

21-8169  
No. 22-

Supreme Court, U.S.  
FILED  
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OFFICE OF THE CLERK

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***In the Supreme Court of the United States***

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GHASSAN HAGE, PETITIONER

v.

FIDA MHANNA, ET AL., RESPONDENT

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*ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT*

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**PETITION FOR A WRIT OF CERTIORARI**

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**ORIGINAL**

## I. Question Presented

(1) Where Fraud upon the Court became normal in Family Justice Center in Santa Clara county, Department 76 when a lawyer committed numerous count of Fraud and a Judge of the Superior Court allowed them, (2) where corruption in Family Justice center in Santa Clara County is much more powerful than the Justice, (3) when the Judge of the Superior Court abused his power to cover up the Fraud upon the Court committed by a lawyer, (4) where Judge and lawyer in the Superior Court set a trial date on a day when both were notified that the petitioner was not available for a trial, (5) where Judge of the Superior Court abused his authority and discretion and issued a default judgment with falsified lawyer hourly fees when petitioner was not available with a Good cause (Appendix "B" p. 34a ), (6) where Lawyer violated State Bar of California Rule 5-200 and the ethic codes by misleading the Court in providing untruthful Declaration of his fees ( Appendix "F", "G", "H", "I", and "J") and let the Judge to bless the fraud by making wrong decision in lawyer fee payments, under what circumstances do a Judge and a lawyer can be above the Law in the Superior Court of California while the Sixth Appellate Court of California turned its blind eye on this double violations of the Law by the Judge and the lawyer in a conspiracy way. (7) When a presiding Judge of the Superior Court abused her power and blocked the petitioner to file a motion to change the Court trial date due to his unavailability with a good cause. (8) When a lawyer

modified a Court Order provisions putting petitioner's kids at risk without proper process and without communicating with the petitioner (Appendix "M" p. 79a ) and got an award of \$5000 for violating the law, petitioner took him 20 months to restore the provisions as they were (Appendix "N" p. 81a ) (9) When the CA Supreme Court turned its blind eye too on this violation of the LAW by the Judge and the Lawyer.

## II. List of parties

All parties appear in the caption of the case on the cover page.

All parties do not appear in the caption of the case on the cover page.  
A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

- 1- Superior Court of California  
Hon. Christopher Rudy  
191 N. First street  
San Jose, CA, 95113
- 2- Supreme Court of California  
350 McAllister St,  
San Francisco, CA 94102
- 3- Sixth District Court of Appeal  
333 W Santa Clara St #1060,  
San Jose, CA 95113

### III. Related Cases

Case 16-18905 : in State Bar of California against misconduct and violation of the LAW of Lawyer David Yomtov

Case 17-15930 : in State Bar of California against misconduct and violation of the LAW of Lawyer David Yomtov

Case 17-04475 : in State Bar of California against misconduct and violation of the LAW of Lawyer David Yomtov

Case 17-O-05941 : in State Bar of California against misconduct and violation of the LAW of Lawyer David Yomtov

Case 18-12770 : in State Bar of California against misconduct and violation of the LAW of Lawyer David Yomtov

Case 21-O-15195 : in State Bar of California against misconduct and Fraud upon the Court committed by of Lawyer David Yomtov

S249928 : Verified Accusations against lawyer David Yomtov in CA Sup. Court

S242681 : Verified Accusations against lawyer David Yomtov in CA Sup. Court

H045364 : CA Appeal Court Case for a Writ of mandate against Judge

Christopher Rudy after he allowed Fraud upon a Court committed by the lawyer Judge Christopher Rudy.

H046384 : CA Appeal Court Case for a falsified Lawyer fee Order based on untruthful declaration of the lawyer David Yomtov. And for a default Judgment for a trial set on a date known by the Judge and the lawyer that petitioner is not available.

H045078 : CA Appeal Court Case for a lawyer fee award to a lawyer who violated the law by modifying a court order without a proper process and without communicating with the petitioner.

