

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE, LAMOREAUX JUSTICE CENTER

DEPARTMENT L11

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ALBERT BUSHALA,

Petitioner,

vs.

GEORGE BUSHALA,

Respondent.

CERTIFIED COPY

CASE NO.: 25V000476

HONORABLE CHERI PHAM, JUDGE PRESIDING

REPORTER'S TRANSCRIPT

APRIL 1, 2025

APPEARANCES OF COUNSEL:

FOR THE PETITIONER: IN PROPRIA PERSONA
(ALBERT BUSHALA)

FOR THE RESPONDENT: JIMENEZ LAWYERS
BY: DAVID JIMENEZ
ATTORNEY AT LAW

MARISA M. PRIBULSKY, CSR NO. 13504
OFFICIAL COURT REPORTER

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(NONE)

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(NONE)

1 ORANGE, CALIFORNIA - APRIL 1, 2025

2 MORNING SESSION

3 -o0o-

4 (THE FOLLOWING PROCEEDINGS WERE HELD IN OPEN COURT:)

5 THE COURT: This matter is Albert Bushala versus
6 George Bushala.

7 I'm going to ask both parties to please remain
8 standing and raise your right hands.

9 THE CLERK: Do each of you solemnly state the
10 evidence you're about to give in the case now pending before
11 this Court shall be the truth, the whole truth, and nothing
12 but the truth so help you God?

13 THE RESPONDENT: Yes.

14 THE PETITIONER: I do.

15 THE CLERK: Thank you.

16 THE COURT: Counsel, your appearance.

17 MR. JIMENEZ: Yes, your Honor.

18 David Jimenez on behalf of the respondent,
19 George Bushala, Jr.

20 THE COURT: All right. Mr. Albert Bushala, the lady
21 who had her hearing right before this, Ms. Miaad Bushala, is
22 your wife; correct?

23 THE PETITIONER: Yes, your Honor.

24 THE COURT: All right. And having heard some facts
25 from the last hearing, I understand that you have currently a
26 pending lawsuit against your brother, Mr. George Bushala,

1 Jr.?

2 THE PETITIONER: Yes, your Honor.

3 THE COURT: And the lawsuit also names your
4 mother --

5 THE PETITIONER: Yes, your Honor.

6 THE COURT: -- and your father?

7 THE PETITIONER: Yes, your Honor.

8 THE COURT: And the lawsuit has to do with a
9 trust --

10 THE PETITIONER: Yes, your Honor.

11 THE COURT: -- that your parents have created for
12 the benefit of the children, and you are disputing your
13 share, meaning that the purpose of the lawsuit is to
14 determine what your share of the trust is; correct?

15 THE PETITIONER: No, your Honor.

16 THE COURT: Well, I don't know. I'm not here to
17 decide your -- here.

18 THE PETITIONER: Yes, your Honor.

19 THE COURT: The complaint your attorney filed listed
20 declaratory relief, which is to determine your rights, breach
21 of partnership agreement --

22 THE PETITIONER: Yes.

23 THE COURT: -- breach of an implied covenant and
24 good faith and fair dealing, breach of fiduciary duty,
25 conversion, violation of Penal Code 496, possession of stolen
26 property, and accounting.

1 Well, sir, before you go any further, I -- having
2 the benefit of a little history of your family, this
3 matter -- just for the same reason I denied your request for
4 a temporary restraining order, sir, this matter is not --
5 does not belong in family court domestic violence. I am not
6 going to have my department and this vehicle be used -- the
7 domestic violence restraining order be used in -- somehow in
8 leverage in a civil lawsuit between brothers.

9 I find that the motivation behind your request and
10 your wife's request for restraining order against your
11 brother is unfortunately not genuine. Okay? I don't find
12 that there's anything here that would cause me to find that
13 you are in fear of your life or for your safety. It is a
14 dispute -- financial dispute between brothers and the
15 in-laws.

