

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 34

HON. PAUL GUTMAN, JUDGE

ANANT KUMAR TRIPATI,)

PLAINTIFF,)

VS.)

COUNTY OF LOS ANGELES, ET AL.)

DEFENDANTS.)

CASE NO. BC 343351

REPORTERS' TRANSCRIPT OF PROCEEDINGS

TUESDAY, JANUARY 24, 2006

APPEARANCES:

FOR PLAINTIFF:

ANANT KUMAR TRIPATI
IN PROPRIA PERSONA
ARIZONA STATE PRISON
BUCKEYE, ARIZONA 85326

FOR DEFENDANTS:

NELSON & FULTON
BY: AMBER A. LOGAN, ESQ.
3435 WILSHIRE BLVD., SUITE 2800
LOS ANGELES, CA 90010-2014
(213) 365-2703

SANDRA GECO, CSR NO. 3806
OFFICIAL REPORTER

1 CASE NUMBER: BC 343351
2 CASE NAME: ANANT KUMAR TRIPATI V. COUNTY OF
3 LOS ANGELES, ET AL.
4 LOS ANGELES, CA; TUESDAY, JANUARY 24, 2006
5 DEPARTMENT NO. 34 HON. PAUL GUTMAN, JUDGE
6 REPORTER: SANDRA GECO, CSR NO. 3806
7 TIME: 08:30 A.M.
8 APPEARANCES: (AS NOTED ON TITLE PAGE.)
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11 THE COURT: NO. 8, TRIPATI V. COUNTY OF LOS
12 ANGELES.

13 MR. TRIPATI: ANANT TRIPATI, IN PRO PER, YOUR
14 HONOR.

15 THE COURT: GOOD MORNING, MR. TRIPATI.

16 MS. LOGAN: GOOD MORNING, YOUR HONOR.

17 AMBER LOGAN, OF NELSON & FULTON, FOR THE COUNTY OF LOS
18 ANGELES AND RICHARD GOLDSTON.

19 THE COURT: GOOD MORNING, MS. LOGAN.

20 THIS IS A MOTION TO HAVE MR. TRIPATI
21 DECLARED A VEXATIOUS LITIGANT.

22 THE COURT HAS READ AND CONSIDERED THE
23 MOVING AND OPPOSITION AND REPLY PAPERS; THE DECLARATIONS
24 IN SUPPORT OF THE MOTION.

25 AND IT APPEARS PLAINTIFF HAS FILED AT LEAST
26 SIX DIFFERENT LITIGATIONS IN PRO PER WITHIN THE PAST
27 SEVEN YEARS, IS IT, AND HAS RELITIGATED SOME ISSUES,
28 INCLUDING THE VERY CASE BEFORE THIS COURT, IN THE FORM OF

1 YET ANOTHER COMPLAINT FILED.

2 I'M INCLINED TO ISSUE THE ORDER DECLARING
3 PLAINTIFF A VEXATIOUS LITIGANT, TO REQUIRE THAT HE SEEK
4 PREFILING PERMISSION FROM THE PRESIDING JUDGE OF THIS
5 COURT BEFORE ANY FURTHER MOTIONS, COMPLAINTS, OR OTHER
6 ACTIONS ARE INITIATED, AND TO REQUIRE HIM TO POST A BOND
7 AGAINST ANY COSTS WHICH MIGHT BE INCURRED BY ANY OTHER
8 PARTIES EMBRACED OR INVOLVED IN SUCH FUTURE LITIGATION,
9 IN THE SUM OF \$50,000 AS REQUESTED.

10 DO YOU WISH TO BE HEARD, MR. TRIPATI?

11 MR. TRIPATI: YES, YOUR HONOR.

12 THE COURT: GO AHEAD.

13 MR. TRIPATI: THE ACTION FILED IN ARIZONA, IF
14 FILED IN CALIFORNIA, WOULD NOT BE A CIVIL ACTION. THE
15 LABEL GIVEN IN FEDERAL COURT TO ACTIONS ARE NOT THE SAME
16 AS THAT WHICH IS GIVEN IN CALIFORNIA COURTS.

