

Background information to Federal Complaint, case no. 2:17-cv-05901

By:

Dror Soref (Plaintiff)

vs.

State of California (various departments & individuals in both official & individual capacities), County of Los Angeles officials (in both official & individual capacities), et al (Defendants)

For:

Unconstitutional Deprivation of Liberty, False Imprisonment, Disparate Treatment Based on National Origin, Conspiracy to Interfere with Civil Rights, Neglect or Refusal to Prevent an Interference with Civil Rights.



Michelle Seward, an insurance agent who presented herself as a financial planner (hereafter MS), and Dror Soref, an award-winning Hollywood director, (hereafter DS), were identically accused with 72 counts of fraud in connection with the sales of securities, yet could not have been treated more differently by the California and Los Angeles governmental agencies responsible for protecting consumers. MS had a prior knowledge of the impending arrest, ‘turned herself in’, and was released that day on her own recognizance (OR). A couple of days or so later, without notice, at 7 am on September 11, 2015, DS was arrested at his home, brutally pulled out of his morning shower wearing his birthday suit, in front of his wife, his 5 year-old daughter, and his elderly mother-in-law. His bail was set at \$2.7 million in spite of the fact that DS has had no criminal record, had been an outstanding member of society for 4 decades, enjoyed strong ties to the community, and having a family including a wife, minor daughter, and 2 grown boys, all living in the LA area. Employing illegal tactics, the Defendants kept DS in LA County jail for five months!

“The Battle of the Bail”

- At the first hearing dedicated to the bail issue (9-28-15) the judge asked the obvious: ‘why the enormous disparity in treatment of the 2 Defendants identically charged?’ The Deputy District Attorney (DDA), Ms. Renee Cartaya, (a Defendant in this Complaint) blatantly misled the Court when she responded that the reason was because DS was the more culpable defendant.
- At the time of the bail hearing, the DA Office had in its possession the Investigation Report, yet the DDA did not share that Report with DS’ lawyers until AFTER the bail hearing. When that investigative evidence was finally shared with DS’ lawyers, it revealed complete alleged culpability by MS, and none by DS! As a matter of fact, that investigative report had only MS as the target of the investigation. Also, MS’ testimony conflicts with practically all interviewees, while DS’ interview conformed to the others.
- In his Motion for Bail Review, DS’ attorney asserted: “The DA misrepresented the alleged facts in responding to the Court inquiry as to relative culpability” as described above. It is remarkable, and perhaps telling, that the DDA, in her response, did not even try to deny the misrepresentation charge!
- Advancing her relentless effort to keep DS in jail, the DDA declared that DS is a flight risk due to his ‘ties to Israel’, depriving DS of his liberty by discriminating on the basis of national origin. She even lied to the Court when proclaimed that DS was out of the country (implying Israel) when an investigator tried to reach him.
- Due to the DDA’s lies and misconduct, and as aided by representatives of the various California departments, DS had spent 5 months in jail, until another judge, in subsequent motion on another matter, recognized the impropriety of the situation, saying, “something doesn’t smell right here” and proceeded to reduce the bail to a more workable amount, allowing DS to be released on bail three weeks later.

The Preliminary Hearing

- On November 15, 2016, the first day of the Preliminary Hearing, the DDA announced that they had made

a deal with MS. While the DDA refused to disclose the terms of that deal, it was inferred that MS was given full immunity and full dismissal in exchange for testifying against DS in trial.

- During a five-week long preliminary hearing consisting only of prosecution evidence, ALL investor-witnesses confirmed that DS had NOTHING to do with the sales of the securities in question, or the reason they had invested (the basis to the 72 felony charges against DS and MS).

- ALL investors confirmed that they were swindled by MS (or her agents, incl. her brother and sister) who made false promises and omitted material facts.

- While using any possible means to incarcerate and keep DS in jail, it became abundantly clear that the Defendants (DA Office, California officials, etc.) KNOWINGLY had let the statute of limitation run out on most Counts, and then tried to bury and distort the history as to when law enforcement agencies were involved and knew, or should have known, that a crime had allegedly been suspected or committed. This outrageous behavior is compounded by the fact that the co-prosecutor on the criminal case, Blaine A. Noblett from the Dept. of Business Oversight (also a Defendant in this Complaint) was THE lead attorney and investigator on the civil case (of the same matter) MANY months prior to when the DA Office claimed the time should be tolled for purposes of determining statute of limitation.

- On February 27, 2017 the Judge decided in favor of DS and dismissed most charges on grounds of violating the statute of limitation. On March 16, 2017, the judge concluded the Preliminary Hearing, fully exonerated DS:

“As I have indicated, I have read clearly through the voluminous record in this case and heard excellent arguments from counsel. The Court, sitting as a magistrate, only determines whether there is probable cause... to determine if a crime was committed and that the Defendant is guilty of that crime. It is an extremely low standard. However, it is a standard. It is not based upon supposition or speculation or plain suspicion, but there is a quantum of evidence required, however minimal it is. As I look to the totality of the evidence in this case and the reasonable inferences that can be made, I find the People have not met their burden... Therefore, the Defense motion to dismiss based upon insufficiency of the evidence... is granted. They are dismissed pursuant to penal code section 871 in the interests of justice... so with that in mind, good luck to you, Mr. Soref, and thank you again, counsel.”

Connecting the dots?

This Kafkaesque episode- the insistence on depriving DS (clearly the non guilty party) of liberty, false imprisonment, willy-nilly violating his most basic civil rights, discrimination on the basis of national origin, humiliation, utter destruction of DS’ reputation, ad nauseam - all the while cuddling the one who is clearly culpable according to the **Government’s own evidence**- must be a puzzling to the reader. If you are curious, keep reading.

On the way to the Sheriff station, one of the arresting officers (CA Dept. of Insurance) casually told DS about what happened with MS (i.e. she turned herself in and was immediately OR-ed, etc.) With some reverence, the officer mentioned that MS was “represented by Steve Cooley, the former DA of Los Angeles.” The latter is not just the former DA, but also the mentor and political ally of the current DA, Jackie Lacey. Assuming the arresting officer told the truth, it is but a minor ‘dot-connecting’ that Mr. Cooley used his influence with Ms. Lacey on MS’ behalf, making a deal to protect MS and brutally frame DS, despite the overwhelming evidence- and justice be damned! There is no logical explanation for this outrageous behavior by the Government: it’s either corruption or stupidity by at least 3 government agencies and myriad of personnel. The latter is unlikely.

As the judge who finally reduced the bail following 5 months of incarceration pointed out: “I’ve been doing this for many years... something doesn’t smell right here!

Indeed!!

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