

1 MARY CUMMINS
2 Debtor, Defendant, In Pro Per
3 645 W. 9th St. #110-140
4 Los Angeles, CA 90015
5 Direct: (310) 877-4770
6 Fax: (310) 494-9395
7 Email: mmmaryinla@aol.com

8 UNITED STATES BANKRUPTCY COURT FOR THE
9 CENTRAL DISTRICT OF CALIFORNIA

<p>10 In re:</p> <p>11 MARY CUMMINS-COBB,</p> <p>12</p> <p>13 Debtor</p> <hr/> <p>14 KONSTANTIN KHIONIDI, as Trustee</p> <p>15 Of the COBBS TRUST,</p> <p>16</p> <p>17 Plaintiff,</p> <p>18 vs.</p> <p>19 MARY CUMMINS-COBB</p> <p>20 Defendant.</p>	<p>) Case No. 2:17-bk-24993-RK</p> <p>) Chapter 7</p> <p>) Adv. Proc. No. 2:18-ap-01066-RK</p> <p>) DEFENDANT’S REPLY TO</p> <p>) PLAINTIFF’S EX PARTE</p> <p>) APPLICATION</p> <p>) Judge: Honorable Robert N. Kwan</p> <p>) Courtroom: 1675</p> <p>) Edward R. Roybal Federal Building</p> <p>) 255 E. Temple St, Suite 1682</p> <p>) Los Angeles, CA 90012</p>
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21 **DEFENDANT’S REPLY TO PLAINTIFF’S EX PARTE APPLICATION**

22 Defendant is replying blind. Defendant has not seen Plaintiff’s ex parte application.
23 Plaintiff’s attorney Philip Stillman in email stated Stillman wants the Motion stricken
24 claiming the case is not in front of this Court at the moment. Defendant has no ability
25 to reply until very late tonight and Defendant doesn’t want to be late so Defendant is
26 replying now with limited information.
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1 Defendant filed a Motion to Dismiss the Adversary Proceeding because Plaintiff is
2 a fictitious person. Per Federal Rule 17(a) this case should therefore be dismissed. To
3 this day Plaintiff's attorney Philip Stillman has never submitted a document notarized
4 by Plaintiff Konstantin Khionidi an alleged Russian living in Russia. Plaintiff has
5 never submitted any evidence that Plaintiff is a real person even though Defendant
6 requested this in discovery.

7 May 29, 2019 there was a hearing in this case. Stillman stated he needed more time
8 to get an agreement notarized by his client to transfer the Judgment to ex Plaintiff
9 Amanda Lollar, see Motion to Dismiss. This was after swearing to the Court that
10 Amanda Lollar has nothing to do with the Plaintiff or the case. This was clearly not
11 true. Stillman requested more time to get the notarized signature so the hearing was
12 continued to July 31, 2019, one month.

13 July 31, 2019 there was a status hearing in this case. At that hearing Philip Stillman
14 stated his client Plaintiff Konstantin Khionidi was busy traveling and wasn't able to
15 notarize an agreement transferring the Judgment to Amanda Lollar. Stillman swore his
16 client would go to an Embassy and have a US notary notarize a document transferring
17 the Judgment to Lollar. The Court continued the hearing to October 8, 2019 at 1:30
18 p.m. to allow Stillman even more time to get the notarized signature.

19 Stillman was allowed over four months to get the document notarized. Plaintiff
20 never notarized a document because Plaintiff does not exist.

21 Defendant restates what was stated in the original Motion to Dismiss. Plaintiff did
22 not sign the December 27, 2018 Response to Interrogatories. Defendant adds Exhibit 1
23 which shows Plaintiff also didn't sign the March 19, 2019 Amended Response to
24 Discovery Requests ordered by the Court.

25 Even if Plaintiff were to merely sign a document, it does not prove that Plaintiff
26 exists. Plaintiff has NEVER notarized a document even the Trust agreement which
27 states it was signed and witnessed. That would make the Trust agreement and the
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1 assignment of the Judgment null and void. On the other hand ex Plaintiff Amanda
2 Lollar has a two decade long history of forging documents. Plaintiff Amanda Lollar
3 filed a second defamation case against Defendant in 2015. That case was dismissed
4 2020 because Lollar forged the defamation exhibits and submitted perjured affidavits
5 stating they were exact copies of the originals online which was false.

