IN THE SUPREME COURT OF THE STATE OF NEVADA

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,

Nevada Supreme Court Case No. 65960

vs.

JED MARGOLIN, AN INDIVIDUAL,

Respondent.

APPEAL

from the FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR CARSON CITY THE HONORABLE JAMES T. RUSSELL, District Judge

JOINT APPENDIX

VOLUME III

JASON WOODBURY Nevada Bar No. 6870 KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703 Telephone: (775) 884-8300

Attorneys for Appellant, Reza Zandian

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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, Appellant,

vs.

JED MARGOLIN, an individual, Respondent. Nevada Supreme Court Case Number: 65960

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1 . 2 3 4 5 6	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 APR -2 PM 4: 06 ALAN GLOVER BREET
7	In The First Judicial District Co	ourt of the State of Nevada
8 9	In and for Car	son City
10		
11	JED MARGOLIN, an individual,	Case No.: 090C00579 1B
12	Plaintiff,	Dept. No.: 1
13	VS.	FIRST MEMORANDUM OF POST-
14 15 16 17 18 19 20 21	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.	JUDGMENT COSTS AND FEES
22		
23	Judgment having been entered in the above	entitled action on June 24, 2013 against
24	Defendants, jointly and severally, Plaintiff Jed Mar	golin, by and through his counsel of record,
25	Adam P. McMillen, Esquire of Watson Rounds, P.O.	C., submits Plaintiff's First Memorandum
26 27	of Post-Judgment Costs and Fees and requests the C	Clerk tax such costs and fees, as follows:
28	POST-JUDGMENT ATTORNEYS' FEES (JUNE 24, 2013 THROUGH MARCH 26, 2	2014) \$ 34,787.50
	1	386

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` 2	COSTS (JUNE 24, 2013 THROUGH MARCH 26, 2014):	
3	 Postage/photocopies (in-house) \$ 619.75 Fees (filing fees and recording fees) 154.00 	
4	• Research 271.46	
5	Witness Fees (Subpoenas) 444.38 Process service/courier fees 433.00	
6	<u>\$ 1,922.59</u>	
7	TOTAL: <u>\$ 36,710.09</u>	
	AFFIRMATION Pursuant to NRS 239B.030	
8	The undersigned does hereby affirm that the preceding document does not contain	
9	the social security number of any person.	
10		
11	DATED: April <u><i>L</i></u> , 2014. WATSON ROUNDS, P.C.	
12	BY: Alm Manille	
13	BY: John Manda	
14	Matthew D. Francis (6978) Adam P. McMillen (10678)	
15	WATSON ROUNDS 5371 Kietzke Lane	
16	Reno, NV 89511 Telephone: 775-324-4100	
17	Facsimile: 775-333-8171 Attorneys for Plaintiff Jed Margolin	
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DECLARATION OF ADAM P. MCMILLEN I, ADAM P. McMILLEN, declare under the penalty of perjury that the foregoing costs and fees are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. DATED: April <u>2</u>, 2014. M Milla AM P. McMILLEN Attorney for Plaintiff Jed Margolin

1	CERTIFICATE OF SERVICE
2	Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on
З	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, FIRST MEMORANDUM OF POST-
5	JUDGMENT COSTS AND FEES, addressed as follows:
6	Jason D. Woodbury
7	Severin A. Carlson Kaempfer Crowell
8	510 West Fourth Street Carson City, Nevada 89703
9	Attorneys for Defendant, Reza Zandian
10	Dated: April 2, 2014
11	Nancy Lindsley
12	
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4			State State of the]
	1 2 3 4 5 6	JASON D. WOODBURY Nevada Bar No. 6870 KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703 Telephone: (775) 884-8300 Facsimile: (775) 882-0257 JWoodbury@kcnvlaw.com Attorneys for Reza Zandian IN THE FIRST JUDIC	REC'D & FILED 2014 APR -9 PM 109 C GRIBBLE BY DEPUTY CLEAP CLEAP CLEAP	611 - 6 Juni - 100
•	7		NEVADA IN AND FOR ON CITY	:
	8			
	9	JED MARGOLIN, an individual,		
	10	Plaintiff,		
	11	vs.		
	12 13 14 15 16 17 18	OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN JAZI aka GHOLAM 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.		
	19			
	20	MOTION TO RETAX	<u>CAND SETTLE COSTS</u>	
	21	COMES NOW, Defendant REZA ZA	ANDIAN ("ZANDIAN"), by and through his	
ELL freat 89703	22	attorneys, Kaempfer Crowell, and hereby n	moves this Court to retax and settle the costs	
KAEMPFER CROWELL 510 West Fourth Street Carson Cily, Nevada 89703	23	in the above-referenced proceeding. This	Motion is made pursuant to NRS 18.110(4),	
KAEM 510 We Carson C	24		n NRS 18.005, 18.020, 18.050, 18.110, 18.160	
		and 18.170, the attached memorandum	of points and authorities, all papers and	
			- Page I of 10 39	0

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pleadings on file in this matter and any evidence received and arguments entertained by 1. the Court at any hearing on this Motion. 2 DATED this $\mathcal{P}^{\mathcal{M}}$ day of April, 2014. 3 **KAEMPFER CROWELL** 4 5 6 ason D. Woodbury Nevada Bar No. 6870 7 510 West Fourth Street Carson City, Nevada 89703 8 Telephone: (775) 884-8300 Facsimile: (775) 882-0257 9 JWoodbury@kcnvlaw.com Attorneys for Reza Zandian 10 11 12 13 14 15 16 17 18 19 20 21 KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703 22 23 24 Page 2 of 10

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MEMORANDUM OF POINTS AND AUTHORITIES

I. Relevant Procedural Background¹

3 On September 24, 2012, this Court entered a default against Defendant, Optima Technology Corporation, a California corporation, and Optima Technology Corporation, 4 a Nevada corporation (collectively referred to as "OTC").² On September 27, 2012, 5 Plaintiff served notice that the default against OTC had been entered.³ A month later, 6 Plaintiff applied for default judgment against OTC, which was granted on October 31, 7 2012.4 Notice of the entry of default judgment against OTC was filed on November 6, 8 2012.5 9

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This Court entered a default against ZANDIAN on March 28, 2013 and notice of the default was filed April 5, 2013.⁶ Plaintiff subsequently applied for default judgment, 11 the application was granted and notice of the default judgment was filed on June 27, 12 2013.7 13

Later, beginning in December 2013 and culminating with this Court's denial in 14 February, 2014, ZANDIAN attempted to have the default judgment against him set 15 aside.⁸ The case has been appealed, and the appeal is pending.⁹ On April 2, 2014, 16

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KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703

¹ The presentation of the procedural background material to this *Motion* is not intended and should not be construed as an admission that there were not procedural deficiencies in regard to the proceedings 18 recited. That is to say, for instance, that a representation that a "notice" was made is not intended as a representation that the referenced "notice" was made in a legally valid and procedurally sufficient 19 manner.

- ² See Default (Sept. 24, 2012). 20
 - ³ See Notice of Entry of Default (Sept. 27, 2012).
- 21 4 See Application for Default J. (Oct. 30, 2012); Default J. (Oct. 31, 2012).
 - ⁵ See Notice of Entry of J. (Nov. 6, 2012).
- 22 ⁶ See Default (Mar. 28, 2013); Amended Not. of Entry of Default (April 5, 2013).
- 7 See Application for Default J. (April 17, 2013); Default J. (June 24, 2013); Notice of Entry of Default J. 23 (June 27, 2013).
- 8 See generally, Order Denying Defendant Reza Zandian aka Golamreza Zandianjazi aka Gholam Reza 24 Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghonoreza Zandian Jazi's Motion to Set Aside Default Judgment (Feb. 6, 2014).

Page 3 of 10 392 1Plaintiff served by mail a document entitled First Memorandum of Post-Judgment2Costs and Fees ("Memorandum"). This Motion is filed in response.

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KAEMPFER CROWELL 510 West Fourth Street Serson City, Nevada 9970

II. Argument

A. Plaintiff should be denied costs and fees because the *Memorandum* is procedurally defective.

As a threshold matter, it is not possible to determine whether Plaintiff's 6 Memorandum is presented under NRS 18.110-for costs incurred during the course of 7 an action—under NRS 18.160—for costs incurred following entry of judgment—or under 8 NRS 18.170-for costs incurred following entry of judgment which are not specified in 9 NRS 18.160.¹⁰ On the one hand, the Memorandum's reference to "post-judgment" 10 suggests that its basis is NRS 18.160 or NRS 18.170. But on the other hand, the 11 Memorandum references a request for costs of "postage," "photocopies," "filing fees and 12 recording fees," "research," "witness fees" and "process service/courier fees." None of 13 those items are identified in NRS 18.160 or NRS 18.170 as costs which may be recovered 14 following a judgment. Rather, those items are within the definition of "costs" as that 15 term is used in NRS 18.010.¹¹ This seems to indicate that the *Memorandum* is 16 presented under the authority of NRS 18.010. Fortunately, this Court need not resolve 17 the confusion over the legal basis for the *Memorandum* because regardless of whether 18 the Memorandum is presented under NRS 18.010, NRS 18.160, or NRS 18.170, it is 19 procedurally defective. 20 9 See, e.g., Notice of Appeal (Mar. 12, 2014). 21 ¹⁰ Plaintiff does not identify the authority upon which he relies for the Memorandum's request The absence of any authority in the Memorandum is, in and of itself, sufficient cause to reject it. See FJDCR 22 15(5).

¹¹ See NRS 18.005 which provides in pertinent part: "For the purposes of NRS 18.010 to 18.150, inclusive, the term 'costs' means: 1. Clerks' fees.... 4. Fees for witnesses at trial, pretrial hearing and deposing witnesses 7. The fee of any sheriff or licensed process server for the delivery or service of any summons or subpoena used in the action.... 12. Reasonable costs for photocopies.... 14. Reasonable costs for postage.... 17.... [R]easonable and necessary expenses for computerized services for legal research." (Emphasis added).

Page 4 of 10 **393**

If the Memorandum is presented pursuant to NRS 18.010. 1. 1 it is untimely. 2 In pertinent part, NRS 18.110 provides: 3 The party in whose favor judgment is rendered, and who claims costs, must file with the clerk, and serve a copy upon the adverse party, within 5 4 days after the entry of judgment, or such further time as the court or judge may grant, a memorandum of the items of the costs in the action or 5 proceeding....¹² 6 Notice of the default judgments against OTC and ZANDIAN were filed on November 6, 7 2012, and June 27, 2013 respectively. The Memorandum was not filed within five days 8 after the entry of those judgments. Therefore, it is untimely under NRS 18.110 and the 9 Motion should be granted.13 10 While NRS 18.110 does permit a court to grant further time beyond the five days, 11 Plaintiff has not requested that additional time.¹⁴ As such, the Memorandum does not 12 satisfy the clear requirements of NRS 18.110(1) and should be denied. 13 2. If the Memorandum is presented pursuant to NRS 18.160, it is untimely and requests costs which are not allowed. 14 NRS 18.160 provides that a request the recovery of post-judgment costs may be 15 served and filed "at any time or times not more than 6 months after the items have been 16 incurred."15 The Memorandum of Plaintiff, however, filed April 2, 2014, is a request for 17 costs allegedly incurred from "June 24, 2013 through March 26, 2014." Even if it 18 applies in these circumstances, the language of NRS 18.160(2) expressly restricts 19 recoverable costs to those "incurred" from October 3, 2013 to April 2, 2014-six months. 20 21 12 NRS 18.110(1) (emphasis added). ¹³ See Securities Inv. Co. v. Donnelley, 89 Nev. 341, 349, 513 P.2d 1238, 1243 (1973) (affirming denial of 22 costs when memorandum of costs filed more than five days after judgment). ¹⁴ Indeed, it seems notable that even if Plaintiff had requested additional time to serve the *Memorandum*, 23 such request would have almost certainly been rejected. The Memorandum is not merely a few days, or even weeks late. It was filed nearly a year and a half after the OTC judgment and over nine months after 24 the ZANDIAN judgment. Such an extraordinary delay cannot conceivably be justified. 15 NRS 18.160(2).

Page 5 of 10 394

AEMPFER CROWELL 10 West Fourth Sirect on City, Nevade 8970;

1 The *Memorandum* provides no information as to when the costs were incurred.¹⁶ Therefore, the Motion should be granted. 2 But even to the extent that the Memorandum does requests costs which were 3 incurred within the six month time frame fixed by NRS 18.160(2), the Motion should 4 still be granted because the Memorandum seeks categories of costs which are not 5 allowed by NRS 18.160(1). In fact, none of the costs itemized in the Memorandum is 6 allowed by NRS 18.160(1).¹⁷ As such, NRS 18.160 does not provide Plaintiff a legal basis 7 to receive the costs he seeks and the Motion should be granted. 8 If the Memorandum is presented pursuant to NRS 18.170, 3. 9 it should be rejected because it was not preceded or accompanied by a motion. 10 When a party seeks post-judgment costs outside the scope of the categories 11 specified by NRS 18.160, NRS 18.170 provides the procedure and states, in pertinent 12 part: 13 A judgment creditor claiming costs or necessary disbursements reasonably 14 incurred in aid of the collection of a judgment or of any execution issued thereon, other than those specified in NRS 18.160, including items which have been 15 disallowed by the judge in the supplemental proceeding, shall serve the adverse party either personally or by mail, and file, at any time or times not more than 6 16 months after such item has been incurred and prior to the time the judgment is fully satisfied, a notice of motion for an order allowing the same, 17 specifying the items claimed and the amount thereof, and supported by an affidavit of the party or the party's attorney or agent stating that to the best of his 18 or her knowledge and belief the items are correct and showing that the costs were reasonable, and the disbursements reasonably and necessarily incurred. The 19 court or judge hearing such motion shall make such order respecting the costs or disbursements so claimed as the circumstances justify, allowing the same in 20 whole or in part, or disallowing the same. 21 In other words, NRS 18.170 requires a procedure different than NRS 18.110 or NRS 22 18.160 because it concerns costs which are of a different nature. Nevada law allows a 23 ¹⁶ Because the time frame—chosen by Plaintiff—commenced "June 24, 2013" presumably, that is when it 24 is alleged that post-judgment costs began accruing. As such, clearly some of the costs Plaintiff has included are disallowed. Page 6 of 10 395 prevailing party to request costs by "memorandum" under NRS 18.110 and NRS 18.160
because those provisions are restricted to costs which have been "pre-determined," in a
sense, to be valid. NRS 18.170, unlike those statutes allows costs beyond those "predetermined" categories. However, that statute balances the interests of the parties by
requiring the requesting party to present a "motion" to the Court for approval of the
costs requested.

7Of course, Plaintiff has not followed that procedure in this case. The requests for8costs is not presented in a motion—complete with a sufficient explanation of the costs9and legal authority for their allowance—but, rather, a memorandum which provides10only the minimal information of a general category of the cost and the alleged amount11incurred for that category. This is grossly insufficient under NRS 18.170 and even the12most liberal construction of the Memorandum cannot turn it into a "motion" which13remotely satisfies the letter or purpose of the statute.

Consequently, regardless of whether Plaintiff's legal basis for the Memorandum is NRS 18.110, NRS 18.160, or NRS 18.170, the *Memorandum* is procedurally and fatally defective and the *Motion* should be granted.

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B. Plaintiff is not entitled to attorneys' fees even if allowed to recover costs.

The procedural defects addressed above do not even touch upon the most blatant deficiency of the *Memorandum*: the request for attorneys' fees disguised as costs. Attorneys' fees are not the same thing as "costs" for purposes of Chapter 18 of Nevada Revised Statutes.¹⁸ For some unexplained—and unauthorized—reason, however,

KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703

¹⁷ Compare NRS 18.160(1)(a) ~ (f) with Memorandum at 1:27 - 2:5.
 ¹⁸ See NRS 18.005, .160.

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Plaintiff's Memorandum includes a request for \$34,787.50 in "post-judgment attorneys" 1 fees" as though it was such a cost. 2

Attorneys' fees are not recoverable unless authorized by a statute, rule, or 3 contractual provision.¹⁹ None provides a legal basis to award Plaintiff's fees as the 4 Memorandum requests. 5

The general statute authorizing recovery of fees by a prevailing party, NRS 6 18.010, does not apply to the circumstances of this case. Further, there is no evidence 7 that any offer of judgment was rejected by ZANDIAN or OTC which would trigger a 8 potential award of fees under any statute or rule of civil procedure. No other rule exists 9 which would allow Plaintiff to recover fees in this case.²⁰ The judgments at issue in this 10 case did not include recovery for attorneys' fees subsequent to the entry of judgment. 11 And there has never any allegation by Plaintiff that he and OTC and/or ZANDIAN were 12 parties to any contract together-must less any contract which provided for the 13 recovery of attorneys' fees in this litigation. 14

For these reasons, this Court should reject the Memorandum and grant the 15 Motion, and deny Plaintiff's attempt to recover attorneys' fees disguised as costs. 16

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KAEMPFER GROWELL 510 West Fourth Street Sarson City, Nevada 89703

¹⁹ See, e.g., Horgan v. Felton, 123 Nev. 577, 170 P.3d 982, 986 (2007).

²⁰ Indeed, to the extent that a rule applies to this situation, it contravenes the *Memorandum*'s request. NRCP 54(d) requires that fees must be requested by motion, that the motion must be filed within 20 days

Page 8 of 10

III. Conclusion 1 For all the reasons hereinabove, it is respectfully requested that this Court grant 2 this Motion. 3 DATED this _____ day of April, 2014. 4 **KAEMPFER CROWELL** 5 6 7 Jason D. Woodburv Nevada Bar No. 6870 8 510 West Fourth Street Carson City, Nevada 89703 9 Telephone: (775) 884-8300 (775) 882-0257 Facsimile: 10 JWoodbury@kenvlaw.com Attorneys for Reza Zandian 11 12 **AFFIRMATION pursuant to NRS 239B.030** 13 The undersigned does hereby affirm that the preceding document does not 14 contain the social security number of any person. 15 DATED this day of April, 2014. 16 **KAEMPFER CROWELL** 17 18 Jason D. Woodbury 19 Nevada Bar No. 6870 510 West Fourth Street 20 Carson City, Nevada 89703 Telephone: (775) 884-8300 21 Facsimile: (775) 882-0257 JWoodbury@kcnvlaw.com 22 KAEMPFER CROWELL 510 West Fourth Street Sarson City, Nevada 8970 Attorneys for Reza Zandian 23 24 of the notice of entry of judgment, and that it must "specify" the "statute, rule, or other grounds" authorizing the award of fees. The Memorandum does none of these. Page 9 of 10 398

JM SC2 0638

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	1	CERTIFICATE OF SERVICE
	2	Pursuant to NRCP 5(b), I hereby certify that service of the foregoing MOTION
÷	3	TO RETAX AND SETTLE COSTS was made this date by depositing a true copy of
	4	the same for mailing at Carson City, Nevada, addressed to each of the following:
	5	Matthew D. Francis Adam P. McMillen
	6	WATSON ROUNDS 5371 Kietzke Lane Reno, NV 89511
	7	DATED this day of April, 2014.
	9	
	10	an employee of Kaempfer Crowell
	11	an employee of Kaempler Crowen
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		Nevada Bar No. 6870	0011 ADD 1.7 AM ID: 5-1	
	2	SEVERIN A. CARLSON	2014 APR 17 AM 10: 51	
		Nevada Bar No. 9373	ALAN GLOVER	
	3	KAEMPFER CROWELL		
		510 West Fourth Street	BY GREENTY T	
	4	Carson City, Nevada 89703		
		Telephone: (775) 884-8300		
	5.	Facsimile: (775) 882-0257	· .	
		jwoodbury@kcnvlaw.com Attorneys for Defendant,	· .	
	6	REZA ZANDIAN		
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• •	. 7	-		:
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	Ŭ	IN THE FIRST JUDICIAL DISTRICT	COURT OF THE STATE OF NEVAL	DA
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		IN AND FOR	CARSON CITY	
	- 10			
		JED MARGOLIN, an individual,		
•	11	Plaintiff,	Case No. 09 OC 00579 1B	:
	10	Tiamun,	Case 140. 09 00 005/9 15	
	12	US.	Dept. No. I	· .
	13	· · · ·		
	15	OPTIMA TECHNOLOGY CORPORATION,	-	
	14	a California corporation, OPTIMA		
. •		TECHNOLOGY CORPORATION, a Nevada		
	15	corporation, REZA ZANDIAN aka		
		GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA		
	16	JAZI aka J. REZA JAZI aka G. REZA JAZI		1
	<i></i>	aka GHONOREZA ZANDIAN JAZI, an		:
	17	individual, DOE Companies 1-10, DOE		
	18	Corporations 11-20, and DOE Individuals		
	10	21-30,		
·	19			
	~~	Defendants.		
	20			
		STIPULATION AND ORDER TO	ΜΠΤΗ ΤΟ Α ΜΑ ΜΟΤΙΟΝ ΕΠ ΕΤΙ	v
	21		N MARCH 24, 2014	
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IELL Bel B9700	22	COME NOW, WATSON ROUNDS, co	ounsel for Plaintiff, JED MARGOLIN	N, by and
CROV arth Str eveda	23			
PFER N. Fou	23	through ADAM McMILLEN, and KAEMPFI	ER CROWELL, counsel for Defenda	nt, REZA
KAEMPFER CROWELL 510 W. Fourth Street Carson City, Nevada 89703	24		· · · · · · · · · · · · · · · · · · ·	
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ZANDIAN, by and through JASON WOODBURY and hereby stipulate that the Motion 1 filed by REZA ZANDIAN appearing in Proper Person on March 24, 2014, be withdrawn. 2 Dated this ______ day of April, 2014. Dated this $\sqrt{5^{H_1}}$ day of April, 2014. 3 WATSON ROUNDS 4 **KAEMPFER CROWELL** 5 By: c By: 6 ADAM P. McMILLEN ÍASON D. WOODBUR Nevada Bar No. 10678 Nevada Bar No. 6870 7 5371 Kietzke Lane 510 West Fourth Street Reno, NV 89511 Carson City, Nevada 89703 8 Telephone: (775) 324-4100 Telephone: (775) 884-8300 Facsimile: (775) 333-8171 (775) 882-0257 Facsimile: 9 Email: amcmillen@watsonrounds.com Email: jwoodbury@kcnvlaw.com Attorneys for Plaintiff, Attorneys for Defendant, 10 JED MARGOLIN **REZA ZANDIAN** 11 12 IT IS SO ORDERED. 13 DATED this 17^{+1} day of April, 2014. 14 15 amen T. Chursell 16 17 JAMES T. RUSSELL District Judge 18 19 20 21 ភព័ ₽£22 23 24 Page 2 of 2 401

