

## Judicial Notice Exhibit 22

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER**

**MINUTE ORDER**

DATE: 05/21/2025                      TIME: 03:54:00 PM                      DEPT: C61

COMMISSIONER: Carmen D Snuggs-Spraggins  
CLERK: A. Carbajal  
REPORTER/ERM: None  
BAILIFF/COURT ATTENDANT: None

CASE NO: **30-2025-01459684-CL-UD-CJC**    CASE INIT.DATE: 02/11/2025  
CASE TITLE: **Hou vs. Bereki**  
CASE CATEGORY: Civil - Limited              CASE TYPE: Unlawful Detainer - Residential

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EVENT ID/DOCUMENT ID: 74570319

EVENT TYPE: Ex Parte

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**APPEARANCES**

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There are no appearances by any party.

The Court is in receipt of and has read and considered defendant's ex parte application for a temporary restraining order enjoining plaintiff from demolishing or altering the property; stay of execution of the judgment pending defendant's motion to vacate the judgment and resolution of a bankruptcy action; restore defendant to possession of the property; and to shorten time for hearing on defendant's motion to vacate judgment currently set for June 27, 2025.

Defendant's ex parte application to shorten time for hearing defendant's motion to vacate the judgment is granted, and time is shortened to the time of the ex parte applications.

The remainder of defendant's ex parte motions and the motion to vacate the judgment are denied.

Defendant failed to comply with ex parte notice requirements pursuant to California Rules of Court, rule 3.1204.

Code of Civil Procedure section 473, subdivision (b), provides that the court may relieve a party from a judgment taken against him or her through mistake, inadvertence, surprise or excusable neglect. Surprise refers to "some condition or situation in which a party . . . is unexpectedly placed to his injury without any default or negligence of his own, which ordinary prudence could not have guarded against." (State Farm Fire & Cas. Co. v. Pietak (2001) 90 Cal.App.4th 600, 611.) Inadvertence relates to circumstances that could not have been avoided through the exercise of reasonable care and prudence. (Elms v. Elms (1946) 72 CalApp.2d 508, 513.) A party demonstrates excusable neglect by showing circumstances could not have been avoided with reasonable care and prudence. (Id. At p. 513.) Moreover, an application for relief under Code of Civil Procedure section 473, subdivision (b), must be made within a reasonable time, but no later than six months.

Defendant was personally served with the Summons and Complaint in this matter on March 1, 2025. (ROA 12.) Defendant failed to respond to the Complaint, and default was entered against him on March 17, 2025, and a default judgment for possession only was entered on March 18, 2025 (ROA 17, 18.) A

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DATE: 05/21/2025  
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writ of possession was issued on March 22, 2025 (ROA 23).

Defendant does not contend that he was not properly served. Citing *Lasalle v. Vogel* (2019) 36 Cal.App.5th 127, and other cases, defendant argues that the default should be set aside because plaintiff's counsel did not warn him that of the impending default and in support of his contention. Those cases are inapplicable here, as those cases involved a landlord's counsel's ethical duty to advise defense counsel before requesting entry of default.

On these facts, the Court does not find that the judgment was entered against defendant due to surprise, excusable neglect, or inadvertence pursuant to Code of Civil Procedure section 473, subdivision (b), as defendant was personally served with the Summons and Complaint on March 1, 2025, and chose not to act. Therefore, the defendant has not established a basis for relief. Accordingly, the motion to vacate the default is denied.

In addition, even if the Court had set aside the default and default judgment, the defendant's ex parte request to restore possession and the email attached as Exhibit D to defendant's motion to vacate the judgment support a finding that this Court has no jurisdiction to grant the requested relief. In the May 10, 2025 email from plaintiff's counsel to defendant, plaintiff's counsel stated that defendant left personal property at the subject premises after he moved out. Defendant cites no legal authority, and the court is aware of none, authorizing the court to grant any relief post-lockout, absent a reversal on appeal. (See Code Civ. Proc., §§ 1210 [person who is evicted from rental premises by judgment or process of court and who reenters or takes possession is in contempt of court]; 1179 [after forfeiture, tenant may apply to court for relief before landlord retakes premises]; 908 [appellate court may order restitution after reversal].)