17 SECONDLY, THE CALIFORNIA ACTION THAT
18 COUNSEL REFERS TO, THEY ARE NOT FINAL YET. THEY ARE
19 STILL PENDING ON APPEAL.

20 AND THE ISSUE OF RELITIGATION, FRAUD UPON
21 THE COURT, UNDER CALIFORNIA LAW, IS AN EXCEPTION TO
22 RELITIGATION. THE RELITIGATION BAR ONLY APPLIES IF ONCE
23 FRAUD IS DECIDED, AND ARE RELITIGATE FRAUD.

24 UNDER FEDERAL LAW, UNDER PLRA, UNLIKE
25 CALIFORNIA, A COMPLAINT IS LODGED, AND IT'S ONLY FILED
26 AFTER THE COURT CONDUCTS A PLRA REVIEW.

27 SO ALL THE MATTERS COUNSEL REFERS TO DON'T
28 FALL IN CIVIL AT ALL IN CALIFORNIA, YOUR HONOR.

1 THE COURT: MR. TRIPATI, PLEASE UNDERSTAND THAT
2 CCP SECTION 391 RELATES NOT JUST TO LAWSUITS, BUT TO
3 MOTIONS WITHIN LAWSUITS.

4 AND YOU HAVE WELL MET AND WELL EXCEEDED THE
5 NUMBERS IDENTIFIED IN THAT SECTION.

6 MS. LOGAN.

7 MS. LOGAN: YOUR HONOR, I DON'T BELIEVE
8 MR. TRIPATI HAS ADDED ANYTHING NEW.

9 I WOULD SUBMIT ON MY PAPERS.

10 MR. TRIPATI: YOUR HONOR, MAY I ASK YOU ANOTHER
11 QUESTION?

12 WOULD YOU SET A BOND FOR ME TO APPEAL THIS?

13 THE COURT: YOU DON'T NEED A BOND TO APPEAL.

14 MR. TRIPATI: OKAY, YOUR HONOR.

15 THE COURT: MS. LOGAN, WOULD YOU PLEASE PREPARE --
16 BECAUSE YOU DID NOT SUBMIT A PROPOSED ORDER THAT I COULD
17 FIND -- IDENTIFYING EACH AND EVERY ONE OF THE BASES UPON
18 WHICH I HAVE GRANTED THE REQUEST, EACH LITIGATION, EACH
19 MOTION, AND THE RESULT OF EACH ONE.

20 IS THAT CLEAR?

21 MS. LOGAN: YES, YOUR HONOR.

22 IS THERE A DEADLINE FOR POSTING THE BOND?

23 THE COURT: WELL, HE'S GOING -- I'LL GIVE HIM 60
24 DAYS TO POST A BOND.

25 MS. LOGAN: IS THIS MATTER STILL STAYED UNTIL THE
26 BOND IS POSTED?

27 THE COURT: MATTER IS STAYED.

28 MR. TRIPATI: THANK YOU, YOUR HONOR.

1 MS. LOGAN: THERE ARE SOME MATTERS THAT
2 MR. TRIPATI HAS CALENDARED THAT I RAISED IN MY REPLY.

3 THE COURT: IT'S ALL STAYED. EVERYTHING IS
4 STAYED.

5 MR. TRIPATI: THANK YOU, YOUR HONOR.

6 THE COURT: YOU'RE WELCOME.

7 MS. LOGAN: THANK YOU, YOUR HONOR.

8 THE COURT: YOU'RE WELCOME.

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10 (PROCEEDINGS CONCLUDED)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 34

HON. PAUL GUTMAN, JUDGE

ANANT KUMAR TRIPATI,)

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COUNTY OF LOS ANGELES, ET AL.)

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CASE NO. BC 343351

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

SS

I, SANDRA GECO, OFFICIAL REPORTER OF THE
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY
OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING
PAGES, 1 THROUGH 4, INCLUSIVE, COMPRISE A FULL, TRUE AND
CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE
ABOVE-ENTITLED MATTER, REPORTED BY ME ON TUESDAY,
JANUARY 24, 2006.

DATED THIS 30TH DAY OF JANUARY, 2006.



OFFICIAL REPORTER

CSR NO. 3806