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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

WG PRIVATE IRREVOCABLE TRUST,
WG EXPRESS TRUST,

Plaintiffs,

vs.

MARINAJ PROPERTIES LLC; and All
Persons Unknown Claiming Any Legal
or Equitable Right, Title, Estate,
Lien or Interest in the Property
Described in the Complaint Adverse
to Plaintiff's Title, or Any Cloud
Upon Plaintiff's Title Thereto,

Defendants.

MARINAJ PROPERTIES LLC

Cross-Complainant,

vs.

KEVIN LEWIS WALKER, also known as
KEVIN WALKER, and also known as KEVIN
LEWIS WALKER ESTATE; DONNABELLA
ESCAREZ MORTEL, also known as
DONNABELLA E. MORTEL, also known as
DONNABELLA MORTEL, and also known as
DONNABELLA ESCAREZ MORTEL ESTATE; THE
MEMORY STARBURST TRUST, DATED JUNE
23, 2021; SAMEIS DRAGON LLC; THE
MEMORY STARBURST TRUST, DATED FEBRUARY
7, 2022; WG EXPRESS TRUST, also known
as WG EXPRESS; WG PRIVATE
IRREVOCABLE TRUST; FIFTH THIRD BANK,

Case No: CVME2504043

OPPOSITION OF DEFENDANT
MARINAJ PROPERTIES LLC TO
PLAINTIFFS' "VERIFIED
NOTICE, CONDITIONAL
ACCEPTANCE, REBUTTAL, MOTION
AND DEMAND TO STRIKE
FRAUDULENT RELATED CASE
DESIGNATION, WITH AFFIRMATION
ON NON-RELATED STANDING AND
MOTION AND DEMAND FOR
SANCTIONS AGAINST PLAINTIFF
AND COUNSEL FOR FRAUD UPON
THE COURT AND BAD FAITH
ATTEMPTED JOINDER

Date: June 9, 2025

Time: 8:30 a.m.

Dept: M302

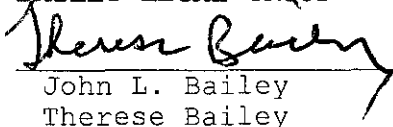
1 N.A., SUCCESSOR BY MERGER WITH)
2 DIVIDEND SOLAR FINANCE LLC; UNITED)
3 STATES OF AMERICA DEPARTMENT OF)
4 TREASURY-INTERNAL REVENUE SERVICE;)
5 ROES 1 through 100, inclusive; and)
6 All Persons Unknown Claiming Any Legal)
7 or Equitable Right, Title, Estate,)
8 Lien or Interest in the Property)
9 Described in the Cross-Complaint)
10 Adverse to Cross-Complainant's Title,)
11 or Any Cloud Upon Cross-Complainant's)
12 Title Thereto,)
13 Cross-Defendants.)

9 Defendant/Cross-Complainant MARINAJ PROPERTIES LLC ("Defendant
10 MARINAJ") hereby submits the following Opposition to Plaintiffs' "Verified
11 Notice, Conditional Acceptance, Rebuttal Motion, and Demand to Strike
12 Fraudulent Related Case Designation, with Affirmation of Non-Related
13 Standing and Motion and Demand for Sanctions Against Plaintiff and Counsel
14 for Fraud and Counsel for Fraud Upon the Court and Bad Faith Attempted
15 Joinder" (hereinafter "Motion"). MARINAJ objects to the entirety of the
16 Motion as it fails to comply with California Code of Civil Procedure, and
17 fails to offer a proper notice for the Motion, and violates Business and
18 Professions Code, sections 6125 and 6126.

19 DATED: May 16, 2025.

THE BAILEY LEGAL GROUP

20 By:


21 John L. Bailey
22 Therese Bailey
23 Attorneys for Defendant/Cross-
24 Complainant MARINAJ PROPERTIES LLC
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27
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. STATEMENT OF FACTS

3 Moving Parties WG PRIVATE IRREVOCABLE TRUST and WG EXPRESS TRUST
4 (hereinafter "Plaintiffs" and/or "Moving Parties") are clearly practicing
5 law without a license, in violation of California Business and Professions
6 Code, section 6125, which provides:

7 "No person shall practice law in California unless the person is an
8 active licensee of the State Bar."

