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APPEARANCES:

Panel Lead: ALJ SUZANNE B. BROWN

Panel Members: ALJ MICHAEL F. GEARY
ALJ GREG TURNER

For the Appellant: A. ABOLFAZLI

For the Respondent: STATE OF CALIFORNIA
DEPARTMENT OF TAX AND
FEE ADMINISTRATION

AMANDA JACOBS
CHAD BACCHUS
JASON PARKER

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I N D E X

E X H I B I T S

(Appellant's Exhibits 1-4 were received into evidence at page 9.)

(Department's Exhibits A-L were received into evidence at page 10.)

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California; Wednesday, August 20, 2025

1:16 p.m.

JUDGE BROWN: We will go on the record.

And we are on the record for the Appeal of Abolfazli. This is OTA Case No. 240215362. Today is Wednesday, August 20th, 2025, and it is approximately 1:16 p.m. We're holding this hearing electronically over Zoom with the agreement of all parties.

I will start by asking each of the participants to please state their names for the record, and I'm going to start with the CDTFA representatives.

MS. JACOBS: Amanda Jacobs, attorney in the Department's legal division.

MR. BACCHUS: Chad Bacchus, also an attorney in the Department's legal division.

MR. PARKER: And Jason Parker, Chief of Headquarters Operations Bureau with the Department.

JUDGE BROWN: Okay. Thank you.

And next I'm going to ask Appellants, Dr. Abolfazli, if you can please identify yourself for the record.

MR. ABOLFAZLI: Yes. Amin Abolfazli, the taxpayer.

JUDGE BROWN: Okay. And now I'll ask each of

1 Appellant's witnesses to identify themselves.

2 Ms. Camarena.

3 MS. CAMARENA: Linda Camarena, Amin's wife.

4 JUDGE BROWN: All right. And, Mr. Aydian, can
5 you identify yourself?

6 I think you are muted.

7 Can we unmute Mr. Aydian?

8 Mr. Aydian, can you identify yourself for the
9 record?

10 MR. AYDIAN: Erkan Aydian.

11 JUDGE BROWN: Thank you.

12 And Mr. Khoshniat, can you please identify
13 yourself for the record. And you are muted Mr. Khoshniat.
14 Can you unmute? You're still muted.

15 I'll ask our staff if you can unmute
16 Mr. Khoshniat.

17 MR. KHOSHNIAT: Amir Khoshniat.

18 JUDGE BROWN: Thank you, everyone.

19 All right. I'm Suzanne Brown, and I'm the lead
20 Administrative Law Judge for this case. My co-panelists
21 today are Judge Greg Turner and Judge Michael Geary.
22 Although I am the lead panel member for purposes of
23 conducting the hearing, all three panel members are
24 co-equal decision makers in this process and are free to
25 ask questions or otherwise speak up at any time.

1 This hearing is before the Office of Tax Appeals
2 or OTA. OTA is not a court but is an independent appeals
3 body. OTA is staffed by tax experts and is independent
4 from the State's tax agencies, including independent from
5 CDTFA. Because OTA is a separate agency from CDTFA,
6 arguments and evidence that were previously presented to
7 CDTFA are not necessarily part of the record for our case
8 today, unless those arguments and evidence have been
9 submitted to OTA. OTA's written opinion for this appeal
10 will be based upon the briefs the parties have submitted
11 to OTA, the exhibits that will be admitted into evidence
12 today, and the arguments presented at the hearing today.
13 As a reminder, the panel does not engage in what's called
14 ex parte communications, meaning that the panel members do
15 not speak to one party without the other party present.

16 I'm just going to briefly go over a few
17 logistical things before we hear the parties'
18 presentations. We had a prehearing conference in July,
19 and I issued a document called Prehearing Conference
20 Minutes and Orders. And as we discussed at the prehearing
21 conference and as confirmed in the Minutes and Orders, the
22 issue for the hearing is whether Appellant is personally
23 liable for the unpaid sales and use tax liabilities of
24 Amin Auto Group, Inc., for the period January 1st, 2019
25 through July 31st, 2019, pursuant to Revenue & Taxation

1 Code section 6829.

2 I'll just ask first, Dr. Abolfazli, can you
3 confirm that's your understanding of the issue?

4 MR. ABOLFAZLI: Yes, I do.

5 JUDGE BROWN: Okay. And, CDTFA, that's your
6 understanding of the issue also?

7 MS. JACOBS: Correct.

8 JUDGE BROWN: Okay. I'm just going to briefly
9 discuss the exhibits, and then I will admit exhibits into
10 the record. Both parties timely submitted proposed
11 exhibits by the deadline, which was 15 days prior to the
12 hearing. I asked the parties to submit any objection to
13 admission prior to the hearing. In terms of the exhibits,
14 Appellant submitted six pages in a PDF document and then
15 also separately an Excel spreadsheet. I was going to mark
16 the exhibits in Appellant's PDF document as Exhibits 1
17 through 3. I was going to mark Exhibit 1 as the Secretary
18 of State statement of information, and then Exhibit 2 as
19 the CDTFA notes of conversations, and then Exhibit 3 is
20 the printouts of the text messages.

21 Dr. Abolfazli, does that work to mark those as 1
22 through 3?

23 MR. ABOLFAZLI: Absolutely.

24 JUDGE BROWN: Okay. And then I will mark the
25 Excel spreadsheet as your Exhibit 4.

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MR. ABOLFAZLI: Perfect.

JUDGE BROWN: Okay. Thank you.

And CDTFA did not raise any objection to admitting these documents into evidence.

And so I'll just confirm, CDTFA, you have no objection to admitting Appellant's Exhibits 1 through 4 into evidence?

MS. JACOBS: No. Thank you.

JUDGE BROWN: Okay thank you.

And then Appellant's Exhibits 1 through 4 are admitted into evidence.

(Appellant's Exhibits 1-4 were received into evidence by the Administrative Law Judge.)

JUDGE BROWN: Next CDTFA timely submitted its proposed exhibits that are marked Exhibits A through L. I will note that Exhibits K and L were ones that I requested during the prehearing conference, so that we would have the reaudit and the options letter in the record. Briefly I'll just recap that during the prehearing conference, Appellant raised an objection to admission of some of the pages in CDTFA's exhibits; the pages that contain text messages. And I overruled that objection because it pertains to the weight the panel should give to the messages, but not to the admissibility discovered by OTA's Regulation 30214. And there were no grounds that

1 Appellant raise warranted not admitting the documents, but
2 Appellant is free to raise arguments regarding the weight
3 that those documents should receive, and we will consider
4 those arguments. We did not receive any other objections
5 to CDTFA's Exhibits A through L.

6 And, Dr. Abolfazli, I'll just confirm you do not
7 have any other objections to admitting those documents
8 into the record so that the panel may consider them as
9 part of the hearing today; correct?

10 MR. ABOLFAZLI: That's correct. No objection.

11 JUDGE BROWN: Thank you very much.

12 Then CDTFA's Exhibits A through L are admitted.

13 (Department's Exhibits A-L were received into
14 evidence by the Administrative Law Judge.)

15 JUDGE BROWN: Now, Appellant identified a total
16 of four witnesses, including himself and the other three
17 witnesses who are here today; and CDTFA is not calling any
18 witnesses. I'll just go over briefly the timeline that
19 we're looking at. The Appellant's presentation will take
20 up to 60 minutes, and then we may have questions for the
21 witnesses at that time. When we are done with that, we
22 may have questions for Appellant at that time. When we
23 are done with the Appellant's presentation, we will then
24 hear CDTFA's presentation, which should take up to
25 30 minutes. At that time, we may have questions for both

1 parties. And then I scheduled up to 10 minutes for
2 Appellant's rebuttal, and if CDTFA has anything to add at
3 the end, we can also have time for that. At some point
4 anyone needs a brief break, please speak up and say so.

5 Does anyone have any other questions about the
6 hearing or the proceedings or other topics that I have not
7 covered?

8 Dr. Abolfazli, do you have anything else to raise
9 before I swear in the witnesses?

10 MR. ABOLFAZLI: No. Thank you so much.

11 JUDGE BROWN: Okay. CDTFA, do you have anything
12 to raise or any questions?

13 MS. JACOBS: No. Thank you.

14 JUDGE BROWN: Okay. Thank you.

15 And I will note, Dr. Abolfazli, you indicated
16 that at least one of your witnesses will need to leave.
17 So, you know, I'll suggest in terms of your presentation,
18 you may want to have that witness testify first; and then
19 we can have any questions for that witness. I believe it
20 was Mr. Aydian needs to leave at 2:00 o'clock.

21 MR. ABOLFAZLI: That is correct. That is
22 correct.

23 JUDGE BROWN: Okay. So what I will suggest is --
24 I don't know if you want to make a brief opening statement
25 or if you just want to go ahead and have Mr. Aydian's

1 testimony, and then we can have questions for Mr. Aydian.

2 MR. ABOLFAZLI: Let me just confirm with him.

3 Mr. Aydian, how long you can stay? Do you still
4 have to go by 2:00, or you can stay longer? You are mute.
5 You are on mute.

6 JUDGE BROWN: If we can unmute Mr. Aydian?

7 MR. ABOLFAZLI: Okay. Good.

8 JUDGE BROWN: Okay.

9 MR. AYDIAN: Okay. My battery is like 70
10 percent, and if it's disconnected, I'm sorry very much.
11 Okay.

12 MR. ABOLFAZLI: No. No. No. How long you can
13 stay? How long you can stay?

14 MR. AYDIAN: I can stay half-an-hour to
15 45 minutes, but depends on the battery.

16 MR. ABOLFAZLI: Battery. Okay. So we'll do
17 first with you.

18 JUDGE BROWN: All right.

19 MR. ABOLFAZLI: All right sure.

20 JUDGE BROWN: Then what I'm going to do is I will
21 swear in Mr. Aydian first, and we'll have his testimony.
22 And then separately I will swear in the other three
23 witnesses.

24 MR. AYDIAN: Yes.

25 JUDGE BROWN: Mr. Aydian, if you -- hold on.

1 Okay. Mr. Aydian, if you want, you can turn off
2 your video if that would make it easier for you. You
3 know, you can turn off your video if that would make it
4 easier for you to be connected to us. Oh, you're muted
5 again. Can you unmute, please?

6 MR. AYDIAN: Can you hear me now?

7 JUDGE BROWN: We can here you. I'm just saying
8 if you want to turn off your video that might -- I don't
9 know if that would help your connectivity.

10 MR. AYDIAN: Okay. I try, because this phone is
11 not mine. I don't know how to use it, but I'll try.
12 Okay?

13 JUDGE BROWN: Okay. You know, I'm going to
14 say -- never mind. I don't want you to be disconnected.

15 Do we have Mr. Aydian on the line.

16 MR. ABOLFAZLI: Technology.

17 JUDGE BROWN: Okay. Mr. Aydian? Okay. We can
18 hear you. Mr. Aydian, I can't see you now. Hold on. I'm
19 sorry. Okay. Mr. Aydian, I can't see you anymore, but if
20 you could please raise your right hand. I will swear you
21 in.

22 Mr. Aydian, I cannot hear you.

23 Hold on. Oh, okay. All right. We're going to
24 take a brief break, and we're going to ask Mr. Aydian to
25 phone in instead of using the video connection so that --

1 because there's a dial-in option. So if everyone can stay
2 on the line, but my office is going to take a break and
3 put everyone in the waiting room.

4 Yes, go ahead and put everyone in the waiting
5 room.

6 Thank you, and we're off the record.

7 (There is a pause in the proceedings.)

8 JUDGE BROWN: We are back on the record with the
9 appeal of Abolfazli.

10 Now, we are all reconnected after a short break,
11 and we were going to hear the testimony of Mr. Aydian from
12 Appellant.

13 Dr. Abolfazli, are you prepared to ask questions
14 of Mr. Aydian once I swear him in as a witness?

15 MR. AYDIAN: Yes.

16 JUDGE BROWN: Mr. Aydian, I believe I was trying
17 to swear you in --

18 MR. AYDIAN: Yes, ma'am.

19 JUDGE BROWN: -- previously --

20 MR. AYDIAN: Yes, ma'am.

21 JUDGE BROWN: -- and I'm going to swear you in as
22 a witness now because I don't know how much of that made
23 it onto the record.

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E. AYDIAN,

produced as a witness, and having been first duly sworn by the Administrative Law Judge, was examined, and testified as follows:

JUDGE BROWN: Okay. And, Dr. Abolfazli, you can go ahead with your questioning of this witness.

MR. ABOLFAZLI: Thank you.

DIRECT EXAMINATION

BY MR. ABOLFAZLI:

Q So, Mr. Aydian, first question, is that true that you start working with OC Imperial Motors or Amin Auto Group at that time in 2005 and benefit the business till closure in 2019?

