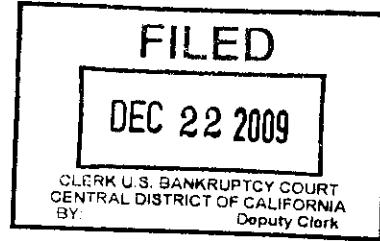


1 Phillip B. Greer
LAW OFFICES OF PHILIP B. GREER
2 1280 Bison Road, B9-531
Newport Beach, California 92660
3 Tel: (949) 640-8911 Fax: (949) 759-7687

4 Attorney for Defendant, Chriss Street
5



6
7
8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11
12 In re: Fruehauf Trailer Corporation, et al.,
13 Debtor,

) Case No.: 96- 01563 through 96-0
) 1572 (Jointly Administered)

) Adv. 2:08-AP-01868-RN

14
15 Daniel W. Harrow, as successor Trustee of the
End of the Road Trust,

) **DEFENDANT'S NOTICE OF MOTION**
) **AND MOTION TO CONTINUE TRIAL**
) **DATE; [PROPOSED] ORDER**

16 Plaintiff,

) Date: *Jan. 13, 2010*

17 vs.

) Time: *9:30 a.m.*

18 Chriss W. Street, as former Trustee of the End
19 of the Road Trust,

) Courtroom: 1645

20 Defendant

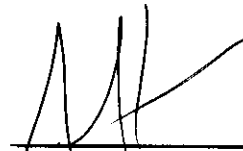
) Current Trial Date: February 3, 2010
) Proposed Date: June 30, 2010

21
22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 The Defendant, Chriss Street, by and through his counsel of record, Philip B. Greer,
24 hereby moves the court for its order continuing the trial setting of the above-entitled action from
25 February 3, 2010, the date presently set, to a date on or after June 30, 2009. This motion is based
26
27

1 on the attached points and authorities, the attached declarations of Senator John R. Lewis and
2 Phillip B. Greer, all Exhibits attached thereto, and the files and records in this case.

3
4 Dated this 10th day of December, 2009



PHILLIP B. GREER
Attorney for Defendant
Chriss W. Street

1 BACKGROUND

2 On October 9, 2008 this matter was ordered transferred from the United States
3 Bankruptcy Court, District of Delaware, to the United States District Court, Central District of
4 California. The Court held a Pre-Trial Conference on September 16, 2009 where the Court set
5 the trial date in this matter for February 3, 2010. At the time of the hearing, Counsel for Mr.
6 Street asked the Court to set the trial date sometime after the first week of June 2010. This
7 request was based upon Mr. Street's upcoming campaign for re-election. This request was
8 rejected and the Court set the current trial date.
9

10 As predicted, the mere setting of the trial date set off another wave of negative press as to
11 Mr. Street. And, as demonstrated, this negative media report, as well as the continuing media
12 coverage that this trial will generate, will severely damage Mr. Street's re-election efforts and
13 bias and prejudice the voting public in such a manner the Mr. Street will have difficulty
14 recovering. Continuing the trial will allow Mr. Street to run on his record, and not on
15 manipulated media reports, so that he can be judged fairly by the voters.
16

17 Mr. Street is the current Treasurer-Tax Collector for Orange County, a position elected
18 by the voters of the same county. As an elected public official, Mr. Street's office and career are
19 subject to re-election. Mr. Street is up for re-election on June 8, 2010, Mr. Street has announced
20 his intention to run for reelection. Candidates seeking to oppose Mr. Street have until March 10,
21 2010 to file papers with the Orange County Registrar of Voters announcing their intention to
22 challenge Mr. Street. Currently, Mr. Street is unopposed. However, should this matter go to trial
23 on February 3, 2010, the media attention that will be generated by this litigation, and the ability
24 of Mr. Street's political opponents to manipulate that coverage so close to the close of candidate
25
26
27

1 filing and the election will allow his political opponents, including Daniel Harrow, the
2 opportunity and ability to poison the political environment and, quite possibly, steal the election.

3 Instead of judging Mr. Street on his record, the voters of Orange County will be subject
4 to a barrage of negative campaign mail manipulated to infer to and project upon Mr. Street
5 crimes and indiscretions for which he is either not alleged to have committed or has yet to be
6 found liable for..

7
8 As an elected public official, Mr. Street faces numerous critics and detractors, regardless
9 of the validity of the criticism. It is widely anticipated that such critics and detractors will seize
10 the opportunity of this trial, if conducted prior to both the candidate filing deadline and the
11 election, to manipulate and stage-manage information from the trial, regardless of its accuracy or
12 veracity, in an effort to derail Mr. Street's campaign and ultimately deny Mr. Street a fair
13 opportunity to seek re-election. Moreover, manipulated publicity from the trial will also
14 potentially harm or wrongly influence the voters of Orange County and could negatively impact
15 the election. The Declaration of Senator John Lewis, considered one of the most able political
16 consultants in the State of California, clearly demonstrates how a newspaper article can be
17 massaged and manipulated to paint a very negative, very incorrect picture of Mr. Street, or any
18 candidate. And, it is easy to imagine the nature of the campaign against Mr. Street by opponents
19 and opportunists with the anticipated testimony of individuals such as Daniel Harrow who not
20 only has a personal financial interest in the outcome of this litigation, and, as such, in destroying
21 the credibility and veracity of Mr. Street but whose vindictiveness and animosity has already
22 clearly been shown by his comments, both on and off the record, and his leaks to the press.
23
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1 Therefore, in an effort to ensure that Mr. Street is not prejudiced or harmed or denied the
2 opportunity to participate in a fairly conducted election, Mr. Street respectfully requests a short
3 continuance to the later part of June 2010.