9 Both Plaintiffs/Moving Parties executed verifications at page 9 of the
10 moving papers that they were the authorized representatives in order to
11 represent the party or entity (i.e., representing the trust). The trust is
12 required to have a person licensed to practice law before the courts in the
13 State of California to file papers on Plaintiffs' behalf. California
14 Business and Professions Code, section 6126, provides:

15 "6126. (a) Any person advertising or holding himself or herself out as
16 practicing or entitled to practice law or **otherwise practicing law who**
17 **is not an active licensee of the State Bar**, or otherwise authorized
18 pursuant to statute or court rule to practice law in this state at the
19 time of doing so, is guilty of a misdemeanor punishable by up to one
20 year in a county jail or by a fine of up to one thousand dollars
21 (\$1,000), or by both that fine and imprisonment." (Emphasis added)

22 As neither Moving Party provides a California bar number, it is clear
23 they are unable to, and cannot, practice law in the State of California, and
24 the within Motion is filed in violation of California law.

25 Additionally, the verified Motion does not provide notice of the relief
26 they are seeking in the notice portion, and it violates California Rule of
27 Court 3.1112, which provides:

28 (a) Motions required papers
Unless otherwise provided by the rules in this division, the papers
filed in support of a motion **must consist of at least the following**:
(1) A notice of hearing on the motion;
(2) The motion itself; and
(3) A memorandum in support of the motion or demurrer." (Emphasis
added)

1 Plaintiffs/Moving Parties' Motion does not satisfy any of the three
2 requirements. The Motion itself does not provide a notice portion, and the
3 Motion itself is completely unintelligible. The Moving Papers/Motion is
4 argued by "special appearance" only as a fiduciary, and authorized
5 representative, Kevin: Realworldfare and Donnabelle: Realworldfare. There
6 is no such entity authorized to practice law in California, nor an exception
7 to the practice of law as such Plaintiffs/Moving Parties cannot appear by
8 and through non-attorneys. The Motion lacks any merit, and is intended to
9 harass Defendant.

10 Accordingly, the Court should not accept the Motion for filing, and the
11 Court should inform the person filing the Motion, i.e., Kevin: Walker and
12 Donnabelle: Mortel, that they are engaging in the unauthorized practice of
13 law. The Court should not consider any of the pleadings filing by any entity
14 or fictitious person on behalf of Plaintiff, as Plaintiff must be
15 represented by counsel in this matter. This Court has authority to ignore
16 these pleadings and reprimand Moving Parties for wasting judicial resources,
17 pursuant to the California Code of Civil Procedure, section 128, which
18 provides:

- 19 (a) Every court shall have the power to do all of the following:
20 (1) To **preserve and enforce** order in its immediate presence.
21 ...
22 (3) To **provide for the orderly conduct of proceedings before it, or**
23 **its officers.**
24 (4) To **compel obedience to its judgments, orders, and process, and to**
25 **the orders of a judge out of court, in an action or proceeding pending**
26 **therein.**
27 (5) To **control in furtherance of justice, the conduct of its**
28 **ministerial officers, and of all other persons in any manner connected**
with a judicial proceeding before it, in every matter pertaining
thereto." (Emphasis added)

As can be seen from the Moving Papers, Plaintiffs have no authority to
file the Motion as it is filed without authority, is completely
incomprehensible and, more importantly, it fails to comply with the

1 California Rules of Court, California Code of Civil Procedure, and
2 California Business and Professions Code. Accordingly, the Court should
3 deny any relief at all and advise Moving Parties not to file additional
4 pleadings without the services of an attorney, as they are clearly
5 practicing law without a license. Additionally, the Court should sanction
6 Moving Parties for filing meritless Motions and continued harassing
7 Defendant and its attorneys with meritless claims.

8 II. ARGUMENT

9 As can be seen from the Moving Papers, Plaintiffs' requests are
10 completely nonsensical. Defendant filed a Notice of Related Case so the
11 Court would have the information about the extensive litigation related to
12 these Plaintiffs and the subject property.

