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13 **UNITED STATES BANKRUPTCY COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION**

15 In re

16 GIRARDI KEESE,

17 Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**NOTICE OF MOTION AND MOTION  
FOR RECONSIDERATION OF ORDER  
GRANTING CHAPTER 7 TRUSTEE'S  
APPLICATION TO EMPLOY THE LAW  
OFFICES OF RONALD RICHARDS &  
ASSOCIATES, A.P.C. AS SPECIAL  
LITIGATION COUNSEL;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF  
EVAN C. BORGES IN SUPPORT  
THEREOF, AND EXHIBITS**

**[Related to ECF NO. 392]**

Date: TBD

Time: TBD

Ctrm: 1668

255 E. Temple Street

Los Angeles, CA 90012

Judge: Hon. Barry Russell

**TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY  
JUDGE; ELISSA D. MILLER, CHAPTER 7 TRUSTEE; COUNSEL AND SPECIAL  
COUNSEL FOR THE CHAPTER 7 TRUSTEE; THE DEBTOR; THE OFFICE OF THE  
UNITED STATES TRUSTEE; AND ALL OTHER PARTIES ENTITLED TO NOTICE:**

**PLEASE TAKE NOTICE** that on \_\_\_\_\_, 2021 at \_\_\_\_\_ a.m., or as soon  
thereafter as counsel may be heard by the Honorable Barry Russell, United States Bankruptcy  
Judge, in Courtroom 1668 of the above-captioned Court, located at 255 E. Temple Street, Los  
Angeles, California 90012, party in interest Erika Girardi (“Ms. Girardi”) will, and hereby does,  
move this Court for an Order reconsidering and reversing the prior *Order Granting Chapter 7  
Trustee’s Application to Employ the Law Offices of Ronald Richards & Associates, A.P.C. as  
Special Litigation Counsel* (ECF No. 392) (the “Employment Order”).

This Motion is brought pursuant to Rules 59 and 60 of the Federal Rules of Civil  
Procedure, made applicable to this proceeding by Federal Rules of Bankruptcy Procedure 9023  
and 9024, on the ground that based on new evidence of events occurring *after* the hearing on and  
entry of the Employment Order, the Court should reconsider its decision to grant the chapter 7  
trustee’s application to employ Mr. Richards as special litigation counsel in this matter, vacate the  
Employment Order, and appoint new independent and non-conflicted counsel to represent the  
trustee. Specifically, Mr. Richards’s extra-judicial statements, including on social media:

(1) violate the California Rules of Professional Conduct and the California Business and  
Professions Code;

(2) prejudice Ms. Girardi’s rights through wholly improper, conclusory, and unfounded  
public vilification, damage the legitimacy of these proceedings, and appear intentionally designed  
to destroy Ms. Girardi’s right to defend herself and assert her rights in this proceeding and  
otherwise; and

(3) demonstrate that Mr. Richards violated Rule 2014 of the Federal Rules of Bankruptcy  
Procedure, thus requiring that the Court vacate the Employment Order.

This Motion is based upon this Notice of Motion and Motion, the attached Memorandum  
of Points and Authorities, the Declaration of Evan C. Borges and exhibits thereto, the entire record

1 of this case, and any other evidence properly presented to the Court in support of this Motion.

2 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-  
3 1(f), any opposition or response to the *Motion* must be (i) in writing and include a complete  
4 written statement of all reasons in opposition thereto or in support or joinder thereof,  
5 declarations and copies of all photographs and documentary evidence on which the responding  
6 party intends to rely, and any responding memorandum of points and authorities; and (ii) filed  
7 with the Court and served on counsel for the Trustee, the Debtor, and the United States Trustee  
8 no later than fourteen (14) days before the hearing on the Motion at the following addresses:

9 **For Filing with the Court:**

10 Clerk's Office  
11 United States Bankruptcy Court  
255 E. Temple Street  
Los Angeles, CA 90012

**For Service on Judge Russell:**

Hon. Barry Russell  
United States Bankruptcy Court  
255 E. Temple Street, Suite 1668  
Los Angeles, CA 90012

12 **For Service on Erika Girardi:**

13 Evan C. Borges  
14 GREENBERG GROSS LLP  
650 Town Center Drive, Suite 1700  
Costa Mesa, CA 92626

**For Service on the U.S. Trustee:**

Office of the U.S. Trustee  
915 Wilshire Blvd., Suite 1850  
Los Angeles, CA 90017

15 Peter J. Mastan  
16 DINSMORE & SHOHL LLP  
550 S. Hope Street, Suite 1765  
17 Los Angeles, CA 90071

18 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Rule 9013-1(h), the failure  
19 to file and serve a timely response to the Motion may be deemed by the Court to be consent to the  
20 granting of the relief requested in the Motion.

21 DATED: June 24, 2021

Respectfully submitted,

22 GREENBERG GROSS LLP

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24 By:

  
Evan C. Borges

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26 Attorneys for Party-in-Interest Erika Girardi  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

This motion is not brought lightly. It is based on alarming new evidence and events; and it will not, nor is it intended to, interfere in any way with the investigation of the chapter 7 trustee (the “Trustee”). To be clear, movant and party in interest Erika Girardi (“Ms. Girardi”) has been and remains willing to cooperate fully with the Trustee’s investigation in this bankruptcy of debtor Girardi & Keese (“GK”). Ms. Girardi already has cooperated with the chapter 7 trustee in the related case of debtor Thomas Girardi (“TG”); she will continue to do so; and she did not oppose appointment of special counsel to represent the chapter 7 trustee in the TG case.

Ms. Girardi, however, is not a media fiction. She is a real person with rights, including the right to be treated fairly in these proceedings based on actual evidence and the law. It is morally wrong, legally wrong, and unethical under the California Rules of Professional Conduct for Ms. Girardi to be tried extra-judicially by an officer of this Court—to whom the Court has exercised discretion to provide a badge and imprimatur of legitimacy as counsel to a chapter 7 trustee—by way of vicious, conclusory, and speculative public vilification – all without evidence, which even if it existed, should and must be presented to and adjudicated by this Court.

The new evidence that has given rise to this motion goes to the integrity of the proceedings before this Court. Only this Court, in the first instance, has the power (and duty) to ensure and enforce the integrity of these proceedings and the conduct of judicial officers (i.e., attorneys). This includes whether the Court will exercise its discretion to approve *and continue to approve* attorneys to act as officers representing a federal bankruptcy trustee.

Indeed, the fact that the GK and TG cases involve the most serious of allegations against attorneys, including violations of trust and allegations of embezzlement of client funds, makes it all the more important that this Court control and ensure the legitimacy of these proceedings. This includes review by the Court of real world, extra-judicial statements of officers of the Court, attorneys, for whose benefit the Court has exercised discretion to provide a badge of legitimacy as counsel to a chapter 7 trustee (which is a privilege, not a right).

By this motion, Ms. Girardi seeks reconsideration by the Court of its prior *Order Granting*

1 *Chapter 7 Trustee's Application to Employ the Law Offices of Ronald Richards & Associates,*  
2 *A.P.C. as Special Litigation Counsel* ECF No. 392 (the "Order"), which after a hearing on June 8,  
3 2021, the Court entered on June 10, 2021. Since these dates, additional events have occurred and  
4 have been discovered that warrant reconsideration and vacating the Order, including the  
5 appointment of new independent and non-conflicted counsel for the Trustee, so that the  
6 investigation may continue. Specifically, since his appointment as special litigation counsel,  
7 Ronald N. Richards, the principal of Ronald Richards & Associates, A.P.C. (collectively, "Mr.  
8 Richards") has made false and inflammatory social media posts and public statements about Ms.  
9 Girardi and this proceeding that violate the ethical rules to which he is bound and that unfairly  
10 target Ms. Girardi in an attempt to destroy her credibility before any claim is even brought against  
11 her in this proceeding. Further, information contained in Mr. Richards' recent social media posts  
12 reveals that he failed to disclose material connections to this proceeding and the parties in interest,  
13 as he was required to do under Federal Rule of Bankruptcy Procedure 2014(a).

14         Given that even after entry of the Order, Mr. Richards has continued to harass Ms. Girardi  
15 publicly through extra-judicial statements, including social media, this new evidence should be  
16 considered and the Order granting Mr. Richards's approval to act as special litigation should be  
17 vacated. Mr. Richards's thinly veiled attempt to shield himself from the consequences of his  
18 improper conduct by framing some of his comments as his "opinion" is irrelevant. Mr. Richards's  
19 public statements and speculation about this matter on Twitter are improper for any attorney –  
20 especially one appointed as special litigation counsel before this Court – and violates the ethical  
21 rules, yet it is taken as fact by his 16,000+ "followers" on social media.

22         Moreover, Ms. Girardi has a right to request a jury trial in any future adversary proceeding  
23 that Mr. Richards may attempt to bring against her. Accordingly, a significant likelihood exists  
24 that Mr. Richards's barrage of social media postings and public statements will improperly  
25 prejudice any potential jury pool. Thus, Mr. Richards should not be permitted to serve as special  
26 litigation counsel in this matter given his inherent bias, public harassment and impugning of Ms.  
27 Girardi, and complete disregard of his ethical duties as a member of the California bar.