Accordingly, at this stage of the litigation, there is no remedy the court can grant.

Clerk to give notice.



I hereby certify the foregoing instrument consisting of \_\_\_\_\_ page(s)  
is a true and correct copy of the original on file in this court.

ATTEST: (DATE) \_\_\_\_\_

AUG 04 2025

DAVID H. YAMASAKI, EXECUTIVE OFFICER AND CLERK OF THE  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

BY \_\_\_\_\_, DEPUTY

E. BALDERAS

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER**

**MINUTE ORDER**

DATE: 05/23/2025

TIME: 01:45:00 PM

DEPT: C61

COMMISSIONER: Carmen D Snuggs-Spraggins

CLERK: A. Carbajal

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: Deputy Ribeiro

CASE NO: **30-2025-01459684-CL-UD-CJC** CASE INIT.DATE: 02/11/2025

CASE TITLE: **Hou vs. Bereki**

CASE CATEGORY: Civil - Limited

CASE TYPE: Unlawful Detainer - Residential

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EVENT ID/DOCUMENT ID: 74571219

**EVENT TYPE:** Ex Parte

**MOVING PARTY:** Adam Bereki

**CAUSAL DOCUMENT/DATE FILED:** Ex Parte Application - Other, 05/22/2025

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**APPEARANCES**

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There are no appearances by any party.

The Court is in receipt of and has read and considered defendant's ex parte application for reconsideration of the Court's denial of defendant's ex parte application for a temporary restraining order, vacating a "void" judgment, stay of the unlawful detainer action, and restoration of possession pending resolution of defendant's motion to vacate the judgment and a related "bankruptcy adversary proceeding."

The ex parte application for reconsideration is denied. Defendant has not raised new or different facts, circumstances, or law as required under Civil Code of Procedure section 1008, subdivision (a). Instead, defendant argues that the Minute Order issued on May 21, 2025 (ROA 51), denying defendant's ex parte application is void because it failed to address defendant's arguments, specifically, that the default judgment is void due to due process violations, lack of notice, rejected pro se filings, that the unlawful detainer action relies on a void 2017 judgment and wrongful foreclosure and that the Court incorrectly applied Code of Civil Procedure section 473, subdivision (b).

The Court, while not explicitly stating that it does not find the judgment was void, the Court explicitly found that default was properly entered against defendant because the judgment was not entered against defendant due to surprise, excusable neglect, or inadvertence pursuant to Code of Civil Procedure section 473, subdivision (b). Therefore, it follows that the Court did not find that judgment was void, or that defendant's due process rights were violated. The Court further found that the cases cited by defendant regarding plaintiffs' attorneys' ethical obligation to inform defense counsel of an impending default were inapplicable, and therefore, defendant's due process rights were not violated. The remainder of the Court's May 21, 2025 Minute Order is sufficiently clear.

Clerk to give notice.

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I hereby certify the foregoing instrument consisting of \_\_\_\_\_ page(s)  
is a true and correct copy of the original on file in this court.



AUG 04 2025

ATTEST: (DATE) \_\_\_\_\_  
DAVID H. YAMASAKI, EXECUTIVE OFFICER AND CLERK OF THE  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

BY \_\_\_\_\_, DEPUTY

E. BALDERAS

## Case Summary:

Case Id:	30-2025-01459684-CL-UD-CJC
Case Title:	CANJIAN HOU VS. ADAM BEREKI
Case Type:	UNLAWFUL DETAINER - RESIDENTIAL
Filing Date:	02/11/2025
Category:	CIVIL - LIMITED

