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Attorney for Plaintiff Estate of BRAD DRIVER,
by and through the Personal Representative and
Administrator of his estate, MARIAH DRIVER

UNITED STTATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: KS MATTSON PARTNERS, LP, a limited partnership Debtor.	BANKRUPTCY CASE NO. 24-10715 Chapter 11 MOTION FOR RELIEF FROM STAY RE: FIRST STREET PROPERTIES Date: January 17, 2025 Time: 10:00 a.m. Place: 1300 Clay Street, Room 215 In Person or Tele/Video Conf Judge: Hon. Charles Novack
Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, Plaintiff, vs. KS MATTSON PARTNERS, LP, a limited partnership Defendant.	

Case: 24-10715 Doc# 23 Filed: 12/30/24 Entered: 12/30/ 5910545250730000000000018

The Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER ("Driver"), through her counsel of record, respectfully moves this Court to lift automatic stay in action against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC in Superior Court of California, County of Sonoma, entitled *Driver vs Mukesh* Case No. 24CV06439 on the grounds that a good cause exists under 11 U.S.C. § 362(d)(1), and Driver is entitled to relief from the automatic stay for based on the following cause:

1. Plaintiff wishes to sell the real property and recover the value of her interest in the property to 1) avoid further neglect and deterioration of the real property caused by the Defendant's continued lack of maintenance, and 2) to avoid the possibility that Defendant's again manage to fraudulently deprive Plaintiff of the equity in the property as they have done in the past, or 3) otherwise dilute the value of the property to Plaintiff by distributing the value of her interest to other creditors in the bankruptcy proceedings.
2. The Defendant will not suffer prejudice by the partition and sale of the properties because Plaintiff will only receive her verified interest in the real estate, and Defendant will benefit by not having the value of the property further depreciate due to their own neglect.

For these reasons, and as elaborated in the accompanying Memorandum of Points and Authorities in support of this Motion for Relief from Stay, the lift of the automatic stay in action against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC in Superior Court of California, County of Sonoma, entitled *Driver vs Mukesh* Case No. 24CV06439 is warranted.

Dated: December 30, 2024

GOMEZ LAW GROUP
By:

Alvin M. Gomez, Esq.
David Finn, Esq.
Boris Smyslov, Esq.
Attorneys for Plaintiff

UNITED STATES BANKRUPTCY COURT
Northern District of California

In re: KS MATTSON PARTNERS, LP, a limited partnership Debtor(s)	Bankruptcy No.: 24-10715 R.S. No.: Hearing Date: 01/17/2025 Time: 10:00 am

Relief From Stay Cover Sheet

Instructions: Complete caption and Section A for all motions. Complete Section B for mobile homes, motor vehicles, and personal property. Complete Section C for real property. Utilize Section C as necessary. If moving party is not a secured creditor, briefly summarize the nature of the motion in Section D.

(A) Date Petition Filed: 11/22/2024 Chapter: 11

Prior hearings on this obligation: _____ Last Day to File §523/§727 Complaints: _____

(B) Description of personal property collateral (e.g. 1983 Ford Taurus):

Secured Creditor [ ] or lessor [ ]

Fair market value: $_____ Source of value:_____

Contract Balance: $_____ Pre-Petition Default: $_____

Monthly Payment: $_____ No. of months: _____

Insurance Advance: $_____ Post-Petition Default: $_____

No. of months: _____

(C) Description of real property collateral (e.g. Single family residence, Oakland, CA):

Fair market value: $_____ Source of value:_____ If appraisal, date:_____

Moving Party's position (first trust deed, second, abstract, etc.):

Approx. Bal. $_____ Pre-Petition Default: $_____

As of (date): _____ No. of months: _____

Mo. payment: $_____ Post-Petition Default: $_____

Notice of Default (date): _____ No. of months: _____

Notice of Trustee's Sale: _____ Advances Senior Liens: $_____

Specify name and status of other liens and encumbrances, if known (e.g. trust deeds, tax liens, etc.):

Position	Amount	Mo. Payment	Defaults
1st Trust Deed:_____	$_____	$_____	$_____
2nd Trust Deed: _____	$_____	$_____	$_____
_____:			
_____:			
_____:			
(Total)	$_____	$_____	$_____

(D) Other pertinent information: Movant is the owner of undivided 40% share of Debtor's property known as 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California

Dated: December 30, 2024

_____
Signature

Boris Smyslov
Print or Type Name

Attorney for Mariah Driver

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Attorney for Plaintiff Estate of BRAD DRIVER,
by and through the Personal Representative and
Administrator of his estate, MARIAH DRIVER

UNITED STTATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: KS MATTSON PARTNERS, LP, a limited partnership Debtor.	BANKRUPTCY CASE NO. 24-10715 Chapter 11 MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION FOR RELIEF FROM STAY RE: FIRST STREET PROPERTIES Date: January 17, 2025 Time: 10:00 a.m. Place: 1300 Clay Street, Room 215 In Person or Tele/Video Conf Judge: Hon. Charles Novack
Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, Plaintiff, vs. KS MATTSON PARTNERS, LP, a limited partnership Defendant.	

I. INTRODUCTION

KS MATTSON PARTNERS, LP ("Debtor" or "Defendant") is a development company and owner of numerous real properties. Kenneth W. Mattson is its principal owner. Brad Driver, who passed away in 2024, had purchased various properties from the Defendant and its related entities. The Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER ("Driver" or "Plaintiff"), is now the partial owner of certain real properties sold to Brad Driver by Defendant.

On November 22, 2024, an involuntary chapter 11 petition was filed against Defendant KS MATTSON PARTNERS, LP.

In August 2020, Kenneth W. Mattson individually and through his various companies, including Defendant KS Mattson Partners, LP, fraudulently induced Brad Driver to enter into an agreement to purchase from Defendant an undivided 40% share of 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California ("First Street Properties") for $1,600,000.

On October 25, 2024, Mariah Driver commenced an action against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC in Superior Court of California, County of Sonoma, entitled *Driver vs Mukesh* Case No. 24CV06439, for partition and sale of property against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC, and other entities appearing on the title of the First Street Properties. A true and correct copy of said complaint is attached hereto marked as Exhibit 1 and incorporated herein by reference.

Due to the bankruptcy proceeding of Defendant, the matter in the state court will be stayed. Prior to the filing of this proceeding, Mariah Driver became aware of multiple lawsuits against Defendant and related entities and individuals for fraud in their real estate investment dealing. Based on information and belief, Plaintiff has learned that Defendant and related entities have failed to perform basic property management regarding the First Street Properties, has failed to pay property taxes, has failed to

provide information about the property to the Plaintiff, has failed to make distributions to Plaintiff, and has failed to utilize the property for its intended purpose. Based on information and belief, the failure to maintain the properties is resulting in deterioration of the property and a subsequent decrease in value.