A Yes, sir.

Q Okay. And at the beginning when you start working, you working with me. Can you tell us after 2014 -- end of 2014 when I left, was I involved in operation of the business in any capacity as far as you know?

A No. You left country. You went to school. You are not there.

Q And after I left, did you stay with business?

A Yes, sir. I stay for a while.

1 Q Okay. And so you have the knowledge of who was
2 selling, who was basically operating the business, and you
3 were witnessing the operation daily to -- day-to-day
4 operation of the business; correct?

5 A Yes, sir.

6 Q Okay. All right. So I think that's all I need
7 for now.

8 A That's it. Thank you.

9 JUDGE BROWN: This is Judge Brown. I'm going to
10 say --

11 MR. AYDIAN: Yes, ma'am.

12 JUDGE BROWN: Okay. Dr. Abolfazli, if that
13 completes your questioning of the witness, then I will
14 first ask if CDTFA has any questions for this witness.

15 MS. JACOBS: No. Thank you.

16 JUDGE BROWN: Okay. And then I will ask if my
17 co-panelists if any questions for this witness.

18 First, I'll ask Judge Geary. Do you have any
19 questions?

20 JUDGE GEARY: Yes, please. Let's see. Is it
21 Ayddian? Is that how you pronounce your name, sir?

22 MR. AYDIAN: Yes. Yes, sir. Yes, sir.

23 JUDGE GEARY: Mr. Ayddian, what was your job with
24 the company?

25 MR. AYDIAN: The company at that time, first is

1 Amin Group. After they change it, OC Imperial Motors.

2 JUDGE GEARY: Were you in touch --

3 THE STENOGRAPHER: Can you repeat that, please?

4 I didn't understand what his answer was.

5 JUDGE BROWN: Yes. Mr. Aydian, this is

6 Judge Brown. Can you repeat your answer clearly for the

7 stenographer?

8 MR. AYDIAN: Okay. Amin Auto Group the first

9 name of the company.

10 JUDGE BROWN: No. Your answer is what was your

11 job at the business at Amin Auto Group.

12 MR. AYDIAN: Oh, yeah. Detail the cars, transfer

13 the cars, pick up the customers.

14 JUDGE GEARY: Okay. So you were not involved in

15 sales then were you?

16 MR. AYDIAN: No, sir. No.

17 JUDGE GEARY: And you had nothing to do with

18 managing the books?

19 MR. AYDIAN: No. Nothing.

20 JUDGE GEARY: Did you remain in touch with

21 Dr. Abolfazli, while he was at medical school?

22 MR. AYDIAN: No, because he is out of the

23 country. I don't know his number, and I disconnected with

24 communication.

25 JUDGE GEARY: And based upon what you saw, who

1 did it appear to you was in charge of the car lot while
2 Dr. Abolfazli was in school?

3 MR. AYDIAN: There's another Iranian person.

4 JUDGE GEARY: And what was that person's name?

5 MR. AYDIAN: Sam.

6 JUDGE GEARY: Say it again.

7 MR. AYDIAN: Sam. Seyed. Sam.

8 JUDGE GEARY: Sam?

9 MR. AYDIAN: Yes.

10 JUDGE GEARY: And can you spell the last name for
11 me?

12 MR. AYDIAN: Okay. What is it? I think Y-e-s-a.
13 Something like that. I don't remember. I forgot.

14 JUDGE GEARY: Okay. And -- and --

15 MR. AYDIAN: Okay. S-a-y-e-d. S-a-y-e-d.

16 JUDGE GEARY: Okay. And that's his last name?

17 MR. AYDIAN: Yes.

18 JUDGE GEARY: All right. And it seemed to you
19 that he was in charge during the period of time that
20 Dr. Abolfazli was in medical school?

21 MR. AYDIAN: Yes, sir.

22 JUDGE GEARY: All right. Thank you. Those are
23 the questions that I have.

24 JUDGE BROWN: Thank you.

25 MR. AYDIAN: Thank you.

1 JUDGE BROWN: And, Mr. Aydian, if can hold on
2 please, we may have more questions.

3 Judge Turner, do you have any questions for the
4 this witness?

5 JUDGE TURNER: No. Not at this time. Thank you.

6 JUDGE BROWN: Okay. Thank you.

7 In that case, I will say I just have one more
8 question for Mr. Aydian.

9 MR. AYDIAN: Yes.

10 JUDGE BROWN: When did you stop working for the
11 business?

12 MR. AYDIAN: I don't know exactly, but at that
13 time also the Mr. Moe -- short name we called him Moe, and
14 then the other person, his friend, also working with them.
15 And that when Mr. Sam find another partner change his
16 business to move out from that, and he let me go out. But
17 I don't know exactly the date. I'm sorry.

18 JUDGE BROWN: Was it in 2019 or before 2019?

19 MR. AYDIAN: After.

20 JUDGE BROWN: After 2019?

21 MR. AYDIAN: Yes, ma'am.

22 JUDGE BROWN: Okay. All right. Those are all
23 the questions that I think we have for this witness at
24 this time. So I will say we can proceed on with the rest
25 of Appellant's presentation.

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Dr. Abolfazli?

MR. ABOLFAZLI: Can I just confirm one thing?

JUDGE BROWN: Yes. Go ahead.

REDIRECT EXAMINATION

BY MR. ABOLFAZLI:

Q So what just as I got after I left, you mentioned Moe and another friend was working or was running. And then after that they get involved with another guy named Sam. And after that Moe left, and then Sam took over the lot; is that correct?

A Yes.

MR. ABOLFAZLI: Okay. All right.

MR. AYDIAN: I'm finished with you?

MR. ABOLFAZLI: Well, there was a little confusion that who took over after and then the time frame.

JUDGE BROWN: All right. Mr. Aydian, I don't think we have any further questions for you at this time. So I'm --

MR. AYDIAN: Okay.

JUDGE BROWN: Okay. I will say --

MR. AYDIAN: Thank you very much.

JUDGE BROWN: -- thank you. I will say that I know that you have to leave at 2:00 o'clock for your work,

1 so unless CDTFA has any objection, I will say that you're
2 dismissed from testifying now. Thank you.

3 MR. AYDIAN: Thank you very much. You have a
4 great day, ma'am. Goodbye.

5 JUDGE BROWN: Goodbye. Thank you.

6 MR. AYDIAN: You're welcome. Bye.

7 JUDGE BROWN: All right. Dr. Abolfazli --

8 MR. ABOLFAZLI: Yes.

9 JUDGE BROWN: -- you can proceed with the rest of
10 your case. I'm going to remind you, I understand we had a
11 lot of disruption there.

12 MR. ABOLFAZLI: I know.

13 JUDGE BROWN: I did allot you 60 minutes, and I
14 have we used -- I started at 1:45. So that testimony took
15 about 7. So you have 53 minutes left to present your case.

16 What I would like to do now is I will swear you
17 in as a witness, and if you're going call your other two
18 witnesses, I can swear the three of you in all at the same
19 time if we have Ms. Camarena and Mr. Khoshniat on the
20 line. I believe we do. Okay. So I will say I think
21 Mr. Khoshniat is muted.

22 Mr. Khoshniat, if you can unmute. Very good.
23 Thank you very much.

24 I'm going to ask all three of you to please raise
25 your right hands.

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A. ABOLFAZLI,

produced as a witness, and having been first duly sworn by the Administrative Law Judge, was examined, and testified as follows:

A. KHOSHNIAT,

produced as a witness, and having been first duly sworn by the Administrative Law Judge, was examined, and testified as follows:

L. CAMARENA,

produced as a witness, and having been first duly sworn by the Administrative Law Judge, was examined, and testified as follows:

JUDGE BROWN: Okay. Thank you all.

Dr. Abolfazli, I'm going to let you present your case however you want in terms of who you want to testify first. Let's just make clear who you are talking to at each time. Please ask a question to one witness or the other witness, or you can testify. But don't ask both of them to respond at the same time because we need to have only person speaking each time. Otherwise --

MR. ABOLFAZLI: Absolutely.

JUDGE BROWN: Okay. Thank you. Otherwise, you

1 can proceed.

2 MR. ABOLFAZLI: So how do you want the timing to
3 be? How many minutes me and then the CD -- oh, you
4 mentioned at the beginning that.

5 JUDGE BROWN: Right. You have about 50 -- let's
6 say 50 minutes left.

7 MR. ABOLFAZLI: Okay. All right.

8 JUDGE BROWN: Okay. Thank you.

9

10 PRESENTATION

11 MR. ABOLFAZLI: So I'm so sorry that everybody is
12 here, honestly. You know, it's a lot of work on
13 everybody. I apologize.

14 It was out of my hand, and the whole case is, if
15 you look at it, it's like missing the forest for a tree.
16 So the whole thing, there are a bunch of pages, like 300
17 pages over there, bunch of, you know, hearing. But the
18 whole big, big forest is missing here, and that would be,
19 okay, what exactly happened? Briefly I'm being -- there
20 is a business, OC Imperial Motors, which is under
21 corporation Amin Auto Group, which has his own legal
22 entity. It's a separate entity. I started doing
23 business. Unfortunately, it didn't make it.

24 Now the question is when it goes down, that
25 person, the legal entity, had some dues to do. The State

1 says there's a section 6829 that, hey, it happened before.
2 Business is closed down. They collect the money for
3 government. They don't pay the money to government, and
4 then they pocket the money. Let put some regulation to
5 basically stop that. Okay. Based on that, which sounds
6 fair, there are just going to go and look for, okay, what
7 happened. Is there a responsible person for the sales
8 taxes that are due and have not been paid?

9 What happened here, they come to this business.
10 They talk to one person, except me, and they made the
11 judgment, and they didn't dig a little bit. That's why
12 I'm saying that they missed the forest. This is what
13 happened just briefly. 2005 I started this business, Amin
14 Auto Group. 2000 -- I think '13, '14, we got involved
15 with two other individuals. Because this case is about if
16 I am the responsible party. I don't want to bring others
17 name unless, you know, it's needed. But this case is
18 basically that is Amin responsible for this matter. So I
19 try to not get other peoples involved.

20 So another two individuals to get involved, and
21 then I left the country at end of 20 -- actually, end of
22 2014, a few hours before end of 2014. And at that time,
23 the whole operation, the whole business was transferred on
24 an agreement to those two individuals. The plan was that
25 they do the transfer of the corporation to their name so

1 I'll be off the liability. The whole thing, me moving out
2 of the country happened really fast because they just give
3 me admission, and then they say I can start the next week.
4 And I just had one week to get everything to move out of
5 the country. So everything was just so fast.

6 So I give the authorities. We talked about it
7 that what they do. I told them that I'm leaving. They're
8 gonna run the business, and I can help at any capacity.
9 Anytime they have question I'm available and please
10 transfer the company to ownership to your name. That was
11 the reason that after that, I put one of them as the
12 treasury and also secretary, which qualified to do all the
13 financials and do all the file and paperwork and
14 everything. Unfortunately, that transfer did not happen.
15 So on the paper I still remained as the sole ownership. I
16 mean, the sole shareholder -- corporation, not
17 shareholder, of the business.

18 2018 looks like business start going down. I
19 noticed that the business is going down, and it was a
20 really, really bad time because my name is legally on the
21 line when I don't buy any car. I didn't sell any car. I
22 was not involved in direction of any of the sales. I was
23 not deducting. I was not collecting. I was not -- I
24 helped as they needed at some time, like the -- the sales
25 tax filings as you see over there. I filed a few of them.

1 Most of them have been filed by the manager -- general
2 manager, but sometimes he needed help. I act as a help,
3 like an accountant or consultant.

4 The biggest problem at that time is we put --
5 they had some money in the business, and then they start
6 losing money. And then they start losing money to
7 purchase vehicles. They opened a line that in car
8 business -- Amir also knows about that. You can confirm
9 with that. There's a line which is called flooring line.
10 How does flooring work? You talk to the company. Looks
11 like they open an account the NextGear, which is
12 associated with Cox, which is the biggest auctioneer in
13 the country. They open a credit line with Cox. And how
14 does it work? They go, they purchase the vehicle in the
15 auction. They sell the vehicle, and Cox company for the
16 NextGear hold the title.

17 The sales has happened, but to get title out of
18 NextGear, what they have to do, they have to pay off
19 NextGear company. So that's the whole that they went
20 through. And little by little they sold the car,
21 sometimes with loss. They sold the car, and they have to
22 pay even more to the NextGear to release its title to give
23 to the customer or register it under the name of the
24 customer. So if you look at the bank accounts, there's a
25 lot of transactions. Thousands and thousands of

1 transactions. If you look a little deeper, you see every
2 car that is sold, it's been paid later.

