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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

MANCO CONTRACTING CO. (W.L.L.),

Plaintiff, Cross-Appellant  
and Respondent,

v.

KRIKOR BEZDIKIAN,

Defendant, Cross-Respondent  
and Appellant.

B230863

(Los Angeles County  
Super. Ct. No. SC081737)

APPEAL from a judgment of the Superior Court of Los Angeles County. John Segal, Judge. Affirmed.

Thomas & Elliott, Jay J. Elliott; Law Office of Eric D. Bennett, Eric D. Bennett; Benedon & Serlin, Gerald Serlin and Douglas Benedon for Plaintiff, Cross-Appellant and Respondent.

Revere & Wallace, Frank Revere; Law Offices of Gregory R. Ellis and Gregory R. Ellis for Defendant, Cross-Respondent and Appellant.

Krikor Bezdikian appeals from the trial court's judgment domesticating in California a money judgment entered against him in Qatar, a Persian Gulf emirate. Manco Contracting Co. (W.L.L.) cross-appeals from the trial court's judgment rejecting Manco's claim for postjudgment interest on the Qatari judgment. We affirm the trial court's judgment in full.

## **FACTS AND PROCEEDINGS**

Manco is a construction and engineering company operating in Qatar. In the mid-1980's, Bezdikian, who had cofounded Manco with Qatari citizen Omar Al-Mana, owned 40 percent of the company and Al-Mana owned 60 percent. By 1988, the relationship between Bezdikian and Al-Mana soured and Bezdikian left Qatar never to return. (We discuss Bezdikian's claimed reasons for not returning to Qatar, and the effect his absence had on these proceedings, in our Discussion below.) After leaving Qatar, Bezdikian eventually settled in Los Angeles county.

In 1991, Manco sued Bezdikian in Qatar's civil courts alleging Bezdikian had embezzled company funds. Bezdikian cross-complained against Manco by which he sought an accounting and Manco's dissolution. The Qatari court consolidated the two suits and in 1997 entered judgment for Manco. Bezdikian appealed to the Qatari appellate court. In 2000, the Qatari appellate court entered a final judgment for Manco for 13.69 million riyals, which at then-current exchange rates was about 3.76 million dollars.

In 2004, Manco filed in Los Angeles Superior Court a complaint for "Domestication of Foreign Money Judgment" seeking to render the Qatari judgment a judgment enforceable in California under the former Uniform Foreign Money-Judgments Recognition Act (Code Civ. Proc., former § 1713 et seq).<sup>1</sup> Following a bench trial, the

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<sup>1</sup> It is undisputed that the Uniform Foreign Money-Judgments Recognition Act, which was repealed and replaced by the Uniform Foreign-Country Money Judgments Recognition Act in 2007, applies to these proceedings. (*Manco Contracting Co. (W.L.L.) v. Bezdikian* (2008) 45 Cal.4th 192, 195, fn. 1 (*Manco*).)

trial court entered its judgment domesticating the Qatari judgment in the amount of \$3,760,274.64.<sup>2</sup> The court rejected Manco's request for postjudgment interest on the Qatari judgment because Manco did not establish that Qatari law awarded postjudgment interest. Bezdikian appeals from the domestication of the Qatari judgment, and Manco cross-appeals from the denial of postjudgment interest.

## DISCUSSION

### 1. “Conclusiveness” of Qatari Judgment

The Uniform Foreign Money-Judgments Recognition Act requires that a foreign judgment be “conclusive” before a California trial court may domesticate the judgment to make it enforceable in California. (§ 1713.2.) To be conclusive, the foreign court that issued the judgment must be part of an impartial judicial system that provides due process. Section 1713.4, subdivision (a)(1) states: “A foreign judgment is not conclusive if [t]he judgment was rendered under a system which does not provide impartial tribunals or procedures compatible with the requirements of due process of law.” The foreign tribunal's procedures need not mirror California's procedures. (*Society of Lloyd's v. Ashenden* (7th Cir. 2000) 233 F.3d 473, 478.) But the tribunal must follow a “fair procedure [that is] simple and basic enough to describe the judicial processes of civilized nations.” (*Id.* at p. 473; cf. *De la Mata v. American Life Ins. Co.* (D.Del. 1991) 771 F.Supp. 1375, 1389-1390 [“it appears the impartiality criteria only comes into play where a plaintiff seeks to enforce a money judgment from a country whose foreign policy

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All statutory references are to the former Uniform Foreign Money-Judgments Recognition Act unless noted otherwise.

