

1 Jeffrey L. Hartman, Esq., #1607  
2 **HARTMAN & HARTMAN**  
3 510 West Plumb Lane, Suite B  
4 Reno, Nevada 89509  
5 Telephone: (775) 324-2800  
6 Fax: (775) 324-1818  
7 E-mail: [notices@bankruptcyreno.com](mailto:notices@bankruptcyreno.com)  
8 Attorney for Patrick Canet,  
9 Judicial Liquidator and Foreign Representative

6 **UNITED STATES BANKRUPTCY COURT**  
7 **DISTRICT OF NEVADA**

8 IN RE: CASE NO. BK-N-16-50644-BTB  
9 JAZI GHOLAMREZA ZANDIAN, CHAPTER 15  
10 Debtor.

11 FRED SADRI, AS TRUSTEE FOR THE Adv. Proc. No. 17-05016-BTB  
12 STAR LIVING TRUST, DATED APRIL  
13 14, 1997; RAY KOROGHLI AND  
14 SATHSOWI T. KOROGHLI, AS  
15 MANAGING TRUSTEES FOR  
16 KOROGHLI MANAGEMENT TRUST,  
17 Plaintiffs,

18 v.  
19 JED MARGOLIN; JAZI GHOLALREZA  
20 ZANDIAN; and all other parties claiming  
21 an interest in the real properties described  
22 in this action,  
23 Defendants.

24 PATRICK CANET,  
25 Counterclaimant,

**CROSS-CLAIMANT PATRICK  
CANET'S STATEMENT OF  
UNDISPUTED FACTS AND DISPUTED  
FACTS**

26 v.  
27 FRED SADRI, INDIVIDUALLY AND AS **Hearing Date: May 24, 2018**  
28 TRUSTEE FOR THE STAR LIVING **Hearing Time:10:00 a.m.**  
TRUST; RAY KOROGHLI,  
INDIVIDUALLY, RAY KOROGHLI  
AND SATHSOWI T. KOROGHLI, AS  
MANAGING TRUSTEES FOR  
KOROGHLI MANAGEMENT TRUST,  
Counter-defendants.

29 PATRICK CANET,  
30 Cross-Claimant,

31 v.  
32 JED MARGOLIN,  
33 Cross-Defendant.

1           **The following fourteen (14) paragraphs are Undisputed Facts filed by Margolin**  
2 **as DE 24, with which Canet agrees:**

3  
4           1.       In December of 2009, Mr. Margolin filed a civil action in the First Judicial  
5 District Court for Carson City, Nevada, Case No. 09 OC 00579 1B (“Carson City Action”)  
6 against Reza Zandian aka Golamreza Zandianjazi, aka Gholam Reza Zandian aka Reza Jazi  
7 aka J. Reza Jazi aka G. Reza Jazi aka Ghononreza Zandian Jazi aka Gholam Reza Jazi  
8 Zandian (“Zandian”) and Optima Technology Corporation, a California corporation and  
9 Optima Technology Corporation, a Nevada corporation (collectively “Optima”). ECF No.  
10 15 at ¶ 42; Margolin’s Answer and Affirmative Defenses of Jed Margolin to the Cross  
11 Claims of Patrick Canet, ECF No. 16, ¶ 42.

12           2.       In March 2011, a default judgment was entered against Zandian and Optima  
13 in the Carson City Action. In August 2001(sic), the default judgment was set aside and  
14 Margolin filed an amended complaint. The court in the Carson City Action allowed service  
15 of the summons by publication. ECF No. 15 at ¶ 43; ECF No. 16 at ¶ 43.

16           3.       Although Zandian filed a general denial to the amended complaint, in March  
17 2012, that general denial was stricken by the court and a sanctions motion was granted  
18 against Zandian, ECF No. 15 at ¶ 44; ECF No. 16 at ¶ 44.

19           4.       On March 9, 2012, Margolin filed a Notice of Intent to Take Default. ECF  
20 No. 15 at ¶ 45; ECF No. 16 at ¶ 45.

21           5.       On September 24, 2012, the court entered a default against the Optima  
22 corporations. On October 31, 2012, the court entered default judgment against the Optima  
23 corporations. ECF No. 15 at ¶ 47; ECF No. 16 at ¶ 47.

24           6.       In December 2012, Margolin filed a Motion for Sanctions against Zandian  
25 and in January 2013, the Court granted sanctions in the form of striking Zandian’s general  
26 denial and awarding fees and costs. ECF No. 15 at ¶ 48; ECF No. 16 at ¶ 48.

27           7.       On June 24, 2013 default judgment was entered against Zandian in the  
28 amount of \$1,495,775.74. ECF No. 15 at ¶ 49 ; ECF No. 16 at ¶ 49; March 21, 2018

1 Declaration of Matthew D. Francis (“Francis Decl.”), ¶ 2, Exhibit A.

2 8. In December 2013, Zandian moved to set aside the default judgment entered  
3 in June of 2013. That motion was denied in February 2014. ECF No. 15 at ¶ 50; ECF No.  
4 16 at ¶ 50.

