

1 Matthew D. Francis (6978)
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4 5371 Kietzke Lane
5 Reno, NV 89511
6 Telephone: 775-324-4100
7 Facsimile: 775-333-8171
8 *Attorneys for Plaintiff Jed Margolin*

REC'D & FILED
2011 AUG 11 PM 4:05
ALAN GLOVER
BY CLERK
G. COOPER

7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**

10 **JED MARGOLIN, an individual,**

11 **Plaintiff,**

12 **vs.**

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

24 **Defendants.**

Case No.: 090C00579 1B

Dept. No.: 1

MOTION TO SERVE BY
PUBLICATION

25 COMES NOW Plaintiff Jed Margolin and hereby files this motion to serve Defendants
26 Reza Zandian, Optima Technology Corporation, a California Corporation, and Optima
27 Technology Corporation, a Nevada Corporation (collectively "Zandian"), pursuant to NRC
28 4(e)(1)(i) via publication.

29 This motion is based on the following Memorandum of Points and Authorities, the
30 Declaration of Adam P. McMille, Esq., the attached exhibits, and all pleadings, motions, and
31 papers on file herein.

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

On December 11, 2009, Plaintiff Jed Margolin filed his Complaint against Defendants Reza Zandian, Optima Technology Corporation, a California Corporation, and Optima Technology Corporation, a Nevada Corporation. All three Summonses were originally issued on December 15, 2009 and March 9, 2010. *See* Summons regarding Defendants Reza Zandian, Optima Technology Corporation, a California Corporation, and Optima Technology Corporation, a Nevada Corporation, attached hereto as **Exhibits 2, 3, and 4**. Thereafter, Plaintiff attempted to serve Defendants at their last-known residential and/or business address of 8401 Bonita Downs Road, Fair Oaks, California 95628. *Id.* The process servers were unable to personally serve Defendants and were unable to locate alternate addresses for Defendants. *Id.*

As Plaintiff was having difficulty serving Defendants, the summons and complaint were mailed to Defendants' attorney, John Peter Lee, on January 8, 2010, and a request for assistance in serving Defendants was made. *See* Letter, dated 1/08/10, from Cassandra Joseph to John Peter Lee, attached hereto as **Exhibit 5**. Despite the fact that Mr. Lee represented Reza Zandian prior to this action, Mr. Lee never responded to Cassandra Joseph's request for assistance in serving the Defendants. *See* Declaration of Adam P. McMillen, Esq., attached hereto as **Exhibit 1**.

Eventually, a notice of entry of default judgment against the Defendants was filed on March 7, 2011. On June 9, 2011, Defendant Reza Zandian, filed a motion to dismiss. On August 3, 2011, this Court set aside the default judgment, denied the motion to dismiss and ordered that Plaintiff shall have 90 days from August 3, 2011 to properly effectuate service on the Defendant.

1 On August 4, 2011, Adam McMillen sent a letter to John Peter Lee requesting that Mr.
2 Lee accept service on behalf of his client, Reza Zandian. See Letter, dated 8/04/11, from
3 Adam McMillen to John Peter Lee, attached hereto as **Exhibit 6**. Mr. McMillen also
4 requested that Mr. Lee provide a current address for Reza Zandian. *Id.*

5 On August 8, 2011, Mr. Lee sent Mr. McMillen a letter stating as follows:

6 We cannot accept service, nor can we give you Reza Zandian's current address.
7 Except to indicate that he **does not reside** in Nevada **at the present time** and is
8 not subject to the jurisdiction of the courts of this State within the provisions of
the litigation commenced by your firm involving an Arizona judgment which
cannot be domesticated in Nevada.

9 See Letter, dated 8/8/11, from John Peter Lee to Adam McMillen, attached hereto as **Exhibit 7**
10 (emphasis added).

11 II.

12 LEGAL AUTHORITY

13 NRCP 4(e) states in pertinent part as follows:

14 (1) Service by Publication.

15 (i) **General.** In addition to methods of personal service, when the person on
16 whom service is to be made resides out of the state, or has departed from the
17 state, or cannot, after due diligence, be found within the state, or by
18 concealment seeks to avoid the service of summons, and the fact shall appear,
19 by Declaration, to the satisfaction of the court or judge thereof, and it shall
20 appear, either by Declaration or by a verified complaint on file, that a cause of
action exists against the defendant in respect to whom the service is to be made,
and that the defendant is a necessary or proper party to the action, such court or
judge may grant an order that the service be made by the publication of
summons.

21 Provided, when said Declaration is based on the fact that the party on whom
22 service is to be made resides out of the state, and the present address of the
23 party is unknown, it shall be a sufficient showing of such fact if the affiant shall
24 state generally in such Declaration that at a previous time such person resided
25 out of this state in a certain place (naming the place and stating the latest date
26 known to affiant when such party so resided there); that such place is the last
27 place in which such party resided to the knowledge of affiant; that such party
28 no longer resides at such place; that affiant does not know the present place of
residence of such party or where such party can be found; and that affiant does
not know and has never been informed and has no reason to believe that such
party now resides in this state; and, in such case, it shall be presumed that such
party still resides and remains out of the state, and such Declaration shall be

1 deemed to be a sufficient showing of due diligence to find the defendant. This
2 rule shall apply to all manner of civil actions, including those for divorce.

3 ...
4 **(iii) Publication.** The order shall direct the publication to be made in a
5 newspaper, **published in the State of Nevada**, to be designated by the court or
6 judge thereof, for a period of 4 weeks, and at least once a week during said
7 time. In addition to in-state publication, where the present residence of the
8 defendant is unknown **the order may also direct that publication be made in**
9 **a newspaper published outside the State of Nevada** whenever the court is of
10 the opinion that such publication is necessary to give notice that is reasonably
11 calculated to give a defendant actual notice of the proceedings. In case of
12 publication, where the residence of a nonresident or absent defendant is known,
13 the court or judge shall also direct a copy of the summons and complaint to be
14 deposited in the post office, directed to the person to be served at the person's
15 place of residence. The service of summons shall be deemed complete in cases
16 of publication at the expiration of 4 weeks from the first publication, and in
17 cases when a deposit of a copy of the summons and complaint in the post office
18 is also required, at the expiration of 4 weeks from such deposit.

19 NRCP 4(e)(1)(i) and (iii)(emphasis added).

20 In the case at bar, the Declaration of Adam P. McMillen, Esq., attached hereto as
21 **Exhibit 1**, and the Complaint on file herein show that a cause of action exists in favor of
22 Plaintiff and against Defendants and that Defendants, each of them, are necessary and proper
23 parties to this action. Moreover, Defendant Reza Zandian no longer resides at his last known
24 address or is intentionally evading service.