JM SC2 0641

REC'D & FILED 1 JASON D. WOODBURY Nevada Bar No. 6870 2014 APR 2.1 PM 3:45 2 KADMPFER CROWELL 3 Carson City, Nevada 89703 4 Jacon Mitteret 6 ALAN GLOYER 7 Rec'D & FILED 8 Moodburg/ekenylaw.com 4 Moodburg/ekenylaw.com 5 Mitorneys for Rezz Zandian 6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR 7 Vacation 7 JED MARGOLIN, an individual, 9 JED MARGOLIN, an individual, 10 Plaintiff, 7%. Case No. 090C00579 1B 11 Vs. 12 OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka REZA JAZI aka GHONOREZA ZANDIAN Azi an individual, DOE Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30. 13 Defendants. 14 OPTOSITION TO MOTION FOR WRIT OF EXECUTION 16 Corporations 11-20, and DOE Individuals 21-30. 17 Defendants. 19 OPTOSITION TO MOTION FOR WRIT OF EXECUTION <t< th=""><th></th><th></th><th>· · · ·</th></t<>			· · · ·
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18 19 20 20 21 22 23 23 24		Defendente	
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	11 gg · 22	attorneys, Mempici Crowen, and hereby	opposes the motion for third of the union
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papers and pleadings on file in this matter and any evidence received and arguments entertained by the Court at any hearing on the Motion. DATED this 21st day of April, 2014. **KAEMPFER CROWELL** Jason D. Woodbury Nevada Bar No. 6870 510 West Fourth Street Carson City, Nevada 89703 Telephone: (775) 884-8300 Facsimile: (775) 882-0257 JWoodbury@kcnvlaw.com Attorneys for Reza Zandian empres Crowell. West Fourth Street n City, Nevade 89703 Page 2 of 6

1 MEMORANDUM OF POINTS AND AUTHORITIES		MEMORANDUM OF POINTS AND AUTHORITIES			
	2	I. Procedural Background			
	3	On June 24, 2013, this Court entered default judgment in the amount of			
	4	\$1,495,775.74 in this case. ¹ On April 2, 2014, Plaintiff served the instant Motion.			
	5	Attached to the Motion are two exhibits. The first, Exhibit 1, is a document entitled			
	6	"First Memorandum of Post-Judgment Costs and Fees." The second, Exhibit 2, is			
	7	actually a series of documents each entitled "Writ of Execution" some of which purport			
	8	to be issued to the Sheriff of Washoe County and some of which purport to be issued to			
	9	the Constable of Clark County.			
	10	On April 9, 2014, ZANDIAN filed a Motion to Retax and Settle Costs ("Motion to			
	11	Retax") in response to the First Memorandum of Post-Judgment Costs and Fees. ² The			
	12	Motion to Retax is pending and has not been addressed at this time.			
	13	II. Argument			
	14 15	A. This Court should deny Plaintiff's <i>Motion</i> to issue the proposed <i>Writs</i> because they include fees and costs which this Court has not granted.			
	16	The proposed Writs presented to this Court by Plaintiff include the following			
	17	amounts as "sums [which] have accrued since the entry of judgment." ³ Two of these			
	18	items, \$34,787.50 in attorney's fees and \$1,022.59 in "accrued costs" reflect the costs			
	19				
	20	¹ See Default J. at 2:19 – 3:3 (June 24, 2013). This Court's Default Judgment reflects that the judgment includes "damages, along with pre-judgment interest, attorney's fees and costs." Id. at 2:21-22. However,			
	21	the Default Judgment does not itemize the amount of each category and only reflects a lump sum of \$1,495,775.74. Plaintiff's proposed Writ of Execution does itemize these categories and sums as follows:			
•.	22	"\$900,000.00 principal," "\$83,761.25 attorney's fees", "\$488,545.89 interest, and" "\$24,021.96 costs, making a total amount of \$1,495,775.74". Exhibit 2 to Motion for Writ of Execution at 2:1-5 (hereinafter referred to as "proposed Writs"). Adding to the confusion, the sums of the categories listed in Plaintiff's			
	23	proposed writs do not equal what is reported as the "total amount." $(\$900,000 + \$83,761.25 + \$4\$8,545.89 + \$24,021.96 = \$1,497,329.10$ not $\$1,495,775.74$). Plaintiff, however, offers no explanation			
	24	for the discrepancy between the categories and total and, to date, has made no effort to correct any error. For this reason alone, this Court should deny the <i>Motion</i> and require clarification by Plaintiff. A writ of execution must be precise.			
,		² See Motion to Retax and Settle Costs (April 9, 2014).			
		Page 3 of 6			
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KAENPFER CROWELL 510 West Fourth Elfreet Carson City, Nevada 89703 - 2 12722

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and fees requested in the First Memorandum of Post-Judgment Costs and Fees. Those 1 fees and costs are disputed and this Court has yet to resolve any dispute as to their 2 amount. Indeed, there is significant doubt that Plaintiff has any legal basis to recover 3 post-judgment fees in this case. In any event, however, the proposed Writs do not 4 accurately reflect the previous orders of this Court and should be rejected. 5 More egregious, Plaintiff's proposed Writs reflect a higher sum than this Court 6 has actually awarded—even assuming the adoption of the First Memorandum of Post-7 Judgment Costs and Fees. The proposed Writs would have this Court authorize 8 execution for the total sum of \$1,592,091.22.4 One would assume that this sum consists 9 of the amount previously awarded by this Court, \$1,495,775.74, added to the sum 10 requested in the First Memorandum of Post-Judgment Costs and Fees, \$93,315.40. 11 However, those two figures add up to 1,589,091.14, \$3,000.08 less than the sum 12 reflected in the proposed Writs. No explanation for this is provided in the Motion. 13 Simply, the proposed Writs are erroneous on their face and this Court should decline 14 their issuance. 15 //// 16 1111 17 //// 18 //// 19 //// 20 //// 21 //// 22 //// 23 24 3 Proposed Writs at 2:7. 4 Proposed Writs at 2:17-19. Page 4 of 6 4Ô5

KAEMPFER GROWELL 510 West Fourth Street Carson City, Nevada 897

JM SC2 0645

1 **III.** Conclusion 2 For all these reasons explained herein, it is respectfully requested that this Court deny the Motion. 3 DATED this _ day of April, 2014. 4 **KAEMPFER CROWELL** 5 б 7 son D. Woodbury Nevada Bar No. 6870 8 510 West Fourth Street Carson City, Nevada 89703 9 Telephone: (775) 884-8300 Facsimile: (775) 882-0257 10 JWoodbury@kcnvlaw.com Attorneys for Reza Zandian 11 12 **AFFIRMATION pursuant to NRS 239B.030** 13 The undersigned does hereby affirm that the preceding document does not 14 contain the social security number of any person. 15 DATED this 21st day of April, 2014. 16 **KAEMPFER CROWELL** 17 18 Jason D. Woodbury 19 Wevada Bar No. 6870 510 West Fourth Street 20 Carson City, Nevada 89703 Telephone: (775) 884-8300 21 Facsimile: (775) 882-0257 JWoodbury@kcnvlaw.com 22 Attorneys for Reza Zandian 23 24 Page 5 of 6 406

1	CERTIFICATE OF SERVICE			
2	2 Pursuant to NRCP 5(b), I hereby certify that service of the foregoing			
3	 3 OPPOSITION TO MOTION FOR WRIT OF EXECUTION was made this date by 4 depositing a true copy of the same for mailing at Carson City, Nevada, addressed to each 			
4				
5	of the following:			
6	Matthew D. Francis			
7	Adam P. McMillen WATSON ROUNDS			
8	5371 Kietzke Lane Reno, NV 89511			
9	DATED this 21 st day of April, 2014.			
10				
11	S. R. Zola			
12	an employee of Kaempfer Crowell			
13				
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Fourth Street B97				
KARMP FEA CROWELL 510 Weat Fourth Street Carson City, Neveda 89703 53				
<u>6</u> 24				
	Page 6 of 6			

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••	ORIGINA		
1	Matthew D. Francis (6978) Adam P. McMillen (10678)	REC'D & FILED	
2	WATSON ROUNDS 5371 Kietzke Lane	2014 APR 21 PM 4: 16	
3	Reno, NV 89511 Telephone: 775-324-4100	AL AN GLOVER	
4	Facsimile: 775-333-8171 Attorneys for Plaintiff Jed Margolin	BX OF DEPUTY	
5		lotto: (
6			
7	In The First Judicial District Co	urt of the State of Nevada	
8	In and for Car	son City	
9		·	
10			
11.	JED MARGOLIN, an individual,	Case No.: 090C00579 1B	
12	Plaintiff,	Dept. No.: 1	
13	vs.		
14	OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA	REPLY IN SUPPORT OF MOTION	
15	TECHNOLOGY CORPORATION, a Nevada	FOR WRIT OF EXECUTION AND OPPOSITION TO MOTION TO	
16	corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI	RETAX AND SETTLE COSTS	
17	aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI		
18	aka G. REZA JAZI aka GHONONREZA		
19	ZANDIAN JAZI, an individual, DOE Companies 1-10, DOE Corporations 11-20, and DOE		
20	Individuals 21-30,		
21	Defendants.		
22	Plaintiff Jed Margolin, by and through his a	torneys of record, hereby files the	
23	following Reply in Support of Motion for Writ of Execution, filed April 2, 2014, and		
24	Opposition to Reza Zandian's ("Zandian") Motion		
25	2014. Plaintiff hereby withdraws his Motion for W		
26	Motion for Order Allowing Costs and Necessary Di		
27		Costs and Necessary Disbursements is ruled upon, Plaintiff will renew the	
28	Motion for Writ of Execution.	· · · · · · · · · · · · · · · · · · ·	
	1 408		

Plaintiff's withdrawal of the Motion for Writ of Execution is done without prejudice.
 Plaintiff does not admit any of the points made in Zandian's Motion to Retax and Settle Costs.
 Plaintiff's withdrawal of the Motion for Writ of Execution moots Zandian's Motion to Retax
 and Settle Costs.

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: April 21, 2014.

WATSON ROUNDS

By: Matthew D. Francis (6978)

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

-	CEDTERCATE OF SEDVICE		
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, REPLY IN SUPPORT OF MOTION FOR		
5	WRIT OF EXECUTION AND OPPOSITION TO MOTION TO RETAX AND SETTLE		
6	COSTS, addressed as follows:		
7	Jason D. Woodbury		
. 8	Severin A. Carlson Kaempfer Crowell		
. 9	510 West Fourth Street Carson City, Nevada 89703		
10	Attorneys for Defendant, Reza Zandian		
11	Dated: April 21, 2014		
12	Nancy Lindsley		
13			
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	ORIGINAL		
1 2 3 4 5 6 7 8	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 In The First Judicial District Co		
9	In and for Carson City		
10			
11	JED MARGOLIN, an individual,	Case No.: 090C00579 1B	
12	Plaintiff,	Dept. No.: 1	
13	VS.		
14 15 16 17 18 19 20 21	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.	MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF	
22 23 24 25 26 27 28	Plaintiff Jed Margolin has incurred various postjudgment collection costs and fees. Pursuant to the judgment, NRS 18.160, NRS 18.170, and NRS 598.0999(2), Plaintiff moves this Court for an order awarding him postjudgment interest, costs and attorneys' fees. /// ///		
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POINTS AND AUTHORITIES

I. Postjudgment Interest

On June 24, 2013, the Court entered Default Judgment against Defendants. Notice of
 entry of the Default Judgment was filed on June 27, 2014. In the Default Judgment, the Court
 entered judgment in favor of Plaintiff against Defendants, jointly and severally, in the sum of
 \$1,495,775.74, plus interest at the legal rate, pursuant to NRS 17.130, thereon, from the date of
 default until the judgment is satisfied.

The award of interest in this case is governed by NRS 17.130(2), which states that the 9 postjudgment interest computation in a proceeding to enforce a judgment is subject to either 10 the parties' contract, the judgment against the party, or as otherwise provided by law. 11 Accordingly, the interest computation in this case is governed by the judgment against 12 13 Defendants. Because the original judgment was entered in Nevada and the judgment set the 14 interest rate at the legal rate of interest according to NRS 17.130, the interest rate is 5.25 15 percent per-annum, or \$215.15 per-day. Further, because Plaintiff is enforcing the Nevada . 16 judgment according to its terms, which does not provide for compound interest, simple interest 17 is appropriate. Accordingly, Plaintiff is owed simple interest at 5.25 percent or \$215.15 per-18 day from June 27, 2014, the date of notice of entry of the judgment, through April 18, 2014. It 19 is 296 days from June 27, 2014 to April 18, 2014. Multiplying 296 days by \$215.15 equals 20 21 \$63,684.40 in accrued interest.

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II. Postjudgment Costs

NRS 18.160(1)(f) allows "[c]osts or disbursements incurred in connection with <u>any</u>
 proceeding supplementary to execution which have been approved as to necessity, propriety
 and amount by the judge ordering or conducting the proceeding." (emphasis added). NRS
 18.170 further provides that a "judgment creditor claiming costs or necessary disbursements
 reasonably in aid of collection of a judgment or of any execution issued thereon..." must file a

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motion for costs and necessary disbursements "at any time or times not more than 6 months 1 after such item has been incurred." "The court or judge hearing such motion shall make such 2 order respecting the costs or disbursements so claimed as the circumstances justify, allowing 3 4 the same in whole or in part, or disallowing the same." NRS 18.170. 5 Plaintiff has incurred the following costs or disbursements reasonably in aid of 6 execution of the judgment in the last six months: 7 COSTS (October 18, 2013 THROUGH April 18, 2014): 8 Postage/photocopies (in-house) \$481.20 9 Research 285.31 Witness Fees (Subpoenas) 215.66 10 Process service/courier fees 373.00 11 <u>\$1.355.17</u> 12 The above items are correct and reasonable and the disbursements reasonably and 13 necessarily incurred, postjudgment. See Declaration of Adam McMillen ("McMillen Decl."). 14 dated April 24, 2014, ¶ 11-13 and Exhibits 4-5. 15 III. **Postjudgment Attorney's Fees** 16 "The district court may award attorney fees only if authorized by a rule, contract, or 17 statute." Barney v. Mt. Rose Heating & Air Conditioning, 124 Nev. 821, 825, 192 P.3d 730, 18 733 (2008) (citing Albios v. Horizon Communities, Inc., 122 Nev. 409, 417, 132 P.3d 1022, 19 20 1028 (2006)). A district court's award of attorney fees and costs is reviewed for an abuse of 21 discretion. Albios, 122 Nev. at 417, 132 P.3d at 1027-28 (attorney fees); Bobby Berosini, Ltd. 22 v. PETA, 114 Nev. 1348, 1352, 971 P.2d 383, 385 (1998) (costs). 23 Under Plaintiff's Deceptive Trade Practices claim, "[t]he court in any such action may, 24 in addition to any other relief or reimbursement, award reasonable attorney's fees and 25 costs." NRS 598.0999(2) (emphasis added). Although NRS 598.0999(2) does not explicitly 26 provide for attorney fees incurred postjudgment, the statute does not expressly exclude 27 28 postjudgment attorney fees from its purview, and for public policy reasons, NRS 598.0999(2)

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should be liberally interpreted as allowing for postjudgment attorney fees so as to further the statute's purpose to ensure that those that engage in deceptive trade practices are penalized and deterred from engaging in such practices and so that an attorney fee award properly includes the reasonable fees incurred in seeking the fees. *See Barney*, 124 Nev. at 825-26, 192 P.3d at 733-34 (mechanic lien statute did not expressly provide for attorney fees incurred

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6 postjudgment, however, statute did not expressly exclude postjudgment attorney fees from its 7 purview and was liberally interpreted to allow postjudgment attorney fees "so as to further the 8 lien statutes' purpose to ensure that contractors are paid in whole for their work."); see also 9 Rosen v. LegacyQuest, A136985, 2014 WL 1372114 (Cal. Ct. App. Mar. 21, 2014) (judgment 10 creditor, who had recovered statutory attorney fees in connection with underlying judgment, 11 authorized to recover attorney fees incurred in enforcing underlying judgment under the statute 12 13 authorizing recovery of judgment creditor's "reasonable and necessary costs of enforcing a 14 judgment," since the statute authorizing the underlying attorney fee award established that the 15 fee award was "otherwise provided by law" within meaning of the fee statute) (an attorney fee 16 award properly includes the reasonable fees incurred in seeking the fees); see also Ketchum v. 17 Moses (2001) 24 Cal.4th 1122, 104 Cal.Rptr.2d 377, 17 P.3d 735 (judgment creditor entitled 18 to fees incurred in enforcing the right to mandatory fees under statute). 19

"In Nevada, 'the method upon which a reasonable fee is determined is subject to the 20 21 discretion of the court,' which 'is tempered only by reason and fairness."" Shuette v. Beazer 22 Homes Holdings Corp., 124 P. 3d 530, 121 Nev. 837 (2005) (citing University of Nevada v. 23 Tarkanian, 110 Nev. 581, 594, 591, 879 P.2d 1180, 1188, 1186 (1994)). "Accordingly, in 24 determining the amount of fees to award, the court is not limited to one specific approach; its 25 analysis may begin with any method rationally designed to calculate a reasonable amount, 26 including those based on a 'lodestar' amount or a contingency fee." Id. (citations omitted). 27 "The lodestar approach involves multiplying 'the number of hours reasonably spent on the 28

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case by a reasonable hourly rate." Id. at n. 98 (citing Herbst v. Humana Health Ins. of 1 Nevada, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989)). 2 However, before awarding attorney's fees, the district court must make findings 3 4 concerning the reasonableness of the award, as required by Brunzell v. Golden Gate National 5 Bank, 455 P.2d 31, 85 Nev. 345 (1969) and Shuette v. Beazer Homes Holdings Corp., 124 P. 6 3d 530, 121 Nev. 837 (2005). See Barney, 124 Nev. at 829-30, 192 P.3d at 735-37. 7 According to Brunzell, the factors that the district court should consider in awarding 8 attorney fees, with no one factor controlling, is as follows: 9 (1) the advocate's qualities, including ability, training, education, experience, 10 professional standing, and skill; (2) the character of the work, including its difficulty, intricacy, importance, as 11 well as the time and skill required, the responsibility imposed, and the prominence and character of the parties when affecting the importance of the 12 litigation; 13 (3) the work performed, including the skill, time, and attention given to the work: and 14 (4) the result—whether the attorney was successful and what benefits were derived. 15 Barney, 192 P.3d at 736 (citing Brunzell, 85 Nev. at 349, 455 P.2d at 33). 16 17 According to Shuette, the district court is required to "provide[] sufficient reasoning 18 and findings in support of its ultimate determination." Id. (citing Shuette, 121 Nev. at 865, 124 19 P.3d at 549). 20 As set forth in Plaintiff's counsel's declaration, the lodestar amount of postjudgment 21 attorney's fees is \$34,632.50. See McMillen Decl., ¶ 2-6A and Exhibit 2. This amount only 22 includes reasonable attorney's fees from October 18, 2013 to April 18, 2014, as follows: 14.4 23 hours of work performed by attorney Matthew D. Francis at \$300 per-hour (\$4,320.00); 81.5 24 25 hours of work performed by attorney Adam P. McMillen at \$300 per-hour (\$24,450.00); and 26 46.9 hours of work performed by paralegal Nancy Lindsley at \$125 per-hour (\$5,862.50). Id. 27 This lodestar amount is reasonable under the Brunzell factors as follows. 28 III

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

The issues related to this case included: (a) whether Plaintiff's patents were entitled to 3 4 protection; (b) whether Defendants fraudulently assigned Plaintiff's patents; and (c), whether 5 Plaintiff was damaged by Defendants' conduct. McMillen Decl., ¶7. The patent and .6 deceptive trade practices issues, and the unique facts surrounding them, involved careful 7 consideration and research. Id. In general, patent and deceptive trade practices litigation is a 8 niche practice that requires a high degree of legal skill and care in order to be performed 9 properly and effectively. Id. Each of these causes of action, coupled with the unique facts of 10 this matter, required thorough research and careful analysis. Id. 11

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

Accordingly, Plaintiff's claimed postjudgment attorney's fees are reasonable under
 these factors.

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(2) Factor 3 – The Time and Labor Required

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

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incorporated by reference herein. McMillen Decl., $\P\P$ 5-10 and Exhibits 2-3. In sum, the time expended for the work product in this case is more than reasonable.

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(3) Factor 4 - The Result—Whether The Attorney Was Successful And What Benefits Were Derived

Plaintiff prevailed on all of his causes of action in this case. Plaintiff's case against
 Defendants resulted in a Default Judgment being entered against Defendants on Plaintiff's
 causes of action. Specifically, the Court ordered Defendants to pay Plaintiff \$1,495,775.74,
 plus interest. In addition, through postjudgment efforts, Plaintiff's counsel has successfully
 liened Zandian's Nevada real estate to secure the judgment and Plaintiff's counsel is in the
 process of securing appropriate writs of execution to satisfy the judgment. Thus, Plaintiff
 obtained the results sought, and this factor weighs in favor of the reasonableness of Plaintiff's

fee request.

In sum, an analysis of the *Brunzell* factors and other applicable case law proves Plaintiff's fees in the lodestar amount of \$34,632.50 are reasonable and should be awarded.

IV. Conclusion

For the reasons stated above, Plaintiff respectfully requests that this Motion for Order
 Allowing Costs and Necessary Disbursements be granted in full.

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.

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DATED: April 25, 2014.

WATSON ROUNDS

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 FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF, addressed as follows: Jason D. Woodbury Severin A. Carlson Kaempfer Crowell 510 West Fourth Street Carson City, Nevada 89703 Attorneys for Defendant, Reza Zandian Ind Dated: April 25, 2014 Nancy Lind

Careford States	ORIGÍNAI	
1	Matthew D. Francis (6978)	REC'D & FILED
2	Adam P. McMillen (10678) WATSON ROUNDS	2014 APR 28 PM 3: 57
. 3	5371 Kietzke Lane Reno, NV 89511	ALANGLOVER
4	Telephone: 775-324-4100 Facsimile: 775-333-8171 Attorneys for Plaintiff Jed Margolin	BY ALLERA
5	Anorneys for Training Sea Margonn	
6		
7	In The First Judicial District Cou	urt of the State of Nevada
8	In and for Cars	
9		
10		
11	JED MARGOLIN, an individual,	Case No.: 090C00579 1B
12	Plaintiff,	Dept. No.: 1
13	vs.	DECLARATION OF ADAM
14	OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA	MCMILLEN IN SUPPORT OF
15	TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN	PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND
16	aka GOLAMREZA ZANDIANJAZI	NECESSARY DISBURSEMENTS
17	aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI	
18	aka G. REZA JAZI aka GHONONREZA ZANDIAN JAZI, an individual, DOE Companies	
19 20	1-10, DOE Corporations 11-20, and DOE Individuals 21-30,	
21	Defendants.	
22		
23	I, Adam P. McMillen, do hereby declare and	l state:
24	1. I am counsel of record for Plaintiff Jed N	fargolin in this matter. This declaration is
25	based upon my personal knowledge and is made in	support of Plaintiff's Motion for Order
26	Allowing Costs and Necessary Disbursements.	
27		
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I am an associate in the law firm of Watson Rounds. I have over 7 years of
 experience as a litigator in intellectual property and business litigation matters. Watson
 Rounds is an AV-rated law firm.

