

It really comes down to that. It really comes down to this. It's an in rem action. Everything that the UD plaintiff brings into the court is either fraud upon the court or a rebuttable presumption. Or both. Because the controversy is around a thing, and that thing is the real property that I reside in. It's a thing. It's a tangible, material thing. It sits on dirt, it sits on land. The controversy is about who has the superior right to possess it. Literally to take ahold of it physically. Tangible, in rem action.

Now, I'm calling it in rem action. They're saying, no, it's not an in rem action. I already have the right to possess it. I bought it. Okay, well wait a minute. It is an in rem action because you don't have possession and you want it. So the it, is the in rem.

Now, the thing that the plaintiff wants to take possession of, which would dispossess me of it, the thing, the in rem property, tangible house and land is in controversy. Because I'm in it. And they're not. Right? That's the whole point. They are saying, we are supposed to have possession. And I say, no you don't. So we are in controversy about the thing. The in rem property.

And their claim that they have purchased title ownership is merely a claim because the law, [California Civil Code] 2924f(B)(8)(A) and the published notice "Notice of Trustee Sale," which say in black and white, you only bought the right to make a claim called a "LIEN." Well, is your lien valid? Is it accurate? Right? Those are all rebuttable presumptions. You may want... Obviously you wish and hope and pray and want and desire your lien that you bought to be considered and ruled and judged by an unlawful detainer court judge that agrees with you that that lien that you bought is the equivalent and equal to actual title ownership and the lawful right to take possession of it. Thereby dispossession me of it which is why you want your writ of eviction against me. Right?

However, just because that's what you would like to have as an outcome of your case against me, doesn't mean that the law or the facts support that that is true. In other words, you have brought in rebuttable presumptions that you have not only a superior right to title and ownership other than me, but that I have zero title, ownership and right to possession of it. Simply by virtue of the completed trustee sale in which you were the winning bidder in this case, Breckenridge.

All of that is rebuttable presumption because in reality, according to facts and the law, you only purchased a lien and a lien is not title, CIV 2888, and your lien is subject to rebuttal. It's subject to my claims that your lien does not entitle you to title nor ownership nor right to possess a property. Those are my claims. Now they're sitting alongside your claims, UD plaintiff. But wait, there's more. I'm actually in possession of it. Oh yeah, but that's unlawful, you're supposed to get out of it because of the trustee sale. Well, wait a minute, wait, wait and wait. I understand that's your argument, but let's look at the facts.

The controversy is an in rem action because you want possession and I have it. Of the in rem thing. We established that, right? Okay. Regardless of what you say and what you write and how you flail around your trustee's deed and all of that, I am in possession of the thing that you claim you should be in possession of. So the facts on the ground are, the thing is the subject in controversy, i.e. possession of it. Because it sure looks like I'm living here and not Breckenridge, right? Okay, I'm in possession. Let's look at that for a second. I'm in possession of the thing, the in rem, tangible, physical object, the house and its land that the

plaintiff believes it should take away the possession from me and give it to its client, itself, okay? Breckenridge, the company.

Okay, but I am in possession of it. So how did I come in possession of it? Did I shoot somebody or hold somebody up or mug somebody or break some law resulting in my coming into possession of this in rem thing in controversy, the house? Why no, not at all. That's not even entering into the complaint. How I came into possession of it or that I may have come... I may have come into possession of it somehow unlawfully, right? Which would then strip me of the right to be in possession of it. No, that's not the question. Because I am in what's called lawful possession.

Definition of lawful possession, that the thing that I am in possession of, in this case this house and real property, I came into possession of it without violating any laws, without harming anyone. Right? By committing no unlawful, unjust act that damaged and injured anyone. I didn't come into possession of my own home that has been in my family continually since 1965 in any manner, shape or form in which laws were violated on the way to me ending up in this situation where I'm in possession of it. I'm in lawful possession.