<sup>2</sup> The bench trial was preceded by Manco's appeal from the trial court's pretrial dismissal of the complaint as untimely under the statute of limitations for domesticating foreign judgments. In *Manco, supra*, 45 Cal.4th 192, our Supreme Court held Manco's complaint was timely and returned the case to the superior court for trial. (*Id.* at p. 197.)

manifests express hostility to the United States and whose jurisprudence has been molded to reflect that hostility”].)

The trial court found Bezdikian offered no persuasive evidence that bias against him infected the Qatari proceedings and denied him due process. Bezdikian’s principal expert on the Qatari judicial system, Joseph Kechichian, opined that Qatar’s judiciary favored Muslim citizens such as Manco’s majority owner, Al-Mana, over non-Muslim foreigners such as Bezdikian, but the court found Kechichian’s opinions unpersuasive. Kechichian based his opinion about the purported bias of the Qatari legal system by applying his “common sense” to his knowledge of Qatar drawn from his study of the country and personal observations during visits there. But the court rejected Kechichian’s opinion. The court stated it was “not persuaded by Mr. Kechichian’s speculative, equivocal, conditional, and unsupported opinions that non-Qatari citizens like Bezdikian may not . . . be able to get a fair trial in Qatar against Qatari citizens. Mr. Kechichian had no observational, statistical, or even anecdotal data or evidence that there actually is such bias, either in general or in this kind of case. Mr. Kechichian also stated that he had no information that any of the judges who heard the lawsuits between Manco and Bezdikian, either in the lower court or on appeal, were biased against Bezdikian.” (See *Lauderdale Associates v. Department of Health Services* (1998) 67 Cal.App.4th 117, 126 [“the trier of fact may disregard an expert’s testimony and draw its own conclusions from the evidence when the evidence conflicts or the expert’s testimony is rebutted”].)

Bezdikian contends that even if, as the trial court found, the Qatari judges that tried his case were not biased against him, conclusiveness under the Uniform Foreign Money-Judgments Recognition Act requires that Qatar’s entire judicial system be itself impartial. (*Society of Lloyd’s v. Ashenden, supra*, 233 F.3d at pp. 476-477 [focus is on judicial system as a whole, not individual tribunals]; *Osorio v. Dole Food Co.* (2009) 665 F.Supp.2d 1307, 1347-1348; *CIBC Mellon Trust Co. v. Mora Hotel Corp. N.V.* (N.Y.App. 2002) 743 N.Y.S.2d 408, 415.) Bezdikian’s contention is unavailing, however, because the record contains substantial evidence to support the trial court’s

finding that Qatar’s judiciary is impartial.<sup>3</sup> Qatar’s Constitution promises unbiased governmental treatment of all people. The constitution states, “All persons shall enjoy equal public rights and shall be subject to equal public duties without distinction on grounds of race, sex, or religion.” Qatar also promises judicial independence by protecting judges from loss of judicial office during the lawful exercise of their duties. Qatari law states: “[J]udges are independent with no authority over them in connection with their rulings except to the law and their decisions are issued and enforced in accordance with the law. [¶] . . . It is not permissible to remove a judge from his position whether by removal or transfer. In addition, it is not permissible to demote him from his position.” Indeed, the court noted that expert Kechichian conceded that Qatar’s Constitution ensured an impartial and independent judiciary. Kechichian testified “the procedures on the books of Qatar are compatible with the due process of law,” and “the Qatari civil court system and laws are set up and designed to be impartial as to whether or not non-Muslims or noncitizens are treated fairly . . . .”<sup>4</sup>

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<sup>3</sup> *Crocker National Bank v. City and County of San Francisco* (1989) 49 Cal.3d 881, 888 (“Questions of fact concern the establishment of historical or physical facts; their resolution is reviewed under the substantial evidence test. Questions of law relate to the selection of a rule; their resolution is reviewed independently. Mixed questions of law and fact concern the application of the rule to the facts and the consequent determination whether the rule is satisfied. If the pertinent inquiry requires application of experience with human affairs, the question is predominantly factual and its determination is reviewed under the substantial-evidence test. If, by contrast, the inquiry requires a critical consideration, in a factual context, of legal principles and their underlying values, the question is predominantly legal and its determination is reviewed independently”).