16 I did not tell your wife this, but I mean, I found
17 her a little bit disingenuous in terms of denying knowledge
18 of any lawsuit when she's married to you and that the lawsuit
19 was actually filed since October of 2024. And the fact that
20 she has claimed to me that she had -- knows nothing about a
21 lawsuit between the brothers is disingenuous at best. Okay?

22 So I can tell you right now, sir, based on your
23 declaration -- and I don't think that you're going to be
24 presenting anything else that can convince me because your
25 evidence is most likely going to be the same as your wife
26 because you were there when you and your wife and your

1 children visited your parents -- the same parents that you
2 are suing, by the way. The same parents that your wife
3 alleges that you've been visiting and have a great
4 relationship; however, you named them as defendants.

5 THE PETITIONER: Yes, your Honor. We had to as part
6 of the partnership, but actually the lawsuit was set from my
7 brother, George. He would not present any of the documents
8 when he -- he sent me this settlement agreement, and I have
9 proof here that he sent it from him and not an attorney.
10 He's in control of the whole estate.

11 THE COURT: Yeah. But why are you bringing this to
12 my attention because, sir, I am not civil court.

13 THE PETITIONER: Right. Okay. I'm just answering
14 what you're saying, and my wife isn't named in the lawsuit.

15 THE COURT: That doesn't matter. Are you telling me
16 as husband and wife you and your wife don't talk?

17 THE PETITIONER: Oh, she knows about, but she's not
18 named in the lawsuit.

19 THE COURT: That's my point. That's my point. She
20 claims she didn't know about it.

21 THE PETITIONER: She knows about it, but she was not
22 involved because he was saying --

23 THE COURT: No, sir. My only point being is that --
24 the fact that -- I just want you to relay to your wife that
25 in my denying --

26 THE PETITIONER: Okay.

1 THE COURT: -- her request, I didn't find her
2 credible.

3 THE PETITIONER: I'll do that.

4 THE COURT: Just the fact that she denied something
5 she actually had knowledge for.

6 THE PETITIONER: Yes, your Honor.

7 THE COURT: As far as you're concerned, sir, are you
8 going to give me something that would prove to me your
9 brother-in-law attacked you and you deserve a restraining
10 order in family court?

11 THE PETITIONER: Yes, your Honor.

12 THE COURT: Okay.

13 THE PETITIONER: I have video. I have proof.

14 THE COURT: Okay. I'm going to indulge you a little
15 bit here. Go ahead.

16 THE PETITIONER: Okay. Well --

17 THE COURT: Do you have a diagram too? Is that --

18 THE PETITIONER: Yes, ma'am. Yes, your Honor.

19 THE COURT: A diagram of a room?

20 THE PETITIONER: Yes, your Honor.

21 THE COURT: No, no. What I would like to do is I
22 would like you to summarize your version of the incident
23 first before you present any exhibits or diagram. Go ahead.

24 THE PETITIONER: I was -- on February 6th, 2025 I
25 was invited out, my wife and I, by my father to come out and
26 visit with him. We were sitting in the room -- in the family

1 room. I'm sitting next to my father -- I have my diagram.

2 I'll show you the diagram later.

3 My father is sitting next to me, my 98-year-old
4 father, and my wife is sitting next to my father. Back to
5 the right is a neighbor standing right -- to my right. As
6 we're sitting there having a conversation, all of a sudden I
7 look across the room and in comes George, Jr., my brother,
8 looking like a rage. His eyes are just, like, bulging like a
9 Hulk. He's just coming like he wants to attack me. I can
10 tell something was wrong by his facial expressions and his
11 eyes. My heart starts pounding.

12 I don't know. Did he snap? Does he have a gun? I
13 could tell he's upset. He's just storming at me. He comes
14 around the corner. There's a sofa. And then, shockingly, he
15 stops and goes right over my --

16 (Reporter clarification.)

17 THE PETITIONER: He stands right over my wife, right
18 in her face. He's almost nose to nose with to her. Would
19 you like me to say the exact words what was going on and the
20 video will prove it?

