

4.9

12687038
12/27/2017 11:51 AM \$20.00
Book - 10633 Pg - 4738-4741
ADAM GARDINER
RECORDER, SALT LAKE COUNTY, UTAH
LANZA & SMITH
3 PARK PLAZA STE 1650
IRVINE CA 92614
BY: LTA, DEPUTY - MA 4 P.

1 Anthony Lanza, (Bar No. 156703)
tony@lanzasmith.com
2 Brodie Smith (Bar No. 221877)
brodie@lanzasmith.com
3 LANZA & SMITH
A Professional Law Corporation
4 3 Park Plaza, Suite 1650
Irvine, California 92614-8540
5 Telephone (949) 221-0490

6 Attorneys for Plaintiff, Nancy Nida

7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION – SANTA ANA**

11 NANCY NIDA, an individual;
12
13 Plaintiff;

Case No.: 8:17-CV-02162

14 vs.

**NOTICE OF PENDENCY OF ACTION
[LIS PENDENS] – UTAH**

15 ALLCOM, A Nevada corporation;
16 BRUCE HAROLD BOYD, an
individual; PEGGY LOUISE DACE, an
17 individual; BG REAL ESTATE
MANAGEMENT, LLC, dba, BG REAL
18 ESTATE SERVICES, a California
limited liability company; NEWPORT
19 PELICAN GROUP, INC., a California
20 corporation; and DOES 1 through 10
21 inclusive;

[CCP § 405.20]

22 Defendants.

23
24 Plaintiff, Nancy Nida, by and through her attorneys, Lanza & Smith, PLC,
25 hereby provides notice that the above entitled action (the “Action”) alleging,
26 concerning and/or affecting title to, or the right possession of, the real property
27 described as Lot 14, Walden Park, 1109 W. Walden Park Drive, Murray, UT 84123,
28 APN 21-14-177-005, in the County of Salt Lake, State of Utah (hereinafter the

1 “Property”), was commenced on December 12, 2017, in the above-captioned Court,
2 against Defendants and Does 1 through 10. The Action remains pending in the
3 above-entitled Court.


4 The object of the Action, as set forth in the Complaint filed in Court on
5 December 12, 2017 (the “Complaint”), is to ensure re-payment of a debt incurred
6 under a promissory note and guarantee by avoiding and/or setting aside the wrongful
7 transfer of the Property by the debtor(s), and by imposing a constructive trust to
8 ensure restitution and/or disgorgement of funds potentially obtained by means of the
9 wrongful disposition or encumbrance of the Property.

10 The parties to the action are the above-named Plaintiff and Defendants, and the
11 current title owner of record for the Property is believed to be BG Real Estate
12 Services, LLC, a Defendant in the Complaint.

13 This Notice of Pendency of Action [Lis Pendens] – Utah was mailed via the
14 U.S. Post Office, Certified, Return Receipt Requested, to the last known addresses for
15 Defendants as per the attached Proof of Service.

17 LANZA & SMITH
18 A Professional Law Corporation

19
20 December 13, 2017


21 Anthony Lanza
22 Attorneys for Plaintiff,
23 Nancy Nida
24
25
26
27
28

1
2
3 ACKNOWLEDGEMENT


4 A notary public or other officer completing this certificate verifies only
5 the identity of the individual who signed the document to which this
6 certificate is attached, and not the truthfulness, accuracy, or validity of
7 that document.

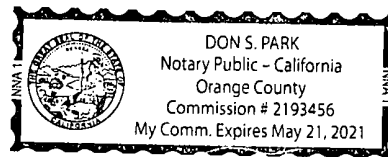
8 STATE OF CALIFORNIA
9 COUNTY OF ORANGE

10 On DECEMBER 13, 2017, before me, DON S. PARK a Notary Public, personally
11 appeared Anthony Lanza, who proved to me on the basis of satisfactory evidence to be the person
12 whose name is subscribed to the within instrument and acknowledged to me that he executed the
13 same in his authorized capacity, and that by his signature on the instrument the person, or the entity
14 on behalf of which the person acted, executed the instrument.

15 I certify under PENALTY OF PERJURY under the laws of the State of California that the
16 foregoing paragraph is true and correct.

17 WITNESS my hand and official seal.

18
19 Signature: 
20
21 Name of Office: PACIFIC MAIL
22
23
24
25
26
27
28



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF ORANGE
Nancy Nida v. Allcom, et al.

I am a citizen of the United States, over the age of 18 years, and employed in the County of Orange, California. I am not a party to the within action. My business address is 3 Park Plaza, Suite 1650, Irvine, CA, 92614.

On **December 13, 2017**, I served the following documents: **NOTICE OF PENDENCY OF ACTION [LIS PENDENS] – UTAH**, on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope addressed as follows:

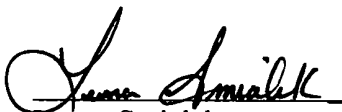
- | | |
|--|---|
| Allcom
Thomas Skala, Agent for Service of Process
18034 Ventura Blvd., #400
Encino, CA 91316 | Bruce Harold Boyd
107 Highland Street
Newport Beach, CA 92663 |
| Peggy Louise Dace
107 Highland Street
Newport Beach, CA 92663 | BG Real Estate Management, LLC,
Dbas, BG Real Estate Services
Bruce Harold Boyd, Agent for Service of Process
107 Highland Street
Newport Beach, CA 92663 |
| Newport Pelican Group, Inc.
Bruce Harold Boyd, Agent for Service of Process
107 ½ Highland Street
Newport Beach, CA 92663 | |

 BY MAIL: I caused such envelopes (with postage thereon fully prepaid) to be placed in the United States mail at Irvine, California. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business. I am aware that on motion of parties served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposition for mailing specified in the affidavit.

 X **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED:** I deposited these documents with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident of or employed in the county where the notice was mailed. I used certified mail and requested a return receipt.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed **December 13, 2017**, at Irvine, California.


Leona Smialek