<sup>4</sup> Manco’s expert on “Middle Eastern law” offered similar opinions about Qatar. Manco’s expert testified, “I have known and from colleagues that the Qatari judges and the Qatari legal system was among the better in the Gulf Region, and that the Qatari government was highly active in creating this type of impartiality and integrity because of the business community that’s taking place. [¶] And from lawyers that I know from other firms that have offices in Qatar. Patton Boggs has an office in Qatar. Latham & Watkins has an office; Baker & McKenzie, and other firms that have offices in Qatar, that the judges were qualified and good.” The court did not, however, attach much

Despite expert Kechichian's concessions about the impartiality of Qatar's judiciary, Bezdikian offered evidence of bias by the Qatari judicial system against non-Muslim foreigners. According to Kechichian, the system was fair only in theory because it was "not impartial or fair as put into practice." Kechichian had visited Qatar about two dozen times in some 30 years. Based on his visits and his study of the country, he testified about the political, historical, and cultural forces that he believed generated an antforeigner bias. (See, e.g., *Bank Melli Iran v. Pahlavi* (9th Cir. 1995) 58 F.3d 1406, 1411-1412 [country's political climate can affect judiciary's independence]; *Osorio v. Dole Food Co.*, *supra*, 665 F.Supp.2d at pp. 1347-1348.) He noted that most Qatari judges were foreign nationals who held their permits to reside in Qatar at the government's pleasure. Because the government could revoke the residency permits, Kechichian reasoned that judges would tend to rule in favor of Qatari citizens in order to remain in the government's good graces.

Kechichian's testimony created a conflict in the evidence which the court resolved against Bezdikian. The court acknowledged Kechichian's expertise about Persian Gulf nations was "extensive and impressive." He had worked at the Rand Corporation with top-secret security clearance between 1990 and 1996 writing reports and supplying information about Qatar to the CIA, United States Department of State, and Pentagon. But the court noted that his expertise was as a political scientist, not a lawyer, and his opinion about Qatar's legal system was limited to the years before 1995, a point Bezdikian emphasized during cross-examination. "Q. . . . [Y]ou told me in your deposition you only intended to give your expert opinion in this case about the country of Qatar and its laws; right? [¶] A. Right. [¶] Q. And your opinions about the Qatar legal system are limited to before 1995; correct? [¶] A. Correct." Here, however, both the

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weight to the opinions of Manco's expert because the expert's familiarity with the Qatari legal system was limited to that country's Islamic courts that applied Sharia law involving family matters such as divorce, custody, and inheritance. The expert had not dealt with Qatar's civil courts with jurisdiction over commercial matters such as the dispute here.

initial trial and the appeal took place in 1997 and 2000, which undercut the significance of Kechichian's pre-1995 opinions. Moreover, the court noted that Kechichian could not cite any specific acts of judicial discrimination against Bezdikian. The court did not, as Bezdikian suggests, dismiss Kechichian's testimony wholesale. To the contrary. The court's discussion of Kechichian's testimony in the court's statement of decision covered three pages and included quotations from his testimony. But the court was "[o]n balance . . . not persuaded" by Kechichian's evidence. Because we as a reviewing court do not reweigh the evidence, and must resolve all conflicts in the record in favor of the trial court's findings, Bezdikian's contention fails that the trial court erred in finding the Qatari judgment was "conclusive."

## 2. *Exclusion of United States Department of State Country Reports*

Each year, the United State Department of State submits annual reports to Congress about political and human rights conditions in countries around the world. Bezdikian tried to offer into evidence three State Department reports discussing Qatar: the Human Rights Report for 1994; the Country Report on Human Rights Practices for 2000; and, the Country Report on Human Rights Practices for 2008. The gist of the reports relevant to these proceedings echoed expert Kechichian's opinion that Qatar's judiciary is biased because most Qatari judges are foreign nationals who hold residence permits at the government's pleasure, which creates a bias among those judges in favor of Muslim Qatari citizens against non-Muslim foreigners. The trial court did not admit the reports into evidence because it found they were inadmissible hearsay.

Bezdikian contends the court erred in excluding the reports because they were admissible under the hearsay exception in Federal Rules of Evidence, rule 803(8)(C) (28 U.S.C.), for official reports. Bezdikian cites a former version of the rule, which provides:

"The following are not excluded by the rule against hearsay, even though the declarant is available as a witness: [¶] . . . [¶] . . . Records, reports, statements, or data compilations, in any form, of public offices or agencies, setting forth . . . (C) in civil

actions and proceedings . . . factual findings resulting from an investigation made pursuant to authority granted by law . . . .”<sup>5</sup>

We review the trial court’s hearsay rulings for abuse of discretion. (*People v. Zambrano* (2007) 41 Cal.4th 1082, 1144, disapproved on another point by *People v. Doolin* (2009) 45 Cal.4th 390, 421, fn. 22.) The trial court did not abuse its discretion because appellant cites no California authority that obligated the court to apply the Federal Rules of Evidence to the law of evidence in California. (See *Thompson v. County of Los Angeles* (2006) 142 Cal.App.4th 154, 170 [former rule 803(8)(C) “ha[d] no parallel in the California Evidence Code”].)