21 THE COURT: Okay.

22 THE PETITIONER: He says, "Get the fuck out of here,
23 you fucking bitch. You're not allowed here. I don't want
24 you, you fucking bitch. Get out of here. Get the fuck" --
25 just cussing from head to toe screaming. I mean like a 10.
26 He's just going on and on right to her face. And then my dad

1 starts to defend us. Then George, Jr., starts to yell at my
2 dad. Fortunately by the grace of God, my wife is able to
3 grab her cell phone sitting right there. She turns on the
4 cell phone and starts taking video.

5 So he drops from a 10 to a 4. In the video you'll
6 see that. And then he starts prowling the room like a pit
7 bull. I'm sitting there very calm. You'll see everything.
8 It's all right here. And he starts disturbing our peace. I
9 would be very careful how to deal with him. He's very
10 strong. He's a great football player, great athlete, great
11 wrestler through high school football, and he has a hairpin
12 trigger. He had that his whole life. I would never ever go
13 up against him in a fight.

14 One thing, if we did, we could have fell on my
15 father and he could have died. He's sitting right next to
16 us. I have a very, very loving relationship with my father.
17 We're extremely close.

18 THE COURT: Okay. Be that as it may, do you think
19 that your brother had any reason to be angry with you and
20 your wife?

21 THE PETITIONER: No, your Honor. He -- on Christmas
22 we sent texts. We're business partners. We've been --

23 THE COURT: Okay. I beg to differ. In your lawsuit
24 against your brother, George, Jr. "engages in his own
25 manipulations and misappropriation of the partnership
26 assets."

1 THE PETITIONER: Yes, your Honor.

2 THE COURT: Oh, yeah, he has no reason to be angry
3 with you.

4 THE PETITIONER: No.

5 THE COURT: No, no. Would you like to be accused of
6 manipulation and misappropriation?

7 THE PETITIONER: Yes. My father told me. My father
8 told me, yes.

9 THE COURT: Would you like to be accused of that
10 yourself?

11 THE PETITIONER: If I was doing it, that's bad on
12 me.

13 THE COURT: Yeah. But how would you feel? How
14 would you feel? Would you be angry? Would you be upset even
15 if it's true? Yes or no?

16 THE PETITIONER: No, I wouldn't be.

17 THE COURT: Oh, really?

18 THE PETITIONER: Not if I'm doing something that's
19 not right, no, not at all if I got caught. Absolutely.

20 THE COURT: You would have accepted responsibility?

21 THE PETITIONER: Yes, correct, because he's in
22 charge of all the banking. He's in charge of all the
23 banking, your Honor, but that has nothing to do with this.
24 We talked --

25 THE COURT: Not only did you accuse your brother of
26 manipulation and misappropriation, you accuse your sister and

1 her husband of taking advantage of your elderly parents. Oh,
2 my.

3 THE PETITIONER: Yes, your Honor. That was because
4 my brother, George, we were aligned. We were aligned as a
5 partnership our whole lives.

6 THE COURT: You need not say anymore. Sir, even if
7 I found that your brother got angry, screamed profanities or
8 said some things that he shouldn't have said on that day,
9 it's an isolated incident completely justified by what has
10 been going on between you and him and your sister and your
11 parents.

12 In your lawsuit you may not have accused your
13 parents of misappropriation, but you're alleging that your
14 parents are elderly, pretty much saying they didn't know what
15 they were doing, that because -- as a result, the trust has
16 been mismanaged and fell into the hands of your manipulating
17 sister and brother; right? Why you smiling?

18 THE PETITIONER: No, you're right. I'm not smiling.
19 You're right. That's exactly what's happening, your Honor.

20 THE COURT: This is all motivated by this lawsuit by
21 your claim to the family trust. It is a dispute between
22 siblings. And my point being, even if your brother had
23 gotten angry that day, after reading this complaint against
24 him, his sister, your parents, he had every right to be
25 angry. Okay? And so I'm going to chalk it up to it being an
26 isolated incident that is completely justified under the

1 circumstances; and therefore, I cannot determine that he was
2 the aggressor.

