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15 Attorneys for Defendants
 16 Xcentric Ventures, LLC and
 17 Edward Magedson

18 **UNITED STATES DISTRICT COURT**
 19 **CENTRAL DISTRICT OF CALIFORNIA**

20 GINGRAS LAW OFFICE, PLLC
 21 4072 EAST MOUNTAIN VISTA DRIVE
 22 PHOENIX, ARIZONA 85048

23 **ASIA ECONOMIC INSTITUTE, LLC, et al.,**
 24 **Plaintiffs,**
 25 **vs.**
 26 **XCENTRIC VENTURES, LLC, et al.**
 27 **Defendants.**

Case No: 2:10-cv-01360-RSWL-PJW

**DECLARATION OF DAVID S.
 GINGRAS IN SUPORRT OF
 DEFENDANTS' OPPOSITION TO
 PLAINTIFFS' EX PARTE
 MOTION FOR RULE 56(f)
 RELIEF**

Trial Date: August 3, 2010
 Time: 1:30 PM
 Courtroom: 6 (Hon. Stephen Wilson)

1 I, David S. Gingras declare as follows:

2 1. My name is David Gingras. I am a United States citizen, a resident of the
3 State of Arizona, am over the age of 18 years, and if called to testify in court or other
4 proceeding I could and would give the following testimony which is based upon my own
5 personal knowledge unless otherwise stated.

6 2. I am an attorney licensed to practice law in the States of Arizona and
7 California, I am an active member in good standing with the State Bars of Arizona and
8 California and I am admitted to practice and in good standing with the United States
9 District Court for the District of Arizona and the United States District Court for the
10 Northern, Central, and Eastern Districts of California.

11 3. Since July 2009, I have been employed as General Counsel for Plaintiff
12 Xcentric Ventures, LLC. In my capacity as counsel for Xcentric Ventures I have been
13 involved in the litigation of this action since its inception. I have possession of
14 Xcentric's files relating to this case, and I am familiar with the contents thereof.

15 4. Attached hereto as Exhibit A is a copy of Plaintiffs' First Set of Requests
16 For Production [Of Documents] to Defendant Xcentric Ventures, LLC. I received this
17 pleading for the first time on June 22, 2010.

18 5. Attached hereto as Exhibit B is a copy of discovery responses I received
19 from Plaintiffs in response to Defendants Initial Set of Requests For Production of
20 Documents. As reflected at page 2, ¶ 2 of the responses, Plaintiffs objected to the
21 discovery requests on the basis that "they were prematurely served"

22 6. Attached hereto as Exhibit C is a copy of Magistrate Walsh's tentative
23 ruling dated June 24, 2010 in which the court denied Plaintiffs' request for a third
24 deposition of Ed Magedson.

25 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the
26 United States of America that the foregoing is true and correct.

27 EXECUTED ON: July 9, 2010.

/S/David S. Gingras
David S. Gingras

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CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2010 I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing, and for transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Ms. Lisa Borodkin, Esq.
Mr. Daniel F. Blackert, Esq.
Asia Economic Institute
11766 Wilshire Blvd., Suite 260
Los Angeles, CA 90025
Attorneys for Plaintiffs

And a courtesy copy of the foregoing delivered to:
Honorable Stephen V. Wilson
U.S. District Judge

/s/David S. Gingras

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