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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*

REC'D & FILED  
2014 FEB 12 PM 3:22  
ALAN GLOVER  
V. ALLEGICLERK  
BY \_\_\_\_\_ DEPUTY

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

**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. REZA JAZI**  
**aka G. REZA JAZI aka GHONONREZA**  
**ZANDIAN JAZI, an individual, DOE**  
**Companies 1-10, DOE Corporations 11-20,**  
**and DOE Individuals 21-30,**  
  
**Defendants.**

**Case No.: 090C00579 1B**  
**Dept. No.: 1**

**MOTION FOR ORDER TO SHOW  
CAUSE REGARDING CONTEMPT**

PLEASE TAKE NOTICE that Plaintiff Jed Margolin by and through his attorneys, requests that this Court issue an Order requiring Reza Zandian ("Zandian") to appear and show cause why he should not be held in Contempt of Court for having deliberately and willfully violated the Court's January 13, 2014 Order Granting Plaintiff's Motion for Debtor Examination and to Produce Documents. The Order is attached hereto as Exhibit 1.

According to the Order, Zandian was required to:

1           1. Appear before the Court and answer upon oath or affirmation concerning his  
2 property at a Judgment Debtor Examination under the authority of a Judge of the Court on  
3 February 11, 2014 at 9:00 a.m.; and,

4           2. To produce to Plaintiff's counsel at least one week prior to the Judgment Debtor  
5 Examination, all information and documents identifying, related to, and/or comprising the  
6 following:

- 7
- 8           a. Any and all information and documentation identifying real property, computers,  
9           cell phones, intellectual property, vehicles, brokerage accounts, bank deposits and  
10           all other assets that may be available for execution to satisfy the Judgment entered  
11           by the Court, including, but not limited to, information relating to financial  
12           accounts, monies owed to Zandian by others, etc.
  - 13           b. Documents sufficient to show Zandian's balance sheet for each month for the years  
14           2007 to the present.
  - 15           c. Documents sufficient to show Zandian's gross revenues for each month for the  
16           years 2007 to the present.
  - 17           d. Documents sufficient to show Zandian's costs and expenses for each month for the  
18           years 2007 to the present.
  - 19           e. All tax returns filed by Zandian with any governmental body for the years 2007 to  
20           the present, including all schedules, W-2's and 1099's.
  - 21           f. All of Zandian's accounting records, computerized electronic and/or printed on  
22           paper format for the years 2007 to the present.
  - 23           g. All of Zandian's statements, cancelled checks and related banking documents for  
24           any bank, brokerage or other financial account at least partially controlled by  
25           Zandian, or recorded in the name of Zandian or for Zandian's benefit, for the years  
26           2007 to the present.
  - 27           h. All of Zandian's checkbooks, checkbook stubs and checkbook entries for the years  
28           2007 to the present.

- 1 i. Documents sufficient to show the means and source of payment of Zandian's
- 2 current residence and any other residence for the years 2007 to the present.
- 3 j. Documents sufficient to show the means and source of payment of Zandian's
- 4 counsel in this matter.
- 5 k. Any settlement agreements by which another party has agreed to pay money to
- 6 Zandian.

7 *See* Exhibit 1.

8 On February 10, 2014, Zandian's counsel informed Plaintiff's counsel that Zandian "is  
9 currently in the middle east on business" and "will not be able to attend the debtor's  
10 examination" tomorrow morning in front of Judge Russell. Zandian's counsel also informed  
11 Plaintiff's counsel on February 10, 2014, that no documents have been produced regarding the  
12 debtor's examination allegedly "due to the short amount of time provided." *See* Exhibit 2,  
13 which is a copy of the February 10, 2014 email, attached hereto.

14 Without providing any justification, Zandian has violated the Court's Order by not  
15 providing the documents to Plaintiff by February 4, 2014, and by refusing and failing to appear  
16 at the Court-ordered debtor's examination on February 11, 2014. Plaintiff therefore requests  
17 that Zandian be ordered to appear in Court to Show Cause why he should not be held in  
18 Contempt of Court.

