

BEFORE THE OFFICE OF TAX APPEALS

STATE OF CALIFORNIA

IN THE MATTER OF THE	)	OTA NO. 221111782
APPEAL OF:	)	
	)	
D. SINGH,	)	
	)	
Appellant.	)	
_____	)	

CERTIFIED COPY

TRANSCRIPT OF PROCEEDINGS

FRESNO, CALIFORNIA

WEDNESDAY, OCTOBER 18, 2023

Reported by:

Cynthia P. Hernandez  
CSR No. 13521

Job No.:  
44696 OTA(A)

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taken at 855 M Street, Suite 960, Fresno,  
California, commencing at 11:00 a.m.  
on Wednesday, October 18, 2023, reported  
by Cynthia Hernandez, CSR No. 13521, a  
Certified Shorthand Reporter in and for  
the State of California.

1 APPEARANCES:

2  
3 Panel: TERESA STANLEY

4  
5 For the Appellant: MANREET S. LADHAR

6  
7 For the Respondent: CALIFORNIA  
8 FRANCHISE TAX BOARD  
9 TOPHER TUTTLE  
JACKIE ZUMAETA

I N D E X

E X H I B I T S

(Appellant's Exhibits 1-2 were received in evidence at  
page 6)

(Appellant's Exhibit 3 was received in evidence at  
page 12)

(Appellant's Exhibits 4-5 were received in evidence at  
page 24)

(Department's Exhibits A-F were received in evidence at  
page 7)

P R E S E N T A T I O N S

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BY MR. LADHAR 8

BY MR. TUTTLE 14

1 FRESNO, CALIFORNIA; WEDNESDAY, OCTOBER 18, 2023

2 11:00 A.M.

3  
4 JUDGE STANLEY: Let's go on the record. This is the  
5 appeal of Singh, case number 221111782. October 18th,  
6 2023. And the time is approximately 11:00 a.m.

7 Once again, I'm Judge Stanley, and I will conduct  
8 this hearing using OTA's small case procedures.

9 I'm going to ask you to identify yourselves and  
10 who you represent, if you are a representative, starting  
11 with the appellant, please.

12 MR. LADHAR: Hi, Judge. This is Manreet Ladhar, and  
13 I'm representing Davindra Singh.

14 JUDGE STANLEY: Thank you.

15 And you have two witnesses or one?

16 MR. LADHAR: Just one. His sister, Rajdeep Kaur.

17 JUDGE STANLEY: Okay. And I'll check back with you on  
18 that in a minute.

19 Franchise Tax Board?

20 MR. TUTTLE: My name is Topher Tuttle, representing  
21 Franchise Tax Board. And with me is Jacqueline Zumaeta,  
22 also of Franchise Tax Board.

23 JUDGE STANLEY: Okay. Welcome to the Office of Tax  
24 Appeals. OTA is independent of the Franchise Tax Board  
25 and any other tax agency. We're staffed by our own tax

1 experts and we have -- we're not a court, but we're an  
2 independent appeals panel.

3 The only evidence that we have in our record is  
4 what has been submitted on appeal, so anything that was  
5 sent to the Franchise Tax Board may -- and wasn't sent  
6 to us would not be in our records, so just to make that  
7 clear.

8 The issue to be decided in this appeal is whether  
9 appellant has established error in Franchise Tax Board's  
10 proposed assessment for taxable year 2019.

11 I have appellant had not submitted any exhibits  
12 prior to the prehearing conference and then submitted a  
13 January 2019 bank statement and a December 2019 bank  
14 statement prior to the deadline that we set at  
15 prehearing conference. I will mark them as Exhibits 1  
16 and 2 respectively.

17 (Appellant's Exhibits 1 and 2 were marked for  
18 identification.)

19 JUDGE STANLEY: Mr. Tuttle, does the Franchise Tax  
20 Board object?

21 MR. TUTTLE: No.

22 JUDGE STANLEY: Okay. So those will be admitted  
23 without objection.

24 (Appellant's Exhibits 1 and 2 were admitted.)

25 JUDGE STANLEY: Franchise Tax Board submitted Exhibits

1 A through F.

2 And, Mr. Ladhar, you had stated at the prehearing  
3 conference that you didn't have copies, but you did get  
4 the ones that were sent out with my minutes and orders?

