

AT-138, EJ-125

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>Franklin J. Love Bar #80334</b> <b>125 S. Citrus Avenue, Ste. 101</b> <b>Covina, CA. 91723</b>		FOR COURT USE ONLY
TELEPHONE NO.: <b>626-653-0455</b> FAX NO.:	ATTORNEY FOR (Name): <b>Assignee</b>	
NAME OF COURT: <b>United States District Court, Central District of California</b>		FILED CLERK, U.S. DISTRICT COURT  <b>APR 19 2011</b>  CENTRAL DISTRICT OF CALIFORNIA DEPUTY
STREET ADDRESS: <b>312 North Spring Street</b>		
MAILING ADDRESS: <b>Los Angeles, CA. 90012</b>		
CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: <b>Kingvision Pay-Per-View LTD., a Delaware Corporation assigned to Creative Recovery Concepts, Inc.</b>		CASE NUMBER: <b>CV-96-5912 AAH (E)</b>
DEFENDANT: <b>Hernandez Club</b>		
<b>APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION</b>		
<input checked="" type="checkbox"/> <b>ENFORCEMENT OF JUDGMENT</b> <input type="checkbox"/> <b>ATTACHMENT (Third Person)</b> <input checked="" type="checkbox"/> <b>Judgment Debtor</b> <input type="checkbox"/> <b>Third Person</b>		

**ORDER TO APPEAR FOR EXAMINATION**

- TO (name): **Max E. Hernandez, an individual**
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
  - furnish information to aid in enforcement of a money judgment against you.
  - answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
  - answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: **June 24, 2011** Time: **9:30 a.m.** Dept. or Div.: \_\_\_\_\_ Rm.: **20**

Address: Court  shown above  is: \_\_\_\_\_

This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  
 Date: **4/19/11**  
 \_\_\_\_\_  
 JUDGE OR REFEREE

**This order must be served not less than 10 days before the date set for the examination.**

**IMPORTANT NOTICES ON REVERSE**

**APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

- Judgment creditor     Assignee of record     Plaintiff who has a right to attach order  
 applies for an order requiring (name): **Max E. Hernandez, an individual** to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
  - the judgment debtor.
  - a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
- This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
- The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **04/13/2011**

**Franklin J. Love**

(TYPE OR PRINT NAME)

*[Signature]*

(SIGNATURE OF DECLARANT)

(Continued on reverse)

PLAINTIFF/PETITIONER: Kingvision Pay-Per View LTD., a Delaware Co	CASE NUMBER: CV-96-5912 AAH
DEFENDANT/RESPONDENT: Hernandez Club	

The production of the documents or the other things sought by the subpoena on page one is supported by (check one):  
 the attached affidavit or declaration     the following declaration:

**DECLARATION IN SUPPORT OF CIVIL SUBPOENA (DUCES TECUM) FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING**  
 (Code Civ. Proc., §§ 1985,1987.5)

- I, the undersigned, declare I am the  plaintiff  defendant  petitioner  respondent  
 attorney for (specify): Assignee of record     other (specify):  
 in the above-entitled action.
- The witness has possession or control of the following documents or other things and shall produce them at the time and place specified in the *Civil Subpoena for Personal Appearance and Production of Documents and Things at Trial or Hearing* on page one of this form (specify the exact documents or other things to be produced):  
 See attached Exhibit "A"

Continued on Attachment 2.

- Good cause exists for the production of the documents or other things described in paragraph 2 for the following reasons:

Continued on Attachment 3.


- These documents or other things described in paragraph 2 are material to the issues involved in this case for the following reasons:  
 These documents will tend to prove that Judgement Debtor is financially able to satisfy the Judgment herein. They will further aid Plaintiff in the collection of said Judgment.

Continued on Attachment 4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


Date: 04/13/2011

Franklin J. Love  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF  SUBPOENAING PARTY  ATTORNEY FOR SUBPOENAING PARTY)

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the date on which you are to appear. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)



(Proof of service on page 3)

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**EXHIBIT "A"**

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**A. FINANCIAL RECORDS**

1. Any and all financial statements for the last three years of the judgment debtor, including balance sheets, profit and loss statements and income statements.

2. Any and all general ledgers and journals for the last three years.

3. Any and all canceled checks, bank statements and other items which appear in any bank statement, check registers, check books, bank reconciliations, deposit slips for any deposit, copies of any checks deposited in any bank account, copies of checks which are cashed, receipts of purchase of any cashiers checks, confirmation or notifications of any wire transfers of any type or nature and notes or reports from bookkeepers pertaining to any bank statement belonging to Defendant(s).

4. Any and all loan files for the loan of any money from any person or party.

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**B. AGREEMENTS**

5. Any and all contracts, agreements, leases and other business files.

6. Any and all applications for credit with any vendor, financial institutions, creditors and third parties.

7. Any and all agreements with any and all officers, directors, employees or independent contracts with Defendant(s).

8. Any and all bills, dunning notices, claims for payment of money, statements, demands, lawsuits, vendor contracts to and from any vendor, supplier, employee or creditor who has supplied goods or services to Defendant(s).

9. Any and all agreements, notices, letters, written memorandum, bulk sales notices, correspondence, notice of transfer, disposition, lien, mortgage of any assets of Defendants to any person or party outside the ordinary course of business at any time.