6 Defendant is a pro se party. Defendant can't file a reply at the Courthouse and must
7 email it to a dropbox. The dropbox generally doesn't file it until a day or so after it's
8 emailed. Defendant contacted the Court asking for the email address for the Judge's
9 chambers to send the reply to the ex parte application. Defendant did not receive a
10 reply. Defendant will email it to an email which Defendant believes is the Chambers
11 where ex parte replies are supposed to be sent. Defendant does not want to lose this
12 motion by default because Defendant cannot file instantly like Plaintiff. Defendant
13 requested the ability to file with the ECF system but was told no pro se party is
14 allowed to file via ECF in bankruptcy court.

15 CONCLUSION

16 Defendant requests that the Motion to Dismiss be kept on calendar and heard. In the
17 alternative if the Court rules that this Court doesn't currently have jurisdiction,
18 Defendant requests that the Motion to Dismiss be lodged then reset for calendar and
19 heard when the case is back in this Court. Plaintiff is a fictitious person and this case
20 should be dismissed.
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22 Respectfully submitted,

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25 Dated: February 3, 2021

26 Mary Cummins, Defendant pro se
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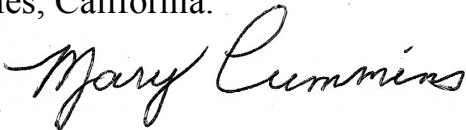
DECLARATION OF DEFENDANT MARY CUMMINS

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 TO PLAINTIFF’S EX PARTE APPLICATION was written by me and is the truth to the best of my knowledge.
3. All exhibits cited, footnoted, attached are true and correct copies of the originals.

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

Executed on February 3, 2021 at Los Angeles, California.

By: 

MARY CUMMINS

1 Philip H. Stillman, Esq. SBN# 152861
STILLMAN & ASSOCIATES
2 3015 North Bay Road, Suite B
Miami Beach, Florida 33140
3 Tel. and Fax: (888) 235-4279
pstillman@stillmanassociates.com
4

5 Attorneys for plaintiff KONSTANTIN KHIONIDI, as Trustee of the
COBBS TRUST

6
7 **UNITED STATES BANKRUPTCY COURT FOR THE**
8 **CENTRAL DISTRICT OF CALIFORNIA**

<p>9 In re:</p> <p>10 MARY CUMMINS-COBB,</p> <p style="text-align: right;">Debtor</p> <hr/> <p>11 KONSTANTIN KHIONIDI, as Trustee of the</p> <p>12 COBBS TRUST,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>13 MARY CUMMINS-COBB,</p> <p style="text-align: right;">Defendant.</p> <hr/>	<p>) Case No. 2:17-bk-24993-RK</p> <p>) Chapter 7</p> <p>) Adv. Proc. No. 2:18-ap-01066-RK</p> <p>) PLAINTIFF'S AMENDED RESPONSES TO</p> <p>) DEFENDANT'S REQUESTS FOR</p> <p>) PRODUCTION OF DOCUMENTS</p> <p>) Judge: Honorable Robert N. Kwan</p> <p>) Courtroom: 1675</p> <p>) Edward R. Roybal Federal Building</p> <p>) 255 E. Temple Street, Suite 1682</p> <p>) Los Angeles, CA 90012</p>
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17 PROPOUNDING PARTY: Debtor and defendant Mary Cummins-Cobb

18 RESPONDING PARTY: Plaintiff Konstantin Khionidi

19 SET NO.: ONE

20 PLEASE TAKE NOTICE that in accordance with Rules 26 and 34 of the Federal Rules of
21 Civil Procedure (the "Federal Rules"), made applicable to this adversary proceeding under the
22 Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and the applicable local rules of
23 the United States District Court for the Central District of California and this Court (the "Local
24 Rules"), plaintiff Konstantin Khionidi, as trustee (the "Trustee") of the COBBS TRUST, by and
25 through the Trustee's counsel, Stillman & Associates, hereby responds to Defendant and Debtor
26 MARY CUMMINS-COBB, Requests for Production of Documents Set One as follows.
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DOCUMENT RESPONSES

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3 1. All documents about, mentioning the “Cobbs Trust” including but not limited to
4 corporate documents, articles of incorporation, Employment Identification Number, Board of
5 Directors, President, signatory, names, addresses, phone numbers, email accounts, faxes.

6 **RESPONSE:**

7 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
8 as to time, and seeks documents that are specifically covered by the attorney-client privilege and
9 the attorney work product doctrine. Without waiving the foregoing, Plaintiff has already produced
10 the notarized assignment from Amanda Lollar to the defendant, assuming that is a document
11 responsive to this Request.

12 2. Any and all documents or other evidence which would show everyone and anyone
13 who has a legal or equitable interest in the judgment.