5 MR. LADHAR: Yes.

6 JUDGE STANLEY: Okay. Good.

7 And at this time, do you have any objection to  
8 admitting those exhibits?

9 MR. LADHAR: No.

10 JUDGE STANLEY: Okay. So Exhibits A through F will  
11 also be admitted.

12 (Department's Exhibits A-F were admitted.)

13 JUDGE STANLEY: We have one witness: Ms. Kaur. I'm  
14 going to just swear you in preliminarily so that we have  
15 that taken care of.

16 Would you raise your right hand, please?

17  
18 RAJDEEP KAUR,  
19 called as a witness,  
20 was administered the oath  
21 and testified as follows:

22 JUDGE STANLEY: We'll start with appellant's  
23 presentation. Mr. Ladhar has asked for 45 minutes,  
24 including witness testimony. So you may begin when  
25 ready. You can make a statement first. You can have

1 Ms. Kaur testify in a narrative or ask her questions.  
2 However you want to proceed.

3  
4 PRESENTATION

5 MR. LADHAR: Yeah. I haven't talked to Rajdeep  
6 before, so I was wondering if we could just see her and  
7 get her testimony first.

8 JUDGE STANLEY: Oh, sure. She'll need to be near the  
9 microphone.

10 MR. LADHAR: Sure.

11 MS. KAUR: He is my brother, so he -- from 19 he was  
12 starting drugs, so he was -- have no job. And then I  
13 and then my dad was helping him. And we sent him to  
14 India to stop taking the drug and then have some --  
15 like, take care over there. And so he have no job,  
16 nothing. And I'm the one -- and my dad was taking over  
17 the food, clothes and everything, whatever he needed.  
18 And so -- until now. And then, finally, now he has a  
19 job now.

20 JUDGE STANLEY: Is that what you wanted to say?

21 MS. KAUR: Yes.

22 JUDGE STANLEY: Okay. Mr. Tuttle, does Franchise Tax  
23 Board have any questions?

24 MR. TUTTLE: No, not at this time.

25 JUDGE STANLEY: Okay. And I do, because this is



1 specifically about the house.

2 Can you please address the how the house was being  
3 paid for?

4 MS. KAUR: The -- my husband's -- I mean, my brother's  
5 wife who take care of those -- the house. She's the one  
6 who pay everything and --

7 JUDGE STANLEY: Okay. And how do you know this? You  
8 know just because he told you that?

9 MS. KAUR: Yeah. He told me everything.

10 JUDGE STANLEY: Mr. Singh, would you like to be sworn  
11 in and testify so that you can explain that as well?

12 MR. SINGH: Yes.

13 JUDGE STANLEY: Can you please raise your right hand?

14  
15 DEVINDRA SINGH,  
16 called as a witness,  
17 was administered the oath  
18 and testified as follows:  
19

20 JUDGE STANLEY: Okay. Thank you.

21 You can go ahead and tell me whatever details  
22 about that that you would like to.

23 MR. SINGH: Okay. I was a drug addict. And then my  
24 house, taking care of -- my house, my wife was taking  
25 care of all the bills and stuff. So I was just getting

1 the help from my sister and my dad a little bit. And  
2 then whatever money we just get or, like -- she was  
3 working at that time. She had a job, so she paid -- she  
4 paid the payments and stuff. So that's how we paid the  
5 payments. It was her help.

6 And then my sister and my dad, they was helping  
7 with the food and they helped with the clothes and  
8 stuff. But since I sold that house, I've been living  
9 with my dad.

10 JUDGE STANLEY: Mr. Tuttle, do you have questions for  
11 Mr. Singh?

12 MR. TUTTLE: No.

13 JUDGE STANLEY: So can you explain how your wife  
14 paid -- made the mortgage payments? How did she do it?  
15 Did she give it to you? Did she pay it directly?

16 MR. SINGH: She paid it directly. Sometimes she put  
17 some money in my account. It go from my account.  
18 Sometimes she paid directly.

19 JUDGE STANLEY: Okay. And the bank statements that  
20 you submitted, did those show her payments?

21 MR. LADHAR: It only shows a few of them. If you go  
22 to the bank statements, only two payments went through  
23 to the mortgage company for 2019.

24 JUDGE STANLEY: Well, we only have two bank  
25 statements, so -- do you have the rest of them or is

1   there a way to -- I'm just wondering if there's a way  
2   that you can show us evidence that this is how it  
3   happened.

4       MR. LADHAR:   Only two payments went out from his bank  
5   account.   And the rest, we don't know how she paid it.  
6   The service can summon them and get them from the  
7   mortgage company.

