

MARY CUMMINS  
Defendant In Pro Per  
645 W. 9th St. #110-140  
Los Angeles, CA 90015  
Direct: (310) 877-4770  
Fax: (310) 494-9395  
Email: [mmmaryinla@aol.com](mailto:mmmaryinla@aol.com)

**FILED**  
Superior Court of California  
County of Los Angeles

NOV 08 2017

Sherri R. Carter, Executive Officer/Clerk  
By Jed Jimenez, Deputy

**SUPERIOR COURT OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

BAT WORLD SANCTUARY et al  
*Plaintiffs*

v.

MARY CUMMINS  
*Defendant*

) Case No. BS140207

) **DEFENDANT'S EX PARTE**  
) **MOTION TO STRIKE SUBPOENA;**  
) **DISALLOW NON-PARTY**  
) **RECORDS; OBJECTION TO**  
) **VIDEO; REQUEST PROTECTIVE**  
) **ORDER**

) ~~PROPOSED~~ ORDER LODGED  
) HEREWITH

) Date: November 8, 2017  
) Time: 8:30 a.m.  
) Dept.: 44  
) Judge: Edward B. Morton  
) Fee Waiver: August 5, 2014

**TO THE ABOVE-ENTITLED COURT AND ALL INTERESTED PARTIES HEREIN:** Appearing ex parte, Defendant Pro Se Mary Cummins (hereinafter "Defendant") requests the following of this court, (1) subpoena for duces tecum be stricken as it wasn't served timely, (2) Animal Advocates bank records should not be used as they were obtain through fraud. For that reason no questions should be allowed about non-party Animal Advocates. (3) Plaintiffs should not be allowed to videotape the hearing as there is already a court reporter and (4) Defendant

requests that the transcript of the hearing and documents both be under a protective order.

This motion is made pursuant to Code of Civil Procedure (hereinafter "CCP") §§ 473(d), and is based upon the accompanying Declaration by Defendant Pro Se, the accompanying Memorandum of Points and Authorities, the accompanying Declaration of Ex Parte Notice, all pleadings and papers on file in the above-captioned action, and other evidence that may be presented by Defendant at the hearing on this motion.

Dated: November 1, 2017



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Mary Cummins

Defendant Pro Se

11/13/2017

**DECLARATION BY DEFENDANT PRO SE**

I, Mary Cummins, declare as follows:

1. I am a resident of the State of California and over the age of 18 years. I have personal knowledge of the facts set forth in this declaration, and, if called to testify as a witness, I could competently testify to said facts.
2. I am Defendant pro se in the above-captioned matter.
3. Attached as Exhibits are true and correct copies of the originals.
4. Everything in this motion was written by Mary Cummins.
5. Every statement made is the truth.
6. I heard John Feiner state "she has no documents. Jail time."

I declare under penalty of perjury that the foregoing is true and correct. Signed at Los Angeles, California on November 1, 2017.

Dated: November 1, 2017



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Mary Cummins

11/01/2017

## MEMORANDUM OF POINTS AND AUTHORITIES

### Introduction

There are four main issues before the court. (1) The subpoena duces tecum should be quashed as it was not served timely. It was only served five days before the hearing date. (2) Plaintiff should not be allowed to use Animal Advocates bank records as they were received through deceit by Plaintiff. They should not be allowed to ask questions about Animal Advocates. Any and all bank records are under a previous protective order stating that only the then Plaintiff and their attorney may view them. It did not say an assignee may view them. This judgment was assigned to a new party. (3) Plaintiff again requested that the hearing should be videotaped. Defendant objects to videotaping the hearing. This Court already denied a previous request by Plaintiff to videotape. (4) Defendant requests that the hearing transcript and all documents be under a protective order.

**ONE.** Plaintiff's attorney James Little told Judge Moreton on October 25, 2017 at 11:30 a.m. that Little filed a proof of service for the subpoena duces tecum for a hearing and production of documents form SUBP-002. That was false. Little previously stated he served Defendant only a subpoena for debtor's hearing form AT-138/EJ-125 (Exhibit 1). October 25, 2017 at the debtor hearing Little showed Defendant a subpoena duces tecum requesting documents from attorney Kenneth Kotler (Exhibit 2). That was the first time Defendant saw that subpoena requesting documents. Judge Moreton then ordered Little to make sure Defendant is served the subpoena properly. Little lied and said he already served Defendant.