25 Likewise, the above facts and attached Summonses and Declaration of Adam P.
26 McMillen, Esq. unequivocally demonstrate that due diligence was exercised by Plaintiff and
27 Plaintiff's process servers in an attempt to personally serve the Defendants at their last known
28 address. In addition, Defendant Reza Zandian's lawyer will not accept service, will not
provide a current address, and states that Reza Zandian does not reside in Nevada. As a result,
Plaintiff now seeks service by publication because Plaintiff does not know Defendants' present
place of residence or employment.

29 III.

30 CONCLUSION

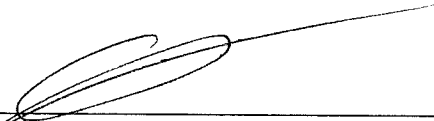
31 Based upon the foregoing, Plaintiff respectfully requests that this Court grant this
32 motion to effectuate service of process by publication and that such service of process be
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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 11th day of August, 2011.

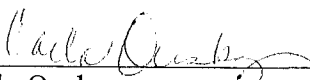
BY: 
Matthew D. Francis (6978)
Adam P. McMillen (10678)
WATSON ROUNDS
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **MOTION TO SERVE BY PUBLICATION**, addressed as follows:

John Peter Lee
John Peter Lee, Ltd.
830 Las Vegas Blvd. South
Las Vegas, NV 89101

Dated: August 11, 2011



Carla Ousby

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INDEX OF EXHIBITS

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Exhibit No.	Title	Number of Pages
1	<i>Declaration</i> Affidavit of Adam P. McMillen	3
2	Returned Summons to Reza Zandian	4
3	Returned Summons to Optima technology Corporation, a California corporation	4
4	Returned Summons to Optima technology Corporation, a Nevada corporation	4
5	January 8, 2010, Letter to John Peter Lee	15
6	August 4, 2011, Letter to John Peter Lee	1
7	August 8, 2011, Letter from John Peter Lee	1
8	Summonses	6

Exhibit 1

Exhibit 1

1 Matthew D. Francis (6978)
Adam P. McMillen (10678)
2 WATSON ROUNDS
5371 Kietzke Lane
3 Reno, NV 89511
Telephone: 775-324-4100
4 Facsimile: 775-333-8171
Attorneys for Plaintiff Jed Margolin
5

6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

10 **JED MARGOLIN, an individual,**

11 **Plaintiff,**

12 **vs.**

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

20 **Defendants.**

Case No.: 090C00579 1B

Dept. No.: 1

DECLARATION OF ADAM P.
MCMILLEN IN SUPPORT OF
MOTION TO SERVE BY
PUBLICATION

21
22 I, Adam P. McMillen do hereby declare and state as follows:

23 1. I am an associate at the law firm of Watson Rounds located at 5371 Kietzke
24 Lane, Reno, Nevada 89511. I represent the Plaintiff, Jed Margolin, in the above referenced
25 cause of action against the named Defendants, who are necessary parties to this action. This
26 declaration is based upon my personal knowledge, and is made in support of Plaintiff's Motion
27 to Serve by Publication.

28 2. The Complaint in this action was filed on December 11, 2009, and personal

1 service was attempted upon Defendant Reza Zandian (“Zandian”) at his last known address at
2 8401 Bonita Downs Road, Fair Oaks, California 95628 on February 2, 2010 and on
3 Defendants Optima Technology Corporation, a Nevada corporation, and Optima Technology
4 Corporation, a California corporation on March 21, 2010. True and correct copies of the
5 Affidavits of Service are attached hereto as **Exhibit 2, 3, and 4.**

6 3. As we were having difficulty serving Defendant Reza Zandian, the summons
7 and complaint were mailed to Defendants’ attorney, John Peter Lee, on January 8, 2010, and a
8 request for assistance in serving Defendants was made. *See* a true and correct copy of the
9 Letter, dated 1/8/10, from Cassandra Joseph to John Peter Lee, attached hereto as **Exhibit 5.**

10 4. On August 4, 2011, I sent a letter to John Peter Lee requesting that Mr. Lee
11 accept service on behalf of his client, Reza Zandian, and that he provide a current address for
12 Mr. Lee. *See* a true and correct copy of the Letter, dated 8/4/11, from Adam McMillen to John
13 Peter Lee, attached hereto as **Exhibit 6.**

14 5. On August 8, 2011, John Peter Lee sent me a letter stating that he cannot accept
15 service on behalf of Reza Zandian and that he could not give us Zandian’s current address.
16 *See* a true and correct copy of the Letter, dated 8/8/11, from John Peter Lee to Adam
17 McMillen, attached hereto as **Exhibit 7.**

18 6. According to the affidavits attached to the filed summonses, the last known
19 address of Reza Zandian was 8401 Bonita Downs Road, Fair Oaks, California 95628.
20 Apparently Reza Zandian does not live at this address, as manifested by his recent motion to
21 dismiss.

22 7. Affiant does not know the present address of Reza Zandian, or where he resides
23 or where he may be found; and that after due diligence, Reza Zandian cannot be found within
24 the State of Nevada or if he was last known to reside outside of the State of Nevada, that
25 Affiant does not know where he resides, where he may be found and that Affiant has no
26 knowledge, has never been informed, and has no reason to believe that Reza Zandian currently
27 resides in the State of Nevada.

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8. Based upon the fact that process servers cannot personally serve Reza Zandian and that his lawyer, John Peter Lee, will not accept service and will not provide a current address for his client, therefore, Affiant believes that Reza Zandian cannot be found at this time.

9. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 11th day of August, 2011.

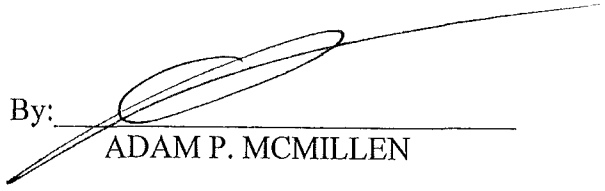
By: 
ADAM P. MCMILLEN

Exhibit 2

Exhibit 2

COPY

No. 090C00579 1B

Dept. I

REC'D & FILED
2010 MAR -9 PM 2:15
ALAN GLOVER
BY J. HANKLER
DEPUTY CLERK

In the First Judicial District Court of the State of Nevada
in and for Carson City

SUMMONS

JED MARGOLIN, an individual
Plaintiff,

^{VS}
Optima Technology Corporation, a California corporation,
Optima Technology Corporation, a Nevada corporation, Reza
Zandian aka Golamreza Zandian, Jazi aka Gholam Reza Zandian
aka Reza Jazi aka J. Reza Defendant, Jazi aka G. Reza Jazi
~~aka Chononreza Zandian Jazi, an individual, DOE Companies~~
1-10, DOE Corporations 11-20, and DOE Individuals 21-30
DEFENDANTS

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED DEFENDANT:

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiff, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER
Clerk of Court
By [Signature]
Deputy Clerk

Date December 15, 2009, 20

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

AFFIDAVIT OF SERVICE
(For General Use)

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } SS.