3 If he did that out of no reason whatsoever
4 unprovoked, then perhaps there might be a chance for you, but
5 based on what I have heard from your wife in the prior
6 hearing and from you and from reading this complaint that you
7 have against the rest of your biological family --

8 THE PETITIONER: Uh-huh.

9 THE COURT: -- I don't find enough evidence, so
10 therefore, I'm going to deny your request. I don't care what
11 recording you have. Even if he's shouting verbal abuse or
12 profanities, like I said, it's an isolated incident
13 completely justified; and therefore, under the law by a
14 preponderance of the evidence, I cannot find that you have
15 met your burden of proof.

16 Your request is denied and unlike your wife --
17 please don't argue with me.

18 THE PETITIONER: Yes.

19 THE COURT: That is my decision.

20 THE PETITIONER: Yes.

21 THE COURT: I know you're not going to be happy. So
22 be it.

23 THE PETITIONER: Can I ask a question?

24 THE COURT: No, you can't.

25 THE PETITIONER: How do I visit my parents now? How
26 do I visit them? We have a great relationship, my parents

1 and I.

2 THE COURT: Sir, I'm not prohibiting you from
3 visiting your parents. You're the one who's trying to
4 prohibit him. So you two fight it out in probate court,
5 trust court, civil court. Let the civil court decide. Not
6 here. All right? You're free to go, sir.

7 THE PETITIONER: Thank you.

8 THE COURT: Both sides are free to go. And I
9 know -- request for attorney's fees, not here. Save it for
10 the civil suit.

11 MR. JIMENEZ: Understood. I didn't say that. I
12 just want for the record to show that we did file
13 declarations in opposition. If you want to look at them, I'd
14 appreciate that, but we did file third-party witnesses,
15 Sylvia, the mother --

16 THE COURT: One of the defendants.

17 MR. JIMENEZ: Yes.

18 THE COURT: The mother-in-law?

19 MR. JIMENEZ: The mother-in-law.

20 THE COURT: Who wants to see her grandchildren, who
21 is happy to see Albert and his wife?

22 MR. JIMENEZ: Not limited to that, but she felt that
23 George at the time was protecting her because what he didn't
24 hear as he asked George is that he came there because his
25 mother called him crying and upset because they were in the
26 room, that Albert and Miaad were there. They had gotten past

1 security guards at the gate by calling the police. The
2 sheriff came out, forced the guards to let them into the
3 house. Came into the house.

4 George came over because he was upset and heard his
5 mom shaking and crying. Caretaker provides a declaration
6 saying that Sylvia, the mother, when they're there, doesn't
7 want to see him. She's hiding in her bedroom. So George
8 comes over because his mother calls him. The caretaker calls
9 him, says, "Come over." He gets there. She's shaking.
10 She's crying. You have that from third-party witnesses, so
11 his reaction as the son is to going to go tell them to get
12 out. He yelled and he cussed. No one disputes that, but
13 that's what happened.

14 THE COURT: I thank you for that history. Perhaps I
15 should have let you give me that a little -- those facts in
16 the last hearing as well because perhaps sister-in-law should
17 have heard that as well, but that's neither here nor there.
18 I thank you for that, and I wish this family the best of
19 luck. I -- just please relay to Sylvia, your mother, how
20 much I feel for her --

21 THE RESPONDENT: Thank you, your Honor.

22 THE COURT: -- to see her children fighting like
23 this over money.

24 All right. Both sides are free to go. Thank you.

25 (Proceedings concluded.)
26

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I, Marisa M. Pribulsky, CSR NO. 13504, official court reporter in and for the Superior Court of the State of California, County of Orange, do hereby certify that the foregoing transcript, pages 1 through 17 inclusive, is a true and correct transcription of my shorthand notes, and is a full, true, and correct statement of the proceedings had in said cause.

Dated this 16th day of July, 2025.

Marisa M. Pribulsky

MARISA M. PRIBULSKY, CSR NO. 13504
OFFICIAL COURT REPORTER