October 29, 2017 Little finally served Defendant with a new subpoena duces tecum (Exhibit 3, not including lengthy attachment). Per CCP § 1987(b) Little had to serve Defendant by mail at least 25 days before the court date or 20 days if delivered in person. Little emailed the new subpoena duces tecum October 29, 2017 which was

only five days before the hearing. The subpoena was not served timely and should be stricken.

Little's subterfuge in regard to the subpoena was to get Defendant thrown in jail on October 25, 2017 when Defendant arrived without any documents. As Defendant walked into the debtor hearing room Defendant heard permanently disbarred attorney John Herman Feiner Bar #89201 who is writing Little's legal filings say "she has no documents. Jail time." Plaintiff even posted in Plaintiff's Facebook page that Defendant would be arrested at the hearing<sup>1</sup> "on October 25, 2017 she will be arrested and handcuffed; then her public mugshot will be taken at the LA County jail, wearing an orange jumpsuit, with Cummins holding a placard with her inmate number on it."

**TWO.** In the underlying Texas case #352-248169-10 Plaintiff requested that Defendant sign a bank authorization allowing Plaintiff to obtain bank statements of any bank account held in any bank in the name of "Mary Cummins," "Mary Cobb" combined with the social security number of defendant. Texas Judge John Chupp signed a court order stating Plaintiffs are allowed to have the bank records of Defendant from August 27, 2010 to the then present December 18, 2015. Defendant signed the bank record authorization (Exhibit 4).

Judge Chupp also signed a protective order over any bank records (Exhibit 5). The bank records can never be shared publicly, posted on the internet or shared with any person other than Plaintiffs Lollar, Bat World and their attorney Randy Turner. The bank records can only be used for legal discovery purposes. They cannot be used for any other purpose. They cannot be used by the assignee of this judgment.

Plaintiff's Texas attorney Randy Turner then forged the court order changing the dates from August 27, 2010 to the date of the signing of the order December 27, 2015 to January 3, 2010 to January 3, 2016.

<sup>1</sup> Bat World Sanctuary Facebook page about Defendant <https://www.facebook.com/batworld/app/329898510397252/>

Plaintiff's Texas attorney Randy Turner then sent the forged bank authorization to First Bank, OneWest bank and PayPal January 2016. Plaintiff received all bank and financial records of Defendant. Plaintiff's Texas attorney also demanded the bank records of non-party "Animal Advocates" from First Bank and PayPal. The Animal Advocates bank account at First Bank is not in the name of Defendant. It is not in the SSN of Defendant. The account was merely opened 15 years ago by Defendant on behalf of Animal Advocates. Public 990's of Animal Advocates show that Animal Advocates has no assets and receives barely any donations. Texas attorney Randy Turner told the judge he received Animal Advocates' bank records by "accident."

Judge John Chupp in the underlying case stated on the record that Plaintiff was not allowed to have the bank records of Animal Advocates as they were and have never been a party in the case (Exhibit 6). Judge Chupp stated First Bank should have never given those records to Plaintiff. First Bank demanded the records be returned but Plaintiff's Texas attorney Randy Turner refused. Plaintiff should not be allowed to profit from their deceit. The records can't be shared with new assignee.

**THREE.** Plaintiff again requested that the hearing be videotaped (Exhibit 7). This Court stated on October 25, 2017 that a court reporter is sufficient. No video is allowed. For some reason it's not in the minute order (Exhibit 8). Defendant again objects to videotaping of the hearing.

Plaintiff has posted over 300 videos of Defendant in depositions stating extremely confidential, personal, financial information including driver's license numbers, account numbers... (Exhibit 9). If video is allowed, Plaintiff will post it on the Internet to share with the public.

**FOUR.** The October 25, 2017 minute order states "Defendant's request for protective order on exam content is GRANTED." Defendant believes this to mean the transcript and documents are protected and not to be shared with anyone except the

Plaintiff/assignee and his attorneys. If that is not the case, Defendant requests that order.

**Conclusion**

For the foregoing reasons, Defendant's requests the proposed court order should be GRANTED.

Dated: November 1, 2017



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Mary Cummins

11/03/2017

11/2/2017

mail

Mary Cummins <mmmarycummins@gmail.com>


1 message

**Mary Cummins** <mmmarycummins@gmail.com>  
To: Mary Cummins <MMMARYinLA@aol.com>, JJ@jjlittlelaw.com

Thu, Nov 2, 2017 at 7:10 AM

Attached please find Defendant's ex parte motion.

