

[Intro music]

Nina Pullano: When legal battles come down to damages, most of us consider the crescendo to be the very final judgment – the bottom line – how much money does one party have to pay the other? It's kind of the final score – who won the game, and by how much? But in a highly specialized area of law – that judgment is just the beginning – at least in cases where the losing team refuses to pay. Welcome back to Sidebar – a podcast from Courthouse News. I'm Nina Pullano coming to you from Brooklyn, New York – way over yonder on that other coast you know and love is Hillel Aron, bringing us today's episode from his home base in Los Angeles. What's up?

Hillel Aron: Hello.

NP: Hillel, I learned so much from this episode – this was an entire area of law that I did not know existed before.

HA: Yeah, I think most people, you read a story about a lawsuit, it maybe goes to trial and the jury awards a judgment and you think of that as the end. A lot of people don't want to pay their judgments and just because a jury tells them they have to pay doesn't mean they do.

NP: I don't want to get into spoiler territory so let's turn it over to your report. And listeners, get ready for The Enforcers.

HA: So, there's this rich guy named Alki David. He lives in a \$20 million house, right on the beach in Malibu, in one of the world's most expensive ZIP codes. But not for long — there's a court order to seize that house in order to pay for a sexual harassment judgment against him. A couple months ago, a lawyer and a pair of sheriff's deputies did a kind of walkthrough of the house to check on its condition, and David acted with characteristic courtesy.

Alki David: Please step away. Step away. I don't care. You don't have a court order to tell me shit. Or you, so fuck all of you. Fuck all of you. You, get in the fucking house, if you are going to get in the house...

HA: In the age of Donald Trump and Elon Musk, a guy like David has become almost a boring cliché: the quote-unquote eccentric billionaire, who says and does pretty much whatever he wants, and always seems to get away with it.

AD: Get out of my face. No I don't, no I don't, no I don't, no I don't. You are a criminal. Fuck you, fuck you. Show me the fucking paperwork. Fuck you.

HA: David was once arrested on the Caribbean Island of St. Kitts and Nevis for smuggling in 5,000 cannabis plants on his private jet. When he was on Mike Tyson's podcast, he claimed to have done DMT, a psychedelic, every day, multiple times a day, for six months. He loves weed, "Call of Duty," and attention. He dislikes paying people money.

Cop: Are there any lights in here?

AD: No. Fuck you. Fuck your mother. Fuck your dead dad, and fuck all of the crime you've done to people.

HA: His full name is Alkivades David. He was born in Nigeria to Greek parents, part of a shipping family that owned a bunch of Coca-Cola bottling plants. Alki grew up in London, attending posh boarding schools, and when his father died in 2000, he inherited the family business at the age of 32. He used that newfound wealth to fund an exceedingly hedonistic lifestyle, as well as to start a series of businesses, none of which were particularly successful. There was a modeling agency, a video streaming website, a video game streaming website, a marijuana company called SwissX which he founded with Mike Tyson, and Hologram USA, one of those companies that projected holograms of dead celebrities for live concerts.

Inside Edition: He's being called America's worst boss.

HA: This is a clip from the show, Inside Edition, in 2019.

AD: The only people I've ever touched inappropriately, I've married.

Reporter: But he admits he shows adult movies to employees and often hops around his office without any pants.

AD: It's called entertainment, man. It's called having fun in the workplace.

Reporter: But in California it's called sexual harassment.

AD: No, it's not.

Reporter: Yes, it is.

AD: No, it's not.

HA: It will come as no surprise that David has been sued many, many times, often by former employees of his. He's been sued for sexual harassment at least seven times. He's had four lawsuits go to trial, and he lost three of them, and owes somewhere around \$80 million in judgments. But when you sue someone like David, winning is only the beginning — or the end of the beginning. Getting the money can be harder than getting the judgment. What do you do if you sue someone, and you win, but the guy you sued just refuses to pay? You call a guy named Joseph Chora.

Joseph Chora: After a trial, like you see on TV, there's a winner, there's a loser. And the majority of the time the loser has to pay the winner money. And in the cases that I take the loser doesn't want to pay, somebody has to force the loser to pay. And that's what I do.

HA: Are there nicknames for lawyers like you? Is there a name for what you do?

JC: I do a lot of networking. So, I have a ton of attorney friends. And they regularly call me The Enforcer. And the reason is because when you enforce a judgment, it's called enforcement. They also jokingly call me The Executioner, because when you enforce a judgment, it's called execution.