28         Mr. Richards's behavior is even more troubling given his failure to comply with Federal



1 Rule of Bankruptcy Procedure 2014(a), which requires full disclosure of all connections to the  
2 debtor, creditors, and other interested parties to the proceeding. In particular, Mr. Richards failed  
3 to disclose that he had extensive involvement in a recently-released documentary about Girardi  
4 Keese, Mr. Girardi, and Ms. Girardi, which featured multiple creditors in this case. While Mr.  
5 Richards had an obligation to disclose this connection to the Court, he failed to include any  
6 reference to the documentary and his resulting connection to parties in interest in the Application.

7 Reconsideration of this Court's Order permitting the appointment of Mr. Richards as  
8 special counsel to the Trustee in this case should be granted based on:

9 1. Mr. Richards's newly-discovered public statements about this proceeding in  
10 violation of California Business and Professions Code § 6068 and Rule 3.6 of the California Rules  
11 of Professional Conduct;

12 2. Mr. Richards's newly-discovered public statements, including on social media,  
13 which disparage Ms. Girardi and her integrity, and which are designed to prejudice any future jury  
14 pool against her; and

15 3. Mr. Richards's failure to comply with his disclosure obligations under Federal Rule  
16 of Bankruptcy Procedure 2014 by omitting his material connections to parties in interest based on  
17 his extensive participation in the recently-released documentary about Girardi Keese, Mr. Girardi,  
18 and Ms. Girardi.

19 **II. STATEMENT OF RELEVANT FACTS<sup>1</sup>**

20 **A. Procedural History**

21 On April 26, 2021, Elissa D. Miller, chapter 7 trustee (the "Trustee"), for the estate of  
22 debtor Girardi Keese, filed her "*Application to Employ the Law Offices of Ronald Richards &*  
23 *Associates, A.P.C., as Special Litigation Counsel, Declaration of Ronald Richards; Statement of*  
24 *Disinterestedness of Ronald Richards in Support Thereof*" (the "Application"). ECF No. 318.

25 On May 10, 2021, Ms. Girardi filed an Opposition to the Application (the "Opposition"),  
26 explaining that Mr. Richards had: (a) actual conflicts of interest that disqualify him from acting as

27  
28 <sup>1</sup> The Statement of Facts found in the Opposition is equally as relevant to this Motion and is  
therefore referred to and incorporated herein as if it has been fully set forth in this filing.

1 special counsel to the Trustee based on his representation of plaintiffs asserting the same alleged  
2 claims against Ms. Girardi that Mr. Richards now seeks to prosecute on behalf of the Trustee; (b)  
3 expected future conflicts with respect to the issue of whether oral fee-splitting arrangements are  
4 enforceable since Mr. Richards represents clients in other litigation that will require him to take a  
5 contrary position in the competing matters; and (c) improper motivation and bias against Ms.  
6 Girardi as reflected in his social media posts. ECF No. 333.<sup>2</sup> The Trustee filed her Reply to the  
7 Opposition on June 1, 2021. ECF No. 374. At a hearing on June 8, 2021, the Court granted the  
8 Application and, on June 10, 2021, entered its Order approving Mr. Richards's employment as  
9 special counsel to the Trustee. ECF No. 392.

10 **B. Newly Discovered Evidence**

11 As of the filing of this motion, Mr. Richards has amassed more than 16,000 followers on  
12 Twitter,<sup>3</sup> where his social media postings largely center on high profile legal matters involving  
13 celebrities. Because of Mr. Richards' position as a member of the California State Bar and officer  
14 of the Court, his followers look to him for legal analysis on current legal issues. Mr. Richards  
15 appears to have a particular fascination with legal issues related to the women appearing on the  
16 various Real Housewives franchise television shows broadcast on Bravo, as a majority of his  
17 Twitter feed relates to legal issues or allegations made against the women appearing on the  
18 television series. Copies of certain recent posts about Ms. Girardi made on Mr. Richards's Twitter  
19 account are attached hereto as **Exhibit 1** to the Declaration of Evan C. Borges.

20 Following this Court's ruling set forth in the Order, Mr. Richards continued unabated in a  
21 jihad of extra-judicial statements, including social media posts and interviews on YouTube and  
22 podcasts, virtually always making reference to his new role as special counsel to the Trustee. *See*  
23 **Exhibit 1**.

24 For example, on June 16, 2021, Mr. Richards tweeted that Ms. Girardi's counsel filed a  
25

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26 <sup>2</sup> The Statement of Facts in the Opposition is equally relevant to this Motion and is therefore  
27 referred to and incorporated herein as if fully set forth herein.

28 <sup>3</sup> For reference, Mr. Richards's Twitter account can be located at:  
<https://twitter.com/RonaldRichards>.

1 Motion to Withdraw and promoted his recent appearance on a YouTube show: “Erika’s Legal  
2 Counsel Drops Her Due to ‘Lack of Trust!’ Ft. Power Attorn... [youtu.be/SIFk3-hoVU8](https://youtu.be/SIFk3-hoVU8) via  
3 @YouTube Just finished a great interview with Up and Adam who wanted to get the DL on  
4 yesterday’s momentous procedural developments in #girardifraud.” See **Exhibit 1** at p. 39. Mr.  
5 Richards appeared on the show on the same day to discuss the current events surrounding this  
6 proceeding, including the recent motions filed by counsel. A full recording of the show can be  
7 found on YouTube at: <https://www.youtube.com/watch?v=SIFk3-hoVU8> (“YouTube  
8 Interview”).<sup>4</sup> While Mr. Richards attempted to state that his commentary would only be directed  
9 at the bankruptcy case involving Thomas Girardi, the matter where Mr. Richards is not acting as  
10 special counsel, he purposefully made it known that anything he said regarding the motions would  
11 apply equally to this proceeding:

12  
13 Let me preface with, my comments are directed at the motion to withdraw filed in  
14 the individual Thomas Girardi bankruptcy. I’m gonna stay away from the Girardi  
15 Keese estate, the one that I’m involved with, **but for, let me let you in on a little  
secret, the motions are identical.** But for the record, I’m just gonna comment on  
the case I’m not involved in. (YouTube Interview at 3:00-3:22).

16 Mr. Richards went on to make comments on what he thought would be “funny” with respect to the  
17 motions filed:

18  
19 And also Adam, what’s interesting, I will tell you, is that, ironically, they will tell  
20 you that the target of that investigation [Erika Girardi] didn’t want my office to ...  
the Trustee, but the target doesn’t get to pick who gets to investigate them. I think it  
21 would be funny if I filed an objection in the Thomas Girardi bankruptcy against her  
22 lawyer leaving and forced him to go to a hearing and delayed this a couple of weeks.  
That would be kind of ironic, that he delayed my appointment and now I’m delaying  
his departure. I just thought I’d point out that funny irony for your fans.” (YouTube  
Interview at 6:11-6:48).

23 Mr. Richards also admitted that he should limit what he says on social media given his “different  
24 role now” as counsel to the Trustee in this case:

25 I would say that because of my position, I’m gonna not comment on stuff that is  
26 completely subjective only because I have a different role now... there is a difference  
once you are on a case. (YouTube Interview at 8:53-9:11).

27  
28 <sup>4</sup> A copy of the full YouTube interview can be provided upon request. According to  
YouTube, the Up and Adam! Channel has 61,400 subscribers.

1 Notwithstanding and in direct violation of the limitations imposed by the ethical rule, Mr.  
2 Richards proceeded to state that he hoped Ms. Girardi would retain new counsel in this  
3 proceeding “**because [he doesn’t] think her personality is consistent with compliance in a**  
4 **court setting....**” (YouTube Interview 11:02-11:42). This statement constituted a blatant public  
5 attack on the integrity of a party in interest related to a pending investigation, in direct violation of  
6 the California Rules of Professional Conduct.

7 Following the YouTube interview, Mr. Richards engaged in a number of other interviews  
8 and posted a series of tweets related to his wholly unsupported beliefs and accusations against Ms.  
9 Girardi and her counsel. For example, on June 15, 2021, one of Mr. Richards’ followers  
10 questioned “what would happen if Tom were to die in the middle of all this?” to which Mr.  
11 Richards replied “he is basically legally dead.” See **Exhibit 1** at p. 40.

12 On June 15, 2021, when counsel filed a motion to withdraw from the case, Mr. Richards  
13 tweeted about the filing and a Twitter follower asked what that meant. Mr. Richards responded  
14 that “she [Ms. Girardi] was facing evidence that shows she is more than just an innocent spouse, is  
15 refusing to cooperate with her attorneys, etc. This is an extraordinary step.” **Exhibit 2** at p. 57.  
16 Once again, a direct extra-judicial attack by Mr. Richards against Ms. Girardi, in blatant violation  
17 of the Rules of Professional Conduct.

