

Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

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Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/16/2012)



JW LEAKS has published the latest court documents, in PDF, relating to "Candace Conti v The Watchtower Bible and Tract Society of New York" as filed on November 16, 2012.

The Watchtower Society Motion to Substitute or Reduce Bond on Appeal is DENIED.

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Post 14 of 15
Since 7/3/2012



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Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/16/2012)

**Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse**

<p>Doc</p> <p style="text-align: right;">Plaintiff/Petitioner(s)</p> <p style="text-align: center;">VS.</p> <p>The Watchtower Bible and Tract Society of New York, I</p> <hr/> <p style="text-align: right;">Defendant/Respondent(s) (Abbreviated Title)</p>	<p>No. <u>HG11558324</u></p> <p style="text-align: center;">Order</p> <p style="text-align: center;">Motion Denied</p>
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The Motion filed for The North Congregation of Jehovah's Witnesses, Fremont California and The Watchtower Bible and Tract Society of New York, Inc., a Corporation was set for hearing on 11/08/2012 at 03:00 PM in Department 22 before the Honorable Robert McGuiness. The Tentative Ruling was published and was contested.

The matter was argued and submitted, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

The Motion of Defendants Watchtower Bible And Tract Society of New York, Inc. and Fremont California Congregation of Jehovah's Witnesses, North Unit ("Defendants") to Substitute or Reduce Bond on Appeal is **DENIED**.

Defendants have failed to provide any authority to support that the court may substitute out of state real property as security in lieu of a bond. Although Code of Civil Procedure section 995.710 identifies other assets that a principal may deposit instead of giving a bond, it does not provide for real property to be used as security. Furthermore, it does not give the court discretion to consider other assets that are not identified in this section.

Calebs Airplane



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/17/2012)



Post 90 of 109
Since 6/24/2012

Open mind



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf



posted 2 days ago (11/17/2012)




Oh man, just think of all those "dedicated funds" that will now be going to waste defending the WT against Jehovah's enemies!

So sad.

Uzbekistan

jwleaks  **Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/16/2012) 

Post 6396 of 6400
Since 8/30/2006 om

144001   **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/17/2012) 



The good news about this is it will put more pressure on the WTBTS to settle up with Conti; \$86K/year of bond premium is now added to almost \$100k/month of post-judgment interest that is accruing on the judgment (\$11M judgment @10% interest per annum).




Post 2851 of 2863
Since 6/24/2002

Balaamsass  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/17/2012) 



Curious, does anyone know did Travelers Insurance actually ever BIND (promise) a bond to Watchtower? Travelers is a VERY conservative insurer, and has no problem saying NO (unless the underwriter is a JW who has not fully informed the boss about Watchtower). If this is the case, a few emails to Travelers Insurance Investors relations, and loss control Dept. might be in order.

Post 1169 of 1169
Since 10/30/2011

144001   **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/17/2012) 






Travelers did provide a bond in this case, and that bond is still in existence. Now that the court had ruled against the WTBTS, Travelers will soon be collecting \$86K in bond premium from the WTBTS.

Travelers isn't stupid. The way this works is, they sign a document, agreeing to be liable for the entire amount of the judgment. They then cover their risk by taking collateral from the party who wants the bond, so in this case, Travelers is likely to have taken WTBTS real estate as collateral already. Unless the WTBTS fails to pay upon the disposition of the appeal in Conti's favor, Travelers will never have to pay anything out. And if they do have to pay something out, they will be selling WTBTS real estate to cover whatever amount they had to pay.

Emails to Travelers would be a waste of time. They will have no effect on this situation.


Post 2852 of 2863
Since 6/24/2002

wha happened?   **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/17/2012) 



 California

Post 9414 of 9435
Since 10/2/2004

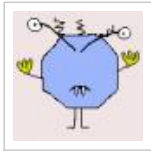
smiddy  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted 2 days ago (11/17/2012) 

jwleaks



Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/16/2012)



Queensland

Post 1848 of 1858
Since 3/30/2007

iamwhoiam



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/17/2012)



I doubt traveler's will take colateral on properties outside of the U.S. Makes you wonder what buildings they may have put up for the bond. Traveler's aint gonna bond em for free...so the total property is going to have to be much more valuable than the the cash they are putting up. property doesn't pay bills (atleast not in this market)...cash pays bills.