This motion is filed for cause under 11 U.S.C. § 362(d)(1). The Courts have held that cause is a broad and flexible concept which must, out of necessity, be determined on a case-by-case analysis. *In re McDonald*, 755 F2d 715, 717 (9th Cir. 1985).

Driver is entitled to relief from the automatic stay for based on the following cause:

1. Plaintiff wishes to sell the real property and recover the value of their interest in the property to 1) avoid further neglect and deterioration of the real property caused by the Defendant's continued lack of maintenance, and 2) to avoid the possibility that Defendant's again manage to fraudulently deprive Plaintiff of the equity in the property as they have done in the past, or 3) otherwise dilute the value of the property to Plaintiff by distributing the value of her interest to other creditors in the bankruptcy proceedings.
2. The Defendant will not suffer prejudice by the partition and sale of the properties because Plaintiff will only receive her verified interest in the real estate, and Defendant will benefit by not having the value of the property further depreciate due to their own neglect.

Plaintiff hereby moves this Court for an Order granting relief from the automatic stay because a Petition under Chapter 11 was filed November 22, 2024, for involuntary bankruptcy of the Debtor KS MATTSON PARTNERSHIP, LP.

The U.S. Trustee is represented by Jared A. Day.

Plaintiff alleges the following in support of the Motion:

II. FACTUAL BACKGROUND

Plaintiff Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, is an estate and is not currently listed

as a creditor in the related Chapter 11 case.

Defendant KS MATTSON PARTNERS, LP, is a limited partnership registered in the city of Vacaville, State of California. Defendant KS MATTSON PARTNERS, LP is a Debtor in the above-captioned related Chapter 11 case, filed on November 22, 2024, in the United States Bankruptcy Court, Northern District of California. Defendant KS MATTSON PARTNERS, LP acted in concert with its principal Kenneth W. Mattson, his friend and partner, Timothy J. LeFever, the LeFever Mattson Corporation, and numerous other entities and partnerships.

On a date prior to August 2020, Brad Driver became a financial services client of Defendant KS Mattson Partners, LP, a California limited partnership and affiliated entity KS Mattson Company LLC, a limited liability company. Both companies had Kenneth W. Mattson listed as their principal. Brad Driver utilized financial services provided by the Defendant and affiliated entity, including investing as a co-owner in real estate with the Defendant and affiliated entity.

In August 2020, Kenneth W. Mattson individually and through his various companies, including Defendant KS Mattson Partners, LP, fraudulently induced Brad Driver to enter into an agreement to purchase from Defendant an undivided 40% share of 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California ("First Street Properties") for $1,600,000.

Kenneth W. Mattson, the principal of K S Mattson Partners, represented to Brad Driver that this purchase was an investment in property development which would save money and increase the funds Brad Driver invested. The representations made by Kenneth W. Mattson were knowingly false.

Brad Driver made his purchase in justifiable reliance on Kenneth W. Mattson's representations, as Kenneth W. Mattson presented himself as a sophisticated businessman and as principal of multiple companies, affiliated with then reputable multimillion company LeFever Mattson, which was owned at the time by Kenneth W. Mattson and his long-time friend Timothy LeFever.

Brad Driver paid $1,600,000 for 40% share of the First Street Properties to Defendant. Plaintiff was harmed due to the misrepresentations by Kenneth W Mattson in that Plaintiff lost money paid to the Defendant and is unable to receive the 40% share of the First Street Properties as promised.

On July 18, 2024, Brad Driver passed away. His daughter, Mariah Driver, is an heir of his estate. On October 23, 2024, Mariah Driver was appointed Personal Representative and Administrator of Brad Driver's estate by the Superior Court of California, County of Alameda.

Maria Driver soon learned that Kenneth W. Mattson and Timothy LeFever's real estate dealings were fraudulent. She also recently learned that the property located at 755 W H St., Dixon, CA, co-owned by Brad Driver and AUTUMN WOOD I, LP, one of the LeFever Mattson entities, was sold without any notice to Brad Driver and without distribution of any proceeds from this sale to Brad Driver.

Mariah Driver, in her capacity as Personal Representative of Brad Driver's estate, has authority under California Probate Code section 9820 to commence this proceeding for the benefit of the estate. Mariah Driver, in her capacity as an heir of Brad Driver's estate, has authority under California Probate Code section 9654 to commence to action for possession of the Subject Properties.

On October 25, 2024, Mariah Driver commenced an action against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC in Superior Court of California, County of Sonoma, entitled *Driver vs Mukesh* Case No. 24CV06439, for partition and sale of property against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC, and other entities appearing on the title of the First Street Properties. A true and correct copy of said Complaint is attached hereto marked as Exhibit 1 and incorporated herein by reference.

Due to the bankruptcy proceeding of Defendant, the matter in the state court will be stayed. Prior to the filing of this proceeding, Mariah Driver became aware of multiple lawsuits against entities related to representatives and principals of Defendant KS

Mattson Partners LP, and has learned that this Defendant have failed to perform basic property management regarding the First Street Properties and have failed to pay property taxes. Based on information and belief, the failure to maintain the properties is resulting in deterioration of the property and a subsequent decrease in value.

III. ARGUMENT

The Bankruptcy Court has discretion under 11 U.S.C. § 362(d)(1) to grant relief from the automatic stay on a case-by-case basis. *See J E Livestock, Inc. v. Wells Fargo Bank, N.A. (In re J E Livestock, Inc.)*, 375 B.R. 892 (B.A.P. 10th Cir. 2007) (quoting *In re Busch*, 294 B.R. 137, 140 (B.A.P. 10th Cir. 2003)) (explaining that granting relief is determined on a case-by-case basis because "cause" is not further defined in the Bankruptcy Code); *In re Silverling*, 179 B.R. 909 (Bankr. E.D. Cal. 1995), *aff'd sub nom. Silverling v. United States (In re Silverling)*, No. CIV. S-95-470 WBS, 1996 U.S. Dist. LEXIS 4332 (E.D. Cal. 1996).

Congress included provision for relief from stay under 11 USCS § 362(d)(1), allowing bankruptcy courts to lift stay as to certain creditors if grounds for relief are presented, including "the lack of adequate protection of an interest in property of such party in interest." Alternatively, the stay may be lifted under 362(d)(2) if (A) the debtor does not have an equity in such property; and (B) such property is not necessary to an effective reorganization. Courts may grant relief under either section 362(d)(1) or 362(d)(2). *In re Sun Valley Ranches, Inc.*, 823 F.2d 1373, 1376 (9th Cir. 1987)

1. Plaintiff has a valid interest in the property.

Here, Plaintiff's interest is documented by the Grant Deed with KS MATTSON PARTNERS, LP that provides, Plaintiff has a valid 40% interest in First Street Properties. See Grant Deed, attached as Exhibit 2.