8       JUDGE STANLEY:   Are those the bank statements you are  
9   looking at?

10      MR. LADHAR:   Yes.

11      JUDGE STANLEY:   Okay.   I think it would be helpful for  
12   the Office of Tax Appeals and for the Franchise Tax  
13   Board to have copies of all of them for 2019, because  
14   then it will show whether payments were going out of the  
15   account toward the mortgage or not.

16           Can I take a recess and ask the staff to make --

17      MR. LADHAR:   There are two that I can see here.

18      JUDGE STANLEY:   Two statements?

19      MR. LADHAR:   On -- this is a January -- December 6,  
20   2019, to January 7th statement.   And then there is  
21   October 5, '19, to November 6th payment to the mortgage.  
22   The rest of the months, don't have that.

23      JUDGE STANLEY:   I understand, Mr. Ladhar.   What I'm  
24   asking is if we could take copies of the entire year's  
25   worth and have that reviewed by the Franchise Tax Board.

1 MR. LADHAR: Sure. No problem.

2 JUDGE STANLEY: So I'm going to recess for  
3 approximately 10 minutes. If you would hand those to  
4 Claudia, then we'll resume.

5 MS. ZUMAETA: Judge Stanley, I just want to confirm  
6 with the appellant that you guys are okay with  
7 submitting all of those. I didn't want to take anything  
8 from them that they don't feel comfortable providing.

9 MR. LADHAR: That's fine.

10 MS. ZUMAETA: Okay. Thank you.

11 JUDGE STANLEY: Thanks for clarifying, Ms. Zumaeta.

12 (Off the record)

13 JUDGE STANLEY: Let's go back on the record.

14 Mr. Tuttle, have you had enough opportunity to  
15 review the documents that were presented?

16 MR. TUTTLE: Yes, we have. Thank you.

17 JUDGE STANLEY: Do you have any objection to admitting  
18 them into the record?

19 MR. TUTTLE: We have no objection to them being  
20 admitted.

21 JUDGE STANLEY: Okay. So this will be admitted as --  
22 these bank statements will be admitted as appellant  
23 Exhibit 3.

24 (Appellant's Exhibit 3 was admitted.)

25 JUDGE STANLEY: So after this, Mr. Tuttle, do you have

1 any follow-up questions for the witness, for Mr. Singh?

2 MR. TUTTLE: We do not have any witness questions.

3 JUDGE STANLEY: Okay. I had one additional,  
4 Mr. Singh.

5 Is this your only bank account?

6 MR. SINGH: Yes.

7 JUDGE STANLEY: I see a lot of transfers in from  
8 another account. Do you know whose account that would  
9 be?

10 MR. SINGH: I'm not a hundred percent sure. Most  
11 likely it's my wife's account.

12 JUDGE STANLEY: There's -- for example, I see it's an  
13 account ending in 1193 and there's \$500 here, \$200  
14 there, \$300, \$250. So --

15 MR. SINGH: Those came from her, yes.

16 JUDGE STANLEY: That would be deposits from your wife?

17 MR. SINGH: Yes.

18 JUDGE STANLEY: Thank you for clarifying.

19 Do you have anything else that you want to tell me  
20 at this time?

21 MR. SINGH: Not really.

22 JUDGE STANLEY: Okay. And, Mr. Ladhar, do you have  
23 anything that you would like to -- do you have a  
24 statement that you would like to make?

25 MR. LADHAR: Judge, I'd just like to say that service

1 determined based on the interest paid is \$13,000, and  
2 they determined based on that, that my client should be  
3 making \$81,000.

4 While I been -- I have experience being an agent,  
5 so I really see the point, because they want everybody  
6 to file their tax returns. When -- it was too late for  
7 me to talk to an agent, because it already went to the  
8 appeals by the time it comes to me.

9 But my perception for this is, even when I was an  
10 agent for 10 years, I was not making that much. And I  
11 don't know if anybody makes in -- without any education  
12 and being a drug addict that can make \$81,000. And the  
13 services base their taxes on -- so I'd really like you  
14 to consider the situation for my client and what we  
15 presented to you. Thank you.

16 JUDGE STANLEY: Okay. Thank you.

17 I'll address some of the other exhibit issues  
18 after we finish up everything else. So I'm going to  
19 turn to Mr. Tuttle for the Franchise Tax Board's  
20 presentation.