18 Undeterred, on June 17, 2021, after sharing the “breaking news” with his fans that the  
19 motion to withdraw had been withdrawn, Mr. Richards sarcastically tweeted: “Apparently the  
20 urgent and immediate breakdown of the attorney client relationship has now been miraculously  
21 fixed.” **Exhibit 1** at p. 42. He then responded to a follower’s tweet asking “This must mean she  
22 had a way to pay them????” by stating “probably.” *Id.* When a reporter who follows Mr.  
23 Richards on Twitter asked whether the motion had been filed because the client and counsel had  
24 reached an agreement, Mr. Richards stated definitively without support, “[n]o they got paid in so  
25 it’s all good now that’s the quickest way to repair a relationship is a large retainer.” *Id.* at p. 48.  
26 Similarly, on June 18, 2021, Richards tweeted information about the listing price of the Girardi  
27 residence to which a follower replied, “My opinion it was overvalued to borrow to the maximum  
28 in order to stiff the lenders.” *Id.* at p. 45. Richards responded by stating, again without any

1 support, “Now you guys are pretty smart followers let me tell you. You are dead on with that  
2 assessment in my opinion.” *Id.*

3 In addition to making false and inflammatory statements about Ms. Girardi directly, Mr.  
4 Richards has publicly expressed support of others who have consistently attacked Ms. Girardi on  
5 social media. For example, on June 8, 2021, Scott Hanson— who has been a prolific and serial  
6 villifier of Ms. Girardi with tweets like “Erika!! You thieving SOW!!” and “Erika needs to pay for  
7 her crimes!!!!” (*see Exhibit 2*)—wrote that “it will be understood by your [Mr. Richards]  
8 followers if you are unable to keep us informed on the Girardi case if Erika is able to get her gag  
9 order” to which Mr. Richards responded, “Don’t worry Scott we will be covering it all and I was  
10 appointed today so let’s just keep moving forward and working collaboratively to get to the right  
11 result.” *See Exhibit 1* at p. 25.

12 Mr. Richards also recently made statements on social media regarding his involvement in a  
13 documentary about Girardi Keese, Mr. Girardi, and Ms. Girardi released on June 12, 2021.  
14 Specifically, on June 3, 2021, Mr. Richards tweeted that “even though [he] participated in the  
15 production because of [his] possible appointment [he] was cut from the show...” *Id.* at p. 24.  
16 Additionally, when a follower asked if he had seen information about the documentary, Mr.  
17 Richards replied, “Yes. I was involved with background.” *Id.* Indeed, Mr. Richards could not  
18 help but boast his extensive involvement in the production, complaining to a follower that it was  
19 “unfair” that he was cut from the show because his “16 hours of footage with expert analysis could  
20 not be replaced.” *Id.* at p. 43.<sup>5</sup> He also commented that the documentary “did reveal some  
21 practices that were horrific and [that he was] glad they were exposed.” *Id.*

22 Furthermore, Mr. Richards has undermined the integrity of this proceeding by publicly  
23 commenting on and questioning the veracity of creditors’ claims. Kimberly Archie is one of the  
24 petitioning creditors in both this proceeding and the TG bankruptcy. Mr. Richards has been  
25 engaging in a vicious exchange with Ms. Archie on social media, basically accusing her of making  
26 a false claim. For example, on June 9, 2021, Mr. Richards wrote, “why would you file that  
27

28  

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<sup>5</sup> Notably, Mr. Richards has since deleted this post from his Tweeter feed. *Exhibit 1* at 44.

claim? you have no standing. why wouldn't the law firm file it themselves?" See **Exhibit 1** at p. 29. In response to Ms. Archie's tweet regarding the contract supporting her claim, Mr. Richards continued to attack: "had you posted the contract with your claim, we would know but you didn't provide any backup." *Id.* Mr. Richards continued, alleging "it is missing essential documents but you know that." *Id.* In reference to Ms. Archie's appearance in the documentary, Mr. Richards commented, "Kimberly, to call yourself a victim is abusive to the word." *Id.* at p. 28.

**III. THE MOTION FOR RECONSIDERATION SHOULD BE GRANTED BASED ON THE NEWLY DISCOVERED FACTUAL INFORMATION**

**A. The Standard Under Rule 59(e) Permits Reconsideration of the Court's Order**

Bankruptcy courts have universally recognized their inherent right to reconsider an order. 12 Moore's Federal Practice, § 59.30[7]; see *In re Premier Golf Props., LP*, 564 B.R. 660 (S.D. Ca. 2016) (citing *Zurich Am. Ins. Co. v. Int'l Fibercom, Inc. (In re Int'l Fibercom, Inc.)*, 503 F.3d 933, 940 (9th Cir. 2007)); see also, e.g., *In re Negrete*, 183 B.R. 195, 197 (9th Cir. BAP 1995), *aff'd*, 103 F.3d 139 (9th Cir. 1996). The Federal Rules of Civil Procedure provide two avenues through which a party may obtain relief from an order: (1) a motion to alter or amend judgment under Rule 59(e) and (2) a motion for relief from judgment under Rule 60. Fed. R. Civ. P. 59(e); Fed. R. Civ. P. 60(b). Rule 59(e) applies to bankruptcy proceedings under Federal Rule of Bankruptcy Procedure 9023, and Rule 60 applies to bankruptcy proceedings under Federal Rule of Bankruptcy Procedure 9024. *Ceniceros v. Yaqub (In re Ceniceros)*, No. CC-11-1143-DHPa, 2012 Bankr. LEXIS 2563, at \*22 (B.A.P. 9th Cir. June 5, 2012). Motions to reconsider orders filed within the time for appeal are predominantly evaluated by Rule 59(e). See *Dicker v. Dye (In re Edelman)*, 237 B.R. 146, 150-51 (9th Cir. BAP 1999), (citing *Wood, Trustee v. Richmond (In re Branding Iron Steak House)*, 536 F.2d 299 (9th Cir. 1976) (under the former Bankruptcy Act)).<sup>6</sup>

Rule 59(e) allows a party to seek reconsideration where: (1) there has been an intervening

---

<sup>6</sup> Alternatively, should this Motion be analyzed under Federal Rule of Civil Procedure 60, made applicable through Federal Rule of Bankruptcy Procedure 9024, relief should still be granted. Rule 60 provides that "[o]n motion and just terms, the court may relief a party or its legal representative from a final judgment, order, or proceeding [based upon] mistake, inadvertence, surprise, or excusable neglect." Fed. R. Civ. P. 60(b)(1).

1 change in controlling law; (2) new evidence has become available; or (3) there is a need to prevent  
2 manifest injustice or to correct a clear error of fact or law. Fed. R. Civ. P. 59(e); Fed. R. Bankr. P.  
3 9023; *In re Conex Holdings, LLC*, 524 B.R. 55, 58 (Bankr. D. Del. 2015). Courts in the Ninth  
4 Circuit have granted motions for reconsideration when newly discovered evidence is discovered.  
5 *See, e.g., U.S. Bank Nat'l Ass'n v. Thunder Props.*, No. 3:17-cv-00106-MMW-WGC, 2019 U.S.  
6 Dist. LEXIS 80845, at \*7 (D. Nev., May 13, 2019) (granting a motion for reconsideration when a  
7 second assessment was discovered that was not initially introduced); *Anderson v. Credit One*  
8 *Bank, Nat'l Ass'n*, No. 16cv3125-MMA (AGS), 2018 U.S. Dist. LEXIS 84189, at \*12 (S.D. Cal.  
9 May 17, 2018) (granting a motion for reconsideration in light of newly discovered evidence in the  
10 form of deposition testimony); *Brady v. Grendene USA, Inc.*, No. 12-CV-604-GPC-KSC, 2015  
11 U.S. Dist. LEXIS 72551, 2015 WL 3539702, at \*3 (S.D. Cal. June 3, 2015) (“[T]he Court finds it  
12 appropriate to consider [Defendant's] motion [for reconsideration] based on the fact that the  
13 factual record has expanded”).

14 **B. Reconsideration of the Court’s Order is Warranted Based on the Newly**  
15 **Discovered Evidence of Richards’s Barrage of Extra-Judicial Social Media**  
16 **Posts and Public Statements**

17 Since the date of Mr. Richards’s appointment as special counsel, his posting of numerous  
18 tweets on Twitter and other social media appearances warrant reconsideration of the Court’s prior  
19 Order. First, the newly discovered information demonstrates that Mr. Richards has repeatedly  
20 violated his ethical obligations by publicly and unnecessarily commenting on this pending  
21 proceeding, criticizing Ms. Girardi’s integrity, and responding to give credence to wholly  
22 unsupported and false statements critical of Ms. Girardi—all of which has the intent and impact of  
23 prejudicing his social media followers and the public to accept as probably true facts. Second, the  
24 newly discovered evidence establishes that Mr. Richards failed to disclose material connections  
25 with the debtor, creditors, and other parties in interest in this proceeding. Given that Mr. Richards  
26 exhibits complete disregard for his ethical obligations as special counsel to the Trustee in this  
27 matter, he should be disqualified from serving in the role as special counsel to the Trustee.

1                   **1. Mr. Richards's Recent Behavior Violates California Ethics Rules**

2           Mr. Richards's actions since being appointed as special counsel violate California Business  
3 and Professions Code § 6068 and Rule 3.6 of the California Rules of Professional Conduct. Even  
4 after being appointed as special counsel to the Trustee, Mr. Richards has continued to comment  
5 publicly on this case in social media. *See Exhibit 1.* His public social media comments  
6 improperly impugn Ms. Girardi, and insinuate and surmise false information about Ms. Girardi's  
7 and her counsel's actions in this case and their business relationship. Mr. Richards's public  
8 comments about a pending investigation violate California Business and Professions Code § 6068  
9 and Rule 3.6 of the California Rules of Professional Conduct. Accordingly, this Court should find  
10 that Mr. Richards is unfit and should be disqualified from serving as counsel to a federal  
11 bankruptcy trustee, and appoint new counsel.

