

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows (*Describe the property or debt using typewritten capital letters*):

ANY MONIES OWED TO THE JUDGMENT DEBTORS OR HELD FOR THE BENEFIT OF THE JUDGMENT DEBTORS.

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.

1 Ramona Featherby d.b.a.
2 California Judicial Recovery Specialists
3 3344 McGraw Street
4 San Diego, CA 92117-6053
5 800-354-9496 • FAX 866-531-7174
6 californiajrs@mac.com

ASSIGNEE OF RECORD/JUDGMENT CREDITOR

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

12 ULRICH RISCHER,

14 Plaintiff,

15 vs.

17 BANLAVOURA I, INC., et al,

19 Defendant.

13)
14) Case No. CV 96-3886 (RNBx)
15)
16)
17)
18)
19)
20)
21)

**AFFIDAVIT OF
RAMONA FEATHERBY
IN SUPPORT OF
EXAMINATION OF
THIRD PARTY**

22
23
24 I, the undersigned, declare:

25 1. I am the Assignee of Record. I have personal knowledge of the facts set
26 forth in this declaration, except as to those matters which are stated on information
27 and belief, and as to those matters, I believe them to be true.
28

1 2. The Judgment against Larry and Aida Esacove and their entities [“Judgment
2 Debtors”] remains unsatisfied with an outstanding balance exceeding \$14,361,213.00.

3 3. There is a need to examine Richard A. Lehn [“Lehn”] of Ardis & Lehn. Lehn
4 has information relative to the assets of the Judgment Debtors and may be holding
5 funds in which they hold an interest.

6 4. Lehn has provided professional services to the Judgment Debtors in the area
7 of asset protection, trusts and estate planning since at least 1998.

8 5. During an examination proceeding on May 12, 2009, Larry Esacove testified
9 that shortly after Aida Esacove was diagnosed as terminal, with Lehn’s assistance,
10 the Judgment Debtors set up a charitable foundation called the Sereshkhani
11 Foundation, Inc. [“SFI”]. According to Mr. Esacove’s testimony, SFI was formed
12 so that upon the death of Mrs. Esacove, “if there was anything that she had left,
13 materially, that it should be donated and to take care of it for charity.”
14

15 6. According to the California Secretary of State, Lehn is the agent for SFI.
16 [Exhibit 1]

17 7. This court previously issued an order on September 15, 2010 for Lehn to
18 appear for an examination. [Docket No. 491].

19 8. At Lehn’s request, I withdrew the hearing after he provided information
20 pursuant to subpoena prior to the hearing and assured me that there were no other
21 documents.

22 9. I have since discovered, however, that the documents Lehn provided were
23 incomplete. Third-party documents from Citibank show that transfers were made
24 from the Judgment Debtor’s shell corporation to Lehn to pay for the Judgment
25 Debtors’ personal services in an amount upwards of \$70,000 in the year 2008.
26 Moreover, these documents show that after I served a levy upon Ardis & Lehn on
27 October 10, 2008, the firm shifted monies back to the Judgment Debtors’ shell
28 corporation, which today is insolvent.

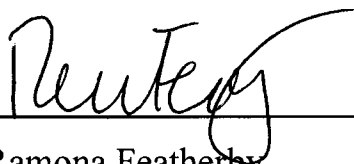
1 10. I have since attempted to contact Lehn for an explanation and to obtain the
2 missing records but to no avail.

3 11. There is a need to examine Richard A. Lehn in reference to the monies
4 received from the Judgment Debtors and the missing documents which were
5 previously withheld.

6 12. I believe that Lehn may be holding funds in which the Judgment Debtors hold
7 an interest in excess of \$250.00 and can thus be examined as a third party as provided
8 by CCP §708.120(a).

9 13. F.R. 69(a)(2) allows a judgment creditor to obtain discovery from any person
10 as provided by the procedure of the state where the court is located. CCP §708.130
11 provides that witnesses may be required to appear in an examination proceeding.

12 I declare under penalty of perjury under the United States of America that the
13 foregoing is true and correct and that this Affidavit was executed on June 15, 2011 at
14 San Diego, California.
15

16
17 
18 _____

19 Ramona Featherby
20 d.b.a. California Judicial Recovery Specialists
21 ASSIGNEE OF RECORD/JUDGMENT CREDITOR
22
23
24
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28

EXHIBIT 1

privacy *Without discrimination.*

California Secretary of State Debra Bowen

Secretary of State

Administration

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Business Entities (BE)

Online Services

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Business Entity Detail

Data is updated weekly and is current as of Friday, June 10, 2011. It is not a complete or certified record of the entity.

Entity Name:	SERESHKANI FOUNDATION, INC.
Entity Number:	C3081000
Date Filed:	04/01/2008
Status:	SUSPENDED
Jurisdiction:	CALIFORNIA
Entity Address:	9530 E. IMPERIAL HIGHWAY, SUITE J
Entity City, State, Zip:	DOWNEY CA 90242
Agent for Service of Process:	RICHARD A. LEHN
Agent Address:	9530 E. IMPERIAL HIGHWAY, SUITE J
Agent City, State, Zip:	DOWNEY CA 90242

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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