4 Mr. Street and the voters of Orange County are the only parties that would be prejudiced
5 and harmed if such a continuance is not granted. Plaintiff has obtained all discovery in the
6 matter and the case has moved diligently forward under the guidance of this Court. Thus,
7 Plaintiff will suffer no harm or prejudice should the Court grant the continuance.
8

9
10 POINTS AND AUTHORITIES

11 It is a well known principal in the Ninth Circuit that a court has broad discretion in ruling
12 upon motions to continue. *See, Danjaq LLC v. Sony Corp.*, 263 F.3d 942, 961 (9th Cir. 2001) In
13 making such a determination, four factors are considered by the Court: 1) the moving party's
14 diligence in preparing for the original deadline; 2) the likelihood that the need for the
15 continuance would have been met if the court had granted the motion; 3) the inconvenience the
16 continuance would have caused the court and the opposing party, including its witnesses; and 4)
17 the prejudice the moving party suffered because the continuance was denied. *See, United States*
18 *v. Flynt*, 756 F.2d 1352, 1358-59 (9th Cir.), amended by, 764 F.2d 675 (9th Cir. 1985).
19

20 Here, the Defendant has been diligently preparing for trial and has provided all discovery
21 requested and made all witnesses and experts available for deposition. Second, the need for this
22 continuance is both obvious and real, as detailed in Senator Lewis' Declaration. The Court, by
23 granting this Motion to Continue, will ensure that any trial publicity will not interfere with Mr.
24 Street's re-election campaign. The requested date to continue the trial is immediately after the
25 election and all risk of harm or prejudice to Mr. Street and/or the voters of Orange County will
26 have passed. Third, the inconvenience to Plaintiff and this Court would be only minimal. Mr.
27

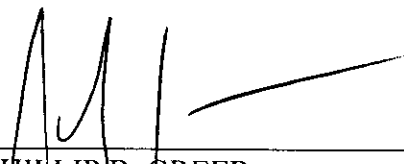
1 Street only requests a month (5) month continuance. This request will not impact any aspect of
2 this litigation. Lastly, the Plaintiff will not be prejudiced in any manner. As previously stated,
3 all discovery requests have been responded to and Mr. Street has actively participated in moving
4 this case forward. This case has bounced around the country for a number of years, a few extra
5 months will harm no party while going forward will seriously harm Mr. Street. No other
6 Motions to Continue have been filed by Defendant and Defendant will be prepared to move
7 forward with the trial date in late June.
8

9 Politics is a very rough, contact sport and as the stakes become higher and higher, the
10 contact becomes even more brutal. To allow the courtroom to become simply another source of
11 political mischievousness is to denigrate the integrity of the judicial process. While our legal
12 system remains an arena where we search, unabashedly, for truth, our political process has
13 become an arena where we unabashedly fight for victory. To allow the search for truth, with its
14 openness and free flow of ideas, opinions and positions, to become just another weapon in the
15 battle for political victory cheapens the judicial process. A short continuance in this matter
16 removes both the opportunity and temptation by the participants in this litigation, and those
17 outside the courtroom with a vested interest in this litigation's outcome, to look beyond the
18 finding of the truth and towards the manipulation of the judicial process for political gain.
19

20 For all of the foregoing reasons set forth hereinabove, Defendant Mr. Street respectfully
21 requests that this Court grant this Motion to Continue and continue the trial date to sometime
22 after June 15, 2010.

23 Dated: December 9, 2009

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PHILLIP B. GREER
Attorney for Defendant
Chriss Street

1 the courtroom for its own purposes. I have seen firsthand how witness testimony has been taken
2 out of context, edited and manipulated by political opponents and opportunists and then used in
3 political campaign mailers to damage or destroy a candidate while, by citing that the quote or
4 statement came from court testimony, giving that manipulated, out of context statement a sense
5 of legitimacy due to its "source." These political pieces confuse and disorient the voter who, as a
6 result, has no opportunity to judge the candidate on his merits and accomplishments.

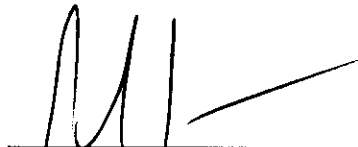
7 9. While Mr. Street is prepared to move forward on the current trial date, a six (6) month
8 continuance would allow the voters to cast their votes in June un-biased by falsities, and would
9 allow Mr. Street to focus on the trial without worrying about the political impact of courtroom
10 statements.

11 10. Mr. Street has responded to all discovery requests and is prepared to move forward with
12 trial, but for the issue at bar regarding the prejudicial effect of the trial on Mr. Street's campaign
13 and has been a diligent participant in moving this case forward.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed at Newport Beach, California this 9th day of December 2009.

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Phillip B. Greer

1 Phillip B Greer
2 Attorney at Law
3 1280 Bison Road B9-531
4 Newport Beach, California
5 92660
6 (949) 640-8911
7 (949) 759-7687 fax

8 Attorney for Defendant
9 Chriss W Street

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12	In re: Fruehauf Trailer Corporation et al,) Case No.: Adv 2:08-AP-01868-RN
13	Debtor)
14	_____)
15	Daniel W Harrow, as successor Trustee of)
16	the End of the Road Trust,)
17	Plaintiff)
18	v)
19	Chriss W Street, as former Trustee of the)
20	End of the Road Trust,)
21	Defendant)

22 I, John R Lewis, declare:

23 I am a resident of the County of Orange, State of California. I make this
24 declaration of my own personal knowledge and belief. If called upon to testify, I would
25 and could testify as follows:

1 From 1980 to 1991, I served as a Member of the California State Assembly
2 representing a significant portion of Orange County. From 1991 to 2000, I served as a
3 Member of the California State Senate representing an even larger portion of Orange
4 County. In 2000, I left public office pursuant to term limits and opened Lewis Consulting,
5 which I have owned and operated since that time. One of the primary services provided
6 by Lewis Consulting is political campaign consulting. Having been involved in electoral
7 politics in Orange County for almost thirty (30) years, I believe that I have an intimate
8 knowledge and understanding of how campaigns are run in Orange County and what
9 does, and does not, impact the voters.

10 In the mid 1980's I served as the Election Chair for the Assembly Republican
11 Caucus and in that capacity I worked collaboratively with numerous campaign
12 consultants. This would include reviewing campaign literature designed to both support
13 Republican nominees and oppose Democrat nominees. A common campaign tactic,
14 especially in local races, is the creation and distribution of campaign mailers that
15 attempt to portray an opponent in a very negative light. Such mailers, among political
16 insiders, are referred to as "hit pieces."

17 Since starting Lewis Consulting in 2000, I as a consultant to numerous campaigns,
18 have had to deal with the effect on and ramifications to campaigns and candidates who
19 are the subject of such attacks. It is very difficult to come back from such an attack,
20 especially if the attack extracts out of context verbiage from main stream media outlets
21 and is utilized shortly before the election.

