

APPENDIX TABLE OF CONTENTS

OPINIONS AND ORDERS

Order Denying Petition for Review, Supreme Court of California (December 30, 2025)	1a
Opinion, Court of Appeal of the State of California, Second Appellate District, Division Two (September 30, 2025)	2a
Final Decision, Superior Court of California, County of Los Angeles (May 8, 2024)	10a
Judgment, Superior Court of California, County of Los Angeles (May 8, 2024)	15a

REHEARING ORDER

Order Denying Petition for Rehearing, Court of Appeal of the State of California, Second Appellate District, Division Two (October 16, 2025)	17a
---	-----

App.1a

**ORDER DENYING PETITION FOR REVIEW,
SUPREME COURT OF CALIFORNIA
(DECEMBER 30, 2025)**

IN THE SUPREME COURT OF CALIFORNIA
EN BANC

ARTHUR EDWARD EZOR,

*Plaintiff
and Appellant,*

v.

ELLIE PAGE,

*Defendant
and Respondent.*

S293714

Court of Appeal, Second Appellate District,
Division Two - No. B339284

Before: GUERRERO, Chief Justice.

The petition for review is denied.

GUERRERO
Chief Justice

OPINION, COURT OF APPEAL OF THE
STATE OF CALIFORNIA, SECOND
APPELLATE DISTRICT, DIVISION TWO
(SEPTEMBER 30, 2025)

FILED 9/30/25

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE
STATE OF CALIFORNIA,
SECOND APPELLATE DISTRICT
DIVISION TWO

ARTHUR EDWARD EZOR,

*Plaintiff and
Appellant,*

v.

ELLIE PAGE,

*Defendant and
Respondent.*

B339284

(Los Angeles County Super. Ct. No. 22STCV17343)

Appeal from a judgment of the Superior Court of
Los Angeles County, Maurice A. Leiter, Judge.

Before: GOORVITCH, J.,
LUI, P.J., RICHARDSON, J.

Arthur Edward Ezor (Ezor) filed this action against numerous defendants, including Ellie Page (Page), the Trustee of the Jill Ilana Wize Special Needs Trust (Special Needs Trust), after the probate court ordered his property to be sold to satisfy a judgment against him. The trial court granted Page's motion for summary judgment. We affirm.

FACTUAL AND PROCEDURAL HISTORY

I. Facts¹

Ezor and Jill Wize were co-trustees of the Lydia Wize Trust, dated June 12, 1991, and amended on August 3, 1993 (Trust). The Trust provided that the settlor's principal residence would be allocated to a separate sub-trust for Jill Wize and that certain specific gifts would be distributed.² The Trust further provided that the balance of the estate would be divided in half between Lydia's children, Jill and Robert Brown (Brown).

¹ These facts are drawn from the nonpublished opinion affirming the underlying judgment. (*Ezor v. Brown* (Sept. 16, 2013, B237990) [nonpub. opn.].)

² For purposes of clarity, we refer to Lydia Wize and Jill Wize by their first names.

In September 2008, Brown filed a Petition for Instructions seeking to have Ezor and Jill removed as co-trustees and surcharged for breaching their fiduciary duties. Brown also sought an accounting for the entire period of trust administration, among other things. Brown had previously raised concerns to Ezor about Jill's competence to serve as co-trustee based upon her substance abuse, gambling problem, and psychiatric issues.

In August 2009, the probate court removed Jill as co-trustee, suspended Ezor as co-trustee, and named Brown to replace Jill. In January 2010, the probate court appointed Page as the permanent conservator over Jill's person and estate. Page is a licensed professional fiduciary in the State of California who serves as a trustee and conservator.

Following a bench trial in May 2010, the probate court found that Ezor had breached his duties by delaying the administration of the Trust, paying himself and his attorney excessive fees, refusing to make any distributions to Brown, failing to investigate Jill's competence to serve as a trustee, failing to pay Jill's medical insurance premiums, and opposing the beneficiaries' objections to his accounting without reasonable cause and in bad faith. The probate court entered judgment against Ezor in the total amount of \$511,125. On April 5, 2012, the probate court entered an amended judgment in the total amount of \$486,233.50.