ROBERT TOTH, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the 22ND day of JANUARY, 20 10, and personally served the same upon REZA ZANDIAN the within named defendant, on the 2ND day of FEBRUARY, 20 10, by delivering to the said defendant, personally, in FAIR OAKS, County of SACRAMENTO, State of CALIFORNIA, a copy of the Summons attached to a copy of the Complaint.

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

Executed this 12TH day of FEBRUARY, 20 10. Robert Toth
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20 ____; and personally served the same upon _____, the within named defendant, on the _____ day of _____, 20 ____, by delivering to the said defendant, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20 ____ By _____ Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

AFFIDAVIT OF MAILING
(For Use When Service Is by Publication and Mailing)

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20 ____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named defendant, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.

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

Executed this _____ day of _____, 20 ____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made outside the United States, a special affidavit or return must be made

1 Jed Margolin v. Optima Technology Corp., et al.
2 Case No. 090C00579 1B
3 Declaration of Robert Toth

4 I, ROBERT TOTH, hereby declare:

5 I am a registered process server for the State of California. I have personal knowledge of
6 the facts contained in this Declaration, and if called as a witness, I could and would competently
7 testify thereto. As to those matters alleged on information and belief, I believe them to be true.

8 I served copies of the Summons and Complaint, on Reza Zandian aka Golamreza
9 Zandianjaza, aka Gholam Reza Zandian, aka Reza Jazi, aka J. Reza Jazi, aka G. Reza Jazi, aka
10 Ghonoureza Zanian Jazi:

11 On January 26, 2010 at 8:43 a.m., I wen to the residence address at 8401 Bonita Downs
12 Road, Fair Oaks, California 95628. There was no answer at the door.

13 On January 28, 2010 at 3:47 p.m., I returned to the residence again, and there was no
14 answer at the door.

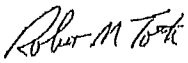
15 On January 31, 2010 at 4:13 p.m., I went the residence address, and again there was no
16 answer at the door.

17 On February 2, 2010 at 5:37 p.m., when I returned to the residence address, I observed no
18 lights on, no cars parked, but that the trash was set out.

19 On February 2, 2010 at 7:21 p.m., I returned to the residence address. The door was
20 answered by an elderly man, described as mid to late-60's, middle eastern accent, 5'4" tall, grey
21 hair, long beard, thin, and wearing glasses. I told him I was looking for Reza. I showed him the
22 name on the documents with the various names, and made a motion that he knew one or more of
23 the names. I showed him the photograph that I had. I told him I had legal documents for Reza,
24 and that I would leave it with him. He took the envelope, opened it and saw the documents. He
25 told me that he did not want the papers and that he did not live there. I told him that we had
26 confirmed that was his address. He returned the envelope back. I told him that he needed to
27 make sure that Reza got the paperwork. I put the envelope by the doorway. He picked up the
28 envelope and threw it at me as I was leaving. I left the documents there and again told him that
he had been served for Reza.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed this 18th day of February, at Citrus Heights, California.



ROBERT M. TOTH
Registered Process Server

Exhibit 3

Exhibit 3

ORIGINAL
COPY

No. 090C00579 1B

Dept. 1

REC'D & FILED
2010 MAR 26 PM 1:40
ALAN GLOVER
BY ~~C. GLOVER~~ CLERK
DEPUTY

In the First Judicial District Court of the State of Nevada
in and for Carson City

add'l
SUMMONS

JED MARGOLIN, an individual

Plaintiff,

vs.

Optima Technology Corporation, a California corporation,
OPTima Technology Corporation, a Nevada corporation, Reza
Zandian aka Golamreza Zandianjazi aka Gholam Reza Zandian
aka Reza Jazi aka J. RezDefendant, Jazi aka G. Reza Jazi
aka Chononreza Zandian Jazi, an individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE Individuals 21-30.

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED DEFENDANT: Optima
TEchnology Corporation, a California Corporation

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING
HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiff, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER

Clerk of Court

By

M. Anderson

Deputy Clerk

Date

March 9, 20 10

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

AFFIDAVIT OF SERVICE
(For General Use)

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } SS.
I SHAWN SARDIA

_____, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the 19th 20th 5th day of MARCH, 20 10, and personally served the same upon ROZA ZANDIAN, AGENT FOR SERVICE OF PROCESS the within named defendant, on the 21st day of MARCH, 20 10, by delivering to the said defendant, personally, in FAIR OAKS, County of SACRAMENTO, State of CALIFORNIA, a copy of the Summons attached to a copy of the Complaint.

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

Executed this 23rd day of MARCH, 20 10. Shawn I Sardia #SAC-2008-5
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20 ____; and personally served the same upon _____, the within named defendant, on the _____ day of _____, 20 ____, by delivering to the said defendant, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20 ____ By _____ Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

AFFIDAVIT OF MAILING
(For Use When Service is by Publication and Mailing)

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20 ____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named defendant, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.
I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20 ____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made outside the United States, a special affidavit or return must be made

1 Jed Margolin v. Optima Technology Corporation, et al.
2 Case No. 090C0500679 1B
3 Declaration of Robert Toth

4 I, ROBERT TOTH, hereby declare:

5 I am a registered process server for the State of California. I have personal knowledge of
6 the facts contained in this Declaration, and if called as a witness, I could and would competently
7 testify thereto. As to those matters alleged on information and belief, I believe them to be true.


8 I attempted service of copies of the Summons, Complaint and Order on Reza Zandian,
9 agent for process of service for Optima Technoloy Corp, a California Corp and Optima
10 Technology Corp, A Nevada Corp., as follows:

11 On March 19, 2010 at 4:12 p.m., I went to the residence address at 8401 Bonita Downs
12 Road Fair Oaks, 95628. There was no answer at the door.

13 On March 20, 2010 at 12:07 p.m. There was no answer at the door.

14 At that time, I turned over the documents to an associated, Shawn Sardia.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct, and that this declaration is executed this 23rd day of March, at
17 Citrus Heights, California.

18 
19 _____
20 ROBERT M. TOTH
21 Registered Process Server
22 Sacramento #2000-28
23
24
25
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28

1 Jed Margolin v. Optima Technology Corporation, et al.
Case No. 090C0500679 1B
2 Declaration of Shawn Sardia

3 I, SHAWN SARDIA, hereby declare:

4 I am a registered process server for the State of California. I have personal knowledge of
5 the facts contained in this Declaration, and if called as a witness, I could and would competently
6 testify thereto. As to those matters alleged on information and belief, I believe them to be true.