3 So the money that were coming, it was supposed --
4 partial supposed to go for DMV. Partial supposed to go
5 for sales tax. Partial supposed to go to the NextGear.
6 Unfortunately, that didn't happen. So when the business
7 was going down, I noticed by Moe -- by the manager, that
8 it looks like he's short. He cannot make the payments on
9 the taxes. Now we are short, and the only option was to
10 close the business. Since I am legally still on the
11 paper, I had to act to close the business. Otherwise,
12 things going to be even worse. And when he sold the car,
13 I was asking him how is the thing going? How much money
14 you are collecting? How much tax we owe? How much all of
15 those we have? He did not have the information. To date
16 I still don't have the information -- the detail
17 information.

18 What we did was -- okay. Then I got involved.
19 Then I was closing the business, the most important thing
20 for me is, okay, the cars are gone. The title need to be
21 released from the NextGear to be registered under the
22 customer name. Because if that doesn't happen, we are
23 dealing with like 50, 60 lawsuits; and I think even a
24 crime, even a felony. I'm not sure. But that is very
25 obvious. So I asked Moe at the time, please release those

1 cars. And then he closed the business. There are some
2 monies. He paid, released the titles. There was some
3 money left. He paid for DMV. Actually, I registered the
4 last cars myself because he was not helping at that time.
5 And I have a text that he said, "Oh, I'm not the I owner
6 anymore."

7 I said, okay, because he's not on any name, he
8 think he's off the hook. And anything happen gonna happen
9 to me, and I'm here. So he was right. So -- so it was a
10 very -- it was very hard days. I have the school. I have
11 the hospital. And, at the same time, I have to get
12 involved going to find the money to register the car, to
13 release -- I didn't release the titles. He actually did
14 release the titles to register -- to make sure the cars
15 are registered. The titles -- the customers get the
16 titles. Very hard time. So that's the story. That's how
17 it happened.

18 I never collected. I never had the money. I
19 never have -- how can I say -- available fund to pay for
20 sales taxes. I didn't even know how much sales tax he
21 owes because he sold the cars without even recording how
22 much sales tax we owe. I know he owes sales tax because
23 sales have happened. But he didn't know, and he never
24 told me. I said, okay. And I had even text to him, "Hey
25 we are closing the business. Please do the things right."

1 He say, "Oh, you know, I'm not on the line," and
2 he tried to -- he know that he's safe. So he had the
3 minimum. I had to call his friend, his uncle, his -- I
4 had a lot -- Linda can testify to that. She was with me
5 at that time. But I had to go far away to even say --
6 even talk to him. Say, hey, at least tell me. I don't
7 even care where the money is. I know the money is gone,
8 but tell me where are all the sales contracts. Where all
9 those things because there is a lot of things to do. A
10 lot of things. And then thanks to God, we -- I closed the
11 business, and the titles are all registered. But there
12 was no money left. There was some, but he owed the sales
13 taxes from the back.

14 So when I got involved, there was some money for
15 sales taxes that he paid. But the thing is, they were
16 going back to the 2018 period. So he was right behind
17 since 2017 on paying sales taxes. So the sales taxes that
18 was over there, we paid for 2018 -- or he paid for 2018.
19 At the end, there was no money over there for -- for me to
20 pay. There was a lot of other issues. Like I went
21 through that initial, you know, numbers. It looks like
22 there's \$200,000 extra sale that the money is not coming.
23 He doesn't tell me what happened to that.

24 A lot of time when they do flooring, flooring pay
25 you less. Let's say you sell a car for \$20,000. The

1 floor -- no, not the -- not the flooring company -- the
2 finance company. I'm sorry. The finance company pay you
3 \$15,000, then \$5,000 gap is over there. But I don't know
4 which one is which one. So if I were to go back to this
5 one, then I would say, okay. Now the State is coming and
6 saying, all right. There is this guy who started the
7 business and then left the country. We all agree on that.
8 He was minimally involved in the business. In the five
9 years maybe a few -- maybe a few text messages. A very
10 limited number of emails communications.

11 Out of the thousands and thousands of
12 transactions, I think I wrote three checks because Moe
13 requested me to do for, you know, there was some
14 emergency, and he was out constantly. Can you help with
15 that? And I was out -- in town, and I said, yeah, I can
16 help you with that. So out of thousands, maybe three
17 transactions come back to me. I didn't sell any car. I
18 didn't collect any of the money. I didn't move any of the
19 money. The money didn't go to me. So from the outside,
20 okay, there's this guy that was not involved, didn't get
21 the money, didn't sell the car. And then had to be
22 involved going through all these things because of
23 something that he never thought going to happen or was not
24 his choice.

25 Now, the question is could he pay the sales taxes

1 that was due? No, because there's no money. The next
2 question would be, did he pocket that much of that money,
3 or did he -- was he getting benefit from all those things?
4 That's question -- that's the next question we need to
5 answer. They didn't answer that. Okay, when you -- when
6 you were over there, this money that coming, how much of
7 those transaction did you withdraw? Zero. Almost --
8 yeah, I think -- yeah, should be zero. How many of those
9 cars did you pay? Did you even have -- did you even have
10 access to NextGear's accounts? No. Did you even have
11 access to Board of Equalization?

12 I said Board of Equalization; I think they
13 changed the name.

14 Do you have even access to that? No. There's a
15 text in their evidence that I'm asking Moe after closing
16 the business during that timeframe that, "Hey, what is the
17 login for -- for the tax agency because you cannot even
18 file, you know on paper." I didn't have that -- I didn't
19 have the login to log into the Stated Board of Tax. And
20 then now they come and say, oh, this person who didn't
21 even have these things, help sometimes to make the papers
22 ready, is 100 percent reliable for everything. Okay. I
23 do -- I work hard, but I'm not a superman okay. I don't
24 know how possibly I can have all those communication they
25 are saying without text, without email, without physically

1 be present.

2 Running that big business is a lot. Thousands of
3 transactions, thousands of sales has happened. How -- how
4 did I approve any of them? How did I authorize any of
5 them. How was I involved? Their approach was coming over
6 there and say, oh, there is a text that you told Moe do
7 this. Okay. Don't sell anymore car. Okay. So means
8 that you are running the business. That's what we need
9 judged. If someone tell you something and doesn't even
10 get done, does it mean you are running the show, you know?
11 So these are the -- a lot of questions and answer. And
12 during the investigation I asked them, hey, I'm out of the
13 state. Please there are 10 different businesses over
14 there. There are three mechanic shops in the back. There
15 is -- there is that Sam guy that actually he said it was
16 over there. There were two other neighbors over there.
17 Two other dealerships over there. There are hundreds of
18 -- hundreds of vendors.

19 There -- I give number for even his partner or
20 salesperson that, hey, tax -- Tax Board please talk to any
21 of these numbers. Just ask them who is running the
22 business. No, never contacted them. Who did they
23 contact? The person who was running the business. And
24 they ask, okay, are you responsible? He said no. They
25 said, okay, so you are not responsible. As simple as

1 that.

2 So I think the whole process they thought at the
3 beginning is just straightforward, and I thought at the
4 beginning so straightforward just looking from the fall.
5 And there's really nothing to -- nothing. Clearly, if you
6 tell everybody, it just looks like this dude is not
7 responsible for 100 percent. They didn't even come back
8 and say okay, Amin, you are responsible for let's say
9 10 percent, let's say 5 percent of operation. No. No.
10 No. You are responsible for 100 percent of operation
11 without calling, without text, without email, without even
12 being physically present. That cannot happen in a car
13 dealership. That cannot happen in a car dealership. That
14 cannot happen in a car dealership.

15 And other things we have is they bring some -- in
16 the evidence they have, they bring someone too, but it's
17 so out of portion. Like how of the -- if I ask them, how
18 many of those transactions that you provided in the
19 evidence is done by Amin? Is it more than 1 percent? Is
20 it 0.0 percent? I promise you they don't know that answer
21 because almost zero. Except those three checks that I
22 mention that one day I help Moe, there's no other check
23 item. So go through all those hundreds and thousands of
24 pages. Who did all those? Not me. So that's one thing.
25 And then they asking, okay, Amin come and pay. From

1 where? Where is the fund? Where is the money?

2 You have the bank account. Where is the money
3 gone? If you show me, and they say, oh, there was money
4 available. Yes, there was money available but not for
5 sales tax. Those owe to other people. Those owe to the
6 NextGear to release the car. Those are the money that
7 came from the customer and had to be paid to release the
8 title of the vehicle so the vehicle can be transferred.
9 That's a felony if you don't do that. So they must
10 have -- so yeah, the money was there, but it was not
11 available. There are two different things. They are two
12 different things. Same as government, trillions of
13 dollars but is it available for every little thing? No.
14 It's the same game. Yeah, the money is there, but can you
15 show me any money available for me that I could go and pay
16 it.

17 And the third thing was they didn't even provide
18 how much of the -- they couldn't even find out how much of
19 those receipts are collected. Yeah, the sales receipt are
20 something, but how much of that money is being collected?
21 I don't know. I was not there. Did they find out? No,
22 they didn't know either. So they did some adjustment, but
23 they don't know either. Unfortunately, everything go bad.
24 I'm not saying someone stole money. Different -- I didn't
25 gain any money. I lost too.

1 So I -- they were saying that, oh, you filed one
2 of the taxes. Yeah. Also, accountants do that. You go
3 after accountants if a business doesn't file taxes next
4 time. I filed taxes. I helped them. Yeah, it -- it
5 shows. Most of the time the manager did it. Sometimes he
6 needed help. I did it. So does that mean I'm running the
7 business? No. And those numbers actually became
8 available way after the period, after I could get the
9 manager to please come give me this, give that, go back
10 because I couldn't get to anything. I didn't have access
11 to anything. Took awhile to even say how much sales they
12 have made. So how -- how can I make a payment even I
13 don't know how much they have sold.

14 They say another thing is 60 -- in this
15 regulation is, you have a person, the business, who didn't
16 pay taxes. And they want to come to me and say, hey,
17 you're responsible for that guy. Okay. You should do
18 something. You should show -- satisfy some, you know,
19 some regulation. One of them is that I willfully
20 neglect -- I willfully neglect paying the taxes. So
21 that's one important thing. They didn't establish that.
22 They just say yeah, the money was over there. You didn't
23 pay. Okay. First, you know that I was in contact with
24 the Board of Equalization. They know that Moe was not
25 available, and we had a hard time to get the numbers from

1 him just to know how much the business owed. That's first
2 thing.

3 Second, there was no fund for me to willfully not
4 do that. And me going and trying to get all those things
5 straight out means that I'm willing to do something. That
6 goes against the nature. If I was not going to pay, why
7 should they even go there? So I'm doing everything, you
8 know, to help as much as possible. So you cannot say, oh,
9 he willfully neglect. If that was the thing, I would have
10 said, yeah, the money is gone. We are not going to talk
11 to the Board anymore. You know, let them do the job. But
12 we -- I spend a lot of time. Linda going to tell you how
13 many calls, how much time I spent to even get the manager
14 to just give me the numbers to be able to know how much we
15 owe the government. And my whole plan is or was, you
16 know, to pay, you know, from my pocket all the loss. I
17 even bring \$30,000 give it to them, and I loss that too.

18 A lot of things they're mentioning in their
19 evidence. There's a like a mix. You have to separate
20 before 2015 and after 2015. The whole game change in that
21 time. So yes, anything before 2015 I'll be responsible.
22 Anything after 2015, I can argue for that part. So mixing
23 those two make it a little bit more complicated, you know.

24 Another thing, I think it's just too obvious to
25 me, honestly. It's just too obvious to me that none of us

1 should be here. This case should have not been this much
2 spending time on it, taxpayer's money, you guys. You
3 know, it's just I'm sorry, but it was as simple as that.
4 There was a guy who left the business to somebody, trust
5 them, they didn't transfer. Unfortunately, they lost
6 their investment too. They lost the money too. That's --
7 that's my understanding. They go down little by little.
8 So when a business close down nobody is happy and -- okay.

9 Now they come and say, all right. The guy who
10 was minimally did get involved, that was not even over
11 there; the guy who didn't have any transaction related,
12 maybe three check; the guy who has the proof that he could
13 not be involved physically or mentally; the guy who also
14 helped to do the things, now we are just saying, that oh,
15 this guy that has nothing to do at that time has to be
16 responsible for everything. That's to me it's just so
17 simple, but -- and I don't know honestly why we are here.

18 Do you want me to ask the -- the witnesses some
19 questions, Your Honor?

20 JUDGE BROWN: It's up to. You have called these
21 witnesses, and you can use this time however you would
22 like. So as --

23 MR. ABOLFAZLI: Okay.

24 JUDGE BROWN: -- as I said, just direct your
25 questions to one witness or the other. Don't ask them to

1 speak at the time. Thank you.