The Special Needs Trust for the benefit of Jill was created, and Page became the trustee. Brown passed away on July 3, 2016. Therefore, the two judgment creditors are the Special Needs Trust and Brown's estate.

Ezor owned a residential property located on La Brea Avenue in Los Angeles, California (Property). In 2016, Page obtained an order from the probate court authorizing the sale of the Property, but gave Ezor time to conduct a private sale. After the order expired, Page again petitioned the probate court for an order to sell the Property. On February 23, 2018, the probate court identified Ezor as the judgment debtor and found that the Property was not subject to the Homestead Exemption. The probate court again ordered the Property to be sold to satisfy the amended judgment. The Property was sold at a Sheriff's sale on May 18, 2018.

II. Procedural Background

Ezor filed this action on May 26, 2022, and filed the operative second amended complaint on July 17, 2023. Ezor asserted nine causes of action, two of which were directed at Page: (1) The fifth cause of action for violation of California Business and Professions Code section 17200 et seq., and (2) The sixth cause of action for quiet title.

Page moved for summary judgment, or in the alternative, summary adjudication.³ Ezor filed an opposition to the motion. Following a hearing, the trial court granted Page's motion for summary judgment. The trial court entered judgment on May 8, 2024. This timely appeal followed.

³ Although the notice of motion references the first amended complaint, the memorandum of points and authorities makes clear that this motion was directed at the operative second amended complaint. Ezor did not oppose the motion on this basis.

DISCUSSION

I. Summary Judgment and Standard of Review

The judgment is appealable. (Code Civ. Proc., §§ 437c, subd. (m)(1), 904.1, subd. (a)(1).) A defendant moving for summary judgment must make a prima facie showing that there are no triable issues of fact in order to meet its initial burden of production. (*Aguilar v. Atlantic Richfield Co.* (2001) 25 Cal.4th 826, 861.) Once the defendant has satisfied that burden, the burden shifts to the plaintiff to make a prima facie showing that a triable issue of material fact exists. (*Id.* at p. 850.) To do so, the plaintiff must produce substantial responsive evidence. (See *Sangster v. Paetkau* (1998) 68 Cal.App.4th 151, 162–163.)

We independently assess whether summary judgment is appropriate. (*Jacks v. City of Santa Barbara* (2017) 3 Cal.5th 248, 272.) Our task is to review the trial court's *ruling*, not its *rationale*, so we may affirm on any ground raised by the parties below. (*Atalla v. Rite Aid Corp.* (2023) 89 Cal.App.5th 294, 307; *Scheer v. Regents of University of California* (2022) 76 Cal.App.5th 904, 913.)

II. The Fifth Cause of Action

California's unfair competition law prohibits any unlawful, unfair, or fraudulent business act or practice. (Bus. & Prof. Code, § 17200; see also *Clark v. Superior Court* (2010) 50 Cal.4th 605, 610.) Page relied on her own declaration, in which she states that she is a professional fiduciary; she is not in the business of selling or financing real estate; and the Sheriff's sale was the only one in which she has ever participated. This evidence is sufficient to establish that Page does

not engage in the alleged business acts or practices. Moreover, Page relied on declarations stating that she merely sought to enforce a valid judgment and played no role in conducting the Sheriff's sale or procuring buyers. Ezor advanced no evidence giving rise to a triable issue on these matters.

On appeal, Ezor argues that Page did not obtain authorization from the probate court to enforce the judgment following Brown's death. In fact, Page obtained an order from the probate court authorizing the sale of the Property. The order was dated February 23, 2018, after Brown's death on July 3, 2016.

Ezor also argues that the Sheriff's sale was "rigged, fraudulent and illegal in fact and law," but cites no evidence that Page was involved in any illegality. Therefore, we agree with the trial court that there is no triable issue on the fifth cause of action.

III. The Sixth Cause of Action

A cause of action for quiet title generally has two elements: (1) The plaintiff is the owner and in possession of the property at issue; and (2) The defendant claims an interest in the property that is adverse to the plaintiff. (*South Shore Land Co. v. Petersen* (1964) 226 Cal.App.2d 725, 740.) In her declaration, Page states that she never took title to, or possession of, the Property. This is consistent with the probate court having to order a sale to enforce the judgment. Our review of the record reveals no evidence giving rise to a triable issue, and Ezor identifies none on appeal. Therefore, we agree with the trial court that there is no triable issue on the sixth cause of action.

