (FRAP 25 (d))

7 I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles,
8 California 90015-1640. I am over the age of eighteen years.

9 I further declare that on the date hereof I served a copy of:

10 MOTION TO QUASH, MODIFY SUBPOENA, CONTINUE DEBTOR HEARING,
11 PROTECTIVE ORDER, SANCTIONS

12 on the following interested parties by emailing, faxing this document.

13
14 James J. Little
15 215 Culver Blvd, #5008
16 Playa del Rey, CA 90293
jj@jjlittlelaw.com

17 I declare under penalty of perjury, under the laws of the State of California, that the
18 foregoing is true and correct.

19 Executed this day, October 2, 2017, at Los Angeles, California.

20 Respectfully submitted,

21 

22
23 Mary Cummins, Defendant

DECLARATION OF DEFENDANT MARY CUMMINS

I, MARY CUMMINS, declare as follows:

1. I am Mary Cummins Defendant in pro per. I make this declaration on my personal knowledge of the facts set forth herein.
2. Everything in DEFENDANT'S REPLY was written by me and is the truth to the best of my knowledge.
3. I was not served with the court order, new subpoena or ex-parte documents.
4. I'm positive Plaintiff would use any data in any financial records to harass, stalk or harm me, my family and friends.
5. I cannot physically appear for an in person hearing due to a back injury. I am awaiting surgery.
6. I am on Medi-cal which is free health insurance for people who are indigent.
7. I don't have a job or income.
8. I have no assets. I was forced to sell, give away all assets when I had to move in with friends. I could only bring one suitcase of clothes and personal effects which is all I have. I filed all exemptions.
9. I am legally homeless.

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

Executed on October 2, 2017 at Los Angeles, California.

By: 
MARY CUMMINS