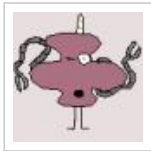
Post 255 of 256
Since 12/24/2010

DavePerez



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/17/2012)



Interesting info, 144.001.

The Alameda Co Court House website shows that a \$17 Mil bond was posted on Sept 20 by WTBS, with an annual premium of \$86k (due in December). So whatever arrangement WT made with Travelers is water under the bridge now (although it seems likely they didn't use Patterson for security with Travelers, as they stated in their motion that it was unencumbered at the time of filing, so free of any liens when they sought to use it for substitution in the denied motion).

Post 5 of 7
Since 11/7/2012

144k said-

The good news about this is it will put more pressure on the WTBS to settle up with Conti; \$86K/ year of bond premium is now added to almost \$100k/ month of post-judgment interest that is accruing on the judgment (\$11M judgment @10% interest per annum).



Yup.



The bad news is she likely doesn't have the deep pockets of WTBS, so if the appeal fails, she's going to owe a WHOLE lot more \$\$\$ for those annual premium costs. It's a bold move to deny, unless she's just planning to file BK anyway if she loses the appeal.

I am said-

Traveler's aint gonna bond em for free...so the total property is going to have to be much more valuable than the the cash they are putting up. property doesn't pay bills (atleast not in this market)...cash pays bills.

The bond is basically an IOU from Traveler's saying they will pay Conti IF and ONLY IF WTBS fails to pay the judgment if the appeal fails. The issue of WT securing with Travelers is a separate deal, ie whether they posted cash or property as collateral.

jwleaks  **Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted **2 days ago** (11/16/2012) 

Scott77  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted **2 days ago** (11/17/2012) 





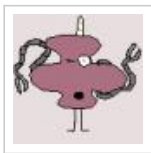
 144001,

Your legal opinion even without accompanying references has been something of a keen interest. I know there is a legal document from the court such as posted above but still, our desire for a legal opinion often is something of interest. My question now is, can you please opionate about any possible legal routes or Watchtower options available now that the Court has denied the Watchtower request? In light of this very positive ruling, what do you think is going to happen with respect to the Watchtower legal strategy? And what Conti attorney might be thinking or planning to do? I think, they could be waiting to see what the Wathtower is going to do next. How long will this happen before we see an action on the part of the of the Watchtower? Is there any deadline?

Post 2698 of 2720
Since 4/3/2009

Scott77

DavePerez  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted **2 days ago** (11/17/2012) 



This ruling over bond substitution is simply a procedural matter which has absolutely NOTHING to do with the merits of the case itself. Consider it housekeeping before the appeal can begin.

Post 6 of 7
Since 11/7/2012

rip van winkle  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted **2 days ago** (11/17/2012) 