2 MR. ABOLFAZLI: Absolutely. Let's -- Mr. Amir
3 need to go to work. I'm so sorry, Amir. I know. So you
4 know us since 2005 saying you get involved.

5 He's father of one of my friends, got involved
6 with the business, and then he started his own business at
7 the same -- at the same lot. So he was involved. And
8 then one of the partners that took over after I left was
9 actually introduced by him, was his, you know, relative or
10 friend. So he was involved, and he know. And after --
11 and then he closes -- he closed his business, but was
12 involved, you know, with everything. And he knew what
13 exactly happened.

14

15 DIRECT EXAMINATION

16 BY MR. ABOLFAZLI:

17 Q So the first question I have for you, Amir, is do
18 you agree that after I left -- after 2015, I was not
19 involved in running the business, and i was not directing
20 the business?

21 A Yes, you are not.

22 Q Okay. Another thing is, can you tell the panel
23 maybe I cannot explain about the flooring, because that's
24 one thing that I think there is some confusion. They see
25 the money in the account, and they think that there's

1 money. But, actually, the money is for NextGear. Can you
2 also confirm how does the flooring work?

3 A We bought the car -- the car with the flooring.
4 The finance company give us the money, and we take off the
5 car from auction, bring it in dealership, make it ready
6 for sale. After we sell it, we have to -- when we sell it
7 to customer, we have to pay the money. When we collect
8 the money from customer or finance company that finance
9 the customer give us the money, we have to pay it to
10 flooring company and release the title to register the
11 car.

12 Q Okay. So the money that we get from the finance
13 from the bank or from customer when we sell the car, does
14 that belong to the business or can we just spend it for
15 the business?

16 A It's that belong to car business, not to nobody
17 else.

18 Q Now, I mean does it belong to the dealership or
19 to the flooring company, in this case NextGear?

20 A That money stay in our account, and we have to
21 pay it to -- to flooring company.

22 Q And what will happen if you don't pay to the
23 flooring company?

24 A They don't release the title.

25 Q And then what will happen?

1 A And we got -- we got a problem with the customer.
2 Customer can sue us and ask for register the car.

3 Q And that time it gonna go to DMV investigation,
4 and they can basically suspend your license. So the
5 whole --

6 A Yes.

7 Q -- business can be shut down.

8 A That's right. Yes.

9 Q So paying those monies are basically the first
10 priority after selling the car?

11 A Yes, sir.

12 MR. ABOLFAZLI: And the -- and the -- so we
13 agree. All right. I think he confirms that I was not
14 involved. He knows that I was not involved when I left.
15 I'm not -- I was wondering if the panel or the owners have
16 any questions?

17 JUDGE BROWN: Do you want to have Ms. Camarena
18 testify also?

19 MR. ABOLFAZLI: Yes.

20 JUDGE BROWN: Or do you --

21 MR. ABOLFAZLI: Yes.

22 JUDGE BROWN: Are you saying that --

23 MR. ABOLFAZLI: Whatever you say, Your Honor.

24 JUDGE BROWN: Are you saying that we could ask
25 Mr. Khoshniat question now so that we can let him go?

1 MR. ABOLFAZLI: I think -- yes, I think that
2 would be better. So he can --

3 JUDGE BROWN: Okay. That's fine. We can do
4 that.

5 MR. ABOLFAZLI: -- just go. So yes.

6 JUDGE BROWN: I'll start with CDTFA.

7 CDTFA, do you have any questions for
8 Mr. Khoshniat as a witness?

9 MS. JACOBS: No. Thank you.

10 JUDGE BROWN: Okay. Thank you.

11 And then I'll turn to my co-panelists.

12 Judge Geary, do you have any questions for
13 Mr. Khoshniat at this time?

14 JUDGE GEARY: Yes, I do.

15 Mr. Khoshniat, did you work at the lot that was
16 operated by that corporation?

17 MR. KHOSHNIAT: What time?

18 JUDGE GEARY: At any time.

19 MR. KHOSHNIAT: I -- I worked there until 2014.
20 After 2014 because my wife got a cancer. I couldn't
21 continue. I closed down my business, almost bankrupt, but
22 I paid everything. I -- I broke. And I sold my house. I
23 sold my business, and I -- I go to take care of my wife.

24 JUDGE GEARY: Let me -- so you did not work for
25 the car dealership at any time after 2014?

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MR. KHOSHNIAT: No.

JUDGE GEARY: And did you maintain contact with Mr. Abolfazli while he was in medical school?

MR. KHOSHNIAT: What do you mean. After 2014?

JUDGE GEARY: Yes.

THE WITNESS: Sometime because we was friend, and we worked together from 2005 -- started 2005. And sometime we call each other. We ask each other about the situation, and I was happy he came -- he got -- he went to medical school. That's what great for me and not other thing, not about the business.

JUDGE GEARY: Where was he in medical school?

MR. KHOSHNIAT: He went to -- I believe Caribbean. Yeah, he went to Caribbean for medical school.

JUDGE GEARY: And did you -- did I hear Mr. Abolfazli indicate that you opened the car lot at the same location where this particular lot was.

MR. KHOSHNIAT: Yes.

MR. ABOLFAZLI: Yes, we --

JUDGE GEARY: Mr. Abolfazli, I'm asking this witness.

MR. ABOLFAZLI: Oh, sorry.

JUDGE GEARY: I'll ask you some questions later.

MR. ABOLFAZLI: Oh, sorry.

JUDGE GEARY: Okay. Tell me about when you

1 opened that car lot. When was it?

2 MR. KHOSHNIAT: I don't remember exactly when we
3 started, but I close on 2014. I believe 2000 -- 2011.
4 I -- I don't remember exactly.

5 JUDGE GEARY: Did you know Mr. Nouri?

6 MR. KHOSHNIAT: Mr. Nouri?

7 JUDGE GEARY: Yeah, Moe Nouri. His name is
8 actually I think Meghadad Nouri, but they've been
9 referring to him as Moe. Did you know him?

10 MR. KHOSHNIAT: Yes, sir.

11 JUDGE GEARY: Did you know Seyed?

12 MR. KHOSHNIAT: Seyed?

13 JUDGE GEARY: Do you know somebody named Seyed
14 that was involved with this --

15 MR. KHOSHNIAT: Seyed. Yes, sir.

16 JUDGE GEARY: What was his full name?

17 MR. KHOSHNIAT: Reza. I believe Reza. I don't
18 remember the family, but the first name is Ray, Reza.

19 JUDGE GEARY: Did he go by Sam?

20 MR. KHOSHNIAT: After I close the business, Amin
21 transfer the business to -- transfer the lot to Sam.

22 JUDGE GEARY: Do you know how Mr. Abolfazli first
23 became involved with used car sales?

24 MR. KHOSHNIAT: What do you mean? About what
25 time? What?

1 JUDGE GEARY: Did you know him then when he first
2 became involved?

3 MR. KHOSHNIAT: He was a very close friend of my
4 son. They -- they study in the -- in the same -- same
5 school Cal Poly Pomona.

6 JUDGE GEARY: Okay. Did you -- were you in
7 contact with Mr. Abolfazli when he first became involved
8 with used car sales?

9 MR. KHOSHNIAT: 2005.

10 JUDGE GEARY: Okay. You were a friend of his
11 then?

12 MR. KHOSHNIAT: Say it again.

13 JUDGE GEARY: Were you a friend of Mr. Abolfazli
14 in 2005?

15 MR. KHOSHNIAT: 2005, yes.

16 JUDGE GEARY: And can you tell us how it is that
17 he became involved in a used car business in 2005?

18 MR. KHOSHNIAT: He was educated guy, and he was
19 in one of the teacher in Cal Poly Pomona. And at the same
20 time my -- my son go to Cal Poly Pomona, and he finished
21 his bachelor of degree there.

22 JUDGE GEARY: Was your son involved in the used
23 car business?

24 MR. KHOSHNIAT: Not really. Sometime he came and
25 he help us sometime, but he went to go his career and

1 follow his career.

2 JUDGE GEARY: Do you know whether somebody taught
3 Mr. Abolfazli about the used car business?

4 MR. KHOSHNIAT: My -- my -- what do you mean? I
5 don't understand what you -- what you -- what you talking
6 about.

7 JUDGE GEARY: Do you know how Mr. Abolfazli
8 learned about the used car business?

9 MR. KHOSHNIAT: I don't know.

10 JUDGE BROWN: If you don't know, you can just say
11 you don't know.

12 MR. KHOSHNIAT: I don't know. I don't know.
13 Amin was involved, and I -- I joined to him to work with
14 him.

15 JUDGE GEARY: Are you saying you taught him about
16 the used car business?

17 MR. KHOSHNIAT: Before -- before I joined to Amin
18 in his lot, he was working. And after that, my -- my son
19 recommend to work with Amin. I went to work with Amin
20 because I need a job.

21 JUDGE GEARY: Okay. So did you know anything
22 about used car sales before you went to work for Amin.

23 MR. KHOSHNIAT: No. Amin -- Amin taught -- teach
24 me everything.

25 JUDGE GEARY: Okay. Thank you. Those are all

1 the questions I have.

2 MR. KHOSHNIAT: Thank you very much.

3 JUDGE BROWN: Thank you.

4 And, Judge Turner, do you have any questions for
5 this witness?

6 JUDGE TURNER: No. Thank you.

7 JUDGE BROWN: Okay. And I don't have any
8 questions for this witness.

9 So I will say, Mr. Khoshniat, we are done it with
10 your testimony at this time.

11 And I'll go back to Dr. Abolfazli.

12 I believe you have about 20 minutes left in
13 presenting your case, both for your continued presentation
14 and any questions you want to ask of Ms. Camarena.

15 MR. KHOSHNIAT: Can I leave, Your Honor?

16 JUDGE BROWN: Yes, you can leave. Thank you very
17 much.

18 MR. KHOSHNIAT: Thank you very much. I
19 appreciate it.

20 JUDGE BROWN: Okay.

21 MR. ABOLFAZLI: So I want to ask, just confirm a
22 few things with Linda but I -- can I use my time after the
23 CDTF, because I might need to respond to some of their
24 claims or explain some of their claims.

25 JUDGE BROWN: That is what your rebuttal time is

1 for.

2 MR. ABOLFAZLI: Okay.

3 JUDGE BROWN: Once we hear their case, you'll
4 have another 10 minutes or so to anything that they have
5 raised.

6 MR. ABOLFAZLI: Can I increase that one, put some
7 of my time over there?

8 JUDGE BROWN: I'm sorry. Can you increase
9 that --

10 MR. ABOLFAZLI: Yes. Can I put some of this time
11 transfer it over there to the end, to the 10 minutes?

12 JUDGE BROWN: If need be, sure. Yes could, if
13 you have time left over. You have about 20 minutes left.

14 MR. ABOLFAZLI: Okay. Thank you.

15 Just from Linda --

16

17 DIRECT EXAMINATION

18 BY MR. ABOLFAZLI:

19 Q So as far as I recall, you were -- basically, you
20 were witnessing a lot of things that was happening, you
21 know, when I was home or outside. So can you tells
22 since -- since when you know me and how do you see my
23 involvement with the business?

24 A Since 2018 I know you. You had no involvement
25 with the business. You were trying to reach Meghadad.

1 You tried to call his relative, uncle. He wouldn't
2 respond to your messages. He wouldn't respond to your
3 calls. I mean, I know you, you know, all these years, and
4 you're an honest hard-working person. You were professor
5 -- engineer professor at Cal Poly for many, many years,
6 and now you're a medical doctor.

7 You're very dedicated to your -- to your job, to
8 your work, to your patients. And I would never think that
9 you would just leave, you know, a business like that. You
10 know, I -- I -- you -- I was with you most of the time all
11 those years, and you were not, you know, running that
12 business. We never went there. We never received
13 anything from that business ever at all.

14 Q And you witnessed some of the calls I had, you
15 know, with the -- with the --

16 A Yes.

17 Q -- manager over there. Did you ever -- in a lot
18 of the conversation we have, did you ever see me, like,
19 operating the business? I mean, talking about how to sell
20 this car, how to do these things, or it was related to the
21 sales tax and these things that he was behind?

22 A No, not at all. You were trying to get the
23 numbers. You were trying to figure out what was going on.
24 You were trying to figure out -- you know, you had -- you
25 didn't have anything. You didn't have access to things.

1 I remember you would ask for access to find out what
2 happened, and you wouldn't get a response at all, so you
3 were worried. You know, I was there. You were very
4 worried trying to get everything, you know, in order, and
5 you nobody -- you couldn't reach anyone. And -- but no,
6 not at all.

7 You were not running that business. I was there
8 with you, you know, those years especially, during --
9 after, I think that was 2018, '19, 2021. I mean, all
10 those, I was -- at all. I never heard you contact or,
11 like, check in with people or telling them about sales at
12 all. It was mostly to find out what was going on and get
13 reports, and nobody wanted to give you -- no one wanted to
14 give you that information.