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## VI. Table of Authorities

### Statutes

- Rules of the Court 5.394
  - o CCP 128.5
    - (a) A trial court may order a party, the party's attorney, or both to pay the reasonable expenses, including attorney's fees, incurred by another party as a result of bad-faith actions or tactics that are frivolous or solely intended to cause unnecessary delay. This section also applies to judicial arbitration proceedings under Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3.
    - (b) For purposes of this section:
      - (1) "Actions or tactics" include, but are not limited to, the making or opposing of motions or the filing and service of a complaint, cross-complaint, answer, or other responsive pleading. The mere filing of a complaint without service thereof on an opposing party does not constitute "actions or tactics" for purposes of this section.
  - o CCP 128.7
    - A 128.7 award is discretionary and sanctions grant orders are reviewed on appeal for abuse of discretion. (*Guillemin v. Stein, supra*, 104 Cal.App.4<sup>th</sup> at 167). Discretion is abused, however, where a trial court bases its ruling on an erroneous view of the law or on a clearly erroneous assessment of the evidence. (*Cooter & Gell v. Hartmarx Corp.*, 496 U.S. 384, 405 (1990).)
    - A filing is deemed frivolous where an attorney "files a pleading or other papers which no competent attorney could believe was well grounded in fact and warranted by law," whereas a filing has an "improper purpose" if filed for reasons of "personal or economic harassment." However, where a complaint is challenged under section 128.7, "the 'improper purpose' analysis is not necessary because a non-frivolous complaint cannot be said

to be filed for an improper purpose.” (*Greenberg v. Sala*, 822 F.2d 882, 885 (9<sup>th</sup> Cir. 1987); *Townsend v. Holman Consulting Corp.*, 929 F.2d 1358, 1362 (9<sup>th</sup> Cir. 1990).)

- **Infringement of rights**

An infringement of rights is an action which prevents a free person from exercising a right he may otherwise be assumed to have

- **Bias to the other party**

- **FRAUD Upon The Court**

- **Abuse of authority and discretion by the Judge of the Superior Court and the presiding Judge of the Santa Clara County**

### **Constitutional Provisions**

#### *United States Constitution, Amendment VI*

## **VII. Petition for Writ of Certiorari**

Ghassan Hage, a US citizen and Pro Per, respectfully this court for a writ of certiorari to review the judgment of the California Court of Appeals.

## **VIII. Opinions Below**

The opinion by the California Court of Appeals attached as Appendix "A" ( p. 1a) denying Mr. Hage's direct appeal from CA trial court decision attached as Appendix "B" ( p. 34a). The California Supreme Court denied Mr. Hage's petition for review of the opinion of California Court of Appeal on December 29, 2021 without stating its opinion. That order is attached as Appendix "C" (p. 39a).

## **IX. Jurisdiction**

The petitioner's petition for review to the Supreme Court was denied on December 29, 2021. The Petitioner invokes this Court's jurisdiction under 28 U.S.C § 1257, having timely filed this petition for a writ of certiorari within ninety days of the California Supreme Court's decision.

## X. Statement of the Case.

### A. SETTING A TRIAL WHEN PETITIONER WAS NOT AVAILABLE WITH A GOOD CAUSE, DENYING PETITIONER PREFILING ORDER TO MODIFY THE DATE OF THE TRAIL AND ISSUING A COURT ORDER BASED ON FALSIFIED LAYER FEES

Petitioner is the aggrieved party and has never waived his right for a fair trial which is constitutional right, a fair trial when he comes prepared to trial Court to defend himself against the other party's allegations. The Judge Christopher Rudy and the lawyer David Yomtov setted a short cause trial on 3/21/18 during a Status Conference when Petitioner was unavailable as per notice of unavailability ( Appendix "O"( p. 83a). The petitioner moved and filed a prefiling order fr an Ex-part motion 8 days prior to the trial of 3/21/18 t to the presiding Judge of the Santa Clara County Patricia Lucas to modify the date of the short cause trial to a long cause trial due to his unavailability with a good cause and to allow him to defend himself by subpoena three people(Appendix "D" p. 40a) . The presiding Judge denied petitioner's Ex- parte and on 3/21/18 trial date a default judgment was decided by the Court and was issued on 4/6/18 ( Appendix "B" p. 34a ) to pay \$80,000.00 as lawyer fees which was based on falsified lawyer fees amount due to Fraud upon the Court committed by the lawyer David Yomtov . Petitioner tried to remedy this default judgment by filing a motion to reconsider and/or vacate the Order but the Judge denied it.