3. Matthew D. Francis is a partner in the law firm of Watson Rounds. He has over 14
years of experience in the fields of intellectual property and business litigation, including
reported decisions.

4. Between October 18, 2013 and April 18, 2014, my and Mr. Francis's hourly billing 7 rate for this litigation was \$300 per-hour. It is my understanding that the customary fee 8 charged by attorneys with our experience for similar patent and deceptive trade practices 9 matters in Nevada ranges between \$275-\$450 per-hour. It is also my understanding that 10 intellectual property litigators in major markets, such as San Francisco, Los Angeles, New 11 York, and Boston charge in excess of these amounts, and in some instances, over \$500 per-12 hour. According to the 2002 Altman Weil "Survey of Law Firm Economics," the median 13 partner hourly rates for intellectual property litigation exceeded well over \$300 per-hour in 14 2002. A true and correct copy of the 2002 Altman Weil Survey entitled "Mining the Surveys: 15 Which Specialties Command the Highest Rates," is attached hereto as Exhibit 1. This Survey 16 was conducted over a decade ago. Furthermore, in 2012, the Ninth Circuit upheld a District of 17 Nevada fee award in a trade dress action in the amount of \$836,899.99, and approved 18 attorneys' fees ranging between \$320 to \$685 per hour. See Secalt S.A. v. Wuxi Shenxi Const. 19 Machinery Co., Ltd., 668 F.3d 677, 689 (9th Cir. 2012). 20

4A. Nancy Lindsley, my current secretary and paralegal, has over 30 years of
paralegal experience and has worked almost exclusively on intellectual property matters
during her tenure at Watson Rounds. Mrs. Lindsley's hourly rate for this action is \$125 perhour.

5. The itemization and description of the work performed for the fees sought herein is
set forth in a true and correct copy of Plaintiff's client ledger dated April 23, 2014, and
attached hereto as Exhibit 2. Attached collectively hereto as Exhibit 3 are true and correct
redacted copies of the actual invoices sent to Plaintiff, which list all activity performed on the

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file, including fees and costs. Each of the bills set forth in Exhibit 3 was reviewed and edited,
 and is reasonable.

6. The personal abbreviations contained in Exhibits 2 and 3 mean the following: MDF
4 = Matthew D. Francis; NRL = Nancy R. Lindsley; APM = Adam P. McMillen. Attorneys and
5 paralegals at Watson Rounds bill in 1/10 of an hour increments.

6A. It is part of my ordinary business practice to review each invoice before it is sent 6 to a client. All of the invoices sent to Plaintiff were personally reviewed by me or by Mr. 7 Francis prior to being sent to Plaintiff for payment. As detailed below, Plaintiff requests 8 reasonable attorneys' fees for this action in the amount of \$34,632.50. This amount only 9 includes attorney's fees from October 18, 2013 to April 18, 2014, as follows: 14.4 hours of 10 work performed by attorney Matthew D. Francis at \$300 per hour (\$4,320.00); 81.5 hours of 11 work performed by attorney Adam P. McMillen at \$300 per hour (\$24,450.00); and 46.90 12 hours of work performed by paralegal Nancy Lindsley at \$125 per hour (\$5,862.50). 13 \$34,632.50 is the lodestar amount Plaintiff is requesting from the Court. See Exhibit 2. 14

7. This was a fraudulent patent assignment and deceptive trade practices action. The 15 issues related to this case included: (a) whether Plaintiff's patents were entitled to protection; 16 (b) whether Defendants fraudulently assigned Plaintiff's patents; and (c) whether Plaintiff was 17 damaged by Defendants' conduct. The patent and deceptive trade practices issues, and the 18 19 unique facts surrounding them, involved careful consideration and research. In general, patent 20 and deceptive trade practices litigation is a niche practice that requires a high degree of legal skill and care in order to be performed properly and effectively. Each of these causes of 21 action, coupled with the unique facts of this matter, required thorough research and careful 22 analysis. In addition, the postjudgment collection efforts so far have included attempting to 23 find Zandian's collectible assets, including researching and investigating his property in 24 Nevada and California and moving for a debtor's examination. Considering Zandian's elusive 25 behavior to date and elaborate financial arrangements with a multitude of companies and 26 individuals, Plaintiff has been forced to incur a significant amount of attorney's fees in 27 attempting to collect on the judgment. 28

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1	8. On June 24, 2013, the Court entered Default Judgment against Defendants. In the
2	Default Judgment, the Court entered judgment in favor of Plaintiff against Defendants, jointly
3	and severally, in the sum of \$1,495,775.74, plus interest at the legal rate, pursuant to NRS
4	17.130, therein from the date of default until the judgment is satisfied.
5	9. In order to begin collecting on the judgment, our office has been required to do the
6	following: research Zandian's vast real estate holdings in Nevada; record the judgment in
7	each Nevada County where Zandian holds property; research and subpoena Zandian's
8	financial information from several financial institutions; move the Court for a debtor's
9	examination of Zandian; among other things. See Exhibits 2 and 3.
10	10. The total amount of postjudgment fees relating to the above-identified areas of
11	work identified in paragraph 9 is \$34,632.50. Again, this is the lodestar amount that Plaintiff
12	is claiming.
13	11. Plaintiff incurred a total of \$1,355.17 in postjudgment costs as a result of this
14	action. More specifically, Plaintiff incurred the following costs:
15 16 17	COSTS (October 18, 2013 THROUGH April 18, 2014):• Postage/photocopies (in-house)\$ 481.20• Research285.31• Witness Fees (Subpoenas)215.66• Process service/courier fees373.00
18	<u>\$1,355.17</u>
19	See Exhibit 4, which is a true and correct copy of a client ledger for Plaintiff's postjudgment
20	costs and disbursements; see also Exhibit 5, which is a true and correct copy of the invoices
21	and receipts for the Plaintiff's postjudgment costs.
22	
23	12. As mentioned above, Plaintiff's total requested postjudgment fees in this case are
24	\$34,632.50. Plaintiff's total requested postjudgment costs in this case are \$1,355.17.
25	13. To the best of my knowledge and belief the above items are correct and
26	reasonable, and they have been necessarily and reasonably incurred in this action or
27 28	proceeding.
	4 42

1	I declare under penalty of perjury that the	foregoing is true and correct to the best of						
2	my knowledge.							
3	Affirmation Pursuan	t to NRS 239B 030						
4								
5								
6								
7	Dated: April <u>75</u> , 2014 By:	ADAM P. MCMILLEN						
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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, DECLARATION OF ADAM MCMILLEN IN SUPPORT OF PLAINTIFF'S MOTION FOR ORDER ALLOWING COSTS AND NECESSARY DISBURSEMENTS, addressed as follows: Jason D. Woodbury Severin A. Carlson Kaempfer Crowell 510 West Fourth Street Carson City, Nevada 89703 Attorneys for Defendant, Reza Zandian indoley Dated: April

				1
		EXHIBIT LIST		
1	EXHIBIT NO.	DESCRIPTION	PAGE(S)	
2	1	2002 Altman Weil Survey entitled, "Mining the	I AGE(S)	4
3		Surveys: Which Specialties Command the Highest Rates"		4
5	2	Plaintiff's client ledger dated April 17, 2014,		8
6 [.]		reflecting fees incurred between October 18, 2013 through April 18, 2014		
7	3	Statements for professional services rendered to Plaintiff from October, 2013 through April, 2014	· .	39
8	4	Plaintiff's client ledger dated April 17, 2014,		3
9		reflecting costs incurred between October 18, 2013 through April 18, 2014		
10	5	Invoices and receipts for Plaintiff's postjudgment costs reflected on Exhibit 4		14
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EVIDET NO	EXHIBIT LIST DESCRIPTION	
EXHIBIT NO.	DESCRIPTION PAGE(S)	
1	2002 Altman Weil Survey entitled, "Mining the Surveys: Which Specialties Command the Highest Rates"	4
2	Plaintiff's client ledger dated April 17, 2014, reflecting fees incurred between October 18, 2013 through April 18, 2014	8
3	Statements for professional services rendered to Plaintiff from October, 2013 through April, 2014	39
4	Plaintiff's client ledger dated April 17, 2014,	3
	reflecting costs incurred between October 18, 2013 through April 18, 2014	
5	Invoices and receipts for Plaintiff's postjudgment	14
	costs reflected on Exhibit 4	
	· · · ·	

Exhibit 1

Exhibit 1

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MINING THE SURVEYS: WHICH SPECIALTIES COMMAND THE HIGHEST RATES?

by Ward Bower

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The annual Altman Weil *Survey of Law Firm Economics* compiles billing rate information by geographic region, by state, by firm size, by size of population of the community in which the firm is located, by year admitted to the bar and by specialty, for both partners and associates. Specialty information is divided into litigation and non-litigation specialties.

Non-Litigation Specialties

Twenty-seven non-litigation specialties are covered. The first chart (following) shows the top and bottom five non-litigation specialties, by median hourly billing rate for partners/ shareholders. The top median rate goes to partners and shareholders in intellectual property practice at \$345 per hour. The bottom goes to partner/ shareholders in Education specialty practice — \$200 per hour, less than 60% of the median rates of partners/ shareholders in intellectual property practice. On an 1,800 billable hour year, that would amount to a difference of \$261,000 in personal billings, annually.

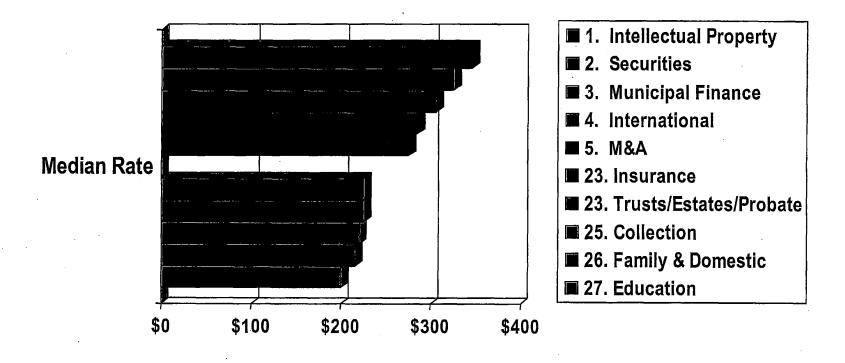
Litigation Specialties

In the 26 litigation specialties reported in the 2002 Altman Weil Survey of Law Firm Economics, there is even a greater difference — \$296 per hour between the highest (antitrust — \$430) and lowest (workers' compensation — \$134). On a 1,800 hour work year, that difference would translate to a staggering \$532,800 differential in personal billings!

The second chart depicts the top and bottom five median partner/ shareholder hourly billing rates for litigation specialties reported in the 2002 Survey.



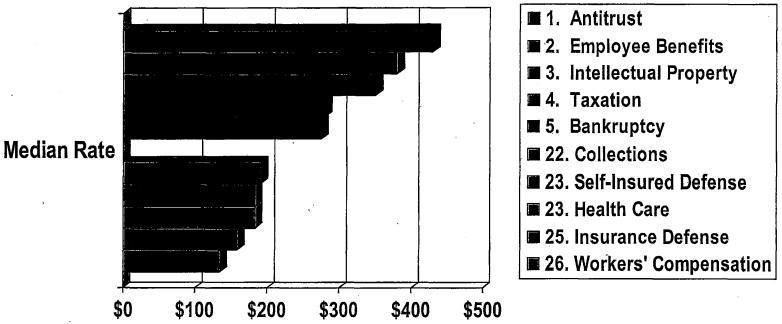
Median Partner/ Shareholder Hourly Rates, by Specialty — Non-Litigation Areas (top five, bottom five)



Source: 2002 Altman Weil Survey of Law Firm Economics

JM_SC2_0669

Median Partner/ Shareholder Hourly Rates, by **Specialty** — Litigation Areas (top five, bottom five)



Source: 2002 Altman Weil Survey of Law Firm Economics

Exhibit 2

Exhibit 2

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Page: 1

Billing Status

Apr/24/2014	
Date Entry #	Fee / Time Explanation
5457	Margolin, Jed
5457.01	Patent theft analy
Oct 18/2013	Lawyer: NRL 1.50 Hrs
1115373	Telephone conference
Oct 18/2013	Lawyer: NRL 1.00 Hrs
1115374	Telephone conference

5457	Margolin, Jed					
5457.01 Oct 18/2013	Patent theft analysis & litigation Lawyer: NRL 1.50 Hrs X 125.00	NRL	- Nancy R. Lindsley	1.50	187.50 12409	Billed
1115373	-				information; sav	
	Lawyer: NRL 1.00 Hrs X 125.00			1.00	125.00 12409	Billed
	Telephone conference with Wells Fargo rega Lawyer: NRL 0.50 Hrs X 125.00		- Nancy R. Lindsley	roduced; pr 0.50	62.50 12409	nd Amended Billed
	Email to Jed	MKU	- Mancy X. Hindstey	0.50	02.30 12409	BILLEY
Oct 28/2013	Lawyer: NRL 0.80 Hrs X 125:00	NRL	Nancy R. Lindsley	0.80	100:00 12409	Billed
	Brief conference with Jed	WPT	- Nancy R. Lindsley	0.20	25.00 12409	Billed
	Lawyer: NRL 0.20 Hrs X 125.00 Review email from MDF	NKL	- Nancy R. Ellistey	0.20	23.00 12403	Billed
Oct 28/2013	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen		30.00 12409	Billed
	Review letter, dated 10/7/13, from Charles		regarding subpoensed do - Nancy R. Lindsley	0.50	62 E0 12400	Billed
1116297	Lawyer: NRL 0.50 Hrs X 125.00 Telephone conference with Wells Fargo rega				62.50 12409 is SDT and response	
	Lawyer: APM 0.20 Hrs X 300.00		- Adam P. McMillen	0.20	60.00 12409	Billed
	Communicate with Fred Sadri					
	Lawyer: NRL 1.00 Hrs X 125.00 Commence preparation of Analysis of Inform		- Nancy R. Lindsley From Financial Institutio	1.00	125.00 12409	Billed
Nov 1/2013	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen	0.10	30.00 12455	Billed
	Received telephone call from Eli Abrishami			. 10	30.00 12455	
	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Eli Abrishami	APM	- Adam P. McMillen	0.10	30.00 12455	Billed
Nov 1/2013	Lawyer: APM 0.10 Hrs X 300.00		- Adam P. McMillen	0.10	30.00 12455	Billed
	Review email, dated 11/1/13, from Eli Abri	shami APM	- Adam P. McMillen	0.40	120.00 12455	Billed
1117495	Lawyer: APM 0.40 Hrs X 300.00 Review 18 pages of detailed Notes by Jed M			0.40	120.00 12433	BILLED
Nov 8/2013	Lawyer: APM 0.30 Hrs X 300.00	APM	- Adam P. McMillen	0_30	90.00 12455	Billed
1118457	Communicate with Fred Sadri Lawyer: APM 0.20 Hrs X 300.00	APM	- Adam P. McMillen	0.20	60.00 12455	Billed
1118462		nrn	- Adam F. MCMIICH	0.20	00.00 12435	Billed
Nov 8/2013	Lawyer: NRL 1.00 Hrs X 125.00		- Nancy R. Lindsley			Billed
1118480 Nov 13/2013			 Subpoena: preparation of Nancy R. Lindsley 	SDT to Ban 0.50	62.50 12455	Billed
1118849	Finalize BofA SDT for service		- 1-			011104
	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McHillen	0.10	30.00 12455	Billed
1119932	Communicate with representative from Bank Lawyer: APM 0.20 Hrs X 300.00		- Adam P. McMillen	0.20	60.00 12501	Billed
1121016	Communicate with Fred Sadri				•	DALLOG
Dec 2/2013	Lawyer: APM 0.20 Hrs X 300.00	APM	- Adam P. McMillen	0.20	60.00 12501	Billed
	Draft email to Jed Margolin Lawyer: APM 0.20 Hrs X 300.00	APM	- Adam P. McMillen	0.20	60.00 12501	Billed
1121030	Communicate with Nancy Lindsley		· · · · ·			-
1101011		NRL	- Nancy R. Lindsley preparation of SDT to	1.50 Et and a and	187.50 12501	Billed
Dec 4/2013	Review subpoent responses Lawyer: NRL 0.20 Hrs X 125.00	NRL	- Nancy R. Lindsley	0.20	25.00 12501	Billed
1121458	Discuss SDT's with APM;	a nemeros t		· · · · · · · · · · · · · · · · · · ·	and the second second second second second	•
Dec 6/2013	Lawyeri APM 0.30 Hrs X 300.00 Review latter, dated 12/6/13, from Geoffro	APM	-Adam P: McMillen	0.30	90.00 12501	Billed
Dec 6/2013		APM	- Adam P. McMillen	0.10	30.00 12501	Billed
1121790	Draft email to Jed Margolin regarding				- 102 No. 100	a successive and the second second
Dec 6/2013	Lawyer, APM 0.30 Hrs X 300.00 Communicate with Jed Margolin	⇒ A₽M,	S Adam P. McMillen	0.30		Billed
	Lawyer: APM 0.40 Hrs X 300.00	APM	- Adam P. McMillen	0.40	120.00 12501	Billed
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	Lawyer: APM 0.30 Hrs X 300.00 Communicate with Matt Francis	APM	👾 Adam Pr McMillen	0.30	90.00.12501	Billed
	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen	0.10	30.00 12501	Billed
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Jec 6/2013	Lawyer: APM 0.10 Hrs X 300.00 Review Third Amended Subpoens to Charles.	Schwab.	- Audin P. ALDITICI	0°10	30.00 12301	Billed
Dec 6/2013	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen	0.10	30.00 12501	Billed
1121797	Review Subpoena to E-Trade. Lawyer: MDF 0.50 Hrs X 300.00	CONTRA-			STARA DO TORAL	
1123234	Conference with APM	FILLE	Mac CHEW D: FLANCIS	0.30	120.00.15201	Billed
Dec 9/2013	Lawyer: APM 0.40 Hrs X 300.00		- Adam P. McMillen	0.40	120.00 12501	Billed
	Review email, dated 12/8/13, from Jed Mar Lawyer: NRL 0.00 Hrs X 125.00		- Nancy R. Lindsley	0.00	0.00 12501	Billed
1122113			Mancy No minister		0.00.12301	DIIIEd
Dec 10/2013	Lawyer: APM 2.70 Hrs X 300.00	APM	- Adam P. McMillen	2.70	810.00 12501	Billed
	Draft motion for debtor's examination. Lawyer: NRL 0.00 Hrs X 125.00	NRT	- Nancy R. Lindsley)))) 	0.0001250176	Billed
1122281	Process for service two (2) Subpoenas Duc	es Tecu	m - ETrade and Charlies			
Dec 11/2013	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen	0.10	30.00 12501	Billed
	Review email, dated 12/10/13, from Jed Ma Lawyer: APM 0.70 Hrs X 300.00	APM	- Adam P. McMillen	0.70		Billed
1122291	Revise motion for debtor's examination					STREET.
Dec 11/2013	Lawyer: NRL 1.00 Hrs X 125.00		- Nancy R, Lindsley	1.00	125.00 12501	Billed
1122315 Dec 13/2013	Finalize Motion for Judgment Debtor's Exa Lawyer: MDF, 0.30 Hrs X 300:00		A Matthew D. Francis		90.00 12501	all parties Billed
1123393	Review motion for debtor's examination		신 우리 유가 관광 가가 주말			
Dec 17/2013	Lawyer: APM 0.10 Hrs X 300.00	APM	- Adam P. McMillen	0.10	30.00 12501	Billed 432
						772

Watson Rounds Client Fees Listing Oct/18/2013 To Apr/18/2014 Working Lawyer

Hours

Amount Inv#

Apr/24/2014

Page: 2

Entry # Explanation Status 1123556 Review email, dated 12/17/13, from Jed Margolin Adam P: McMillen 0.10 30.00 12501 Billed 1123557 Review email, dated 12/17/13, from Donna Johnson Adam P: McMillen 0.10 30.00 12501 Billed 1123557 Review email, dated 12/17/13, from Donna Johnson Adam P: McMillen 0.10 30.00 12501 Billed 1123558 Draft email to Jed Margolin Adam P: McMillen 0.10 30.00 12501 Billed 1123559 Draft email to Jed Margolin APM - Adam P: McMillen 0.20 60.00 12501 Billed 1123559 Draft email to Jonna Johnson APM - Adam P: McMillen 0.10 30.00 12501 Billed 1123559 Draft email to Donna Johnson APM - Adam P: McMillen 0.10 30.00 12501 Billed 1123556 Review and respond to email, dated 12/17/13, from Donna Johnson Billed Status 1123556 Review and respond to email, dated 12/17/13, from Donna Johnson 0.10 30.00 12501 Billed 1123556 Review and respond to email, dated 12/17/13, from Donna John	Apr/24/2014				es Listing				Page: 2	
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Watson Rounds