15 Q Okay. Did you have anything else, because it's
16 very clear that you know I was not involved --

17 A No, it's just not right.

18 Q -- don't know how to ask the question.

19 A I -- I just want to add that this -- this is not
20 right especially, for someone, you know, that worked hard,
21 works very hard, and helps out a lot of people, saves
22 lives; and is, you know, working 20-plus hours, goes above
23 and beyond for their -- you know, for your patients and --
24 also being an engineer professor for many, many, many
25 years. This is not right. Thank you.

1 MR. ABOLFAZLI: Thank you. No further.

2 JUDGE BROWN: All right. Thank you.

3 I will first ask if CDTFA has any questions for
4 Ms. Camarena.

5 MS. JACOBS: No. Thank you.

6 JUDGE BROWN: Okay. And then I will ask if my
7 co-panelists have any questions for Ms. Camarena.

8 Judge Geary?

9 JUDGE GEARY: No questions.

10 JUDGE BROWN: Okay. And Judge Turner?

11 JUDGE TURNER: No questions.

12 JUDGE BROWN: Okay. Thank you.

13 MR. ABOLFAZLI: Thank you.

14 JUDGE BROWN: Then, Dr. Abolfazli, you have a few
15 minutes left if you want to -- if there's anything further
16 you want to say as part of your presentation or if you are
17 done with your presentation, we can then move on to
18 questions from the panel for you.

19 MR. ABOLFAZLI: Yes, let's do that, so I can have
20 the time.

21 JUDGE BROWN: Okay. I will start with a couple
22 of questions for you Dr. Abolfazli.

23 MR. ABOLFAZLI: Absolutely.

24 JUDGE BROWN: Thank you. And then I will --
25 actually, I guess I should say, does CDTFA have any

1 questions for Dr. Abolfazli first?

2 MS. JACOBS: No. Thank you.

3 JUDGE BROWN: Okay. Thank you.

4 I will start with a couple of questions and then
5 I will turn to my co-panelists.

6 Dr. Abolfazli, you said that you tried to
7 transfer control of the business to two other individuals?

8 MR. ABOLFAZLI: That's correct.

9 JUDGE BROWN: And that was Mr. Nouri?

10 MR. ABOLFAZLI: That's correct, one of them.

11 JUDGE BROWN: And the other one was?

12 MR. ABOLFAZLI: Seyed Reza. I provided the
13 number for them also during the investigation to the
14 CDTFA. And I also provided the updated number of him
15 because he would be also a really good source of getting
16 information.

17 JUDGE BROWN: And you said that you tried to
18 transfer control of the business to them. Is there any
19 evidence of what you did to transfer --

20 MR. ABOLFAZLI: There was --

21 JUDGE BROWN: -- control of the business?

22 MR. ABOLFAZLI: Yes. There was the -- the
23 meeting that we had. The last meeting that we had
24 documented on the iPad -- a Samsung, on of those Samsung
25 i-pad that actually record the voice also. And we can't

1 provide it. We did all those meetings over there.
2 Unfortunately, it's Maria. Maria was a category 5 that
3 hit the island that I was on it where I lost that. So
4 that -- that was a very unfortunate thing.

5 But that was the initial thing that, hey, how
6 they gonna do the business, or from now on I gonna go.
7 Little by little they had to transfer. They were using my
8 name at the beginning and my line of credit at the
9 beginning for everything, plus bringing their own money,
10 but they were supposed to do little by little.
11 Unfortunately, it never happened. But yes, we had it, but
12 I don't have it.

13 JUDGE BROWN: All right. So you had something in
14 writing on an iPad, but it does not exist anymore; is that
15 what you're saying, the document -- whatever the document
16 was it was destroyed?

17 MR. ABOLFAZLI: Not iPad. Tablet, Samsung
18 tablet.

19 JUDGE BROWN: Tablet. Okay.

20 MR. ABOLFAZLI: Yes.

21 JUDGE BROWN: It was on a tablet, and somehow
22 that -- whatever that evidence was doesn't -- you're not
23 able to give it to us.

24 MR. ABOLFAZLI: Unfortunately, yeah. I lost it
25 during Maria.

1 JUDGE BROWN: Okay. Was it a document, or was it
2 like a --

3 MR. ABOLFAZLI: Like the same thing when we do
4 the meeting, you know, we just make a note, and then it
5 also record the voice. So that be like amazing.
6 Unfortunately, I don't know if you heard. You probably
7 remember. Maria is the same hurricane that hit Puerto
8 Rico. So it hit my island first, and then it was a
9 Category 5; left nothing after. But the good thing was I
10 was in U.S. at that time. I just came for vacation in
11 U.S., and I couldn't go back after. It basically
12 devastated the island.

13 JUDGE BROWN: Is there any other evidence of the
14 efforts you made to transfer control of the business?

15 MR. ABOLFAZLI: One good example would be I put
16 the Moe as the -- we put the Moe as a treasurer and
17 secretary. That gives him the power to do the transfer,
18 because he was supposed to do. I was not in the country.
19 So when he do that, he could go ahead and do the transfer.

20 JUDGE BROWN: So you put him as treasurer and
21 secretary. Do you mean on the Secretary of State
22 Statement of Information document?

23 MR. ABOLFAZLI: Yes.

24 JUDGE BROWN: Do you mean --

25 MR. ABOLFAZLI: That's correct. Yes.

1 JUDGE BROWN: Okay. And on any other documents?

2 MR. ABOLFAZLI: These are the main two things I
3 can bring up to support that I intended. The plan was for
4 them to basically do the transfer. I don't want be
5 legally liable for something I'm not involved in.

6 JUDGE BROWN: And then I also want to ask you
7 about whether you were able to pay the taxes just
8 yourself, like you -- you had -- did you have access to
9 the bank account?

10 MR. ABOLFAZLI: I had access to the bank account,
11 but it was not able to pay the taxes for three reasons.
12 The first thing is, I don't know how much they owe. I
13 know that some cars are sold, but I don't know how much to
14 pay? How much you collected for tax? The second thing
15 was, I don't know how much they owe to other people. I
16 don't know. Okay. Let's say there \$50,000 in the bank
17 account. First, I don't know how much to pay. The second
18 thing is, I don't know how much of this \$50,000 belongs to
19 the DMV, NextGear, which is the flooring company that pay
20 for the car. How much of this, you know, go for those
21 things so -- because those are must, must first priority.
22 And then that was the second reason. And the third reason
23 is there was no money available after I got the numbers
24 from --

25 JUDGE BROWN: And you mentioned that you were

1 trying to get the numbers and trying to get the login
2 information for how to log into the business's account
3 with what was then BOE, Board of Equalization, or CDTFA;
4 and you could not get that --

5 MR. ABOLFAZLI: All of them, yeah.

6 JUDGE BROWN: Yeah. The same agency, right. So
7 you were trying to --

8 MR. ABOLFAZLI: No, no. I mean, even for the --
9 even for the NextGear, I didn't have the login. I wanted
10 to know how much he owes, you know, to them. I didn't
11 even have that login information to see how many cars they
12 have on the floor that needs to be paid off; and also the
13 CDTFA, yeah.

14 JUDGE BROWN: And you said that you weren't able
15 to pay the CDTFA by paper. You had to pay by
16 electronically. Like you couldn't -- you had to login in
17 order to pay CDTFA?

18 MR. ABOLFAZLI: I think he said they changed the
19 system some time after 2015 that things should be online.
20 That -- that's the last thing I remember. And they
21 changed the website from Board of Equalization to
22 something else, the user name and password changed at that
23 time.

24 JUDGE BROWN: All right. That's all I have right
25 now.

1 I'm going to turn to my co-panelists and see if
2 they have any questions for you. I'll ask first.

3 Judge Geary, do you have any questions for
4 Dr. Abolfazli?

5 JUDGE GEARY: Yes, please.

6 Doctor, you were a professor of -- was it
7 engineering before you went into the used car business?

8 MR. ABOLFAZLI: At the same time. I was doing
9 two jobs.

10 JUDGE GEARY: So you remained in your position as
11 a professor --

12 MR. ABOLFAZLI: Yes.

13 JUDGE GEARY: -- after you -- please wait until I
14 finish the question -- after you started the car business?

15 MR. ABOLFAZLI: Yes.

16 JUDGE GEARY: Had you had any prior experience
17 with used car sales before you started this business?

18 MR. ABOLFAZLI: Define experience.

19 JUDGE GEARY: Have you ever been involved in a
20 used car business before starting your own?

21 MR. ABOLFAZLI: I had -- I sold cars. I know
22 about cars. I know about the repairs. And initially, I
23 started with a colleague, with a partner whose uncle was
24 the owner of the Kia -- Alhambra Kia. And initially, they
25 were providing the used car. That's how I started it.

1 JUDGE GEARY: So you actually worked for this
2 person who had a Kia dealership before you started --

3 MR. ABOLFAZLI: No. No. My partner. My
4 partner.

5 JUDGE GEARY: Okay. And when you say my partner,
6 mean your partner in this business?

7 MR. ABOLFAZLI: In this business initially, yes.

8 JUDGE GEARY: And what's his name or her name?

9 MR. ABOLFAZLI: Orang, O-r-a-n-g. But he
10 initially -- he was also engineer, but he shortly after we
11 starting we separated.

12 JUDGE GEARY: Was he a part owner of the car
13 business that we are here talking about when you first
14 started it?

15 MR. ABOLFAZLI: He was never on the papers. No.

16 JUDGE GEARY: Well, was he still a partner?
17 Whether it was on paper or not, in your mind, was he a
18 partner?

19 MR. ABOLFAZLI: Yes. Yes. We were working
20 together for the first, like, six months, and then he went
21 and get another job.

22 JUDGE GEARY: Did you set up the corporation on
23 your own?

24 MR. ABOLFAZLI: Yes.

25 JUDGE GEARY: Had you ever done that before?

1 MR. ABOLFAZLI: No.

2 JUDGE GEARY: Is this the first used car business
3 that you've ever owned?

4 MR. ABOLFAZLI: Yes.

5 JUDGE GEARY: Who taught you about the used car
6 business?

7 MR. ABOLFAZLI: I'm educated engineer. I learn
8 things. I teach myself.

9 JUDGE GEARY: You taught yourself?

10 MR. ABOLFAZLI: Yes. Classes, courses, online
11 courses, books, and also my friend, and also the other Kia
12 dealership.

13 JUDGE BROWN: Did your dealership, before you
14 left at the end of 2014, did your dealership use any kind
15 of software program to manage its purchases and sales?

16 MR. ABOLFAZLI: Yes. They have -- there's an
17 online program that they used to do all the contracts, all
18 the sales, everything, yes.

19 JUDGE GEARY: And also keep track of your
20 inventory?

21 MR. ABOLFAZLI: It does. It can if you put --
22 they changed it. Right before I leave, they changed it.
23 I was using a different program. But when they switched
24 to NextGear, NextGear give them their own program. So the
25 things change, but that software had the capability. Yes.

1 JUDGE GEARY: Before you left medical school,
2 were you involved in the day-to-day management of the
3 business?

4 MR. ABOLFAZLI: Initially, I was. Yes.

5 JUDGE GEARY: Did you --

6 MR. ABOLFAZLI: It gradually decreased during the
7 2014. Middle of 2014 Ray joined, so he was s great help,
8 and they were doing good. So it was going down little by
9 little. My involvement got less and less.

10 JUDGE GEARY: But otherwise the business was
11 doing well before you left?

12 MR. ABOLFAZLI: The business was.

13 JUDGE GEARY: Was it doing well when you left for
14 medical school?

15 MR. ABOLFAZLI: Yeah. I think, yeah, it was
16 doing good. Yeah.

17 JUDGE GEARY: What was capital investment in the
18 corporation?

19 MR. ABOLFAZLI: I didn't have that much at that
20 time.

21 JUDGE GEARY: How much was it?

22 MR. ABOLFAZLI: Maybe like -- maybe nothing.
23 Honestly, nothing at that time.

24 JUDGE GEARY: Had you ever had a seller's permit
25 before the one that you applied for this business?

1 MR. ABOLFAZLI: No. This is the first seller's
2 permit.

3 JUDGE GEARY: Were you ever involved in filing
4 the sales and use tax returns for this business before you
5 left for medical school?

6 MR. ABOLFAZLI: Yes, I was.

7 JUDGE GEARY: And were those paper returns or
8 electronic?

9 MR. ABOLFAZLI: I was usually doing paper. No.
10 Let me recall. At the beginning it was paper, but at some
11 point it was electronic.