Mary Cummins  
(310) 877-4770

 **bs140207\_ex\_parte\_11012017 with exhibits.pdf**  
5662K

11/2/2017



**DECLARATION OF EX PARTE NOTICE**

I, the undersigned, declare:

I am a citizen of the United States of America and am over the age of eighteen (18) years. My business mailing address is 645 W 9th St #110-140, Los Angeles, CA 90015.

*9:30 a.m. Nov 2 7:00 a.m.*

On November 1, 2017 I emailed my application for ex parte motion to the office of attorney James Little at JJ@jjlittlelaw.com. I informed him that I will be appearing ex parte in the above-captioned matter on November 2, at 8:30 a.m. in Department 44 of the above-entitled court.

*3*

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

**MEET AND CONFER**

Certificate of Conference. Per Los Angeles Superior Court local rule 5.6 Defendant has met and conferred with Plaintiff about filing this motion via email October 29, 2017. Plaintiff did not reply.

Executed on November 1, 2017, at Los Angeles, California, 90015.

*Mary Cummins*  
\_\_\_\_\_  
Mary Cummins

11/13/2017

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

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

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

DEFENDANT'S EX PARTE MOTION

on the following interested parties by emailing this document to the following.

James Little  
JJ@jlittlelaw.com

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

Executed this day, November 1, 2017, at Los Angeles, California.

Respectfully submitted,

*Mary Cummins*

Mary Cummins, Plaintiff

Dated: November 1, 2017

11/03/2017

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 80281  
 NAME: K. KENNETH KOTLER, State Bar #80281  
 FIRM NAME: LAW OFFICES OF K. KENNETH KOTLER  
 STREET ADDRESS: 1901 Avenue of the Stars, Suite 1100  
 CITY: Los Angeles STATE: CA ZIP CODE: 90067  
 TELEPHONE NO.: (310) 201-0096 FAX NO.: 310- 494-0064  
 E-MAIL ADDRESS: kotler@kenkotler.com  
 ATTORNEY FOR (name): Assignee, Konstantin Khionidi, Trustee for the Cobbs Trust

FOR COURT USE ONLY

**FILED**  
 Superior Court of California  
 County of Los Angeles

MAY 05 2017

Sherri R. Catey, Executive Officer/Clerk  
 By *[Signature]* Deputy  
 E. January

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  
 STREET ADDRESS: 111 North Hill Street  
 MAILING ADDRESS: 111 North Hill Street  
 CITY AND ZIP CODE: Los Angeles, CA 90012  
 BRANCH NAME: Stanley Mosk Courthouse

PLAINTIFF BAT WORLD, etc.  
 DEFENDANT MARY CUMMINS

Received  
 APR 10 2017  
 Default Section

APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION

ENFORCEMENT OF JUDGMENT  ATTACHMENT (Third Person)  
 Judgment Debtor  Third Person

CASE NUMBER:  
 BS 140207

**ORDER TO APPEAR FOR EXAMINATION**

- TO (name): MARY CUMMINS
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
  - furnish information to aid in enforcement of a money judgment against you.
  - answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
  - answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: September 18, 2017 Time: 1:30 p.m. Dept. or Div.: 44 Rm.: 418  
 Address of court  is shown above  is: Reservation ID 170410209982

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 5/5/17 *[Signature]*  
 JUDGE

This order must be served not less than 10 days before the date set for the examination.  
**IMPORTANT NOTICES ON REVERSE**

**APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

- Original judgment creditor  Assignee of record  Plaintiff who has a right to attach order applies for an order requiring (name): MARY CUMMINS to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
  - the judgment debtor.
  - a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
- This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
- The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
 Date: April 10, 2017

K. KENNETH KOTLER (TYPE OR PRINT NAME) *[Signature]* (SIGNATURE OF DECLARANT)

**Information for Judgment Creditor Regarding Service**

If you want to be able to ask the court to enforce the order on the judgment debtor or any third party, you must have a copy of the order personally served on the judgment debtor by a sheriff, marshal, registered process server, or the person appointed in item 3 of the order at least 10 calendar days before the date of the hearing, and have a proof of service filed with the court.

**IMPORTANT NOTICES ABOUT THE ORDER****APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)**

**NOTICE TO JUDGMENT DEBTOR** If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON (ENFORCEMENT OF JUDGMENT)**

**(1) NOTICE TO PERSON SERVED** If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**(2) NOTICE TO JUDGMENT DEBTOR** The person in whose favor the judgment was entered in this action claims that the person to be examined under this order has possession or control of property that is yours or owes you a debt. This property or debt is as follows (*describe the property or debt*):

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

**APPEARANCE OF A THIRD PERSON (ATTACHMENT)**

**NOTICE TO PERSON SERVED** If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP, ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.