22 Recently, I reviewed an article in the September 16, 2009 Orange County Register
23 regarding the last Court hearing in this matter. A copy of that article is attached to this
24 declaration as Exhibit A. The fifth paragraph of the article reads in context, "The lawsuit
25 alleges that Street milked Freuhauf to enrich himself and to build a trucking empire...."

1 It would be expected in a competitive campaign that a consultant, working for Mr.
2 Street's opponent, will manipulate the context of that story and use, as the headline on
3 a political mailer, "...Street milked Fruehauf to enrich himself..." and then cite the
4 Register and the date. The manipulation of a news article such as this would have a
5 severely negative impact on Mr. Street's election campaign.

6 I have been informed that this lawsuit is scheduled to go to trial on February 3,
7 2010. The timing of this would be extremely prejudicial to Mr. Street and his campaign.
8 Even if he is exonerated subsequent to the trial, the comments, testimony and news
9 reports generated by a trial, can be taken out of context and manipulated so as to have
10 a significant impact on the impression the voters have of Mr. Street. And, given the short
11 amount of time between the trial and the election, it will be extremely difficult, if not
12 impossible, for Mr. Street to overcome this manufactured prejudice.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed
14 at Orange, California this ____ day of December, 2009.

15
16
17
18 _____
Sen John R Lewis (ret)

February 3, 2010. The timing of this would be extremely prejudicial to Mr. Street and his campaign. Even if he is exonerated subsequent to the trial, the comments, testimony and news reports generated by a trial, can be taken out of context and manipulated so as to have a significant impact on the impression the voters have of Mr. Street. And, given the short amount of time between the trial and the election, it will be extremely difficult, if not impossible, for Mr. Street to overcome this manufactured prejudice.

I declare under penalty of perjury that the foregoing is true and correct.
Executed at Orange, California this 10th day of December, 2009.

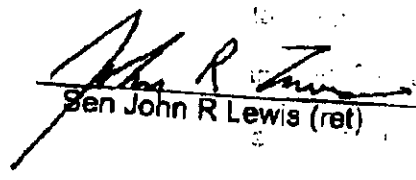

Sen John R Lewis (ret)

EXHIBIT A

Wednesday, September 16, 2009

Fraud trial set for O. C. Treasurer Chriss Street

Judge sets Feb. 2 for long- delayed civil lawsuit against O.C. treasurer-tax collector.

By **RONALD CAMPBELL**

The Orange County Register

Orange County Treasurer-Tax Collector
Chriss Street will face trial early next year in
a \$7 million fraud lawsuit.

U.S. Bankruptcy Judge Richard M. Neiter
scheduled the three-day trial to start Feb. 2
in Los Angeles.

Street had wanted to delay the trial past June
8, when he is up for reelection. By choosing
an earlier trial date, Neiter all but assured a
verdict before the March 12 candidate filing
deadline. He will hear the case without a jury.

Street was trustee of the bankrupt Fruehauf

Trailer Corp. for nearly seven years, until he
was forced out in August 2005. His
successor as trustee, Los Angeles money
manager Daniel Harrow, sued Street for
fraud in February 2007, shortly after Street
became county treasurer.

The lawsuit alleges that Street milked
Fruehauf to enrich himself and to build a
trucking empire, rather than repay
Fruehauf's thousands of creditors. Street
has said he successfully managed Fruehauf
and that Harrow is pursuing a political
vendetta.


The case has bedeviled Street's political
career and personal finances.

He has had to give extensive testimony
twice. Both times, the transcripts became
public. The transcripts revealed that Street
had billed Fruehauf for lavish trips and meals
as well as \$7,000 in double-billings for a
laptop computer, \$6,000 for a personal
trainer and \$1,100 for an overnight trip to a
luxury hotel in New York.

Street has said his expenses were in line
with what his contract allowed.

The transcripts came on top of official
controversies, including an extensive
remodel of his office and his purchase of a
\$80 million structured investment vehicle
that later defaulted.

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THE ORANGE COUNTY
REGISTER
ocregister.com


The long-running case also has drained his wallet. He mortgaged and then sold his Corona del Mar home in 2007 to pay legal bills. He ran up an additional \$640,000 in unpaid fees to a Delaware law firm before that firm abandoned him in October 2008.

Court papers at the time said that Street was broke and could no longer fund his defense.


But his local attorney, Philip Greer, said then that the situation was not so dire: "It has hurt him, but it has not broken him," Greer said at the time. "He's not selling oranges by the freeway."

Contact the writer: 714-796-5030 or
rcampbell@ocregister.com





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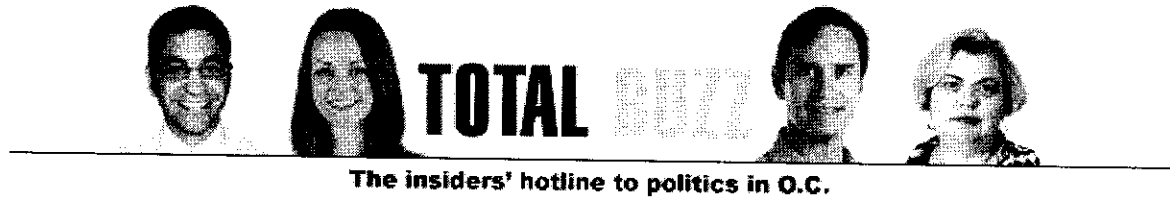
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The Street affair: a rundown

March 17th, 2006, 4:11 pm · [1 Comment](#) · posted by [William Diepenbrock, Editor](#)

I had a good, long sit down with **Chriss Street**, going through the court filing page by page. Click below to see some of the primary allegations and his responses.

– *Martin Wisckol*

Treasurer candidate Chriss Street was the court-appointed trustee who oversaw the bankruptcy reorganization and liquidation of Freuhauf Trailer Corp. from 1996 to 2005. Among the dozens of allegations made a Street in a bankruptcy court document filed this week:

–Street failed to file tax returns for the company trust for 1997 and 1998. Street responded: “There was no advantage in filing tax returns because it was a bankrupt estate that was liquidated.”

–There were no audits done in 2001 and 2002. Street said it was a cost-saving measure - that such audits cost more than \$100,000 - and that the tax returns for those years gave a detailed financial picture.