12           California Business and Professions Code § 6068 sets forth the duties of a California  
13 attorney, including the following duties:

14                   (b) To maintain the respect due to the courts of justice and judicial officers.

15                   ...

16                   (f) To advance no fact prejudicial to the honor or reputation of a party or  
witness.... [and]

17                   (g) Not to encourage either the commencement or the continuance of an action or  
proceeding from any corrupt motive of passion or interest.

18 Cal. Bus. & Prof. Code § 6068 (emphasis added).

19           Most importantly, Rule 3.6 of the California Rules of Professional Conduct restricts an  
20 attorney's ability to comment publicly about an ongoing litigation or investigation. Rule 3.6  
21 provides:

22                   [a] lawyer who is participating or has participated in the investigation of a matter  
23 shall not make an extrajudicial statement that the lawyer knows or reasonably  
24 should know will (i) be disseminated by means of public communication and (ii)  
25 have a substantial likelihood of materially prejudicing an adjudicative proceeding  
in the matter.

26 California Rule of Professional Conduct 3.6.

27           Mr. Richards's extrajudicial statements, including his tweets, directly violate Cal. Bus. &  
28



1 Prof. Code § 6068(b), (f) and (g). Mr. Richards has publicly and falsely commented on the case  
2 and is publicly advancing and insinuating facts disrespectful to counsel and prejudicial to Ms.  
3 Girardi. *See Exhibit 1*. His public comments also show that he solicited his position as special  
4 counsel, and is commencing and continuing his vendetta against Ms. Girardi through some strange  
5 obsession with her and this case. Mr. Richards has gone so far as to substantiate comments made  
6 by the general public, which have no basis in fact or support in any evidence or pleadings  
7 presented to this Court. *Id.* Again, no claims have been brought by Mr. Richards against Ms.  
8 Girardi in this litigation, yet Mr. Richards has continued to make repeated comments on Twitter  
9 that are false, inflammatory and constitute harassment of Ms. Girardi.

10 Indeed, in his June 16, 2021 interview, Mr. Richards appears to acknowledge his ethical  
11 obligations due to his “different role” as special counsel to the Trustee in this case, but proceeds to  
12 disregard those obligations completely:

13  
14 Let me preface with, my comments are directed at the motion to withdraw filed in  
15 the individual Thomas Girardi bankruptcy. I’m gonna stay away from the Girardi  
16 Keese estate, the one that I’m involved with, **but for, let me let you in on a little  
secret, the motions are identical.** But for the record, I’m just gonna comment on  
the case I’m not involved in.

17 YouTube Interview at <https://www.youtube.com/watch?v=SIFk3-hoVU8> at 3:00-3:22.

18 Mr. Richards almost mockingly states that he must “stay away” from commenting on this  
19 proceeding, as he is ethically required to do, but then proceeds to advise the listeners that  
20 everything he says regarding the Thomas Girardi bankruptcy applies equally to this case.

21 Mr. Richards’s statements display a lack of respect for the court and judicial officers,  
22 repeatedly advance prejudicial and false statements designed to impugn Ms. Girardi’s reputation,  
23 and appear to be motivated by his focus on promoting himself on social media. His social media  
24 posts go far beyond permitted statements by a lawyer regarding basic facts about a matter, and  
25 instead, rise to the level of weighing in on details of documents filed and appearing to put his  
26 stamp of approval on blatantly false statements about alleged actions taken by Ms. Girardi or her  
27 counsel. Mr. Richards appears intent on litigating his theory of the case, a case that has not even  
28 been filed against Ms. Girardi, in the public eye.

Moreover, because Ms. Girardi has a right to a jury trial in any future adversary proceeding brought by the Trustee, Mr. Richards's public statements are a blatant attempt to prejudice any prospective jury pool against Ms. Girardi. Indeed, all of Mr. Richards's statements are designed to bias the public against Ms. Girardi, as evidenced by his practice of ending his tweets about her with "#girardifraud". *See, e.g., Exhibit 1* at p. 39.

While Mr. Richards has a First Amendment right to comment on Twitter, the California Rules of Professional Conduct expressly restrict that right as to a pending investigation or legal proceeding. Nor does Mr. Richards have a First Amendment right to be special counsel to a chapter 7 trustee appointed by the Office of the United States Trustee. In this case, Mr. Richards's public comments after being appointed special counsel demonstrate that he has violated Rule 3.6 of the California Rules of Professional Conduct and Section 6068 of the California Business and Professions Code. Accordingly, this Court should reconsider its prior Order approving Mr. Richards' employment, order that Mr. Richards is disqualified from and cannot serve as special counsel to the Trustee in this proceeding, and permit the Trustee to file a new application to appoint independent special counsel who is willing and able to comply with the ethical rules and otherwise act in a professional manner focused on acting in the best interests of the bankruptcy estate.

## **2. Mr. Richards Failed to Comply With His Required Disclosure Obligations**

Independently, reconsideration of the Court's Order is warranted based on new information evidencing that Mr. Richards failed to comply with his required disclosure obligations under Bankruptcy Rule 2014. Specifically, new evidence shows that Mr. Richards failed to disclose to this Court his significant involvement in a recent documentary about Girardi Keese, Mr. Girardi, and Ms. Girardi, as well as parties in interest in this case, including petitioning creditor Kimberly

1 Archie.

2 Federal Rule of Bankruptcy Procedure 2014(a) requires an employment application to  
3 state, among other things, “all of ... [the proposed professional’s] connections with the debtor,  
4 creditors, [and] any other party in interest ....” The professional is further required to submit a  
5 verified statement with these same disclosures. Full disclosure is required for both employment  
6 and compensation. *Neben & Starrett, Inc. v. Chartwell Fin. Corp. (In re Park– Helena Corp.)*, 63  
7 F.3d 877, 881 (9th Cir. 1995). A professional has a duty to make full, candid and complete  
8 disclosure of all facts concerning his transactions with the debtor, and must disclose all  
9 connections with the debtor, creditors, and parties in interest, no matter how irrelevant or trivial  
10 those connections may seem. *Mehdipour v. Marcus & Millichap (In re Mehdipour)*, 202 B.R. 474,  
11 480 (9th Cir. BAP 1996).

12 The Ninth Circuit mandates that courts apply strictly the disclosure requirements of Rule  
13 2014. *Neben & Starrett*, 63 F.3d at 881- 882. Even negligent or inadvertent failures may result in  
14 adverse consequences. *Id.* at 882. Failure to comply with Rule 2014’s disclosure requirements  
15 warrants the denial or revocation of employment or other sanctions “even if proper disclosure  
16 would have shown that the attorney had not actually violated any Bankruptcy Code provision or  
17 any Bankruptcy Rule.” *Id.* at 880 (lower court did not abuse its discretion in denying fees to  
18 debtor’s counsel, given failure to disclose source of retainer in violation of Rule 2014). *See also*  
19 *Kun v. Mansdorf*, 558 F. App’x 755, 756 (9th Cir. 2014) (bankruptcy court acted within its  
20 discretion by denying debtor’s attorney’s fee application and ordering disgorgement of retainer  
21 where attorney failed to disclose material facts to the bankruptcy court); *In re NNN 400 Capital*  
22 *Center 16, LLC*, 619 B.R. 802, 816 (Bankr. D. Del. 2020) (grounds existed to revoke retention of  
23 law firm as special counsel to Chapter 11 debtors, to disqualify firm from acting as counsel to  
24 debtors, and to order disgorgement of all fees and expenses paid or to be paid, based on firm’s  
25 disclosure violations); *In re Southern Kitchens, Inc.*, 216 B.R. 819, 834 (Bankr. D. Minn. 1998)  
26 (nondisclosure of counsel’s past representation of debtor’s shareholders in Chapter 7 trustee’s  
27 application for employment of special counsel violated bankruptcy rule governing applications for  
28 employment of professional persons and warranted disqualification of special counsel).

Courts in the Central District routinely disqualify professionals from employment, deny professionals' fee requests, or order disgorgement of fees for failure to make proper and full disclosures under Rule 2014. *See, e.g., In re Priv. Asset Grp., Inc.*, 579 B.R. 534, 542-43 (Bankr. C.D. Cal. 2017) (finding that trustee's special counsel subject to disgorgement of fees for violation of Rule 2014 disclosure requirements, noting, "[a] professional cannot pick and choose what connections are trivial or irrelevant but must disclose all connections"); *In re Kings River Resorts, Inc.*, 342 B.R. 76, 89 (Bankr. E.D. Cal.2006) (remedy for real estate broker's failure to disclose, at time of application for employment by Chapter 7 trustee, its prior prepetition relationship with debtor, was disqualification from employment and denial of administrative fees); *In re Imperial Corp. of America, Bkrtcy.*, 181 B.R. 501, 508 (Bankr. S.D. Cal. 1995) (law firm's failure to disclose interests adverse to Chapter 11 debtor at time it sought appointment as special counsel warranted holding firm liable for cost of fee disgorgement proceeding brought when trustee discovered conflict).