7 I served copies of the Summons, Complaint and Order on Reza Zandian, agent for
8 process of service for Optima Technology Corp, a California Corp and Optima Technology Corp,
9 A Nevada Corp., as follows:

10 On March 20, 2010 at 10:14 a.m., I went to the residence located at 8401 Bonita Downs
11 Road, Fair Oaks, CA 95628. There was no answer at the door.

12 On March 21, 2010 at 9:45 a.m. I returned to the residence. There was no answer at the
13 door.

14 On March 21, 2010 at 6:45 p.m. I returned to the resident's address. The door was
15 answered by an elderly man, described as mid to late-60's, middle eastern accent; 5'4" tall, grey
16 hair, long beard, thin, wearing glasses and is the subject's father. I told him I had legal documents
17 for Reza Zandian, and that I would leave it with him. He told me he did not want the papers. I put
18 the envelope by the doorway and told him he had been served for Reza. He closed the door.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct, and that this declaration is executed this 23rd day of March, at
21 Citrus Heights, California.

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SHAWN SARDIA
Registered Process Server
Sacramento #2008-5

Exhibit 4

Exhibit 4

No. 090C00579 1B

Dept. 1

COPY

REC'D & FILED
2010 MAR 26 PM 1:40
ALAN GLOVER
BY C. COOPER CLERK

In the First Judicial District Court of the State of Nevada
in and for Carson City

JED MARGOLIN, an individual

SUMMONS

Plaintiff,

vs.

Optima Technology Corporation, a California corporation,
OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, Reza
Zandian aka Golanreza Zandianjazi aka Gholam Reza Zandian
aka Reza Jazi aka J. Reza Defendant, Jazi aka G. Reza Jazi
aka Chononreza Zandian Jazi, an individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE Individuals 21-30.

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED DEFENDANT: Optima
Technology Corporation, a Nevada Corporation

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING
HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiff, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER
Clerk of Court
By Mazheriwa
Deputy Clerk

Date March 9, 20 10

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

AFFIDAVIT OF SERVICE
(For General Use)

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } SS.

I SHAWN SARDIA, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the 19th 20th 5⁶ day of MARCH, 20 10, and personally served the same upon REZA ZANDIAN, AGENT FOR SERVICE OF PROCESS the within named defendant, on the 21st day of MARCH, 20 10, by delivering to the said defendant, personally, in FAIROAKS, County of SACRAMENTO, State of CALIFORNIA, a copy of the Summons attached to a copy of the Complaint.

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

Executed this 23rd day of MARCH, 20 10. Shawn F SARDIA # SAC 2008-5
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20 ____; and personally served the same upon _____, the within named defendant, on the _____ day of _____, 20 ____, by delivering to the said defendant, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20 ____ By _____ Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

AFFIDAVIT OF MAILING
(For Use When Service is by Publication and Mailing)

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20 ____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named defendant, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.
I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20 ____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made outside the United States, a special affidavit or return must be made.

1 Jed Margolin v. Optima Technology Corporation, et al.
2 Case No. 090C0500679 1B
3 Declaration of Robert Toth

4 I, ROBERT TOTH, hereby declare:

5 I am a registered process server for the State of California. I have personal knowledge of
6 the facts contained in this Declaration, and if called as a witness, I could and would competently
7 testify thereto. As to those matters alleged on information and belief, I believe them to be true.

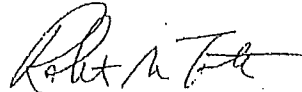
8 I attempted service of copies of the Summons, Complaint and Order on Reza Zandian,
9 agent for process of service for Optima Technoloy Corp, a California Corp and Optima
10 Technology Corp, A Nevada Corp., as follows:

11 On March 19, 2010 at 4:12 p.m., I went to the residence address at 8401 Bonita Downs
12 Road Fair Oaks, 95628. There was no answer at the door.

13 On March 20, 2010 at 12:07 p.m. There was no answer at the door.

14 On March 19, 2010 I turned over a copy of the documents to an associate, Shawn Sardia.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct, and that this declaration is executed this 23rd day of March, at
17 Citrus Heights, California.



18 ROBERT M. TOTH
19 Registered Process Server
20 Sacramento #2000-28
21
22
23
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25
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27
28

1 Jed Margolin v. Optima Technology Corporation, et al.
2 Case No. 090C0500679 1B
3 Declaration of Shawn Sardia

4 I, SHAWN SARDIA, hereby declare:

5 I am a registered process server for the State of California. I have personal knowledge of
6 the facts contained in this Declaration, and if called as a witness, I could and would competently
7 testify thereto. As to those matters alleged on information and belief, I believe them to be true.

8 I served copies of the Summons, Complaint and Order on Reza Zandian, agent for
9 process of service for Optima Technology Corp, a California Corp and Optima Technology Corp,
10 A Nevada Corp., as follows:

11 On March 20, 2010 at 10:14 a.m., I went to the residence located at 8401 Bonita Downs
12 Road, Fair Oaks, CA 95628. There was no answer at the door.

13 On March 21, 2010 at 9:45 a.m. I returned to the residence. There was no answer at the
14 door.

15 On March 21, 2010 at 6:45 p.m. I returned to the resident's address. The door was
16 answered by an elderly man, described as mid to late-60's, middle eastern accent, 5'4" tall, grey
17 hair, long beard, thin, wearing glasses and is the subject's father. I told him I had legal documents
18 for Reza Zandian, and that I would leave it with him. He told me he did not want the papers. I put
19 the envelope by the doorway and told him he had been served for Reza. He closed the door.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct, and that this declaration is executed this 23rd day of March, at
22 Citrus Heights, California.

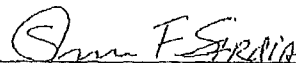
23 
24 SHAWN SARDIA
25 Registered Process Server
26 Sacramento #2008-5
27
28

Exhibit 5

Exhibit 5



January 8, 2010

KELLY G. WATSON¹
MICHAEL D. ROUNDS¹
MATTHEW D. FRANCIS²

ARTHUR A. ZORIO¹
CASSANDRA P. JOSEPH¹
MELISSA P. BARNARD
RYAN E. JOHNSON
TARA A. SHIROFF
MATTHEW G. HOLLAND
ADAM P. McMILLEN²
ELIZA BECHTOLD⁴
ADAM YOWELL

OF COUNSEL-
MARC D. FOODMAN^{1,3}

¹ Also licensed in California
² Also licensed in Utah
³ Also licensed in Massachusetts
⁴ Licensed only in California

5371 Klatzko Lane
Reno, Nevada 89511
(775) 324-4100
Fax (775) 333-8171
e-mail: reno@watsonrounds.com

777 North Rainbow Boulevard
Suite 350
Las Vegas, Nevada 89107
(702) 636-4902
Fax (702) 636-4904

One Market Street Tower
Suite 1600
San Francisco, CA 94105
(415) 243-4090
Fax (415) 243-0226

www.watsonrounds.com

Reply to: Reno

John Peter Lee, Esq.
John Peter Lee, Ltd.
830 Las Vegas Boulevard South
Las Vegas, NV 89101

Re: Optima Technology Corporation and Reza Zandian

Dear Mr. Lee:

We represent Mr. Jed Margolin in a case pending in the First Judicial District Court for the State of Nevada in and for Carson City, Case No. 09 0C 00579 1B captioned *Jed Margolin v. Optima Technology Corporation (CA), Optima Technology Corporation (NV), Reza Zandian aka Golanreza Zandianjazi aka aka Gholam Reza Zandian, aka Reza Jazi, aka J. Reza Jazi, aka G. Reza Jazi, aka Ghononreza Zandian Jazi* (the Action). Copies of the summonses and complaint filed in the Action are enclosed.