### **a. DIRECT APPEAL**

Petitioner found himself forced to file an Appeal on 11/9/18 (Appeal Case H046384) following the denial of the motion to reconsider the default judgment. In addition the petitioner filed another Appeal on 9/1/17 (Appeal Case H045078) for another lawyer fees award for \$5000

## **XI. REASONS FOR GRANTING THE WRIT**

- a. TO AVOID ERRONEOUS DEPRIVATIONS OF THE RIGHT OF PETITIONER, THIS COURT SHOULD CLARIFY THE STANDARD OF REJECTING A PREFILING ORDER FOR AN EX\_PARTE MOTION TO CHANGE THE DATE OF THE TRIAL of 3/21/18, SHOULD CLARIFY THE STANDARD IN NOT CONTINUING A TRIAL WHEN JUDGE AND LAWYR WERE NOTIFIED FEW MONTHS PRIOR THE TRIAL THAT PETITIONER IS NOT AVAILABLE WITH A GOOD CAUSE ON THAT DATE, SHOULD CLARIFY THE STANDARD OF ISSUING A LAWYER FEES ORDER BASED ON FALSIFIED FILED DOCUMENTS AND SHOULD CLARIFY THE STANDARD OF LETTING A LAWYER TO MODIFY A COURT ORDER WITHOUT A NORMAL PROCESS AND WITHOUT COMMUNICATING WITH PETITIONER

One of several main issues that the Appeal Court did not take in consideration that the petitioner .

Reason 1: The lawyer Yomtov did not deny that he had full agreement in advance with the petitioner that March 21<sup>st</sup> 2018 is not a valid day for any trial court proceeding. It shows clearly that choosing the day of March 21<sup>st</sup>, 2018 for the trial in the Superior Court when Appellant is not available was a malicious

act that was done on purpose by the lawyer David and in conspiracy with the Judge Christopher Rudy who had a complete list of available dates for Appellant's court proceedings. This was done in order to issue a Court Order in favor of the lawyer.

**Reason 2:** The presiding Judge Patricia Lucas by blocking the petitioner to file an Ex-part to modify the trial date and set it to a long cause trial due to his unavailability on 3/21/18 (Appendix D, "40a") shows a direct violation of the civil rights of the petitioner to be heard before any trial .

**Reason 3:** Miscarriage of Justice through Judge Christopher Rudy who abused his authority and power by issuing a default judgment on 4/6/18 ( Appendix "B" p. 34a) of lawyer fees which was based on Fraud upon the Court committed by the lawyer Yomtov who filed fraudulent documents in the Court as seen in Reason 4 to Reason 7.

**Reason 4:** The lawyer Yomtov has signed under penalty of perjuries and filed the following documents in the trial Court on 08/09/16 ( Appendix " E" p. 42a ) named "Declaration of David A. Yomtov in support of attorney's fees". In the declaration of the lawyer Yomtov in Appendix "E", it is shown clearly that the lawyer Yomtov hourly fees is \$300/hour as his hourly fee. Below is a snapshot from the declaration revealing that:

Professional services	Hours	Amount
7/31/2015 Letter to Judge	0.25	75.00
8/31/2015 Review file prior to court; Draft proposed orders	0.50	150.00
Review file for court	0.50	150.00
9/1/2015 Court Appearance	1.25	375.00

The lawyer Yomtov also listed in his declaration(Appendix "E") the total number of hours of 81.25 and the total fees of \$22,355.00 as of August 2016 as seen in below snapshot:

For professional services rendered	81.85	\$22,355.00
Additional charges:		