HA: There really aren't all that many people who do what Chora does. There's maybe 20 qualified judgment enforcement attorneys in California, maybe only two or three in states like Arizona and Nevada.

Jay Adkisson: For most people, it's a very alien area of practice. If you've been to law school, you learn all about getting a judgment and almost nothing after that.

HA: That's Jay Adkisson, a judgement enforcement lawyer based in Las Vegas.

JA: Most judgment enforcement is an area of practice, it's a lot like practicing admiralty law, or practicing Indian law. It has its own discreet terminology, it has its own way of thinking and you really have to spend a lot of time not just learning the rules, but learning the strategies, the tactics and more than anything else, the psychology of it all to be effective at it.

HA: A judgement enforcer, like Adkisson or Chora, is three things in one. Number 1: he's a lawyer. He's filing writs, he's filing subpoenas, he's calling people to testify under oath about where the debtor keeps his money and exactly what kinds of assets he owns. Everything is done through the courts, and there are appeals, motions, claims, counterclaims, just like in any kind of litigation. Number two: he's a private detective. Actually, Chora is literally a licensed private investigator. And finding out where someone hides their money takes a lot of detective work.

JC: Without giving away any real secrets... anytime you make a transaction, you think about opening up a credit card, opening up a business opening up a bank account, you have to provide your ID. There's Social Security numbers, EINs or TINs for businesses, there's always a mark that's left. And so people tend to use accounts in different peoples names or open a business, but everything leaves a footprint.

HA: If he can't get the judgment from a bank account, he'll start going after assets — cars, real estate, anything expensive.

JC: It can be anything. It can be, of course, money in a bank, real property are the first two things that come to mind, but royalty streams for actors or artists, contract rights. Intellectual property, personal property, rings, jewelries, anything of value. And there's a certain cost of seizing and selling. So, it has to be expensive property, whatever it is.

HA: If he can identify a list of assets, and if he can find out exactly where they are, he can go to court and get a writ of execution, and sheriff's deputies will literally break down the guy's door, if they have to, and seize the stuff, which can be sold at auction. Mounted on the wall above Chora's desk is an old shotgun that he had seized from a debtor in 2015 that he later bought at auction for \$85.

JC: My law partner, and then-mentor said, you can't levy a man's guns, because, you know, Second Amendment, dah dah dah dah dah, he's a big gun guy. And I said, you know what, he's got guns, we're going to take the guns. And he was certain that I was going to fail, and I didn't. So, it's a reminder to me, in this area of law, that I wouldn't say there's no rules. But you really have to be creative when you're trying to fashion a remedy.

HA: Now, most cases never get that far. They settle, usually for some compromise figure, at some point.

JC: There was a guy, he drove off with a gas pump in his car. Was it \$7,000. \$1,500? No, it was \$7,000 to replace. His insurance would have covered it, he said I'm not going to pay it. So, they go back and forth. They hire a lawyer, maybe \$50,000 in. They go to trial, they get a judgment entered against him for like \$130,000. He appeals as far as he can. It's up to almost \$200,000.

HA: Just in interest and attorneys fees, right?

JC: Yes. And so it comes to my desk. It's just shy of \$300,000. So, I do the asset search, I find out that he's transferred his house to his wife, and they have a prenuptial agreement. And they're thinking about getting divorced, no way we can get to the house. Of course, we get to the house, we're going to sell the house and he comes in, and he wants to write a check.

HA: And this where that third part of the job comes in.

JC: The majority of our cases settle based on the pressure that we apply. One of my favorite stories to tell is there was a gentleman who owed, I don't know, not much, maybe \$125,000. And we found out that he had a girlfriend. And we scheduled the examination of his girlfriend and his wife on the same day. And he has to be noticed, so as soon as he got noticed, he said, hey, look, can I just pay the money and just move on?

HA: The pressure we apply. Chora compares this job to being a psychologist, but to me it sounds more like, I don't know, mob enforcer?

Ron Slates: Yeah, they break knees. I don't break knees. I embarrass people.

HA: This is Ron Slates, another judgment enforcement lawyer. His euphemism for this is the environmental approach.