## Register Of Actions:

ROA	Docket	Filing Date	Filing Party	Document	Select
1	E-FILING TRANSACTION 11433353 RECEIVED ON 02/11/2025 05:06:34 PM.	02/13/2025		NV	
2	COMPLAINT FILED BY HOU, CANJIAN ON 02/11/2025	02/11/2025		14 pages	<input type="checkbox"/>
3	PAYMENT RECEIVED BY ONELEGAL FOR 171 - COMPLAINT OR OTHER 1ST PAPER <=\$10K (UNLAWFUL DETAINER) IN THE AMOUNT OF 240.00, TRANSACTION NUMBER 13563278 AND RECEIPT NUMBER 13391458.	02/13/2025		1 pages	<input type="checkbox"/>
4	NOTICE THAT YOU HAVE BEEN SUED OC GENERATED	02/13/2025		2 pages	<input type="checkbox"/>
5	E-FILING TRANSACTION NUMBER 11435923 REJECTED.	02/18/2025		1 pages	<input type="checkbox"/>
6	PAYMENT RECEIVED BY BEREKI, ADAM FOR 44 - COPY OF ANY RECORD (PER SIDE) IN THE AMOUNT OF 8.00, TRANSACTION NUMBER 13568839 AND RECEIPT NUMBER 13397019.	02/24/2025		1 pages	<input type="checkbox"/>
7	E-FILING TRANSACTION 41787066 RECEIVED ON 02/24/2025 02:48:55 PM.	02/25/2025		NV	
8	PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS - UNLAWFUL DETAINER FILED BY HOU, CANJIAN ON 02/24/2025	02/24/2025		3 pages	<input type="checkbox"/>
9	CIVIL CASE COVER SHEET FILED BY HOU, CANJIAN ON 02/24/2025	02/24/2025		2 pages	<input type="checkbox"/>
10	SUMMONS ISSUED AND FILED FILED BY HOU, CANJIAN ON 02/24/2025	02/24/2025		2 pages	<input type="checkbox"/>
11	E-FILING TRANSACTION 41794149 RECEIVED ON 03/10/2025 10:28:18 AM.	03/10/2025		NV	
12	PROOF OF PERSONAL SERVICE FILED BY HOU, CANJIAN ON 03/10/2025	03/10/2025		2 pages	<input type="checkbox"/>
13	E-FILING TRANSACTION 11446369 RECEIVED ON 03/10/2025 10:28:20 AM.	03/10/2025		NV	
14	PROOF OF SERVICE FILED BY HOU, CANJIAN ON 03/10/2025	03/10/2025		2 pages	<input type="checkbox"/>
15	E-FILING TRANSACTION NUMBER 41794150 REJECTED.	03/11/2025		1 pages	<input type="checkbox"/>
16	E-FILING TRANSACTION 31620102 RECEIVED ON 03/17/2025 12:20:47 PM.	03/18/2025		NV	
17	REQUEST FOR ENTRY OF DEFAULT FILED BY HOU, CANJIAN ON 03/17/2025	03/17/2025		3 pages	<input type="checkbox"/>