The lawyer Yomtov has stated in the Court Order of April 6<sup>th</sup> 2018 ( Appendix "B" p.34a) that his fees is \$400/hour and the total number of hours spent was 175 hours as seen in Appendix "B" ( page 37a lines 3-4 of the April 6<sup>th</sup> 2018 Court Order)

3           Mr. Yomtov's regular billing rate for his time is \$400 per hour. 175 hours of his regular  
 4           billing rate comes to \$70,000. The Court believes that \$70,000 in Family Code §271 sanctions is

The lawyer Yomtov has committed a Fraud upon the Court in falsifying his lawyer fees from \$300/hour to \$400/hour, inflating his lawyer fees by additional \$17500 which is the result of \$100 x 175 hours. The lawyer David Yomtov has taking the Oath of admission to the State Bar of California which says clearly:

***"I DO SOLEMNLY SWEAR (OR AFFIRM) THAT AS AN ATTORNEY AND AS A COUNSELOR OF THIS COURT I WILL CONDUCT MYSELF UPRIGHTLY AND ACCORDING TO LAW, AND THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES"***

The lawyer Yomtov in his action of falsifying his lawyer fees rate caused the Court Order of April 6<sup>th</sup> 2018 attached in Appendix "B" to be erroneous.

**Reason 5:** In Section 15a and 15c of Appendix "F" p. 50a , the lawyer Yomtov reported his fees and signed it under penalty of perjuries as seen below:

	\$	\$	
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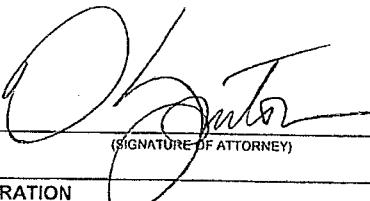
## 15. Attorney fees (This is required if either party is requesting attorney fees.):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$ 11,000
- b. The source of this money was (specify): Loans from my brothers/Order of Court
- c. I still owe the following fees and costs to my attorney (specify total owed): \$ ?
- d. My attorney's hourly rate is (specify): \$ 300 Plus Cost

I confirm this fee arrangement.

Date: 4/27/15

DAVID A. YOMTOV  
(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)

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## INCOME AND EXPENSE DECLARATION

Page 3 of 4

Mhanna

In Section 15a and 15c of Appendix "G" p. 54a, the lawyer Yomtov reported his fees and signed it under penalty of perjuries as seen below:

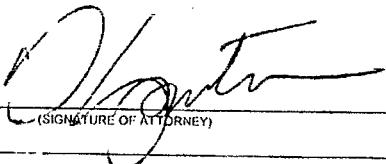
## 15. Attorney fees (This is required if either party is requesting attorney fees.):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$ 16,100
- b. The source of this money was (specify): Loans from my family / Order of Court
- c. I still owe the following fees and costs to my attorney (specify total owed): \$ 11,768
- d. My attorney's hourly rate is (specify): \$ 300 Plus Cost

I confirm this fee arrangement.

Date: 11/3/15

DAVID A. YOMTOV  
(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)

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## INCOME AND EXPENSE DECLARATION

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Comparing the lawyer fees reported from the Income and expense declaration documents to the actual Income and expenses during the same window of time reported from the Appendix "E" p. 42a which is the "Declaration of David A. Yomtov in support of attorney's fees" you can see clearly in the table below the falsified lawyer fees that the lawyer Yomtov injected in Income and Expense declaration to obstruct the Justice and have Court orders issued on his favor and the favor of the petitioner.