21  
22 PRESENTATION

23 MR. TUTTLE: Thank you.

24 Good morning. My name is Topher Tuttle and I'm  
25 representing respondent, Franchise Tax Board, today.

1 With me is Jacqueline Zumaeta, also representing  
2 respondent.

3 At issue today is, first, whether appellant has  
4 established error in FTB's proposed assessment for the  
5 2019 tax year.

6 Second, whether appellant has established  
7 reasonable cause to abate the delinquent filing penalty.

8 And, third, whether interest may be abated.

9 Turning to the first issue, FTB's assessment is  
10 based on mortgage interest paid under his name during  
11 tax year 2019. Based on these payments, FTB's rather  
12 conservative income ratio indicates appellant household  
13 income exceeded \$81,000; thus, when appellant failed to  
14 file a tax return, FTB issued a proposed assessment  
15 based on this income estimate.

16 Although appellant claims to have earned no income  
17 during tax year 2019, appellant has not provided  
18 documentation to establish that he was unable to work  
19 because of a drug addiction.

20 Appellant has provided limited bank statements,  
21 which do not give a full picture of appellant household  
22 finances. In particular, respondent notes that the  
23 statement with the largest deposits is missing a page  
24 showing the source of the deposits and the designation  
25 of the withdrawals.

1           In addition, appellant has not provided any  
2 documentation of his purported drug addiction, such as a  
3 doctor's statement or records of admittance to a drug  
4 treatment center.

5           Although appellant spouse filed a married filing  
6 separate tax return for tax year 2019, her reported  
7 income was only \$46,000. Appellant mortgage interest  
8 payments indicate that his household income exceeded  
9 \$81,000.

10           Unsupported assertions are insufficient to meet a  
11 tax payer's burden of proof. And tax payer's failure to  
12 provide evidence that is within his or her control gives  
13 rise to a presumption that such evidence provided would  
14 be unfavorable; thus, appellant has not met his burden  
15 of proof to establish error in respondent's proposed  
16 assessment.

17           Next, FTB properly imposed a delinquent filing  
18 penalty when appellant failed to timely file a tax  
19 return for tax year 2019. To date, appellant still has  
20 not filed this tax return. Although the delinquent  
21 filing penalty may be abated upon a showing of  
22 reasonable cause, appellant has not made a reasonable  
23 cause argument for abatement of the delinquent filing  
24 penalty. Thus, the penalty may not be abated.

25           Finally, regarding accrued interest, there is no



1 reasonable cause exception to the imposition of  
2 interest, and appellant has not alleged or established  
3 any of the statutory grounds for interest abatement;  
4 thus, interest may not be abated in this matter.

5 In conclusion, appellant has failed to satisfy his  
6 burden of proof. Since appellant has not demonstrated  
7 error in respondent's proposed assessment or established  
8 any grounds for abatement of the penalty of interest,  
9 respondent's action should be sustained.

10 I'm happy to answer any questions that you may  
11 have. Thank you.

12 JUDGE STANLEY: Thank you.

13 I don't have any questions at this time. So I'll  
14 turn it back to you, Mr. Ladhar, if you want to respond  
15 to anything that the Franchise Tax Board said.

16 MR. LADHAR: Yes. My only reason is, like, okay, we  
17 are requesting tax return in '19. So the assessed -- my  
18 understanding is they already filed it, so we don't have  
19 to keep on filing the tax returns. And we paid the tax  
20 penalties and interest already, so there should be no  
21 balance right now. And that's why we didn't file the  
22 tax return.

23 And until today, service already reviewed his  
24 spouse's tax return to determine that she made \$46,000  
25 income.

1 I don't have any statistics to prove that a home  
2 and two people, they need \$81,000 to survive on in  
3 Fresno. But if that's -- the service think, then I  
4 don't think it's fair to my client while he was addict  
5 and surviving and thinking that he didn't make any  
6 money, so that's why he didn't file it. And his wife  
7 did make the money, so she filed it as married filing  
8 separate.

9 So I -- while I agree with the service that they  
10 had to file and he should be filing sales, because he  
11 thinks that he didn't make it, that's not -- we tell  
12 people if they didn't have the income, they are not  
13 supposed to file their tax returns.

14 So we are making it mandatory for clients that  
15 they think they don't have any income, then they have to  
16 file it just because if interest -- payments were made  
17 by the wife, third parties, that -- you know, so based  
18 on that, he's supposed to be filing tax returns, even  
19 though he's saying to everybody that he did not have  
20 work that year. That's it.