12 JUDGE GEARY: So you were familiar with
13 electronic filing before you left for medical school;
14 correct?

15 MR. ABOLFAZLI: I was -- I think it -- yes.
16 Yeah. It -- it changed. That system of electronic
17 changed, yes, when I was in business. Yes.

18 JUDGE GEARY: When did Seyed Islame (sic) became
19 an interest in your business?

20 MR. ABOLFAZLI: I don't know about the detail.
21 He might be a little confused, or I might not know. But
22 he got involved in 20 -- I'm sure -- 2011, 2010, something
23 at that time. So we start sharing the lot. Yeah. I
24 think it was 20 -- 2009. Yeah. It was 2009 after the
25 crash. Yeah. He got involved. He was looking for a lot.

1 So we start sharing the lot, and that was the initial
2 involvement with him.

3 JUDGE GEARY: So did he ever own a part of your
4 business?

5 MR. ABOLFAZLI: I don't -- no, not until I was
6 there. No.

7 JUDGE GEARY: You said that everything had to be
8 done quickly when you -- right before you left for medical
9 school at the end of 2014. When were you accepted to
10 medical school?

11 MR. ABOLFAZLI: It was December. I think
12 December 14 or 16, and the school starts January 1st.

13 JUDGE GEARY: That seems unusual. Had you been
14 on a waiting list?

15 MR. ABOLFAZLI: No. I was good.

16 JUDGE GEARY: It seems unusual that a school
17 would only give you weeks to prepare and move to the
18 Caribbean to attend medical school. Was there something
19 unusual about your situation that left you with so little
20 notice?

21 MR. ABOLFAZLI: If it changes your decision, I
22 can find the letter of acceptance and provide it.

23 JUDGE BROWN: That's up to you. I'm just --

24 MR. ABOLFAZLI: I don't how it's related.

25 JUDGE GEARY: What do you think the corporation

1 was worth, including all of its assets and liabilities at
2 the end of 2014 when you transferred it to Mr. Nouri and
3 the other gentleman?

4 MR. ABOLFAZLI: Say the question again.

5 JUDGE GEARY: What was your corporation worth
6 when you transferred it?

7 MR. ABOLFAZLI: It was negative. It didn't have
8 that much of an asset.

9 JUDGE GEARY: Well, you had assets; correct? You
10 had leasehold interest; correct?

11 MR. ABOLFAZLI: I mean, net assets.

12 JUDGE GEARY: You had some inventory that had
13 liens on it, but you did have inventory; correct?

14 MR. ABOLFAZLI: Okay. In accounting you have
15 asset, and you have liability. The difference would be
16 the net asset. Yeah, we have hundreds of thousand, up to
17 a million asset. Against them there are a million
18 liability. Same as I'm trying to explain. When we buy
19 car we put it on the flooring. Flooring means you buy the
20 car. It's added to your asset. But you haven't paid it,
21 so your liability goes up. So if you have an asset, you
22 haven't paid for it, your net worth -- or your net asset
23 going to stay the same.

24 JUDGE GEARY: Thank you. So what were your
25 assets worth? We'll talk about your liabilities in a

1 minute.

2 MR. ABOLFAZLI: It was not that. I think it was
3 zero. I don't know the exact number, but not --

4 JUDGE GEARY: So you do -- I'm not talking about
5 your net worth, the net worth of the company. I'm talking
6 about the assets of the company. What were the assets
7 worth when you signed it over to the other gentlemen?

8 MR. ABOLFAZLI: I don't have the exact number,
9 but at that time they had, I think, 50 or 60 cars. If you
10 say 50 or 60 cars, maybe, you know, \$6,000; about
11 \$400,000.

12 JUDGE GEARY: Did you --

13 MR. ABOLFAZLI: You are talking about 2014;
14 correct?

15 JUDGE GEARY: Yes.

16 MR. ABOLFAZLI: Okay.

17 JUDGE GEARY: Did you sign the flooring agreement
18 with the company that was providing that service at the
19 time you left?

20 MR. ABOLFAZLI: I signed it before I leave.
21 The --

22 JUDGE GEARY: That's what I mean --

23 MR. ABOLFAZLI: -- services --

24 JUDGE GEARY: You were the one -- you were the
25 one who signed that agreement; correct?

1 MR. ABOLFAZLI: Exactly.

2 JUDGE GEARY: Did you notify that company that
3 you were selling the corporation?

4 MR. ABOLFAZLI: Did not know notify the company.
5 No.

6 JUDGE GEARY: Did you give notice to any other
7 entity or individuals that you were selling the
8 corporation?

9 MR. ABOLFAZLI: No.

10 JUDGE GEARY: And you received no money from
11 either of these gentlemen at the time of the sale;
12 correct?

13 MR. ABOLFAZLI: I put -- I did some investment,
14 about \$30,000. I got a loan for \$30,000. I give it to
15 them. They were doing good, actually. So I give it to
16 them, and they worked with it. And they give me some
17 money at the beginning, but when they lost the things,
18 nothing after.

19 JUDGE GEARY: Was there ever any formal transfer
20 of corporate shares?

21 MR. ABOLFAZLI: I'm sorry.

22 JUDGE GEARY: Was there ever any formal transfer
23 of corporate shares to the gentlemen that you sold?

24 MR. ABOLFAZLI: You mean the stock? No. But
25 the --

1 JUDGE GEARY: Yes. Yes.

2 MR. ABOLFAZLI: No. That's what the secretary is
3 supposed to do, and he didn't do it.

4 JUDGE GEARY: You filed a closeout. Do you
5 recall that? Maybe --

6 MR. ABOLFAZLI: I had to.

7 JUDGE GEARY: Okay. You indicated on that
8 closeout that you had not sold the business. Why is that?

9 MR. ABOLFAZLI: Because when you close the
10 business -- I didn't sell the business. I closed it.

11 JUDGE GEARY: But on that closeout document,
12 didn't you indicate that you had not sold the business?

13 MR. ABOLFAZLI: The closing -- when you go to
14 DMV, I'm not -- I was not transferring the business to
15 some other people. We are just closing the business. No
16 more business.

17 JUDGE GEARY: I'm talking about the closeout
18 document that filed with what then would have been the
19 California Department of Tax and Fee Administration.

20 MR. ABOLFAZLI: Yes. That document has two
21 purpose. If a business is going out of business, so your
22 license no more business. Nothing. The second purpose is
23 the business is being transferred to another person, which
24 means the operation going to continue under some other
25 business. That was not the case for us.

1 JUDGE GEARY: Okay. So that's what you meant
2 when you indicated on that form that you had not sold the
3 business?

4 MR. ABOLFAZLI: Exactly. That -- that is the
5 only indication.

6 JUDGE GEARY: You signed, I believe, a
7 handwritten tax return for the second quarter of 2019;
8 correct?

9 MR. ABOLFAZLI: Say again.

10 JUDGE GEARY: I believe you signed a handwritten
11 tax return for the second quarter of 2019; is that
12 correct?

13 MR. ABOLFAZLI: I don't recall, but it's possible
14 because it was too past due, and they cannot do it. They
15 probably couldn't do it online. So after a certain amount
16 of time that's when -- oh, maybe the corporation was
17 closed. Yeah. I think that should be the reason. Maybe
18 the corporation was closed, and the only way to file the
19 tax -- the sales tax was on hand. That's what I think I
20 was told at that time.

21 JUDGE GEARY: Do you have any recollection, as
22 you sit here today, of actually completing that document?

23 MR. ABOLFAZLI: I don't remember what documents
24 or when, but it is possible as I mentioned. If it is my
25 signature on it, then I have done. Possibly.

1 JUDGE GEARY: When you left for medical school,
2 you remained a signatory on the company's bank account; is
3 that correct?

4 MR. ABOLFAZLI: I was signatory on the bank
5 account until the bank account were closed. Yes.

6 JUDGE GEARY: Why?

7 MR. ABOLFAZLI: Why not?

8 JUDGE GEARY: Why. Pardon me.

9 MR. ABOLFAZLI: Because I was still in the list.
10 They haven't transferred all the liabilities. So I
11 should -- they -- they didn't want it I think. They never
12 get the chance. There was no need for me to remove
13 myself. I was out of the country, and then I was not
14 involved; and what's the benefit of doing that?

15 JUDGE GEARY: While you were in medical school,
16 you would have regular breaks. And during some of these,
17 you returned to the area where the car lot was being
18 operated; is that correct?

19 MR. ABOLFAZLI: It's a possibility that I come
20 back because I have my friend over there to see, not to do
21 business.

22 JUDGE GEARY: Did you make any effort to go to
23 the dealership and speak with Mr. Nouri or with whoever
24 else might have been around about the business?

25 MR. ABOLFAZLI: I don't think so. Maybe -- maybe

1 very brief, not getting involved in management because
2 they supposed to transfer the business, and it hasn't --
3 it hasn't been done.

4 JUDGE GEARY: Thank you, Doctor. Those are the
5 only questions I have.

6 MR. ABOLFAZLI: My pleasure, Your Honor.

7 JUDGE BROWN: Thank you.

8 And now I will ask Judge Turner.

9 Do you have any questions at this time?

10 JUDGE TURNER: I don't.

11 JUDGE BROWN: Okay. Thank you.

12 Then I will say we've heard Appellant's
13 presentation, and now we can turn to CDTFA for its
14 presentation. And CDTFA estimate it would take
15 30 minutes. So it's 3:00 o'clock, so I will anticipate we
16 will complete that at 3:30.

17 CDTFA, you can begin whenever you're ready.

18 MS. JACOBS: Thank you.

19

20 PRESENTATION

21 MS. JACOBS: The primary issue in this appeal is
22 whether Appellant is personally liable for the unpaid
23 sales and use tax liabilities of Amin Auto Group doing
24 business as OC Imperial Motors for the period of
25 January 1st, 2019, through July 31st, 2019. The

1 Department maintains its position that Appellant is liable
2 as a responsible person, pursuant to Revenue & Taxation
3 Code 6829, for the unpaid liabilities of AAG for the
4 liability period.

5 As you're all aware, four elements must be met
6 must be impose personal liability under Section 6829:
7 One, the corporation must be terminated; two, the
8 corporation must have collected sales tax reimbursement on
9 its retail sales of tangible personal property or TPP;
10 three, the person must have been responsible for the
11 payment of sales and use tax; and four, the person's
12 failure to pay must have been willful.

13 Pursuant to the August 6th, 2025 prehearing
14 conference Minutes and Orders, there's no dispute as to
15 the first element. Both parties agree that AAG terminated
16 its business operations. Therefore, the first element is
17 satisfied.

18 As to the second element, personal liability can
19 be imposed only to the extent the corporation collected
20 sales tax reimbursement on its sales of TPP in this state
21 but failed to remit the tax to the Department when due;
22 see section 6829(c) and Regulation 1702.5(a). The
23 evidence shows that AAG collected sales tax reimbursement
24 on its sales of TPP. AAG's vehicle sales contracts, which
25 are in Exhibit A, pages 28 to 30, or an example is, show

1 that the sales tax reimbursement was separately charged
2 and collected. AAG's general manager, Meghadad Nouri,
3 also confirmed that sales tax reimbursement was charged
4 and collected on all taxable sales; see Exhibit A,
5 page 26.

6 Also during the liability period, AAG was
7 reporting taxable sales and making sporadic payments;
8 Exhibit A, pages 20 to 22. It seems unlikely AAG would
9 have not collect -- would not have collected sales tax
10 reimbursement from its customers if it knew it was making
11 and reporting taxable sales. Based on this evidence, the
12 second element is satisfied.

13 As to the third element, whether Appellant was a
14 responsible person, the evidence shows that Appellant was
15 an officer of AAG who had control, supervision of, and the
16 responsibility for the filing of returns for the payment
17 of tax and had a duty to act for the corporation in
18 complying with the sales and use tax law; section 6829(b)
19 and Regulation 1702.5(b)(1). Appellant signed and is
20 listed as the sole corporate officer and president,
21 secretary, and treasurer on AAG's seller's application
22 dated May 6th, 2005; Exhibit A, pages 16 to 17.

23 In the Statement of Information filed with the
24 Secretary of State on August 10th, 2017, Appellant
25 continues to be listed as the CEO and president and as the

1 individual completing the form; Exhibit A, page 18.
2 Appellant also signed and is listed as president on both
3 AAG's Notice of Closeout and authorization of electronic
4 Transmission of Data dated November 8th, 2019; Exhibit A,
5 pages 24 to 15.

6 According to Appellant's own Exhibit 4, he issued
7 a sales and use tax payment in June 2018 and filed the
8 fourth quarter 2018 return, the quarter directly preceding
9 the liability period at issue, as well as issued the sales
10 and use tax payments in March and May of 2019 during the
11 liability period; Appellant's Exhibit 4. Appellant also
12 filed AAG's second quarter 2019 sales and use tax return;
13 Exhibit A, pages 20 to 22 and Appellant's Exhibit 4.
14 Finally, Appellant was in numerous discussions with the
15 Department and an AAG employee regarding AAG's tax
16 obligations and compliance; see Exhibit A, pages 19 and 68
17 through 78.

