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Nevada Bar No. 6870  
KAEMPFER CROWELL  
510 West Fourth Street  
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**Attorneys for Reza Zandian**

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BY **C. FRANZ** CLERK  
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 GHONOREZA ZANDIAN JAZI, an  
individual, DOE Companies 1-10, DOE  
Corporations 11-20, and DOE Individuals  
21-30,  
  
Defendants.

Case No. 09 OC 00579 1B  
Dept. No. I

**CASE APPEAL STATEMENT**

Pursuant to NRAP 3(f), Defendant REZA ZANDIAN, an individual, hereby provides the following *Case Appeal Statement*:

- Name of appellant filing this case appeal statement (NRAP 3(f)(3)(C)):**

REZA ZANDIAN, an individual.

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**2. Identify the judge issuing the decision, judgment, or order appealed from (NRAP 3(f)(3)(B)):**

The Honorable James T. Russell, District Judge, First Judicial District Court of the State of Nevada in and for Carson City, Department I.

**3. Identify all parties to the proceedings in the district court (the use of et al. to denote parties is prohibited) (NRAP 3(f)(3)(A)):**

- (a) JED MARGOLIN, an individual;
- (b) OPTIMA TECHNOLOGY CORPORATION, a California corporation;
- (c) OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation; and
- (d) REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an individual;

**4. Identify all parties involved in this appeal (the use of et al. to denote parties is prohibited) (NRAP 3(f)(3)((C), (D)):**

- (a) JED MARGOLIN, an individual; and
- (b) REZA ZANDIAN, an individual.

**5. Set forth the name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent (NRAP 3(f)(3)(C), (D)):**

- (a) Matthew D. Francis  
Adam P. McMillen  
WATSON ROUNDS  
5371 Kietzke Lane  
Reno, NV 89511  
Telephone: (775) 324-4100  
*Counsel for Respondent, JED MARGOLIN*

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(b) Jason D. Woodbury  
KAEMPFER CROWELL  
510 West Fourth Street  
Carson City, Nevada 89703  
Telephone: (775) 884-8300  
*Counsel for Appellant, REZA ZANDIAN*

6. **Indicate whether appellant was represented by appointed or retained counsel in the district court (NRAP 3(f)(3)(F)):**

Appellant was represented by retained counsel in district court.

7. **Indicate whether appellant is represented by appointed or retained counsel on appeal (NRAP 3(f)(3)(F)):**

Appellant is represented by retained counsel on appeal.

8. **Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave (NRAP 3(f)(3)(G)):**

Appellant was not granted leave to proceed in forma pauperis.

9. **Indicate the date of the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed) (NRAP 3(f)(3)(H)):**

Respondent's *Complaint* was filed in the District Court on December 11, 2009.

10. **District court case number and caption showing the names of all parties to the proceedings below, but the use of et al. to denote parties is prohibited (NRAP 3(f)(3)(A)):**

(a) Case number:  
  
First Judicial District Court Case Number: 09 OC 00579 1B  
Department Number: I

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(b) Caption:

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 GHONOREZA ZANDIAN JAZI, an individual, DOE Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30,

Defendants.

11. **Whether any of respondents' attorneys are not licensed to practice law in Nevada, and, if so, whether the district court granted that attorney permission to appear under SCR 42, including a copy of any district court order granting that permission (NRAP 3(f)(3)(E)):**

Based upon information and belief, all attorneys for respondents are licensed to practice law in Nevada.

12. **Brief description of the nature of the action and result in district court, including the type of judgment or order being appealed and the relief granted by the district court (NRAP 3(f)(3)(I)):**

The subject matter of this case concerns various patents and a dispute over their ownership. Plaintiff claims to be the owner of the patents at issue. Plaintiff claims that certain conduct and actions of Optima Technology Corporation, a California corporation, Optima Technology Corporation, a Nevada corporation, (together these

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corporations are referred to hereinafter as the “Corporate Defendants”) and Reza Zandian (“Zandian”) (collectively the Corporate Defendants and Zandian are referred to as the “Defendants”) disrupted his ownership and control over the patents, thereby causing him damages.

On March 28, 2013, the District Court entered a *Default* against Zandian. Later, pursuant to the application of Plaintiff, the District Court entered a *Default Judgment* against the Defendants in the amount of \$1,495,775.74. Plaintiff filed a *Notice of Entry of Default Judgment* on June 27, 2013.<sup>1</sup>

Following entry of the *Default Judgment*, Plaintiff filed a *Motion for Order Allowing Costs and Necessary Disbursement and Memorandum of Points and Authorities in Support Thereof* (“*Motion*”). The *Motion* was thereafter briefed. On May 19, 2014, the District Court issued its *Order on Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof*. And on May 20, Plaintiff served by mail a *Notice of Entry of Order on Motion for Order Allowing Costs and Necessary Disbursements* upon Defendant, Zandian

**13. Whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding (NRAP 3(f)(J)):**

<sup>1</sup> After the *Default Judgment* was entered, an effort was made to set it aside. The District Court denied the motion to set aside, which is the subject of a pending appeal with this Court. See *Zandian v. Margolin* (Case No. 65205).

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The *Default Judgment* in this case is the subject of a pending appeal in the Supreme Court. The docket number of that case is 65205.

The caption is:

REZA ZANDIAN A/K/A GOLAMREZA ZANDIANJAZI A/K/A GHOLAM REZA ZANDIAN A/K/A REZA JAZI A/K/A J. REZA JAZI A/K/A G. REZA JAZI A/K/A GHONOREZA ZANDIAN JAZI, AN INDIVIDUAL, Appellant

vs.

JED MARGOLIN, AN INDIVIDUAL, Respondent.

**14. Whether the appeal involves child custody or visitation (NRAP 3(f)(3)(K)):**

The appeal does not involve child custody or visitation.

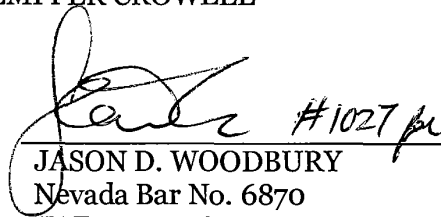
**15. In civil cases, whether the appeal involves the possibility of settlement (NRAP 3(f)(3)(L)):**

The appeal does not involve the possibility of settlement.

DATED this 23 day of June, 2014.

KAEMPFER CROWELL

BY:

 #1027 pc

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**CERTIFICATE OF SERVICE**

Pursuant to NRAP 25(d) and NRCP 5(b), I hereby certify that service of the foregoing **CASE APPEAL STATEMENT** was made this date by depositing for mailing of the same in Portable Document Format addressed to each of the following:

Matthew D. Francis  
Adam P. McMillen  
WATSON ROUNDS  
5371 Kietzke Lane  
Reno, NV 89511

DATED this 23 day of June, 2014.

  
an employee of Kaempfer Crowell