In this case, Mr. Richards's disclosure in the Application of his alleged disinterestedness and connections to this matter consisted solely of the following:

The firm is a small firm and Ronald Richards reviews all matters wherein [sic] the firm is employed or is potentially employed. Richards has determined that the only case in which Richards is involved which has any connection to the Debtor or Thomas Girardi is that Richards is co-counsel with Spertus, Landes & Umhofer, LLP in connection [sic] with its representation of creditors the Law Offices of Philip Sheldon and The Law Offices of Robert Finn in connection with their claims for unpaid referral fees by the Debtor [emphasis added].

*See Statement of Disinterestedness for Employment of Professional Person Under FRBP 2014* attached to the Application [ECF No. 318], Q. 5 on p. 7 of 30.

Absent from the Application is any disclosure whatsoever by Mr. Richards of his significant connection—including 16 hours of taped interviews of Mr. Richards—to the documentary released on June 12, 2021, about Girardi Keese, Mr. Girardi, and Ms. Girardi, which also featured petitioning creditor Kimberly Archie. Rather than disclose these material connections to this proceeding and the parties in interest to the Court, Mr. Richards waited until after his employment was approved, and then, on June 18, 2021, tweeted about his involvement

1 with the documentary, including his involvement in the production and his 16 hours of taped  
2 interviews, which he lamented were cut from the documentary due to his possible appointment as  
3 special counsel. **Exhibit 1** at p. 43. Regardless of whether Mr. Richards ended up appearing in  
4 the documentary, his after-the-fact admission of a material role in the production and connection  
5 with the individuals involved (such as petitioning creditor Kimberly Archie) is a blatant omission  
6 of a material fact known to Mr. Richards which he intentionally failed to disclose to this Court  
7 under Rule 2014. Accordingly, Mr. Richards's failure to disclose such a material connection to  
8 the parties in interest in this case violated his obligations under Rule 2014 and warrants both  
9 reconsideration and vacating of the Order approving him as special counsel to the Trustee.

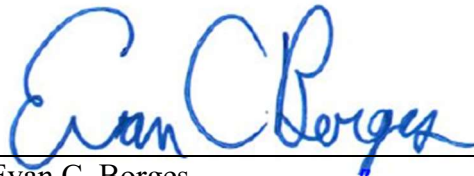
10 **IV. CONCLUSION**

11 Based on the foregoing, Ms. Girardi requests that the Court reconsider and vacate its  
12 prior Order granting the Trustee's application to employ Ronald Richards as special litigation  
13 counsel, and permit the Trustee to apply to retain replacement counsel who are independent,  
14 objective, not conflicted, willing to comply with the ethical rules governing attorneys, and who  
15 will respect the integrity of the proceedings before this Court.

16 DATED: June 24, 2021

GREENBERG GROSS LLP

17  
18 By:

  
19 Evan C. Borges

20 Attorneys for Party-in-Interest Erika Girardi  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF EVAN C. BORGES**

I, Evan C. Borges, declare:

1. I am a partner with the law firm Greenberg Gross LLP, counsel to Party-In-Interest Erika Girardi ("Ms. Girardi") in this proceeding. I submit this declaration in support of Ms. Girardi's Motion for Reconsideration of Order Granting Chapter 7 Trustee's Application to Employ the Law Offices of Ronald Richards & Associates, A.P.C. as Special Litigation Counsel. I have personal knowledge of the facts in this declaration and, if called as a witness, could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a compilation of tweets from Ronald Richards regarding this proceeding and individuals involved in this proceeding from his Twitter account dating back to June 2, 2021.

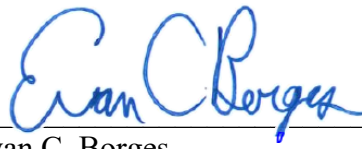
3. As of today's date, Mr. Richards's profile on his Twitter account, @RonaldRichards, now states that he has over 16,000 followers.

4. Attached hereto as Exhibit 2 is a compilation of tweets from Scott Hanson regarding this proceeding and individuals involved in this proceeding from his Twitter account dating back to June 13, 2021.

5. The YouTube Interview referenced in the tweet from Mr. Richards dated June 16, 2021, which is cited in the motion accompanying this Declaration, appeared on a YouTube channel called "Up and Adam!" with a URL link that can be accessed at:  
<https://www.youtube.com/watch?v=SIFk3-hoVU8>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 24, 2021

  
\_\_\_\_\_  
Evan C. Borges

# EXHIBIT 1







**scott hanson** @scottha69161959 · Jun 8

@RonaldRichards Mr Richards, it will be understood by your followers if you are unable to keep us informed on the Girardi case if Erika is able to get her gag order. I'm sure I can speak for many of your followers that we know you do your best to right this wrong .



1



7



**Ronald Richards**

@RonaldRichards



Replying to @scottha69161959

Don't worry Scott we will be covering it all and I was appointed today so let's just keep moving forward and working collaboratively to get to the right result

9:17 PM · Jun 8, 2021 · Twitter for iPhone

1 Retweet 15 Likes



**scott hanson** @scottha69161959 · Jun 8




Replying to @RonaldRichards


EXHIBIT 1




[←](#) **Tweet**


 **Lauren Berg** @ByLaurenBerg · Jun 9 ...  
Girardi Keese's bankruptcy trustee got the go-ahead to hire [@RonaldRichards](#), who has criticized the law firm founder's estranged wife, [#RHOBH](#) star Erika Girardi, to investigate whether she has assets belonging to the defunct practice



Full story:







Girardi Firm Trustee Can Hire Atty To Chase Wife's Assets - Law360  
Girardi Keese's bankruptcy trustee can hire a social media-savvy lawyer who has criticized the law firm founder's estranged wife, reality ...  
[law360.com](#)


20 22 222 



 **L G** @GigHarborRes · Jun 9 ...  
Team Victims - 10 pts Team Giardi - 0.  
Might as well throw in the towel Erika. [@RonaldRichards](#) will not stop until justice has been served!

1  27 

 **Kimberly Archie**  @kimberlyarchie · Jun 9 ...  
How will this help the victims? And we didn't pick him/hire him, the trustee did.

2  5 

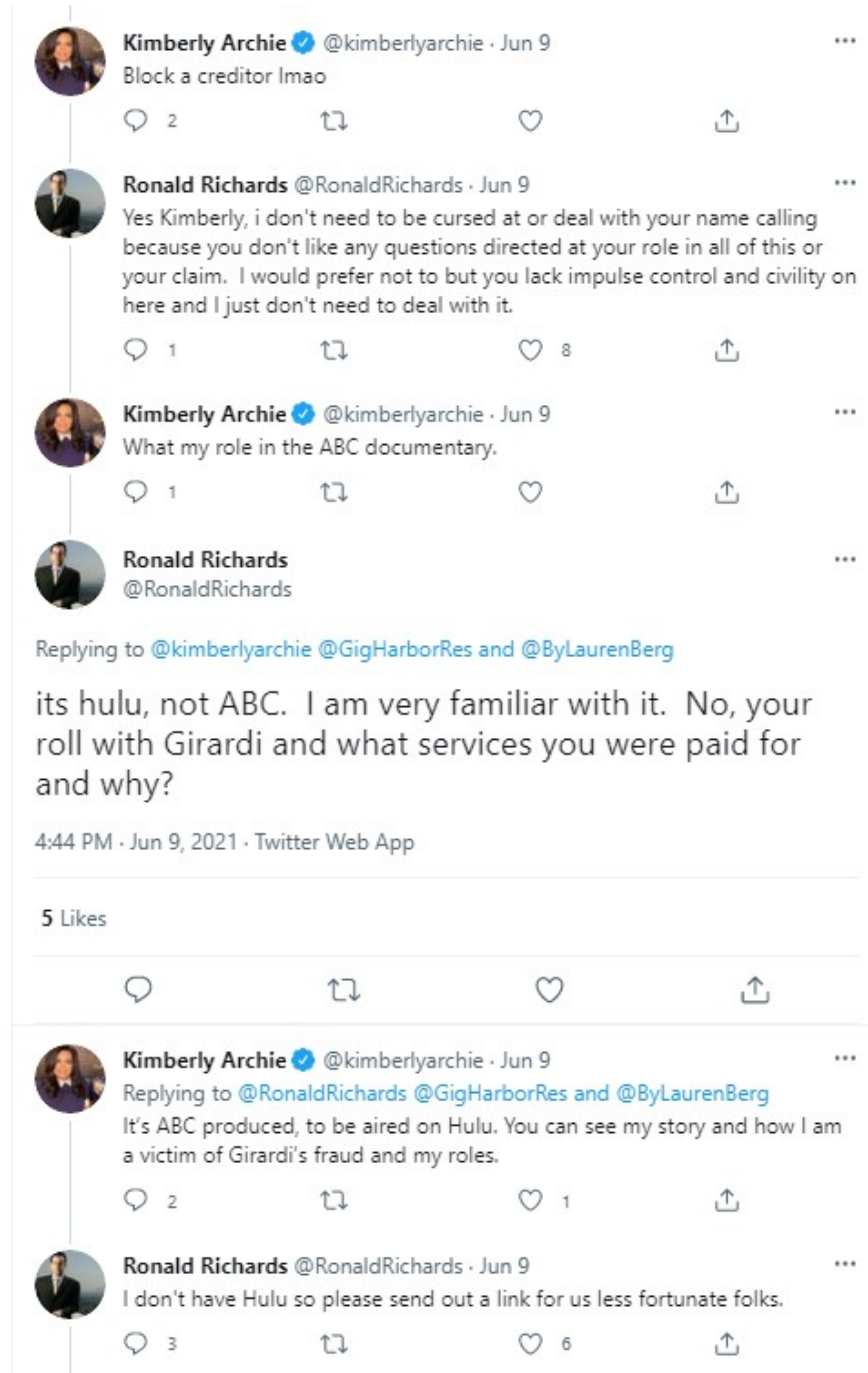
 **Ronald Richards** @RonaldRichards · Jun 9 ...  
anyone his free to hire their counsel of choice and pursue any non debtor, retaining a competent and effective attorney generally helps all creditors in any bk estate so improperly diverted assets can be returned to the estate.