13 Clearly, the Notice of Related Case was appropriate, as even the
14 Plaintiff concedes and/or asserts that his quiet title action, case no.
15 CVME2504043, allegedly somehow results in the UD being moot. Plaintiff
16 states, at page 4, line 3 of the Moving Papers:

17 "Plaintiff and/or secured parties hereby place the court on notice
18 that the pending unlawful detainer action, UDME2500465, initiated by
19 Marinaj Properties LLC, is procedurally and jurisdictionally void ab
initio due to the existence of this present quiet title action..."

20 While Plaintiff's statement is factually and legally incorrect, it also
21 establishes that the Notice of Related Case was properly filed to provide
22 the Court with the notice it needed regarding the pending litigation
23 surrounding this property. Defendant in no way attempted to consolidate the
24 actions, they merely wanted the Court to be advised they were related.

25 A. **Defendant Did Not Act in Bad Faith**

26 As can be seen from Plaintiffs' own moving papers, MARINAJ is the
27 Plaintiff in the UD Action (UDME2500947), and clearly wanted the Court to
28 be aware of the fact Defendant was in the process of evicting KEVIN WALKER

1 and DONNABELLE MORTEL, i.e., the alleged agents and representatives of
2 Plaintiffs in the within action.

3 **B. Defendant Asserts Plaintiffs are Practicing Law Without a License**
4 **and the Court Should Order Said Conduct to Cease and Desist as**
5 **it Violates the Business and Professions Code Regarding Acting**
6 **as an Attorney Without a License.**

7 Defendant is acting in good faith, and the intent of the Notice of
8 Related Case was to help avoid duplicate cases, conflicting orders, and
9 unnecessary hearings, particularly with regard to facts and law.
10 Accordingly, the within Motion should be denied in its entirety. Plaintiff
11 should be stayed and/or ordered to find a licensed attorney as WALKER and
12 MORTEL are practicing law without a license.

13 **C. The Unlawful Detainer Action is Not Rendered Moot, Neither Was**
14 **the Within Quiet Title Action.**

15 Contrary to the arguments set forth in the moving papers, the within
16 UD Action has little to no effect on the pending action, as unlawful
17 detainer actions merely deal with possession of property, not ownership
18 and/or title. Accordingly, the allegations set forth in the moving papers
19 are within merit.

20 As the court stated in Old National Financial Services, Inc. V. Richard
21 W. Seibert (1987) 194 Cal.App.3d 460, 465.

22 "[2] As a general rule, in unlawful detainer proceedings, only claims
23 bearing directly upon the right to possession are involved. (Vella v.
24 Hudgins (1977) 20 Cal. 3d 251, 255 [142 Cal. Rptr. 414, 572 P.2d 28].)
25 However, where title is acquired through proceedings described in Code
26 of Civil Procedure section 1161a, courts **must make a limited inquiry**
27 **into the basis of the plaintiff's title.** (Gonzalez v. Gem Properties,
28 Inc. (1974) 37 Cal. App. 3d 1029, 1035 [112 Cal. Rptr. 884].)

29 Our Supreme Court explained that where the plaintiff in the unlawful
30 detainer action is the purchaser at a trustee's sale, he or she "need
31 only prove a sale in compliance with the statute and deed of trust,
32 followed by purchase at such sale, and the defendant may raise
33 objections only on that phase of the issue of title. Matters affecting
34 the validity of the trust deed or primary obligation itself, or other
35 basic defects in the plaintiff's title, are neither properly raised in
36 this summary proceeding for possession, nor are they concluded by the
37 judgment." (Cheney v. Trauzettel (1937) 9 Cal. 2d 158, 160 [69 P.2d

1 832], italics added; see also Vella v. Hudgins, supra, 20 Cal.3d at p.
2 255.) **Further, the pendency of another action concerning title is**
3 **immaterial to the resolution of an unlawful detainer proceeding.**
4 (Evans v. Superior Court (1977) 67 Cal. App. 3d 162, 171 [136 Cal.
5 Rptr. 569]; Gonzales v. Gem Properties, Inc., supra, 37 Cal.App.3d at
6 p. 1035, citing Cruse v. Stein (1956) 146 Cal. App. 2d 688, 689-692
7 [304 P.2d 118]; see also Wood v. Herson (1974) 39 Cal. App. 3d 737,
8 743 [114 Cal. Rptr. 365].)" (Emphasis added)

9 Contrary to the assertions made in the moving papers, the UD Action
10 will be resolved separate and apart from the within action. The purpose of
11 the Notice of Related Case was only to advise the Court that Defendant was
12 in the process of evicting all persons in possession of the subject
13 property.