We understand that at one time you represented one or more of the Defendants named in the Action. We are attempting to effectuate service of the enclosed summonses and complaint on Mr. Zandian and the Defendant entities and have been unsuccessful thus far. Please inform me whether you currently represent Mr. Zandian or the Defendant entities, and if so, whether you will accept service on behalf of any of the Defendants. If you refuse or cannot accept service on behalf of any of the Defendants, please provide any information possible regarding the whereabouts of any of the Defendants. Alternatively, please provide copies of the summonses and complaint to the Defendants.

Please inform me by January 29, 2010 whether or not you will accept service of the summonses and complaint on behalf of any of the Defendants, or whether you



John Peter Lee, Esq.
January 8, 2010
Page 2

will take any other action requested herein. I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cassandra P. Joseph".

Cassandra P. Joseph
WATSON ROUNDS
A Professional Corporation

COPY

1 Case No.: D9 DC 00579 1B

2 Dept. No.: I

REC'D & FILED

2009 DEC 11 PM 4:07

BY ~~MARGLOVER~~
STATE CLERK
DEPUTY

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4
5
6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR CARSON CITY

8
9 JED MARGOLIN, an individual,

10 Plaintiff,

11 vs.

12 OPTIMA TECHNOLOGY
13 CORPORATION, a California corporation,
14 OPTIMA TECHNOLOGY CORPORATION,
15 a Nevada corporation, REZA ZANDIAN aka
16 GOLAMREZA ZANDIANJAZI aka
17 GHOLAM REZA ZANDIAN aka REZA
18 JAZI aka J. REZA JAZI aka G. REZA
19 JAZI aka GHONONREZA ZANDIAN JAZI,
20 an individual, DOE Companies 1-10, DOE
21 Corporations 11-20, and DOE Individuals
22 21-30,

23 Defendants.

24
25
26 COMPLAINT

(Exemption From Arbitration Requested)

27 Plaintiff, JED MARGOLIN ("Mr. Margolin"), by and through his counsel of record,
28 WATSON ROUNDS, and for his Complaint against Defendants, hereby alleges and complains
as follows:

The Parties

1. Plaintiff Mr. Margolin is an individual residing in Storey County, Nevada.
2. On information and belief, Defendant Optima Technology Corporation is a

1 California corporation with its principal place of business in Irvine, California.

2 3. On information and belief, Defendant Optima Technology Corporation is a
3 Nevada corporation with its principal place of business in Las Vegas, Nevada.

4 4. On information and belief, Defendant Reza Zandian, aka Golamreza Zandianjazi,
5 aka Golamreza Zandianjazi, aka Gholam Reza Zandian, aka Reza Jazi, aka J. Reza Jazi, aka G.
6 Reza Jazi, aka Ghononreza Zandian Jazi (collectively "Zandian"), is an individual who at all
7 relevant times resided in San Diego, California or Las Vegas, Nevada.

8 5. On information and belief, Defendant Optima Technology Corporation, the
9 Nevada corporation ("OTC—Nevada") is a wholly owned subsidiary of Optima Technology
10 Corporation, the California corporation ("OTC—California"), and Defendant Zandian at all
11 relevant times served as officers of the OTC—California and OTC—Nevada.
12

13 6. Mr. Margolin believes, and therefore alleges, that at all times herein mentioned,
14 each of the Defendants was the agent, servant or employee of each of the other Defendant and at
15 all times was acting within the course and scope of said agency and/or employment and that each
16 Defendant is liable to Mr. Margolin for the reasons and the facts herein alleged. Relief is sought
17 herein against each and all of the Defendants jointly and severally, as well as its or their agents,
18 assistants, successors, employees and all persons acting in concert or cooperation with them or at
19 their direction. Mr. Margolin will amend his Complaint when such additional persons acting in
20 concert or cooperation are ascertained.
21

22 Jurisdiction and Venue

23
24 7. Pursuant to the Nevada Constitution, Article 6, Section 6, the district courts of the
25 State of Nevada have original jurisdiction in all cases excluded by law from the original
26 jurisdiction of the justice courts. This case involves tort claims in an amount in excess of the
27 jurisdictional limitation of the justice courts and, accordingly, jurisdiction is proper in the district
28 court.

1 8. Venue is based upon the provisions of N.R.S. § 13.010, et seq., inasmuch as the
2 Defendants at all times herein mentioned has been and/or is residing or currently doing business
3 in and/or are responsible for the actions complained of herein in Storey County.

4 Facts

5 9. Plaintiff Mr. Margolin is the named inventor on numerous patents and patent
6 applications, including United States Patent No. 5,566,073 ("the '073 Patent"), United States
7 Patent No. 5,904,724 ("the '724 Patent"), United States Patent No. 5,978,488 ("the '488 Patent")
8 and United States Patent No. 6,377,436 ("the '436 Patent") (collectively "the Patents").

9 10. Mr. Margolin is the legal owner and owner of record for the '488 and '436
10 Patents, and has never assigned those patents.

11 11. In July 2004, Mr. Margolin granted to Optima Technology Group ("OTG"), a
12 Cayman Islands Corporation specializing in aerospace technology, a Power of Attorney
13 regarding the '073 and '724 Patents. In exchange for the Power of Attorney, OTG agreed to pay
14 Mr. Margolin royalties based on OTG's licensing of the '073 and '724 Patents.

15 12. In May 2006, OTG and Mr. Margolin licensed the '073 and '724 Patents to
16 Geneva Aerospace, Inc., and Mr. Margolin received a royalty payment pursuant to the royalty
17 agreement between Mr. Margolin and OTG.
18

19 13. On about July 20, 2004, Mr. Margolin assigned the '073 and '724 Patents to
20 OTG.
21

22 14. In about November 2007, OTG licensed the '073 Patent to Honeywell
23 International, Inc., and Mr. Margolin received a royalty payment pursuant to the royalty
24 agreement between Mr. Margolin and OTG.