Apr/24/2014

Watson Rounds Page: 3 Client Fees Listing Oct/18/2013 To Apr/18/2014 Date Fee / Time Working Lawyer Hours Amount Inv# Billing Explanation Entry # Status Jan 17/2014 Lawyer: APM 0.10 Hrs X 300.00 APM - Adam P. McMillen 0.10 30.00 12547 Billed Communicate with Nancy Lindsley Lawyer: APM 0.10 Hrs X 300.00 1126979 Jan 17/2014 - Adam P. McMillen 30 00 1254 lllec ADM 0710 1126985 Review memo from Nancy Lindsley, dated 1/17/14. 1.00 Jan 17/2014 Lawyer: NRL 1.00 Hrs X 125.00 NRL Nancy R. Lindsley 125.00 12547 Billed Review Wells 1127035 anticipation of preparation of SDT for Fargo documents in deposit detail telephone conference wit Lawyer: APM 0.30 Hrs X 300.00 90.00 12547 Billed Jan 23/2014 Adam P. McMillen 0.30 APM amination of Zandian. 1127509 Continue drafting questions for debtor APM Jan 23/2014 Lawyer: APM 0.90 Hrs X 300.00 - Adam P. McMillen 0.90 270.00 12547 Billed Review and respond to email, dated 1/23/14, Lawyer: APM 0.30 Hrs X 300.00 from Jed Margolin 1127516 Jan 23/2014 90.00 12547 APM - Adam P. McMillen Billed 0.30 Research process of service on P*Trade as they have not responded to subpoens and they do not have any branches 1127519 Lawyer: APM 0.20 Hrs X 300.00 - Adam P. McMillen Jan 23/2014 APM 0.20 60.00 12547 Billed Begin review Zandian's reply in support 1127524 of motion to set aside default dated 1/2 Jan 23/2014 Lawyer: MDF 0.50 Hrs X 300.00 MDF - Matthew D. Francis 0.50 150.00 12547 1 Billed 1127628 Review reply in support of motion to set aside default judgment and affi Lawyer: NRL 1.00 Hrs X 125.00 NRL - Nancy R. Lindsley davit in 1.00 suppor thereof/Review 125.00 12547 request Jan 28/2014 Billed Review Federal Express from E*Trade Financial; duplicate for client; to file 1127844 Lawyer: NRL 1.00 Hrs X 125.00 125.00 12547 Billed Jan 29/2014 NRL - Nancy R. Lindsley 1.00 ; preparation 1127944 Preparation of email to client of letter to transmit E*Trade Jan 31/2014 Lawyer: MDF 0.30 Hrs X 300.00 MDF - Matthew D. Francis 0.30 90.00 12547 Billed Darft and review e-mails to and from law clerk and client, et al. re: Lawver: APM 0.10 Hrs X 300.00 APM - Adam P. HcMillen order denying 1128477 motion to set aside 30.00 12547 Billed Jan 31/2014 0.10 Review email, dated 1/31/14, from Samantha 129051 Valerius, judge's law clerk, regarding request for proposed order. Lawyer: APM 0.20 Hrs X 300.00 - Adam P. McMillen 60.00 12624 Feb 1/2014 APM 0.20 Billed Review and respond to email, dated 2/1/14, Lawyer: APM 0.10 Hrs:X 300.00 1129052 from Jed Margolin - Adam P. McMillen 30.00 12624 Feb 3/2014 APM 0.10 Billed. Review voicemail from Fred Sadri 1128543 Lawyer: APM 0.10 Hrs X 300.00 A PM Adam P. McMillen 30.00 12624 Billed 4/2014 0.10Feb 1128895 aside Begin drafting order denying motion to set Lawyer: APM 0.10 Hrs X 300.00 Adam P. McMillen 0.10 30.00 12624 Billed Feb 5/2014 APM 1129034 Review email, dated 2/5/14, from Jed Margolin 0.10 Hrs X 300.00 - Adam P. McMillen Billed Feb 5/2014 Lawver: APM APM 0.10 30.00 12624 Draft email to Jed Margolin Lawyer: APM 0.10 Hrs X 300.00 1129035 Feb 5/2014 APM - Adam P. McMillen 0.10 30.00 12624 Billed 1129036 Review another email from Jed Margolin 5/2014 Lawyer: APM 3.70 Hrs X 300.00 Adam P. McMillen 1110,00 12624 Feb Billed 1129038 Draft proposed order denying Zandian's motion to set aside the judgment 0.10 30.00 12624 Billed Feb. Lawyer: APM 0.10 Hrs X 300.00 APM - Adam P. McMillen 5/2014 Aro - Adam - Adam - McMillen 0.10 30.00 12624 1129048 Draft email to Samantha Valerius regarding 1. 5/2014 Lawver: APM 0.10 Hrs X 300.00 - Adam P. McMillen Billed Feb Review Zandian's reply in support Lawyer: MDF 1.00 Hrs X 300.00 1129053 for stay of proceedings to enforce the of motion dgment, dated 1/29/14. Feb 5/2014 MDF - Matthew D. Francis 1.00 300.00 12624 Billed Review and revise proposed order denying Defendants' Motion to Set aside/Conferences Lawyer: APM 0.10 Hrs X 300.00 APM - Adam P. McMillen 0.10 with APM re: same 1129234 30.00 12624 Billed 6/2014 Feb Review email, dated 2/6/14, from Samantha Valerius, judge's law clerk, Lawyer: APM 0.10 Hrs X 300.00 APM - Adam F. McMillen 1129184 regarding judge signing order denying mo Feb 6/2014 0.10 30.00 12624 Billed 1129185 Draft email to Samantha Valerius, judge law clerk, regarding judge 15 signing order denying motion to set aside Feb 6/2014 Lawyer: APM 0.30 Hrs X 300.00 APM - Adam P. McMillen 0.30 90.00 12624 Billed Draft email to Jonathon Fayeghi regarding debtor's examination. 1129186 Lawyer: APM 0.20 Hrs X 300.00 Adam P. McMillen 6/2014 APM 0.20 60.00 12624 Billed Feb 1129187 Telephone conference with Fred Sadri Feb 6/2014 Lawyer: APM 0.10 Hrs X 300.00 APM Adam P. McMillen 0.10 30.00 12624 Billed 1129195 Review email, dated 2/6/14, from Johnathon Fayeghi regarding Zandian's or's examination Feb 6/2014 Lawyer: APM 0.10 Hrs X 300.00 ADM Adam P. McMillen 0.10 30.00 12624 Billed Draft email to Johnathon Fayeghi regarding Lawyer: APM 0.10 Hrs X 300.00 Zandian's debtor's examination 1129196 6/2014 - Adam P. McMillen 0.10 30.00 12624 Billed Feb APM Draft email to Jed Margolin Lawyer: MDF 0.40 Hrs X 300.00% 1129197 Feb 6/2014 MDF - Matthew D. Francis 0.40 120.00 12624 Billed 1129284 Conference with APM Feb 7/2014 Lawyer: NRL 0.70 Hrs X 125.00 NRL - Nancy R. Lindsley 0.70 87.50 12624 Billed ing counsel; pr Review Order Denying Motion to Set Aside Default Judgment; scan and transmit to opp aration o 1129524 Lawyer: APM 0.20 His X 300.00 APM - Adam P. McMillen 0.20 60.00 12624 Feb. 7/2014 Billed 1129542 Call and email John Fayeghi regarding Zandian's non-response to order to produce documents prior to tor's ex Feb 7/2014 Lawyer: APM 0.10 Hrs X 300.00 APM - Adam P. McMillen 0.10 30.00 12624 Billed Draft email to Jed Margolin Lawyer: APM 0.30 Hrs X 300.00 1129551 Feb 7/2014 APM - Adam P. McMillen 0.30 90.00 12624 Billed Review order denying/Zandian's motion to set aside judgment, dated 2/6/14. Lawyer: MDF 0.80 Hrs X 300.00 MDF - Matthew D. Francis 1129554 0.80 240.00 12624 Billed 7/2014 Feb 1130702 Conference with APM 10/2014 Lawyer: APM 0.10 Hrs X-300.00 APM - Adam P. McWillen 0.10 30 Draft another small to John Fayeghi regarding tomorrow's debtor's examination of gandian Feb. 30.00 12624 Billed. 129743 - Adam P. McMillen Feb 10/2014 Lawyer: APM 0.10 Hrs X 300.00 APM 0.10 30.00 12624 Billed Draft debtor's examination questions 1129744 Lawyer: APM 0.30 Hrs X 300.00 APM - Adam P. McMillen 0:30 90.00 12624 Billed Feb 10/2014 Lawyer: APM 0.80 Hrs X 300.00 APM - Adam P. McMillen 0.80 240.00 129746 Feb 10/2014 240.00 12624 Billed Draft email to Court regarding Zandian not appearing before the court Lawyer APM 0.20 Hrs X 300.00 APM a Adam P. McMillen 1129748 tomorrow on debtor's examination. Feb 10/2014 Lawyer: APM 0.20 Hrs X 300.00 0.20 60.00 12624 Billed Review email, dated 2/10/14, from Angela Jeffries regarding vacating debtor's examination and requesting a moti 1129756 Lawyer: APM 0.10 Hrs X 300.00 APM - Adam P. McMillen 0.10 30.00 12624 Feb 10/2014 Billed 1129757 Draft email to Angela Jeffries regarding vacating debtor's examination and requesting a motion for order to sho Feb 10/2014 Tawyer: APM 0.10 Hrs X 300:00 APM Adam P. McMillen 0.10 30:00 12624 Billed

Apr/24.	/2014
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Apr/24/2014		·	Watson R lient Fees					E	age: 4
Date	Fee / Time	Oct/:		Apr/18/2014	Hours	Amount I		lling	
	Explanation Draft email to Jed Margoli	· · · · · · · · · · · · · · · · · · ·						status	·
Feb 10/2014	Lawyer: APM 0.20 Hrs X 30 Review Wells Fargo's respo	0.00		m P. McMillen	0.20	60.00 12	.624 B	illed	
Feb 10/2014	Lawyer: APM 0.30 Hrs X 30	0.00	APM - Ada	m P. McMillen	0.30	90.00 12	624 B	illed	
Feb 10/2014	Review email, dated 2/10/1 Lawyer: APM 0.20 Hrs X 30	0.00		m P. McMillen	0.20	60.00 12	.624 B:	illed	
Feb 10/2014	Respond to Jed Margolin's Lawyer: MDF 1.00 Hrs X 30		MDF - Mat	thew D. Francis	1.00	300.00 12	624 в	illed	
Feb 11/2014	Conference with APM re: Lawyer: NRL 1.00 Hrs X 12			cy R. Lindsley	1.00	125.00 12	.624 B	illed	
Feb 11/2014	Reorganize file materials; Lawyer: APM 4.40 Hrs X 30	0.00	APM - Ada	m P. McMillen	4.40	1320.00 12	624 B	illed	a de la caracita de l
1130053 Feb 11/2014	Draft Motion for Order to Lawyer: MDF 1.30 Hrs X 30	Show Cause Regard: 10.00	ing Contemp MDF - Mat	t, as requested t thew D. Francis	by the court. 1.30	390.00 12	624 B	illed	
1130138	Review and revise motion t Lawyer: NRL 1.00 Hrs X 12	o show cause why 1	Defendant s				624 B		
1130659	Finalize Motion for Order Lawyer: APM 0.10 Hrs X 30	to Show Cause Re (Contempt ve			cansmit fo 30,00 12	r filing, 4	serve v illed	
1130680	Finish drafting motion for Lawyer: APM 0.30 Hrs X 30	contempt sanction	ns.	m P. McMillen				illed	si Postiko
1131791	Review Zandian's substitut	ion of attorney's,	, dated 2/2	1/14.	الم المعادية المراجع في المراجع المراجع المراجع المراجع المراجع المراجع المراجع				
1131793	Lawyer: APM 0.10 Hrs X 30 Draft email to Jed Margoli	n		m P. McMillen	0.10	30.00 12		illed	
1131860	Lawyer: APM 0.10 Rrs X 30 Review and respond to Jed	Margolin's email,	dated 2/24	/14,			12 19 19 19 19 19 19 19 19 19 19 19 19 19	illed	
1132838	Lawyer: APM 0.10 Hrs X 30 Review voicemail, dated 3/	4/14, from Fred S:	adri	m P. McMillen	0.10	30.00 12		lied	
tar 4/2014 1132839	Lawyer: APM 0.70 Hrs X 30 Review Opposition to Motic	0.00 on for Order to Sho		m P. McMillen garding Contempt,			2651 B	111ed	
Mar 4/2014	Lawyer: APM 0.10 Hrs X 30 Draft email to Jed Margoli	0.00	APM - Ada	m P. McMillen	0.10	30.00 12	2651 B	illed	
Mar. 4/2014	Lawyer: APM 0.20 Hrs X 3(Review and respond to email	0,00			· 0:20	60.00 12	2651 B	illed	
Mar 4/2014	Lawyer: MDF 0.80 Hrs X 30 Review opposition to motio	0.00	MDF - Mat	thew D. Francis	0.80	240.00 12		illed	_
far 4/2014	Lawyer: APM 0.20 Hrs X 30	0.00	APM - Ada	m P. McMillen					
far 5/2014	Review email, dated 3/4/14 Lawyer: APM 0.10 Hrs X 30	0.00		m P. McMillen	0.10	30.00 12	2651 B	illed	
tar 5/2014	Review voicemail from Free Lawyer: APM 0.30 Hrs X 30	0.00	APM - Ada	m P. McMillen	. 0.30	.90.00 1	2651 В	illed	
	Telephone conference with Lawyer: APM 0.10 Hrs X 30		APM - Ada	m P. McMillen	0,10	30.00 12	2651 B	illed	
	Review email, dated 3/5/14 Lawyer: NRL 1.00 Hrs X 12			cy R. Lindsley	1.00	125.00 1	2651 B	illed	
1136894	Review Opposition to Motic Lawyer: APM 0.10 Hrs X 30	on for OSC; calend	ar reply to	o same; review Car am P. McMillen	cson City Coun 0.10	ty website 30.00 1	to confin	n if Zz illed	
1134292	Review email, dated 3/8/14 Lawyer: APM 0.10 Hrs X 30	 from Jed Margol 	in		0210				ang support
1134284	Review attachments attache Lawyer: APM 0.50 Hrs X 30	ad to 3/4/14 email	from Jed 1	Margolin am P. McMillen	0.50	150.00 1		liled	
1134398	Review Jed Margolin's com Lawyer: APM 3.90 Hrs X 3	ents							
1134399	Draft reply in support of	motion for contem	pt sanction	15 12 12 12 12 12 12 12 12				en de la com	
1134505	Lawyer: APM 1.60 Hrs X 30 Continue drafting reply in	n support of motio	n for conte	am P. McMillen Empt sanctions.	1.60	480.00 1		illed	
1134512	Lawyer: APM 0.20 Hrs X 3 Review email, dated 3/12/1	14, from Jed Margo	lin		0.20	60.00 1	2651 E	illed	
1134610	Lawyer: NRL 1.50 Hrs X 12 Review and finalize Reply	iso Motion for OS	C; preparat	ncy R. Lindsley tion of Request fo	1.50 or Submission;	187.50 12 telephone	conferenc	illed e with	
Mar 13/2014 1134630	Lawyer: MDF 1.00 Hrs X 3 Review and revise Reply I	0.00 SO Motion for Orde	MDF - Mai r to Show	thew D. Francis Cause Regarding Co	1.00 ontempt/Review	300.00 1 appellate	2651 E	illed /Confe	
far 13/2014	Lawyer: APM 0.20 Hrs X 30 Finish drafting reply in s	00.00	APM - Ada	am P. McMillen	0.20	60.00 1		illed	7 - 197, 178, 17
(ar 13/2014	Lawyer: APM 0.20 Hrs X 3 Review notice of appeal.	0.00	APM - Ad	am P. McMillen	0.20	60.00 1	2651 ja 1	illed	
far 13/2014	Lawyer: APM 0.20 Hrs X 30	00.00	APM - Ada	am P. McMillen	0.20	60.00 1	2651 E	illed	Na mana ilayo na salaharan ang karang ka Na mang karang
lar 13/2014	Review case appeal stateme Lawyer: APM 0.10 Hrs X 30	0.00	APM - Ad	am P. McMillen	0.1 0	30.00 1	2651 · F	illed	
l134679 ar 13/2014	Lawyer: APM 0.30 Hrs X 30	osit by Zandian.		am P. McMillen	0.30	90.00 1		illed	新特性的
ar 14/2014	Perform legal research Lawyer: NRL 0.50 Hrs X 1	25:00	NRL - Nai	nc y R. Lindsley	0.50	62.50 1	2651	illed	
1134747	Download Appellate documen Lawyer: NRL 1.00 Hrs X 12	nts; change NV Sup	rene Court	profile	1.00	125.00 1		illed	SK GA
1134907	Download file-stamped docu	ments; calendar N	evada Supr	eme Court Appeal (deadlines				ng san sa sa
1135027	Lawyer: NRL 0.50 Hrs X 12 Download and save appeal of Lawyer: NRL 1.00 Hrs X 12	locuments	NRT N-	ncy R. Lindsley	1.00	125.00 1	2651		ran yan Persente
1135392	Review Nevada Supreme Cou	ct docket; review	Order Deny	ing Request for Su	ubmission; and	Notice of	Assignmen	illed t to S) 71 19 10 3 3 - 19 1
1135437	Lawyer: MDF 0.50 Hrs X.3 Review order rejecting rec	west for submissi	on relatin	g to contempt app	lication/Revie	w Nevada S	Supreme Cou	rt sch	
	Lawyer: APM 0.20 Hrs X 30	111 (M)		m D WeWiller	0.20	60.00 1:	7651 0	Silled	

Apr/24/2014		Watson Rounds Client Fees Listing			, Page: 5
Date Entry #	Fee / Time Explanation	Oct/18/2013 To Apr/18/2014 Working Lawyer	Hours	Amount Inv	# Billing Status
Mar 20/2014 1135506	Lawyer: APM: 0.40 Ers X 300.00 Communicate with Matt Frances			120.00 1265	1 Billed
1135507 Mar 20/2014	Lawyer: APM 0.40 Hrs X 300.00	APM - Adam P. McMillen			
1135530	Lawyer: NRL 0.20 Hrs X 125.00 Finalize letter to Jason Woodbury; tra	NRL - Nancy R. Lindsley ansmit via email and US Mail	0.20	25.00 1265	1 Billed
1135900 Mar 20/2014	Lawyer: MDF 0.50 Hrs X 300.00 Conference with Adam Mcmillen re: Lawyer: AFM 0.50 Hrs X 300.00 Review email, dated 3/20/14, from Jed	MDF - Matthew D. Francis APM - Adam P. McMillen	0.50	150.00 1265	
Mar 22/2014 1136422	Lawyer: APM 0.50 Hrs X 300.00 Review email, dated 3/21/14, from Jed	APM - Adam P. McMillen Margolin regarding	0.50	150,00 1265	
1135892 Mar 25/2014	Lawyer: APM 0.20 Hrs X 300.00 Review and respond to email, dated 3/2 Lawyer: APM 0.40 Hrs X 300.00	APM - Adam P. McMillen		60.00 1265	•
Mar 25/2014 1136737		APM - Adam P. McMillen Margolin	0.40	120.00 1265	
1135890 Mar 26/2014	Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 3/26/14, from Jed Lawyer: APM 0.50 Hrs X 300.00	APM - Adam P. McMillen	0.30 0.50	90.00 1265 150.00 1265	
Mar 26/2014 1135893	Review email, dated 3/25/14, from Jed Lawyer: APM 0.30 Hrs X 300.00 Review email, dated 3/26/14, from Jed	APM - Adam P. McMillen Margolin	0.30	90,00 1265	
	Telephone call with Jed Margolin Lawyer: MDF 1.00 Hrs X 300.00		0.60 1.00	180.00 1265 300.00 1265	1 Billed
	Lawyer: NRL 2.00 Hrs X 125.00 Review notes and research regarding est	NRL - Nancy R. Lindsley Reuction vs real property; review			s; commence pre
1135990 Mar 28/2014	Lawyer: APM 0.20 Hrs X 300.00 Review filed copy of district court d Lawyer: NRL 2.50 Hrs X 125.00	NRL - Nancy R. Lindsley	2,50	312.50 1265	1 Billed
1136134	Lawyer: APM 0.20 Hrs X 300.00 Draft writ of execution.	APM - Adam P. McMillen	0.20	60.00 1265	1 Billed
1136403 Mar 31/2014	Lawyer: APM 0.10 Hrs X 300.00 Review and respond to email, dated 3/ Lawyer: APM 0.10 Hrs X 300.00 Revise first memo of post-judgment co	APM - Adam P. McMillen	0.10 0.10	30.00 1265 30.00 1265	
Mar 31/2014 1136405	Lawyer: APM 0.30 Hrs X 300.00	APM - Adam P. McMillen	0.30	90.00 126	
	Review email, dated 3/28/14, from Jas Lawyer: APH 0.20 Hrs X 300.00	on Woodbury regarding Zandian's mo APM - Adam P. McMillen			
Mar. 31/2014 1136549	Lawyer: NRL 2.00 Hrs X 125.00 Finalize First Memorandum of Costs, M Lawyer: APM 0.30 Hrs X 300.00	NRL - Nancy R. Lindsley			ration of of Af
1176967		Margalin .			
1136870	Lawyer: APM 0.10 Hrs X 300.00 Review voicemail from Fred Sadri and Lawyer: NRL 2.50 Hrs X 125.00	return his call.			PLATON DELETON
1137007 Apr 1/2014 1137094	Finalize Motion for Writ of Execution Lawyer: NRL 1.00 Hrs X 125.00 Reveiw Clark County and Washoe County	; telephone conference with Steve NRL - Nancy R. Lindsley deeds for insertion of legal desc	Wood of Wa 1.00	shoe County She 125.00	riff's Office r Unbilled
1137101 Apr 2/2014	Lawyer: NRL 0.50 Hrs X 125.00 Review emails; calendar response to M Lawyer: APM 0.10 Hrs X 300.00	otion for Writ of Execution APM - Adam P. McMillen	0.50 0.10	62.50 30.00	Unbilled Unbilled
Apr. 2/2014 1137195	Review email, dated 4/2/14, from Jed 1 Lawyer: APM 1.20 Hrs X 300.00 Review Zandian's motion to dismiss an	APM - Adam P/ McMillen d vacate default judgment.			
1137196 Apr 2/2014	Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jason Woodbury regardi Lawyer: APM 0.60 Hrs X 300.00	APM - Adam P: McMillen	0.60	180.00	Unbilled L. Unbilled
Apr 2/2014 1137199	Review file stamped motion to dismiss Lawyer: APM 0.30 Hrs X 300.00 Review file-stamped motion, dated 3/2	APM - Adam P. McMillen 4/14.	0.30	90.00	Unbilled
Apr 2/2014	Lawyer: APM 0.20 Hrs X 300.00 Telephone conference with Fred Sadri, Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen	0.20	60.00	Unbilled Unbilled
Apr 2/2014 1137206	Review letter, dated 12/4/13, from Kr Lawyer: APM 0.20 Hrs X 300:00 Review and respond to email, dated 4/	APM - Adam P. McMillen 2/14, from Jed Margolin	0.20	60.00	
1137210 Apr 2/2014		APM - Adam P. McMillen NRL - Nancy R. Lindsley			Unbilled
	Brief review Motion and supporting do Lawyer: MDF 1.00 Hrs X 300.00	MDF - Matthew D. Francis	1.00	300.00	Unbilled AOC

Unbilled 436 Apr 2/2014 Lawyer: MDF 1.00 Hrs X 300.00 MDF - Matthew D. Francis 1.00 300.00