19 **POINTS AND AUTHORITIES**

20 **I. Background**

21 Plaintiff Jed Margolin is the named inventor on United States Patent No. 5,566,073  
22 ("the '073 Patent"), United States Patent No. 5,904,724 ("the '724 Patent"), United States  
23 Patent No. 5,978,488 ("the '488 Patent") and United States Patent No. 6,377,436 ("the '436  
24 Patent") (collectively "the Patents"). *See* Amended Complaint, filed 8/11/11, ¶¶ 9-10. In  
25 2004, Mr. Margolin granted to Robert Adams, then CEO of Optima Technology, Inc. (later  
26 renamed Optima Technology Group (hereinafter "OTG"), a Cayman Islands Corporation  
27 specializing in aerospace technology) a Power of Attorney regarding the Patents. *Id.* at ¶ 11.

28

1 Subsequently, Mr. Margolin assigned the '073 and '724 Patents to OTG and revoked the  
2 Power of Attorney. *Id.* at ¶ 13.

3 In May 2006, OTG and Mr. Margolin licensed the '073 and '724 Patents to Geneva  
4 Aerospace, Inc., and Mr. Margolin received a royalty payment pursuant to a royalty agreement  
5 between Mr. Margolin and OTG. *Id.* at ¶ 12. On or about October 2007, OTG licensed the  
6 '073 Patent to Honeywell International, Inc., and Mr. Margolin received a royalty payment  
7 pursuant to a royalty agreement between Mr. Margolin and OTG. *Id.* at ¶ 14.

8 On or about December 5, 2007, Zandian filed with the U.S. Patent and Trademark  
9 Office (“USPTO”) assignment documents allegedly assigning all four of the Patents to Optima  
10 Technology Corporation (“OTC”), a company apparently owned by Zandian at the time. *Id.* at  
11 ¶ 15. Shortly thereafter, on November 9, 2007, Mr. Margolin, Robert Adams, and OTG were  
12 named as defendants in the case titled *Universal Avionics Systems Corporation v. Optima*  
13 *Technology Group, Inc.*, No. CV 07-588-TUC-RCC (the “Arizona action”). *Id.* at ¶ 17.  
14 Zandian was not a party in the Arizona action. Nevertheless, the plaintiff in the Arizona action  
15 asserted that Mr. Margolin and OTG were not the owners of the '073 and '724 Patents, and  
16 OTG filed a cross-claim for declaratory relief against Optima Technology Corporation  
17 (“OTC”) in order to obtain legal title to the respective patents. *Id.*

18 On August 18, 2008, the United States District Court for the District of Arizona  
19 entered a default judgment against OTC and found that OTC had no interest in the '073 or  
20 '724 Patents, and that the assignment documents filed with the USPTO were “forged, invalid,  
21 void, of no force and effect.” *Id.* at ¶ 18; *see also* Exhibit B to Zandian’s Motion to Dismiss,  
22 dated 11/16/11, on file herein.

23 Due to Zandian’s acts, title to the Patents was clouded and interfered with Plaintiff’s  
24 and OTG’s ability to license the Patents. *Id.* at ¶ 19. In addition, during the period of time Mr.  
25 Margolin worked to correct record title of the Patents in the Arizona action and with the  
26 USPTO, he incurred significant litigation and other costs associated with those efforts. *Id.* at ¶  
27 20.

28

1                   **II.     PROCEDURAL BACKGROUND**

2                   Plaintiff filed his Complaint on December 11, 2009, and the Complaint was personally  
3 served on Zandian on February 2, 2010, and on Defendants Optima Technology Corporation, a  
4 Nevada corporation, and Optima Technology Corporation, a California corporation on March  
5 21, 2010. Zandian's answer to Plaintiff's Complaint was due on February 22, 2010, but  
6 Zandian did not answer the Complaint or respond in any way. Default was entered against  
7 Zandian on December 2, 2010, and Plaintiff filed and served a Notice of Entry of Default on  
8 Zandian on December 7, 2010 and on his last known attorney on December 16, 2010.