Okay, so then a series of circumstances occur. Right? Leading to that fateful day of September 25, 2019 around the midday hour. Starting at about 12:30 PM on that day. Which was the scheduled date and time of the trustee sale of this house. Which of course I maintain should have been canceled by operation of law but wasn't canceled by the people that were continuing to move it forward, right? Okay. Well, it was around 1:15 that day that the agent working for Breckenridge, a young man with the earpiece in his ear able to obviously... He was able to hear me for 45 minutes disclose to everybody for everybody's benefit that they were going to be embroiled in protracted complex litigation because I had tendered full payoff. And this trustee and servicers and all their attorneys were supposed to cancel the sale. I made it very clear it was tender of full payoff, not reinstatement, \$850,000 sitting in escrow. My loan broker and my title officer baffled, well, why don't these people supply their bank wiring instructions? What do you mean, they're going to reject the money? And they're going to tell auctioneer to auction your house later today?

Okay, everybody attending the auction knew that. And, the auctioneer himself said, oh yeah, Mathews Street. Well, I got a call earlier that I think it might be postponed, I'm not sure. I go, what do you mean, you're not sure, Jamie? He goes, well, I'm supposed to call all these other properties and at the end make my call to find out if it's going to be called. I go, who you going to call? He says, Aztec. I go, so Aztec is going to tell you at the end whether or not to call my property? Yes. Okay. Well, everybody standing there heard that.

Okay, my point is, there was known controversy announced before my house went to bidding during that 45-minute period. Nevertheless, here we are, a series of circumstances, right, leading to that day. And then obviously the phone call was made. Somebody that he called Aztec told him, because I didn't hear the other side of the conversation, to call my property. It was called, the Breckenridge agent bid on it and there it is. Okay?

Now, I'm going to go into... There's a specific another slice of the story about me offering to buy back the lien from Breckenridge. Right? For \$60,000 more than their bid price. They would've made a cool 60 grand profit in less than a week. Because I had that much money sitting there. In exchange for simply tearing up the trustee's deed and not recording it. So now I'm in the hole to a hard money loan broker Tom Modica, for \$850,000, but I ransomed my house. Okay, Breckenridge rejected that. So they knowingly made

themselves a co-conspirator, a co-beneficiary of unjust, unlawful interest in my house. Knowing they would have to get a writ of eviction against me and the whole thing.

Okay, so let's back it up. I am in lawful possession of the thing that is the center of the controversy. Two things come up around that. Number one, Breckenridge has sued me in the wrong type of court then. It doesn't already own, have title and the right to possess this thing, my house. It only bought a lien, number one, and I get to rebut the presumptions that they already own the house. They are not a landlord where I am a tenant. In fact, I have no contract with them. It's a completely different set of circumstances than landlord-tenant.

A landlord sues a tenant for eviction, nobody is questioning that the landlord owns the apartment building or the house the tenant is renting because they have a lease agreement rental contract to point back to. Okay, that's not at all this case. So, here comes Breckenridge saying, well, we don't have to prove anything about this homeowner's claim that we didn't take title and that we don't own it and that we shouldn't have the right to possess it. That's already a conclusive... It's already been decided. It's already been concluded because we filed the Trustee's Deed, we recorded it. And it says we are the grantee.

Okay, everything written on the Trustee's Deed is a rebuttable presumption and I can overcome it. Everything that is written in the summons and complaint is either fraud upon the court outright, because you didn't take title, you took a lien. That's in black and white. And/or it's a rebuttable presumption. So it's either fraud upon the court or a rebuttable presumption. Now, when the parameters and limitations of the limited case unlawful detainer process precludes my rebuttals because it says, oh no, you're going into complex issues of title, that's not... We can't even hear that. That doesn't even get looked at in a UD case. Then right there you have a combination... It's like three facts that converge. Why? Well, there's three facts in this particular case. Because I presented the third fact.

Why the unlawful detainer limited case format classification has absolutely zero authority, or in other words, lacks completely subject matter jurisdiction. The court cannot take jurisdiction over the in rem controversy. It doesn't matter that the plaintiff says, oh no, I'm not having a controversy about possession. I already deserve possession. Well, wait a minute. You've got a logical hole in your bucket there.

I have possession and you don't, Breckenridge. So obviously we have a controversy about possession and I have possession lawfully. I came into possession lawfully. I have lawful possession, right? So we have a controversy over possession because I have it and you don't. And I can argue why ... Possession should remain with me and not be transferred to you. Why you shouldn't take possession. I have all kinds of legal arguments, I have all kinds of facts and the law on my side to present that.