happy, happy, happy!!!

~~~~~

Oh- I guess I should have read through more thoroughly.


Still Happy.

Post 1354 of 1362  
Since 6/15/2012

** 144001**  **Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf** posted **2 days ago** (11/17/2012) 



Scott,

I appreciate your confidence, however misplaced it might be! 

The WT legal strategy is to continue with the appeal. The impact of today's ruling is that the WT will be forced to spend another \$86K/annum to pay the bond premiums. The appeal is likely to take about two years, so they will spend \$172K on bond premium for this appeal.

Post 2854 of 2863  
Since 6/24/2002

This increases the pressure on the WT to settle the case (i.e., offer her something less than the judgment, but a large enough amount to satisfy her and Mr. Simons), as they will have to pay \$172K in bond premiums that, if the WTBTS is successful, they will be unlikely to be able to collect from Conti. She could file bankruptcy and I believe that this sort of debt would likely be subject to being discharged in bankruptcy.

jwleaks



**Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf**

posted 2 days ago (11/16/2012)

As for this ruling against the WTBS, the WTBS is pretty much without any realistic options to reverse it. They are not entitled to appeal the ruling, as it is not an appealable order. They can file for relief via something called a "writ of mandamus," which is similar to an appeal as it is decided by a higher court, but even if the facts and the law were on their side, they'd have less than a 10% chance of success with a writ. I give them zero chance, because the law was not at all on their side in this motion. Also, seeking writ relief is incredibly expensive; especially given the big law firm representing the WTBS.

There are deadlines for seeking the relief, but I don't know that it matters. The real deadline was the bond premium deadline, which I think will become due and payable in the next couple of weeks, based on my recollection of what I read in the moving papers. I would have to do research to determine the deadlines, but it wouldn't be worth my time. I'm confident that the WTBS will not be seeking a writ on this.

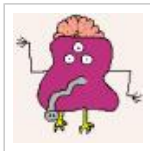
As I said above, I think the WTBS will be trying to settle with Conti. The only question is how much are they willing to offer to make this go away? If they do settle, they will insist on confidentiality provisions that will prevent Conti or her lawyers from disclosing any details of the deal.

Queequeg



**Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf**

posted 2 days ago (11/17/2012)



Yesssssss!

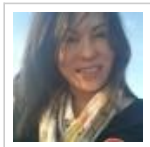
Post 32 of 32  
Since 8/14/2010

blindnomore



**Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf**

posted 2 days ago (11/17/2012)



It made my day!

Post 541 of 544  
Since 3/19/2012

soft+gentle



**Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf**

posted 2 days ago (11/17/2012)



fantastic news

Post 993 of 998  
Since 7/8/2011

besty



**Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf**

posted 2 days ago (11/17/2012)

jwleaks



Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/16/2012)



If they do settle, they will insist on confidentiality provisions that will prevent Conti or her lawyers from disclosing any details of the deal

It feels like Candace would put her desire for transparency above her financial security - IMHO I don't think she will settle in any event.

California

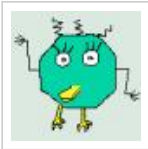
Post 4125 of 4130  
Since 3/3/2005

00DAD



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/17/2012)



Nothing like a little good news first thing in the morning!

Post 4793 of 4815  
Since 7/29/2011

wha happened?



Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting Bond - November 16 court documents in pdf

posted 2 days ago (11/17/2012)



I agree with u 144k plus uno. I think they, the WT, will try to manuvuer itself into a position to settle with a gag order. That has always been their last line of defense. I think that option really waived bye bye when Conti refused it.

California

Post 9421 of 9435  
Since 10/2/2004

prev 1 2 3 4 next

Post a reply ...

You have made 0 post(s) in the last 24 hours out of your limit of 100.  
You can currently create 100 more .

Icon: none

Title: Re: Conti v Watchtower - Court Denies Watchtower Motion re: Substituting

Rich text editor interface with tabs for Styles, Format, Font family, and Font size. The editor area contains several empty text boxes and a small blue selection box.

Path:



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2. Inciting hatred on the basis of race, religion, gender, nationality or sexuality or other personal characteristic.
3. Swearing, using hate-speech or making obscene or vulgar comments.
4. Breaking the law  
This includes libel, condoning illegal activity and contempt of court (comments which might affect the outcome of an approaching court case). You may post a small amount of third party material, but please help us to avoid breaching copyright by naming its author and publication. We are unable to investigate all third party material, so where possible, please provide a link instead.
5. Spamming  
Please don't add the same comment to more than one forum.
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You can mention relevant, non-commercial websites as long as they support your comment.
7. Impersonating or falsely claiming to represent a person or organisation.  
Please don't mislead other users by abusing our registration procedure.
8. Posting in a language other than English.
9. Invading people's privacy  
Please don't post private addresses or phone numbers, including your own. You may post email addresses so long as you make it clear who they belong to.
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If you disagree with any action taken then please raise it via email or PM.

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