9                   The answers of Defendants Optima Technology Corporation, a Nevada corporation,  
10 and Optima Technology Corporation, a California corporation, were due on March 8, 2010,  
11 but Defendants did not answer the Complaint or respond in any way. Default was entered  
12 against Defendants Optima Technology Corporation, a Nevada corporation, and Optima  
13 Technology Corporation, a California corporation on December 2, 2010. Plaintiff filed and  
14 served a Notice of Entry of Default on the corporate entities on December 7, 2010 and on their  
15 last known attorney on December 16, 2010.

16                   The defaults were set aside and Zandian's motion to dismiss was denied on August 3,  
17 2011. On September 27, 2011, this Court ordered that service of process against all  
18 Defendants may be made by publication. As manifested by the affidavits of service, filed  
19 herein on November 7, 2011, all Defendants were duly served by publication by November  
20 2011.

21                   On February 21, 2012, the Court denied Zandian's motion to dismiss the Amended  
22 Complaint. On March 5, 2012, Zandian served a General Denial to the Amended Complaint.  
23 On March 13, 2012, the corporate Defendants served a General Denial to the Amended  
24 Complaint.

25                   On June 28, 2012, this Court issued an order requiring the corporate Defendants to  
26 retain counsel and that counsel enter an appearance on behalf of the corporate Defendants by  
27 July 15, 2012. The June 28, 2012 order further provided that if no such appearance was  
28 entered, the corporate Defendants' General Denial would be stricken. Since no appearance

1 was entered on behalf of the corporate Defendants, a default was entered against them on  
2 September 24, 2012. A notice of entry of default judgment was filed and served on November  
3 6, 2012.

4 On July 16, 2012, Mr. Margolin served Zandian with Mr. Margolin's First Set of  
5 Requests for Admission, First Set of Interrogatories, and First Set of Requests for Production  
6 of Documents, but Zandian never responded to these discovery requests. As such, on  
7 December 14, 2012, Mr. Margolin filed and served a Motion for Sanctions pursuant to NRC  
8 37. In this Motion, Mr. Margolin requested this Court strike the General Denial of Zandian,  
9 and award Mr. Margolin his fees and costs incurred in bringing the Motion.

10 On January 15, 2013, this Court issued an order striking the General Denial of Zandian  
11 and awarding his fees and costs incurred in bringing the NRC 37 Motion. A default was  
12 entered against Zandian on March 28, 2013, and a notice of entry of default judgment was  
13 filed and served on April 5, 2013.

14 On April 17, 2013, Mr. Margolin filed an Application for Default Judgment, which was  
15 served on Zandian and the corporate Defendants. Since Zandian did not respond to the  
16 Application for Default Judgment, a Default Judgment was entered on June 24, 2013. Notice  
17 of entry of the Default Judgment was served on Zandian on June 26, 2013 and filed on June  
18 27, 2013.

19 Over five and a half months later, on December 19, 2013, Zandian served his Motion  
20 to Set Aside on Plaintiff. Zandian's Motion to Set Aside claims that he never received any  
21 written discovery or notice of the pleadings and papers filed in this matter after his counsel  
22 withdrew as his former counsel provided an erroneous last known address to the Court and the  
23 parties when he withdrew, and therefore Zandian requests that the judgment be set aside.

24 On February 6, 2014, the Court entered an Order denying Zandian's request to set  
25 aside the judgment. The Court found that Zandian failed to show mistake, inadvertence,  
26 surprise or excusable neglect pursuant to NRC 60(b) and that "Zandian had every opportunity  
27 to properly defend this action and instead made a voluntary choice not to." *See* Order, dated  
28 2/6/14 at 9:14-17.