Bezdikian alternatively contends the court should have admitted the reports under California’s Evidence Code section 1280. That statute states:

“Evidence of a writing made as a record of an act, condition, or event is not made inadmissible by the hearsay rule when offered in any civil . . . proceeding to prove the act, condition, or event if all of the following applies: [¶] (a) The writing was made by and within the scope of duty of a public employee. [¶] (b) The writing was made at or near the time of the act, condition, or event. [¶] (c) The sources of information and method and time of preparation were such as to indicate its trustworthiness.”

Bezdikian asserts Evidence Code section 1280 applies because Congress requires the United States Department of State to write and submit the reports (*Bridgeway Corp. v. Citibank* (2d Cir. 2000) 201 F.3d 134, 143), and thus the reports qualify as a writing made within the scope of duty of a public employee. Bezdikian’s assertion is unavailing, however, because evidence shows that authors other than public employees helped write the reports. (§ 1280, subd. (a) [“writing was made by . . . public employee”].) Indeed,

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<sup>5</sup> The version of the Federal Rules of Evidence, rule 803(8) currently in effect states: “The following are not excluded by the rule against hearsay, regardless of whether the declarant is available as a witness: [¶] . . . [¶] *Public Records*. A record or statement of a public office if: [¶] (A) it sets out: [¶] . . . [¶] (iii) in a civil case . . . , factual findings from a legally authorized investigation . . . .”



expert Kechichian wrote portions of reports when he worked at the Rand Corporation. He testified how multiple authors wrote the reports:

“The State Department relies on a variety of sources to put together these country reports. Primarily they rely on the embassies, in this case in Doha in Qatar. . . . [¶] . . . They [also] rely on think tank reports from Rand Corporation, from the Brookings Corporation, a variety of sources. They assemble all these documents. They assemble all these experts. [¶] When the country requires special attention, they might even call in people at the State Department for personal briefings, that is, to brief the team that is in charge of writing this particular report to listen to what they have to say, and at the end of all this process, when they assemble all these documents, they make the determination as to what goes into the final draft.”

Bezdikian also contends the court should have taken judicial notice of the reports. Bezdikian’s opening brief does not, however, develop his contention with argument supported by citation to authority. His opening brief’s most direct reference to judicial notice is the observation that Congress required the State Department to write and submit the reports each year. But the observation does not establish that the court should have taken judicial notice of the reports’ contents because judicial notice applies to “official acts” of government or facts that are not reasonably subject to dispute; Bezdikian does not show how a State Department report fits either of those categories. In his reply brief, Bezdikian refines his contention to assert that the court should have taken judicial notice that the State Department had expressed the federal government’s view of the impartiality of Qatar’s judiciary. According to Bezdikian, the court should have considered that view when the court weighed the evidence of impartiality of Qatar’s judiciary, even if the trial court was not obligated to accept the view as binding. But the trial court appears to have done what Bezdikian asks. The court simply found that the reports did not outweigh Manco’s contrary evidence. (See also *Guimei v. General Electric Co.* (2009) 172 Cal.App.4th 689, 705, fn. 2 [“We deny plaintiffs’ request to take judicial notice of a United States Department of State Country Report on Human Rights Practices pertaining

to China. We may not take judicial notice of the matters contained within the report, and the mere existence of the report is irrelevant to our resolution of the issues on appeal”].)

In any case, even if the court erred in excluding the United States Department of State reports, the error was not prejudicial. The court permitted Bezdikian’s counsel and expert Kechichian to quote from the reports during Kechichian’s testimony, thus the court knew the reports supported Kechichian’s opinions. But the court noted the reports focused mostly on human rights in Qatar and Qatar’s Islamic Shari’a courts, not its civil courts in which the parties tried their case, and thus did not overcome the evidence of Qatar’s impartiality in its civil justice system.