Lawyer fees from Appendix "F" 15a +15c ( signed 4/27/15)	\$11,000
Lawyer fees from Appendix "G" 15a +15c ( signed 11/3/15 )	\$27,868
Number of months between filed I&E in Appendix "F" and Appendix "G"	6 months
Fraudulent Lawyer fees reported during 6 months from the I&E ( falsified )	\$27,868 - \$11,000 = \$16,868
Actual Lawyer fees reported during 6 months from the Appendix "E"	\$5055

**Reason 6:** In Section 15a and 15c of Appendix "H" p. 58a , the lawyer Yomtov reported his fees and signed it under penalty of perjuries as seen below:

15. Attorney fees (This is required if either party is requesting attorney fees.):

- To date, I have paid my attorney this amount for fees and costs (specify): \$ 32,780
- The source of this money was (specify): Loans from my brothers / Order of Court
- I still owe the following fees and costs to my attorney (specify total owed): \$ 18,615
- My attorney's hourly rate is (specify): \$ 300 Plus Costs

I confirm this fee arrangement.

Date: 2/23/16

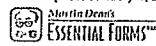
DAVID A. YOMTOV  
(TYPE OR PRINT NAME OF ATTORNEY)

(SIGNATURE OF ATTORNEY)

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INCOME AND EXPENSE DECLARATION

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A similar comparision as above, it will reveal the falsified lawyer fees and the falsified documents as follows:

Lawyer fees from Appendix "G" 15a +15c ( signed 11/3/15 )	\$27,868
Lawyer fees from Appendix "H" 15a +15c ( signed 2/23/16 )	\$51,395
Number of months between filed I&E in Appendix "G" and Appendix "H"	6 months
Fraudulent Lawyer fees reported during 4 months from the I&E ( falsified )	\$51,395 - \$27,868 = \$23,527
Actual Lawyer fees reported during 4 months from the Appendix "E"	\$4000

**Reason 7:** The lawyer Yomtov has falsified the amount paid to him by the petitioner shown in section 15a in every I&E declaration filed in trial court in order impact the decision of the trial Court judges.

In Section 15a and 15c of Appendix "I" p.62a, the lawyer Yomtov reported his fees and signed it under penalty of perjuries as seen below:

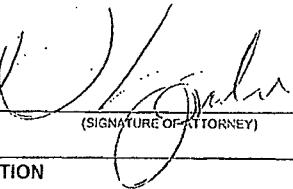
15. Attorney fees (This is required if either party is requesting attorney fees.):

- To date, I have paid my attorney this amount for fees and costs (specify): \$ 32,780
- The source of this money was (specify): Loans from my brothers / Order of Court
- I still owe the following fees and costs to my attorney (specify total owed): \$ 27,088
- My attorney's hourly rate is (specify): \$ 300 plus Costs

I confirm this fee arrangement.

Date: 6/14/16

DAVID A. YOMTOV  
(TYPE OR PRINT NAME OF ATTORNEY)

  
(SIGNATURE OF ATTORNEY)

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INCOME AND EXPENSE DECLARATION

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In Section 15a and 15c of Appendix "J", the lawyer Yomtov reported his fees and signed it under penalty of perjuries as seen below:

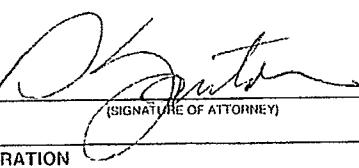
15. Attorney fees (This is required if either party is requesting attorney fees.):

- To date, I have paid my attorney this amount for fees and costs (specify): \$ 16,800
- The source of this money was (specify): Earnings \$800 / Loans \$11,000 / Respondent Pre-Judgment Order \$5000
- I still owe the following fees and costs to my attorney (specify total owed): \$ 65,023
- My attorney's hourly rate is (specify): \$ 300 Plus Costs

I confirm this fee arrangement.

Date: 9/8/17

DAVID A. YOMTOV  
(TYPE OR PRINT NAME OF ATTORNEY)

  
(SIGNATURE OF ATTORNEY)

FL-150 (Rev. January 1, 2007)

INCOME AND EXPENSE DECLARATION

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The table below shows how the Amount paid to him by petitioner increased then decreased in time , this shows clearly the falsified lawyer fees.