**Request for Accommodations.** Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>K. KENNETH KOTLER, State Bar #80281</b> <b>LAW OFFICES OF K. KENNETH KOTLER</b> <b>1901 Avenue of the Stars, Suite 1100</b>  <b>Los Angeles, CA 90067-6002</b> TELEPHONE NO.: (310) 201-0096 FAX NO.: 310- 494-0064 E-MAIL ADDRESS kotler@kenkotler.com ATTORNEY FOR (Name): Assignee, Konstantin Khionidi, Trustee	<b>FOR COURT USE ONLY</b>           CASE NUMBER: <b>BS 140207</b>
NAME OF COURT: Los Angeles Superior STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/ PETITIONER: BAT WORLD, etc.	
DEFENDANT/ RESPONDENT: MARY CUMMINS	
<b>CIVIL SUBPOENA (DUCES TECUM) for Personal Appearance and Production of Documents, Electronically Stored Information, and Things at Trial or Hearing and DECLARATION</b>	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):  
 Mary Cummins, 645 West 9th Street, Los Angeles, CA 90015, telephone #-unknown

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS your appearance is excused as indicated in box 3b below or you make an agreement with the person named in item 4 below.

a. Date: September 18, 2017 Time: 1:30 pm <input checked="" type="checkbox"/> Dept.: 44 <input type="checkbox"/> Div.: <input type="checkbox"/> Room:
b. Address: 111 North Hill Street, Los Angeles, CA 90012--RES ID 170410209982

2. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

3. YOU ARE (item a or b must be checked):

a.  Ordered to appear in person and to produce the records described in the declaration on page two or the attached declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.

b.  Not required to appear in person if you produce (i) the records described in the declaration on page two or the attached declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.

4. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name of subpoenaing party or attorney: K. KENNETH KOTLER      b. Telephone number: 310-201-0096

5. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 4.

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.**

Date issued: May 17, 2017  
**K. KENNETH KOTLER**  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for Assignee of Judgment Creditor  
 (TITLE)

PLAINTIFF/PETITIONER: BAT WORLD, etc.	CASE NUMBER: BS 140207
DEFENDANT/RESPONDENT: MARY CUMMINS	

The production of the documents, electronically stored information, or other things sought by the subpoena on page one is supported by (check one):

the attached affidavit or  the following declaration:

**DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS AT TRIAL OR HEARING (Code Civ. Proc., §§ 1985,1987.5)**

1. I, the undersigned, declare I am the  plaintiff  defendant  petitioner  respondent  attorney for (specify): Assignee of Judgment Creditor in the above-entitled action.  other (specify):

2. The witness has possession or control of the documents, electronically stored information, or other things listed below, and shall produce them at the time and place specified in the Civil Subpoena for Personal Appearance and Production of Records at Trial or Hearing on page one of this form (specify the exact documents or other things to be produce; if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified): See attachment 2

Continued on Attachment 2.

3. Good cause exists for the production of the documents, electronically stored information, or other things described in paragraph 2 for the following reasons: The information is vital if Assignee of Judgment Creditor is able to enforce this judgment.

Continued on Attachment 3.


4. The documents, electronically stored information, or other things described in paragraph 2 are material to the issues involved in this case for the following reasons: This is a supplemental proceeding for the examination of a judgment debtor that has failed to satisfy the judgment entered in this case on November 9, 2012, and the information requested is vital if the Assignee of the Judgment Creditor is to be able to enforce it.

Continued on Attachment 4.

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

Date: May 17, 2017

K. KENNETH KOTLER  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF  SUBPOENAING PARTY  ATTORNEY FOR SUBPOENAING PARTY)

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the date on which you are to appear. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)



(Proof of service on page 3)

71117



PLAINTIFF/PETITIONER: <b>Bat World Sanctuary</b>	CASE NUMBER: <b>BS140207</b>
DEFENDANT/RESPONDENT: <b>Mary Cummins</b>	

The production of the documents, electronically stored information, or other things sought by the subpoena on page one is supported by (check one):

- the attached affidavit or  the following declaration:

**DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS AT TRIAL OR HEARING (Code Civ. Proc., §§ 1985, 1987.5)**

1. I, the undersigned, declare I am the  plaintiff  defendant  petitioner  respondent  
 attorney for (specify): **K. Khionidi**  other (specify): **Assignee of Judgment Creditor**  
 in the above-entitled action.