### 3. *Extrinsic Fraud*

Bezdikian left Qatar in 1988. Al-Mana thereafter filed a criminal complaint with Qatar’s public prosecutor. In his complaint, Al-Mana accused Bezdikian of embezzling money from Manco. Al-Mana’s complaint led the public prosecutor to investigate and file criminal charges against Bezdikian. In 1992, a Qatari criminal court convicted Bezdikian of embezzlement in absentia and sentenced him to seven years in prison. Under Qatari law, Bezdikian had the right to return to Qatar to request that authorities vacate his criminal conviction and permit him to stand trial, but Bezdikian believed Qatar did not have a system of bail and thus feared the authorities would imprison him without bail pending his trial. (Bezdikian’s belief that Qatar did not allow bail may have been mistaken because Bezdikian’s expert testified he was “pretty certain that there is a bail” process in Qatar.)

Bezdikian contends Al-Mana worked an extrinsic fraud upon him by filing a criminal complaint which stopped Bezdikian from returning to Qatar to defend himself in Manco’s lawsuit. The Uniform Foreign Money-Judgments Recognition Act gives a California court the discretion to refuse to domesticate a foreign judgment obtained by extrinsic fraud. (§ 1713.4, subd. (b)(2) [“A foreign judgment need not be recognized if [¶] . . . [¶] [t]he judgment was obtained by extrinsic fraud”].) Because the authority is discretionary, we review the court’s decision for abuse of discretion. Under that standard

of review, “We cannot substitute our judgment for that of the trial court, but only determine if any judge reasonably could have made such an order.” (*In re Marriage of Chandler* (1997) 60 Cal.App.4th 124, 128.)

The trial court did not abuse its discretion. Extrinsic fraud arises from a party’s complete inability to present his case. “Extrinsic fraud occurs when a party is deprived of the opportunity to present a claim or defense to the court as a result of being kept in ignorance or in some other manner being fraudulently prevented by the opposing party from fully participating in the proceeding.” (*County of San Diego v. Gorham* (2010) 186 Cal.App.4th 1215, 1228-1229; see also *Kulchar v. Kulchar* (1969) 1 Cal.3d 467, 471 [“Extrinsic fraud usually arises when a party is denied a fair adversary hearing because he has been ‘deliberately kept in ignorance of the action or proceeding, or in some other way fraudulently prevented from presenting his claim or defense’ ”].) Here, Al-Mana filed a criminal complaint; Qatar’s public prosecutor filed charges; Qatar’s criminal courts convicted Bezdikian in absentia; and Bezdikian declined to return to Qatar. The link in this casual chain between Al-Mana’s complaint and Bezdikian’s absence from Qatar is attenuated, with several independent actors existing as intervening causes. But setting aside the question of whether Al-Mana can even be charged with being responsible for Bezdikian’s absence from Qatar, extrinsic fraud did not occur. Qatar has a civil law, not common law, legal system. In Qatar, a party’s active involvement in a civil case and presence at trial is not the integral feature of legal proceedings to which we in common law systems have become accustomed. Civil law courts do not employ the common law’s adversarial process, but instead rely on a court-appointed expert who investigates a case by interviewing witnesses, examining documents, and presenting a written report to the court. Civil law courts rarely take live testimony, for such testimony is viewed with suspicion. Cases are tried mostly through documents and written testimony, and commercial matters are almost completely document based. The parties may retain their own experts who can review the report of the court-appointed expert, and they may submit to the court their responses to the court-appointed expert’s report. Lawyers in their capacity as attorneys-in-fact present their clients’ arguments and evidence through

the attorneys' statements to the court. A party may appeal an unfavorable judgment, and, if a party does so, the appellate court will conduct a trial de novo employing a different court-appointed expert who will reexamine the case in its entirety.

Given the nature of proceedings in Qatar's civil law system, the trial court did not abuse its discretion in rejecting Bezdikian's assertion that the trial court should refuse to domesticate the Qatari judgment because of extrinsic fraud. The trial court did not hold Bezdikian's refusal to return Qatar against him; to the contrary, the trial court deemed Bezdikian's decision to litigate the Qatari case from California "quite reasonable." Moreover, the trial court found Bezdikian suffered some disadvantage in his absence from Qatar. That disadvantage did not, however, rise to extrinsic fraud because Bezdikian had a meaningful opportunity to present his case. (*City and County of San Francisco v. Cartagena* (1995) 35 Cal.App.4th 1061, 1067.) The court noted that Bezdikian "through his representatives had ample opportunity to, and did, participate actively in all phases of the proceedings, and on occasion successfully." For example, Bezdikian retained local counsel and hired experts in Qatar to present his defense to the Qatari courts. Additionally, the court-appointed expert interviewed Bezdikian by telephone. (The expert appointed by the appellate court did not interview Bezdikian, but relied instead on the first expert's interview of Bezdikian.) Finally, Bezdikian's Qatari appeal was partially successful, resulting in a reduction of slightly more than 10 percent in the final judgment.