–The trust started with \$24 million in assets but paid out just \$11 million to interest holders. Street responded that \$47 million has been distributed to interest holders.

–Street and his wife received \$2 million in salary, and spent at least \$11.7 million in overhead and expenses. Street did not dispute these numbers, but added that legal expenses were typically high and accounted for around half of the overhead and expenses.

–There are six ongoing federal investigations into trust transactions that took place under Street. Street defended his actions in each case. He said Freuhauf was the subject of many investigations before the bankruptcy, and in such cases it's not unusual to have continued scrutiny from investigators.

–Street had a conflict of interest because he was running the trust - whose responsibility was to debtors - and influencing the Fruehauf pension plan - which was responsible to employees and retirees. Street said that although his company, Street Asset Management, was managing some of the pension funds, that strict parameters were established by the pension oversight board.

–The purchase of American Trailer was a failed side venture using trust money. Street said the company was purchased so that the Mexican arm of Fruehauf to sell trucks in the U.S. under the American Trailer name, and for American Trailer equipment needed by the Mexican company.

–The purchase of Dorsey Trailer was another failed side venture using trust money. Street said the acquisition was done by the Fruehauf pension plan, and he had no hand in the decision.

–One of the trust's entities made a \$5,000 donation to the Newport Water Polo Foundation. Street defended the donation as supporting the Olympic water polo team and it was good for business, with advertising on tournament programs and a place to take clients.

–Street's wife, Victoria, a former banker, was on the payroll and took all-expense paid trips to Hawaii, Brazil, Chile, Argentina and Mexico. Street said the trips related to Fruehauf's Mexican operation or were company retreats.

Orange County post becomes embroiled in controversy

By NORBERTO SANTANA JR.
2006-04-22 03:00:00

SANTA ANA - Developments this week in Chriss Street's quest to become Orange County's next treasurer/tax collector:

The expired appointment

Background: In January, Treasurer/Tax Collector John Moorlach hired a long-time associate, Chriss Street, as assistant treasurer/tax collector after holding a one-day official recruitment for the civil service post.

Moorlach has said he conducted informal interviews for two years with treasurers throughout Orange County with no takers until Street applied.

Yet last week, county human-resources officials told Moorlach he would have to reopen the recruitment because the "limited term" appointment given to Street had run out in mid-March.

The latest: On Friday, the county's largest union sent officials a formal notice asking for documents on the appointment and notified them that Patrick Desmond - who is running against Street in June - also wants to apply for the assistant post.

Nick Berardino, general manager for the Orange County Employees Association, wrote that "OCEA wants to ensure that in Orange County positions are filled by merit and not by political cronyism."

The bankruptcy controversy

Background: Last month, a 63-page bankruptcy filing surfaced that accused Street of "mismanagement, conflicts of interest and greed" while he was the trustee charged with liquidating Freuhauf Trailer Corp. from 1998 until last year.

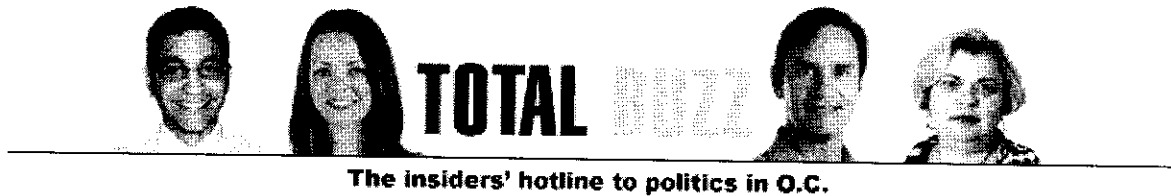
The latest: This week, two supervisors - Bill Campbell and Chris Norby - who are reconsidering their endorsement of Street met with him to discuss their concerns about the report.

Campbell - who is chairman of the board - said Street did a good job of answering his questions and announced that his endorsement stood.

Campbell said Street's background in evaluating and managing investments makes him think he's the best person for the job.

Yet Campbell also seemed to leave his options open by noting, "I hope there's nothing else coming out of the woodwork."

Contact the writer: 714-285-2862 or nsantana@ocregister.com



Chriss Street misses deposition

May 24th, 2006, 2:16 pm · Post a Comment · posted by William Diepenbrock, Editor

Attorneys are trying to get treasurer candidate **Chriss Street** cited for contempt.

Street failed to appear for a scheduled deposition Monday, despite being served with a subpoena on May 6. So on Tuesday Street's successor as trustee of bankrupt Fruehauf Trailer Corp. filed a motion in Delaware bankruptcy court, seeking a contempt citation. A judge will hear the motion no earlier than June 20, two weeks after the election.

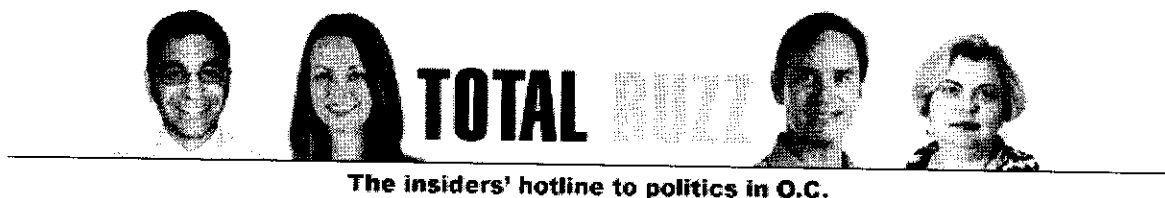
While Street did not show up Monday, his attorney did.

A 5-page transcript of the session, filed in court, quotes Street attorney **Phil Greer** saying Street would be willing to testify after the June 6 election. Greer added that he's concerned that "this somehow will leak out to the press. And (I) would just put on the record that we will find any type of leaks to be very suspect."

Greer told The Register today that he had told the trust's attorneys that Street would not be available on Monday and that he had given them "five or six dates when Chriss was available." The contempt motion is "just a political stunt," he said.

Read more about Street's Fruehauf travails [here](#).

– *Ron Campbell*



The civil suit against Chriss Street

May 31st, 2006, 2:10 pm · Post a Comment · posted by William Diepenbrock, Editor

If somebody had a civil suit accusing me of fraud and seeking more than \$773,000, I would be keeping track of where it was in the courts. Not treasurer candidate **Chriss Street** though. Perhaps this is what they mean when they say that the rich are different from you and me.