Apr/24/2014		Watson Rounds Client Fees Listing			Page: 6
Date Entry #	Fee / Time Explanation	Oct/18/2013 To Apr/18/2014 Working Lawyer	Hours	Amount Inv#	Billing Status
Apr 3/2014 1137587 Apr 3/2014	Review Zandian's Motion to Dismiss an Lawyer: NRL T.00 Hrs X 125.00 Review/revise Respondent's Confidenti Lawyer: NRL 0.50 Hrs X 125.00	NRL - Nancy R. Lindsley al Settlement Conference Statement NRL - Nancy R. Lindsley	1.00 transmit v 0.50	125.00 via fax; telephoi 62.50	Unbilled ne conference Unbilled
Apr 3/2014 1137599 Apr 4/2014	Telephone conference with Reno Carson Lawyer: APM 0.60 Hrs X 300 00 Finish drafting confidential settleme Lawyer: APM 0.10 Hrs X 300.00	APM - Adam P. McMillen nt brief. APM - Adam P. McMillen	0.60 0.10	livery of Settler 180.00 30.00	unt Conferen Unbilled Unbilled
Apr 4/2014 1138025 Apr 4/2014	Review notification from Supreme Cour Lawyer: APM 0.50 Hrs X 300.00 Review, Zandian's docketing statement Lawyer: APM 0.20 Hrs X 300.00	AFM - Adam P. McMillen APM - Adam P. McMillen	0.50	60.00	Unbilled Unbilled
Apr 7/2014 1138107 Apr 7/2014	Review isued notice for Zandian to pr Lawyer: APM 0.10 Hrs X 300.00 Review filed proof of service affiday Lawyer: NRL 0.50 Hrs X 125.00	APM - Adam P. McMillen it of service of docketing statemé NRL - Nancy R. Lindsley	0.10	30.00	Judge. Unbilled Unbilled
Apr 8/2014 1138186 Apr 8/2014	Review and download filed Appellate d Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 4/8/14, from Jed Lawyer: APM 0.50 Hrs X 300.00	APM - Adam P:/McMillen Margolin APM - Adam P. McMillen	0.50	60.00 150.00	Unbilled
Apr 8/2014 1138191 Apr 8/2014	Review supreme court forms for respon Lawyer: APM 1.00 Hrs X 300.00 Telephone call with Jed Margolin Lawyer: NRL 0.50 Hrs X 125.00	APM = Adam P. McMillen NRL - Nancy R. Lindsley	1.00 0.50	62.50	Unbilled Unbilled
Apr 8/2014 1138223 Apr 9/2014	Telephone conference with Steve Wood Lawyer: APM 0.20 Hrs X 300.00 Review email, dated 4/8/14, from Jed Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen Margolin APM - Adam P. McMillen	ice re exec 0.20 0.20		roperties; le Unbilled Unbilled
Apr 9/2014 1138215 Apr 9/2014	Draft opposition to Zandian's motion Lawyer: ADM 0.30 Hrs X 300.00 Review and respond to amails, dated 4 Lawyer: ADM 0.10 Hrs X 300.00	APM — Adam P: McMillen	0.30 bg Zandlan' 0.10	90.00 s motion to dism 30.00	Unbilled iss Unbilled
Apr 9/2014 1138250 Apr 9/2014	Draft email to Jed Margolin Lawyer: NRL 0.30 Hrs X 125.00 Telephone conference with Court Clerk Lawyer: APM 0.20 Hrs X 300.00	re issuance of Writs; preparation APM <u>- Adam P. McMillen</u>			Unbilled Unbilled
Apr 10/2014 1138333 Apr 11/2014	Review and respond to email from Nanc Lawyer: NRL 0.50 Hrs X 125.00 Review Motion to Retax and Settle Cos Lawyer: APM 0.20 Hrs X 300.00	NRL - Nancy R. Lindsley ts; calendar response to same APM - Adam P. McMillen	0.50 0.20	62.50 60.00	Unbilled Unbilled
Apr 14/2014 1138500 Apr 14/2014	Review and respond to email, dated 4/ Lawyer: APM, 0.30 Hrs x 300.00 Meet with Matt Francis Lawyer: APM 0.20 Hrs X 300.00	APM - Adam P. McMillen APM - Adam P. McMillen	0.20	90,00 60,00	Unbilled
Apr 14/2014 1138507 Apr 14/2014	Review email, dated 4/14/14, from Jec Lawyer: APM 0.10 Hrs X 300.00 Draft email to Jason Woodbury regardi Lawyer: APM 0.10 Hrs X 300.00 Review and respond to another email,	APM - Adam P. McMillen Ing stipulation to withdraw motion APM - Adam P. McMillen		30.00 from Zandian 30.00	Unbilled Unbilled
Apr 14/2014 1138512 Apr 14/2014 1138513	Lawyer: APM 0.70 Hrs X 300.00 Revise declaration for JP Lee, gather Lawyer: APM 0.10 Hrs X 300.00 Review filed conv of District court I	APM - Adam P. McMillen fold letters regarding same and dr APM - Adam P. McMillen Jocket Entries. dated 4/10/14	aft email t 0.10	30.00	ing him to si Unbilled
Apr 14/2014 1138522	Lawyer: APM 0.10 Hrs X 300.00 Review email, dated 4/14/14, from Jas Lawyer: APM 0.10 Hrs X 300.00 Review first draft of Jason Woodbury	APM - Adam P. McMillen s proposed stipulation to withdraw	0.10 Zandian's	30.00 motion to dismis	Unbilled
Apr 14/2014 1138547	Lawyer: APM 0.20 Hrs X 300.00 Draft emails to Jason Woodbury regard Lawyer: NRL 0.50 Hrs X 125.00 Transmit executed Stipulation and Ord	ling proposed stipulation to withdr NRL - Nancy R. Lindsley der to Withdraw Motion to Jason Woo	aw Zandian' 0.50 dbury	s motion to dism 62.50	iss Unbilled
1138697 Apr 15/2014 1138698	Lawyer: ADM 0.20 Hrs X 300.00 Begin review of Zandian's motion to 1 Lawyer: ADM 0.10 Hrs X 300.00 Review email, dated 4/15/14, from Tin	retax, dated 4/9/14 APM - Adam P. McMillen ffany Dube regarding request for de	0.10 claration f	30.00 From JP Lee	Unbilled Unbilled
1138699 Apr 15/2014 1138834	Lawyer: APM 0.10 Brs X 300.00 Review letter, dated 4/15/14, from J Lawyer: MDF 0.50 Brs X 300.00 Review motion to retax costs/Emails v	P Lee regarding request for declara MDF - Matthew D. Francis with APM re: same	0.10 tion 0.50	30.00 150.00	Unbilled Unbilled
Apr 16/2014 1138801 Apr 16/2014 1138816	Lawyer: NRL 0.80 Hrs X 125.00 Generate report reflecting costs inco Lawyer: APM 1.40 Hrs X 300.00 Finish review of Zandian's motion to	NRL - Nancy R. Lindsley nrred from 6/26/2013 to present; co APM - Adam P. McMillen retax	mmence prep 1.40	Daration of revis 420.00	ed Memorandum Unbilled
Apr 16/2014 1138817 Apr 16/2014 1138819	Lawyer, APM 1.70 Brs X 300.00 Begin drafting opposition to Zandian Lawyer: APM 0.30 Hrs X 300.00 Review and respond to email, dated 4.	APM - Adam P. McMillen 's motion to retax APM - Adam P. McMillen /15/14, from Jed Margolin	0.30	90.00	Unbilled
Apr 16/2014 1138862 Apr 16/2014	Lawyer: APM 0.30 Brs X 300.00 Meet with Matt Francis Lawyer: APM 0.20 Hrs X 300.00 . Draft email to Jed Margolin	AFM - Adam P. MCMillen APM - Adam P. MCMillen	0,30 0,20	90.00 60.00	Unbilled
Apr 16/2014	Dial call to be an Solid Control of the Solid Control of the Solid Control of the Solid Control of Control Con	APN - Adam P. McMillen Ing mediation	0.10	30,00	Unbilled 437

Apr/24/2014		C	lient Fees	Listing					Page:
Date Entry #	Fee / Time Explanation		18/2013 To 2 Working Law	Apr/18/2014 Nyer		Hours	Amount	Inv#	Billing Status
Apr 16/2014	Lawyer: APM 0.10 Hrs X 3		APM - Adar	n P. McMiller	n.	0.10	30.00		Unbilled
1138865 pr 16/2014	Lawyer: APM 3.40 Hrs X	100.00		i P. McMiller	n	3.40	1020.00		Unbilled
pr 16/2014	Draft motion for post jud Lawyer: APM 0.10 Hrs X	300.00	APM - Adar	N P. McMiller		0.10	30.00	1968-51 M 1	Unbilled
1138869 pr.17/2014 1138879	Review email, dated 4/17, Lawyer: APM 0.30 Hrs X Review and respond to ema	00.00	APM - Adar	i P. McMiller					Onbilled
	Lawyer: MDF 0.50 Hrs X 3 Review emails re: settler	00.00	MDF - Matt	thew D. Franc		0.50	150.00	rick	Unbilled
pr 18/2014	Lawyer: NRL 0.50 Hrs X Generate reports from PCI	25.00	NRL - Nano	y R. Lindsle	ey	0.50	62.50	ر اور بروی کرد. در اور بروی کرد کرد	Unbilled
	Lawyer: NRL 1.00 Hrs X	25.00	NRL - Nano	y R. Lindsle	ey	1.00	125.00	\$1,3e\$14395	Unbilled
pr 18/2014	Lawyer: APM 0.20 Hrs X	100.00	APM — Adar	I P. McMiller	n	0.20	60.00		Unbilled
pr 18/2014	Lawyer: APM 0.10 Hrs X 3 Review email, dated 4/18,	00.00	APM - Adai	n P. McMiller	n	0.10 ce for b	30.00 Sav 21. 201	4 .	Unbilled
pr 18/2014	Lawyer: APM 0.10 Hrs X Draft email to Jed Margo	300.00	APM - Adai	n P. McMiller	n	0.10			Unbilled
pr 18/2014	Lawyer: APM 1.60 Hrs X 3 Finish drafting motion for	300.00		n P. McMiller	n .	1.60	480.00		Unbilled
pr 18/2014	Lawyer: APM 0.10 Hrs X Review Supreme Court of 1	00.00	APM - Adai	P. McMiller	n court do	0.10 cket ent	30.00 ries		Unbilled
pr 18/2014	Lawyer: APM 0.10 Hrs X 3 Review and respond to ema	300.00	APM - Adai	n P. McMiller	n	0.10	30.00	1	Unbilled
				Unbil		33.10 109.70	8425.00 26207.50		
					tal:	142.80 76.82	34632.50		
		*** Summ	ary by Worl	ing Lawyer	***				
Korking Lawy	er	- Hours	1	1		Fee	s		[
DF - Matth	Unbilled Firm % B	illed Firm % Tot. 12.40 11.30 14.		Unbilled F: 600.00	irm % 7.12	Billed 3720.00	Firm % 14.19	Total 4320.00	% Bld 86.11
PM - Adam	P. MCM 22.50 67.98	59.00 53.78 81.	50 72.39	6750.00	80.12 1	7700.00	67.54 2	4450.00	72.39
RL - Nancy Sinn Total		38.30 34.91 46. 09.70 100.00 142.		1075.00 8425.00 1	12.76 00.00 3	4787.50		5862.50 4632.50	81.66 75.67
		*** Summar	ry by Respon	nsible Lawye	r ***	-			
Responsible		Hours	[.	Unbilled F		Fee	s Firm %	Rotal	 & 724
PM - Adam		illed Firm % Tot 09.70 100.00 142.		8425.00 1		26207.50		4632.50	% Bld 75.67
im Total		09.70 100.00 142.	80 76.82	8425.00 1	00.00	26207.50	100.00 3	4632.50	75.67
	TIONS - Client Fees Listi								
ayout Templ		Default None							
ldvanced Sea Requested by		None Nancy							
Tinished			, April 24,	2014 at 01:	39:37 PM	1			
Ver		13.0 SP1	(13.0.2013	1028}					
Date Range		Oct/18/2	013 To Apr/	18/2014					
Matters		5457.01							

FIRTREG	Intrody, Whith 24, 2013 at 01.33.3.		
Ver 13.0 SP1 {13.0.20131028}			
Date Range	Oct/18/2013 To Apr/18/2014		
Matters	5457.01		
Clients	All		
Major Clients	A11		
Client Intro Lawyer	All		
Matter Intro Lawyer	All		
Responsible Lawyer	All		
Assigned Lawyer	All		
Type of Law	All		
Select From	Active, Inactive, Archived Matters		
Matters Sort by	Default		
New Page for Each Lawyer	No		
Firm Totals Only	No		
Client balances only	No		
Matter balances only	No		
Entries Shown - Billed Only	Yes		
Entries Shown - Unbilled	Yes		
Entries Shown - Billable Tasks	Yes		
Entries Shown - Write Up/Down Tasks	Yes		
Entries Shown - No Charge Tasks	Yes		
Entries Shown - Non Billable Tasks	Yes		
Working Lawyer	A11		

Exhibit 3

.

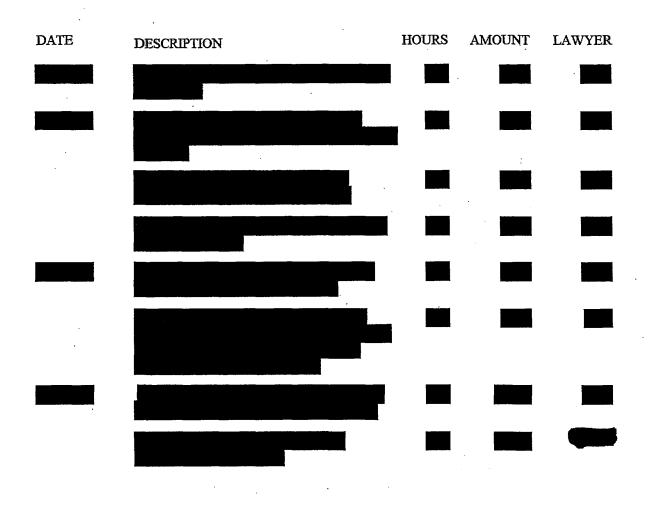
Exhibit 3

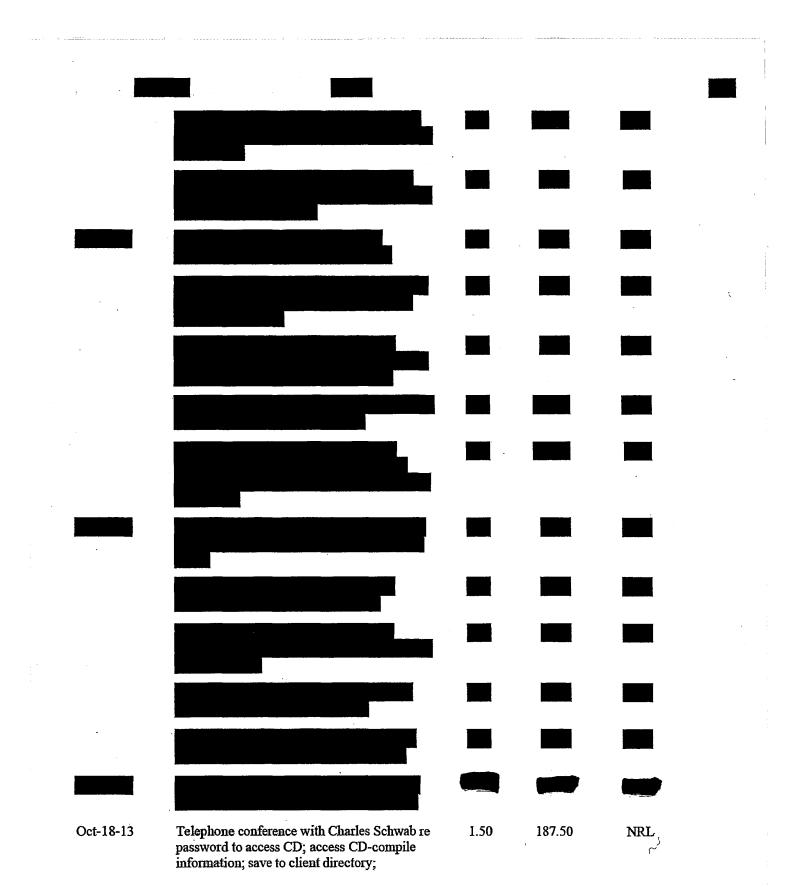
439

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane Reno, NV 89511

Ph:775-324-4100	Fax:775-333-8171		
1-7430		Nove	ember 7, 2013
		File #:	5457.01
		Inv #:	124091
			Nove 1-7430 File #:

RE: Patent theft analysis & litigation





Invo	ice #: 124091			
	preparation of email to client			
	Telephone conference with Wells Fargo regarding redactions in documents produced; preparation of Second Amended SDT to Wells Fargo; arrange for service; serve Defendants; duplicate CD from Charles Schwab for client; organize file containing subpoena responses.	1.00	125.00	NRL
Oct-24-13	Email to Jed continued organization of documents received in response to subpoenas duces tecum	0.50	62.50	NRL
Oct-28-13	Review letter, dated 10/7/13, from Charles Schwab regarding subpoenaed documents.	0.10	30.00	APM
	Brief conference with Jed	0.80	100.00	NRL
	Review email from MDF Review email from MDF left message for Merriam at Wells Fargo re same	0.20	25.00	NRL
Oct-29-13	Telephone conference with Wells Fargo regarding subpoena duces tecum; review previous SDT and response to same; and request they review/research and respond to SDT. Granted extension of time to respond to same	0.50	62.50	NRL
Oct-30-13	Communicate with Fred Sadri	0.20	60.00	APM
	Commence preparation of Analysis of Information from Financial Institutions	1.00	125.00	NRL
	Totals	16.20	\$3,512.50	
DISBURSEM	ENTS	Disbursen	nents	Receipts
Nov-07-13	Payment for invoice: 124091		·	2,550.00

Page

. Invo	ice #: 124091			Page
	Payment for invoice: 124091		194.20	
	Payment for invoice: 124091		962.50	
Oct-07-13	Research/DVD/USP from Charles Schwab	98.42		
Oct-18-13	Witness fee subpoena for Wells Fargo	25.00	·	
	Photocopies 54 @ 0.25 - Documents to Wells Fargo	13.50		
	Postage	5.28		
Oct-22-13	Process service expense	52.00		
	Totals	\$194.20	\$0.00	
•	Total Current Fees & Disbursements		\$3,706.70	
	Previous Balance		\$0.00	
	Payments		\$0.00	
	Balance Due Now		\$0.00	
	Approved By:			

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid. Invoice #:

124091

TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		1,109.14
Oct-30-13	Received From: Jed Margolin Trust receipt	· .	3,890.86
Nov-07-13	Paid To: Watson Rounds Payment for invoice: 124091	3,706.70	
	Total Trust	\$3,706.70	\$5,000.00
	Trust Balance		\$1,293.30

444

JM_SC2_0684

Påge

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane Reno, NV 89511

Ph:775-324-4100

Fax:775-333-8171

Jed Margolin	Dece	mber 9, 2013
1981 Empire Road Reno, Nevada 89521-7430	•	
	File #:	5457.01
Attention:	Inv #:	124555

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Nov-01-13	Received telephone call from Eli Abrishami	0.10	30.00	APM
	Draft email to Eli Abrishami	0.10	30.00	APM
	Review email, dated 11/1/13, from Eli Abrishami	0.10	30.00	APM
Nov-04-13	Review 18 pages of detailed Notes by Jed Margolin, dated 10/27/13,	0.40	120.00	APM
Nov-08-13	Communicate with Fred Sadri	0.30	90.00	APM
	Review new subpoena to Bank of America.	0.20	60.00	APM
	Telephone conference with Wells Fargo regarding subpoena; preparation of SDT to Bank of America	1.00	125.00	NRL
Nov-13-13	Finalize BofA SDT for service	0.50	62.50	NRL
Nov-20-13	Communicate with representative from Bank o America regarding their request for	f 0.10	30.00	APM

, Invo	ice #: 124555]
	additional information for Zandian related to our subpoena.	· .		
	Totals	2.80 \$577.50	•	
DISBURSEM	ENTS	Disbursements	Receipts	
Dec-09-13	Payment for invoice: 124555		390.00	
	Payment for invoice: 124555	·	82.28	
	Payment for invoice: 124555		187.50	
Nov-13-13	Witness fee subpoena for Bank of America	25.00		
	Postage	5.28		
Nov-18-13	Process service expense	52.00		
	Totals	\$82.28	\$0.00	
	Total Current Fees & Disbursements		\$659.78	·
	Previous Balance		\$0.00	
	Payments		\$0.00	
	Balance Due Now Approved By:		\$0.00	

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid. Invoice #:

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124555 TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		1,293.30
Nov-27-13	Received From: Jed Margolin Trust receipt		3,706.70
Dec-09-13	Paid To: Watson Rounds Payment for invoice: 124555	659.78	
	Total Trust	\$659.78	\$5,000.00
	Trust Balance		\$4,340.22

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane Reno, NV 89511

Fax:775-333-8171

-

Jed Margolin	January 13, 2014	
1981 Empire Road		
Reno, Nevada 89521-7430		
	File #:	5457.01
Attention:	Inv #:	125011
	. •	

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-02-13	Communicate with Fred Sadri	0.20	60.00	APM
	Draft email to Jed Margolin	0.20	60.00	APM
	Communicate with Nancy Lindsley	0.20	60.00	APM
	Review subpoena responses and second	1.50 I	187.50	NRL
Dec-04-13	Discuss SDT's with APM;	0.20	25.00	NRL
Dec-06-13	Conference with APM re:	0.50	150.00	MDF
	Review letter, dated 12/6/13, from Geoffrey Hawkins regarding his representation of Zandian.	0.30	90.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM

	• · · · ·				
	Invoice #: 125011				Page
	Communicate with Jed Margolin	0.30	90.00	APM	
•	Communicate with Johnathan Fayeghi regarding threatened motion to set aside default judgment.	0.40	120.00	APM	
	Communicate with Matt Francis	0.30	90.00	APM	
	Draft email to Jed Margolin	0.10	30.00	APM	
-	Review Third Amended Subpoena to Charles Schwab.	0.10	30.00	APM	
	Review Subpoena to E-Trade.	0.10	30.00	APM	
Dec-09-13	Review email, dated 12/8/13, from Jed Margolin	0.40	120.00	APM	
Dec-10-13	3 Draft motion for debtor's examination.	2.70	810.00	APM	
		0.00	0.00	NRL	
	Process for service two (2) Subpoenas Duces Tecum - ETrade and Charlres Schwab & Co., Inc.	0.00	0.00	NRL	
Dec-11-13	Review email, dated 12/10/13, from Jed Margolin	0.10	30.00	APM	
	Revise motion for debtor's examination	0.70	210.00	APM	
	Finalize Motion for Judgment Debtor's Examination; compile exhibits and prepare exhibit list; serve all parties via U.S. Mail	1.00	125.00	NRL	
Dec-13-1	3 Review motion for debtor's examination	0.30	90.00	MDF	
Dec-17-1	3 Review email, dated 12/17/13, from Jed Margolin	0.10	30.00	APM	
	Review email, dated 12/17/13, from Donna Johnson	0.10	30.00	APM	