But, the UD limited case jurisdiction categorically disallows, does not allow, what's called complex issues of title that I have in dispute to be heard or adjudicated. Okay, so right there "UD Judges' Bench Guide," complex issues for title are not heard or adjudicated in an unlawful detainer limited case proceeding. Boom.

Okay, well, we don't belong here. Strike one. Strike one, okay? The strike one is struck by the court process itself. The unlawful detainer limited case classification court process itself. As categorically defined in the Judicial Council's Unlawful Detainer Judge's Bench Guide, 2015 edition. It says right there, this is what the UD case can hear, this is what the UD case cannot hear. The controversy in which: I am in lawful possession, and they want it, is obviously a "complex issue of title, ownership and possession." Because the three go hand in hand.

Title is, you know, duly, lawfully held. It's a legal status regarding a particular in rem piece of real property. Title. Like title to a car. Okay? Title goes with ownership, because then you can say, well, this one is the owner and this one is not. Right? Because you've got the documentation title and then you've got ownership as a function of possession ... and lawful possession.

I mean just to drive the point home. I've got nobody else on the face of the Earth claiming that they should have possession of my house except Breckenridge. Right? By way of its winning the bid at that trustee sale. That's it. And there is nobody else on the face of the Earth saying, gosh, Renee, Breckenridge really should have possession and they have a better right to it. They have a more superior right to title, ownership and possession than you.

Well, guess what? Of course, the attorney feels that way. And there might be people who have that opinion, but I've got nobody attacking me in the court or sending me letters or berating me and going, man, poor Breckenridge, Renee. You're in there possessing it and they are supposed to have it. That's terrible, Renee. I've got nobody except the attorney representing Breckenridge in the UD court. Okay? Because I didn't commit any violations of law to come into possession. I'm in lawful possession of the thing. Okay, I'm going a little too far.

Strike one is the actual, defined limitation, spelled out very, very clearly, of what unlawful detainer limited case classification cannot, does not, will never allow into the case. They're limited. They don't delve into it. So I might say it with my mouth or I might write it on my pleading, but it's as if they are blind and deaf to complex issues of title. It's not heard there.

Well, since I, the homeowner in possession, have... I'm not even going to say I have complex issues of title. That goes without saying. But let me drive it home. I have possession. And I absolutely 150% believe that I should remain in possession. So doesn't that kind of sound like there is a dispute over possession? Why, yes, there is. And that means we have a complex set of issues in controversy surrounding this, my front door, the actual in rem, that means "the thing," which is the real property. So the subject property is the thing that's in dispute. We are having an in rem controversy because of the facts on the ground.

And, because this is an in rem controversy, in which the in rem thing in controversy far exceeds the fair market value of \$25,000, and the fact that I am in possession of it, and I didn't break any laws to come into possession. Let's just look at that one more time, I mean a little more carefully. I am in lawful possession, right, okay? So if I'm in lawful possession, okay, I came into this possession of this house lawfully. I've actually, you know, as a child of three years old by my parents have always... But they passed on, right? Okay? And by the way, I didn't steal it from my parents, I didn't steal it from my siblings. No, I did not. I've been entrusted with it through a series of, you know, events in my family. My parents have passed on.

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So, point is, here I am in possession of this house. Okay? Really, I represent my parents. So continually since 1965. Now, the controversy is around who should have possession. I say possession should remain with me. Breckenridge says possession should be granted to them by way of a sheriff executing a writ of eviction to get me out so that they can come in, the company. Right? Okay.

Nevertheless, the controversy... They can't get around the fact that I came into this possession lawfully and there's no, you know, city police, sheriff or somebody accusing me of a crime saying, she shouldn't be in that house, she committed these crimes to get there. There's nobody, there's just Breckenridge hoping that, you know, they can get a writ of possession awarding them title and ownership and possession, because the three go together, just because they gambled on a lien at the trustee sale. And by the way, this house just came in on Zillow at 1.66 (million \$). I think Redfin was 1.28. These people bought (the lien) for \$740,000.

Oh, but wait, there's more. I had over \$800,000 to ransom my house with, sitting in escrow. And the servicer's attorneys rejected my payment and caused Breckenridge to come steal all that equity. What is that now? \$800,000? The difference between the market value and what they got it for? Wait. But the so-called owner of the debt that Nationstar and their attorneys were collecting for, got the same number of dollars that they would've gotten from me? What's wrong with this picture?