2. The witness has possession or control of the documents, electronically stored information, or other things listed below, and shall produce them at the time and place specified in the Civil Subpoena for Personal Appearance and Production of Records at Trial or Hearing on page one of this form (specify the exact documents or other things to be produce; if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):

See "Attachment 2."

Continued on Attachment 2.

3. Good cause exists for the production of the documents, electronically stored information, or other things described in paragraph 2 for the following reasons:

The information is vital to the ability of Judgment Creditor Bat World Sanctuary's Assignee, Konstantin Khionidi, Trustee of the Cobbs Trust, to enforce the Judgment.

Continued on Attachment 3.

4. The documents, electronically stored information, or other things described in paragraph 2 are material to the issues involved in this case for the following reasons:

This is a supplemental proceeding for the examination of Judgment Debtor Mary Cummins to satisfy a judgment entered on November 9, 2012, and the requested information is vital if Judgment Creditor Bat World Sanctuary's Assignee, Konstantin Khionidi, Trustee for the Cobbs Trust, is to enforce the Judgment.

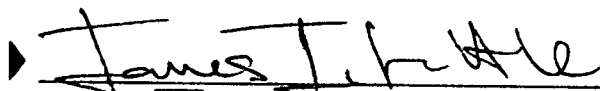
Continued on Attachment 4.

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

Date: October 28, 2017.

**James J. Little**

(TYPE OR PRINT NAME)



(SIGNATURE OF  SUBPOENAING PARTY  ATTORNEY FOR SUBPOENAING PARTY)

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the date on which you are to appear. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)



(Proof of service on page 3)



CAUSE NO. 352-248169-10

BAT WORLD SANCTUARY and  
AMANDA LOLLAR  
Plaintiffs,

v.

MARY CUMMINS,

§  
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§  
§  
§

IN THE DISTRICT COURT

352ND JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

AMENDED ORDER GRANTING MOTION FOR BANK RECORDS AUTHORIZATION

On the 17th of December the Court heard the Motion for Bank Records Authorization filed by Plaintiff, Amanda Lollar. Plaintiff appeared by and through her attorney by telephone. Defendant appeared by telephone.

After considering the motion and the arguments of the parties the Court finds the motion should be granted.

IT IS THEREFORE ORDERED that Defendant, Mary Cummins shall execute a Bank Records Authorization in the following form which shall include Defendant's Social Security Number in the space indicated.

BANK RECORDS AUTHORIZATION

TO ALL BANKS AND FINANCIAL INSTITUTIONS:

I hereby authorize all banks and financial institutions to furnish to Randall E. Turner, Attorney at Law, all account statements, account summaries, copies of cancelled checks, records of deposits and withdrawals, and any other records pertaining to any account of mine under my Social Security Number [REDACTED] during the period from August 27, 2010 to the present. See date below

I agree that a copy of this authorization may serve as an original.

SIGNED this 27th day of December, 2015.

This is page one of a two page document.  
Not valid without page two.

*Mary Cummins*  
Mary Cummins

Court Monitor  
Transactions # 452

12-21-15  
EMAILED  
*Randy Turner, SA Cummins*

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IT IS FURTHER ORDERED that Defendant, Mary Cummins, shall sign the Bank Records Authorization and cause it to be delivered to Randall E. Turner at 1300 Summit Ave., Suite 600, Fort Worth, Texas 76102 no later than seven (7) days after receiving the authorization from Randall E. Turner by fax or mail.

IT IS FURTHER ORDERED that Defendant is entitled to copies of all records obtained with this authorization.

SIGNED this 18 day of December, 2015.

Mary Cummins is to get a copy of all communications to/from banks.

Mary Cummins  
345 W 9th St. #110-140  
Los Angeles, CA 90015  
(310) 877 4770  
Mary@MaryCummins.com

  
\_\_\_\_\_  
JUDGE PRESIDING

11/13/2015

352-248169-10

CAUSE NO. 352-248169-10

AMANDA LOLLAR, BAT WORLD  
SANCTUARY

Plaintiffs

vs.

MARY CUMMINS,  
Defendant Pro Se

§ IN THE DISTRICT COURT  
§  
§  
§ 352<sup>ND</sup> JUDICIAL DISTRICT  
§  
§  
§  
§ TARRANT COUNTY, TEXAS

PROTECTIVE ORDER

*April 1 2014*

On ~~October 8, 2015~~, the Court heard the Motion for Protective Order filed by Mary Cummins. Amanda Lollar's attorney appeared by telephone. Mary Cummins appeared by telephone.