14 **RESPONSE:**

15 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
16 as to time, and seeks documents that are specifically covered by the attorney-client privilege and
17 the attorney work product doctrine. Without waiving the foregoing, Plaintiff has already produced
18 the notarized assignment from Amanda Lollar to the defendant, assuming that is a document
19 responsive to this Request.

20 3. All documents related to Konstantin Khionidi, which mention their name or refer to
21 them or cobbs trust, cobb trust.

22 **RESPONSE:**

23 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
24 as to time, calls for speculation, and seeks documents that are specifically covered by the
25 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
26 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
27 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda
28 Lollar to the defendant, assuming that is a document responsive to this Request.

1 4. All documents involving the transfer of the ownership of the Amanda Lollar, Bat
2 World Sanctuary judgment against Defendant including all emails, faxes, agreements, checks,
3 wire transfers.

4 **RESPONSE:**

5 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
6 as to time, calls for speculation, and seeks documents that are specifically covered by the
7 attorney-client privilege and the attorney work product doctrine. Moreover, Plaintiff has no control
8 over the documents (if any) in the possession of third parties and given that prior counsel is
9 deceased and his law firm therefore closed and disbanded, Plaintiff does not know and does not
10 have within his possession, custody or control such documents, if any, that may have existed.
11 Given its overbreadth and lack of relevance, this Request is unduly burdensome and designed
12 only to harass Plaintiff. Without waiving the foregoing, Plaintiff has already produced the
13 notarized assignment from Amanda Lollar to the defendant, assuming that is a document
14 responsive to this Request.

15 5. All documents which show the actual current owner of the judgment, the physical
16 person who owns the judgment, including their name, address, social security number.

17 **RESPONSE:**

18 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
19 as to time, calls for speculation, and seeks documents that are specifically covered by the
20 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
21 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
22 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda
23 Lollar to the defendant, showing the owner of the judgment.

24 6. All documents which show how the judgment was purchased, if it was purchased,
25 including cancelled checks, bank wires, credit card statements.

26 **RESPONSE:**

27 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
28 as to time, calls for speculation, seeks documents that are specifically covered by the attorney-

1 client privilege and the attorney work product doctrine and violates the rights of privacy of third
2 parties. Without waiving the foregoing, Plaintiff has already produced the notarized assignment
3 from Amanda Lollar to the defendant, assuming that is a document responsive to this Request.

4 7. All documents, emails, faxes, communications regarding the judgment, transfer of
5 the judgment from Amanda Lollar, Bat World Sanctuary to the current owner.

6 **RESPONSE:**

7 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
8 as to time, calls for speculation, and seeks documents that are specifically covered by the
9 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
10 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
11 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda
12 Lollar to the defendant, assuming that is a document responsive to this Request.

13 8. All documents related to payment for legal services of lawyer James J Little, Phil
14 Stillman, their legal aids, assistants, their law firms, holding companies for the underlying sister
15 state judgment action and this adversary proceeding. Bank account numbers can be redacted.

16 **RESPONSE:**

17 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
18 as to time, calls for speculation, and seeks documents that are specifically covered by the
19 attorney-client privilege and the attorney work product doctrine and protected by third parties'
20 rights to privacy. Given its overbreadth and lack of relevance, this Request is unduly
21 burdensome and designed only to harass Plaintiff.

22 9. All emails to, from cobbtrust@gmail.com.

23 **RESPONSE:**

24 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
25 as to time, calls for speculation, and seeks documents that are specifically covered by the
26 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
27 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
28 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda

1 Lollar to the defendant, assuming that is a document responsive to this Request.

2 10. All emails, documents, faxes between Phil Stillman, James Little and anyone else
3 related to the judgment, sister state case, this bankruptcy, adversary proceeding who is not the
4 person or entity who is the actual client. I'm not asking for attorney/client privileged documents.

5 **RESPONSE:**

6 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
7 as to time, calls for speculation, and seeks documents that are specifically covered by the
8 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
9 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
10 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda

11 Lollar to the defendant, assuming that is a document responsive to this Request.

12 11. All documents which show who, what entity is paying the legal bills, costs, fees, of
13 the sister state judgment, sister state case, this bankruptcy and the adversary proceedings.

14 **RESPONSE:**

15 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
16 as to time, calls for speculation, and seeks documents that are specifically covered by the
17 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
18 relevance, this Request is unduly burdensome and designed only to harass Plaintiff.