Plaintiff has filed an action in the Court for the Sonoma County to commence sale of the property and to provide Plaintiff with the proceeds equal to Plaintiff's interest in the property.

2. Plaintiff is suffering a lack of adequate protection of their interest in the property.

It is clear based on the related legal proceedings that Defendant and related entities, have no interest in managing, maintaining, or upkeeping the properties. The Defendant, and related entities, appear to have utilized the properties as part of a Ponzi scheme designed to bilk investors out of their money. If Plaintiff is forced to wait during what is likely to be a complex and lengthy bankruptcy proceeding before being able to seek the sale and partition of the property, it is almost certainly going to be worth less. Courts have found cause for lifting the stay when the property value will be negatively impacted by the bankruptcy proceedings. *In re Sun Valley Ranches, Inc.*, 823 F.2d 1373, 1376 (9th Cir. 1987)("It was not clearly erroneous for the district court to have concluded from these figures that the property was declining in value and that [creditor's] interest was not protected.")

Further, when the debtor's "neglect and mismanagement of the property creates a substantial risk that the property's value will drastically decrease", there is sufficient cause to lift the stay to protect the creditors interest. *In re New Era Co.*, 125 B.R. 725, 730 (S.D.N.Y. 1991); see also, *In re Asheville Bldg. Assocs.*, 93 B.R. 913, 917 (Bankr. W.D.N.C. 1988) (finding cause where "the history of neglect of the Property has rendered it into marginal condition. And, finally, as a result of deferred maintenance, the building is deteriorating to the point where it is in jeopardy of serious problems.")

To establish a prima facie case under section 362(d)(1), a secured creditor lacks adequate protection if the value of its collateral is declining as a result of the automatic stay. *In Re: Worldcom, Inc., et al., Debtors.*, No. 02-13533, 2003 WL 22025051, at *6 (Bankr. S.D.N.Y. Jan. 30, 2003). Once the movant satisfies this initial burden, the burden shifts to the debtor to go forward with evidence, and ultimately, to prove that the collateral is not declining in value. *Id.* Alternatively, if the debtor cannot disprove a decline in value, they must prove "that the secured party is adequately protected through

periodic payments, an equity cushion, additional or replacement hens or good prospects for a successful reorganization." *Id.*

Here, Plaintiff has established a prima facie case that the value of the property is declining because it is not being managed, and general maintenance is not being paid for because Defendant and related entities were running a Ponzi scheme and not a real business. The burden is therefore on the Defendant to show that the value of the property is not decreasing. In the event Defendant is unable meet their burden, they will not be able to show that there is any equity cushion or other prospects for payment because they are involved in a massive bankruptcy case and related lawsuits and are unable to arrange any realistic compensation to Plaintiff for the loss of value. The only remedy that can protect the Plaintiff is the lifting of the stay so that Plaintiff may seek sale and partition of the property.

Finally, as demonstrated by the Defendants' sale of the property at 755 W H St., Dixon, CA, where Plaintiff had an equity stake, the Defendants have engaged in fraudulent schemes in the past to deprive investors of the totality of their investment in real property and any delay in allowing Plaintiff to recover these assets heightens the risk that Defendants will further deprive Plaintiff of the value of their assets.

The relief from stay will not prejudice the Defendant because Plaintiff only wishes to liquidate her equity interest in the property by means of partition and sale to then distribute the proceeds that she is entitled to. The Defendant will not be deprived of any interest in the equity of the property that it owns. In fact, the sale of the real estate property, which is not being adequately maintained by the Defendant, will benefit the Defendant because further deterioration of the value of the asset due to their own neglect will be avoided. Therefore, there is no prejudice for Defendant.

Plaintiff requests that the Court lifts the stay and allows Plaintiff to pursue an action for partition and sale of the property in the state court.

IV. CONCLUSION

Based on the above and good cause appearing, Plaintiff requests that the Court lifts the automatic stay as applied to the action pending in the Sonoma County Court, so that Plaintiff can preserve her interest in equity of the property, located at 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California.

Dated: December 30, 2024

GOMEZ LAW GROUP

By: _____

Alvin M. Gomez, Esq.
David Finn, Esq.
Boris Smyslov, Esq.
Attorneys for Plaintiffs

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Attorney for Plaintiff Estate of BRAD DRIVER,
by and through the Personal Representative and
Administrator of his estate, MARIAH DRIVER

UNITED STTATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: KS MATTSON PARTNERS, LP, a limited partnership Debtor.	BANKRUPTCY CASE NO. 24-10715 Chapter 11 DECLARATION OF BORIS SMYSLOV IN SUPPORT OF THE MOTION FOR RELIEF FROM STAY RE: FIRST STREET PROPERTIES Date: January 17, 2025 Time: 10:00 a.m. Place: 1300 Clay Street, Room 215 In Person or Tele/Video Conf Judge: Hon. Charles Novack
Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, Plaintiff, vs. KS MATTSON PARTNERS, LP, a limited partnership Defendant.	

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 1 of 22

I, Boris Smyslov, declare:

1. I am attorney licensed to practice law in the State of California, including the Northern District of California for the Federal Courts. I am an attorney with Gomez Law Group, P.C., which is counsel of record for the Movant in this case, and in the State Court lawsuit against the Debtor. The statements contained in this declaration are true and they are of my own personal knowledge. I could, if called upon, competently testify thereto.
2. In August 2020, Kenneth W. Mattson individually and through his various companies, including Defendant KS Mattson Partners, LP, , fraudulently induced Brad Driver to enter into an agreement to purchase from Defendant an undivided 40% share of 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California ("First Street Properties") for $1,600,000. The Grand Deed is attached hereto as Exhibit 2.
3. On July 18, 2024, Brad Driver passed away. His daughter, Mariah Driver, is an heir of his estate. On October 23, 2024, Mariah Driver was appointed Personal Representative and Administrator of Brad Driver's estate by the Superior Court of California, County of Alameda.
4. Maria Driver soon learned that Kenneth W. Mattson and Timothy LeFever's real estate dealings, including dealings through Defendant KS Mattson Partners, LP, were fraudulent. She also recently learned that the property located at 755 W H St., Dixon, CA, co-owned by Brad Driver and AUTUMN WOOD I, LP, one of the LeFever Mattson entities, was sold without any notice to Brad Driver and without distribution of any proceeds from this sale to Brad Driver.
5. The movant in this action - Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER - commenced an action against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC in Superior Court of California, County of Sonoma,

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 2 of 22

entitled *Driver vs Mukesh* Case No. 24CV06439, for partition and sale of property against Defendant KS Mattson Partners, LP, it's affiliate KS Mattson Company LLC, and other entities appearing on the title of the First Street Properties. A true and correct copy of said complaint is attached hereto marked as Exhibit 1 and incorporated herein by reference.