25 15. In December 2007, Defendant Zandian filed with the U.S. Patent and Trademark
26 Office ("USPTO") fraudulent assignment documents allegedly assigning all four of the Patents
27 to Optima Technology Corporation.
28

1 16. Upon discovery of the fraudulent filing, Mr. Margolin: (a) filed a report with the
2 Storey County Sheriff's Department; (b) took action to regain record title to the '488 and '436
3 Patents that he legally owned; and (c) assisted OTG in regaining record title of the '073 and '724
4 Patents that it legally owned and upon which it contracted with Mr. Margolin for royalties.

5 17. Soon thereafter, Mr. Margolin and OTG were named as defendants in an action
6 for declaratory relief regarding non-infringement of the '073 and '724 Patents in the United
7 States District Court for the District of Arizona, in a case titled: *Universal Avionics Systems*
8 *Corporation v. Optima Technology Group, Inc.*, No. CV 07-588-TUC-RCC (the "Arizona
9 Action"). In the Arizona Action, Mr. Margolin and OTG filed a cross-claim for declaratory
10 relief against Zandian in order to obtain legal title to their respective patents.

11 18. On August 18, 2008, the United States District Court for the District of Arizona
12 entered a final judgment in favor of Mr. Margolin and OTG on their declaratory relief action, and
13 ordered that OTC had no interest in the '073 or '724 Patents, and that the assignment documents
14 filed with the USPTO were "forged, invalid, void, of no force and effect." Attached as Exhibit A
15 is a copy of the Order from the United States District Court in the Arizona Action.
16

17 19. Due to Defendants' fraudulent acts, title to the Patents was clouded and interfered
18 with Plaintiff's and OTG's ability to license the Patents.
19

20 20. During the period of time Mr. Margolin worked to correct record title of the
21 Patents in the Arizona Action and with the USPTO, he incurred significant litigation and other
22 costs associated with those efforts.
23

24 **Claim 1--Conversion**
25 **(Against All Defendants)**

26 21. Paragraphs 1-20 of the Complaint set forth above are incorporated herein by
27 reference.

28 22. Through the fraudulent acts described above, Defendants wrongfully exerted
dominion over the Patents, thereby depriving Mr. Margolin of the use of such property.

1 34. The foregoing actions by Defendants interfered with the business relationships of
2 Mr. Margolin, and were done intentionally and occurred without consent or authority of Mr.
3 Margolin.

4 35. As a direct and proximate result of the Defendants' tortious interference, Mr.
5 Margolin has suffered damages in excess of ten thousand dollars (\$10,000), entitling him to the
6 relief set forth below.

7 Claim 4—Unjust Enrichment
8 (Against All Defendants)

9 36. Paragraphs 1-35 of the Complaint set forth above are incorporated herein by
10 reference.

11 37. Defendants wrongfully obtained record title to the Patents.

12 38. Defendants were aware that record title to the Patents was valuable, and were
13 aware of the benefit derived from having record title.

14 39. Defendants unjustly benefitted from the use of Mr. Margolin's property without
15 compensation to Mr. Margolin.

16 40. As a direct and proximate result of Defendants' aforementioned acts, Mr.
17 Margolin is entitled to equitable relief.

18 Claim 5—Unfair and Deceptive Trade Practices
19 (Against All Defendants)

20 41. Paragraphs 1-40 of the Complaint set forth above are incorporated herein by
21 reference.

22 42. The Defendants, engaging in the acts and conduct described above, have
23 knowingly and willfully committed unfair and deceptive trade practices under NRS 598.0915 by
24 making false representations.

25 43. As a direct and proximate result of the Defendants' unfair and deceptive trade
26 practices, Mr. Margolin has suffered damages in excess of ten thousand dollars (\$10,000),
27 entitling him to the relief set forth below.
28

1
2 WHEREFORE, Plaintiff Jed Margolin, prays for judgment against the Defendants as
3 follows:

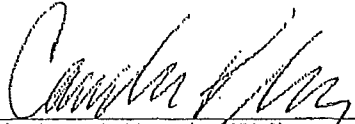
- 4 1. That Plaintiff be awarded damages for Defendants' tortious conduct;
5 2. That Plaintiff be awarded damages for Defendants' unjust enrichment;
6 3. That Plaintiff be awarded damages for Defendants' commission of unfair and
7 deceptive trade practices, in an amount to be proven at trial, with said damages being trebled
8 pursuant to NRS 598.0999;
9 4. That Plaintiff be awarded actual, consequential, future, and punitive damages of
10 whatever type or nature;
11 5. That the Court award all such further relief that it deems just and proper.

12
13 **AFFIRMATION**

14 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding
15 document, filed in District Court, does not contain the social security number of any person.
16

17 DATED: December 10, 2009

18 WATSON ROUNDS

19 

20 Matthew D. Francis (6978)
21 Cassandra P. Joseph (9845)
22 WATSON ROUNDS
23 5371 Kietzke Lane
24 Reno, NV 89511
25 Telephone: 775-324-4100
26 Facsimile: 775-333-8171

27 *Attorneys for Plaintiff Jed Margolin*
28

Exhibit 1

Exhibit 1

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNIVERSAL AVIONICS SYSTEMS CORPORATION,

Plaintiff,

vs.

OPTIMA TECHNOLOGY GROUP, INC.,
OPTIMA TECHNOLOGY CORPORATION, ROBERT ADAMS and
JED MARGOLIN,

Defendants.

No. CV 07-588-TUC-RCC

ORDER

OPTIMA TECHNOLOGY INC. a/k/a
OPTIMA TECHNOLOGY GROUP, INC.,
a corporation,

Counterclaimant,

vs.

UNIVERSAL AVIONICS SYSTEMS CORPORATION, an Arizona corporation,

Counterdefendant,

OPTIMA TECHNOLOGY INC. a/k/a
OPTIMA TECHNOLOGY GROUP, INC.,

Cross-Claimant,

vs.

OPTIMA TECHNOLOGY CORPORATION,

Cross-Defendant.

1 This Court, having considered the Defendants' Application for Entry of Default
2 Judgment against Cross-Defendant Optima Technology Corporation, finds no just reason to
3 delay entry of final judgment.

