

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

CASE NO.: 30-2024-01410991-CL-UD-CJC

PLAINTIFF: Phat Tran

DEFENDANT: Michael Gasio

TO: The Honorable Judge Snuggs-Spraggins, Carmen D. (Comm.)

FROM: Michael Gasio, Defendant (Pro Se)

DATE: February 10, 2025

RE: MOTION TO PREVENT ASSET CONCEALMENT & FRAUDULENT
TRANSFERS

I. INTRODUCTION

- Defendant **Michael Gasio**, appearing **pro se**, respectfully submits this **Motion to Prevent Asset Concealment & Fraudulent Transfers** due to Plaintiff **Phat Tran's recent and ongoing actions** to dispose of real estate assets to evade legal accountability.
 - Based on **public records, financial transactions, and investigative findings**, it is clear that **Plaintiff is actively transferring, concealing, or liquidating assets** in bad faith to avoid paying damages or complying with legal obligations in this case.
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II. FACTUAL BASIS FOR MOTION

- Plaintiff **owns or has previously owned** multiple real estate properties, valued at over **\$12 million**, which are now being **transferred to third parties** or disguised under new ownership structures.
- Specifically, records indicate:
 - 2002 Sand Dune, Huntington Beach** was **previously linked** to Plaintiff but has **recently changed ownership** under questionable circumstances.

- **20012 Sand Dune, Huntington Beach** was **transferred to an individual approximately 24 years old**, raising concerns of **fraudulent asset shielding**.
 - **A separate property, formerly listed under Anna Lynn**, has been converted into a rental generating **\$8,500 per month**, yet remains **linked to Plaintiff's financial interests**.
 - 5. Plaintiff's sudden **real estate transactions and asset restructuring** are clear indicators of an **attempt to evade a future judgment**.
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III. LEGAL BASIS TO HALT ASSET TRANSFER

A. FRAUDULENT TRANSFER UNDER CALIFORNIA LAW

- 6. **California Civil Code § 3439.04(a)** prohibits transfers made with **intent to hinder, delay, or defraud creditors or legal judgments**.
- 7. Plaintiff's actions **meet multiple criteria for fraudulent conveyance**, including:
 - **Transferring property to a relative or insider** (e.g., a daughter or young associate).
 - **Failing to disclose the transfer in court proceedings**.
 - **Retaining control or financial benefit from transferred assets**.
- 8. Defendant seeks immediate intervention to **prevent further fraudulent transfers** that could **hinder the enforcement of any final judgment**.

B. COURT'S POWER TO PRESERVE ASSETS PENDING LITIGATION

- 9. **California Code of Civil Procedure § 527** allows courts to issue **restraining orders or preliminary injunctions** to prevent **fraudulent dissipation of assets** during ongoing litigation.
 - 10. The Court **has the authority to halt further sales, transfers, or concealment of assets** until all claims in this case are resolved.
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IV. RELIEF REQUESTED

- 11. Defendant **respectfully requests** the following court orders:
 - **Immediate injunction preventing Plaintiff from transferring, selling, or hiding any real estate assets**.
 - **Mandatory disclosure of all financial records, deeds, or ownership changes related to Plaintiff's real estate portfolio**.
 - **Appointment of a third-party financial examiner to monitor Plaintiff's financial transactions and asset holdings**.

V. CONCLUSION

12. Plaintiff's **active concealment of assets** undermines **judicial integrity** and **fair trial proceedings**.
13. Defendant seeks only to **preserve legal remedies and ensure a just outcome** in this case.
14. **For these reasons, Defendant respectfully asks the Court to issue an order halting asset transfers immediately.**

Respectfully submitted,

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[PREPARED FOR FILING IN ORANGE COUNTY SUPERIOR COURT]