6. Due to the bankruptcy proceeding of Defendant, the matter in the state court will be stayed. Prior to the filing of this proceeding, Mariah Driver became aware of multiple lawsuits against Defendant and related entities and individuals for fraud in their real estate investment dealing. Based on information and belief, Plaintiff has learned that Defendant and related entities have failed to perform basic property management regarding the First Street Properties, has failed to pay property taxes, has failed to provide information about the property to the Plaintiff, has failed to make distributions to Plaintiff, and has failed to utilize the property for its intended purpose. Based on information and belief, the failure to maintain the properties is resulting in deterioration of the property and a subsequent decrease in value.

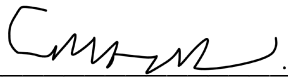
7. I believe that the relief from stay is warranted as Plaintiff wishes to sell the real property and recover the value of her interest in the property to 1) avoid further neglect and deterioration of the real property caused by the Defendant's continued lack of maintenance, and 2) to avoid the possibility that Defendant's again manage to fraudulently deprive Plaintiff of the equity in the property as they have done in the past, or 3) otherwise dilute the value of the property to Plaintiff by distributing the value of her interest to other creditors in the bankruptcy proceedings .

8. Furthermore, The Defendant will not suffer prejudice by the partition and sale of the properties because Plaintiff will only receive her verified interest in the real estate, and Defendant will benefit by not having the value of the property

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 3 of 22

further depreciate due to its own neglect.

I declare under penalty of perjury under the laws of the State of California and under the laws of the United States that the foregoing is true and correct. Executed December 30, 2024, at Moscow, Russia.



Boris Smyslov

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 4 of 22

Exhibit 1

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Attorney for Plaintiff Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
10/25/2024 1:59 PM
By: Angelina Burningham, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SONOMA

Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER,

Plaintiff,

vs.

KS MATTSON COMPANY LLC, a limited liability company; KS MATISON PARTNERS, LP, a limited partnership; TIMOTHY D THOMAS, PATRICIA A THOMAS, TANEJA V MUKESH, ANEETA MUKESH, RANA F R & A D P FAMILY LIVING TRUST and DOES 1-100, inclusive,

Defendants.

Case No.: 24CV06439

COMPLAINT FOR PARTITION AND SALE OF REAL PROPERTY

Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, brings this Complaint for the Partition and Sale of Real Property in accordance with California Code of Civil Procedure § 872.210 and alleges as follows:

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 6 of 22

1. On a date prior to August 2020, Brad Driver became a financial services client of Defendants KS Mattson Company LLC, a limited liability company and KS Mattson Partners, LP, a California limited partnership. Brad Driver utilized financial services provided by the Defendants, including investing as a co-owner in real estate with the Defendants.

2. In August 2020, Brad Driver purchased from KS Mattson Partners LP, a California Limited Partnership an undivided 40% share of 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California ("Subject Properties") for $1,600,000.

3. On July 18, 2024, Brad Driver passed away. His daughter, Mariah Driver, is an heir of his estate. On October 23, 2024, Mariah Driver was appointed Personal Representative and Administrator of Brad Driver's estate by the Superior Court of California, County of Alameda and Letters of Administration were issued the same day.

4. Mariah Driver, in her capacity as Personal Representative of Brad Driver's estate, has authority under California Penal Code section 9820 to commence this proceeding for the benefit of the estate. Mariah Driver, in her capacity as an heir of Brad Driver's estate, has authority under California Penal Code section 9654 to commence to action for possession of the Subject Properties.

5. Prior to the filing of this proceeding, Mariah Driver became aware of multiple lawsuits against entities related to representatives and principals of Defendants KS Mattson Partners LP and KS Mattson LLC, and has learned that these Defendants have failed to perform basic property management regarding the Subject Properties.

The Parties

6. Plaintiff is a co-owner of two parcels of real property located at 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California, ("Subject Properties"), that they co-own with Defendants.

7. On information and belief, Defendant KS Mattson Partners, LP ("KS Mattson LP") is a limited partnership doing business in California.

8. Defendant KS Mattson Company LLC ("KS Mattson LLC") is a limited liability company doing business in the State of California. On information and belief, Kenneth Mattson is the manager of KS Mattson LLC. On information and belief, KS Mattson LLC is the managing general partner to KS Mattson LP.

9. Based on information and belief and property records, the following individuals and entities are also owners of the Subject Properties: Timothy D Thomas, Patricia A Thomas, Taneja V Mukesh, Aneeta Mukesh, Rana F R & A D P Family Living Trust.

10. The true names and capacities, whether individual, corporate, associate, or otherwise, of Defendants DOES 1 through 50, inclusive, are unknown to Plaintiff, and therefore Plaintiff sues these Does by such fictitious names. Plaintiff is informed and believes and thereon allege that each of said fictitiously named DOES is in some manner responsible for the events and occurrences herein, and was an actual, proximate, and substantial cause of the injuries to Plaintiff, as herein alleged. Further, Plaintiff designates all persons unknown claiming any interest in the Property as DOES 51 through 100, inclusive.

11. The fictitiously named DOES, Defendants Mattson, KS Mattson LLC, and KS Mattson LP, are collectively referred to as Defendants. Plaintiff will seek leave to amend this Complaint to allege the true names and capacities of these DOES when they have been ascertained.

The Subject Property

12. Plaintiff and Defendants jointly own the Subject Properties commonly known as 450 1st Street East, Unit J and 452 1st Street East, Unit C, Sonoma, California. The legal description for the Subject Properties is:

A. **(450 First Street East, Suite J, Sonoma CA)**

Real property In the City of Sonoma, County of Sonoma, State of California, described as follows:

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 8 of 22

A CONDOMINIUM COMPRISED OF:

PARCEL ONE:

AN UNDIVIDED 7.81% INTEREST IN AND TO LOT 1, AS SHOWN UPON THE MAP OF "MERCATO II, IN THE CITY OF SONOMA, COUNTY OF SONOMA, STATE OF CAUFORNIA", FILED FEBRUARY 11, 1993 IN BOOK 506 OF MAPS, AT PAGE(S) 49 AND 50, SONOMA COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING:

(A) UNITS A THROUGH K AS SHOWN UPON THE CONDOMINIUM PLAN AND SHOWN AS EXHIBIT "A" RECORDED APRIL 20, 1993 AS DOCUMENT NO. 1993-0048474, SONOMA COUNTY RECORDS.

(B) THE EXCLUSIVE RIGHT TO POSSESSION *OF* All THESE AREAS DESIGNATED AS AIR SPACES OF PATIOS AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

(C) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "HA" IS A HALL THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, B AND K.