IV. Ezor's Remaining Arguments

Ezor argues that the trial court erred in failing to address each of his objections to Page's evidence. The trial court need only rule on those evidentiary objections that are material to its disposition of the motion. (Code Civ. Proc., § 437c, subd. (q).) Although the trial court did not expressly address Ezor's (meritless) objections to Page's dispositive evidence, we presume they were overruled. (*Reid v. Google, Inc.* (2010) 50 Cal.4th 512, 534 ["if the trial court fails to rule expressly on specific evidentiary objections, it is presumed that the objections have been overruled . . .".]) Ezor also argues that the trial court's order failed to address every issue. The brevity of the trial court's order reflects the straightforward nature of this case.

App.9a

DISPOSITION

The judgment is affirmed. Page is entitled to her costs on appeal.

NOT TO BE PUBLISHED.

GOORVITCH, J.*

We concur:

LUI, P. J.

RICHARDSON, J.

* Judge of the Los Angeles County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

App.10a

**FINAL DECISION,
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES
(MAY 8, 2024)**

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES
Civil Division

ARTHUR EDWARD EZOR

vs.

ELLIE PAGE, THE TRUSTEE OF THE JILL ILANA
WIZEL SPECIAL NEEDS TRUST, ET AL.

22STCV17343

Before: Hon. Maurice A. LEITER, Judge

Judge: Honorable Maurice A. Leiter
Judicial Assistant: A. Gonzalez
Courtroom Assistant: R. Manzo
CSR: None
ERM: None
Deputy Sheriff: None

MINUTE ORDER

NATURE OF PROCEEDINGS:

Hearing on Motion for Summary judgment

The Court's tentative ruling is provided via the
court's website.

The matter is called for hearing.

Suzanna Vierheller, Spanish interpreter, certification/registration number 3011348, interpreted for the defendant, Jose Jaime. Interpreter's certification/registration number has been verified by the Court and the Oath is on file.

After considering the moving papers and oral argument of counsel, the tentative ruling becomes the final Order of the Court and incorporated herein as follows:

Motion for Summary Judgment, or in the alternative, Motion for Summary Adjudication

Moving Party:

Defendant Ellie Page, Trustee of the Jill Ilana Wizel Special Needs Trust

Responding Party:

Plaintiff Arthur Edward Ezor

**DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT IS GRANTED.**

DEFENDANT TO NOTICE.

The Court considers the moving papers, opposition, and reply.

BACKGROUND

On July 17, 2023, Plaintiff Arthur Edward Ezor filed the operative second amended complaint against Defendants, asserting causes of action for (1) Declaratory Relief to Set Aside Sheriffs Sale; (2) Rescission Voiding or Cancelling Sheriff's Sale; (3) Wrongful Foreclosure; (4) Unjust Enrichment; (5) Violation of California Business and Professions Code § 17200; (6)

Quiet Title; (7) Conspiracy to Commit Fraudulent Conveyance; (8) Intentional Interference with Economic Relations; and (9) Breach of Oral Contract.

Plaintiff alleges that Page, his judgment creditor on a past judgment, conspired to sell his real property at sheriff's sale to Masoud Koshki, Shlomo Koshki, and P & J La Brea LLC for under fair market value. Plaintiff also alleges Defendants wrongfully sought a sheriff's sale while escrow with another buyer was pending.

ANALYSIS

"The purpose of the law of summary judgment is to provide courts with a mechanism to cut through the parties' pleadings in order to determine whether, despite their allegations, trial is in fact necessary to resolve their dispute." (Aguilar v. Atlantic Richfield Co. (2001) 25 Cal.4th 826, 843.) Trial judges are required "to grant summary judgment if all the evidence submitted, and 'all inferences reasonably deducible from the evidence' and uncontradicted by other inferences or evidence, show that there is no triable issue as to any material fact and that the moving party is entitled to judgment as a matter of law." (Adler v. Manor Healthcare Corp. (1992) 7 Cal.App.4th 1110, 1119.)