Bezdikian's citation to *Bridgeway Corp. v. Citibank, supra*, 201 F.3d 134 is inapt. There, the court found that a defendant's filing of lawsuits in Liberian courts as a plaintiff did not judicially estop the defendant from challenging the impartiality of the Liberian judicial system. (*Id.* at p. 141.) Here, we do not find Bezdikian is judicially estopped from challenging the impartiality of Qatar's judiciary. Instead, the trial court (and we) have entertained his challenge, but have found it lacking.

## MANCO'S CROSS-APPEAL

The Qatari judgment was entered in 2000. As part of the domestication proceedings in the trial court, Manco asked that the court award it interest from 2000 until the trial court's judgment in 2010. Bezdikian objected to Manco's request for interest.<sup>6</sup> He noted the Qatari judgment had not awarded interest, and argued no other legal basis existed for doing so.

Under the Uniform Foreign Money-Judgments Recognition Act, a foreign judgment is enforceable in the same manner as the judgment of an American sister state. (§ 1713.3; *Manco, supra*, 45 Cal.4th at p. 207.) In California, the law of the sister state determines the right to interest under a sister-state judgment. (§ 1710.25, subds. (a)(2), (b).) Applying those principles here, Qatar law thus determines Manco's right to interest from 2000 to 2010. Neither Manco nor Bezdikian introduced evidence about a judgment creditor's right to interest under Qatari law. Deeming the absence of evidence about Qatari law to be a failure of proof by Manco, the trial court rejected Manco's claim for interest.

Manco contends the absence of evidence about Qatar's laws involving interest on a judgment works to Manco's benefit because California law presumes that Qatari law is the same as California law unless evidence shows otherwise.<sup>7</sup> In support of its contention, Manco cites cases which pre-date enactment of the Uniform Foreign Money-

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<sup>6</sup> Manco's respondent's brief asserts Bezdikian agreed that Bezdikian owed interest on the Qatari judgment. Manco writes: "Following trial, Manco filed a closing brief, which included a demand for interest 'to Manco at the legal rate (10%) from May 23, 2000' through the date of its closing brief. [Citation.] Bezdikian expressly agreed and acknowledged that Manco's request was proper." Manco is mistaken. Manco's appellate appendix record citation at page 505 cited in Manco's brief is not a concession by Bezdikian; it is a page in Manco's reply to Bezdikian's closing trial brief in which Manco noted Bezdikian had not explicitly argued in the trial court against interest. Silence, however, is not the same as "agreed and acknowledged."

<sup>7</sup> We note in passing the seemingly odd implication of Manco's contention, which places on Bezdikian as the judgment-debtor the initial burden of producing evidence on Manco's right to collect interest.

Judgments Recognition Act, such as *Perkins v. Benguet Cons. Min. Co.* (1942) 55 Cal.App.2d 720, 768 and *Nesbit v. MacDonald* (1928) 203 Cal. 219, 223. Those cases stand for the proposition that the law of California as the forum state, not the law of Qatar as the entity from which the judgment issued, governs whether interest accrues. *Perkins* states, “There is a conflict of authority as to whether liability for interest and the rate of interest are to be determined by the law of the forum or the law of some other place, as where the contract was made or is to be performed. [Citations.] [¶] The rule in California is that the law of the forum governs. [Citations.] It may be said . . . that even if the law of the forum is not controlling, in the absence of proof of the applicable foreign law it will be presumed to be the same as the law of the forum.” (*Perkins*, at p. 768.) Manco reasons by the authority of these cases that because California awards postjudgment interest, Qatar is presumed to award postjudgment interest, too. Thus, Manco concludes, the trial court erred in not awarding interest. But the line of cases Manco cites – the most recent from 1942 – pre-date enactment of section 1713.3, which provides that foreign judgments are to be treated on an equal footing with sister-state judgments, and section 1710.25, which provides that sister-state law governs in awarding interest. In the face of the express statutory directives on determining a judgment creditor’s right to collect interest, we decline to follow outdated case law from more than half a century ago.

### **DISPOSITION**

The judgment is affirmed in full. Each side to bear its own costs on appeal.

RUBIN, J.

WE CONCUR:

BIGELOW, P. J.

FLIER, J.