Invoid	ce #: 125011				Page
	Draft email to Jed Margolin	0.10	30.00	APM	
	Draft email to Donna Johnson	0.20	60.00	APM	
	Review and respond to email, dated 12/17/13, from Donna Johnson	0.10	30.00	APM	
Dec-18-13	Review and respond to email, dated 12/18/13, from Donna Johnson	0.10	30.00	APM	
	Scan documents received from Wells Fargo and Bank of America	1.50	187.50	NRL	
Dec-19-13	Communicate with Donna Johnson	0.20	60.00	APM	
	Review email, dated 12/19/13, from Donna Johnson	0.10	30.00	APM	
	Draft email to Jed Margolin	0.10	30.00	APM	·
•	Continued scanning of financial documents; compare scanned to original for reference; burn to DVD/CD for client; preparation of letter to client transmitting same	1.50	187.50	NRL	
Dec-30-13	Review Zandian's motion to set aside default judgment, dated 12/19/13.	0.40	120.00	APM	
	Review Westlaw people map report of Zandian	0.60	180.00	APM	
	Begin review of Wells Fargo documents.	0.90	270.00	APM	
	Begin review of Bank of America documents.	0.30	90.00	APM	
Dec-31-13	Finish review of Zandian's motion to set aside.	1.10	330.00	APM	
	Finish review of Zandian's people map from Westlaw	0.50	150.00	APM	°.
	Review detailed email, dated 12/22/13, from	0.30	90.00	APM	

Invo	ice #: 125011			Page
	Jed Margolin			
	Draft email to Jed Margolin	0.10 30.00	APM	
	Initial review records from Charles Schwab; scan to file	1.00 125.00	NRL	
	Totals	19.00 \$4,527.50		
DISBURSEM	DISBURSEMENTS		Receipts	
Jan-13-14	Payment for invoice: 125011		687.85	
	Payment for invoice: 125011		2,833.52	
	Payment for invoice: 125011		621.74	
	Payment for invoice: 125011		197.11	
Dec-09-13	Photocopies 160 @ 0.25 - Service copies/2 SDTs	40.00		
Dec-10-13	Witness fee Charles Schwab	25.00		
	Witness fee - E-Trade Bank	25.00		
	Postage	8.96		
Dec-11-13	Photocopies 570 @ 0.25 - Motion for judgment/debtor exam	142.50		
	Postage	24.48		
Dec-12-13	Courier expense	16.00		
	Courier expense	37.00		
	Outside coping expense from BofA	115.66		
Dec-18-13	Photocopies 126 @ 0.25 - Banking documents	31.50		
Dec-19-13	Postage	1.72		
Dec-31-13	Legal research documents	153.92		
	Totals	\$621.74	\$0.00	

Invoice #:	125011	
Total Current	Fees & Disbursements	\$5,149.24
Previous Balance	ce	\$0.00
Payments		\$0.00
Balance Due N Approved By:	ow	\$809.02

Retainer Balance: \$0.00

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Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

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Page

Invoice #:

7

125011

TRUST STATEMENT

5457.01		Disbursements	Receipts
	Trust Balance Forward		4,340.22
Jan-13-14	Paid To: Watson Rounds Payment for invoice: 125011	4,340.22	
	Total Trust	\$4,340.22	\$4,340.22
	Trust Balance		\$0.00

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane Reno, NV 89511

Ph:775-324-4100

Fax:775-333-8171

 Jed Margolin
 February 10, 2014

 1981 Empire Road

 Reno, Nevada 89521-7430

 File #:
 5457.01

 Attention:
 Inv #:
 125472

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jan-02-14	Review motion to stay proceedings	0.50	150.00	MDF
Jan-03-14	Review and respond to detailed email, dated 1/3/14, from Jed Margolin	0.40	120.00	APM
Jan-06-14	Review email, dated 1/6/14, and attachments, from Jed Margolin	0.40	120.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM
Jan-08-14	Draft opposition to motion to set aside.	3.60	1,080.00	APM
Jan-09-14	Review opposition to motion to set aside/	0.50	150.00	MDF
	Finish drafting opposition to motion to set asid default judgment.	e 4.90	1,470.00	APM
	Revise proposed order on motion for debtor's examination.	0.40	120.00	APM
	Review email, dated 1/8/14, from Jed Margolin	n 0.10	30.00	APM

In	voice #:	125472				Page
	Aside Judgmen filing and delive	Opposition to Motion to Set t; compile exhibits; arrange for ery to court via RCMS "special"; copies; file and serve	2.00	250.00	NRL	
Jan-13-14		vith Judge Russell's assistant r's examination on 2/11/14 at	0.20	60.00	APM	
Jan-14-14	Conference with	h APM re:	0.30	90.00	MDF	
		vith Angela, Judge Russell's ling debtor's examination.	0.10	30.00	APM	
	Begin preparing	g for debtor's examination.	0.30	90.00	APM	
	Draft email to J	ed Margolin	0.10	30.00	APM	
	counsel request	erence with staff from opposing ing transmittal of Opposition to side Judgment; Sector ; transmit Opposition via email	0.50	62.50	NRL	
Jan-16-14	proceedings/	ise opposition to motion to stay	1.20	360.00	MDF	
	Draft opposition proceedings.	n to Zandian's motion to stay	2.50	750.00	APM	
	Review order g examination, da	ranting motion for debtor ated 1/13/14.	0.20	60.00	APM	
	Review notice of examination.	of entry of order for debtor's	0.10	30.00	APM	
•	Enforce Judgmo Plaintiff's Motion preparation of contract of contract of contract of contract of contract of the second s	tion to Motion for Stay to ent; and Order Granting on for Debtor Examination; lraft Notice of Entry of Order; ag and service of documents; erence with client	1.50	187.50	NRL	

	Invoice #:	125472				Page
	Preparat with clie	ion of memo of telephone conference nt	0.20	25.00	NRL	
Jan-17-	14 Commu	nicate with Nancy Lindsley	0.10	30.00	APM	
	Review 1/17/14,	memo from Nancy Lindsley, dated	0.10	30.00	APM	
	of prepa	Wells Fargo documents in anticipation ration of SDT for deposit detail; e conference with client	1.00	125.00	NRL	
Jan-23-	default j thereof/I	reply in support of motion to set aside udgment and affidavit in suppor Review request for submission of o set aside default judgment	0.50	150.00	MDF	
		e drafting questions for debtor's tion of Zandian.	0.30	90.00	APM	
		and respond to email, dated 1/23/14, Margolin	0.90	270.00	APM	
	have not	n process of service on E*Trade as they responded to subpoena and they do any branches in Nevada.	0.30	90.00	APM	
		view Zandian's reply in support of o set aside default, dated 1/21/14.	0.20	60.00	APM	
Jan-28-		Federal Express from E*Trade l; duplicate for client; save to file	1.00	125.00	NRL	
Jan-29-	14 Preparat	ion of email to client	1.00	125.00	NRL	
Jan-31-		d review e-mails to and from law clerk nt, et al. re: order denying motion to set	0.30	90.00	MDF	,
	Valerius	email, dated 1/31/14, from Samantha , judge's law clerk, regarding request osed order.	0.10	30.00	APM	
	Totals		25.90	\$6,510.00		
		· · ·		1		

invo	Dice #: 125472			Page
DISBURSEM	ENTS	Disbursements	Receipts	
Feb-10-14	Payment for invoice: 125472		559.25	
	Payment for invoice: 125472		2,870.80	
	Payment for invoice: 125472		295.00	
	Payment for invoice: 125472	•	615.17	
Jan-09-14	Photocopies 640 @ 0.25 - Opposition/request for admissions/order	160.00		
Jan-10-14	Courier expense	16.00		
Jan-16-14	Photocopies 64 @ 0.25 - Notice of entry	16.00	· .	
Jan-19-14	Postage	6.60		
Jan-29-14	Courier expense	95.00	Υ.	
	Postage	1.40		
	Totals	\$295.00	\$0.00	
	Total Current Fees & Disbursements		\$6,805.00	
· .	Previous Balance		\$809.02	
	Payments		\$809.02	
	Balance Due Now Approved By:		\$2,464.78	

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid. Invoice #:

125472

TRUST STATEMENT

5457.01		Disbursements	Receipts
Jan-24-14	Received From: Jed Margolin Trust receipt		5,149.24
	Paid To: Watson Rounds Transfer of trust funds to account balance due	809.02	
Feb-10-14	Paid To: Watson Rounds Payment for invoice: 125472	4,340.22	
	Total Trust	\$5,149.24	\$5,149.24
	Trust Balance		\$0.00

Page

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane Reno, NV 89511

Ph:775-324-4100

Fax:775-333-8171

 Jed Margolin
 March 7, 2014

 1981 Empire Road

 Reno, Nevada 89521-7430

 File #:
 5457.01

 Attention:
 Inv #:
 126244

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER	
Feb-01-14	Review and respond to email, dated 2/1/14, from Jed Margolin	0.20 [′]	60.00	АРМ	
Feb-03-14	Review voicemail from Fred Sadri	0.10	30.00	APM	
Feb-04-14	Begin drafting order denying motion to set aside.	0.10	30.00	АРМ	
Feb-05-14	Review and revise proposed order denying Defendants' Motion to Set aside/	1.00	300.00	MDF	
	Review email, dated 2/5/14, from Jed Margolin	0.10	30.00	APM	
•	Draft email to Jed Margolin	0.10	30.00	APM	
·	Review another email from Jed Margolin	0.10	30.00	APM	

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Invoid	ce #: 126244				Page
•	Draft proposed order denying Zandian's motion to set aside the judgment.	3.70	1,110.00	APM	
	Draft email to Samantha Valerius regarding proposed order denying motion to set aside judgment.	0.10	30.00	АРМ	
	Review Zandian's reply in support of motion for stay of proceedings to enforce the judgment, dated 1/29/14.	0.10	30.00	APM	
Feb-06-14	Conference with APM re:	0.40	120.00	MDF	
	/Review email string between APM and opposing counsel re: contempt issues				
• •	Review email, dated 2/6/14, from Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside judgment.	0.10	30.00	APM	
	Draft email to Samantha Valerius, judge's law clerk, regarding judge signing order denying motion to set aside judgment.	0.10	30.00	APM	
	Draft email to Jonathon Fayeghi regarding debtor's examination.	0.30	90.00	APM	
	Telephone conference with Fred Sadri	0.20	60.00	APM	
. •	Review email, dated 2/6/14, from Johnathon Fayeghi regarding Zandian's debtor's examination.	0.10	30.00	APM	
	Draft email to Johnathon Fayeghi regarding Zandian's debtor's examination.	0.10	30.00	APM	
	Draft email to Jed Margolin	0.10	30.00	APM	
Feb-07-14	Conference with APM re:	0.80	240.00	MDF	

- In	voice #:	126244		•		Page
	Call and email John Fa Zandian's non-respons documents prior to de	se to order to produce	0.20	60.00	APM	
	Draft email to Jed Ma	rgolin	0.10	30.00	APM	
	Review order denying aside judgment, dated	Zandian's motion to set 2/6/14.	0.30	90.00	APM	
·	Review Order Denyin Default Judgment; sca opposing counsel; pre Entry of Judgment for	n and transmit to paration of Notice of	0.70	87.50	NRL	
Feb-10-14	Conference with APM	[re:	1.00	300.00	MDF	
		John Fayeghi regarding camination of Zandian.	0.10	30.00	APM	
	Draft debtor's examin	ation questions.	0.10	30.00	APM	
	Review and respond t from John Fayeghi res examination	o email, dated 2/10/14, garding debtor's	0.30	90.00	APM	
	Draft email to Court r appearing before the o debtor's examination.		0.80	240.00	АРМ	
	Review email, dated 2 Jeffries regarding vaca and requesting a moti- cause regarding conte	ating debtor's examination on for order to show	0.20	60.00	APM	
	Draft email to Angela vacating debtor's exar motion for order to sh contempt.	nination and requesting a	0.10	30.00	APM	
	Draft email to Jed Ma	rgolin	0.10	30.00	АРМ	
	Review Wells Fargo's transaction to Zandiar		0.20	60.00	APM	

	Invoice #:	126244				Page
	Review em Margolin	ail, dated 2/10/14, from Jed	0.30	90.00	APM	
	Respond to	Jed Margolin's email	0.20	60.00	APM	
Feb-11-14		revise motion to show cause why should not be held in	1.30	390.00	MDF	
		on for Order to Show Cause Contempt, as requested by the court.	4.40	1,320.00	APM	
		file materials; review emails PM and opposing counsel and court	1.00	125.00	NRL	
Feb-12-14	Finish draft	ing motion for contempt sanctions.	0.10	30.00	APM	
	Contempt v	otion for Order to Show Cause Re vs. Zandian; compile exhibits; filing; serve via first c lass mal	1.00	125.00	NRL	
Feb-24-14	Review Zar dated 2/21/	ndian's substitution of attorney's, 14.	0.30	90.00	APM	
	Draft email	to Jed Margolin	0.10	30.00	APM	
	Review and dated 2/24/	l respond to Jed Margolin's email, 14,	0.10	30.00	APM	
	Totals		20.80	\$5,767.50		
DISBUR	SEMENTS		Disbursen	nents	Receipts	
Mar-07-1	4 Payment fo	r invoice: 126244			249.69	
	Payment fo	r invoice: 126244			3,018.48	
	Payment fo	or invoice: 126244			73.29	
	Payment fo	r invoice: 126244			998.76	

Invo	ice #: 1	126244		
Feb-01-14	Legal research documents		59.69	
Feb-10-14	Postage		13.60	
	Totals		\$73.29	\$0.00
	Total Current Fees & Disbu	irsements		\$5,840.79
	Previous Balance			\$2,464.78
	Payments			\$2,464.78
	Balance Due Now Approved By:			\$1,500.57

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid.

Page

Invoice #:

126244

TRUST STATEMENT

5457.01		Disbursements	Receipts
Feb-26-14	Received From: Jed Margolin Trust receipt		6,805.00
	Paid To: Watson Rounds Trust transfer to account balance due	2,464.78	
Mar-07-14	Paid To: Watson Rounds Payment for invoice: 126244	4,340.22	
	Total Trust	\$6,805.00	\$6,805.00
	Trust Balance	v	\$0.00

Page

WATSON ROUNDS Tax ID#: 88-0319593 5371 Kietzke Lane

Reno, NV 89511

Ph:775-324-4100

ŗ

Fax:775-333-8171

1

Jed MargolinApril 3, 20141981 Empire Road
Reno, Nevada 89521-7430File #: 5457.01Attention:Inv #: 126514

RE: Patent theft analysis & litigation

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-04-14	Review opposition to motion for order to show cause re: contempt/Draft and review e-mails to and from APM re: same, and reply arguments	0.80	240.00	MDF
	Review voicemail, dated 3/4/14, from Fred Sadri	0.10	30.00	АРМ
	Review Opposition to Motion for Order to Show Cause Regarding Contempt, dated 3/3/14.	0.70	210.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM
	Review and respond to email, dated 3/4/14, from Jed Margolin	0.20	60.00	APM
	Review email, dated 3/4/14, from Jed Margolin	0.20	60.00	APM
Mar-05-14	Review voicemail from Fred Sadri	0.10	30.00	APM

. Invo	oice #: 126514				Page
	Telephone conference with Fred Sadri	0.30	90.00	APM	
	Review email, dated 3/5/14, from Jed Margo	lin 0.10	30.00	APM	
	Review Opposition to Motion for OSC; calendar reply to same; review Carson City County website to confirm if Zandian owns r property in Carson	1.00 eal	125.00	NRL	
Mar-08-14	Review email, dated 3/8/14, from Jed Margo	lin 0.10	30.00	АРМ	
Mar-10-14	Review attachments attached to 3/4/14 email from Jed Margolin	0.10	30.00	АРМ	
Mar-11-14	Review Jed Margolin's comments	0.50	150.00	АРМ	
	Draft reply in support of motion for contemp sanctions.	t 3.90	1,170.00	АРМ	
Mar-12-14	Continue drafting reply in support of motion contempt sanctions.	for 1.60	480.00	APM	
· .	Review email, dated 3/12/14, from Jed Margolin	0.20	60.00	APM	
Mar-13-14	Review and revise Reply ISO Motion for Ore to Show Cause Regarding Contempt/Review appellate documents/		300.00	MDF	
<i>,</i> .	Finish drafting reply in support of motion for contempt sanctions.	0.20	60.00	APM	
	Review notice of appeal.	0.20	60.00	APM	
	Review case appeal statement.	0.20	60.00	APM	
	Review notice of cash deposit by Zandian.	0.10	30.00	APM	

: ·	Invoice #:	126514				Page
	Per	form legal research	0.30	90.00	APM	
	pre tele Me file	view and finalize Reply iso Motion for OSC; paration of Request for Submission; ephone conference with Reno Carson essenger Service for special to Carson City to a documents; review Notice of Appeal and oporting documents; scan/email/save	1.50	187.50	NRL	
Mar-14-1		wnload Appellate documents; change NV preme Court profile	0.50	62.50	NRL	
Mar-17-1		wnload file-stamped documents; calendar vada Supreme Court Appeal deadlines	1.00	125.00	NRL	
Mar-18-1	l4 Do	wnload and save appeal documents	0.50	62.50	NRL	
Mar-19-1	rel Ne	view order rejecting request for submission ating to contempt application/Review vada Supreme Court scheduling order re: tlement conference	0.50	150.00	MDF	
		view email, dated 3/19/14, from Jed rgolin	0.20	60.00	APM	
	Or No	view Nevada Supreme Court docket; review der Denying Request for Submission; and tice of Assignment to Settlement Program; endar same	1.00	125.00	NRL	
Mar-20-1	14 Co	nference with Adam Mcmillen re:	0.50	150.00	MDF	
	Co	mmunicate with Matt Frances	0.40	120.00	APM	
	Te	ephonce conference with Jed Margolin	0.90	270.00	АРМ	
	del	aft letter to Jason Woodbury requesting otor's examination and documents from ndian.	0.40	120.00	АРМ	
		view email, dated 3/20/14, from Jed	0.50	150.00	APM	

	Invoi	ce #: 126514				Page
		Finalize letter to Jason Woodbury; transmit via email and US Mail	0.20	25.00	NRL	
-	Mar-22-14	Review email, dated 3/21/14, from Jed Margolin	0.50	150.00	АРМ	·
	Mar-25-14	Review email, dated 3/25/14, from Jed Margolin	0.40	120.00	APM	
		Review and respond to email, dated 3/25/14, from Jed Margolin	0.20	60.00	APM	
	,	Review and respond to email, dated 3/25/14, from Jed Margolin regarding	0.40	120.00	APM	
	Mar-26-14	Review property title documents/Conference with APM re:	1.00	300.00	MDF	
		Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	APM	
	ц.	Review email, dated 3/25/14, from Jed Margolin	0.50	150.00	APM	
	•	Review email, dated 3/26/14, from Jed Margolin	0.30	90.00	APM	
		Telephone call with Jed Margolin	0.60	180.00	APM	
	Mar-27-14	Review filed copy of district court docket entries, filed with supreme court on 3/25/14.	0.20	60.00	APM	
		Review notes and research regarding exeuction vs real property; review Jed's email and enclosures; commence preparation of Motion for Writ of Exeuction; Execution; and, Notice of Execution	2.00	250.00	NRL	.*
	Mar-28-14	Draft writ of execution.	0.20	60.00	APM	
		Commence preparation of Motion for Writ of Execution, Writ of Execution and First Memorandum of Post-Judgment Costs and Fees; print client ledger to calculate and break down fees and costs	2.50	312.50	NRL	

Invo	ice #: 126514				Page
Mar-31-14	Review and respond to email, dated 3/31/14, from Jed Margolin	0.10	30.00	APM	
	Revise first memo of post-judgment costs and fees.	0.10	30.00	APM .	
	Revise writ of execution.	0.30	90.00	APM	
	Review email, dated 3/28/14, from Jason Woodbury regarding Zandian's motion filed recently	0.30	90.00	АРМ	
	Communicate with Jed Margolin	0.20	60.00	APM	·
	Review email, dated 4/1/14, from Jed Margolin	0.30	90.00	APM	
	Review proposed motion for writ of execution.	0.30	90.00	APM	
	Review voicemail from Fred Sadri and return his call.	0.10	30.00	APM	
	Finalize First Memorandum of Costs; Motion for Issuance of Writ; recalculate interest; and preparation of of Affidavit and Request for Wri	2.00 t	250.00	NRL	
	Finalize Motion for Writ of Execution; telephone conference with Steve Wood of Washoe County Sheriff's Office regarding service of Writs and requirements for same; update memo re same; preparation of twelve (12) Writs of Execution (10 for Washoe County, 2 for Clark County); telephone conference with Clerk regarding filing fee for issuance	2.50	312.50	NRL	
	Totals	35.40	\$8,047.50		
DISBURSEMI	ENTS	Disbursen	ients	Receipts	
Apr-03-14	Payment for invoice: 126514			1,113.8Ì	
	Payment for invoice: 126514			3,073.20	

Inv	oice #: 126514			Page
	Payment for invoice: 126514		122.08	
	Payment for invoice: 126514		691.01	
Mar-01-14	Westlaw litigation documents/downloads	33.09		
Mar-13-14	Photocopies 36 @ 0.25 - Reply	9.00		
	Postage	0.90		
Mar-17-14	Courier expense	40.00		
Mar-20-14	Postage	0.48		
Mar-31-14	Westlaw legal research documents	38.61		
	Totals	\$122.08	\$0.00	
`	Total Current Fees & Disbursements		\$8,169.58	
	Previous Balance		\$1,500.57	
	Payments		\$1,500.47	
	Balance Due Now Approved By:		\$3,169.58	

Retainer Balance: \$0.00

Client shall pay Attorney's invoices on a Net 30 basis. Attorney may charge interest for any late payment of any sum due under this Agreement at the rate of eighteen percent (18%) per annum from the due date of the invoice until the date paid. Invoice #:

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126514

TRUST STATEMENT

5457.01		Disbursements	Receipts
Mar-21-14	Received From: Jed Margolin Trust receipt		5,840.79
	Paid To: Watson Rounds Transfer to outstanding account balance due	1,500.47	
Mar-27-14	Received From: Jed Margolin Trust receipt		659.78
Apr-03-14	Paid To: Watson Rounds Payment for invoice: 126514	5,000.10	
	Total Trust	\$6,500.57	\$6,500.57
	Trust Balance		\$0.00