Street told me yesterday that he didn't even know the suit was active. I started tracking down the suit for an overview story of the treasurer's race, which should run in the next day or two. When I asked Street's campaign manager, **Brett Barbre**, about the suit last week, he said it had been dismissed. As evidence, he emailed me a December court order.

The court order, in fact, did not terminate the case but just said that more information was required if the case was to proceed. The court docket's most recent entry, April 5, makes it clear the case is active.

"I haven't heard anything about it," Street said yesterday, when I pointed out the docket entry.

– *Martin Wisckol*

The gist of the complaint, in which Street is now the sole defendant and Double A Trailer Sales is the plaintiff, is that Double A gave Street nearly \$1 million as an advance on trailers manufactured by a bankrupt company Street was overseeing — and never got their trailers.

Street responded that it was a matter for bankruptcy court, not civil court — and besides, the company had committed to a far larger financial investment to manufacture trailers than they delivered.

Street, of course, is no stranger to attacks and controversy. Many of his travails can be found here.

– *Martin Wisckol*

Chris Street loses support of 2 officials

By MARTIN WISCKOL and RON CAMPBELL
2006-05-11 03:00:00

County supervisors Bill Campbell and Chris Norby have withdrawn their endorsements of county treasurer candidate Chris Street, citing an investigation into Street launched by District Attorney Tony Rackauckas last week.

"There's a lot of uncertainty swirling around about this, and I'll leave it to the courts to decide," Campbell said.

Street has come under fire for his management of bankrupt Fruehauf Trailer Corp., which he headed from 1996 until he was fired in July. In March, Street's successor as trustee, Daniel Harrow, filed a report detailing Street's activities, saying his tenure was marked by "mismanagement, conflicts of interest and greed."

Rackauckas also withdrew his endorsement - a move to avoid any conflict of interest, he said. County Treasurer-Tax Collector John Moorlach, who is vacating the seat to run for supervisor, has not only endorsed Street but helped get him the post of assistant treasurer-tax collector.

But Moorlach would not rule out backing away from Street if it became clear that he was involved in wrongdoing.

Street has called Harrow's report the work of a disgruntled employee he had fired and has filed a defamation suit against him. Street publicly released supervisors Campbell, Norby and Jim Silva from their obligations last week. Silva is sticking with his endorsement.

Contact the writer: (714) 796-5030 or rcampbell@ocregister.com

Tough road ahead despite victory

By NORBERTO SANTANA JR.
2006-06-07 03:00:00

Beleaguered Assistant Treasurer/Tax Collector Chriss Street appeared headed toward an easy victory in his bid to succeed John Moorchach, who in early returns Tuesday night looked as if he would move on to the county board of supervisors.

But winning office may be the easiest it gets for Street.

Street appeared to have a clear route to succeed Moorchach when he was appointed second-in-command in January.

Yet a few months later, documents arose from a series of court actions accusing Street of "mismanagement, greed and conflicts of interest" while he acted as a bankruptcy trustee.

In addition to federal probes, Street is also at the center of an investigation by District Attorney Tony Rackauckas. That inquiry triggered the loss of Street's biggest name endorsements from county supervisors.

Street was challenged by Patrick Desmond, who works in the county assessor's office. During the campaign, Desmond questioned how Street was appointed to the assistant job, alleging cronyism and ballot engineering. He later called on supervisors to remove Street until all investigations had finished.

Since the allegations against Street surfaced, he has continually characterized them as politically motivated. He expects all investigations will clear his name.

Street first came to prominence in Orange County, along with Moorchach, as one of the few that rang alarm bells over risky investments that eventually caused the county to declare bankruptcy in 1994.

He has identified his biggest priority in office as helping to address and manage the county's large unfunded liabilities for employee pensions and retiree medical costs, now estimated at more than \$3 billion.

County Assessor

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RESULTS

676 of 2,076 precincts

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Larry Bales 39,311

Mike LeBeau 38,872

WHAT'S NEXT: Incumbent's new term begins in January.

Contact the writer: nsantana@ocregister.com or (714) 285-2862



The insiders' hotline to politics in O.C.

Chriss Street as Mexican trailer mogul?

December 15th, 2006, 12:42 pm · [Post a Comment](#) · posted by [William Diepenbrock, Editor](#)

New county Treasurer-Tax Collector **Chriss Street** filed [a court document](#) last week arguing that he's been blocked from buying a Mexican trailer manufacturer.

Is our county treasurer going to moonlight as a Mexican trailer mogul?

– *Martin Wisckol and Ronald Campbell*

In March, Street made headlines when a bankruptcy-court document accused him of “mismanagement, conflicts of interest and greed” while he was court-appointed trustee of the former Fruehauf Trailer Corp.

The legal skirmishing between Street and his replacement as trustee has continued since. Additionally, in October, Street paid an undisclosed amount to settle in a civil-fraud suit related to his trusteeship of Fruehauf.

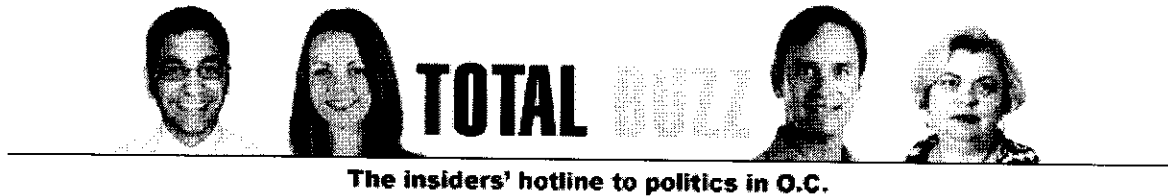
It's a complex web, and the intent of Street's latest filing — to be heard Tuesday in Delaware bankruptcy court — remains a bit murky. Both Street and his attorney declined comment until after the hearing.

But the document clearly states that Street put together a group to buy Fruehauf de Mexico, which was one of the assets of the trust that Street was in charge of until last year. The filing also says that the trustee that replaced Street has repeatedly rebuffed offers to buy the Mexican company — despite it being for sale.

Most recently “the Trustee simply refused to return (Street's representative's calls) or even acknowledged that he wanted to make a bid for the company.”

You can see the Total Buzz dossiers on Street [here](#) and [here](#).