As to each claim as framed by the complaint, the defendant moving for summary judgment must satisfy the initial burden of proof by presenting facts to negate an essential element, or to establish a defense. (CCP § 437c(p)(2).) Once the defendant has met that burden, "the burden shifts to the plaintiff to show that a triable issue of one or more material facts exists as to that cause of action or a defense thereto." (Id.) To establish a triable issue of material fact, the

party opposing the motion must produce "substantial responsive evidence." (*Sangster v. Paetkau* (1998) 68 Cal.App.4th 151, 166.) Courts "liberally construe the evidence in support of the party opposing summary judgment and resolve doubts concerning the evidence in favor of that party." (*Dore v. Arnold Worldwide, Inc.* (2006) 39 Cal.4th 384, 389.)

A. First through Fourth and Seventh through Ninth Causes of Action

Defendant seeks summary judgment on the first through fourth and seventh through ninth causes of action on the ground that Plaintiff has removed moving Defendant from those causes of action in the second amended complaint. Plaintiff does not address this in opposition.

B. Fifth Cause of Action for UCL Violations

The UCL prohibits "any unlawful, unfair or fraudulent business act or practice." (Bus. & Prof. Code § 17200; see *Clark v. Superior Court* (2010) 50 Cal.4th 605, 610.) Defendant asserts that the fifth cause of action fails on the ground that Defendant did not and does not engage in "business practices." Defendant presents evidence showing Defendant is not in the business of selling or financing real estate, but rather is a professional trustee. Defendant also represents that there is no "pattern and practice" of unfair acts as the sheriff's sale at issue in this action is the only sheriff's sale Defendant has participated in.

In opposition, Plaintiff asserts the sheriff's sale was improper. This is insufficient to create a triable issue of fact as to the claim for UCL violations.

C. Sixth Cause of Action for Quiet Title

Defendant asserts that Plaintiff cannot establish a claim for quiet title against Defendant because Defendant does not claim an interest in the title of the property or have possession of the property. Plaintiff does not address this issue in opposition.

Defendant has met their burden to establish that no triable issues of fact exist. Plaintiff has failed to present triable issues of fact. Defendant's motion for summary judgment is **GRANTED**.

Court orders judgment entered for Defendant Ellie Page, The Trustee of The Jill Ilana Wizel Special Needs Trust against Plaintiff Arthur Edward Ezor on the Amended Complaint (2nd) filed by Arthur Edward Ezor on 07/17/2023 for a total of \$0.00.

Moving party is to provide notice.

App.15a

**JUDGMENT, SUPERIOR COURT OF
CALIFORNIA, COUNTY OF LOS ANGELES
(MAY 8, 2024)**

FILED 05/08/2024

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
Stanley Mosk Courthouse
111 North Hill Street
Los Angeles, CA 90012

ARTHUR EDWARD EZOR,

Plaintiff(s),

v.

ELLIE PAGE, The Trustee of the
Jill Ilana Wizel Special Needs Trust, Et Al.,

Defendant(s).

Case Number 22STCV17343

JUDGMENT

It is hereby ordered that judgment be entered as follows by:

[X] The Court

Date:05/08/2024

App.16a

judgment is for:

Ellie Page, The Trustee of The Jill Ilana Wize
Special Needs Trust

and against:

Arthur Edward Ezor

Principal: \$ 0.00

Total judgment amount: \$ 0.00

David W. Slayton
Executive Officer / Clerk of Court

A. Gonzalez
Deputy Clerk

App.17a

**ORDER DENYING PETITION FOR
REHEARING, COURT OF APPEAL OF THE
STATE OF CALIFORNIA, SECOND
APPELLATE DISTRICT, DIVISION TWO
(OCTOBER 16, 2025)**

IN THE COURT OF APPEAL OF THE
STATE OF CALIFORNIA,
SECOND APPELLATE DISTRICT,
DIVISION 2

ARTHUR EDWARD EZOR,

*Plaintiff and
Appellant,*

v.

ELLIE PAGE,

*Defendant and
Respondent.*

B339284

Los Angeles County Super. Ct. No. 22STCV17343

Before: LUI, P.J., RICHARDSON, J.,
and GOORVITCH, J.

THE COURT:

Petition for rehearing is denied.

App.18a

LUI, P.J.

RICHARDSON, J.

GOORVITCH, J.*

* Judge of the Superior Court of Los Angeles County, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.