1 Also, on December 11, 2013, Plaintiff filed the subject motion for judgment debtor  
2 examination and to produce documents. Zandian failed to file any opposition to the motion for  
3 debtor's examination. Accordingly, on January 13, 2014, the Court granted the motion for  
4 debtor examination and to produce documents. On January 16, 2014, Plaintiff served Zandian  
5 with notice of entry of the Court's order granting the debtor's examination and the production  
6 of documents prior thereto. *See* Notice of Entry of Order Granting Plaintiff's Motion for  
7 Debtor Examination and to Produce Documents, dated 1/16/14, on file herein; *see also* Exhibit  
8 3, Email, dated 1/16/14, Nancy Lindsley (Plaintiff's counsel) to Lauren Kidd (Zandian's  
9 counsel), which included a copy of the Order Granting Plaintiff's Motion for Debtor's  
10 Examination and to Produce Documents and the Notice of Entry of that order.

11 On February 10, 2014, Zandian's counsel informed Plaintiff's counsel that Zandian "is  
12 currently in the middle east on business" and "will not be able to attend the debtor's  
13 examination" tomorrow morning in front of Judge Russell. Zandian's counsel also informed  
14 Plaintiff's counsel on February 10, 2014, that no documents have been produced regarding the  
15 debtor's examination allegedly "due to the short amount of time provided." *See* Exhibit 2.

### 16 III. Legal Argument

17 NRS 1.210(3) states that "[t]he Court has the power to compel obedience to its orders."  
18 NRS 22.010(3) provides that the "refusal to abide by a lawful order issued by the Court is  
19 contempt." *See also Matter of Water Rights of Humboldt River*, 118 Nev. 901, 907, 59 P.3d  
20 1226, 1229-30 (2002) (noting that the district court generally has particular knowledge of  
21 whether contemptible conduct occurred and thus its decisions regarding contempt are given  
22 deference).

23 "Courts have inherent power to enforce their decrees through civil contempt  
24 proceedings, and this power cannot be abridged by statute." *In re Determination of Relative  
25 Rights of Claimants & Appropriators of Waters of Humboldt River Stream Sys. & Tributaries*,  
26 118 Nev. 901, 909, 59 P.3d 1226, 1231 (2002) (citing *Noble v. Noble*, 86 Nev. 459, 463, 470  
27 P.2d 430, 432 (1970). "A civil contempt order may be used to compensate the contemnor's  
28

1 adversary for costs incurred because of the contempt.” *Id.* (citing *State, Dep't Indus. Rel. v.*  
2 *Albanese*, 112 Nev. 851, 856, 919 P.2d 1067, 1070–71 (1996)).

3 “[D]istrict judges are afforded broad discretion in imposing sanctions” and the Nevada  
4 Supreme Court “will not reverse the particular sanctions imposed absent a showing of abuse of  
5 discretion.” *State, Dep't of Indus. Relations, Div. of Indus. Ins. Regulation v. Albanese*, 112  
6 Nev. 851, 856, 919 P.2d 1067, 1070 (1996) (citing *Young v. Johnny Ribeiro Building*, 106  
7 Nev. 88, 92, 787 P.2d 777, 779 (1990)).

8 “Generally, an order for civil contempt must be grounded upon one’s disobedience of  
9 an order that spells out ‘the details of compliance in clear, specific and unambiguous terms so  
10 that such person will readily know exactly what duties or obligations are imposed on him.’”  
11 *Southwest Gas Corp. v. Flintkote Co.*, 99 Nev. 127, 131, 659 P.2d 861, 864 (1983) (quoting *Ex*  
12 *parte Slavin*, 412 S.W.2d 43, 44 (Tex.1967)). “[A] sanction for ‘[c]ivil contempt is  
13 characterized by the court’s desire to ... compensate the contemnor’s adversary for the injuries  
14 which result from the noncompliance.’” *Albanese*, 112 Nev. at 856, 919 P.2d at 1071 (citing  
15 *In re Crystal Palace Gambling Hall, Inc.*, 817 F.2d 1361 (9th Cir.1987) (citations omitted)).  
16 “However, an award to an opposing party is limited to that party’s actual loss.” *United States*  
17 *v. United Mine Workers of America*, 330 U.S. 258, 304, 67 S.Ct. 677, 701, 91 L.Ed. 884  
18 (1947); *Shuffler v. Heritage Bank*, 720 F.2d 1141 (9th Cir.1983); *Falstaff*, 702 F.2d at 779.