21 JUDGE STANLEY: Okay. I just have a clarification  
22 question. Are you saying that you thought the Franchise  
23 Tax Board filed a return for him?

24 MR. LADHAR: Well, it says what does the return look  
25 like and how much is taxes and penalties and everything?

1 That's why when we came along they said, "Pay the tax  
2 that's owed right now, and then we can appeal it."

3 So we already did it. I mostly have experience  
4 with IRS, so if they assess you and you don't owe  
5 changes, you pay it and be done with it, because they  
6 file your tax returns. I don't know if -- they may be  
7 different, so I'm sorry on my part.

8 JUDGE STANLEY: Can you clarify, Mr. Tuttle?

9 MR. TUTTLE: So respondent's proposed assessment will  
10 show, you know, income estimates and standard deduction  
11 and, you know, tax due, a simple calculation, but that  
12 is not a substitute return. Respondent does not file  
13 returns on taxpayers' behalf.

14 MR. LADHAR: Thank you. We'll file that.

15 JUDGE STANLEY: Okay. Do you have anything more to  
16 add, Mr. Ladhar?

17 MR. LADHAR: No, Judge.

18 JUDGE STANLEY: I do have a follow-up question for  
19 Mr. Singh.

20 So I'm looking at the December 2019 bank  
21 statement. Is that the one showing the house payment  
22 and the amount?

23 MR. LADHAR: It shows 1,751 in the month of October  
24 that was made on October 15th. It says "mortgage:  
25 22335 (sic)." The next month it went up to 1,826.46.

1           And they were in delinquent, and then that's why  
2 they sold in '21.

3           JUDGE STANLEY: Can you repeat that last part?

4           MR. LADHAR: I said I just talked to him, like, who  
5 was making payments in '21 and, you know, before they  
6 sold the home. So he was telling me because they were  
7 not making payments for over a year, so -- but the  
8 mortgage company gave them a time, because of COVID, to  
9 sell their home. So then that's how they sold it.

10           They also got some insurance claim for 14,700 in  
11 2020 pertaining to a robbery or something in the house.

12           JUDGE STANLEY: Okay. Another clarifying question for  
13 Mr. Tuttle: Has this been converted to a claim for  
14 refund? I thought I heard that they paid the tax.

15           MR. TUTTLE: So, I'm sorry, I don't have that right in  
16 front of me. That's something I can provide post  
17 hearing.

18           JUDGE STANLEY: Okay.

19           MR. TUTTLE: Post-hearing submission.

20           JUDGE STANLEY: And I am probably leaving the record  
21 open, so...

22           MR. LADHAR: We do have a check copy that we sent out  
23 in 2022.

24           JUDGE STANLEY: Okay. Does anybody have anything else  
25 to present at this time?

1 MR. LADHAR: No, ma'am.

2 JUDGE STANLEY: Okay. I'm going to hold the record  
3 open. If you think you can come up with page 2, missing  
4 page 2 of the January 2019 statement.

5 MR. LADHAR: We'll look today when we go back. And if  
6 there is, I will upload it.

7 JUDGE STANLEY: Okay. And for your other witness who  
8 couldn't be here today, would he be testifying to the  
9 same things that Ms. Kaur and Mr. Singh testified to?

10 MR. LADHAR: Most likely, I think.

11 JUDGE STANLEY: Okay. So I take it that all the  
12 information that they presented would just be duplicated  
13 by him, that we don't need to get him to do a witness  
14 declaration? Is that correct?

15 MR. LADHAR: Yes.

16 JUDGE STANLEY: Okay.

17 MR. LADHAR: He only -- that's why he is still working  
18 on the road.

19 JUDGE STANLEY: Okay. And when we were going through  
20 the bank statements, I checked, and it looks like you  
21 have uploaded some new documents today.

22 MR. LADHAR: Only a tax return for '17, where they are  
23 filing married -- filing joint, to show that -- his  
24 wife's social and stuff. So at least we can pull the  
25 record.

1 JUDGE STANLEY: Okay. And then there is what's  
2 labeled an "India visit record and wife information."

3 Is -- what do you see as the relevance of these  
4 documents?

5 MR. LADHAR: We uploaded because we were saying, like,  
6 the wife make the payments, you know, so -- and we  
7 didn't know the information, so he brought it the day  
8 before yesterday. And then we just uploaded it to tell  
9 this is the wife. Because we don't have -- any way to  
10 figure out how much she made and stuff.