IT IS ORDERED that all financial information and documents obtained by the parties in this cause, including bank records, shall not be published or disclosed to any person or otherwise made public to any person who is not a party to this suit, an attorney for a party, or an attorney's staff. *or other court. This order does not prevent another court from using the records as they see proper.*

SIGNED this 1 day of April 2014 2015.

*[Signature]*  
JUDGE PRESIDING

APPROVED AS TO FORM:

RANDALL TURNER

*Mary Cummins*

MARY CUMMINS

*Exhibit 5*

COURT'S MINUTES  
TRANSACTION# 517



E-MAILED

*Mary Cummins; Turner*

PROTECTIVE ORDER

EXHIBIT 2

*[Signature]*

REPORTER'S RECORD

VOLUME 1 OF 1

Cause No. 352-248169-10

BAT WORLD SANCTUARY	X	IN THE DISTRICT COURT
and AMANDA LOLLAR,	X	
	X	
Plaintiffs,	X	
	X	
VS.	X	141ST JUDICIAL DISTRICT
	X	
MARY CUMMINS,	X	
	X	
Defendant.	X	TARRANT COUNTY, TEXAS

\*-\*-\*-\*-\*

HEARING

\*-\*-\*-\*-\*

BE IT REMEMBERED that on the 1st day of April, 2016, the following proceedings came on to be heard in the above-entitled and -numbered cause before the Honorable John P. Chupp, judge presiding, held in Fort Worth, Tarrant County, Texas.

The proceedings were reported by machine shorthand.

EXHIBIT 6

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A P P E A R A N C E S

APPEARING FOR PLAINTIFFS:

Mr. Randall E. Turner  
State Bar No. 20328310  
BAILEY & GALYEN  
1300 Summit Avenue  
Suite 650  
Fort Worth, Texas 76102  
Telephone: (817) 417-9660  
Facsimile: (817) 764-6336  
rtturner@galyen.com

APPEARING PRO SE (TELEPHONICALLY):

Ms. Mary Cummins  
645 W. 9th Street  
#110-140  
Los Angeles, CA 90015-1640  
Telephone: (310) 877-4770  
mmmarycummins@gmail.com

1 MS. CUMMINS: My name is not on the  
2 Animal Advocates' account. My social security number  
3 is not on the Animal Advocates' account. I  
4 resigned -- I thought I resigned last October, but I  
5 actually resigned in October of 2012 when I was trying  
6 to take another job, and I was forced to resign.

7 My name is not there, and there is no  
8 way Mr. Turner could have gotten that information  
9 without specifically demanding Animal Advocates'  
10 records. And in court you said he's not allowed to  
11 have those records.

12 THE COURT: I signed a court order  
13 saying -- listen, I signed a court order saying what  
14 he could have, right?

15 MS. CUMMINS: Yes.

16 THE COURT: Okay. And the bank should  
17 only give him what I signed in the order. He can't  
18 make them give it to him by calling.

19 MS. CUMMINS: You don't know  
20 Mr. Turner. In the last -- (inaudible) my doctor.  
21 And Mr. Turner doesn't care what order that you write  
22 or send. He's going to send something else to them  
23 behind my back and behind the Court's back --

24 THE COURT: Do you have a copy of the  
25 forged document he sent to the bank?

1 MS. CUMMINS: Yes.

2 THE COURT: Where is that?

3 MS. CUMMINS: Well, he filed a document  
4 stating I signed something for January 2010 to January  
5 of 2016, and I never signed that.

6 THE COURT: Okay. Where is it?

7 MS. CUMMINS: What?

8 THE COURT: Where is that document?

9 MS. CUMMINS: Mr. Turner filed it in  
10 his reply.

11 THE COURT: Okay.

12 MS. CUMMINS: If he did -- if they  
13 would have given him the documents accidentally, which  
14 they did not, he still could never use them, because  
15 they are the records of Animal Advocates.

16 THE COURT: Right. No, I don't  
17 disagree with you. I think that the order that we  
18 sent, wasn't that marked out in there? There was a  
19 sentence in that order that was marked out so that he  
20 couldn't get those records, right?

21 MS. CUMMINS: He was only allowed my  
22 records with my name and social security number.

23 THE COURT: Right. Okay.

24 MS. CUMMINS: Well, specifically he  
25 told you we sent it, called them up and demand Animal

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C E R T I F I C A T E

THE STATE OF TEXAS X

COUNTY OF TARRANT X

I, Christina Fett, Official Court Reporter in and for the 141st District Court, State of Texas, County of Tarrant, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by counsel for the parties to be included in this volume of the reporter's record in the aforementioned cause, all of which occurred in open court or in chambers and were reported by me.