RS: Basically the environmental approach tries to make their environment so terribly uncomfortable that they come to the table and pay you. And by uncomfortable, I mean if you've got an 85-year-old mother, father, an ex-wife, an ex-girlfriend, a girlfriend, any number of those people are fair game. And I can basically go after them, serve them with papers to appear in court to ask them questions. Now, just ask yourself if your 85-year-old mother called you up and says Hillel, I gotta be in court in two weeks. And so, my approach is to really try and push towards that person coming to the table. I have a big case right now, \$6 million for me. That's big. It's a president of a former bank, the former president of a bank. We happen to find out that he's a member of Riviera Country Club. Well, guess who we're gonna land with a bunch of subpoenas? The president, the CFO, the secretary, all his golf buddies. And I figure by the time I've served 10 of them, I ought to be getting a few phone calls from his attorney saying, okay, okay.

HA: Here's Jay Adkisson again.

JA: Most judgments are collected, because the creditor has found some way to insert some sort of pain on the debtor so that they go find their wallet, and they pay the judgment. With business debtors, it's usually pretty easy, because businesses are actually very fragile things. And if a creditor can get in and start messing around with customers, maybe doing debtor exams of customers, vendors, people like that, then the very existence of the business becomes tenuous, and they're either going to pay or maybe they're going to file for bankruptcy, bankruptcies is usually going from the frying pan into the fryer, because the powers of the bankruptcy court are very strong, but nonetheless, it gets you to the end.

HA: Everyone has different pressure points.

JA: The points of pain, I found them in weird areas. One time I had a guy that he would have fought to the death for everything except losing a Ferrari, he didn't want to lose his Ferrari. You know, about the time I started getting close to his Ferrari, he settled the case and it just kind of depends with these people, sometimes they have a reputation, they don't want it to get out in the community that that they're being chased that they owe money on a judgment. And so, if you, you know, go start issuing debtor exam orders to people that they're closely connected with to see if those people have any knowledge of their assets, sometimes they'll settle very quickly so it just depends but that's a lot of the fun.

HA: Of course, there's only so much a judgment enforcement attorney can do. Sometimes the client, or the creditor, runs out of money and gives up. Or sometimes the debtor can just ... disappear.

JC: There was a case, earlier in my career, it was probably \$130,000, it was a family law judgment, which happen to be the most difficult to enforce. Because people hate their ex-spouse more than they love money. So we were after this guy, he's a diamond dealer, we're closing in, we're closing in, he liquidates his entire life into diamonds, puts them in his pocket, and flies to another country. Game over.

NP: It feels like these tactics are clearly within the bounds of the law, right, but still they're pretty harsh – nobody wants to be embarrassed, called out, or have their personal details exposed. I'm wondering about how you decide in this line of work what exactly is fair game. Did any the lawyers you talked to, or do you have thoughts about where to draw that line? When does it just become too much?

HA: I think that's the whole point of the gun anecdote, it's whatever you can get away with in trying to convince another party to come to the table and negotiate. I think the types of people who find themselves in these situations are sort of gamblers, they are making a bet that the other party isn't going to go to the time and effort it takes to recover these kind of damages.

NP: No gambler wants to find themselves on the other side of a hired hand who's hoping to chase down the money that's owed.

HA: That's right.

NP: So, if you look at the guy who packed up his diamonds and skipped town – it seems like even in this kind of chaotic practice area – there are extra bizarre outliers that kind of steal the show. And, Hillel, you kicked off the episode telling us about one of them. Let's hear some more on that.

HA: What do you do when a man has no pressure points? When a debtor's extreme level of wealth allows him to, in the parlance of our time, give zero fucks?

JC: He doesn't care. And that is a new thing to me. And because he has so much money, everything can be replaced. And we're taking his \$20 million Malibu beach house and he's upset. But the moment we sell it, he can buy another one. No big deal.

HA: It certainly didn't sound like no big deal, to hear David screaming obscenities at Chora and the two sheriff deputies.

AD: Do you like fucking displacing families? Do you like fucking doing that, Chora? You like that you cocksucker? You like lying about people? Fake ass fucking lawsuits. If you hurt my cat, if you hurt my cat you're going to be in trouble bro.

HA: But Chora thinks this is mostly an act.

JC: He's very aggressive and loud and screams, but I believe it's all fake. I think he wants to be a reality star. And I think that's what it is. I think he's trying to manufacture drama to give himself a spotlight.

HA: There has, however, been some suggestion that David is, I don't know, mentally disturbed? Last year, David's own lawyer, Dana Cole, suggested in a hearing that David was going through a quote, "mental health crisis." He added: "It certainly is possible that he has frontal lobe issues that control his impulsivity." And David himself has said that he was in car accident when he was 20 years old, which left him in a coma for four days, and which gave him some lasting brain trauma. At any rate, Chora has been after Alki David's money for close to three years. If you'll recall, David has three judgments against him, for a total of about \$80 million, including interest. But Chora has been hired to go after the \$19 million David owes to a former employee of his named Chastity Jones.