Amount paid to Lawyer from Appendix "F" 15a ( signed 4/27/15)	\$11,000
Amount paid to Lawyer from Appendix "G" 15a ( signed 11/3/15)	\$16,100
Amount paid to Lawyer from Appendix "H" 15a ( signed 2/23/16)	\$32,780
Amount paid to Lawyer from Appendix "I" 15a ( signed 6/11/16)	\$32,780
Amount paid to Lawyer from Appendix "J" 15a ( signed 9/8/17)	\$16,800 (falsified, amount decreased from previous row of Appendix "I" signed 6/11/16.)

Reason 8: The petitioner filed an emergency motion on 08/06/21 to stay the erroneous Court Order of 04/06/18 ( Appendix "B" p.34a) due to the Fraud upon the Court with the lawyer fees explained in details in Appeal Case H046384 and in the above Reason 4 to Reason 7., however the Appeal Court denied it as seen in Appendix "H" p. 70a and directed the petitioner to file the stay due to Fraud upon the Court in the Superior Court of California as you see below.

BY THE COURT:

Appellant's motion for stay pending appeal is denied. The denial of this motion to stay is without prejudice to appellant seeking appropriate stay relief in the trial court.

The petitioner filed a prefiling order for a motion to stay the erroneous Court Order of 04/06/18 based on Fraud upon the Court but the presiding Judge Theodore Zayner of the Santa Clara County denied the prefiling the Order as seen in the Appendix "I" p. 71a. this shows that all the presiding Judges and the Judges in the department 76 including the lawyer yomtov are part of a ring and they are protecting each others instead of protecting the LAW. This has resulted in blocking the petitioner to defend himself and show the Fraud upon the Court that the Judge Christopher Rudy witnessed several times and was committed by the lawyer David Yomtov committed in the Superior Court.

Reason 9: After the Court of Appeal( H046384) denied overturning an erroneous default ruling in family court forcing the Appellant to pay \$80,000.00 as lawyer fees when Appellant was not present in the 2 hours trial on 3/21/18 with a good cause and was not able to defend himself due to a facing conspiracy from the

presiding Judge Hon. Patricia Lucas when violating Appellant rights when Appellant moved on 3/13/18 to file a motion to modify the date of the trial but was blocked by denying his prefilng order by the presiding Judge Hon. Patricia Lucas for an Ex-parte motion to vacate the trial on 03/21/18 and set it on a different date for long cause trial.

**Reason 10:** After the Court of Appeal( Case H046384) denied overturning a erroneous default ruling in family court forcing the Appellant to pay \$80,000.00 as lawyer fees when Appeal Court learned, witnessed and saw the new facts and evidence which were not discovered at the time of Appeal of the list of Fraud upon the Court and falsified documents filed by the lawyer David Yomtov which the lawyer fees order of \$80,000.00 was based on; However the Appeal Court decided to disregard all this and decided to stay at a distance from the Fraud upon the Court by closing Appeal Court Justices eyes and taping Appeal Court Justices mouths during Oral argument instead of protecting the LAW.

**Reason 11:** The lawyer David Yomtov and the Respondent did not deny their violation of California Rules of the Court and did not deny their violation of the LAW when they both sneaked and modified the provision “34” (Appendix “L” p. 73a) of the “Request and Order pursuant to partial mediated agreement” already in place and already signed by Hon. Judge Mary Ann Grilli on May 15<sup>th</sup> 2014 ( Appendix “L”) which states:

presiding Judge Hon. Patricia Lucas when violating Appellant rights when Appellant moved on 3/13/18 to file a motion to modify the date of the trial but was blocked by denying his prefilng order by the presiding Judge Hon. Patricia Lucas for an Ex-parte motion to vacate the trial on 03/21/18 and set it on a different date for long cause trial.

**Reason 10:** After the Court of Appeal( Case H046384) denied overturning a erroneous default ruling in family court forcing the Appellant to pay \$80,000.00 as lawyer fees when Appeal Court learned, witnessed and saw the new facts and evidence which were not discovered at the time of Appeal of the list of Fraud upon the Court and falsified documents filed by the lawyer David Yomtov which the lawyer fees order of \$80,000.00 was based on; However the Appeal Court decided to disregard all this and decided to stay at a distance from the Fraud upon the Court by closing Appeal Court Justices eyes and taping Appeal Court Justices mouths during Oral argument instead of protecting the LAW.