I FURTHER CERTIFY that this reporter's record of the proceedings truly and correctly reflects the exhibits, if any, admitted by the respective parties.

I FURTHER CERTIFY that I have no financial interest in the matters shown herein, and that I am not related to any of the parties or their counsel.

I FURTHER CERTIFY that the total cost for the preparation of this reporter's record of the proceedings is \$234.00, and was paid by Plaintiff.

WITNESS MY OFFICIAL HAND this the 13th day of April, 2016.

/s/Christina Fett  
Christina Fett, Texas CSR 4590  
CSR Expires 12-31-17  
Official Court Reporter, 141st District Court  
Tom Vandergriff Civil Courts Building  
100 N. Calhoun, 3rd Floor  
Fort Worth, Texas 76196-0402  
Telephone 817-884-1423  
Facsimile 817-850-2944



1 James J. Little (SBN 123373)  
2 Trial Advocacy Group, LLC  
3 1901 Avenue of the Stars, Suite 1100  
4 Los Angeles, California 90067  
5 Telephone: (310) 882-8531  
6 Email: [jj@jlittlelaw.com](mailto:jj@jlittlelaw.com)

7 Attorneys for Judgment Creditor's Assignee,  
8 Konstantin Khionidi, Trustee for the Cobbs Trust

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **FOR THE COUNTY OF LOS ANGELES**

11 BAT WORLD SANCTUARY, *et al.*, ) Case No. BS140207  
12 )  
13 Plaintiffs ) [Assigned to the Honorable Edward B.  
14 ) Moreton, Jr., presiding, Department 44]  
15 v. )  
16 )  
17 MARY CUMMINS, *et al.*, ) **NOTICE OF RESUMPTION OF**  
18 ) **JUDGMENT DEBTOR'S EXAMINATION**  
19 )  
20 ) Date: November 3, 2017  
21 ) Time: 8:30 a.m.  
22 ) Dept.: 44  
23 )  
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27 )  
28 )

20 TO JUDGMENT DEBTOR MARY CUMMINS:

21 PLEASE TAKE NOTICE that, pursuant to the October 25, 2017, Order of the Court, the  
22 Judgment Debtor's Examination of Judgment Debtor Mary Cummins will resume on November 3,  
23 2017, at 8:30 a.m. in Department 44 of the above-entitled Court and continue day-to-day until  
24 completed.

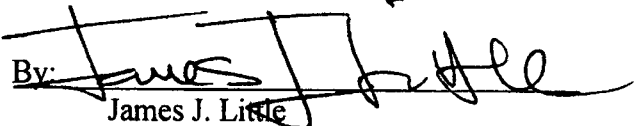
25 The Debtor's Examination shall be taken before Certified Court Reporter and Notary Public or

1 other person authorized to administer oaths. The Debtor's Examination will also be recorded on  
2 videotape by a certified videographer.

3  
4 Dated: October 29, 2017.

Respectfully submitted,

Trial Advocacy Group, LLC

6  
7 By:   
8 James J. Little  
9 Attorneys for Judgment Creditor  
10 Konstantin Khionidi, Trustee for the  
11 Cobbs Trust

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**PROOF OF SERVICE**

STATE OF CALIFORNIA; COUNTY OF LOS ANGELES) ss.

I am over the age of 18 and a citizen of the United States. My business address and telephone number are Trial Advocacy Group, LLC, 1901 Avenue of the Stars, Suite 1100, Los Angeles, California 90067, telephone (818) 970-8779, and facsimile (626) 298-6314.

On October 29, 2017, I caused the accompanying Notice of Resumption of Judgment Debtor's Examination to be served on:

Mary Cummins  
645 West 9<sup>th</sup> Street, Box No. 110-140  
Los Angeles, California 90015  
Email: [mmmarycummins@gmail.com](mailto:mmmarycummins@gmail.com)

**BY FACSIMILE** as follows: By causing true and correct copies of the foregoing documents to be transmitted via facsimile to the above party at the foregoing fax number.

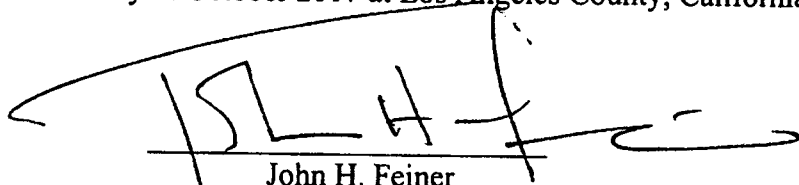
**BY FEDERAL EXPRESS/PRIORITY OVERNIGHT:** By causing the foregoing documents to be sent via FEDEX for next-day delivery to the foregoing address.