(D) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "R" IS A RESTROOM THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, BAND K.

(E) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "S" IS A STAIRWAY THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, B ANO K.

PARCEL TWO:

UNIT J, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL THREE:

THE EXCLUSIVE RIGHT TO USE THOSE PORTIONS OF LOT 1, DESCRIBED IN PARCEL ONE ABOVE, DESIGNATED AS AIR SPACES.

AS APPURTENANT TO PARCELS ONE AND TWO ABOVE.

PARCEL FOUR:

AN EASEMENT FOR INGRESS ANO EGRESS, PARKING ANO PUBUC UTILITIES:

COMMENCING AT THE SOUTHWESTERLY CORNER OF THE LANDS OF 452 FIRST STREET EAST, A CAUFORNIA LIMITED PARTNERSHIP AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NO. 88-025510, SONOMA COUNTY RECORDS;

THENCE S 81°57' 05" E 178.07 FEET ALONG THE SOUTHERLY UNE Of SAID LANDS TO THE POINT OF BEGINNING;

THENCE N 8°00' 48" E 85.63 FEET TO THE NORTHERLY UNE OF SAID LANDS;

THENCE S 81°59' 12" E 125.74 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS;

THENCE S 11° 22' 40• W 41.00 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID LANDS;

THENCE S 82°56'00" E 71.67 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID LANDS;

THENCE S 9° 46' 10" W 46.03 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANDS;

THENCE N 81°57 05" W 193.58 FEET ALONG THE SOUTHERLY LINE OF SAID LANDS TO THE POINT Of BEGINNING.

PARCEL FIVE:

AN EASEMENT FOR INGRESS AND EGRESS 20 FOOT WIDE LYING WITHIN LOT 36, EX PUEBLO OF
SONOMA, THE WESTERLY LINE OF WHICH IS MORE PARTICULARLY DESCRIBED ASFOLLOWS:

BEGINNING ON THE SOUTHERLY LINE OF EAST SPAIN STREET AT THE NORTHWESTERLY CORNER OF SAID LOT36;

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 36, 191 FEET MORE OR LESS, TO THE NORTHEASTERLY CORNER OF THE LAND OF MOHR, ET AL, AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NO. 80044332, SONOMA COUNTY RECORDS;

THENCE SOUTHERLY 15.03 FEET ALONG THE WESTERLY LINE OF SAID LOT 36 TO THE TERMINUS OF SAID 20 FOOT WIDE EASEMENT.

APN: 018-790-018-000

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 10 of 22

Also known as: “450 First Street East, Suite J, Sonoma CA”

B. **(452 First Street East, Suite C, Sonoma CA)**

Real property In the City of Sonoma, County of Sonoma, State of California, described as follows:

“A CONDOMINIUM COMPRISED OF:"

PARCEL ONE:

AN UNDIVDED 10.65% INTEREST IN AND TO LOT 1 OF MERCATO 1, IN THE CITY OF SONOMA, COUNTY OF SONOMA, STATE OF CALIFORNIA, AS PER MAP RECORDED FEBRUARY 11, 1993, IN BOOK 506 OF MAPS, AT PAGES 7 THROUGH 9, IN THE OFFICE OF THE COUNTY RECORDER OF SONOMA COUNTY.

EXCEPTING THEREFROM THE FOLLOWING;

(A) UNITS A THROUGH H AS SHOWN AND DEFINED UPON THE CONDOMINIUM PLAN RECORDED FEBRUARY 11, 1993, AS DOCUMENT NO. 1993 0019661, OFFICIAL RECORDS OF SONOMA COUNTY, CALIFORNIA.

(B) THE EXCLUSIVE RIGHT TO·USE OF ALL THOSE AREAS DESIGNATED AS AIR SPACES OR PATIOS AS SHOWN UPON THE CONDOMINIUM PLAN REFERRED TO ABOVE.

PARCEL TWO:

UNIT C, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL THREE:

THE EXCLUSIVE RIGHT TO USE THOSE PORTIONS OF LOT 1 DESCRIBED IN PARCEL ONE ABOVE, DESIGNATED AS AIR SPACES.

AS APPURTENANT TO PARCEL ONE AND TWO ABOVE.

APN: 018-790-003-000

Also known as: “452 1st Street East, Suite C, Sonoma, CA”

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 11 of 22

FIRST CAUSE OF ACTION

(Partition and Sale against all Defendants, including DOES 1-100, inclusive)

13. The Plaintiff incorporates by reference each of the allegations in paragraphs 1 through 12 above as though fully set forth herein.

14. The Plaintiff and Defendants are co-owners to the Subject Properties with the Plaintiff owning a 40% undivided interest in the Subject Properties. Based on information and belief and property records, the Defendants own the remaining interest in the Subject Properties.

15. The Plaintiff has determined that it is undesirable to continue to own the Subject Properties jointly with Defendants.

16. It is not practicable to divide the Subject Properties in kind.

17. This action is brought and partition is sought herein for the common benefit of the parties.

18. Accordingly, the Plaintiff requests that the Subject Properties be partitioned by sale. Partition by sale of the Subject Properties is more equitable than division in kind of the Subject Properties because, among other things, (a) the nature of the Subject Properties, two condominium units, renders a division in kind impracticable, (b) a division in kind would substantially diminish the value of each owner's interest in the Subject Properties, and (c) a division in kind cannot legally be accomplished under the facts and circumstances present in this action.

PRAYER FOR RELIEF

19. WHEREFORE, Plaintiff prays for judgment against all Defendants, including DOES 1 through 100 inclusive, as follows:

1. For partition by sale of the Subject Properties according to their respective rights of the parties hereto;

2. For an equitable allocation of the proceeds of the sale of the Subject Properties including the payment of debt secured by same and the costs of partition, including but not limited to, reasonable attorney's fees, title

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 12 of 22

expenses and that the costs be secured by a lien against the proceeds of the sale of the Subject Properties; and

3. Such other and further relief as the Court may deem just and proper.

Dated: October 25, 2024

GOMEZ LAW GROUP

By: 

Alvin M. Gomez, Esq.
David Finn, Esq.
Boris Smyslov, Esq.
Attorneys for Plaintiff

Case: 24-10715 Doc# 23-3 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 13 of 22

Exhibit 2

2021069040

Official Records Of Sonoma County
Deva Marie Proto

06/11/2021 11:03 AM
Fee: $ 26.00 5 Pages

CONFORMED COPY
Not Compared with Original

RECORDING REQUESTED BY:
KS Mattson Partners, LP
PO Box 5490
Vacaville, CA 95696

When Recorded Mail Document To:
KS Mattson Partners, LP
PO Box 5490
Vacaville, CA 95696