5 9. On March 12, 2014, Zandian filed a Notice of Appeal to the Nevada Supreme  
6 Court. ECF No. 15 at ¶ 51; ECF No. 16 at ¶ 51.

7 10. On August 18, 2014, the court issued its Order Re: Writ of Execution. ECF  
8 No. 15 at ¶ 51; ECF No. 16 at ¶ 51.

9 11. On October 19, 2015, the Nevada Supreme Court dismissed Zandian’s  
10 appeals numbered 65205 and 65960. ECF No. 15 at ¶ 53; ECF No. 16 at ¶ 53.

11 12. On January 1, 2016, the court entered an Order to Show Cause why Zandian  
12 should not be held in contempt. On March 3, 2016, the court entered its Order holding  
13 Zandian in contempt. In February 2016, the court issued a warrant for Zandian’s arrest.  
14 ECF No. 15 at ¶ 54; ECF No. 16 at ¶ 54.

15 13. On May 19, 2016, Canet filed his Chapter 15 Petition for Recognition of  
16 Foreign Proceeding. ECF No. 15 at ¶ 55; ECF No. 16 at ¶ 55.

17 14. At a hearing on September 16, 2016, this Court granted the Canet’s request  
18 for recognition of the foreign proceeding. Francis Decl., ¶ 7.

19

20 **Canet disputes the following paragraphs fifteen (15) through twenty four (24)**  
21 **with the following clarification: Canet agrees that these events happened; Canet**  
22 **disputes the legal effect of these events.**

23 15. Pursuant to a Sheriff’s Certificate of Sale of Property, Margolin caused APN  
24 084-130-07 in Washoe County, Nevada to be sold on April 3, 2015 by Sheriff’s Sale for  
25 \$3,000 to himself. ECF No. 15 at ¶ 57; ECF No. 16 at ¶ 57. March 21, 2018 Declaration of  
26 Adam P. McMillen (“McMillen Decl.”), ¶ 3, Exhibit B.

27 16. On September 8, 2016 a Sheriff’s Deed upon Execution of Real Property was  
28 recorded in Washoe County, Nevada in favor of Margolin with respect to APN 084-130-07.

1 ECF No. 15 at ¶ 58; ECF No. 16 at ¶ 58.

2 17. Pursuant to a Sheriff's Certificate of Sale of Property, Margolin caused APN  
3 079-150-10 in Washoe County, Nevada to be sold on April 3, 2015 by Sheriff's Sale for  
4 \$5,000 to himself. ECF No. 15 at ¶ 59; ECF No. 16 at ¶ 59. McMillen Decl., ¶ 4, Exhibit  
5 C.

6 18. On September 8, 2016 a Sheriff's Deed Upon Execution Of Real Property  
7 was recorded in Washoe County, Nevada in favor of Margolin with respect to APN 079-  
8 150-10. ECF No. 15 at ¶ 60; ECF No. 16 at ¶ 60.

9 19. Pursuant to a Sheriff's Certificate of Sale of Property, Margolin caused APN  
10 084-040-02 in Washoe County to be sold on April 3, 2015 by Sheriff's Sale for \$5,000 to  
11 himself. ECF No. 15 at ¶ 61; ECF No. 16 at ¶ 61. McMillen Decl., ¶ 5, Exhibit D.

12 20. On September 8, 2016, a Sheriff's Deed Upon Execution Of Real Property  
13 was recorded in Washoe County in favor of Margolin with respect to APN 084-040-02.  
14 ECF No. 15 at ¶ 62; ECF No. 16 at ¶ 62.

15 21. Pursuant to a Sheriff's Certificate of Sale of Property, Margolin caused APN  
16 079-150-12 in Washoe County, Nevada to be sold on April 3, 2015 by Sheriff's Sale for  
17 \$15,000 to himself. ECF No. 15 at ¶ 63; ECF No. 16 at ¶ 63. McMillen Decl., ¶ 6, Exhibit  
18 E.

19 22. On September 8, 2016 a Sheriff's Deed Upon Execution of Real Property  
20 was recorded in Washoe County, Nevada in favor of Margolin with respect to APN 079-  
21 150-12. ECF No. 15 at ¶ 64; ECF No. 16 at ¶ 64.

22 23. Pursuant to a Sheriff's Certificate of Sale of Property, Margolin caused APN  
23 071-02-000-05 in Clark County, Nevada to be sold on December 9, 2014 by Sheriff's Sale  
24 for \$8,000 to himself. McMillen Decl., ¶ 2, Exhibit A.

25 24. On October 19, 2016, a Sheriff's Deed Upon Execution was recorded in  
26 Clark County in favor of Margolin with respect to APN 071-02-000-005. ECF No. 15 at ¶  
27 65; ECF No. 16 at ¶ 65.