JC: The original asset investigation shows that the majority of his wealth is overseas. It's in England, Switzerland, Greece, Isle of Man, British Virgin Islands. The only real asset that he has in California is that beach house. But there's an asset protection scheme, located in South Dakota. And so, it was a matter of trying to get to the house. And we had a couple of stumbling blocks.

HA: Yeah, a couple stumbling blocks. Kind of an understatement. David has pulled every trick in the book to slow Chora down. He's appealed every decision. He'll not show up for a debtor's examination. At another examination, mediated by a retired judge, he started screaming profanities at the guy. And speaking of judges – this case is on its fifth judge. There was the original trial judge, who got reassigned to Santa Monica. The next two were removed legitimately, one by each side. Judge number four was Yolanda Orozco, who handled the case for a while. David demanded that Orozco recuse herself a number of times, claiming that she couldn't be impartial. But she always refused. He even went so far as to take out papers to have her recalled by voters. But one incident may have been the final straw.

JC: There was a hearing, and I don't remember what the hearing was on. But David showed up, you know, par for course, a half an hour, 45, maybe an hour and a half late, looking for the hearing that had already been completed. Everybody had gone home. And he showed up with his dog and he was aggressive. And he was screaming at the court clerk and the judicial assistant. And the judge was back in her chambers, but it's one door away. There's no bailiff, so I don't know if that had some bearing on her recusing herself or not. I don't know. But, and again, I wasn't there. So, everything I've heard was secondhand. But yes, the deputies were called and he was escorted out of the building.

HA: Pretty soon after that, Orozco did recuse herself. She said it was "in the interests of justice." I emailed David's lawyer asking to interview him for this podcast, and I never heard back. I've talked to David a handful of times previously, where I got an earful about his conspiracy theory involving Tom Girardi and Gloria Allred and her daughter Lisa Bloom, and he was very polite, except when I asked him if he had any plans to pay the judgments against him, he told me, "That question, you can take it and fuck off away from me." He later sent me some direct messages on Twitter – suffice to say, he was not happy with my coverage of him, and among other things, he called me a "lying sack of shit."

JC: He doesn't have impulse control. And really, you know, between you, me and your audience...

HA: We won't tell anyone.

JC: All right, good. I feel bad for the guy. I think about who I am, who you are. If you grew up with unlimited money, and no accountability, would you still be who you are? Or would you be untethered, like he is?

HA: One thing I've noticed is that throughout all of Alki David's antics – the yelling, the cursing, the conspiracy theories, Joseph Chora has remained just completely unflappable and polite.

JC: A debtor has two tools in their tool bag to fight me, and one is delay. And the other one is to characterize what I do, as over aggressive that, you know, they owe only \$1.5 million. And I'm trying to take their house and put them out on the street. And so, they're playing to the sympathies of the court. Judges are people. And so, I'm constantly trying to portray myself as the good guy, the white hat. And so nicknames like The Executioner. Do I put that on my business card? No, absolutely not. Because I'm constantly being portrayed as the mad dog slobbering creditors attorney, over aggressive.

HA: It's funny, because I see you in court, and you do seem very polite and reasonable. And I guess I guess you have to try to convince people that you are reasonable.

JC: That's exactly right. The more reasonable I am, the more unreasonable they are, the more likely I am to get what I want from the court.

HA: Chora is close — very close — to seizing the \$20 million Malibu house. But that doesn't mean his client gets the \$20 million. There's likely a mortgage, as well as costs with selling the house. It'll be a big chunk of the debt, but not all of it. Chora's also trying to hold David in contempt for his behavior in front of the retired judge. So the case will go on, with no end in sight.

NP: The case will go on – but this episode is coming to an end. Thanks so much for listening. Please remember to subscribe to Sidebar – and if you like what you've been hearing, kindly drop us a review. You can also find us on Twitter @SidebarCNS. Read legal news and features from our entire team of reporters at courthousenews.com. The legal world can be a real tangled web – a lion's den – a menagerie of statutes and guidelines – we're getting literal with all that on our next episode. Any pet owner will tell you their animal friends are practically family, but not everyone's satisfied with limiting their interspecies relationships to dogs, cats and guinea pigs. Kirk McDaniel will take us through what happens when animals normally found in zoos become pets. What could possibly go wrong? See you next time.

[Outro music]