Page

Jed MargolinApril 24, 20141981 Empire RoadReno, Nevada 89521-7430

		File #:	5457.01
Atten	tion:	Inv #:	Sample
RE:	Patent theft analysis & litigation		

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Apr-01-14	Reveiw Clark County and Washoe County deeds for insertion of legal description into Writs of Execution; revise Writs of Execution for issuance	1.00	125.00	NRL
	Review emails; calendar response to Motion for Writ of Execution	0.50	62.50	^{``} NRL
Apr-02-14	Review Zandian's Motion to Dismiss and related documents/Review and revise Supreme Court mediation brief/	1.00	300.00	MDF
	Review email, dated 4/2/14, from Jed Margolin	0.10	30.00	APM
	Review Zandian's motion to dismiss and vacate default judgment.	1.20	360.00	APM
	Draft email to Jason Woodbury regarding debtor's examination and bizarre motion filed by Zandian.	0.10	30.00	APM
	Review file stamped motion to dismiss in Abrishami v Gold Canyon, dated 3/24/14.	0.60	180.00	APM
	Review file-stamped motion, dated 3/24/14.	0.30	90:00	APM
	Telephone conference with Fred Sadri.	0.20	60.00	APM
	Review letter, dated 12/4/13, from Kristin Luis to Judge Wilson regarding Gold Canyon case.	0.20	60.00	APM
	Review and respond to email, dated 4/2/14, from Jed Margolin	0.20	60.00	APM

Invoice #: Sample	5457.01 Page 2		April 24	, 2014
	Draft confidential settlement brief.	2.80	840.00	APM
	Brief review Motion and supporting documents filed by Zandian; calendar response to same	1.00	125.00	NRL
Apr-03-14	Finish drafting confidential settlement brief.	0.60	180.00	APM
	Review/revise Respondent's Confidential Settlement Conference Statement; transmit via fax; telephone conference with RCMS regarding hand delivery to PO Box in Glenbrook (need to affix postage for delivery)	1.00	125.00	NRL
· · ·	Telephone conference with Reno Carson Messenger Service to arrange for personal delivery of Settlement Conference Statement to PO Box in Glenbrook; second call to confirm delivery made	0.50	62.50	NRL
Apr-04-14	Review notification from Supreme Court of Zandian's filing of docketing statement	0.10	30.00	APM
	Review Zandian's docketing statement	0.50	150.00	APM
	Review isued notice for Zandian to provide proof of service of docketing statement upon settlement judge.	0.20	60.00	APM
Apr-07-14	Review filed proof of service affidavit of service of docketing statement, dated 4/7/14	0.10	30.00	APM
	Review and download filed Appellate documents	0.50	62.50	NRL
Apr-08-14	Review email, dated 4/8/14, from Jed Margolin	0.20	60.00	APM
·	Review supreme court forms for responding to Zandian's docketing statement	0.50	150.00	APM
	Telephone call with Jed Margolin	1.00	300.00	APM
	Review email, dated 4/8/14, from Jed Margolin	0.20	60.00	APM
	Telephone conference with Steve Wood of the Washoe County Sheriff's office re execution	0.50	62.50	NRL

Invoice #: Sample	5457.01 Page 3		April 24,	2014
	vs. real properties; left message for Christie of First JD regarding issuance of Writs; download motion recently filed by Zandian		. ·	
Apr-09-14	Draft opposition to Zandian's motion to dismiss	0.20	60.00	APM
	Review and respond to emails, dated 4/9/14, from Jason Woodbury regarding Zandian's motion to dismiss	0.30	90.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM
	Review and respond to email from Nancy Lindsley	0.20	60.00	APM
ţ	Telephone conference with Court Clerk re issuance of Writs; preparation of memo to APM re same	0.30	37.50	NRL
Apr-10-14	Review Motion to Retax and Settle Costs; calendar response to same	0.50	62.50	NRL
Apr-11-14	Review and respond to email, dated 4/11/14, from Jed Margolin	0.20	60.00	APM
Apr-14-14	Meet with Matt Francis	0.30	90.00	APM
	Review email, dated 4/14/14, from Jed Margolin	0.20	60.00	APM
	Draft email to Jason Woodbury regarding stipulation to withdraw motion to dismiss from Zandian	0.10	30.00	АРМ
	Review and respond to another email, dated 4/14/14, from Jed Margolin	0.10	30.00	APM
	Revise declaration for JP Lee, gather old letters regarding same and draft email to JP Lee requesting him to sign new declaration	0.70	210.00	APM
	Review filed copy of District court Docket Entries, dated 4/10/14	0.10	30.00	APM
	Review email, dated 4/14/14, from	0.10	30.00	APM

Invoice #: Sample	5457.01 Page 4		April 24	, 2014
	Jason Woodbury regarding stipulation to withdraw Zandian's motion to dismiss			
	Review first draft of Jason Woodbury's proposed stipulation to withdraw Zandian's motion to dismiss	0.10	30.00	APM
	Draft emails to Jason Woodbury regarding proposed stipulation to withdraw Zandian's motion to dismiss	0.20	60.00	АРМ
	. Transmit executed Stipulation and Order to Withdraw Motion to Jason Woodbury	0.50	62.50	NRL
Apr-15-14	Review motion to retax costs/Emails with APM re: same	0.50	150.00	MDF
	Begin review of Zandian's motion to retax, dated 4/9/14	0.20	60.00	APM
	Review email, dated 4/15/14, from Tiffany Dube regarding request for declaration from J Lee	0.10 P	30.00	АРМ
	Review letter, dated 4/15/14, from JP Lee regarding request for declaration	0.10	30.00	APM
Apr-16-14	Finish review of Zandian's motion to retax	1.40	420.00	APM
	Begin drafting opposition to Zandian's motion to retax	ı 1.70	510.00	APM
	Review and respond to email, dated 4/15/14, from Jed Margolin	0.30	90.00	APM
	Meet with Matt Francis	0.30	90.00	APM
	Draft email to Jed Margolin	0.20	60.00	APM
	Communicate with David Wasick regarding mediation	0.10	30.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM

Invoice #: Sample	5457.01 Page 5		April 24	, 2014
	Draft motion for post judgment fees and costs	3.40	1,020.00	APM
	Review email, dated 4/17/14, from Jason Woodbury regarding settlement conference in May	0.10	30.00	APM
	Generate report reflecting costs incurred from 6/26/2013 to present; commence preparation of revised Memorandum of Costs	0.80	100.00	NRL
Apr-17-14	Review emails re: settlement issues/Conference with APM re: same and Voicemail from David Wasick	0.50	150.00	MDF
	Review and respond to emails, dated 4/18/14, from Jed Margolin	0.30	90.00	АРМ
Apr-18-14	Draft email to David Wasick and Woodbury regarding settlement conference	0.20	60.00	АРМ
	Review email, dated 4/18/14, from David Wasick setting settlement conference for May 21, 2014	0.10	30.00	APM
	Draft email to Jed Margolin	0.10	30.00	APM
	Finish drafting motion for postjudgment fees and costs	1.60	480.00	APM
	Review Supreme Court of Nevada's notice of filed copy of district court docket entries	0.10	30.00	APM
·	Review and respond to email, dated 4/18/14, from Jed Margolin	0.10	30.00	APM
	Generate reports from PCLaw for fees and costs from October 21, 2013 through April 21, 2014	0.50	62.50	NRL
	Review/proof Motion for Order Allowing Costs and APM Dec iso same; compile exhibits	1.00	125.00	NRL

Invoice #: Sample		5457.01	Page 6	Арл	ril 24, 2014
	Totals			33.10 \$8,425.00	-)
FEE SUM	MADY.				
Lawyer	MANI:	Hours	Effective Rate	Amount	
Matthew D	. Francis	2.00	\$300.00	\$600.00	
Adam P. M	cMillen	22.50	\$300.00	\$6,750.00	
Nancy R. L	indsley	8.60	\$125.00	\$1,075.00	
DISBURSEM	ENTS		• *	Disbursements	Receipts
Apr-01-14	Court do	ocuments via Pacer		1.50	
Apr-02-14	Postage			3.08	
Apr-04-14	Process	service expense	-	65.00	
Apr-09-14	Postage			1.40	
	Totals		-	\$70.98	\$0.00
	Total Fe	ees & Disbursements		•	\$8,495.98
	Previous	s Balance			\$3,169.58
	Previous	s Payments			\$0.00
	Balance	Due Now			\$11,665.56
		AM	DUNT QUOTED):	\$0.00

Exhibit 4

4

Exhibit 4

478

4pr/21/2014			Watson Rounds Client Ledger Oct/012 Res Par/21/2014		Page: 1
)ate Entry #	Received From/Paid To	Chq# Rec#	Oct/21/2013 To Apr/21/2014 General RcptsDisbs Fees		Ropts Disbs Balance
5457 Margo					
\$457.01	Patent theft analysis & litigat	ion			Resp Lawyer: APM
Oct 22/2013 1115832			52.00	124091	
Jov 7/2013					
1117911			0.00	124091	
lov 13/2013	DISBS 194.20 Bank of America				
1118672		2475	25.00	124555	
	of America				
lov 13/2013 1120227		16627	5.28	124555	
	Reno/Carson Messenger Service, Ir	1002/	5.28	124555	
1119582	Process service expense		52.00	124555	
	Billing on Invoice 124555		0.00	104555	
1121920	FEES 577.50 DISBS 82.28		0.00	124555	
)ec 9/2013			· · ·		
1124586	•	16680	40.00	125011	
)ec 10/2013	Service copies/2 SDTs Charles Schwab & Co., Inc.				
	Witness fee Charles Schwab	2569	25.00	125011	
ec 10/2013/	E-Trade Bank				• ,
	Witness fee - E-Trade Bank	2570	25.00	. 125011	•
1123859	Empense Recovery Postage	16668	8.96	125011	
ec 11/2013/	Expense Recovery				
	Postage	16668	24.48	125011	
1124587	Expense Recovery Photocopies 570 @ 0.25 -	16680	142.50	125011	
	Motion for judgment/debtor exam				
ec 12/2013			16.00		
1123048 Mag 12/2013	Courier expense Reno/Carson Messenger Service, Ir.		16.00	125011	
1123301			37.00	125011	
	Bank of America				
1123303 ec 18/2013			115.66	125011	
1124598		16680	31.50	125011	
	Banking documents		· .		
≫c 19/2013 1124611		16680	1.72	125011	
	Expense Recovery	10000	1.12	123011	
1124658	Legal research documents	16682	153.92	125011	
an 9/2014		16712	160.00	105470	
1128654	Photocopies 640 @ 0.25 - Opposition/request for	16712	160.00	125472	
	admissions/order			-	•
an 10/2014			16.00	125472	
1125835 [an 13/2014			16.00	123412	
1125944	FEES 4527.50		0.00	125011	
	DISBS 621.74 Expense Recovery				
an 16/2014 1128655		16712	16.00	125472	
	of entry		· · ·		
	Expense Recovery	16707	6 60	125472	
	Postage Reno/Carson Messenger Service, Ir	10/07	6.60	125472	
1128111	Courier expense		95.00	1,25472	
	Expense Recovery Fostage	16712	1.40	125472	
1128663 'eb 1/2014	Expense Recovery	10/12	1.40	123112	
1129997	Legal research documents .	16730	59.69	126244	
	Billing on Invoice 125472		0.60	125472	
1129614	FEES 6510.00 DISBS 295.00		0.00	123472	
	Expense Recovery	•			
	Postage	16741	13.60	126244	
1134969	Expense Recovery Westlaw litigation	16783	33.09	126514	
	documents/downloads				
	Billing on Invoice 126244		0.00	126244	
1133801	FEES 5767.50 DISBS 73.29		0.00	120244	
	Expense Recovery '		•		
	Postage	16784	0.90	126514	
	Expense Recovery Photocopies 36 @ 0.25 - Reply	16803	9.00	126514	
	Reno/Carson Messenger Service, Ir.		-		
1134803			40.00	126514	
	Expense Recovery Postage	16803	0.48	126514	
	Expense Recovery		·		
1137167	Westlaw legal research documents	16810	38.61	126514	
pr 1/2014 1136733		3004	1 20.00		
	Execution		S/		479
pr 3/2014	Billing on Invoice 126514				

Apr/21/2014	_		Client	Rounds : Ledger To Apr/21/2014				Page: 2
Date	Received From/Paid To	Chq#	Oct/21/2013 To Apr/21/2014 Chg# [General]			Bld Trust Activity		
Entry #	Explanation	Rec#	Rcpts	Disbs	Fees	Inv# Acc	Rcpts Dis	
Apr 4/2014 1137826	DISBS 122.08 Reno/Carson Messenger Service, Ir. Process service expense			65.00				
 TOTALS PERIOD END DATE General Reta	UNBILLED CHE + RECOV + FEES 185.00 0.00 8275.00 185.00 0.00 8275.00 siner 5000.00	= TOTAL 8460.00 8460.00	DISBS 1246.39 27048.52	+ FEES 25895.00 124026.25	+ TAX 0.00 0.00	30331.09	BALANCES = A/R -3189.70 0.00	TRUST -1109.14 0.00
FIRM TOTAL PERIOD END DATE General Reta	UNBILLED CHE + RECOV + FEES 185.00 0.00 8275.00 185.00 </td <td>= TOTAL 8460.00 8460.00</td> <td>DISBS 1246.39 27048.52</td> <td>BILLED + FEES 25895.00 124026.25</td> <td>+ TAX 0.00 0.00</td> <td>30331.09</td> <td> BALANCES = A/R -3189.70 0.00</td> <td> TRUST -1109.14 0.00</td>	= TOTAL 8460.00 8460.00	DISBS 1246.39 27048.52	BILLED + FEES 25895.00 124026.25	+ TAX 0.00 0.00	30331.09	BALANCES = A/R -3189.70 0.00	 TRUST -1109.14 0.00
Layout Templ Advanced Sea Requested by Finished Ver Matters Clients Major Client Client Intro Matter Intro Responsible Assigned Law Type of Law Select From Matters Sort New Page for New Chatter Show Chient Consolidate Show Interest Up	<pre>srch Filter ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '</pre>	13.0 5457. All All All All All All All All Activ Defau No No No No No No No No No No No No No	y, April 21, SP1 (13.0.20) 01	2014 at 02:05:3 31028) Archived Matte:				

Exhibit 5

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Exhibit 5

481

CHECK REQUEST FORM

PAYABLE TO Well	s Fargo Bank, N.A.	DATE NEEDED
DESCRIPTION:	Witness Fee - Subpoena	
ADDRESS (IF APPLIC	ABLE):	
AMOUNT:	\$25	
CLIENT NAME/MATTE	R#: 5457.01	
REQUESTED BY/ATTO	ORNEY APPROVAL: APM	
MAIL CHECK FROM A	CCOUNTING: YES/(NO)	
RETURN CHECK TO:	Nancy	· · · · · · · · · · · · · · · · · · ·
DISPENSE FROM:	GENERAL TRUST	
	· ·	<i>(</i> *

FOR ACCOUNTING USE ONLY:

DATE OF CHECK:	
CHECK #:	
GL ACCOUNT:	4/8/99-Accounting/Payroli & exps/Forms

NOTES:

WATSON ROUNDS GENERAL CHECKING ACCOU

ł٨	L CHECKING A	ACCOUNT			
	Date: (Oct 18/13		Matter #:	5457.01
	Amount:	\$25.00			Claim Number:
	Payable To	: W	ells Fargo Bank		
	Client:	Margol	in, Jed		
	Matter Des	cription:	Patent theft ar	alysis & litigatio	n
	Evalenation			NY 11 T	

Explanation: Witness fee subpoena for Wells Fargo Invoice #:

2389

A

Reno/Carson Messenger Service, Inc. 185 Martin Street Reno, NV 89509 775.322.2424 Federal Tax ID: 88-0306306 NV STATE LIC#322



e deadlines 🔹 🛊 🔹

ocess Server - Messenger Service

INVOICE FOR SERVICE:

RECEIVED

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

WATSON ROUNDS

Amount Due: \$52.00

Invoice #: 38183 Date: 10/22/2013

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

Requestor. NANCY Your File#, 5457-01

BALANCE:

Service #39380: WELLS FARGO BANK, N.A. Manner of Service: CUSTODIAN OF RECORDS

Completion Information/Recieved by:SUSAN DOBYNS Service Date/Time:10/22/2013 11:10 AM Service address:5340 KIETZKE LANE RENONV 89511 Served by:MATTHEW BAKER R-016102

Séx	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Blonde	55	5'9''	130
Other Feat	ures:				

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: SECOND AMENDED SUBPOENA DUCES TECUM; WITNESS FEE \$25.00 CASE#: 090C00579.1B Service Comments: Standard Service RUSH TOTAL CHARGES: \$52.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

\$52.00

CHECK REQUEST FORM

PAYABLE TO	Bank of	America	L	DATE NEEDED:	
DESCRIPTION:	Subpoena	With	ss fee	·	
ADDRESS (IF APPLIC	CABLE):				
AMOUNT:	\$25°°		- 		
CLIENT NAME/MATT	ER#: 5457.0	<u> </u>	·	·	
REQUESTED BY/ATT	ORNEY APPROVAL	<u>L: </u>			
MAIL CHECK FROM		YES /(NO)			
RETURN CHECK TO	: Nancy			· · · · · · · · · · · · · · · · · · ·	
DISPENSE FROM:	GENEF	RAL	TRUST		

5457.01

Claim Number:

FOR ACCOUNTING USE ONLY:

I	ATE OF CHECK:		•
(:Heck #:		
(il account;	·····	4/8/99-Accounting/Payroll & exps/Forms

NOTES:

WATSON ROUNDS GENERAL CHECKING ACCOUNT Date: Nov 13/1

Date: Nov 13/13 Matter #: Amount: \$25.00 Payable To: Bank of America

Client: Margolin, Jed

Matter Description: Patent theft analysis & litigation

Explanation: Witness fee subpoena for Bank of America Invoice #:

PRINTED IN U.S.A.

484

A

keno/Carson Messenger Service, Inc. 185 Martin Street Reno, NV 89509 775.322.2424 Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

WATSON ROUNDS

Requestor: NANCY Your File# 5457.01

Service #40598: BANK OF AMERICA Manner of Service: CUSTODIAN OF RECORDS

Completion Information/Recieved by:WENDY FRANCO Service Date/Time:11/13/2013 1:07 PM Service address:5905 S. VIRGINIA ST. RENONV 89502 Served by:MIKE JONES R-023632

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Black	38	5'9	135

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA JED MARGOLIN V. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

JED MARGOEIN V. OF HMA TECHNOLOG FEORI ORATION, A CABIFORNIA CORP.	JKATION, ETAL	
Service Documents: SUBPOENA DUCES TECUM; LETTER; WITNESS FEE \$25.00	CASE#: 090C00579 1B	•
Service Comments:		
Standard Service	\$37.00	
RUSH	\$15.00	
TOTAL CHARGES:	\$52.00	•
BALANCE:	\$52.00	
	ф <u>э</u> 2.00	

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

Invoice #: 39689 Date: 11/18/2013

Amount Due: \$52.00

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

RECEIVED NOV 19 2013

CHECK REQUEST FORM

CHARLES SCHWAB & CO., INC. PAYABLE TO

DATE NEEDED:

DESCRIPTION: WITNESS FEE - SUBPOENA DUCES TECUM

APM

ADDRESS (IF APPLICABLE): AMOUNT: \$25.00

CLIENT NAME/MATTER#: 5457.01

REQUESTED BY/ATTORNEY APPROVAL:

MAIL CHECK FROM ACCOUNTING:

YES/(NO) RETURN CHECK TO:

Nancy (Thank you!) **DISPENSE FROM:** GENERAL TRUST

FOR ACCOUNTING USE ONLY:

DATE OF CHECK: _ CHECK #: GL ACCOUNT:

NOTES:



WATSON ROUNDS GENERAL CHECKING ACCOUNT

Berne	Date:	Dec 10/13 Matter	#: 5457.01	
	Amount:	\$25.00	Claim Number	:
	Payable T	o: Charles Schwab & Co., Inc.		
	Client:	Margolin, Jed		
	Matter De	scription: Patent theft analysis & l	itigation	
	Explanation	on: Witness fee Charles Schwab		

Invoice #:

4/8/99-Accounting/Payroll & exps/Forms

2569

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CHECK REQUEST FORM

PAYABLE TO	E-TRADE BANK			DATE NEEDED:
DESCRIPTION:	Witness Fee	- Subpo	ena Duces	Tecum
ADDRESS (IF AP				
AMOUNT:	\$25.00			
CLIENT NAME/M	ATTER#: 5457.01			
REQUESTED BY/	ATTORNEY APPROVAL:	APM		
MAIL CHECK FRO	OM ACCOUNTING:	YES/(NO)		
RETURN CHECK	TO: Nanc	<u>у</u>		
DISPENSE FROM	1: GENERA	ŇL.	TRUST	

FOR ACCOUNTING USE ONLY:

DATE OF CHECK:	
CHECK #:	
GL ACCOUNT:	

NOTES:

WATSON ROUNDS GENERAL CHECKING ACCOUNT

•	Date:	Dec 10/13	

Amount: \$25.00

USE WITH 91500 ENVELOPE

Payable To: E-Trade Bank

Client: Margolin, Jed

Matter Description: Patent theft analysis & litigation

Matter #:

5457.01

Claim Number:

Explanation: Witness fee - E-Trade Bank Invoice #:

4/8/99-Accounting/Payroll & exps/Forms

487

Reno/Carson Messenger Service, Inc. 185 Martin Street Reno, NV 89509 775.322.2424 Federal Tax ID: 88-0306306 NV STATE LIC#322

RECEIVED

DEC 13 2013

WATSON ROUNDS

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

RECEIVED

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

Invoice #: 40903 Date: 12/12/2013

Amount Due: \$16.00

Requestor: NONE Your File#**§**457.01

WATSON FOUNDS

DEC 13 2013

Service #41830: COURIER/MESSENGER JOB Manner of Service: MESSENGER Service Instructions: PLEASE FILE AND RETURN

Completion Information/Recieved by:J. HIGGINS Service Date/Time:12/11/2013 3:12 PM Service address:FIRST JUDICIAL 885 EAST MUSSER ST CARSON CITYNV 89701 Served by:WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other Features:					

Service Documents:	·			CASE#:
Service Comments:		-		
MESSENGER	·			\$16.00
· TOTAL CHARGES:				\$16.00
BALANCE:			·	\$16.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

.

488

775.322.2424 Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

RECEIVED

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

DEC 1 6 2013

WATSON ROUNDS

Amount Due: \$37.00

Invoi Date:

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

Requestor: NANCY Your File# 5457.01

Service #41817: CHARLES SCHWAB & CO., INC. Manner of Service: CORPORATE

Completion Information/Recieved by:ALENA DUGGAN Service Date/Time:12/11/2013 2:07 PM

rce. Inc.