That sounds like theft of my equity and my house. See, I exercised my right of equitable redemption hours before the sale. In fact, days before. By law. They should've canceled the sale by law. Canceled it because of what I proved to them before the sale even began. Hours and arguably days before. Easily arguably days before.

So going back now to this idea of, well, you guys are mortgage debt collecting attorneys and you guys are substitute trustees, you're supposed to be these intermediaries to make sure that the, you know, so-called owner of the beneficial interest in the deed of trust, right, is made whole, either by getting paid or, if we are going to go to trustee sale, for them to be made whole that they can... They'll sell it at an auction and then be made whole by being paid by the winning bidder.

Okay, well, my wire transfer money looks just like the winning bidder's money and it's just for the same amount, so why, how, Nationstar and your attorneys, Reed Smith and Aztec and your attorneys, the Shapiro, VanEss, Sherman & Marth LOGS law firm, how and by what, you know, law or right can you even begin to state and utter can you justify that the, \$698,416.15 that you finally gave over to the so-called owner of the debt, why that amount of money shouldn't have come from me and why it needed to go to trustee sale to come from Breckenridge so that Breckenridge can sue me in UD to kick me out and steal \$800,000 of my family's equity (and my family's home). What can justify that, you attorneys? Have you thought about maybe... Do you have any ideas how you might even begin to defend that type of activity against all known laws, against all logic and against my rights? I challenge you to do that.

Meanwhile, look at what's going on in UD court. There is no Nationstar or Reed Smith attorneys or Aztec or Shapiro attorneys in that case. Well, how convenient, because I'm sure they don't want to have a conversation with Renee Ramos Yamagishi. But what's Breckenridge doing? Oh, Breckenridge says, I know she's in possession but that's just plain wrong. I need a writ of possession. I mean eviction. I need the sheriff to pull her out. That's my client's house, by golly.

Well, okay, well, since all you've come in with, Breckenridge, is fraud upon the court, because you didn't take title, ownership nor do you have the right to possess, you have only a lien, and it is a rebuttable lien, and also the recitals on the trustee's deed are all rebuttable presumptions. Just check paragraph 22 of the Deed of Trust where it says that the recitals on the trustee's deed are *prima facie* evidence. That's Latin for at first glance subject to rebuttals.

So I've now made you subject to rebuttals because I am rebutting and do rebut them because they are false. And also that the trustee sale itself was completely void, committed in violation of several statutes under CIV 2924, et seq. But your complaint says that the trustee sale was conducted in accordance with the entirety of Civil Code 2924 et seq. It was not.

There were many violations. And, by the way, one of the 2924 et seq. Civil Code sections that apparently the trustee sale was conducted in compliance with, you were noticed that you were buying just a "lien." Have you checked out CIV 2924f(B)(8)(A)? Definition of a lien which is NOT "title," CIV 2888? Have you even looked at the written advertisement called Notice of Trustee Sale for the sale that was held that day on this property where you were noticed that you were buying only a lien? And specifically, you were not taking title to the property itself.

So, you have fraud upon the court when you claim that your lien is title ownership and the right to possession. And everything else that you claimed are rebuttable presumptions, including the recitals on the trustee's deed. But wait, can UD even hear all my rebuttals? Why no, it can't. They all fall into the category... My rebuttals and my, you know, basically counterclaims against you and your claims, Breckenridge, all fall under one category called complex issues of title. Can't hear it in UD court. So we don't belong in UD.

We don't belong in UD because I have lawful possession. That's my standing. You know, the word standing is an interesting legal term because I'm literally standing in my entryway on the floor, see? Those are my feet on the floor, and I'm kind of saying, hi, door, to my front door. I'm standing in lawful possession of the thing that is in controversy. We have an in rem controversy on a subject property worth well over 1 million, which I would say would be over \$25,000. And, the limited case jurisdiction unlawful detainer court cannot hear any of my rebuttals to your fraud upon the court and your presumptions, Breckenridge.

We don't belong here.

Now, at one point I offered you \$24,999 to go away and get out of my life because you sued me in a court that... Where the subject property in dispute has to have a market value of under \$25,000. And you thought that was silly and you thought I was stupid. And I didn't understand the gravamen of the complaint. I understand it extremely well, Ms. Pamela Jackson. Better than you do. I'll tell you the gravamen of my complaint. Listen to this. You hear that? That's left foot, right foot and the palm of my hand. That's the gravamen of the complaint.