19 The undisputed facts are crystal clear that Zandian violated this Court’s debtor’s  
20 examination Order by failing to produce the documents one week prior to the debtor’s  
21 examination and by failing to appear at the debtor’s examination, after he was served with the  
22 Order requiring the same. *Supra*. There can be no justification for Zandian’s actions. The full  
23 damages to Plaintiff from Zandian’s conduct and contempt for this Court cannot be measured.

24 Plaintiff respectfully requests this Court issue an order to show cause why Zandian  
25 should not be held in contempt. Plaintiff further requests that the Court hold Zandian in  
26 contempt and award an appropriate compensatory sanction, both to coerce Zandian’s  
27 compliance with the debtor’s examination Order as well as compensate Plaintiff for his  
28 damages. Plaintiff also respectfully requests that he be awarded his attorney fees and costs



1 associated with bringing the motion for debtor's examination and this motion for order to  
2 show cause regarding contempt. If the Court deems that such an award of attorney fees and  
3 costs is warranted, Plaintiff will file a subsequent affidavit and cost memorandum.

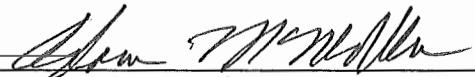
4 **IV. CONCLUSION**

5 For all of the foregoing reasons, this Court should grant Plaintiff's Motion for Order to  
6 Show Cause Regarding Contempt.

7 **AFFIRMATION PURSUANT TO NRS 239B.030**

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

10 Dated this 12<sup>th</sup> day of February, 2014.

11 BY:   
12 Matthew D. Francis (6978)  
13 Adam P. McMillen (10678)  
14 WATSON ROUNDS  
15 5371 Kietzke Lane  
16 Reno, NV 89511  
17 Telephone: 775-324-4100  
18 Facsimile: 775-333-8171  
19 *Attorneys for Plaintiff Jed Margolin*

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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on  
3 this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true  
4 and correct copy of the foregoing document, **MOTION FOR ORDER TO SHOW CAUSE**  
5 **REGARDING CONTEMPT**, addressed as follows:

6 Johnathon Fayeghi, Esq.  
7 Hawkins Melendrez  
8 9555 Hillwood Dr., Suite 150  
9 Las Vegas, NV 89134  
10 *Counsel for Reza Zandian*

11 Optima Technology Corp.  
12 A California corporation  
13 8401 Bonita Downs Road  
14 Fair Oaks, CA 95628

15 Optima Technology Corp.  
16 A Nevada corporation  
17 8401 Bonita Downs Road  
18 Fair Oaks, CA 95628

19 Optima Technology Corp.  
20 A California corporation  
21 8775 Costa Verde Blvd. #501  
22 San Diego, CA 92122

23 Optima Technology Corp.  
24 A Nevada corporation  
25 8775 Costa Verde Blvd. #501  
26 San Diego, CA 92122

27 Dated: February 12, 2014.

28   
Nancy R. Lindsley

INDEX OF EXHIBITS

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Exhibit No.	Title	Number of Pages
1	Order Granting Plaintiff's Motion for Debtor's Examination and to Produce Documents	5
2	Email between counsel regarding failure to comply with Court's Order Granting Plaintiff's Motion for Debtor's Examination and to Produce Documents	4
3	Email from Nancy Lindsley, Plaintiff's counsel's staff, to Lauren Kidd, Defendant Zandian's counsel's staff, transmitting courtesy copies of documents	2

# Exhibit 1

# Exhibit 1

1 Case No. 09 0C 00579 1B

2 Dept. No. I

REC'D & FILED

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ALAN GLOVER

G. COOPER CLERK

3  
4  
5 In The First Judicial District Court of the State of Nevada  
6 In and for Carson City

7 JED MARGOLIN, an individual,

8 Plaintiff,

9 vs.