14 The remaining arguments set forth in the moving papers are nonsensical,
15 unintelligible, and impossible to respond to as drafted.

16 Defendant has asserted its interest in the subject property in both the
17 Answer and Cross-Complaint (which should be filed shortly), which are
18 verified and were timely served. Defendant is entitled to file a Cross-
19 Complaint as a matter of right. Defendant advised the Court of the related
20 cases for information purposes. Accordingly, there are no grounds for the
21 within Motion.

22 **D. The Court Should Not Strike Defendant's Notice of Related Case.**

23 While Plaintiff makes numerous conclusionary statements without support
24 or legal authority regarding the purpose of the Notice of Related Case, this
25 Court is well aware that as an officer of the Court, counsel for Defendant
26 is obligated to disclose the ongoing litigation between Plaintiff and
27 Defendant in this action, as it relates directly to the subject property.
28 Therefore, there is no basis to strike the Notice of Related Case. The Court
can utilize the information as it chooses.

**E. There is No Trademark Violation for Commercial Liability to
Anyone.**

Plaintiffs go to great lengths to assert trademark violation regarding

1 the alleged nonsensical assertion that the names Kevin Walker and/or
2 Donnabelle Mortel are somehow subject to trademark or copyright protection.
3 While there is authority for copyrighting and trademarking works of art or
4 intellectual property, there is no authority, nor has moving party asserted
5 any authority for the proposition that anyone's name could be copyrighted
6 and trademarked so as to entitle those individuals a right to claim damages.
7 No authority is cited and is completely irrelevant to this motion.

8 More importantly, Moving Parties and/or Plaintiffs would not have
9 standing to assert said trademark and/or copyright damages by and through
10 the within litigation. Plaintiffs' actions and continued use of the court
11 system to abuse the process, drive up attorney's fees, and waste judicial
12 time and resources should not be tolerated.

13 It is, once again, respectfully requested that the Court exercise its
14 authority under Section 128 of the Code of Civil Procedure, and prevent
15 these Moving Parties from filing any document and/or writing in this action
16 unless Plaintiffs are represented by counsel.

17 Alternatively, it is requested that this Court should at least require
18 the Court to approve any and all documents and filings before they are filed
19 with the clerk's office so as to avoid the continual abuse of process
20 whereby Plaintiffs bury Defendant's counsel with meritless and meaningless
21 motions that must be responded to so as to preserve Defendant's rights to
22 due process and avoid waiver of rights.

23 III. CONCLUSION

24 For all the reasons set forth above, the Motion should be stricken in
25 its entirety, and this Court should order no further pleadings be accepted
26 from Plaintiffs unless filed by an attorney on behalf of Plaintiffs, and

27 / / /

28 / / /

1 that Plaintiffs provide a number for future meet and confers and ex parte
2 notices.

3 DATED: May 16, 2025.

THE BAILEY LEGAL GROUP

4 By: Therese Bailey
5 John L. Bailey
6 Therese Bailey
7 Attorneys for Defendant/Cross-
8 Complainant MARINAJ PROPERTIES LLC
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PROOF OF SERVICE BY MAIL (1013A, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

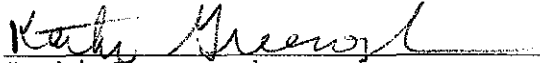
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 25014 Las Brisas South, Suite B, Murrieta, CA 92562.

On May 16, 2025, I served the within Opposition to Plaintiffs' "Verified Notice, Conditional Acceptance, Rebuttal Motion, and Demand to Strike Fraudulent Related Case Designation, with Affirmation of Non-Related Standing and Motion and Demand for Sanctions Against Plaintiff and Counsel for Fraud and Counsel for Fraud Upon the Court and Bad Faith Attempted Joinder" on the interested parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Riverside, California, addressed as follows:

Kevin Walker
Donnabelle Mortel
c/o 30650 Rancho California Road # 406-251
Temecula, CA 92591

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

Executed on May 16, 2025 at Murrieta, California.


Kathi Greenough