– *Martin Wisckol and Ronald Campbell*



Chriss Street sued

February 2nd, 2007, 10:22 am · 1 Comment · posted by William Diepenbrock, Editor

A political headache became a financial headache for Treasurer-Tax Collector **Chriss Street** today.

Dan Harrow, who replaced Street as trustee of the bankrupt Fruehauf Trailer Corp. in the summer of 2005, sued Street this morning for allegedly mismanaging the trust. Harrow is seeking \$7 million in damages.

The lawsuit says Street used the trust to improperly enrich himself, charging personal expenses that ranged from a Botox injection to a personal trainer to a \$1.06 candy bar. The trust also paid his personal credit card bill and hired a private plane for his family.

No comment yet from Street's people who have just started reading the 45-page complaint.

See the full story, including a link to the lawsuit, at ocregister.com.

– *Ronald Campbell*

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Treasurer wants trust to pay his legal bills

By RONALD CAMPBELL
2007-03-22 03:00:00

Orange County Treasurer-Tax Collector Chriss Street wants the bankruptcy trust he ran for seven years to pay \$600,000 in legal bills he faces for allegedly mishandling the fund.

The Fruehauf Trailer Corp. trust paid him \$1.8 million over seven years but also saddled him with big legal headaches.

Street had to resign as trustee in August 2005. The trust is suing him in a Delaware bankruptcy court for \$7 million, alleging fraud and breach of fiduciary trust.

In a motion filed this week, Street objected to a plan to give the trust's one big asset, a Mexican truck trailer manufacturer, to creditors. He said if the trust gives up the Mexican company, it may not have enough left to pay his bills. Street wants to buy the Mexican company himself.

Street said in court papers that he expects to beat the trust's lawsuit against him. When he does, the trust will have to pay his legal bills, he said.

Street did not say how much he already has paid in Fruehauf-related expenses. He said past and future bills likely will top \$600,000.

Street repeatedly has accused his successor as trustee, Los Angeles investment banker Daniel Harrow, of waging a vendetta against him.

Street spokesman Brett Barbre said Street would not comment on the case but would "let the legal process take its course."

Harrow also declined to comment.

Street also wants the trust to pay his fees in connection with a pending U.S. Labor Department investigation into his handling of Fruehauf's pension fund. The Labor Department opened the investigation in July 2001, soon after Street used assets from the fund to buy the bankrupt Dorsey Trailer Co. Dorsey collapsed three years later, forcing a federal takeover of the pension fund.

Street wants the trust to pay his expenses for a fraud lawsuit filed by a former Dorsey customer. He settled that suit on undisclosed terms last year.

Contact the writer: 714-796-5030 or rcampbell@ocregister.com

OC Treasurer Street: No 'nefarious scheme to defraud'

By RONALD CAMPBELL
2007-11-12 05:00:00

Chriss Street double-billed a bankrupt trust for thousands of dollars in expenses, including a \$3,584 laptop computer and \$1,200 in office supplies, according to newly released court records.

The records show that he charged the trust tens of thousands more for luxury hotels in Hawaii, New York City and St. Petersburg, Fla., plus gourmet meals and a personal trainer.

The End of the Road Trust is suing Street, now Orange County's treasurer-tax collector, for \$7 million. The lawsuit alleges that Street looted the trust during his seven-year tenure as trustee.

At The Register's request, the trust released nine days of testimony by Street plus two days of testimony by his wife Victoria and some 200 exhibits. Together the testimony and exhibits offer by far the most detailed account of Street's career as a bankruptcy trustee.

In addition to the lawsuit, Street faces criminal investigations by county and federal prosecutors.

The Register has sought since Thursday to talk with Street for this story. An attorney for Street said Monday he was unavailable but would be willing to talk on Tuesday.

In often-combative testimony, Street defended most of his decisions as trustee. But he conceded under oath that he had made some mistakes.

Among them: collecting more than \$7,000 in reimbursements from the trust after buying a \$3,584 laptop computer for his private business in January 2005.

Trust records show he turned in a price quote for the computer to his wife, who then wrote him a check on the trust's account. He had already charged the computer on his company-paid credit card.

"I fully acknowledge that this is not correct," he said in the Sept. 26, 2006, deposition. "It's definitely a mistake."

The next day his attorney, Phil Greer, gave the trust a check for \$7,165.86, telling the attorney for the trust, "But again, that's done without any admission of liability or any responsibility."

TRAVELING MAN

Hundreds of pages of testimony focused on Street's explanation for expenses that he charged to the trust:

The trust paid nearly \$10,000 to send Street, his wife and son, and several trust executives to a Hawaiian resort in early December 2002. Street testified that he returned home the day after arriving because one executive had served liquor to his underage child. "I thought that

inappropriate things had happened," he testified, "and I do not allow inappropriate things to happen, and we went home." He said the tour had provided the trust one valuable benefit -- exposing the attitude of the executive, whom Street fired weeks later.

- The trust paid \$6,000 for Street's personal trainer in 1999. Street said he needed rehabilitation for a bad back.

The trust paid \$1,100 in March 2005 to send Street and his wife on an overnight trip to New York to attend an economic seminar. They stayed at the Michelangelo, a midtown Manhattan hotel which boasts it is among the world's greatest. Until they were confronted with credit card records, both Street and his wife testified they had stayed at an airport hotel. He said he brought his wife because he thought the seminar would help in her job at the trust.

The trust paid \$395.84 for an overnight stay in 2002 by Street and his wife at the Don CeSar Beach Resort in St. Pete Beach, Fla., which bills itself as a romantic getaway. Street said they were there to visit a trailer dealer 65 miles away in Lakeland. He said he brought his wife, who was not yet working for the trust, to help him "entertain the dealer and his wife and build a strong relationship for the company."

The trust paid \$750.60 for a dinner at Spago in Beverly Hills on Feb. 13, 2000. Street said he couldn't recall the business purpose for the meal but said he probably ate with an employee, James Wong. Earlier this year, Street awarded Wong, an Irvine business consultant, a \$23,000 no-bid contract with the county.

Street disputed records showing he had double-billed the trust for \$1,286.89 in office supplies. The records showed he charged that amount to his company-paid personal credit card on Aug. 11, 1999, and also submitted a receipt and was reimbursed by check for the same amount. Street said he was unsure if the identical amounts on the same day at the Owensboro, Ken., Staples really were for the same item.