Service address:311 S. DIVISION ST THE CORPORATION TRUST COMPANY OF NEVADA Carson CityNV 89703

Served by:WADE MORLAN R-006823

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Caucasian	Brown	20-30	5ft4in-5ft8in	161-200 lbs
Other Features:					

IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA JED MARGOLIN v. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: THIRD AMENDED CUBPOENA DUCES TECUM; WITNESS FEE \$25.00	CASE#: 090C00579 1B
Service Comments:	· .
Standard Service	\$37.00
TOTAL CHARGES:	\$37.00

TOTAL CHARGES:

BALANCE:

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

1

\$37.00

5457.01

Bank of America 🖤

Invoice

Bank Of America Legal Order Processing CA9-705-05-19

PO Box 3609 Los Angeles, CA 90051 213-580-0702

BILL TO

Watson Rounds Matthew D. Francis Matthew D. Francis 5371 Kietzke Lane Reno, NV 89511

Case # : Invoice Id : Date of Invoice : Court Case Name : Court Case # : EIN: 94-1687665

Amt Paid :

Please remit top half w/payment to the above address. Please include case number on payment.

L111813000262

Invoice - 296601

OPTIMA TECHNOLOGY 090C00579 1B

12/12/2013

	Invoice Details					
Quantity	Description of services/Financial Records Provided	Cost Per Item	Extended Amount			
31	Copies of Checks	0.25	\$7.75			
255	Copies of Statements Pages	0.25	\$63,75			
16	Copies of Documents	0.25	\$4.00			
41	Copies of Deposits	0.25	\$10.25			
45	Copies of Offset	0.25	\$11.25			
0	Copies of Account Records and Loan Documents	0.25	\$0.00			
0	Copies of Complete Loan Files	30.00	\$0.00			
0,00	Supervisor Time	مم.م	\$0.00			
1,77	Generalist Time	20.00	\$35.40			
0.00	Witness Hours Amount	0.00	\$0.00			
0.00	Mileage Amount	0.00	\$0.00			
[Postage Amount	\$8.26			
[Media Cost	\$0.00			
		Other	\$0.00			
		Sub Total	\$140.66			
	Less Deposits/Pa	yments Received	\$25.00			
		Refund	\$0.00			
	Amour	t due on Receipt	\$115.66			

Invoice Remarks:

RECEIVED

DEC 1 8 2013

WATSON ROUNDS

Keno/Carson Messenger Service, Inc. 185 Martin Street Reno, NV 89509 tel 775.322.2424 fax 775.322.3408 process@renocarson.com Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

Requestor: NANCY Your File# 5457.01

Service #43376: COURIER/MESSENGER JOB Manner of Service: MESSENGER Service Instructions: P/U (WILL CALL WHEN READY, CLOSE TO 4PM) - FILE IN 1ST JUD TODAY

Completion Information/Recieved by:C. COOPER Service Date/Time:01/09/2014 3:35 PM Service address: FILE IN 1ST JUD TODAY CARSON CITYNV Served by: JOHN LEE R-004475

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other	Features:				

CASE#: Service Documents: Service Comments: MESSENGER \$16.00 **TOTAL CHARGES:** \$16.00 **BALANCE:** \$16.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

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Process Server - Messenger Service KE DEADLINES 🖈



Invoice #: 42498

Amount Due: \$16.00

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

RECEIVED JAN 192014 WATSON ROUNDS

. Carson Messenger Service, Inc. م Martin Street Reno, NV 89509 tel 775.322.2424 fax 775.322.3408 process@renocarson.com Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

Requestor: NANCY Your File# 5457.01

Service #44406: WELLS FARGO BANK, N.A. Manner of Service: CORPORATE

Completion Information/Recieved by:FRANCES GUTIERREZ Service Date/Time:01/28/2014 2:45 PM Service address: 2215-B RENAISSANCE DR CSC SERVICES OF NEVADA, INC. Las VegasNV 89119

Served by:ROGER PAYNE R-038800

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Hispanic	N/A	25 YQA	5'6"	120 LBS.
Other F	Peatures:				

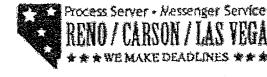
IN THE FIRST JUDICIAL DISTRICT COURT-IN AND FOR THE COUNTY OF CARSON CITY, STATE OF NEVADA JED MARGOLIN V. OPTIMA TECHNOLOGY CORPORATION, A CALIFORNIA CORPORATION, ET AL

Service Documents: SUBPOENA DUCES TECUM; WITNESS FEE \$25.00	CASE#: 090C00579 1B		

Service Comments:

Forwarding Fees CASH ADVANCE RUSH	WITNESS FEES	\$55.00 \$25.00 \$15.00
TOTAL CHARGES: BALANCE:		\$95.00 \$95.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE



Invoice #: 43629 Date: 01/29/2014



Amount Due: \$95.00

Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address:

DEADLINES *

492

ó/Carson Messenger Service, Inc. ی Martin Street Reno, NV 89509 tel 775.322.2424 fax 775.322.3408 process@renocarson.com Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, **RENO, NV 89511**

Requestor: NANCY Your File# 545701

Service #46410: COURIER/MESSENGER JOB Manner of Service: MESSENGER -Service Instructions: P/U FILE IN 1ST JUD TODAY

Completion Information/Recieved by:FILED Service Date/Time:03/13/2014 3:45 PM Service address:FILE IN 1ST JUD TODAY CARSON CITYNV Served by: JOHN LEE R-004475

Sex	Color of skin/race	Color of hair	Age	Height	Weight	
N/A	N/A	N/A		N/A	N/A	
Other Fe	atures:					

Service Documents: CASE#: Service Comments: MESSENGER \$40.00 TOTAL CHARGES: \$40.00 BALANCE: \$40.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

JM SC2 0733

5457.01 Process Server - Messenger Service

Invoice #: 45499 Date: 03/17/2014



Amount Due: \$40.00

Phone number: 775 324-4100

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MAR 17 2014

A PARTY AND A PROVINCIAL

Fax number: 775 333-8171 Email Address:

Reno/Carson Messenger Service, Inc. 185 Martin Street Reno, NV 89509 tel 775.322.2424 fax 775.322.3408 process@renocarson.com Federal Tax ID: 88-0306306 NV STATE LIC#322

INVOICE FOR SERVICE:

WATSON ROUNDS 5371 KIETZKE LN, RENO, NV 89511

Requestor: NANCY Your File# 5457.01

Service #47401: COURIER/MESSENGER JOB Manner of Service: MESSENGER Service Instructions: DELIVER TO: DAVID WESICK. OVER THE COUNTER TO THE POST MASTER.

Completion Information/Recieved by:DIANNA GARCIA Service Date/Time:04/03/2014 1:49 PM Service address: P.O. BOX 568 GLENBROOKNV 89413 Served by:LARRY SCOTT R-053852

Sex	Color of skin/race	Color of hair	Age	Height	Weight
N/A	N/A	N/A		N/A	N/A
Other Fe	eatures:				

Service Documents:	•	CASE#:
Service Comments: Postal Clerk		
MESSENGER		\$25.00
SPECIAL MILEAGE		\$40.00
,		
TOTAL CHARGES:		\$65.00
BALANCE:		\$65.00

CREDIT TERMS ARE NET 30. INVOICES NOT PAID WITHIN TERMS WILL BE ASSESSED A 1.5% PER MONTH FINANCE CHARGE

Amount Due: \$65.00

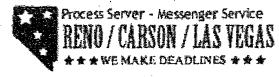
Phone number: 775 324-4100 Fax number: 775 333-8171 Email Address: .

RECEIVED

APR - 4 2014

WATSON ROUNDS

4941



Invoice #: 46398

Date: 04/04/2014

1	JASON D. WOODBURY	REC'D & FILED				
2	Nevada Bar No. 6870 KAEMPFER CROWELL	2014 APR 30 PM # 55				
3	510 West Fourth Street Carson City, Nevada 89703	ALAN GLOVER				
4	Telephone: (775) 884-8300 Facsimile: (775) 882-0257	D' HARKLEROAD				
5	JWoodbury@kcnvlaw.com Attorneys for Reza Zandian					
6	IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR					
7	CARSC	DN CITY				
8	JED MARGOLIN, an individual,					
9	Plaintiff,					
10	vs.					
11	OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA	Case No. 090C00579 1B				
12	TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka	Dept. No. I				
13	GOLAMREZA ZANDIANJAZI aka					
14	GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka					
15	GHONOREZA ZANDIAN JAZI, an individual, DOE Companies 1-10, DOE	· ·				
16	Corporations 11-20, and DOE Individuals 21- 30,					
17	Defendants.					
18						
19	DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS					
20	COMES NOW, Defendant REZA ZANDIAN ("ZANDIAN"), by and through his					
21	attorneys, Kaempfer Crowell, and hereby files his Motion to Retax and Settle Costs relative to					
22	Plaintiff's Motion For Order Allowing Costs And Necessary Disbursements And Memorandum					
23	Of Points And Authorities In Support Thereof.					
24						
		Page 1 of 95				
	II					

KAEMPFER CROWELL 510 West Fourth Street Carson Cily, Nevada 89703

:

	1	This <i>Motion</i> is made pursuant to the attached memorandum of points and authorities, all		
	2	papers and pleadings on file in this matter and any evidence received and arguments entertained		
	3	by the Court at any hearing.		
	. 4	DATED this $\frac{20}{2}$ day of April, 2014.		
	5	KAEMPFER CROWELL		
	6			
•	7	land #1027		
	8	Jason D. Woodbury Nevada Bar No. 6870		
	9	510 West Fourth Street Carson City, Nevada 89703		
	10	Telephone: (775) 884-8300 Facsimile: (775) 882-0257		
	11	<u>JWoodbury@kcnvlaw.com</u> Attorneys for Reza Zandian		
,	12	Thiorneys jor need 2 anual		
	12			
	13			
	15			
	15			
	10			
	17			
KARMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703	19			
	20			
	21			
	22			
	23			
Cars	24			
		Page 2 o f 9 6		

A. THE COURT HAS DISCRETION TO AWARD COSTS AND EACH PARTY SHOULD BEAR THEIR OWN COSTS IN THIS CASE

The determination of allowable costs is within the sound discretion of the trial court. *Bobby Berosini, Ltd. v. People for the Ethical Treatment of Animals*, 971 P.2d 383, 114 Nev.
1348 (1998). However, statutes permitting recovery of costs are in derogation of common law,
and therefore must be strictly construed. *Gibellini v. Klindt*, 110 Nev. 1201, 885 P.2d 540, 1994
Nev. LEXIS 143 (1994). Nev. Rev. Stat. Ann. § 18.005.

9 Here, while Defendant believes each party should bear its own costs, Plaintiff seeks its
10 photocopying costs at a rate of \$0.25 per page, per supporting documentation at "Exhibit 4" of
11 "Declaration of Adam McMillen In Support of Plaintiff's Motion for Order Allowing Costs and
12 Necessary Disbursements" NRS 18.005(12) prescribes "Reasonable costs for photocopies." If
13 the court is inclined to award costs, the Defendant respectfully requests the court reduce the
14 photocopy charges to \$0.15 per page, or a total of \$288.72 for photocopies. *See Affidavit of Jano*15 *Barnhurst*, attached hereto as Exhibit 1.

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B. AN AWARD OF ATTORNEY'S FEES IS NOT APPROPRIATE AS A MATTER OF LAW

18 It is well settled law in Nevada that the district court may not award attorney fees absent 19 authority under a statute, rule, or contract. Here there is no applicable statute or rule and the 20 parties did not enter into an agreement which afforded attorney's fees. Therefore, the American 21 Rule that each party should bear its own attorney's fees and costs applies, in keeping with the 22 following law.

510 West Fourth rson City, Nevad

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1. NRS 598.0999(2) does not permit an award of attorney's fees in this case

Plaintiff claims that under its claim for "deceptive trade practices" it is entitled to an

Page 3 of 97

1	award of attorney's fees under "NRS 508 0000(2)" See Plaintiff's Motion For Order Allowing					
2	award of attorney's fees under "NRS 598.0999(2)." See Plaintiff's Motion For Order Allowing					
	Costs And Necessary Disbursements And Memorandum Of Points And Authorities In Support					
3	Thereof at p. 3, ll. 24-28. While Plaintiff concedes that "NRS 598.0999(2) does not explicitly					
• 4	provide for attorney fees incurred postjudgment," Plaintiff nonetheless seeks them under the					
5	authority of NRS 598.0999(2).					
6	However, NRS 598.0999 does not permit an award of attorney's fees in this case. It					
7	provides in relevant part:					
8	NRS 598.0999 Civil and criminal penalties for violations.					
9	2. Except as otherwise provided in NRS 598.0974, in any action brought pursuant					
10	to the provisions of NRS 598.0903 to 598.0999, inclusive, if the court finds that a person has willfully engaged in a deceptive trade practice, the district attorney of any county in this State or the Attorney General bringing the action may recover a civil penalty not to exceed \$5,000 for each violation. The court in any such action may, in addition to any other relief or reimbursement, award reasonable attorney's fees and costs.					
11						
12						
	Here "in any such action" refers to the notential action to be brought by the life is t					
13	Here, "in any such action" refers to the potential action to be brought by the district					
14	attorney or the Attorney General in pursuing its civil recourse. It does not refer to an action					
15	brought by a Plaintiff in a civil action. Therefore, NRS 598.0999(2) does not apply.					
16	2. The district court may not award attorney fees absent authority under a statute,					
17	rule, or contract.					
18	It is well settled Nevada law that attorney's fees are not recoverable unless authorized by					
19	a statute, rule, or contractual provision. Horgan v. Felton, 123 Nev. 577, 583 (Nev. 2007) citing					
20	Rowland v. Lepire, 99 Nev. 308, 315, 662 P.2d 1332, 1336 (1983).					
21	Here, the American Rule that each party should bear its own attorney's fees and costs					
22	remains the case, in the absence of a statute, rule or contract to the contrary. Under the					
23	"American Rule," win or lose, the parties bear their own legal fees. Fox v. Vice, 131 S. Ct. 2205,					
24	2213 (2011). The district court may not award attorney fees absent authority under a statute, rule,					

KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703

Page 4 of 98

2	(1993).		
3	3. The court's exercise of discretion in determining the reasonable value of an		
4	attorney's services arises only when an award of attorney's fees is prescribed.		
5	While it is within the court's discretion to determine the reasonable amount of attorney's		
6	fees under a statute or rule, in exercising its discretion, the court must evaluate the factors set		
7	forth in Brunzell v. Golden Gate National Bank, 85 Nev. 345 (1969). Here, the court does not		
8	arrive at such an analysis because there is no applicable statute or rule which permits an award of		
9	fees to the Plaintiff. The Brunzell analysis only arises in instances where attorney's fees are		
10	prescribed by statute, rule or contract.		
11	4. Even if a <i>Brunzell</i> Analysis of an award of attorney's fees were permissible,		
12	4. Even if a <i>Branzen</i> Anarysis of an award of attorney's rees were permissible, Plaintiff's fees are inflated.		
13	This case has been a series of default judgments and did not require years of legal work		
14	focused on a specialty in intellectual property. While that may, in general, justify opposing		
15	counsel's billable hourly rate, this was not a case driven by intellectual property law. Rather, by		
16	application of the default judgment scheme, NRS Chapter 17. Further, the Complaint reflects		
17	this fact: it offers up the run of the mill torts against Defendants and only alleges "deceptive		
18			
10	trade practices," as the one and only "intellectual property" specialty. Further, not one of the		
18	trade practices," as the one and only "intellectual property" specialty. Further, not one of the Plaintiff's claims was ever never litigated and brought to a judgment on the merits. In fact, the		
19	Plaintiff's claims was ever never litigated and brought to a judgment on the merits. In fact, the		

The judgment against this Defendant is exclusively by default and therefore, does not

impose specialized skill or unusual time and attention to the work performed by counsel in this

case. Plaintiff pursued and has only pursued default judgments against all Defendants since the

or contract. State, Dep't of Human Resources v. Fowler, 109 Nev. 782, 784, 858 P.2d 375, 376

KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevade 89703

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Page 5 of 99

matter's inception. Hence, this case required no specialized legal practice which justifies the hourly rate or justifies collection of an increased fee, if any at all.

3 The Brunzell factors evaluate: (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill; (2) the character of the work to be done: 4 5 its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; (3) 6 the work actually performed by the lawyer: the skill, time and attention given to the work; (4) the 7 result: whether the attorney was successful and what benefits were derived. Brunzell v. Golden 8 Gate Nat'l Bank, 85 Nev. 345, 349 (Nev. 1969). As set forth above, no factor weighs in favor of 9 10 an award of \$34,632.50 for 6 months of work dedicated to opposing the setting aside a default judgment, taking steps to execute against a default judgment, and responding to an appeal 11 (10/18/2013 - 4/18/2014).12

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5. Even if a *Brunzell* Analysis of an award of attorney's fees were permissible, Plaintiff's requested fees are exclusively for post-judgment, pre-appeal work.

Additionally, Plaintiff is asking that the *Brunzell* factors be applied exclusively to postjudgment accrued attorney's fees. The default judgment was obtained on June 24, 2013 and Plaintiff is asking for its attorney's fees from "October 18, 2013 to April18, 2014." *See* p. 5, ll. 22-23 of Plaintiff's Motion. The *Brunzell* factors are therefore, generally not applicable (if at all in this case) to the effort expended in defeating Defendants' "Motion To Set Aside Default Judgment" filed on January 9, 2014, as fees may not be awarded for work performed related to the appeal noticed by Defendant on March 12, 2014.

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To the extent that the attorney's fees are applied to post-appeal work by Plaintiff's counsel, an award of attorney's fees is prohibited in this case, as well. "There is no provision in the statutes authorizing the district court to award attorney fees incurred on appeal. NRAP 38(b)

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	1	authorizes only this court [the Nevada Supreme Court] to make such an award if it determines				
	2	that the appeals process has been misused." Board of Gallery of History, Inc. v. Datecs Corp.,				
	116 Nev. 286, 288; 994 P. 2d 1149, 1150 (2000).					
	4 C. POST-JUDGMENT INTEREST SHOULD NOT COME DUE BY THIS					
	5	PREMATURE REQUEST				
	6	The postjudgment interest is accounted for in the Court's 6/24/2013 Default Judgment				
	.7	"until satisfied." And, the interest that Plaintiff alleges is due cannot be advanced via the				
	8	Motion. Further, the matter is on appeal as of March 14, 2014.				
	9	D. CONCLUSION				
	10	For all the reasons set forth herein, it is respectfully requested that this Court GRANT				
	11	Defendants' Motion to Retax and Settle Costs and DENY Plaintiff's Motion For Order Allowing				
	12	Costs And Necessary Disbursements And Memorandum Of Points And Authorities In Support				
	13	Thereof.				
	14	DATED this 32 day of April, 2014.				
	15	KAEMPFER CROWELL				
	16	NA				
	17	Jan #1027				
	18	Jason D. Woodbury Nevada Bar No. 6870				
	19	510 West Fourth Street Carson City, Nevada 89703				
	20	Telephone: (775) 884-8300 Facsimile: (775) 882-0257				
	21	JWoodbury@kcnvlaw.com Attorneys for Reza Zandian				
toWELL, th Street ada 89703	22					
KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703	23					
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		Page 7 0 5 8 1				

CERTIFICATE OF SERVICE Pursuant to NRCP 5(b), I hereby certify that service of the foregoing DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS was made this date by depositing a true copy of the same for mailing at Carson City, Nevada, addressed to each of the following: Matthew D. Francis Adam P. McMillen WATSON ROUNDS 5371 Kietzke Lane Reno, NV 89511 DATED this <u>3</u> day of April, 2014. rist an employee of Kaempfer Crowell KAEMPFER CROWELL 510 West Fourth Street Carson City, Nevada 89703 Page 8 df 82

EXHIBIT 1

EXHIBIT 1

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	1	JASON D. WOODBURY					
	_	Nevada Bar No. 6870					
	2						
		510 West Fourth Street					
	3	 3 Carson City, Nevada 89703 4 Facsimile: (775) 884-8300 4 Facsimile: (775) 882-0257 <u>JWoodbury@kcnvlaw.com</u> 5 Attorneys for Reza Zandian 					
	4						
	F						
	د						
	6	IN THE FIRST JUDIC	IAL DISTRIC	L COURT			
	Ŭ	OF THE STATE OF N					
	7	CARSC	N CITY				
			•				
	8	JED MARGOLIN, an individual,	Case No.	09OC00579 1B			
		Plaintiff,	Dopt Ma	I			
	9	riamun,	Dept. No.	1			
	10	15.					
	10	OPTIMA TECHNOLOGY CORPORATION,					
	11	a California corporation, OPTIMA					
		TECHNOLOGY CORPORATION, a Nevada					
	12	corporation, REZA ZANDIAN aka					
		GOLAMREZA ZANDIANJAZI aka		1			
	13	GHOLAM REZA ZANDIAN aka REZA					
		JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an					
	14	individual, DOE Companies 1-10, DOE					
		Corporations 11-20, and DOE Individuals		· · · · · · · · · · · · · · · · · · ·			
	15	21-30,					
	16		• •				
	10	Defendants.					
	17						
	18			TIDOT			
			AFFIDAVIT OF JANO BARNHURST IN SUPPORT OF MOTION TO BETAX AND SETTLE COSTS				
	19	9 II <u>IN SUPPORT OF MOTION TO RETAX AND SETTLE COSTS</u>					
	20	STATE OF NEVADA)					
	20) ss.					
	21	CARSON CITY)					
	~						
al a l	22	I, Jano Barnhurst, being first duly sworn under penalty of perjury, depose and					
ROWE Th Stre ada Bi		state as follows:					
KAEMPFER CROWELL 510 West Fourth Street erson Cily, Nevada 89703	23	SIALE AS IULIUWS.					
AEMP 10 We		1. I am an employee with the law firm of Kaempfer Crowell.					
x 6 2	24						
				Page 1 c 5 0 4			
	1	1					

1 2. Kaempfer Crowell has been retained by Defendant REZA ZANDIAN ("Defendant"), in the above-captioned case. 2 On April 30, 2014, I contacted FedEx Office of Carson City and inquired as 3. 3 to the cost of photocopies. 4 I was advised that if photocopies are made by FedEx Office staff, the cost is 5 4. .13 cents per page. 6 I was further advised that if photocopies were made in the self-service 5. 7 center, the cost is .10 cents per page. 8 FURTHER YOUR AFFIANT SAYETH NAUGHT. 9 10 un hust. 11 JANO BARNHUR 12 Subscribed and sworn to before me by Jano Barnhurst on this 30th day of 13 April, 2014. 14 ZOL SARAH NOTARY PUBLIC STATE OF NEVAD/ 15 Apr. 1. 2015 **NOTARY PUBLIC** No. 99.1311-3 16 17 18 19 20 21 22 23 24 Page 2 0505