**BY U.S. MAIL** as follows: By causing the foregoing documents (1) to be placed in sealed envelopes with proper postage thereon and (2) deposited in a mail depository maintained by the United States Postal Service on the date indicated above.

**BY PERSONAL SERVICE:** By causing the foregoing documents to be personally served.

**BY ELECTRONIC SERVICE:** By causing the foregoing to be electronically served pursuant to Order of the Court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 29<sup>th</sup> day of October 2017 at Los Angeles County, California, by:

  
John H. Feiner

2017/10/29

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

DATE: 10/25/17

DEPT. 44

HONORABLE EDWARD B. MORETON, JR. JUDGE

J. FLETES

DEPUTY CLERK

HONORABLE #14 JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

W. YOUNG, JR., C.A. Deputy Sheriff

MONICA CASTANEDA, #10323 Reporter

8:30 am

BS140207

Plaintiff J.J. LITTLE (X)  
Counsel

BAT WORLD SANCTUARY ET AL

Defendant IN PRO PER (X)  
Counsel

VS

MARY CUMMINS

NO FILE

**NATURE OF PROCEEDINGS:**

EXAMINATION OF JUDGMENT DEBTOR: MARY CUMMINS  
BWIH 9/26/17

Matter is called for hearing.

Judgment debtor is sworn, examined, and ordered to return.

Defendant's request for protective order on exam content is GRANTED.

Both sides stipulate to allow for service of documents via e-mail.

Per agreement, the matter is continued to November 3, 2017 at 8:30a.m. in Department 44.

Notice is waived.

10/31/2017

11/13/2017

MINUTES ENTERED 10/25/17 COUNTY CLERK
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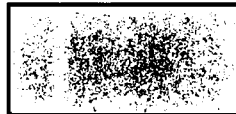
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damages in the amount of THREE MILLION DOLLARS (\$3,000,000.00)  
IT IS FURTHER ORDERED that Amanda Lollar recover from damages in the amount of THREE MILLION DOLLARS (\$3,000,000.00)  
IT IS FURTHER ORDERED that Bat World Sanctuary recover from damages in the amount of TEN THOUSAND DOLLARS (\$10,000.00)  
IT IS FURTHER ORDERED that Bat World Sanctuary recover from Mary Cummins

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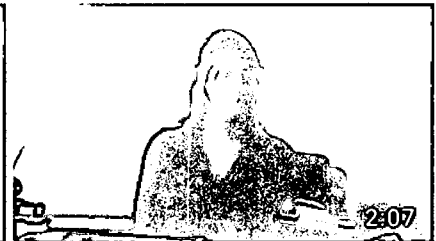
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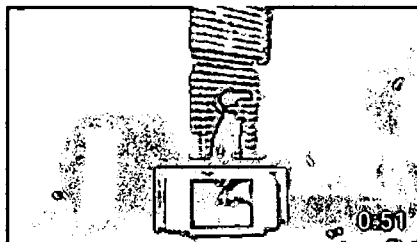
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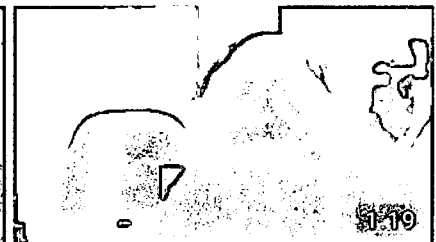
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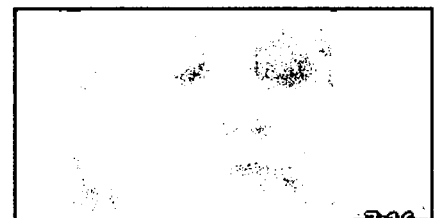
**bats escaping**

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damages in the amount of THREE MILLION DOLLARS (\$3,000,000.00)

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**Lawsuit Details**

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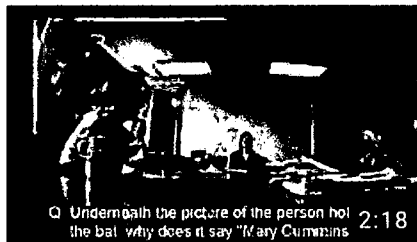


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11/13/2017