11 JUDGE STANLEY: Okay. Is there a reason why these  
12 weren't sent in by the deadline that I set?

13 MR. LADHAR: The record was not given to us, so it  
14 came this week. So that's why we submitted it. It's  
15 only the first page of 1040.

16 JUDGE STANLEY: And you think that this will show --  
17 the tax return -- the 2017 tax return, how does that  
18 relate to the his circumstances in 2019?

19 MR. LADHAR: I think the last meeting we had we didn't  
20 know her social or anything to -- for service to pull  
21 any record, so it was advised that we need to give you  
22 probably her social or something so service can pull it  
23 up, which they did.

24 JUDGE STANLEY: Okay. All right. I don't think that  
25 these are going to be necessary for what we have to

1 decide here today. So unless the Franchise Tax Board  
2 would like them to be admitted as well, I'm probably not  
3 going to admit them.

4 MS. ZUMAETA: So I heard that you mentioned that  
5 there's a record of a visit to India. That was one of  
6 the things that we had requested, that if he had been in  
7 India receiving drug treatment, that we would like to  
8 see a record of that. So if that is one of the new  
9 documents that were just uploaded, that may help.

10 JUDGE STANLEY: Okay. And you don't need information  
11 about Mr. Singh's wife, like her social security?

12 MS. ZUMAETA: No. We wouldn't need that. We have  
13 that information.

14 JUDGE STANLEY: The only thing I can say about the  
15 bank account statement is that it does show that her  
16 account is the one that's depositing in here. So maybe  
17 we should admit that after all. Okay.

18 MR. LADHAR: Also, I thought we submitted his passport  
19 copies and letters before, that he was in India. I  
20 don't know if you guys have that.

21 JUDGE STANLEY: Can I just say I do see the India  
22 visit record. You uploaded that today. And I do see  
23 the spouse information that includes her bank account  
24 number so that we can cross-reference with these  
25 statements. And the first couple pages of a 2017 joint

1 tax return is helpful. So I'll mark the India visit  
2 record as Exhibit 4 and the wife's information as  
3 Exhibit 5.

4 (Appellant's Exhibits 4 and 5 were marked for  
5 identification.)

6 JUDGE STANLEY: So I'm going to hold the record open  
7 for you to get the page -- the missing page 2. And I'm  
8 going to admit Exhibit 4 and 5 into the record.

9 (Appellant's Exhibits 4 and 5 were admitted.)

10 JUDGE STANLEY: And then how many days do you think  
11 you'll need to get us that missing page?

12 MR. LADHAR: If we have it in the office, we'll upload  
13 it today. And if not, then he needs --

14 MR. SINGH: I'll go today and bring it.

15 MR. LADHAR: Probably a few days.

16 JUDGE STANLEY: I'm just going to give you two weeks  
17 to be safe. And after you submit that, then the Office  
18 of Tax Appeals will acknowledge that you -- that we  
19 received it. And I'll -- we'll give the Franchise Tax  
20 Board 30 days to be able to review and respond to all  
21 the new exhibits.

22 And what was the other question that you were  
23 going to get back to me about?

24 MR. TUTTLE: You asked whether it had been converted  
25 to claim for refund, so we have provided that.



1 JUDGE STANLEY: Okay. Great.

2 So the written opinion will be issued within  
3 100 days of the -- of the closing of the record. So  
4 that will be after the Franchise Tax Board has submitted  
5 its additional briefing. So that's when the clock  
6 starts ticking for the hundred days. And with that, I'm  
7 going to recess, because we have a hearing that will  
8 begin approximately at 1:00 p.m. And thank you all for  
9 coming and participating.

10 (Proceedings concluded at 11:45 a.m.)  
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1 REPORTER'S CERTIFICATE

2  
3 I, CYNTHIA P. HERNANDEZ, CSR NO. 13521, Certified  
4 Shorthand Reporter, certify;

5 That the foregoing proceedings were taken before me  
6 at the time and place therein set forth.

7 That the testimony of the witness, the questions  
8 propounded, and all objections and statements made were  
9 recorded stenographically by me and were thereafter  
10 transcribed;

11 That the foregoing is a true and correct transcript  
12 of my shorthand notes so taken.

13 I further certify that I am not a relative or  
14 employee of any of the parties, nor financially  
15 interested in the action.

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

18 Dated this 10th day of November, 2023.

19  
20 .  
21

22 CYNTHIA P. HERNANDEZ, CSR NO. 13521  
23  
24  
25

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