18 Appellant argues that he transferred control of
19 AAG's business operations to AAG's general manager
20 Mr. Nouri and potentially another individual to attend
21 medical school out of the country; and that Mr. Nouri and
22 this other individual potentially was responsible for the
23 operations and financial management of AAG. However,
24 there is nothing documenting the alleged business transfer
25 in evidence, and the evidence we do have shows that

1 Appellant continued to remain involved in the
2 corporation's sales and use tax matters.

3 Furthermore, being physically present at the
4 business or responsible for day-to-day operations is not a
5 requirement for personal liability under section 6829.
6 Appellant had a duty to act on behalf of AAG, which
7 includes ensuring compliance with sales and use tax laws,
8 even if that responsibility was delegated to others as
9 Appellant is alleging. Absent an expressed limitation on
10 Appellant's duties and powers, Appellant was responsible
11 to ensure the corporation's sales and use tax obligations
12 were met, even if he had delegated those tasks. See
13 Commercial Security Company versus Modesto Drug Company a
14 1919 case, and the site is 43 Cal App 162, pin site 173.
15 Therefore, the third element is also satisfied.

16 As to the fourth element of personal liability,
17 the evidence shows that Appellant's failure to pay AAG's
18 tax liabilities was willful. As you know, a failure to
19 pay may be willful, even though such failure was not due
20 to a bad purpose or motive. Failure to pay is willful if
21 the person had knowledge that the taxes were not being
22 paid and had the authority and ability to pay the taxes
23 but failed to do so. Failure to pay, again, may be
24 willful even without bad purpose or motivation; see
25 Regulation 1702.5(b)(2).

1 As to Appellant's authority, Appellant had the
2 authority to direct the financial affairs of the
3 corporation, including the authority to pay taxes.
4 Appellant was the officer and founder of AAG, and at
5 various times, he was the Director and CEO, but he was
6 always the president and a signor on AAG's account with
7 the ability to add additional signers; Exhibit A, pages 16
8 to 26 and page 82.

9 These positions are evidence that Appellant had
10 broad, implied, and actual authority to ensure compliance
11 with the sales and use tax law, even if that
12 responsibility was delegated to others. See again,
13 Commercial Security Company versus Modesto Drug Company
14 with the same citation as before. Nothing indicates that
15 Appellant's authority was limited in any way. In fact,
16 Appellant signed checks drawn against AAG's business
17 account during the liability period from January 2019
18 through July 2019, which demonstrates his authority to
19 direct corporate funds; see Exhibit A, pages 31
20 through 37.

21 Appellant has claimed that beginning in 2014 he
22 no longer had control of the company's operations and
23 financial decisions and that he lacked authority.
24 However, Appellant was in numerous discussions with the
25 Department and with an employee of AAG regarding AAG's tax

1 obligations and compliance; see Exhibit A, pages 19 and 68
2 through 78. For example, Appellant discussed AAG's sales
3 and use tax matters with Mr. Nouri over text message
4 during the liability period, including giving direction
5 and asking questions regarding payment on the following
6 dates:

7 On May 2nd, 2019, quote, "Update sales taxes. We
8 need to know that," end quote; May 5th, 2019, quote, "When
9 will you make the sales tax file ready?" end quote;
10 May 27th, 2019, "Sales tax for last month might still not
11 be late. Please check and pay so we might not get penalty
12 for it," end quote; June 21st, 2019, quote, "We must file
13 taxes and make plan. Situation is getting out of hand,"
14 end quote. And those can be found in Exhibit A, pages 68
15 through 74.

16 Appellant also signed and filed the untimely
17 second quarter 2019 sales and use tax return on
18 December 22nd, 2021, and discussed AAG's outstanding sales
19 and use tax issues with the Department on various
20 occasions, including November 8, 2019, and
21 December 23rd, 2021, and November 8th, 2021; Exhibit A,
22 pages 19, 21 to 22, and 81 to 82. Thus, on/and after the
23 taxes became due, Appellant had the authority to pay the
24 taxes or cause them to be paid.

25 As for knowledge and ability, Appellant's -- or

1 sorry -- AAG's sales tax liabilities were based on
2 non-remittance returns for first and second quarter 2019,
3 and the Department estimate for the part of -- for part of
4 third quarter 2019, the July 1st, through 31st period.
5 The liabilities became due on the dates that the returns
6 were due, which are on/or before the last day of the month
7 following each quarterly period. Those dates were:
8 April 30th, 2019 for first quarter 2019; July 31st, 2019,
9 for second quarter 2019; and October 31st, 2019, for third
10 quarter 2019.

11 We will take these quarter by quarter. For first
12 quarter 2019, the evidence shows that on/or after
13 April 30th, Appellant had knowledge that AAG's taxes were
14 due but not being paid. We have in the record text
15 messages, between Appellant and Mr. Nouri in May 2019,
16 that appear to relate to this quarter. For example,
17 Appellant's text, dated May 27th, 2019, appears to relate
18 to this quarter and AAG's late-filing of its quarter 2019
19 sales and use tax return is also very close in time to
20 Appellant's June 21st, 2019, text; see Exhibit A, pages 68
21 to 73. Appellant also had a discussion with Department
22 staff on November 8th, 2019, in which he was directly
23 informed for the remaining amounts due for first quarter
24 2019; Exhibit A, page 19.

25 Therefore, while Appellant had -- at least had

1 actual knowledge that the first quarter 2019 tax liability
2 was not being paid as of November 8th, 2019, the date of
3 the conversation with the Department, the evidence
4 supports a finding that Appellant had knowledge of the
5 first quarter 2019 liability was not being paid as early
6 as May 27th, 2019. The evidence shows that AAG had
7 deposits --

8 Did you need to say something, Judge Brown?

9 JUDGE BROWN: Can everyone hear me? I want to
10 ask everyone to pause for a minute because my microphone
11 just gave out --

12 JUDGE GEARY: We can hear you fine.

13 JUDGE BROWN: -- and I can't hear anyone
14 speaking.

15 JUDGE TURNER: That's a different issue.

16 JUDGE BROWN: Hold on. I am clicking on the
17 microphone icon in Zoom. I just need to select a
18 different speaker. Sorry.

19 Okay. Can someone speak?

20 MS. JACOBS: Hello. Can you hear me.

21 JUDGE TURNER: I can hear.

22 JUDGE BROWN: Yes. Okay. I can hear you now.
23 Thank you. Sorry.

24 Go ahead.

25 MS. JACOBS: I can hear you as well. Thank you.

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JUDGE BROWN: Okay.

MS. JACOBS: The evidence shows that AAG had deposits at JP Morgan Chase of over \$11,900 after May 27th, 2019, \$38,000 in June 2019, and \$83,000 in July 2019; Exhibit H. These deposits exceed the business's tax liability for first quarter 2019 and, in fact, exceed the total tax liability for all three quarters of the liability period; see Exhibit G. Thus, Appellant had the ability to pay AAG's first quarter 2019 tax liability. AAG's second quarter 2019 sales and use tax return was due on July 31st, 2019, and AAG late-filed a non-remittance sales and use tax return signed by Appellant on December 22nd, 2021; Exhibit A, pages 20 to 22.

Prior to submitting the return, Appellant was also informed, during that November 8th, 2019 phone conversation with the Department, that while the Department received payments for second quarter 2019, the return had not been filed; Exhibit A, page 19. There's also another text message between Appellant and Mr. Nouri, dated September 21st, 2019, which likely relates to the second quarter '19 liability in which Appellant sought information regarding the, quote, "sales tax file," end quote. These interactions show Appellant was aware of filing deadlines and AAG's recurring tax issues.

Given these conversations, Appellant at least had

1 knowledge that the second quarter 2019 liability was not
2 being paid as of November 8th, 2019. However, the
3 evidence supports a finding that Appellant had knowledge
4 of the second quarter '19 liability as early as July
5 31st, 2019, the date the taxes became due. The evidence
6 shows AAG had deposits at JP Morgan Chase of over \$30,000
7 in August of 2019 after the liability became due on
8 July 31st, 2019; Exhibit H. Again, these deposit amounts
9 well exceeded the business's tax liability for second
10 quarter 2019; Exhibit G. Thus, Appellant had the ability
11 to pay AAG's second quarter 2019 tax liability.

12 Finally, Appellant filed a Notice of Closeout for
13 AAG on November 8th, 2019, siting the date the business
14 closed as July 31st, 2019. AAG did not file a closeout
15 sales and use tax return or pay any taxes for the period
16 of July 1st, 2019, through July 31st, 2019. AAG's return
17 for this period was due on October 31st, 2019. During
18 that November 8th, 2019, phone conversation, Appellant
19 informed the Department that the business had closed and
20 stated that he would have someone file the return;
21 Exhibit A, page 19. However, no final return was ever
22 filed, and the Department estimated AAG's gross receipts
23 for this period and issued a Notice of Determination dated
24 March 26th, 2020; Exhibit E.

25 When AAG did not pay or petition that

1 determination, the Department issued a demand dated
2 April 28th, 2020; Exhibit F. Appellant informed the
3 Department on December 23rd, 2021, that he did not contest
4 the third quarter 2019 liability; Exhibit A, page 81. For
5 this period, Appellant at least had knowledge of the third
6 quarter 2019 tax liability as not being paid as of
7 November 8th, 2019, the date of the conversation with the
8 Department. However, given his involvement in AAG's sales
9 and use tax matters, the evidence supports a finding that
10 Appellant had knowledge as early as the date the taxes
11 became due on October 31st, 2019. After the liability
12 became due on October 31st, 2019, the evidence shows AAG
13 had an account balance of \$1,879 in its Bank of America
14 account through April 30th, of 2020; Exhibit A, page 61.

15 Furthermore, the evidence shows AAG was making
16 sales and collecting sales tax reimbursement from its
17 customers during July 2019, which were included -- which
18 were likely included in its July deposits at JP Morgan
19 Chase of over \$83,000. And as such, funds represented by
20 the tax reimbursement collected should have been available
21 to pay the tax; see Exhibit A, pages 38 through 39 and
22 Exhibits G and H. Therefore, Appellant had the ability to
23 pay AAG's third quarter '19 tax liability.

24 In sum, AAG collected tax reimbursement
25 throughout the liability period. Appellant was a person

1 responsible for AAG's sales and use taxes obligations, and
2 Appellant's failure to pay was willful, meaning Appellant
3 had an actual knowledge that the taxes were not being paid
4 and had the authority and ability to pay the taxes but
5 failed to do so. Based on all the evidence provided, the
6 Department has met its burden of proving all elements for
7 imposing personal liability to Appellant. For these
8 reasons, we request that the appeal be denied.

9 Thank you.

10 JUDGE BROWN: Thank you, CDTFA.

11 I will now turn to my co-panelists and ask if
12 they have any questions. I'll start with Judge Geary
13 again.

14 Do you have questions for CDTFA?

15 JUDGE GEARY: Only to ask some clarification
16 about the record that counsel was citing to. The record
17 that I have, which would be the opening brief; I'm
18 assuming, Ms. Jacobs, were you citing to the Department's
19 opening brief with those page citations?

20 MS. JACOBS: No. I was citing to Exhibit A. I
21 mean, I was citing to various exhibits. The decision is
22 Exhibit A, and the decision has exhibits attached. So
23 citing to exhibits attached to the decision, which would
24 be our Exhibit A.

25 JUDGE GEARY: Because the set of documents that

1 we have, which is basically Respondent's opening brief
2 with an index, and following the index are a bunch of
3 exhibits in completely -- they appear to be in
4 alphabetical order. And I don't see any Bates page
5 numbers at the bottom of any of these exhibits. So I was
6 only inquiring to find out if you were referring to a
7 different document, because we will not be able to -- I
8 don't think I, at least, have not been able to follow your
9 page references.

10 MS. JACOBS: Excuse me. Were you asking about
11 Appellant's exhibits or about my exhibits?

12 JUDGE GEARY: Your exhibits.

13 MS. JACOBS: Okay. I don't believe a hearing
14 binder was made or was not, at least, distributed for this
15 case. So I was citing to the PDF page numbers. All of
16 our exhibits should be PDF. So if you go to our
17 Exhibit A, then the PDF page number would be the number
18 that I was citing to for each of those exhibits.

19 JUDGE GEARY: Okay. So you're referring -- what
20 you did is you broke out each exhibit separately and are
21 referring to the PDF page numbers for each exhibit?

22 MS. JACOBS: Correct. Unless there's a hearing
23 binder that we receive, which we didn't in this case, I --
24 the only thing I can do is -- is cite to those page
25 numbers for each exhibit individually.