4 Therefore, IT IS HEREBY ORDERED:

5 Final Judgment is entered against Cross-Defendants Optima Technology Corporation,
6 a California corporation, and Optima Technology Corporation, a Nevada corporation, as
7 follows:

8 1. Optima Technology Corporation has no interest in U.S. Patents Nos. 5,566,073 and
9 5,904,724 ("the Patents") or the Durable Power of Attorney from Jed Margolin dated July
10 20, 2004 ("the Power of Attorney");

11 2. The Assignment Optima Technology Corporation filed with the USPTO is forged,
12 invalid, void, of no force and effect, and is hereby struck from the records of the USPTO;

13 3. The USPTO is to correct its records with respect to any claim by Optima
14 Technology Corporation to the Patents and/or the Power of Attorney; and

15 4. OTC is hereby enjoined from asserting further rights or interests in the Patents
16 and/or Power of Attorney; and

17 5. There is no just reason to delay entry of final judgment as to Optima Technology
18 Corporation under Federal Rule of Civil Procedure 54(b).

19 DATED this 18th day of August, 2008.

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Raner C. Collins
United States District Judge

ORIGINAL

No. 090C00579 1B

Dept. I

In the First Judicial District Court of the State of Nevada
in and for Carson City

SUMMONS

JED MARGOLIN, an individual
Plaintiff,

Optima Technology ^{VS} Corporation, a California corporation,
Optima Technology Corporation, a Nevada corporation, Reza
Zandian aka Golamreza Zandianjazi aka Gholam Reza Zandian
aka Reza Jazi aka J. Reza Defendant, Jazi aka G. Reza Jazi
aka Chononreza Zandian Jazi, an individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE Individuals 21-30
DEFENDANTS


THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED DEFENDANT:

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING
HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiff, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER
Clerk of Court

By  Deputy Clerk

Date December 15, 2009, 20

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

ORIGINAL

No. 090C00579 1B

Dept. I

In the First Judicial District Court of the State of Nevada
in and for Carson City

Add /
SUMMONS

JED MARGOLIN, an individual
Plaintiff,

vs.
Optima Technology Corporation, a California corporation,
Optima Technology Corporation, a Nevada corporation, Reza
Zandian aka Golanreza Zandianjazi aka Gholam Reza Zandian
aka Reza Jazi aka J. Reza Defendant, Jazi aka G. Reza Jazi
aka Chononreza Zandian JAZI, an individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE Individuals 21-30
DEFENDANTS

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3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER

Clerk of Court

By

Deputy Clerk

Date December 15, 2009 20

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

ORIGINAL

No. 090C00579 1B

Dept. I

In the First Judicial District Court of the State of Nevada
in and for Carson City

Add'l
SUMMONS

JED MARGOLIN, an individual
Plaintiff,

Optima Technology ^{vs.} Corporation, a California corporation,
Optima Technology Corporation, a Nevada corporation, Reza
Zandian aka Golamreza Zandianjazi aka Gholam Reza Zandian
aka Reza Jazi aka J. Reza Defendant, Jazi aka G. Reza Jazi
~~aka Ghonoreza Zandian Jazi, an individual, DOE Companies~~
1-10, DOE Corporations 11-20, and DOE Individuals 21-30
DEFENDANTS

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED DEFENDANT:

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiff, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

ALAN GLOVER

Clerk of Court

By 

Deputy Clerk

Date December 15 ~~14~~, 2009, 20

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

Exhibit 6

Exhibit 6



August 4, 2011

KELLY G. WATSON¹
MICHAEL D. ROUNDS¹
MATTHEW D. FRANCIS²

ARTHUR A. ZORIO¹
MELISSA P. BARNARD
RYAN E. JOHNSON
MATTHEW G. HOLLAND
ADAM P. McMILLEN²
ADAM YOWELL
VINH PHAM²

OF COUNSEL-
MARC D. FOODMAN^{1,3}
STEVEN T. POLIKALAS^{1,4}

¹ Also licensed in California
² Also licensed in Utah
³ Also licensed in Massachusetts
⁴ Also licensed in Tennessee
⁵ Licensed only in California

5371 Kleitzke Lane
Reno, Nevada 89511
(775) 324-4100
Fax (775) 333-8171
e-mail: reno@watsonrounds.com

777 North Rainbow Boulevard
Suite 350
Las Vegas, Nevada 89107
(702) 636-4902
Fax (702) 636-4904

One Market-Stewart Tower
Suite 1600
San Francisco, CA 94105
(415)243-4090
Fax (415)243-0226

www.watsonrounds.com

Reply to: Reno

VIA FACSIMILE ONLY: 702-383-9950

John Peter Lee, Esq.
John Peter Lee, Ltd.
830 Las Vegas Boulevard South
Las Vegas, NV 89101

Re: First Judicial District Court Case No. 090C00579

Dear Mr. Lee:

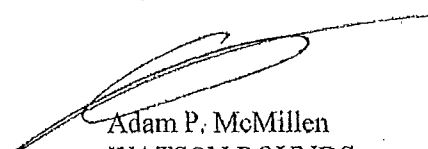
We are in receipt of and have reviewed the Order setting aside Jed Margolin's default judgment against your client in the above referenced matter. Also in the order is a 90 day time period from August 3, 2011 to properly effectuate service on your client.

Please allow this letter to serve as a formal demand that you accept service on behalf of your client, Reza Zandian. Also, it is demanded that you provide us with a current address for your client. It is demanded that you agree to accept service and provide this information to my office by 5:00 p.m. on August 8, 2011.

If you do not agree to accept service on behalf of your client and if you are not willing to provide his current address, please explain why so that we can properly serve your client in this case.

I look forward to your professional cooperation in this matter.

Regards,



Adam P. McMillen
WATSON ROUNDS
A Professional Corporation

Exhibit 7

Exhibit 7

JOHN PETER LEE, LTD.

ATTORNEYS AT LAW

830 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-4044
FACSIMILE (702) 383-9950
E-MAIL: info@johnpeterlee.com

August 8, 2011

Fax: (702) 333-8171

Adam P. McMillan
WATSON ROUNDS
A Professional Corporation
777 North Rainbow Boulevard
Suite 350
Las Vegas, Nevada 89511

Re: First Judicial District Court Case No. 090C00579

Dear Mr. McMillan:

Your letter of August 4, 2011, is acknowledged. Our response is as follows:

We cannot accept service, nor can we give you Reza Zandian's current address. Except to indicate that he does not reside in Nevada at the present time and is not subject to the jurisdiction of the courts of this State within the provisions of the litigation commenced by your firm involving an Arizona judgment which cannot be domesticated in Nevada,

Yours truly,

JOHN PETER LEE, LTD.

Dictated but not read

John Peter Lee, Esq.

JPL/mh

Exhibit 8

Exhibit 8

No. 090C00579 1B

Dept No. 1

In the First Judicial District Court of the State of Nevada
in and for Carson City

JED MARGOLIN, an individual,
Plaintiff,

SUMMONS

v.

OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka CHONONREZA ZANDIAN JAZI, an individual, DOE Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30,
Defendants.