3  14 


















 **Kimberly Archie**  @kimberlyarchie · Jun 11 ...  
I love when a professional like yourself hangs out with my longtime stalker and troll. It's fun.

 2   


 **Ronald Richards** @RonaldRichards ...



Replying to @kimberlyarchie

Did they tell you your scene allotment yet? All those subjects will invoke 1A material I imagine. I am going to try and get a hulu user account from someone by Monday for sure!

2:56 PM · Jun 11, 2021 · Twitter Web App


   



 **Kimberly Archie**  @kimberlyarchie · Jun 11 ...  
Replying to @RonaldRichards  
No spoilers on my page. But I'm certain you and Ms. Walden Pond stalker will enjoy all of my quotes.

 **Winston** @IreneLombardino · Jun 11 ...  
Replying to @RonaldRichards and @kimberlyarchie  
You can get a 30 day trial of Hulu for free. Investigating Erica is going to cost you a fortune! Good hunting 

 1   1 


 **Ronald Richards** @RonaldRichards · Jun 11 ...  
Don't worry, we are well funded and won't have to get a loan like someone else I know.

 1   2 

















**Kimberly Archie** @kimberlyarchie · Jun 11


Lmao I have been a public figure for years. She's a stalker. That's my opinion. She's had dozens of Twitter accounts over many years. She's made the same accusations since '14. She's related to my claim so this is interesting. Keep interacting w/her, it'll work out great for me.

 2
 








**Ronald Richards** @RonaldRichards · Jun 11


no idea you have any active claims other than your incomplete creditor's claim.

 3
 
 1
 



**Kimberly Archie** @kimberlyarchie · Jun 11





[casetext.com/case/de-lench-...](https://casetext.com/case/de-lench-...)

 1
 




**Ronald Richards** @RonaldRichards · Jun 11

Wow, this is great stuff. why did finnerty represent you from ACTS? Your case settled, this is not an open claim. This is really good, I am enjoying this docket.



 2
 
 3
 

← Tweet

interesting. Keep interacting w/her, it'll work out great for me.

2 1 1



**Ronald Richards** @RonaldRichards · Jun 11

...

no idea you have any active claims other than your incomplete creditor's claim.

3 1 1



**Kimberly Archie** @kimberlyarchie · Jun 11

...

[casetext.com/case/de-lench-...](https://casetext.com/case/de-lench-...)

1 1 1



**Ronald Richards** @RonaldRichards · Jun 11

...

Wow, this is great stuff. why did finnerty represent you from ACTS? Your case settled, this is not an open claim. This is really good, I am enjoying this docket.



2 3 1



**Kimberly Archie** @kimberlyarchie · Jun 11

...

Keep hanging out with my troll/stalker and making light of something that has caused serious mental health complications/complex grief because of its relation to my son's death. Seems like very ethical behavior for special counsel in a case I have a stake in.

2 1 1



**Ronald Richards**

...

@RonaldRichards

Replying to @kimberlyarchie

There you go again, you provided the case and I asked obvious questions. Don't comment on this page if you want immunity from any questions especially when you invite the inquiry. Good luck Monday. I think two way conversations are not your thing.

3:57 PM · Jun 11, 2021 · Twitter for iPhone

3 Likes

[←](#) **Tweet**

 **Kimberly Archie**  @kimberlyarchie · Jun 11 ...  
Special counsel for the creditors.....

 **Ronald Richards** @RonaldRichards · Jun 11  
Replying to @LalaJolla @ABAesq and @realtomgirardi  
why would she delete evidence?

3 1 0 1

 **Ronald Richards** @RonaldRichards · Jun 11 ...  
You are mistaken. I am not special counsel for the creditors. Your case and relationships and your claim are all subject to being reviewed. How much money did GK pay you?

4 1 4 1

 **Kimberly Archie**  @kimberlyarchie · Jun 11 ...  
You're job is to get our money, if Erika has it. That's working for us.

5 0 0 1

 **Ronald Richards** @RonaldRichards · Jun 11 ...  
Great, if that is what you believe, then use your inside knowledge to stop wasting our time and provide actionable intel and we will pursue it if reliable. you btw, are not entitled to any money unless you have a viable claim.

2 0 3 1

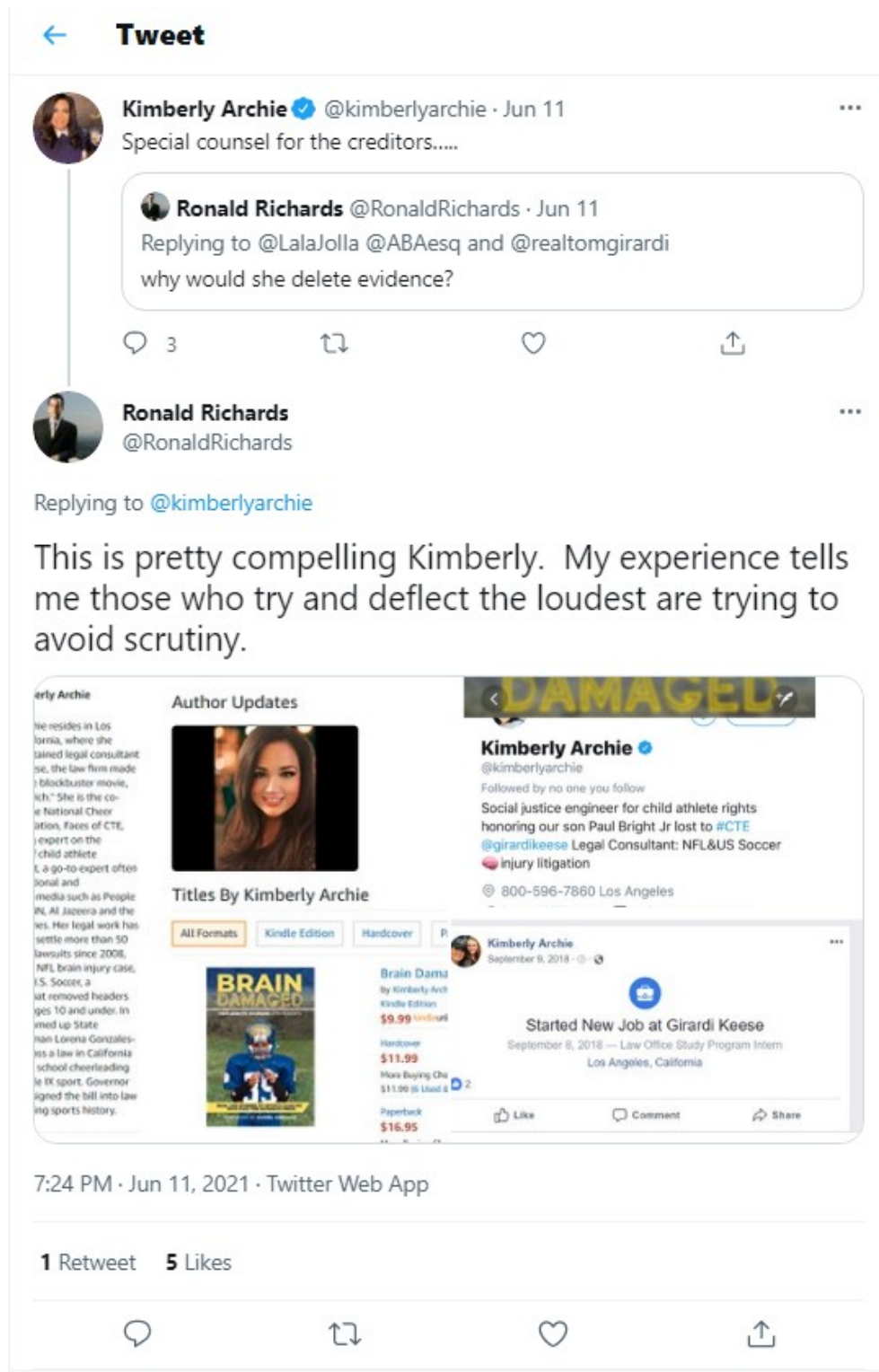
 **Kimberly Archie**  @kimberlyarchie · Jun 11 ...  
We will give our intel to the lawyers we deem credible and the authorities. You can play with HW fans and trolls.

1 0 0 1

 **Ronald Richards** @RonaldRichards ...  
Replying to @kimberlyarchie  
Your dry humor is always appreciated. The HW fans provide a lot of intel, that is for sure.

7:27 PM · Jun 11, 2021 · Twitter Web App









**Ronald Richards** @RonaldRichards · Jun 15

...