Property Address: 450 First Street E, Suite J, Sonoma, CA 95476 and 452 First Street E, Suite C, Sonoma, CA 95476
APN/Parcel ID(s): Portion of 018-790-018-000 and 018-790-003-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)

☐ This transfer is exempt from the documentary transfer tax.
☒ **The documentary transfer tax is $1760.00** and is computed on:
  ☒ the full value of the interest or property conveyed.
  ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in [X] City of Sonoma AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

.KS Mattson Partners LP, a California Limited Partnership

hereby GRANT(S) to Brad D. Driver, as to an undivided 40% interest

the following described real property in the City of Sonoma, County of Sonoma, State of California:

SEE EXHIBIT **"A" AND EXHIBIT "B"** ATTACHED HERETO AND MADE A PART HEREOF

Dated: 08/17/2020

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

KS Mattson Partners LP

BY: _____
Kenneth W. Mattson, Manager

MAIL TAX STATEMENTS AS DIRECTED ABOVE

RECORDING REQUESTED BY:
KS Mattson Partners, LP
PO Box 5490
Vacaville, CA 95696

When Recorded Mail Document To:
KS Mattson Partners, LP
PO Box 5490
Vacaville, CA 95696

Property Address: 450 First Street E, Suite J, Sonoma, CA 95476 and 452 First Street E, Suite C, Sonoma, CA 95476

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN/Parcel ID(s): Portion of 018-790-018-000 and 018-790-003-000

GRANT DEED

The undersigned grantor(s) declare(s)

☐ This transfer is exempt from the documentary transfer tax.
☒ **The documentary transfer tax is $1760.00** and is computed on:
  ☒ the full value of the interest or property conveyed.
  ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in [X] City of Sonoma AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

.KS Mattson Partners LP, a California Limited Partnership

hereby GRANT(S) to Brad D. Driver, as to an undivided 40% interest

the following described real property in the City of Sonoma, County of Sonoma, State of California:

SEE EXHIBIT **"A" AND EXHIBIT "B"** ATTACHED HERETO AND MADE A PART HEREOF

Dated: ! 08/17/2020

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

KS Mattson Partners LP

BY: _____
Kenneth W. Mattson, Manager

MAIL TAX STATEMENTS AS DIRECTED ABOVE

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Solano)

On 02/25/2021 before me, Renee Emmons, Notary Public
(insert name and title of the officer)

personally appeared Kenneth W. Mattson,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

RENEE EMMONS
COMM. #2230520
NOTARY PUBLIC-CALIFORNIA
COUNTY OF SOLANO
My Comm. Expires MARCH 9, 2022

Signature _____ (Seal)

Legal Description/Exhibit A

LEGAL DESCRIPTION

Real property in the City of Sonoma, County of Sonoma, State of California, described as follows:

A CONDOMINIUM COMPRISED OF:

PARCEL ONE:

AN UNDIVIDED 7.81% INTEREST IN AND TO LOT 1, AS SHOWN UPON THE MAP OF "MERCATO II, IN THE CITY OF SONOMA, COUNTY OF SONOMA, STATE OF CALIFORNIA", FILED FEBRUARY 11, 1993 IN BOOK 506 OF MAPS, AT PAGE(S) 49 AND 50, SONOMA COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING:

(A) UNITS A THROUGH K AS SHOWN UPON THE CONDOMINIUM PLAN AND SHOWN AS EXHIBIT "A" RECORDED APRIL 20, 1993 AS DOCUMENT NO. 1993-0048474, SONOMA COUNTY RECORDS.

(B) THE EXCLUSIVE RIGHT TO POSSESSION OF ALL THESE AREAS DESIGNATED AS AIR SPACES OF PATIOS AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

(C) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "HA" IS A HALL THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, B AND K.

(D) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "R" IS A RESTROOM THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, B AND K.

(E) "EXCLUSIVE USE COMMON AREA" DESIGNATED WITH A "S" IS A STAIRWAY THE EXCLUSIVE USE OF WHICH IS RESERVED TO THE OWNERS OF UNITS A, B AND K.

PARCEL TWO:

UNIT J, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL THREE:

THE EXCLUSIVE RIGHT TO USE THOSE PORTIONS OF LOT 1, DESCRIBED IN PARCEL ONE ABOVE, DESIGNATED AS AIR SPACES.

AS APPURTENANT TO PARCELS ONE AND TWO ABOVE .

PARCEL FOUR:

AN EASEMENT FOR INGRESS AND EGRESS, PARKING AND PUBLIC UTILITIES:

COMMENCING AT THE SOUTHWESTERLY CORNER OF THE LANDS OF 452 FIRST STREET EAST, A CALIFORNIA LIMITED PARTNERSHIP AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NO. 88-025510, SONOMA COUNTY RECORDS;

THENCE S 81°57' 05" E 178.07 FEET ALONG THE SOUTHERLY LINE OF SAID LANDS TO THE POINT OF BEGINNING;

THENCE N 8°00' 48" E 85.63 FEET TO THE NORTHERLY LINE OF SAID LANDS;

THENCE S 81°59' 12" E 125.74 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS;

THENCE S 11° 22' 40" W 41.00 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID LANDS;

THENCE S 82°56' 00" E 71.67 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID LANDS;

THENCE S 9° 46' 10" W 46.03 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANDS;

THENCE N 81°57' 05" W 193.58 FEET ALONG THE SOUTHERLY LINE OF SAID LANDS TO THE POINT OF BEGINNING.

PARCEL FIVE:

AN EASEMENT FOR INGRESS AND EGRESS 20 FOOT WIDE LYING WITHIN LOT 36, EX PUEBLO OF SONOMA, THE WESTERLY LINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHERLY LINE OF EAST SPAIN STREET AT THE NORTHWESTERLY CORNER OF SAID LOT 36;

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 36, 191 FEET MORE OR LESS, TO THE NORTHEASTERLY CORNER OF THE LAND OF MOHR, ET AL, AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NO. 80044332, SONOMA COUNTY RECORDS;

THENCE SOUTHERLY 15.03 FEET ALONG THE WESTERLY LINE OF SAID LOT 36 TO THE TERMINUS OF SAID 20 FOOT WIDE EASEMENT.

APN: **018-790-018-000**

Also known as: 450 1st St. E, Ste. J, Sonoma, CA

Legal Description/Exhibit B

LEGAL DESCRIPTION

Real property in the City of Sonoma, County of Sonoma, State of California, described as follows:

"A CONDOMINIUM COMPRISED OF:"

PARCEL ONE:

AN UNDIVIDED 10.65% INTEREST IN AND TO LOT 1 OF MERCATO 1, IN THE CITY OF SONOMA, COUNTY OF SONOMA, STATE OF CALIFORNIA, AS PER MAP RECORDED FEBRUARY 11, 1993, IN BOOK 506 OF MAPS, AT PAGES 7 THROUGH 9, IN THE OFFICE OF THE COUNTY RECORDER OF SONOMA COUNTY.