THE STATE OF NEVADA SENDS GREETINGS TO: REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka CHONONREZA ZANDIAN JAZI

NOTICE! YOU HAVE BEEN SUED. THIS ACTION IS BROUGHT TO RECOVER DAMAGES AS A RESULT OF THE DEFENDANTS' FRAUDULENT ASSIGNMENT OF DOCUMENTS RELATING TO PATENT NO.'S 5,566,073, 5,904,724 AND 5,978,488 AS MORE FULLY STATED IN THE COMPLAINT. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil complaint or petition has been filed by the plaintiff(s) against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this summons is served on you, exclusive of the day of service, file with the Clerk of the Court a written pleading in response to this Complaint.
2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

Matthew D. Francis
Adam McMillen
Watson Rounds
5371 Kletzke Lane
Reno, Nevada 89511

ALAN GLOVER
Clerk of Court

By _____
Deputy Clerk

Date _____, 20__.

*Note – When served by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

**AFFIDAVIT OF SERVICE
(For General Use)**

STATE OF _____ }
COUNTY OF _____ } SS.

_____, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested
in, the within action; that the affiant received the Summons on the _____ day of _____, 20____,
and personally served the same upon _____
the within named defendant, on the _____ day of _____, 20____, by delivering to the said defendant,
personally, in _____, County of _____, State of _____,
a copy of the Summons attached to a copy of the Complaint.

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

Executed this _____ day of _____, 20____. _____
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

**NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)**

I hereby certify and return that I received the within Summons on the _____ day of _____, 20____,
and personally served the same upon _____, the within named defendant,
on the _____ day of _____, 20____, by delivering to the said defendant, personally, in Carson City,
State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20____ By _____
Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

**AFFIDAVIT OF MAILING
(For Use When Service Is by Publication and Mailing)**

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested
in, the within action; that on the _____ day of _____, 20____, affiant deposited in the Post Office at
_____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope
upon which first class postage was fully prepaid, addressed to _____,
the within named defendant, at _____;
that there is a regular communication by mail between the place of mailing and the place so addressed.

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

Executed this _____ day of _____, 20____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made
outside the United States, a special affidavit or return must be made.

No. 090C00579 1B

Dept No. 1

In the First Judicial District Court of the State of Nevada
in and for Carson City

JED MARGOLIN, an individual,
Plaintiff,

SUMMONS

v.

OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI, aka G.REZA JAZI aka CHONONREZA ZANDIAN JAZI, an individual, DOE Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30,
Defendants. /

THE STATE OF NEVADA SENDS GREETINGS TO: OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation

NOTICE! YOU HAVE BEEN SUED. THIS ACTION IS BROUGHT TO RECOVER DAMAGES AS A RESULT OF THE DEFENDANTS' FRAUDULENT ASSIGNMENT OF DOCUMENTS RELATING TO PATENT NO.'S 5,566,073, 5,904,724 AND 5,978,488 AS MORE FULLY STATED IN THE COMPLAINT. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil complaint or petition has been filed by the plaintiff(s) against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this summons is served on you, exclusive of the day of service, file with the Clerk of the Court a written pleading in response to this Complaint.
2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

Matthew D. Francis
Adam McMillen
Watson Rounds
5371 Kietzke Lane
Reno, Nevada 89511

ALAN GLOVER
Clerk of Court

By _____
Deputy Clerk

Date _____, 20__

*Note - When served by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

**AFFIDAVIT OF SERVICE
(For General Use)**

STATE OF _____ }
COUNTY OF _____ } SS.

_____, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested
in, the within action; that the affiant received the Summons on the _____ day of _____, 20____,
and personally served the same upon _____
the within named defendant, on the _____ day of _____, 20____, by delivering to the said defendant,
personally, in _____, County of _____, State of _____,
a copy of the Summons attached to a copy of the Complaint.

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

Executed this _____ day of _____, 20____. _____
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

**NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)**

I hereby certify and return that I received the within Summons on the _____ day of _____, 20____,
and personally served the same upon _____, the within named defendant,
on the _____ day of _____, 20____, by delivering to the said defendant, personally, in Carson City,
State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20____ By _____ Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

**AFFIDAVIT OF MAILING
(For Use When Service Is by Publication and Mailing)**

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested
in, the within action; that on the _____ day of _____, 20____, affiant deposited in the Post Office at
_____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope
upon which first class postage was fully prepaid, addressed to _____,
the within named defendant, at _____;
that there is a regular communication by mail between the place of mailing and the place so addressed.

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

Executed this _____ day of _____, 20____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made outside the United States, a special affidavit or return must be made.

No. 090C00579 1B

Dept No. 1

In the First Judicial District Court of the State of Nevada
In and for Carson City

JED MARGOLIN, an individual,
Plaintiff,

SUMMONS

v.

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

Defendants. /

THE STATE OF NEVADA SENDS GREETINGS TO: OPTIMA TECHNOLOGY CORPORATION, a California corporation

NOTICE! YOU HAVE BEEN SUED. THIS ACTION IS BROUGHT TO RECOVER DAMAGES AS A RESULT OF THE DEFENDANTS' FRAUDULENT ASSIGNMENT OF DOCUMENTS RELATING TO PATENT NO.'S 5,566,073, 5,904,724 AND 5,978,488 AS MORE FULLY STATED IN THE COMPLAINT. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: A civil complaint or petition has been filed by the plaintiff(s) against you.

1. If you wish to defend this lawsuit, you must, within 20 days after this summons is served on you, exclusive of the day of service, file with the Clerk of the Court a written pleading in response to this Complaint.
2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiff's attorney, whose address is

Matthew D. Francis
Adam McMillen
Watson Rounds
5371 Kietzke Lane
Reno, Nevada 89511

ALAN GLOVER

Clerk of Court

By _____

Deputy Clerk

Date _____, 20__

*Note - When served by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

AFFIDAVIT OF SERVICE
(For General Use)

STATE OF _____ }
COUNTY OF _____ } SS.

_____, declares under penalty of perjury:
That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the _____ day of _____, 20____, and personally served the same upon _____ the within named defendant, on the _____ day of _____, 20____, by delivering to the said defendant, personally, in _____, County of _____, State of _____, a copy of the Summons attached to a copy of the Complaint.
I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____. _____
Signature of person making service

STATE OF NEVADA }
CARSON CITY } SS.

NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20____, and personally served the same upon _____, the within named defendant, on the _____ day of _____, 20____, by delivering to the said defendant, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

Sheriff of Carson City, Nevada

Date: _____, 20____ By _____ Deputy

STATE OF NEVADA }
COUNTY OF _____ } SS.

AFFIDAVIT OF MAILING
(For Use When Service Is by Publication and Mailing)

_____, declares under penalty of perjury:
That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named defendant, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.
I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the defendant, or is made outside the United States, a special affidavit or return must be made.