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

19 Defendants.

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
DEBTOR EXAMINATION AND  
TO PRODUCE DOCUMENTS**

20 This matter comes before the Court on Plaintiff JED MARGOLIN's Motion for Debtor  
21 Examination and to Produce Documents, filed on December 11, 2013.

22 The Court finds that Defendants have not opposed the Motion for Debtor Examination  
23 and to Produce Documents. The non-opposition by Defendants to Plaintiff's Motion constitutes  
24 a consent to the granting of the motion.

25 The Court finds good cause exists to grant Plaintiff's Motion for Debtor Examination  
26 and to Produce Documents.

27 ///

28 ///

///

1 NOW, THEREFORE, **IT HEREBY IS ORDERED** as follows:

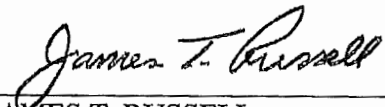
2 1. That Defendant REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI  
3 aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka  
4 GHONONREZA ZANDIAN JAZI is hereby ordered to appear before the Court and answer  
5 upon oath or affirmation concerning Defendant's property at a Judgment Debtor Examination  
6 under the authority of a Judge of the Court on the following date February 11, 2014 @ 9:00 AM; and,

7 2. That Defendant REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI  
8 aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka  
9 GHONONREZA ZANDIAN JAZI is hereby ordered to produce to Mr. Margolin's counsel at  
10 least one week prior to the Judgment Debtor Examination, so that counsel may effectively  
11 review and question Zandian regarding the documents, all information and documents  
12 identifying, related to, and/or comprising the following:

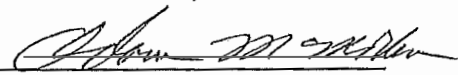
- 13
- 14 a. Any and all information and documentation identifying real property, computers,  
15 cell phones, intellectual property, vehicles, brokerage accounts, bank deposits and  
16 all other assets that may be available for execution to satisfy the Judgment entered  
17 by the Court, including, but not limited to, information relating to financial  
18 accounts, monies owed to Zandian by others, etc.
- 19 b. Documents sufficient to show Zandian's balance sheet for each month for the years  
20 2007 to the present.
- 21 c. Documents sufficient to show Zandian's gross revenues for each month for the  
22 years 2007 to the present.
- 23 d. Documents sufficient to show Zandian's costs and expenses for each month for the  
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- 25 e. All tax returns filed by Zandian with any governmental body for the years 2007 to  
26 the present, including all schedules, W-2's and 1099's.
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- 1 f. All of Zandian's accounting records, computerized electronic and/or printed on
- 2 paper format for the years 2007 to the present.
- 3 g. All of Zandian's statements, cancelled checks and related banking documents for
- 4 any bank, brokerage or other financial account at least partially controlled by
- 5 Zandian, or recorded in the name of Zandian or for Zandian's benefit, for the years
- 6 2007 to the present.
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- 9 i. Documents sufficient to show the means and source of payment of Zandian's
- 10 current residence and any other residence for the years 2007 to the present.
- 11 j. Documents sufficient to show the means and source of payment of Zandian's
- 12 counsel in this matter.
- 13 k. Any settlement agreements by which another party has agreed to pay money to
- 14 Zandian.