19 12. Any letters, reports, complaints, faxes, emails sent from the owner of the
20 judgment, Phil Stillman, James Little to any government agency concerning Defendant.

21 **RESPONSE:**

22 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
23 as to time, calls for speculation, and seeks documents that are specifically covered by the
24 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
25 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
26 waiving the foregoing, Plaintiff has no responsive documents within his possession, custody or
27 control.

28 13. Any and all documents which would identify who is the actual person who

1 owns, controls, is involved the Cobbs Trust, the judgment and these legal
2 proceedings.

3 **RESPONSE:**

4 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
5 as to time, calls for speculation, and seeks documents that are specifically covered by the
6 attorney-client privilege and the attorney work product doctrine. Given its overbreadth and lack of
7 relevance, this Request is unduly burdensome and designed only to harass Plaintiff. Without
8 waiving the foregoing, Plaintiff has already produced the notarized assignment from Amanda
9 Lollar to the defendant, assuming that is a document responsive to this Request.

10 14. All documents which show the current balance of the judgment including
11 interest to date.

12 **RESPONSE:**

13 Plaintiff objects to this request on the grounds that it is irrelevant, overly broad, unlimited
14 as to time, calls for speculation, and seeks documents that are specifically covered by the
15 attorney-client privilege and the attorney work product doctrine. Moreover, this Request calls for
16 documents that are equally in possession of the propounding party. Plaintiff directs Defendant
17 specifically to the Sister-State Judgment entered in the Los Angeles Superior Court, which
18 contains a per diem rate at which the judgment accumulates interest.

19 15. All documents which you will be using in this legal case to support your adversary
20 proceeding.

21 **RESPONSE:**

22 Plaintiff objects to this request on the grounds that it is overly broad, calls for speculation,
23 and seeks documents that are specifically covered by the attorney-client privilege and the
24 attorney work product doctrine. However, discovery is continuing and Plaintiff will exchange trial
25 exhibits if and when required by Local Rule.

26 **AMENDED RESPONSE:**

27 Plaintiff objects to this request on the grounds that it is overly broad, calls for speculation,
28 and seeks the work product of counsel in seeking his selection of specific documents out of the

1 hundreds of documents available and covered by the attorney-client privilege and the joint
2 prosecution privilege. However, without waiving the foregoing objections and subject to them,
3 Plaintiff has made available a bates-numbered PDF file via Dropbox account for Defendant to
4 access and download.

5 16. All documents on which you rely on in support of your adversary proceeding.

6 **RESPONSE:**

7 Plaintiff objects to this request on the grounds that it is overly broad, calls for speculation,
8 and seeks documents that are specifically covered by the attorney-client privilege and the
9 attorney work product doctrine. However, discovery is continuing and Plaintiff will exchange trial
10 exhibits if and when required by Local Rule.

11 **AMENDED RESPONSE:**

12 Plaintiff objects to this request on the grounds that it is overly broad, calls for speculation,
13 and seeks the work product of counsel in seeking his selection of specific documents out of the
14 hundreds of documents available and covered by the attorney-client privilege and the joint
15 prosecution privilege. However, without waiving the foregoing objections and subject to them,
16 Plaintiff has made available a bates-numbered PDF file via Dropbox account for Defendant to
17 access and download.

18 Respectfully Submitted,

19 STILLMAN & ASSOCIATES

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21 Dated: March 19, 2019

22 By: _____

23 Philip H. Stillman, Esq.
24 *Attorneys for KONSTANTIN KHIONIDI, as Trustee of*
25 *the COBBS TRUST*

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1 Case Name: *Khionidi v. Cummins-Cobb*
2 Adv. Proc. No.: 2:18-ap-01066-RK

3 **PROOF OF SERVICE**

4 I, the undersigned, declare that I am over the age of 18 years and not a party to the within
5 action or proceeding. I have an office in Miami Beach, Florida where the mailing occurred.

6 On March 19, 2019, I caused to be served the following document(s):

7 **PLAINTIFF'S AMENDED RESPONSES TO DEFENDANT'S REQUESTS FOR PRODUCTION
8 OF DOCUMENTS**

9 on the interested parties in this action by email to:

10 Mary Katherine Cummins-Cobb
11 645 West 9th Street, #110-140
12 Los Angeles, CA 90015

13 at mmmarycummins@gmail.com, the email address on file with this Court by agreement of the
14 parties. I did not receive any notice that the documents was not deliverable to the foregoing email
15 address.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct. Executed on March 19, 2019 at Miami Beach, Florida.

18 
19 By: _____
20 Philip H. Stillman, Esq.