

1 **(1) Factors 1 and 2 - The Advocate's Qualities, Including Ability, Training,**
2 **Education, Experience, Professional Standing, and Skill and The Novelty**
3 **and Difficulty of The Questions Involved, and The Time and Skill Involved**

4 The issues related to this case included: (a) whether Plaintiff's patents were entitled to
5 protection; (b) whether Defendants fraudulently assigned Plaintiff's patents; and (c), whether
6 Plaintiff was damaged by Defendants' conduct. McMillen Decl., ¶ 7. The patent and
7 deceptive trade practices issues, and the unique facts surrounding them, involved careful
8 consideration and research. *Id.* In general, patent and deceptive trade practices litigation is a
9 niche practice that requires a high degree of legal skill and care in order to be performed
10 properly and effectively. *Id.* Each of these causes of action, coupled with the unique facts of
11 this matter, required thorough research and careful analysis. *Id.*

12 In addition, the postjudgment collection efforts so far have included attempting to find
13 Zandian's collectible assets, including researching and investigating his property in Nevada
14 and California and moving for a debtor's examination. *Id.* Considering Zandian's elusive
15 behavior to date and elaborate financial arrangements with a multitude of companies and
16 individuals, Plaintiff has been forced to incur a significant amount of attorney's fees in
17 attempting to collect on the judgment. *Id.*

18 Accordingly, Plaintiff's claimed postjudgment attorney's fees are reasonable under
19 these factors:
20

21 **(2) Factor 3 – The Time and Labor Required**

22 Plaintiff's counsel has been required to research Zandian's vast real estate holdings in
23 Nevada. McMillen Decl., ¶ 9. Plaintiff's counsel has recorded the judgment in each Nevada
24 County where Zandian holds property. *Id.* Plaintiff's counsel has researched and subpoenaed
25 Zandian's financial information from several financial institutions. *Id.* Plaintiff's counsel has
26 moved the court for a debtor's examination of Zandian. *Id.* The time and labor required
27 relating to collections efforts are set forth in detail in Plaintiffs' counsel's declaration, and
28

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BY *[Signature]*
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7 In The First Judicial District Court of the State of Nevada
8
9 In and for Carson City

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11 JED MARGOLIN, an individual,
12 Plaintiff,

Case No.: 090C00579 1B

Dept. No.: 1

13 vs.

14 OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
15 TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN
16 aka GOLAMREZA ZANDIANJAZI
17 aka GHOLAM REZA ZANDIAN
aka REZA JAZI aka J. REZA JAZI
18 aka G. REZA JAZI aka GHONONREZA
ZANDIAN JAZI, an individual, DOE Companies
19 1-10, DOE Corporations 11-20, and DOE
20 Individuals 21-30,

**DECLARATION OF ADAM
MCMILLEN IN SUPPORT OF
PLAINTIFF'S MOTION FOR ORDER
ALLOWING COSTS AND
NECESSARY DISBURSEMENTS**

21 Defendants.

22
23 I, Adam P. McMillen, do hereby declare and state:

24 1. I am counsel of record for Plaintiff Jed Margolin in this matter. This declaration is
25 based upon my personal knowledge and is made in support of Plaintiff's Motion for Order
26 Allowing Costs and Necessary Disbursements.
27
28