So when I sue in an action to set aside trustee's deed and to have the trustee sale deemed void, and to add the other entities who wrongfully took this property to trustee sale, you will be named, Breckenridge, because you are the grantee on the trustee's deed. And also because you were warned for 45 minutes through your agent and you were warned again for about five days when you had a bona fide offer on the table by your managing level executives at your Redondo Beach corporate office for an \$800,000 offer with proof of the wire transfer ready funds. Oh yeah, I had \$850,000. 850,000 dollars sitting in an escrow account that was still open. And the loan broker knew that I was making that offer to Breckenridge corporate. So they kept the escrow open.

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You would think that executives, you know, managers and folks in the Breckenridge property fund business

of foreclosures, would have a little bit of savvy. Well, why does this homeowner have \$800,000? Like, she said she had it the morning before the sale or something. I mean what... Should we just take her money or are we going to like evict her? What are we doing here? I'm imagining their little conversations. Right? Well, we've just been noticed that she shouldn't even have gone to trustee sale because obviously she had that money before the sale to wire transfer to the mortgage servicer. Didn't she say that for 45 minutes to our agent and then at the end of 45 minutes, Jamie, the auctioneer, got the call that, yes, no, maybe so. Oh, we're going to call it anyway. Wasn't there a little funny...

Are we really just going to like hire Pamela Jackson and sue this lady in UD and get a writ of eviction and just steal, you know, six, seven, \$800,000 of her equity, kick her out of the house ... when we've been NOTICED, in writing by this offer that... this looks pretty bad. I mean this looks pretty shady here. Doesn't seem like her house should've even been called that day. Yeah, we're going to do it, yeah, yeah, we're going to evict this lady. We're going to take all her equity and her house. Yup. Okay.

Well, you were noticed, Breckenridge. Eyes wide open. You were not a bona fide purchaser where you're like so innocent. I didn't know there was such a problem. Well, it's not our problem. Yeah, it's your problem, Breckenridge. Eyes wide open. You made yourself a knowing co-conspirator of more than just unjust enrichment. I mean this really... This is repugnant. This is malicious. This is repugnant. Right? Right? Yeah, it is.

I exercised my Right of Equitable Redemption. It is law in all 50 states and pretty much around the world. If I come up with the money, tender of full payoff, before it goes to auction, they don't have any choice. I'm paying every dime unconditionally. With all their inflated fees that they are not accounting for. All of it. Every single dime that they won't even account for. I didn't even have a cap on it. I said, whatever, just tell me what it is so my escrow officer can wire you the correct amount. What is it? We've got 850,000 in there. And the mortgage statement for this month says \$689,992.16. You want to tack on some extra padding or something? Whatever it is, can you please tell Teresa Harris because she is copied on this email? Here's the proof of funds that is being emailed to you with Teresa Harris copied.

And, by the way, the email didn't come from me, it came from my loan broker with the signed, completed loan approval in writing, signed. By both parties. Right there, \$850,000. Where is your wiring instructions? Okay, no. Breckenridge, you were told this, you had time to decide not to make yourself a repugnant co-conspirator here. And you decided to just go ahead and do that.

So now I have perfect standing to seek a redress of grievances on my injuries. And, by the way, I said there was a three strikes you're out, right? So the first strike, UD has already admitted they don't handle complex issues of title. Strike one. Okay. But the fact that I'm in lawful possession of something that the plaintiff believes they should take possession away from me by force, by the way, by force. That's called trespass. When you don't have the right to do it, Breckenridge, but you're going to employ force through the sheriff, that's trespass. Even implied force, even before the sheriff comes, is trespass. You're already committing trespass by the implied force of forcibly ejecting me from my home when you don't actually have the lawful right.

Why can I say... Why am I so, you know, confident that you don't have the lawful right? Let's put it this way, Breckenridge. You have not yet proven you have the lawful right because we are in a court that can't hear my side of the story. Remember? It's a one-way, one-sided street. So if the court can only quote here at law, your side, and then it doesn't quote here or see my side, well, that's an unfair fight so you haven't

proven anything. You can only prove that you actually have the right to take possession away from me in a court of competent jurisdiction that can hear my side too. Wow, what a concept.