18	JUDGMENT - UNLAWFUL DETAINER FILED BY HOU, CANJIAN ON 03/18/2025	03/18/2025		2 pages	<input type="checkbox"/>
19	COMPLAINT DISPOSED WITH DISPOSITION OF DEFAULT JUDGMENT BY CLERK.	03/18/2025		NV	
20	CASE DISPOSED WITH DISPOSITION OF DEFAULT JUDGMENT BY CLERK	03/18/2025		NV	
21	E-FILING TRANSACTION 41800817 RECEIVED ON 03/20/2025 06:30:49 PM.	03/22/2025		NV	
22	APPLICATION FOR WRIT OF POSSESSION FILED BY HOU, CANJIAN ON 03/20/2025	03/20/2025		1 pages	<input type="checkbox"/>
23	WRIT OF POSSESSION ISSUED ON 03/22/2025	03/22/2025		3 pages	<input type="checkbox"/>
24	PAYMENT RECEIVED BY ONELEGAL FOR 214 - WRIT IN THE AMOUNT OF 40.00, TRANSACTION NUMBER 13586009 AND RECEIPT NUMBER 13414189.	03/22/2025		1 pages	<input type="checkbox"/>
25	NOTICE OF APPEAL - LIMITED CIVIL FILED	05/15/2025		3 pages	<input type="checkbox"/>
26	DESIGNATION OF RECORD ON APPEAL FILED BY BEREKI, ADAM ON 05/15/2025	05/15/2025		20 pages	<input type="checkbox"/>
27	NOTIFICATION OF FILING NOTICE OF APPEAL	05/15/2025		1 pages	<input type="checkbox"/>
28	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/15/2025		5 pages	<input type="checkbox"/>
29	NOTICE OF DEFAULT	05/15/2025		2 pages	<input type="checkbox"/>
30	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/15/2025		3 pages	<input type="checkbox"/>
31	E-FILING TRANSACTION NUMBER 41833301 REJECTED.	05/20/2025		1 pages	<input type="checkbox"/>
32	E-FILING TRANSACTION 11485201 RECEIVED ON 05/20/2025 10:55:46 AM.	05/21/2025		NV	
33	REQUEST TO WAIVE COURT FEES FILED BY BEREKI, ADAM ON 05/20/2025	05/20/2025		NA	
34	ORDER ON COURT FEE WAIVER (SUPERIOR COURT) RECEIVED ON 05/20/2025.	05/20/2025		3 pages	<input type="checkbox"/>
35	E-FILING TRANSACTION 41832407 RECEIVED ON 05/17/2025 10:05:16 AM.	05/21/2025		NV	
36	NOTICE OF RELATED CASE FILED ON 05/19/2025	05/19/2025		5 pages	<input type="checkbox"/>
37	REQUEST TO WAIVE COURT FEES FILED BY BEREKI, ADAM ON 05/19/2025	05/19/2025		NA	
38	NOTICE OF CHANGE OF ADDRESS AND/OR TELEPHONE FILED BY BEREKI, ADAM ON 05/19/2025	05/19/2025		1 pages	<input type="checkbox"/>
39	ORDER ON COURT FEE WAIVER (SUPERIOR COURT) RECEIVED ON 05/21/2025.	05/21/2025		3 pages	<input type="checkbox"/>
40	E-FILING TRANSACTION 21653865 RECEIVED ON 05/21/2025 09:42:21 AM.	05/21/2025		NV	
41	EX PARTE APPLICATION - OTHER FILED BY BEREKI, ADAM ON 05/21/2025	05/21/2025		9 pages	<input type="checkbox"/>
42	MOTION TO VACATE FILED BY BEREKI, ADAM ON 05/21/2025	05/21/2025		91 pages	<input type="checkbox"/>



43	DECLARATION - OTHER FILED BY BEREKI, ADAM ON 05/21/2025	05/21/2025		2 pages	<input type="checkbox"/>
44	EX PARTE SCHEDULED FOR 05/22/2025 AT 01:45:00 PM IN C61 AT CENTRAL JUSTICE CENTER.	05/21/2025		NV	
45	MOTION TO VACATE SCHEDULED FOR 06/27/2025 AT 08:30:00 AM IN C61 AT CENTRAL JUSTICE CENTER.	05/21/2025		NV	
46	E-FILING TRANSACTION 21653952 RECEIVED ON 05/21/2025 10:43:52 AM.	05/21/2025		NV	
47	PROOF OF SERVICE FILED BY BEREKI, ADAM ON 05/21/2025	05/21/2025		2 pages	<input type="checkbox"/>
48	E-FILING TRANSACTION NUMBER 31655329 REJECTED.	05/21/2025		1 pages	<input type="checkbox"/>
51	MINUTES FINALIZED FOR EX PARTE 05/21/2025 03:54:00 PM.	05/21/2025		2 pages	<input type="checkbox"/>
52	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/21/2025		3 pages	<input type="checkbox"/>
53	E-FILING TRANSACTION 21654495 RECEIVED ON 05/22/2025 06:18:23 AM.	05/23/2025		NV	
54	EX PARTE APPLICATION - OTHER FILED BY BEREKI, ADAM ON 05/22/2025	05/22/2025		9 pages	<input type="checkbox"/>
55	EX PARTE SCHEDULED FOR 05/23/2025 AT 01:45:00 PM IN C61 AT CENTRAL JUSTICE CENTER.	05/23/2025		NV	
56	ORDER ON COURT FEE WAIVER (SUPERIOR COURT) FILED BY THE SUPERIOR COURT OF ORANGE ON 05/22/2025	05/22/2025		3 pages	<input type="checkbox"/>
57	BEREKI, ADAM REQUEST TO WAIVE COURT FEES GRANTED IN WHOLE ON 05/22/2025.	05/22/2025		NV	
58	ORDER ON COURT FEE WAIVER (SUPERIOR COURT) FILED BY THE SUPERIOR COURT OF ORANGE ON 05/22/2025	05/22/2025		3 pages	<input type="checkbox"/>
59	BEREKI, ADAM REQUEST TO WAIVE COURT FEES DENIED IN WHOLE ON 05/22/2025.	05/22/2025		NV	
60	MINUTES FINALIZED FOR EX PARTE 05/23/2025 01:45:00 PM.	05/23/2025		1 pages	<input type="checkbox"/>
61	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/23/2025		2 pages	<input type="checkbox"/>
62	E-FILING TRANSACTION NUMBER 11485199 REJECTED.	05/28/2025		1 pages	<input type="checkbox"/>
63	E-FILING TRANSACTION NUMBER 11485200 REJECTED.	05/28/2025		1 pages	<input type="checkbox"/>
64	E-FILING TRANSACTION NUMBER 21654496 REJECTED.	05/28/2025		1 pages	<input type="checkbox"/>
65	E-FILING TRANSACTION NUMBER 31654496 REJECTED.	05/28/2025		1 pages	<input type="checkbox"/>
66	E-FILING TRANSACTION NUMBER 41833302 REJECTED.	05/28/2025		1 pages	<input type="checkbox"/>
67	E-FILING TRANSACTION 11489954 RECEIVED ON 05/29/2025 08:21:17 AM.	05/29/2025		NV	
68	NOTICE - OTHER FILED BY BEREKI, ADAM ON 05/29/2025	05/29/2025		1 pages	<input type="checkbox"/>
69	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/29/2025		8 pages	<input type="checkbox"/>
70	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/29/2025		5 pages	<input type="checkbox"/>
71	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/29/2025		4 pages	<input type="checkbox"/>
72	E-FILING TRANSACTION NUMBER 11489953 REJECTED.	05/29/2025		1 pages	<input type="checkbox"/>
	E-FILING TRANSACTION 31659750 RECEIVED ON 05/29/2025				