BREAKING NEWS: Erika Girardi's attorney moves to withdraw from representation in the Girardi Keese bankruptcy including against the Special Litigation Counsel. Motion below.

[documentcloud.org/documents/2089...](https://documentcloud.org/documents/2089...)

126

149

583



**Suez** 🕶️ @foremanatorsooz · Jun 15

...

Could this be a strategic plan of TG & EJ somehow? Withholding information from her attorneys knowing they would step away from representing her? And what does this do in the process of bankruptcy?

2



10



**duchess of alba**

...

@duchessofalba

Replying to [@foremanatorsooz](#) and [@RonaldRichards](#)

Seriously, what would happen if Tom were to die in the middle of all this?

6:20 PM · Jun 15, 2021 · Twitter for iPhone

11 Likes



**Ronald Richards** @RonaldRichards · Jun 15

...

Replying to [@duchessofalba](#) and [@foremanatorsooz](#)  
he is basically legally dead.

2

2

21





🔄 Ronald Richards Retweeted



**Reality Tea** @Realitytea · Jun 16



New post: Erika Jayne's Lawyers Quit After Hulu Documentary; Counsel States "The Relationship Is Irreparable"



Erika Jayne's Lawyers Quit After Hulu Documentary; Counsel States "Th...  
Real Housewives Of Beverly Hills Star Erika Jayne's Lawyers Quit After  
Hulu Documentary; Counsel States "The Relationship Is Irreparable"  
[🔗 realitytea.com](https://realitytea.com)

💬 10

🔄 16

❤️ 129




 **Ronald Richards** @RonaldRichards · Jun 17

Breaking news: Erika Jayne's attorney's have now withdrawn their motion to withdraw. Apparently the urgent and immediate breakdown of the attorney client relationship has now been miraculously fixed. See attached withdrawals of the motions to withdraw.



erikajaynewithdrawalmotiontowithdraw  
[documentcloud.org](https://documentcloud.org)

115 86 399

 **Kimmie Joe** @kimmyjoe222

Replying to @RonaldRichards

This must mean she had a way to pay them????

9:34 PM · Jun 17, 2021 · Twitter for iPhone

1 Retweet 76 Likes

 **Ronald Richards** @RonaldRichards · Jun 17

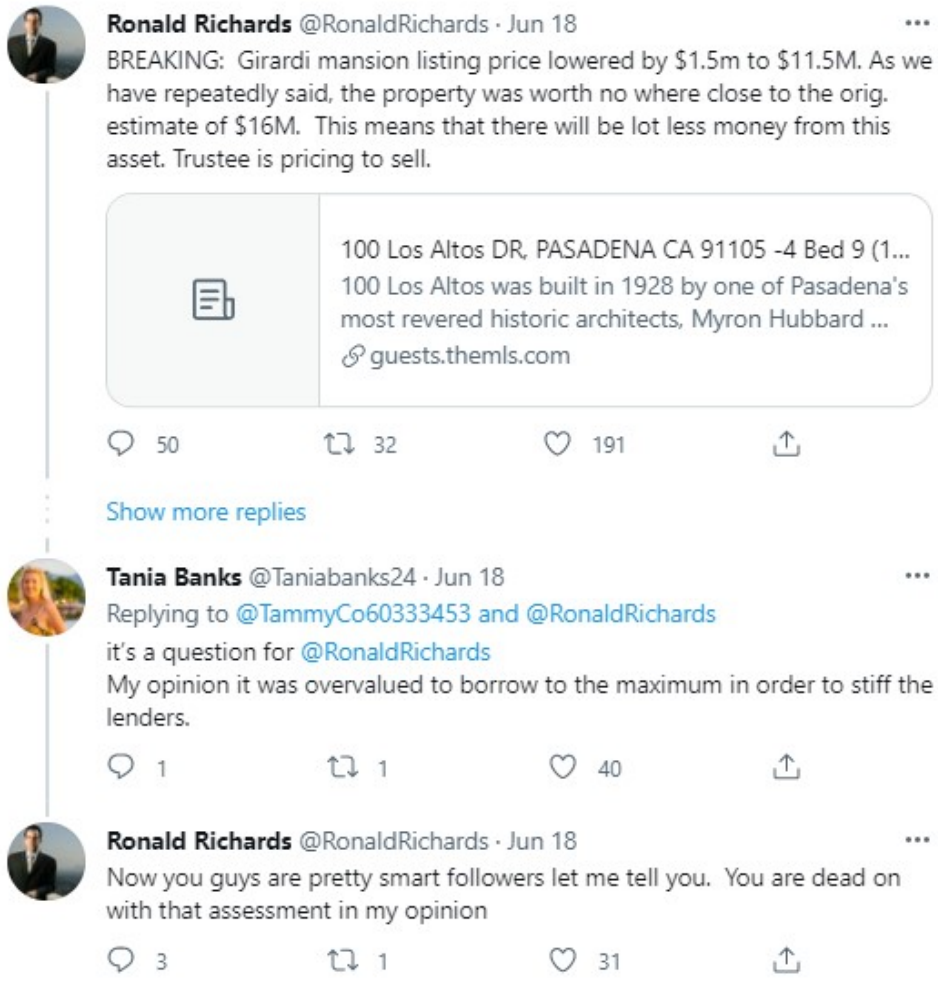
Replying to @kimmyjoe222

probably

5 75









**Ronald Richards** @RonaldRichards · Jun 18



BREAKING: Girardi mansion listing price lowered by \$1.5m to \$11.5M. As we have repeatedly said, the property was worth no where close to the orig. estimate of \$16M. This means that there will be lot less money from this asset. Trustee is pricing to sell.



100 Los Altos DR, PASADENA CA 91105 -4 Bed 9 (1...  
100 Los Altos was built in 1928 by one of Pasadena's  
most revered historic architects, Myron Hubbard ...  
[🔗 guests.themls.com](https://www.guests.themls.com)



50



32



191







**Brandon Lowrey** @brandonous · Jun 18



New: Erika Girardi's companies received \$20M in loans from her husband's firm, Girardi Keese, and she may have received "improper" fees from a GK client settlement, according to a filing today by [@RonaldRichards](#)



Girardi Keese Loaned \$20M To Erika Girardi's Biz, A...  
Reality television star Erika Girardi's companies may have received over \$20 million in loans from her ...  
[law360.com](#)



18



30



123



**christine** @NYC4691 · Jun 19



Nothing says she knew where the money came from, meaning, thinking it was Tom's legit money. The divorce is not illegal to do...not clear if she tried to hide/sell assets.

I don't believe she knew. WHY would her attys. stay with her?



8



2



**Ronald Richards** @RonaldRichards · Jun 19



\$\$\$

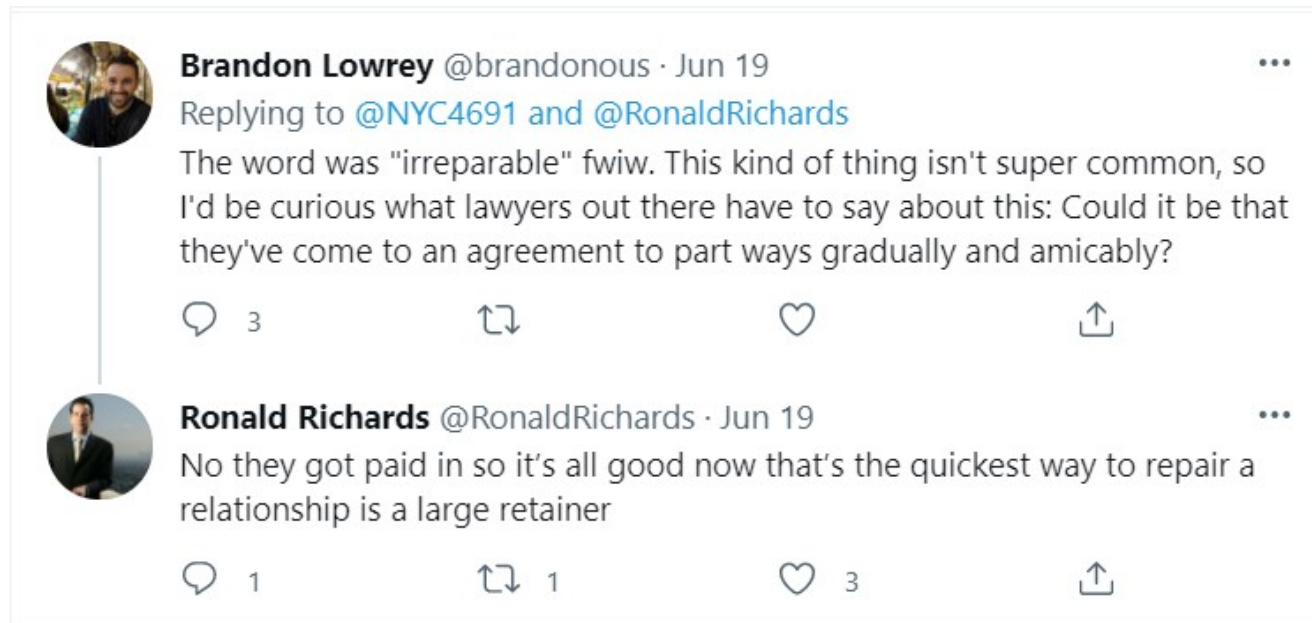


3



19







← **Ronald Richards**  
8,556 Tweets



**Ronald Richards**

@RonaldRichards

I am a practicing attorney in an LA and DC practice. I share insights on national cases. Former NBC News Legal Analyst, Special Counsel, Girardi Keese BK case.

