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Published February 15th, 2012

## Orinda Man Charged with Embezzlement, Forgery

By Cathy Tyson

Orinda resident Carl Blake Miller had his day in court, again. The Contra Costa County District Attorney's Office filed felony criminal charges against the former real estate broker, which included embezzlement, theft, forgery, even taking money from a local Boy Scout troop, though that was later returned, this past summer. He's been out on bail since July of 2011 after pleading not guilty.

In an interesting twist last week at Walnut Creek Superior Court, two office buildings had been put up as a property bond in lieu of posting cash bail for Miller, to satisfy the \$327,500 bail amount. The owner of one of the properties wants to refinance the building, so asked Judge Bruce Mills if he could have it back. He was informed by Mills that he would have to file a proper motion, and go through the necessary procedures to complete his request.

"This changes everything," said District Attorney Ken McCormick. If half of the bail value disappears, "I'll request that he be put in custody." It's unknown at this time if someone else may step forward with another property bond, or to post bail. The next court date is set for March 22, to give the public defender more time to review documents. In addition to criminal charges, Miller is also charged civilly in a number of related cases.

Miller is the former administrator of Geneva Fund Investments, a real estate investment firm which was located on Northwood Drive in Orinda. Key charges in the case revolve around the disappearance, possibly for personal use, of a significant amount of money. District Attorney McCormick estimates the loss at less than \$2 million, from approximately a dozen investors, and suggests Miller lived a lavish lifestyle with other people's money.

Miller is the son of famous California real estate law guru Eugene Miller, one of the founders of law firm Miller Starr Regalia who literally wrote the book - rather books; it's evolved into a twelve volume encyclopedia on real estate law, of course with the assistance of other attorneys in the firm.

"He was getting greedy," surmised Doug Kohen, who along with his father Dr. Joseph Kohen lost a substantial amount of money. "I have no sympathy for Carl. His father is probably rolling in his grave." He presumes the money is simply gone, and even if there is some kind of settlement, it would be "pennies on the dollar - if anything." Miller filed for bankruptcy protection in September.

Financial records show his spectacular seven bedroom, 5,300 square foot home in Orinda's Sleepy Hollow neighborhood, was used as an ATM, and is slated to be sold in foreclosure on the Martinez Courthouse steps on February 28. ForeclosureRadar lists the value of the house at \$2,283,000; however there are existing loans on the property of over \$2,600,000.

There's a striking similarity between Miller's situation, as an Orinda based real estate "hard money" lender, and the Ng family's Lafayette based "hard money" lending firms - RE Loans and Bar-K, Incorporated (see the article in our January 18, 2012 issue, archived at [www.lamorindaweekly.com](http://www.lamorindaweekly.com).) Although he's been at the helm of Geneva Fund for approximately ten years, prior to that, Miller worked with the Ng family at Bar-K. Both firms are now being investigated.

"Mr. Miller is seeking a responsible resolution of the case that will be fair to all parties," said Deputy Public Defender Jeffrey Landau. "Several of the Prosecution's allegations are over-reaching. Mr. Miller is focusing on providing for his family and children and responsibilities at home."

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