So the law affords me the right to sue the other parties. Nationstar, Aztec, Wilmington, M and T bank, the other parties that perpetrated the unjust, unlawful trustee sale that should have been canceled by operation of law. The law says, well, I have the right to sue them. So if there is an avenue for me to seek a competent court that can take subject matter jurisdiction when this one can't, well then, it's actually incumbent upon me to create the circumstance to keep such a court case of competent jurisdiction alive until trial and discovery. It's got to go to completion.

And why should it go to completion? Well, not only because that's the only way to have the final disposition after trial and discovery. The facts, the evidence, etc. But because you, Breckenridge, have made a claim that you should take possession from me. Well, how can we satisfy, before God and man, that that is a correct presumption, Breckenridge, unless we take it all the way through trial and discovery? You bring your evidence, I bring my evidence, testimony, testimony on both sides. Right?

We have the facts tried by a jury, we have the law applied by a judge. Take it to completion, Breckenridge so you can clear your good name. Yeah, get this lady out of there. That's the right thing to do. Finish the case, Breckenridge. We can't finish it in UD because I'm in lawful possession. And we have an in rem action in controversy. Period.

Oh, and the third strike. Minimum third strike. Let's just leave it to these three. Right? One, the predetermined published limits of UD. UD judge's bench guide. Two, I am in lawful possession (and UD doesn't hear title dispute, nor in rem actions.) And all laws, including the Constitution for the United States, guarantees me due process before dispossession of property. Due process is an adjudication on the merits of both sides having a fair fight in a court of competent jurisdiction. Which in this case would have to have the jurisdictional capacity to hear complex issues of title in dispute. Title to property, ownership and the right to possession are intertwined. Are intertwined in an in rem action, which is what we have.

And, to the credit of the Judicial Council of California, the judicial policymaking body, comprised of the California State Supreme Court justices and other policymakers, they've admitted, in their publication, Unlawful Detainer Court Judge's Bench Guide, 2015, that when there's a homeowner, as the defendant and not a mere tenant, that due process is at issue. Well, that's true, but they did not elaborate on what we homeowners assert, which is that therefore, the in rem action is brought into an incorrect court that lacks subject matter jurisdiction. It can't try complex issues of title, so due process is structurally obliterated for the homeowner who has lawful possession and who brings complex issues of title in dispute with evidence that essentially is unseen and unheard.

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Okay, so there is what the court has put in writing about itself and there is what the plaintiff, Breckenridge, has put in writing about itself and its claims and how they are putting it down and arguing it in writing. And there's what I have put in writing. Which, at minimum, I'm going to limit to this. I, the defendant - homeowner, in lawful possession of the in rem real property, my house, have duly challenged the subject matter jurisdiction of the unlawful detainer court. I say they don't have it. I challenge it.

I cite to why, I write it down, I offer case law citations about what subject matter jurisdiction is, what

happens when it's raised, what happens when the other party and/or the court fails to overcome the challenge raised to it taking subject matter jurisdiction, which is what happened in this case. Both of you not only failed to overcome it, you ignored that I even pled it and raised it, Breckenridge and UD court. You acted like it wasn't even on the paper. Okay, let's just keep moving. Move along, move along.

I duly challenged the subject matter jurisdiction. And I even offered, for context only, but not because the court can take jurisdiction, just a portion of some of the controversy of complex issues of title that this court can't take jurisdiction of. And I say, therefore, you lack subject matter jurisdiction. And you went, did anybody hear anything? ... No, I didn't hear anything. And you just moved on forward without jurisdiction. That's the rules of the game.

A court that lacks subject matter jurisdiction, can issue only void judgments.

Everything that it issues and decrees, opines and orders -- is VOID. So the summary judgment is void, issued without subject matter jurisdiction after jurisdiction was duly raised, challenged, and never overcome. Those are the rules. The court erred at law by allowing itself to be moved forward by the plaintiff's motion for summary judgment. Because I raised subject matter jurisdiction in my answer before the motion for summary judgment. So one, two, three strikes, you're out.