EXCEPTING THEREFROM THE FOLLOWING:

(A) UNITS A THROUGH H AS SHOWN AND DEFINED UPON THE CONDOMINIUM PLAN RECORDED FEBRUARY 11, 1993, AS DOCUMENT NO. 1993 0019661, OFFICIAL RECORDS OF SONOMA COUNTY, CALIFORNIA.

(B) THE EXCLUSIVE RIGHT TO USE OF ALL THOSE AREAS DESIGNATED AS AIR SPACES OR PATIOS AS SHOWN UPON THE CONDOMINIUM PLAN REFERRED TO ABOVE.

PARCEL TWO:

UNIT C, AS SHOWN UPON THE CONDOMINIUM PLAN ABOVE REFERRED TO.

PARCEL THREE:

THE EXCLUSIVE RIGHT TO USE THOSE PORTIONS OF LOT 1 DESCRIBED IN PARCEL ONE ABOVE, DESIGNATED AS AIR SPACES.

AS APPURTENANT TO PARCEL ONE AND TWO ABOVE.

APN: **018-790-003-000**

Also Known as: 452 1st St. E, Ste. C, Sonoma, CA

EF-502-A-R12-0513-34005661-1
BOE-502-A (P1) REV. 12 (05-13)

PRELIMINARY CHANGE OF OWNERSHIP REPORT

To be completed by the transferee (buyer) prior to a transfer of subject property, in accordance with section 480.3 of the Revenue and Taxation Code. A *Preliminary Change of Ownership Report* must be filed with each conveyance in the County Recorder's office for the county where the property is located.

KATHLEEN KELLEHER
SACRAMENTO COUNTY ASSESSOR
PROPERTY TRANSFER SECTION
3701 Power Inn Road, Suite 3000
Sacramento, CA 95826-4329
Phone (916) 875-0750
FAX (916) 875-0755
www.assessor.saccounty.net

NAME AND MAILING ADDRESS OF BUYER/TRANSFEREE
(Make necessary corrections to the printed name and mailing address)

KS Mattson Partners, LP
PO Box 5490
Vacaville, CA 95696

ASSESSOR'S PARCEL NUMBER
018-790-018 and 018-790-003

SELLER/TRANSFEROR
KS Mattson Partners LP

BUYER'S DAYTIME TELEPHONE NUMBER
(650) 576-8510

BUYER'S EMAIL ADDRESS
bddriver62@gmail.com

STREET ADDRESS OR PHYSICAL LOCATION OF REAL PROPERTY
450 First Street E, Suite J, Sonoma, CA 95476 and 452 First Street E, Suite C, Sonoma, CA 95476

MAIL PROPERTY TAX INFORMATION TO (NAME)
KS Mattson Partners, LP

ADDRESS	CITY	STATE	ZIP CODE
P.O. Box 5490	Vacaville	CA	95696

☐ YES ☑ NO This property is intended as my principal residence. If YES, please indicate the date of occupancy or intended occupancy. MO DAY YEAR

PART 1. TRANSFER INFORMATION *Please complete all statements.*

This section contains possible exclusions from reassessment for certain types of transfers.

YES	NO	
☐	☑	A. This transfer is solely between spouses *(addition or removal of a spouse, death of a spouse, divorce settlement, etc.)*.
☐	☑	B. This transfer is solely between domestic partners currently registered with the California Secretary of State *(addition or removal of a partner, death of a partner, termination settlement, etc.)*.
☐	☑	* C. This is a transfer: ☐ between parent(s) and child(ren) ☐ from grandparent(s) to grandchild(ren).
☐	☑	* D. This transfer is the result of a cotenant's death. Date of death _____
☐	☑	* E. This transaction is to replace a principal residence by a person 55 years of age or older. Within the same county? ☐ YES ☐ NO
☐	☑	* F. This transaction is to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code section 69.5. Within the same county? ☐ YES ☐ NO
☐	☑	G. This transaction is only a correction of the name(s) of the person(s) holding title to the property *(e.g., a name change upon marriage)*. If YES, please explain: _____
☐	☑	H. The recorded document creates, terminates, or reconveys a lender's interest in the property.
☐	☑	I. This transaction is recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest *(e.g., cosigner)*. If YES, please explain: _____
☐	☑	J. The recorded document substitutes a trustee of a trust, mortgage, or other similar document.
		K. This is a transfer of property:
☐	☑	1. to/from a revocable trust that may be revoked by the transferor and is for the benefit of ☐ the transferor, and/or ☐ the transferor's spouse ☐ registered domestic partner.
☐	☑	2. to/from a trust that may be revoked by the creator/grantor/trustor who is also a joint tenant, and which names the other joint tenant(s) as beneficiaries when the creator/grantor/trustor dies.
☐	☑	3. to/from an irrevocable trust for the benefit of the ☐ creator/grantor/trustor and/or ☐ grantor's/trustor's spouse ☐ grantor's/trustor's registered domestic partner.
☐	☑	L. This property is subject to a lease with a remaining lease term of 35 years or more including written options.
☐	☑	M. This is a transfer between parties in which proportional interests of the transferor(s) and transferee(s) in each and every parcel being transferred remain exactly the same after the transfer.
☐	☑	N. This is a transfer subject to subsidized low-income housing requirements with governmentally imposed restrictions.
☐	☑	* O. This transfer is to the first purchaser of a new building containing an active solar energy system.

* Please refer to the instructions for Part 1.

Please provide any other information that will help the Assessor understand the nature of the transfer.

THIS DOCUMENT IS NOT SUBJECT TO PUBLIC INSPECTION

2-A-R12-0513-34005661-2
-502-A (P2) REV. 12 (05-13)

PART 2. OTHER TRANSFER INFORMATION

Check and complete as applicable.

A. Date of transfer, if other than recording date: 08/17/2020

B. Type of transfer:

☐ Purchase ☐ Foreclosure ☐ Gift ☑ Trade or exchange ☐ Merger, stock, or partnership acquisition (Form BOE-100-B)

☐ Contract of sale. Date of contract: _____ ☐ Inheritance. Date of death: _____

☐ Sale/leaseback ☐ Creation of a lease ☐ Assignment of a lease ☐ Termination of a lease. Date lease began: _____

Original term in years *(including written options)*: _____ Remaining term in years *(including written options)*: _____

☐ Other. Please explain: _____

C. Only a partial interest in the property was transferred. ☑ YES ☐ NO If YES, indicate the percentage transferred: 40 %

PART 3. PURCHASE PRICE AND TERMS OF SALE

Check and complete as applicable.

