

## DEPOSITION OF JACK COHEN

Mr. Cohen makes a very good witness. He has several decades of experience as a private-money mortgage lender. He also has substantial experience acting as an expert witness on private-money mortgage lending issues. As a consequence, he knows how to “play the game”, so to speak, when testifying in litigation. In addition to being an experienced and effective witness, he presents himself very well. He has a healthy and professional appearance and a good speaking voice. He was as familiar with the subject matter of the deposition as he is with the technical tricks for being a good litigation witness. We are lucky to have Mr. Cohen for a witness in this case.

Mr. Cohen’s position on the substantive issues is that as a private-money mortgage lender, his priority is evaluation of the loan-to-value ratio. He generally wants his loans to be no more than 60% of the appraised value of the property that will secure the loan. He relies on his loan escrow instructions which provide, generally, and specifically in the present case, that his loan transaction cannot close unless the escrow agent can obtain a lender’s policy of title insurance showing, among other things, that the borrower is vested with title, and that his trust deed security is in a first-priority position. The escrow instructions for our transaction in this case were made an exhibit to the deposition and clearly do contain those provisions.

Plaintiff’s attorney questioned Mr. Cohen about whether he makes any effort to determine if the borrower can afford to make the loan payments. Mr. Cohen’s position is that he gets a credit report for that purpose, but his primary focus is on whether there is sufficient equity to secure the loan. I understood Mr. Cohen’s testimony to be that he does not believe he has any legal obligation to analyze the borrower’s ability to repay the loan, and the legal authorities I have seen on that issue are consistent with that view.

William R. Larr  
Of Counsel  
Anderson McPharlin & Conners, LLP  
707 Wilshire Blvd., Suite 4000  
Los Angeles CA 90017-3623  
[wrl@amclaw.com](mailto:wrl@amclaw.com)  
(213) 688-0080 Main  
(213) 236-1616 Direct  
(213) 622-7594 Fax



**REFERENCE CHECK**

EXPERT NAME: **Jack G. Cohen**

DISCIPLINE: **Automotive Industry**

1. How many times have you utilized the services of expert named above? 1
2. How would you rate expert's knowledge and expertise in the discipline area stated above? Scale of 1 to 10 (10 being the highest) 9

Comments: \_\_\_\_\_  
\_\_\_\_\_

3. Has expert written any reports? Yes \_\_\_\_\_ No X  
Do you feel they were well written? Yes \_\_\_\_\_ No \_\_\_\_\_ **N/A**

Comments: \_\_\_\_\_  
\_\_\_\_\_

4. Has expert been deposed or gone to trial on any of your cases? Yes \_\_\_\_\_ No X

If so, how was expert's demeanor in deposition?  
Scale of 1 to 10 (10 being the highest) \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

If so, how was expert's demeanor in trial?  
Scale of 1 to 10 (10 being the highest) \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

5. General Comments: Very knowledgeable expert.  
\_\_\_\_\_  
\_\_\_\_\_

6. Do you have a need for any experts at this time? Yes \_\_\_\_\_ No X  
For immediate assistance, please contact us at 1-800-555-5422 or email us at [Experts@ForensicsGroup.com](mailto:Experts@ForensicsGroup.com). Or, please let us know the case issues that you want the expert to address. We will contact you after we receive this form.

**Robert Stempler**, Esq.

  
\_\_\_\_\_  
Signature

Nov. 26, 2016  
\_\_\_\_\_  
Date

THANK YOU FOR YOUR TIME AND ASSISTANCE!  
PLEASE EMAIL BACK OR FAX COMPLETED FORM TO (626) 795-1950

LAW OFFICES OF  
**DUMBECK & DUMBECK**  
3355 MISSION AVENUE, SUITE 139  
OCEANSIDE, CALIFORNIA 92058  
TELEPHONE: (760) 529-4958  
FAX: (760) 637-2391

May 8, 2018

Re: **Jack Cohen, Expert Witness**

To Whom It May Concern:

Our law firm has prosecuted civil cases involving fraud, deception, and illegality in the automobile sales and finance industries for more than 20 years. We first retained Mr. Cohen as an expert witness in 2016, and since then have worked with him on several cases for which he has provided document reviews, consultations, declarations, and expert testimony before a fact finder.

Mr. Cohen's extensive background in both the sales and finance side of the auto industry allows him to speak with persuasive authority on industry standards for dealerships and financing companies, and the interplay between these interests. His careful work has helped our clients obtain favorable settlements and win contested cases.

Should you have any questions about our work with Mr. Cohen please do not hesitate to call.

Very truly yours,

DUMBECK & DUMBECK



Curtis M. King

Wiener & Jackson  
ATTORNEYS

4545 TYRONE AVE.  
SHERMAN OAKS, CALIFORNIA 91423  
TELEPHONE: (818) 640-3001  
[rawlaw2@roadrunner.com](mailto:rawlaw2@roadrunner.com)

Robert A. Wiener

August 1, 2020

To Prospective Client

Re: Jack Cohen

Dear Sir or Madam:

I am writing this reference regarding Jack Cohen's qualifications as an expert consultant in the automotive field, where I have used him extensively over the past eight years.

I have been practicing for about 40 years and practice extensively in the automotive area handling auto dealer fraud and other types of consumer automotive cases. Mr. Cohen has acted as an expert consultant in numerous aspects of cases I have handled based on his 30 plus years as a licensed dealer with his lifetime of experience in the wholesale and retail areas of the business. He has extensive knowledge of the issues involving passenger vehicles, light trucks and motorhomes as well as the related licensing, sales and dealer practices.

I value not only his knowledge, but his candid input and his credible demeanor that has been persuasive to the audience I have engaged him to present opinions to.

Wiener & Jackson  
Sincerely,

By:



Robert A. Wiener

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