**Reason 11:** The lawyer David Yomtov and the Respondent did not deny their violation of California Rules of the Court and did not deny their violation of the LAW when they both sneaked and modified the provision “34” (Appendix “L” p. 73a) of the “Request and Order pursuant to partial mediated agreement” already in place and already signed by Hon. Judge Mary Ann Grilli on May 15<sup>th</sup> 2014 ( Appendix “L”) which states:

the provision #34. This has triggered petitionerto file several appropriate motions in the Court to show the evidence of the Appellee and her lawyer Yomtov violation of the LAW .Appellant worked hard to restore the initial provision as it was in the Court order of May 15<sup>th</sup> 2014 and was successful after 20 months ( Appendix "N" p. 81a). The LAW and California Rules of the Court required the Respondent and her lawyer to follow the legal process in modifying any Court Order signed by a Superior Court Judge through filing a motion in Court and serving it to Petitioner and have a hearing in the Court resulting in Judge's decision to modify the provision. However the Respondent and her lawyer who has abused his authority and sneaked/modified the provision on his own and snatched a court order which was dedicated to travel signed by the Judge and had the provision modified. Both the Respondent and the lawyer David Yomtov are responsible for forcing the Petitioner to file several needed motions in the Superior Court in order to restore the provision to its initial version. There was a big damage to the Petitioner who had no choice but to pay all the expenses for preparing, filing the motions and attending the hearings from his own money and from his own time by taking time off from his job during 20 months to get the provision restored as you see below in Appendix "N" p. 81a.

4 b. When traveling Outside California , the traveling parent must provide the other parent with their  
5 itinerary thirty (30) days prior to the travel date, including their flight no., the location where they will be  
6 stayng (i.e. name of hotel or address of residence, as appropriate), and how they may be contacted  
7 while out of California (including relevant phone numbers).

This is the reality and the truth of what had happened and the irony of how the lawyer David Yomtov in collaboration with the Respondent have created the problem to the Peitioner and then played the victim's role by requesting for lawyer's fees award of \$5000 and the Court awarded them for their misconduct(Appealed in Case H045078 )

## XII. CONCLUSION

This is not the first time that the CA court of Appeal denied Petitioner's appeal against the decision of Judge Christopher Rudy, a prior appeal case mentioned in the related cases (H045364) targeting a Peremptory challenge against the Judge who allowed Fraud upon the Court to be committed by the lawyer David Yomtov was dismissed by the CA court of Appeal even before receiving the Reporter transcripts showing the evidence of the Fraud upon the Court, Petitioner filed a petition for Review if CA supreme Court ( S249160) which was also denied. Petitioner also filed the case 20-76 in the US Supreme Court to address the violation of the Law by the Judge Christopher Rudy and the lawyer David yomtov who collaborate with each other in a conspiracy way against the petitioner and collaborate with the presiding Judges to prevent him to defend himself, unfortunately the SCOTUS case 20-76 was denied. Petitioner

was hoping that the US Supreme Court took the right decision because the petitioner was investing from his own money to pay back to this Country ( The United States of California) in order to restore the Justice in the family Justice center of Santa Clara , department 76

For the foregoing reasons, the petitioner ( Mr. Hage ) has not and will accept violation of the LAW by any judicial officer and any lawyer and cannot be part of this misconduct committed by the Judge and the lawyer who are domestic enemies to the United states of America. Mr. Hage respectfully requests that this court issue a writ of certiorari to review the judgment of the California Court of Appeals. The petitioner will not support corruption from his money and will not support and violators of the Law from his money. At this time the money is taken from the petitioner by force and the petitioner will not sign and/or support any violators to the US constitution.

Justice is to protect the rights of people and not to protect the judiciary from people nor protecting lawyers. Remaining silent and ignoring the lie emboldens the liar.

Dated this 28<sup>th</sup> of March, 2022.

Respectfully Submitted



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