

JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

U.S. BANK N.A.,  
Plaintiff,

v.

OCEAN TOWERS HOUSING  
CORPORATION, et al.,  
Defendants.

CV 16-6251 DSF (Ex)

JUDGMENT

The Court having granted Plaintiff U.S. Bank N.A.'s motion for summary adjudication (1) in favor of its breach of contract claim against Ocean Towers Housing Corporation (OTHC), (2) in favor of its claim for declaratory relief, and (3) against Defendant Seif Ascar's counterclaim to quiet title and having dismissed all other claims at Plaintiff's request,

**IT IS DECLARED:**

1. The judgment for unlawful detainer entered against defendants Omar Spahi individually and as Trustee of the Cacciatore Trust and Bella Ragazza Trust and John Spahi, as Trustee of the Spahi Family Trust in the matter Ocean Towers Housing Corporation v. Omar Spahi, et al., Case No. 13R05991 (Superior Court of California, County of Los Angeles) is set aside. USB's security interest in Unit 1601-B in Ocean Towers, as evidenced by the First Capital Deed of Trust, recorded with the Recorder's Office of Los Angeles County as document number 05-3225312, was unaffected by the unlawful detainer judgment and remains viable and enforceable against Unit 1601-B.

2. OTHC was not entitled to terminate the lease or cancel the shares of OTHC stock issued to Fadila Spahi associated with Unit 1601-B in Ocean Towers (Share Certificate No. 1409). Any purported termination of the lease and cancellation of shares is void and has no effect. Therefore, the transfer of any interest in Unit 1601-B, including the transfer of shares of capital stock of OTHC purportedly issued after entry of the void unlawful detainer judgment, from OTHC to The Breeze Trust, or any other person or entity, is also void.

IT IS FURTHER ORDERED AND ADJUDGED that Seif Ascar and the Breeze Trust are not entitled to quiet title on Unit 1601-B and are not bona fide purchasers of the unit for value.

Plaintiff is to recover costs of suit pursuant to a bill of costs filed in accordance with 28 U.S.C. § 1920.

IT IS SO ORDERED.

Date: October 25, 2019



Dale S. Fischer  
United States District Judge