1 JUDGE GEARY: Okay. Thank you. Those are my
2 only questions I have.

3 JUDGE BROWN: And, Judge Turner, do you have any
4 questions for CDTFA at this time?

5 JUDGE TURNER: I don't.

6 JUDGE BROWN: Okay. I guess I will ask CDTFA
7 briefly, if you can address the evidence of Appellant
8 trying to, you know, texting Mr. Nouri asking about the
9 tax liability and trying to get the tax liability paid,
10 how does that fit into CDTFA's argument that Appellant's
11 failure to pay was willful?

12 MS. JACOBS: We believe that that is evidence
13 that Appellant was directing the payment of the taxes.
14 So -- and even if you delegate authority, Appellant still
15 had authority to pay the taxes or cause them to be paid.
16 So we believe that that -- that those text messages are
17 actually evidence that Appellant was one, still involved
18 in the business and two, was exercising his authority by
19 directing -- directing those payments.

20 JUDGE BROWN: Thank you. And then do you have
21 anything to address Dr. Abolfazli's argument that he
22 wasn't able to pay because CDTFA had switched to -- pay
23 and file because CDTFA had switched to online filing?

24 MS. JACOBS: I believe that when Appellant filed
25 the second quarter 2019 liability, he filed a paper

1 filing. That's what in the paper record. So we do accept
2 paper filing. And I believe Mr. Abolfazli had called and
3 needed help logging in, we do have a call center that
4 helps taxpayers with that issue.

5 JUDGE BROWN: Okay. Thank you.

6 I don't have anymore questions for CDTFPA at this
7 time.

8 So I'm going to turn back to Dr. Abolfazli and
9 say, Dr. Abolfazli, we now have time for your rebuttal
10 that you can address -- we don't need you to repeat
11 anything that you've already said, but you can address any
12 new arguments and information since you entered your
13 presentation half an hour ago. So this is what we call
14 your rebuttal. And we had scheduled this for 10 minutes.
15 Will that be sufficient?

16 MR. ABOLFAZLI: That should be fine, yes.

17 JUDGE BROWN: Okay. Then go ahead with your
18 rebuttal whenever you're ready.

19

20 CLOSING STATEMENT

21 MR. ABOLFAZLI: Okay. So this is the thing.
22 Again, same thing, missing the forest for the tree. Same,
23 same thing. I'm sorry. I don't know a logical
24 difference. One question. I don't know if they can
25 answer this question. How could have I paid? Tell me

1 this day you could pay this much. I just need to know
2 that answer because they are saying, oh, he could pay.
3 Oh, there was money. Oh, there are a lot of money coming.
4 Yeah, I know. I just told you hundreds of thousands of
5 dollars come in, but does that mean I could just go and
6 get some money out of that? That was my question.

7 I want you to prove that okay, at this, state,
8 everything, all the cars were paid. The cars that you
9 sold, you collected the money, and this money was left
10 over. You did say that actually. You said \$1,870. I
11 agree. So I think that is our deposit with Board of
12 Equalization if it's Bank of America. It's not in our
13 checking account. So yes, if all the -- if the cars are
14 paid, if the DMV get paid for registration, whatever money
15 is left over, yours. Show me where? You just keep saying
16 money is available. You have authority. Show me where.
17 That's my question. It's good to argue all that. That's
18 one thing.

19 The second thing, on the minutes that we file
20 with the State, it doesn't say I'm liable to file -- to
21 file those things. That's misrepresentation, or if you
22 can show me exactly what -- another thing is, what
23 percentage of taxes were filed by me? What percentage
24 were filed by the manager? Do you know that number? It's
25 a big percentage filed by the manager, which means he had

1 the authority. He was filing. So it wasn't just my
2 responsibility. He was supposed to actually get an
3 accountant to do that, but he didn't because of financial.
4 So just by saying I filed one of the taxes, oh, he was
5 responsible for everything. No. You cannot go to the
6 accountant and say, oh, you filed for this business taxes.
7 Come on, pay the taxes.

8 Second thing, willingness (sic). I'm just
9 showing everywhere that I tried to help and solve the
10 problem. I contacted him everywhere. I asked him hundred
11 times, bring the numbers. Let's see how we can pay this.
12 That shows willing to pay, not not willing to pay. If the
13 person doesn't want to pay this, I say don't keep asking,
14 hey, please tell how much tax we owe so we can do
15 something about it. Yes. Yes, I was involved. I was
16 asking at that level after they closed the business. And
17 then you said you filed the taxes on December 29th --
18 October 31st, 2019. How much was in the account? \$1,800
19 in Bank of America. So he didn't have the money to pay.
20 There was no fund available. All this going against your
21 arguments. All this going against their own argument.

22 They're saying, okay, they know they owe money.
23 Duh. Okay. Yeah. We know they owe money, and then they
24 filed in October, and then there's no money. Okay. So
25 let me get it straight again. We know we owe money. The

1 business owe money, not us. We know the business owe
2 money. It's a legal entity. The business file taxes, and
3 then there's no money left to pay for those taxes. That
4 doesn't mean that, oh, someone else is responsible to pay
5 those taxes. That also goes against having the fund. You
6 didn't show the availability of the fund. You didn't show
7 the willingness.

8 I actually show that I did everything to file the
9 taxes. If it wasn't because of me calling hundred times,
10 hundred places to get the numbers to know at least how
11 much the business owes the State, you didn't even have
12 these numbers. That is willingness to help. So believe
13 me, if there was a money over there, yours. We didn't
14 pocket any money. This rule is for the people who close
15 business, pocket the money, and bye to -- bye to the
16 State. That didn't happen here. Moe didn't pocket. I
17 didn't pocket money. We didn't get -- steal the money
18 from, you know, the government. It's just an unfortunate
19 situation that the business goes down. A lot of
20 businesses goes down. We can scare the businesses so
21 hopefully never open a business and do the same as we did.
22 I hope so. Or maybe never, you know, tell people what did
23 happen if you come to California, what they treat you.
24 That's a different story.

25 But the fact is I did everything in my power to

1 make the funds. I had a lot of communication. All my
2 communication, when you go back, is all about closing the
3 business, paying the dues, and finding a solution as a
4 help. None of them is directing on how to do business.
5 None of them is directing on how to sell cars. None of
6 them is operational involvement. So that's what I want
7 you to separate. That's what I want you to see.

8 When you see willingness (sic), yeah, this guy
9 is willingly (sic) coming and helping us. So how can I
10 say to they guy who did everything to know how much he
11 owes suddenly willingly (sic) didn't pay? It just
12 don't add up. Have access to the fund. The fund was not
13 ours. We just explained the car for sales. The money
14 come. The money is not for business. The money is for
15 whoever had the car floored. Yeah, the money come.
16 \$200,000 come. But if you owe \$200, \$2,000 on that car or
17 cars, you have to pay \$202,000 to make the sale happen.
18 If you don't do that, there is basically no sale.

19 I don't know how to explain that. Maybe someone
20 else can explain it better. I tried to bring Amir, maybe
21 he can explain it better. Just coming money to the
22 account doesn't mean money is available. That's like
23 someone else's money to me. They say, oh, you know, you
24 owe. I know, but how much? I didn't know. Could I pay?
25 No. How can I pay if I don't know how much it is? How

1 much I can pay if I don't know how much he owes for the
2 car. Paying the car after sale is the main thing. And
3 when I did get involved? At the end.

4 So there was no willingness. No fund available.
5 I did everything to solve the solution. I even say we're
6 going to get from our pocket. Let's get from our pocket
7 and put, you know, get rid of, you know, the State. But
8 just get more and more, and they send me a bill for
9 \$40,000. And we don't even sell that much. It was the
10 difference in that \$200,000. Nobody even answer. You
11 said, yeah, there's a sales on the paper. That's on the
12 paper. Was it collected? Show me that that money was
13 collected.

14 I could put anything on the paper. Was it
15 collected? Where is the money on that paper. We don't
16 know. You don't know. I don't know either because I was
17 not involved, and I can't find out either. What I know is
18 car sold, car get paid to whoever owns them, and then
19 there was little money left that they pay to the sales tax
20 Department. He paid a lot of money, but at the end there
21 was a balance left. And Moe lost his money. Everybody
22 lost their money. And now you're coming and saying looks
23 like they pocketed those money. No we didn't. There was
24 just nothing to pay. Nothing more to pay. And I was
25 living off student loan of \$700,000 loan -- student loan.

1 You know, I was not even making money over there.
2 So this rule is for the -- to prevent to steal from
3 government, to close the business and say bye, pocket the
4 money. It is not for the unlucky people like us and
5 stupid person like me who trust, you know, and left and
6 forgot to transfer the business. So now they're asking,
7 oh -- now -- now I've been through this process for all
8 these many years. You know how much headache you got us
9 through. And the fact is it remains the same.

10 They stayed calm. There is a business that has
11 gone down. No money is left. They have lost everything,
12 and they're coming and looking and say, okay, who didn't
13 sell car here? This guy. Who didn't -- who was not
14 involved? This guy. Who didn't sign any check? I didn't
15 sign any check. I object to you're saying I was involved
16 in check writing or transaction. No. That's wrong.
17 That's wrong accusation. I need you to show that if you
18 said that had been in a few months there was some
19 transaction done by me, I need to see that.

20 Can -- can I ask them to see -- to show that?

21 JUDGE BROWN: Dr. Abolfazli, it is actually the
22 end of your time. We said --

23 MR. ABOLFAZLI: Because they are --

24 JUDGE BROWN: -- you were going to be 10 minutes.

25 MR. ABOLFAZLI: -- presenting wrong thing. I

1 didn't -- I didn't have any transaction. They said I've
2 been transacting all different. No. You show me. Where?

3 JUDGE BROWN: All right. And I'll say that I
4 asked for -- we said you were going to have 10 minutes for
5 rebuttal. So I will say that unless you have anything
6 further, I think we've heard your rebuttal.

7 I will ask if CDTFA wants to respond in any way,
8 or has anything further to add in response?

9 MS. JACOBS: No. Thank you.

10 JUDGE BROWN: Okay. I'm going to turn to my
11 co-panelists and say, do you have any further questions
12 for Appellant?

13 Judge Geary?

14 JUDGE GEARY: No questions. Thank you.

15 JUDGE BROWN: Okay. Judge Turner?

16 JUDGE TURNER: No questions. Thank you.

17 JUDGE BROWN: Okay. I believe then,
18 Dr. Abolfazli and CDTFA, that we have heard all of your
19 arguments. Does anyone have anything further to add
20 before we close the record? If not, I will say --

21 MR. ABOLFAZLI: Just I'm saying that --

22 JUDGE BROWN: Yes, Dr. Abolfazli, sorry. Go
23 ahead. You were saying?

24 MR. ABOLFAZLI: They present something that is
25 not a fact. So I don't know if I should answer, or I

1 don't want you to put your judgment based on some untrue
2 facts.

3 JUDGE BROWN: The panel will consider that as
4 part of your argument. Okay.

5 MR. ABOLFAZLI: Okay.

6 JUDGE BROWN: Then I have admitted the exhibits.
7 We have heard witness testimony. We have heard arguments
8 from both parties, and now I can say that this concludes
9 the hearing. The record is closed, and the case is
10 submitted today.

11 The panel members will meet and confer and decide
12 the case based on the evidence, the arguments, and the
13 applicable law. And we will mail both parties our written
14 decision no later than 100 days from the date the record
15 close, which is today.

16 So the hearing is now adjourned.

17 And I believe the next hearing will begin after a
18 short break after about 10 minutes.

19 Thank you, everyone, for participating.

20 MR. ABOLFAZLI: Sure. Quick question. How can I
21 update my address?

22 JUDGE BROWN: With OTA or with CDTFA?

23 MR. ABOLFAZLI: With whatever -- with both of
24 them. I mean, it's going to be online the decision, yes?
25 Or it's going to be mailed?

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JUDGE BROWN: All right. The OTA staff will contact you after the hearing.

MR. ABOLFAZLI: Okay. Thank you so much.

JUDGE BROWN: Thank you. The hearing is now adjourned, and we are off the record.

Thank you, everyone.

(Proceedings concluded at 3:38 p.m.)

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HEARING REPORTER'S CERTIFICATE

I, Ernalyne M. Alonzo, Hearing Reporter in and for the State of California, do hereby certify:

That the foregoing transcript of proceedings was taken before me at the time and place set forth, that the testimony and proceedings were reported stenographically by me and later transcribed by computer-aided transcription under my direction and supervision, that the foregoing is a true record of the testimony and proceedings taken at that time.

I further certify that I am in no way interested in the outcome of said action.

I have hereunto subscribed my name this 11th day of September, 2025.

ERNALYN M. ALONZO
HEARING REPORTER