During his testimony, Street also described how he hoped to eventually turn the trust into a thriving business, buy it and run it - even while serving as county treasurer.

A Delaware bankruptcy judge appointed Street as trustee in October 1998. He held the job until he was forced to resign in August 2005. His assignment: to liquidate the remains of the bankrupt Fruehauf Trailer Corp.

But almost immediately, his testimony shows, he set a different course: to transform Fruehauf's struggling Mexican subsidiary into a new truck-trailer manufacturing empire.

'DOMINATE THE WORLD'

In early 1999, less than four months after the trust was created, Street applied to join then-New Jersey Gov. Christie Todd Whitman on a trade mission to South America. He signed an application describing himself, incorrectly, as the chief executive of Fruehauf Trailer Corp. Fruehauf had ceased operations two years earlier.

His written goal for the trip: "To stomp our competition and dominate the world in the manufacture and sales of freight hauling equipment."

The trust paid \$13,000 to send Street and his parents on the 12-day tour. Street initially testified that his previous employer, Comprehensive Care Corp., paid for the trip. He changed his testimony after a trust lawyer confronted him with trust financial records.

During the next six years, at the direction of Street and his subordinates, the Mexican subsidiary pumped at least \$5 million of creditors' money into two bankrupt trailer companies. The trust and a related pension fund had bought those companies in a doomed attempt to expand the subsidiary's business into the U.S.

Sometime during his trusteeship, Street testified, he decided he wanted to buy the Mexican subsidiary himself. He still harbored that hope after he was forced out and even after he was elected treasurer-tax collector in June 2006.

Asked how he could simultaneously serve as an elected official and run a trucking company, he testified, "I'd probably get somebody competent to be the day-to-day person and, you know, telecommute. I guess that's the way you do it, right? In the evenings I would catch up on Fruehauf de Mexico."

Orange County Supervisor John Moorlach - once Street's political patron and now his top critic - said he didn't want to judge Street's desire to run a business and serve in office at the same time.

"Certainly you could delegate everything and never show up, except to sign things," said Moorlach, a certified public accountant who quit his own business when he was appointed treasurer in 1995. "I just did not have the time for it, but that does not mean that others do not."

While Street's testimony could damage him politically, the trust has a long way to go before it can collect a dime from him.

Kenneth Klee, a UCLA law professor and expert on bankruptcy law, said trustees generally are protected from lawsuits over their official actions.

It's not very likely he would be held liable unless he did something really egregious," Klee said. "You really need to have something like gross misconduct in order to hold a trustee liable."

Contact the writer: rcampbell@ocregister.com

O.C. Treasurer Street on the hook for legal bills in fraud case

By RONALD CAMPBELL
2008-09-17 03:00:00

A judge handed Orange County Treasurer-Tax Collector Chriss Street a legal and financial defeat Wednesday.

U.S. Bankruptcy Judge Peter Walsh refused to order a trust Street once headed to pay the treasurer's mounting legal bills.

Those bills, which already exceed \$1.4 million, forced Street to sell his Newport Beach home last year. Street's attorneys claim he can't afford to pay more.

Street was trustee of the former Fruehauf Trailer Corp. from 1998 until he was forced out in August 2005. He was elected county treasurer in June 2006. His successor as trustee, Daniel Harrow, sued him in bankruptcy court in Delaware in February 2007 for \$7 million, alleging fraud and breach of fiduciary duty.

Street wanted the trust to pay for his defense. He argued that his employment agreement - which he signed as both employer and employee - required the trust to advance him money for his legal bills.

Walsh rejected that argument Wednesday.

In a 29-page opinion, Walsh wrote that Street had no authority to make a deal with himself. Street, Walsh said, "represented both sides" in the employment agreement. Neither Walsh, who presided over the bankruptcy, nor Fruehauf's creditors approved it.

The trust agreement, which Walsh and creditors approved in October 1998, said the trust could, at its discretion, advance legal fees for the trustee. The employment agreement that Street signed sometime later said that advancing legal fees was mandatory, not discretionary.

Bottom line: Street can ask Harrow to pay his legal bills, but the court won't make Harrow do it.

"Based upon his representation to the court that he's broke," Harrow said, "I'm not sure it would be prudent to do so."

Street still can seek a trial on the issue - but in the meantime the legal clock keeps ticking and the lawyers' bills still have his name on the label.

"This is only a preliminary and pre-trial motion," Street said. "I still expect to be vindicated and fully indemnified for all the expenses owed me and other monies owed me at the conclusion of the trial."

The fraud suit has been in limbo since May while Street and the trust's lawyers argued over whether the trust had to pay his legal fees. In July Street submitted his personal financial records under seal to Walsh in an attempt to show that he could not pay his legal bills.

"Now that the decision has been made, I'm hopeful this process can get under way," Harrow said. "We can now move forward on the trial and get all the issues dealt with."

Street's lawyers have disagreed about the extent of his financial woes.

In May attorney Scott Wilcox wrote in court papers that Street "can no longer fund his defense."

But Street's local attorney, Phil Greer, insisted at the time that while the Fruehauf case has hurt him, Street is "not broke."

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Fraud trial against O.C. Treasurer Street moves to California

By RONALD CAMPBELL
2008-10-09 03:00:00

A Delaware bankruptcy judge moved Orange County Treasurer-Tax Collector Chriss Street's fraud trial to Southern California today.

In a blow to Street's defense, U.S. Bankruptcy Judge Peter J. Walsh let Street's longtime attorney quit the case. The Bayard firm of Wilmington, Del., said Street owes more than \$640,000 in unpaid legal bills.

Street had asked Walsh to order Bayard to stay on the job. With a trial in the case likely next spring, Street said in a sworn declaration that letting Bayard pull out would "legally decapitate me."

No one asked Walsh to move the case across the country.

But Philip Greer, Street's personal attorney, said he and Street are happy with the decision.

"It brings it closer to home," Greer said. "It makes it easier for Mr. Street to defend himself against the scurrilous charges that have been brought against him."

The Fruehauf Trailer Corp. bankruptcy trust is suing Street for allegedly mismanaging and defrauding it. Street ran the trust from October 1998 until August 2005, when creditors forced him out.