A. Total purchase price $ 1,600,000.00

B. Cash down payment or value of trade or exchange excluding closing costs Amount $ 600,000.00

C. First deed of trust @ _____% interest for _____ years. Monthly payment $_____ Amount $ 1,000,000.00

☐ FHA (___Discount Points) ☐ Cal-Vet ☐ VA (___Discount Points) ☐ Fixed rate ☐ Variable rate

☐ Bank/Savings & Loan/Credit Union ☐ Loan carried by seller

☐ Balloon payment $_____ Due date: _____

D. Second deed of trust @ _____% interest for _____ years. Monthly payment $_____ Amount $ 0

☐ Fixed rate ☐ Variable rate ☐ Bank/Savings & Loan/Credit Union ☐ Loan carried by seller

☐ Balloon payment $_____ Due date: _____

E. Was an Improvement Bond or other public financing assumed by the buyer? ☐ YES ☑ NO Outstanding balance $ 0

F. Amount, if any, of real estate commission fees paid by the buyer which are not included in the purchase price $ 0

G. The property was purchased: ☐ Through real estate broker. Broker name: _____ Phone number: ( )

☑ Direct from seller ☐ From a family member-Relationship _____

☐ Other. Please explain: _____

H. Please explain any special terms, seller concessions, broker/agent fees waived, financing, and any other information (e.g., buyer assumed the existing loan balance) that would assist the Assessor in the valuation of your property.

Buyer purchased from a 1031 Exchange; all cash offer.

PART 4. PROPERTY INFORMATION

Check and complete as applicable.

A. Type of property transferred

☐ Single-family residence
☐ Multiple-family residence. Number of units: _____
☐ Other. Description: (i.e., timber, mineral, water rights, etc.) _____
☐ Co-op/Own-your-own
☑ Condominium
☐ Timeshare
☐ Manufactured home
☐ Unimproved lot
☑ Commercial/Industrial

B. ☐ YES ☑ NO Personal/business property, or incentives, provided by seller to buyer are included in the purchase price. Examples of personal property are furniture, farm equipment, machinery, etc. Examples of incentives are club memberships, etc. Attach list if available.

If YES, enter the value of the personal/business property: $_____ Incentives $ _____

C. ☐ YES ☑ NO A manufactured home is included in the purchase price.

If YES, enter the value attributed to the manufactured home: $_____

☐ YES ☐ NO The manufactured home is subject to local property tax. If NO, enter decal number: _____

D. ☑ YES ☐ NO The property produces rental or other income.

If YES, the income is from: ☑ Lease/rent ☐ Contract ☐ Mineral rights ☐ Other: _____

E. The condition of the property at the time of sale was: ☑ Good ☐ Average ☐ Fair ☐ Poor

Please describe: _____

CERTIFICATION

I certify (or declare) that the foregoing and all information hereon, including any accompanying statements or documents, is true and correct to the best of my knowledge and belief.

SIGNATURE OF BUYER/TRANSFEREE OR CORPORATE OFFICER	DATE	TELEPHONE
▶ Brad D. Driver	08/17/2020	(650) 576-8510
NAME OF BUYER/TRANSFEREE/LEGAL REPRESENTATIVE/CORPORATE OFFICER (PLEASE PRINT)	TITLE	EMAIL ADDRESS
Brad D. Driver		bddriver62@gmail.co

The Assessor's office may contact you for additional information regarding this transaction.

ALVIN M. GOMEZ (SBN 137818)
alvingomez@thegomezlawgroup.com
DAVID FINN (SBN 249247)
david@thegomezlawgroup.com
BORIS SMYSLOV (SBN 297252)
boris@thegomezlawgroup.com
GOMEZ LAW GROUP, P.C.
2725 Jefferson Street, Suite 3
Carlsbad, California 92008
Telephone: (858) 552-0000

Attorney for Plaintiff Estate of BRAD DRIVER,
by and through the Personal Representative and
Administrator of his estate, MARIAH DRIVER

UNITED STTATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: KS MATTSON PARTNERS, LP, a limited partnership Debtor.	BANKRUPTCY CASE NO. 24-10715 Chapter 11
Estate of BRAD DRIVER, by and through the Personal Representative and Administrator of his estate, MARIAH DRIVER, Plaintiff, vs. KS MATTSON PARTNERS, LP, a limited partnership Defendant.	CERTIFICATE OF SERVICE Date: January 17, 2025 Time: 10:00 a.m. Place: 1300 Clay Street, Room 215 In Person or Tele/Video Conf Judge: Hon. Charles Novack

Case: 24-10715 Doc# 23-4 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 1 of 4

CERTIFICATE OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of 18 years and not a party to the within action; my business address is 2725 Jefferson Street, Suite 3, Carlsbad, California 92008.

On December 30 2024, I served the following document(s) described as:

- **MOTION FOR RELIEF FROM STAY RE: FIRST STREET PROPERTIES**
- **DECLARATION OF BORIS SMYSLOV IN SUPPORT OF THE MOTION FOR RELIEF FROM STAY RE: FIRST STREET PROPERTIES**
- **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR RELIEF FROM STAY RE: FIRST STREET**

( ) VIA E-MAIL

(X) VIA CM/ECF ELECTRONIC FILING SYSTEM: I transmitted via the Internet a true copy(s) of the above-entitled document(s) to the CM/ECF system of the United States District Court for the Central District of California and concurrently caused the above-entitled documents(s) to be sent to the recipients listed above pursuant to the Service List maintained by and as it exists on that database. This will constitute service of the above-listed document(s).

On the following parties and/or interested persons:

Theodore A. Cohen on behalf of Creditor Socotra Capital, Inc.
TCohen@sheppardmullin.com, mtzeng@sheppardmullin.com

Christopher Crowell on behalf of Creditor Citizens Business Bank
ccrowell@hrhlaw.com

Jared A. Day on behalf of U.S. Trustee Office of the U.S. Trustee / SR
jared.a.day@usdoj.gov

John D. Fiero on behalf of Other Prof. Official Committee of Unsecured Creditors of LeFever Mattson jfiero@pszjlaw.com, ocarpio@pszjlaw.com

Debra I. Grassgreen on behalf of Other Prof. Official Committee of Unsecured Creditors of LeFever Mattson dgrassgreen@pszjlaw.com, hphan@pszjlaw.com

Deanna K. Hazelton on behalf of U.S. Trustee Office of the U.S. Trustee / SR
deanna.k.hazelton@usdoj.gov

Case: 24-10715 Doc# 23-4 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 2 of 4

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Executed on December 30, 2024, at Moscow, Russia.

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

_____
Boris Smyslov

Case: 24-10715 Doc# 23-4 Filed: 12/30/24 Entered: 12/30/24 19:24:58 Page 4 of 4