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1                    **Canet does not dispute the following:**

2                    25.        On August 21, 2017, the parties in this action entered into a Standard  
3                    Discovery Plan (ECF No. 18), and on August 22, 2017, the parties entered into an Amended  
4                    Standard Discovery Plan (ECF No. 19). Pursuant to the Amended Standard Discovery  
5                    Plan, the last day for parties to serve initial disclosures was September 21, 2017. (ECF No.  
6                    19). Discovery closed on February 26, 2018. *Id.*

7                    26.        Canet never served initial disclosures or supplemental disclosures pursuant to  
8                    the Amended Discovery Plan (ECF No. 19) or Federal Rules of Civil Procedure 26(a) and  
9                    26(e). Francis Decl., ¶ 4; *see* Fed R. Bnkr. P. 7026;

10                  27.        Canet never served responses to Mr. Margolin’s First Set of Interrogatories to  
11                  Patrick Canet or Mr. Margolin’s First Set of Requests for Production to Patrick Canet, both  
12                  served on February 6, 2018, despite two extensions of time granted by undersigned counsel.  
13                  Francis Decl., ¶¶ 5-6, Exhibits C-G.

14

15                    **Canet’s separate statement of Undisputed Facts:**

16                    1. The McMillen and Francis Declarations, **DE 25 and DE 26**, do not include  
17                    admissible evidence demonstrating compliance with NRS 17.150(4).

18                    2. The McMillen and Francis Declarations, **DE 25 and DE 26**, do not include  
19                    admissible evidence demonstrating compliance with NRS 21.130.

20                    3. The McMillen and Francis Declarations, **DE 25 and DE 26**, do not include  
21                    admissible evidence demonstrating compliance with NRS 21.075.

22                    4. The McMillen and Francis Declarations, **DE 25 and DE 26**, do not include  
23                    admissible evidence demonstrating compliance with NRS 21.076.

24                    DATED: April 11, 2018.

25

**HARTMAN & HARTMAN**

26

/s/ Jeffrey L. Hartman  
Jeffrey L. Hartman, Esq.  
Attorney for Patrick Canet,  
Foreign Representative

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CERTIFICATE OF SERVICE

I certify that I am an employee of Hartman & Hartman, and that on April 11, 2018, I caused to be served the foregoing document by the following means to the persons as listed below:

- ✓ a. Electronically, via the Court’s ECF System, to
  - MATTHEW D. FRANCIS on behalf of Cross Defendant JED MARGOLIN  
[mfrancis@bhfs.com](mailto:mfrancis@bhfs.com); [nlindsley@bhfs.com](mailto:nlindsley@bhfs.com), [rnofederal@bhfs.com](mailto:rnofederal@bhfs.com)
  - MATTHEW D. FRANCIS on behalf of Defendant JED MARGOLIN  
[mfrancis@bhfs.com](mailto:mfrancis@bhfs.com); [nlindsley@bhfs.com](mailto:nlindsley@bhfs.com), [rnofederal@bhfs.com](mailto:rnofederal@bhfs.com)
  - JEFFREY L HARTMAN on behalf of Cross-Claimant PATRICK CANET  
[notices@bankruptcyreno.com](mailto:notices@bankruptcyreno.com), [sji@bankruptcyreno.com](mailto:sji@bankruptcyreno.com)
  - YANXIONG LI on behalf of Counter-Defendant FRED SADRI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - YANXIONG LI on behalf of Counter-Defendant RAY KOROGHLI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - YANXIONG LI on behalf of Counter-Defendant SATHSOWI T. KOROGHLI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - YANXIONG LI on behalf of Plaintiff FRED SADRI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - YANXIONG LI on behalf of Plaintiff RAY KOROGHLI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - YANXIONG LI on behalf of Plaintiff SATHSOWI T. KOROGHLI  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net),  
[nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net); [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [kwightman@wrightlegal.net](mailto:kwightman@wrightlegal.net)
  - ADAM P MCMILLEN on behalf of Cross Defendant JED MARGOLIN  
[amcmillen@bhfs.com](mailto:amcmillen@bhfs.com), [nlindsley@bhfs.com](mailto:nlindsley@bhfs.com)
  - ADAM P MCMILLEN on behalf of Defendant JED MARGOLIN  
[amcmillen@bhfs.com](mailto:amcmillen@bhfs.com), [nlindsley@bhfs.com](mailto:nlindsley@bhfs.com)

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ARTHUR A. ZORIO on behalf of Cross Defendant JED MARGOLIN  
[azorio@bhfs.com](mailto:azorio@bhfs.com), [RenoIDFilings@bhfs.com](mailto:RenoIDFilings@bhfs.com)

ARTHUR A. ZORIO on behalf of Defendant JED MARGOLIN  
[azorio@bhfs.com](mailto:azorio@bhfs.com), [RenoIDFilings@bhfs.com](mailto:RenoIDFilings@bhfs.com)

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

Dated: April 11, 2018.

/S/ Stephanie Ittner  
Stephanie Ittner