15 DATED: This 13<sup>th</sup> day of January, 2014.

16   
17 \_\_\_\_\_  
18 JAMES T. RUSSELL  
19 DISTRICT COURT JUDGE

20 Respectfully submitted by,  
21 WATSON ROUNDS, P.C.

22 By:   
23 Adam P. McMillen, Esquire  
24 Nevada Bar No. 10678  
25 5371 Kietzke Lane  
26 Reno, NV 89511  
27 Telephone: (775) 324-4100  
28 Facsimile: (775) 333-8171  
Email: amcmillen@watsonrounds.com  
Attorney for Plaintiff

1 CERTIFICATE OF SERVICE

2 Pursuant to NRC 5(b), I certify that I am an employee of Watson Rounds, and that on  
3 this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true  
4 and correct copy of the foregoing document, **Proposed Order Granting Motion for Debtor  
5 Examination and for Production of Documents**, addressed as follows:

6 Geoffrey W. Hawkins, Esquire  
7 Johnathon Fayeghi, Esquire  
8 Hawkins Melendrez, P.C.  
9 9555 Hillwood Drive, Suite 150  
10 Las Vegas, Nevada 89134

11 Alborz Zandian  
12 9 Almazora  
13 Newport Beach, CA 92657-1613

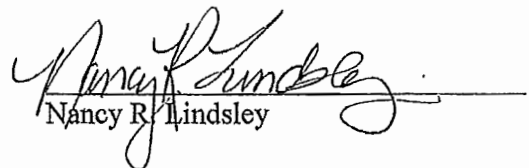
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24 8775 Costa Verde Blvd. #501  
25 San Diego, CA 92122

26 Optima Technology Corp.  
27 A Nevada corporation  
28 8775 Costa Verde Blvd. #501  
San Diego, CA 92122

Dated: January 7<sup>th</sup>, 2014

  
Nancy R. Lindsley



# Exhibit 2

# Exhibit 2

## Adam McMillen

---

**From:** John Fayeghi [JFayeghi@hawkinsmelendrez.com]  
**Sent:** Monday, February 10, 2014 8:49 AM  
**To:** Adam McMillen  
**Cc:** Geoffrey Hawkins  
**Subject:** RE: Margolin v. Zandian, et al.

Dear Mr. McMillen,

I apologize for not getting back to you on Friday, I was stuck in deposition all day. With regard to the requested documents, I have not been able to obtain the same from my client due to the short amount of time provided. With regard to the debtor's examination, it is my understanding that Mr. Zandian is currently in the middle east on business. As such, Mr. Zandian will not be able to attend the debtor's examination.

Very truly yours,



Johnathon Fayeghi, Esq.  
9555 Hillwood Dr., Ste. 150  
Las Vegas, NV 89134  
Tel.: 702-318-8800  
Fax.: 702-318-8801  
jfayeghi@hawkinsmelendrez.com

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**From:** Adam McMillen [mailto:amcmillen@watsonrounds.com]  
**Sent:** Monday, February 10, 2014 8:28 AM  
**To:** John Fayeghi  
**Cc:** Geoffrey Hawkins; Nancy Lindsley  
**Subject:** FW: Margolin v. Zandian, et al.

Hi John,

I still have not heard from you about the documents for tomorrow's debtor's examination. Unless I hear from you otherwise, you leave me no choice but to assume that you will not be providing the ordered documents and I will prepare for tomorrow's examination in front of Judge Russell accordingly, including requesting that Judge Russell issue sanctions for the failure to comply with the order.

Sincerely,

Adam P. McMillen  
Attorney at Law

WATSON ROUNDS  
5371 Kietzke Lane  
Reno, NV 89511

Telephone: (775) 324-4100  
Facsimile: (775) 333-8171  
[amcmillen@watsonrounds.com](mailto:amcmillen@watsonrounds.com)

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**From:** Adam McMillen  
**Sent:** Friday, February 07, 2014 1:06 PM  
**To:** 'John Fayeghi'  
**Cc:** Geoffrey Hawkins; Matt Francis  
**Subject:** RE: Margolin v. Zandian, et al.