📍 LA/DC 🔗 [ronaldrichards.com](https://ronaldrichards.com) 📅 Joined June 2009

122 Following 16K Followers

Not followed by anyone you're following

**Tweets**

Tweets & replies

Media

Likes



**Ronald Richards** @RonaldRichards · 3h

...

Special Litigation Counsel just filed this motion for examination for Erika Jayne's accountant and business manager.

[documentcloud.org/documents/2097...](https://documentcloud.org/documents/2097...)

💬 20

↻ 14

❤️ 104





**Ronald Richards** @RonaldRichards · 15h



How 'The Real Housewives' glam arms race gets its cast into hot water



How 'The Real Housewives' glam arms race gets its cast into hot water  
Bravo's glittery reality franchise has always encouraged competitive consumption. But cast members' financial "smoke and mirrors" can lea...  
[latimes.com](https://www.latimes.com)



6



16



80



# **EXHIBIT 2**



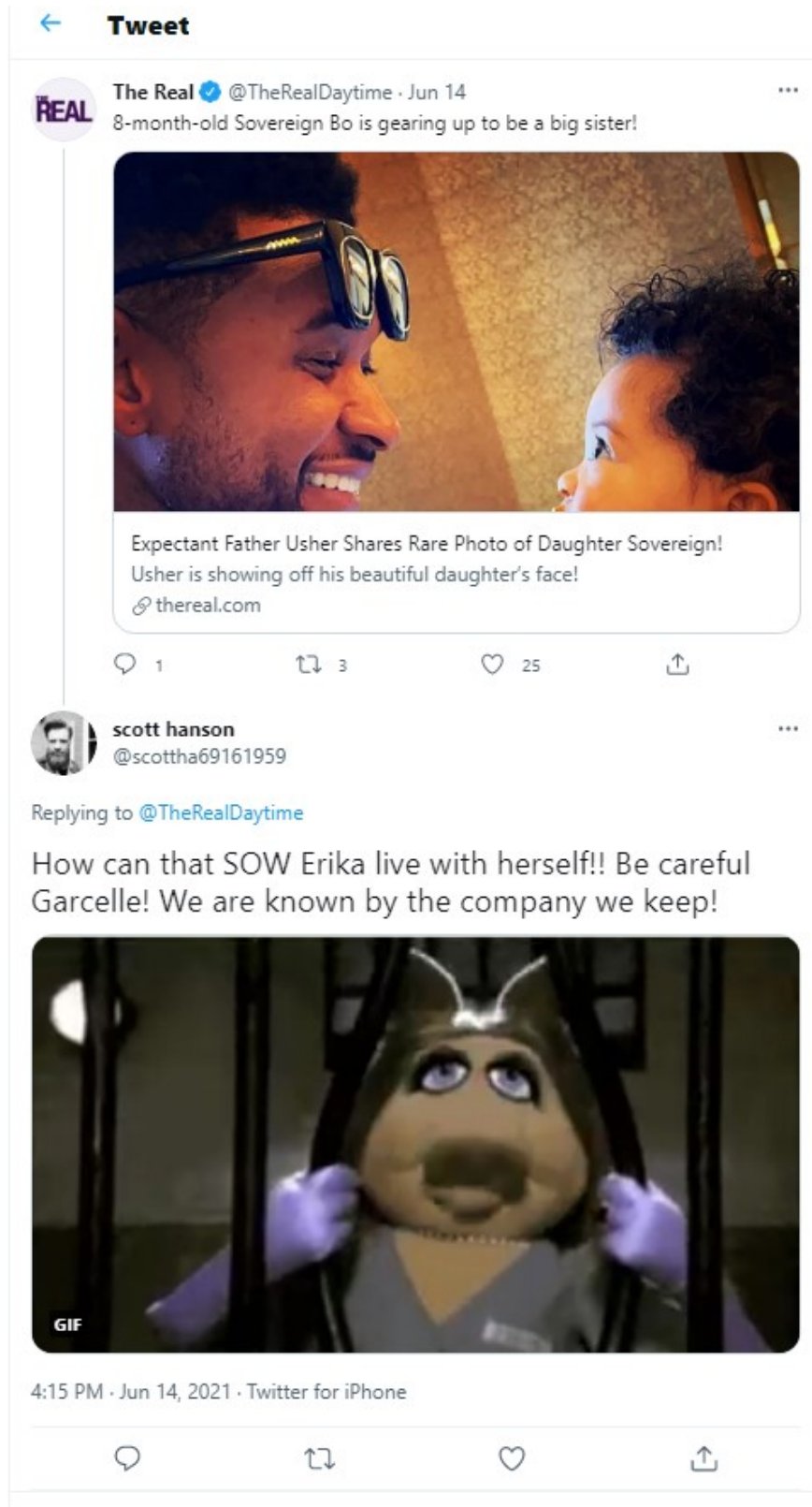
**scott hanson** @scottha69161959 · Jun 13

...

Replying to @eekrrc @1jwilkes and @erikajayne

She has her very well manicured hands in all of her husbands dirty doings and laughing all the way to the bank!







← Tweet



TeamGina UK Official @neilk1 · Jun 14

...

@hayu\_uk hi there a question please are you getting @LisaVanderpump new show called Vanderpump dogs cause we need more lisa on hayu uk. thanks

1



2



hayu UK & Ireland @hayu\_uk · Jun 14

...

Hi! We sure are! It starts Wednesday on hayu. x



4

7

68



scott hanson

...

@scottha69161959

Replying to @hayu\_uk @LisaVanderpump and @neilk1

Oh that sow Ericka!! All those millions she stole from those victims! I'm sure BABY JAYNE is still laughing about it!



4:27 PM · Jun 14, 2021 · Twitter for iPhone

← Tweet



**Glamour** @glamourmag · Jun 10

'The Real Housewives of Beverly Hills' star @erikajayne is here to remind you that skincare doesn't stop at your chin. "It's reflective of your overall health and taking care of your body. And that makes me feel confident."



Erika Jayne Drops Her Skin-Care Routine

The "Real Housewives of Beverly Hills" star is here to remind you that skin care doesn't stop at your chin.

[glamour.com](https://glamour.com)

119

26

210



**scott hanson**

@scottha69161959

Replying to @glamourmag and @erikajayne

Hand over the loot SOW!! She refuses to give the money to the orphans and the burn victim!! She's probably laughing about it!!



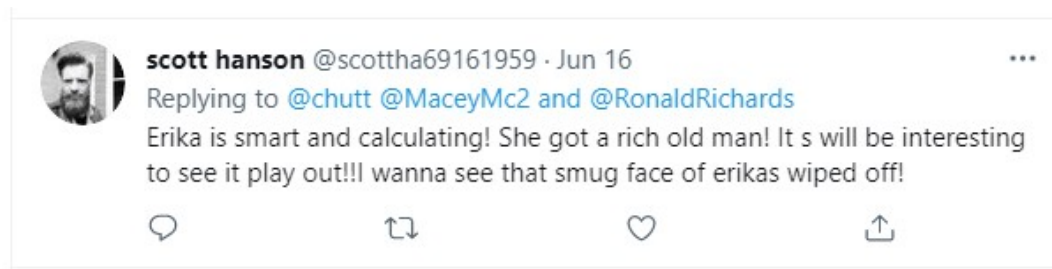
5:46 PM · Jun 14, 2021 · Twitter for iPhone











← Tweet



TooFab  @TooFab · Jun 23

...

.@erikajayne hits back at Twitter critics for stepping out in a dressed-down look to run errands:



The Best Celebrity Clapbacks of 2021  
The Best Celebrity Clapbacks of 2021  
[toofab.com](https://toofab.com)

141

20

230



scott hanson  
@scottha69161959

...

Replying to @TooFab and @erikajayne

The "depressed divorcee". Nope! not buying it Erika!  
From 40,000 a month princess to sweat pants wearing ,  
gas pumping pauper! Too perfunctory, staged and too  
convenient! This is your last laugh baby Jayne! We see  
you!



7:02 PM · Jun 23, 2021 · Twitter for iPhone

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 1700  
Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled (specify): *Notice Of Motion And Motion For Reconsideration Of Order Granting Chapter 7 Trustee's Application To Employ The Law Offices Of Ronald Richards & Associates, A.P.C. As Special Litigation Counsel; Memorandum Of Points And Authorities; Declaration Of Matthew C. Wasserman In Support Thereof, And Exhibits* will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **June 24, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On **June 24, 2021** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) **June 24, 2021**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/24/2021 Cheryl Winsten

Date

Printed Name

Signature

**In re GIRARDI KEESE**

Case No. 2:20-bk-21022-BR

U.S.B.C. Central District of California

Los Angeles Division

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28

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6 **3. SERVED BY PERSONAL DELIVERY:**

7 **U.S. Bankruptcy Court:**

8 U.S. Bankruptcy Court  
9 Hon. Hon. Barry Russell  
10 255 E. Temple Street, Suite 1660  
11 Los Angeles, CA 90012  
12  
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