Going back to let's complete the case, trial and discovery, Breckenridge, the only way to do that, in my estimation that makes sense, is logical. I'm a logician. Logic... You have to have logic, you know, would be to have this case removed and reclassified. That's removed-and-reclassified. It has to get removed to a court that can actually take subject matter jurisdiction. I realize there is no statutory provision for removing an unlawful detainer case to the unlimited regular civil classification of case, but there needs to be. Otherwise, we are stuck in a situation that is not only an unfair fight, it's, at law, it's an illegitimate proceeding.

It is a court which lacks subject matter jurisdiction attempting to take it when it doesn't have it. Such a court, by law, can only issue void judgments. Or put another way, a court which lacks subject matter jurisdiction and/or a court that fails to overcome a duly-raised challenge to it taking subject matter jurisdiction is a court which proceeds without it. And any court that lacks jurisdiction over the subject matter can only issue void judgments, orders, decrees, opinions, etc.

Any summary judgment, any final adjudication coming out of a UD case in which a homeowner is structurally denied her due process is a court whose orders are void by operation of law. And that is what needs to be admitted by the Judicial Council of California. And there should be, we maintain, a process, statutory procedure, in which the homeowner who brings in a preponderance of the evidence in facts and admissible evidence that complex issues of title are at issue and, therefore, that what's before the court is an in rem action, should have this controversy between the parties removed or reclassified to a regular civil unlimited classification case in the County Superior Court.

And standing reached for the borrower is, at minimum, cited to by Civil Code 2924.12b (cumulative and additive with CIV 2924.12a injunction, logically), after the recording of a trustee's deed, that homeowner has standing for a regular civil unlimited case. And this will be what we will be arguing. But first, we are going to allow and invite, I should say, implore, the Judicial Council to study, review very carefully and they will be tasked with reconciling contradictions in state law, in the state statutes. We have contradictory statutes in California that need to be resolved. And as long as they are in conflict and contradiction with one

another, some of the older laws from the 30s, 40s and 50s conflicting with newer laws such as California Homeowner Bill of Rights and others passed in 2012, 2013 era, we are going to have havoc in the courts.

And since the Judicial Council's policymaking tasks include resolving conflicts between the statutes, this is one that's overdue for resolution. And we, the homeowners, live it. We are firsthand, frontline victims of our... Of due process denied in the unlawful detainer courts. And when due process is actually brought back into the picture, because we are before a court of competent jurisdiction, we are going to have not only a lot less foreclosures, but we are going to have... Which means a lot less homelessness and we're going to have homeowners retaining homeownership, which is better for the entire community. What we are going to have is we're going to have both sides of the controversy, as well as the courts, on the same page.

We're going to eliminate unjust and chaos-making contradictions that just do nothing but congest the courts and wreak havoc in people's lives. And actually, on some deeper level, force an irresponsible departure from, not only logic and law, but from proper human relations. We need to be consistent and fair when a controversy comes before a court of law. We can only do that when built-in contradictions between differing statutes are actually resolved when discovered.

Well, we've been discovering this. We, the homeowners, for quite some time. And it's time to resolve that contradiction with immediate, urgent policy directives. And perhaps legislative reforms that will cure the chaos in the courts, that will render logical and well-reasoned decisions instead of wreaking havoc in the courts. And will essentially eliminate what is actually a, not just unjust and unlawful, but egregiously unjust situation in which laws which mandate alternatives to foreclosure which would have eliminated the trustee sale by allowing the homeowner to stay in her home in a feasible, viable, reasonable settlement of some kind are actually trampled.

>>>>[Audio Time: 50:02]<<<<

Those mandates are trampled when the incentivization structures of the profit-making are imbalanced to favor dispossession of the homeowner's home. And when that dispossession is aided and abetted by an unlawful detainer proceeding which lacks the requisite jurisdiction to hear the homeowner's actual injuries. So she's unseen and unheard at law, dispossessed of her property, in the wake of violations that would have kept her in her property with a viable alternative had those mandates been followed.

But if those mandates are never seen or heard, then the violations are never brought to justice. It's an unacceptable method of legalized plunder. And not just of replaceable assets, but of an irreplaceable in rem thing, i.e. real property. And in a sacred domicile of one's home which is a refuge, which is an inviolable asylum. The human right. And a right endowed by God for peaceful dominion in one's own abode.

And we will continue to, not simply complain, but to invite ourselves willingly and judiciously to the policymaking table with our Judicial Council and any and all interested parties towards peacemaking and resolution that is consistent with resilient communities and right relations, one with another.