Hi John,

Since I did not hear from you I tried calling your office. However, your receptionist stated that you were just going into a deposition. I was calling to see where you and Zandian are at with regards to the documents and the debtor's examination, as discussed in our emails below. Please let me know the status of those issues.

Thank you,

Adam P. McMillen  
Attorney at Law

WATSON ROUNDS  
5371 Kietzke Lane  
Reno, NV 89511

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**From:** John Fayeghi [<mailto:JFayeghi@hawkinsmelendrez.com>]  
**Sent:** Thursday, February 06, 2014 4:48 PM  
**To:** Adam McMillen  
**Cc:** Geoffrey Hawkins  
**Subject:** RE: Margolin v. Zandian, et al.

Dear Mr. McMillen,

I am scheduled to have a telephone conference with my client tomorrow morning. I will contact you following said telephone conference.

Very truly yours,



Johnathon Fayeghi, Esq.  
9555 Hillwood Dr., Ste. 150  
Las Vegas, NV 89134  
Tel.: 702-318-8800  
Fax.: 702-318-8801  
[jfayeghi@hawkinsmelendrez.com](mailto:jfayeghi@hawkinsmelendrez.com)

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**From:** Adam McMillen [mailto:amcmillen@watsonrounds.com]  
**Sent:** Thursday, February 06, 2014 12:52 PM  
**To:** John Fayeghi  
**Cc:** Nancy Lindsley; Lauren Kidd  
**Subject:** FW: Margolin v. Zandian, et al.

Johnathon Fayeghi,

As you know, Zandian has been ordered to attend his debtor's examination on 2/11/14, which is this coming Tuesday. Zandian has also been ordered to produce certain financial documents, as outlined in the attached order. Those documents were supposed to have been produced to my office by no later than 2/4/14 (last Tuesday). Please produce the documents to my office by 2/7/14 (tomorrow) or I will be forced to file a motion for contempt.

Also, do you plan on attending the debtor's examination on 2/11/14? Also, Does Zandian plan on attending the debtor's examination? Please let me know so I can plan accordingly.

Sincerely,

Adam P. McMillen  
Attorney at Law

WATSON ROUNDS  
5371 Kietzke Lane  
Reno, NV 89511

Telephone: (775) 324-4100  
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**From:** Nancy Lindsley  
**Sent:** Thursday, January 16, 2014 3:16 PM  
**To:** 'Lauren Kidd'  
**Subject:** Margolin v. Zandian, et al.

Dear Ms. Kidd:

Attached please find courtesy copies of documents which have been filed in connection with the above-referenced matter. Please contact us if you have any questions.

Sincerely,

*Nancy R. Lindsley*  
Paralegal to  
Matthew D. Francis and  
Adam P. McMillen



5371 Kietzke Lane

Reno, NV 89511

Telephone: (775) 324-4100

Facsimile: (775) 333-8171

[nlindsley@watsonrounds.com](mailto:nlindsley@watsonrounds.com)

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# Exhibit 3

# Exhibit 3

## Nancy Lindsley

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**From:** Nancy Lindsley  
**Sent:** Thursday, January 16, 2014 3:16 PM  
**To:** 'Lauren Kidd'  
**Subject:** Margolin v. Zandian, et al.  
**Attachments:** 2014-0113 Order Granting Plaintiff's Motion for Debtor Examination and to Produce Documents.pdf; 2014-0116 Notice of Entry of Order Granting Debtor Examination.pdf

Dear Ms. Kidd:

Attached please find courtesy copies of documents which have been filed in connection with the above-referenced matter. Please contact us if you have any questions.

Sincerely,

*Nancy R. Lindsley*  
Paralegal to  
Matthew D. Francis and  
Adam P. McMillen



5371 Kietzke Lane  
Reno, NV 89511

Telephone: (775) 324-4100  
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