73	01:08:55 PM.	05/29/2025		NV	
74	DESIGNATION OF RECORD ON APPEAL FILED BY BEREKI, ADAM ON 05/29/2025	05/29/2025		10 pages	<input type="checkbox"/>
75	NOTICE OF DEFAULT	05/29/2025		2 pages	<input type="checkbox"/>
76	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	05/29/2025		3 pages	<input type="checkbox"/>
77	E-FILING TRANSACTION 21662209 RECEIVED ON 06/05/2025 06:54:12 AM.	06/05/2025		NV	
78	PROOF OF ESERVICE FILED BY BEREKI, ADAM ON 06/05/2025	06/05/2025		3 pages	<input type="checkbox"/>
79	E-FILING TRANSACTION 21662312 RECEIVED ON 06/05/2025 09:36:12 AM.	06/05/2025		NV	
80	NOTICE OF APPEAL FILED	06/05/2025		3 pages	<input type="checkbox"/>
81	NOTIFICATION OF FILING NOTICE OF APPEAL FILED BY THE SUPERIOR COURT OF ORANGE ON 06/05/2025	06/05/2025		1 pages	<input type="checkbox"/>
82	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	06/05/2025		5 pages	<input type="checkbox"/>
83	E-FILING TRANSACTION 41843762 RECEIVED ON 06/08/2025 02:44:47 PM.	06/09/2025		NV	
84	DESIGNATION OF RECORD ON APPEAL FILED BY BEREKI, ADAM ON 06/09/2025	06/09/2025		12 pages	<input type="checkbox"/>
85	NOTICE OF DEFAULT	06/09/2025		2 pages	<input type="checkbox"/>
86	CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE	06/09/2025		3 pages	<input type="checkbox"/>

## Participants:

Name	Type	Assoc	Start Date	End Date
CANJIAN HOU	PLAINTIFF		02/13/2025	
ADAM BEREKI	APPELLANT		05/29/2025	
HENRY D. PALOCI III PA	ATTORNEY		02/13/2025	
CANJIAN HOU	RESPONDENT ON APPEAL		05/29/2025	
ADAM BEREKI	DEFENDANT		02/13/2025	

## Hearings:

Description	Date	Time	Department	Judge
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