His successor as trustee, Los Angeles investment banker Dan Harrow, sued Street for fraud in February 2007, seeking \$7 million.

The lawsuit alleged that Street treated the trust as his personal piggybank, charging lavish trips, meals and other expenses to the trust. Among the alleged expenditures: \$7,000 in double billings for a laptop for his personal use, \$6,000 for a personal trainer and \$1,100 for an overnight trip by Street and his wife to a luxury hotel in midtown Manhattan.

Street has countered that he turned around a failing enterprise, reaping millions for creditors. His expenses, he has said, were well within what his employment agreement allowed.

His fight with the trust became public midway through his successful campaign for treasurer in early 2006. The lawsuit was filed two months after he took office.

Aside from the political damage, the lawsuit has become a financial millstone around Street's neck.

He mortgaged, then sold his Newport Beach home to pay legal bills. As the fees continued to swell, he spent two years trying to force the trust to pay them. Walsh shot down that bid three weeks ago, leading directly to the Bayard law firm's withdrawal.

Greer said Street will pay Bayard's bill when he can.

The trust lawsuit is only the most prominent legal headache that has followed Street from Fruehauf.

The U.S. Labor Department opened an investigation days after he left the trust. Court records suggest the Labor Department suspected Street of self-dealing in his management of a Fruehauf pension plan.

The pension plan went bust in October 2004 and was taken over by the government-sponsored Pension Benefit Guaranty Corp. The status of the Labor Department investigation is unknown.

In summer 2007 a spokeswoman for the Orange County district attorney said that the U.S. attorney's office was investigating Street. The status of that investigation is also unknown.

The district attorney also investigated Street but dropped his probe two months ago.

In late 2006 he paid an undisclosed settlement to Double A Trailer Sales, an Ohio trailer dealer, which had sued him for fraud over a business deal.

Moving the trust lawsuit to Southern California should limit Street's legal bills. Although Walsh didn't specify which of five federal courthouses would get the case, the most likely venue is Santa Ana. The Santa Ana courthouse is just a few blocks from Street's county office.

Harrow said he hoped "that the change of venue will not create any delays in bringing Mr. Street to justice. ... We believe we have a very solid case, and we want to be heard."

Contact the writer: 714-796-5030 or rcampbell@ocregister.com



Your tax dollars at work

Chriss Street wants fraud case in Santa Ana, not L.A.

February 11th, 2009, 4:07 pm · Post a Comment · posted by Ronald Campbell

Nobody likes commuting to Los Angeles. Especially, it turns out, Orange County Treasurer-Tax Collector Chriss Street.

Facing a possible September trial date in a long-running fraud lawsuit, Street has asked a judge to move the case from downtown L.A. to Santa Ana. The case had been lingering in U.S. Bankruptcy Court in Wilmington, Del., for 20 months when a judge there abruptly kicked it to L.A. last October.

Street was the court-appointed trustee of the bankrupt Fruehauf Trailer Corp. from October 1988 until August 2005, when creditors forced him out. His successor as trustee, L.A. investment banker Dan Harrow, sued Street in February 2007 for \$7 million, claiming fraud and breach of trust. Street has denied the charges and said he expects to be exonerated.

In a sworn declaration, Street said a trial in L.A. would force him to get up at 5:45 a.m. and hit the road at 7 a.m. to make it to the courthouse by 9:30 a.m. The round-trip commute would require "me to spend up to five hours a day in traffic, unable to either work or contribute to the presentation of my case. Such a constant commute would negatively impact both my ability to assist in my defense and in my ability to perform my job."

To read Street's full declaration, [CLICK HERE](#).

Harrow's lawyers argue that Street is just playing for time.

Last month, U.S. Bankruptcy Court Judge Richard Neiter set Sept. 10 for the pre-trial conference — a strong indication the trial would follow within days or weeks. But if the case is moved to Santa Ana, Harrow's lawyers say, a new judge would have to get up to speed. That would delay a trial until early 2010, three years after the case was filed.

To read the argument by Harrow's attorneys, [CLICK HERE](#).

But Phil Greer, Street's attorney, said Street isn't asking for a delay, adding, "We have no problem with the scheduling order that's been agreed to by the court."

The Delaware judge moved the case to Southern California in October after Street's Delaware law firm quit because of \$640,000 in unpaid legal bills. At the time, both sides were planning for a trial this April.

Treasurer Chriss Street gets fraud trial date

By RONALD CAMPBELL
2009-09-16 15:44:49

Orange County Treasurer-Tax Collector Chriss Street will face trial early next year in a \$7 million fraud lawsuit.

U.S. Bankruptcy Judge Richard M. Neiter scheduled the three-day trial to start Feb. 2 in Los Angeles.

Street had wanted to delay the trial past June 8, when he is up for reelection. By choosing an earlier trial date, Neiter all but assured a verdict before the March 12 candidate filing deadline. He will hear the case without a jury.

Street was trustee of the bankrupt Fruehauf Trailer Corp. for nearly seven years, until he was forced out in August 2005. His successor as trustee, Los Angeles money manager Daniel Harrow, sued Street for fraud in February 2007, shortly after Street became county treasurer.

The lawsuit alleges that Street milked Fruehauf to enrich himself and to build a trucking empire, rather than repay Fruehauf's thousands of creditors. Street has said he successfully managed Fruehauf and that Harrow is pursuing a political vendetta.

The case has bedeviled Street's political career and personal finances.

He has had to give extensive testimony twice. Both times, the transcripts became public. The transcripts revealed that Street had billed Fruehauf for lavish trips and meals as well as \$7,000 in double-billings for a laptop computer, \$6,000 for a personal trainer and \$1,100 for an overnight trip to a luxury hotel in New York.

Street has said his expenses were in line with what his contract allowed.

The transcripts came on top of official controversies, including an extensive remodel of his office and his purchase of a \$80 million structured investment vehicle that later defaulted.

The long-running case also has drained his wallet. He mortgaged and then sold his Corona del Mar home in 2007 to pay legal bills. He ran up an additional \$640,000 in unpaid fees to a Delaware law firm before that firm abandoned him in October 2008.

Court papers at the time said that Street was broke and could no longer fund his defense.

But his local attorney, Philip Greer, said then that the situation was not so dire: "It has hurt him, but it has not broken him," Greer said at the time. "He's not selling oranges by the freeway."