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10 707 Wilshire Blvd, Suite 4100
11 Los Angeles, CA 90017
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14 Attorneys for Plaintiff
15 Southern California Institute of Law

16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 SOUTHERN CALIFORNIA
19 INSTITUTE OF LAW, a California
20 corporation,

21 Plaintiff,

22 vs.

23 TCS EDUCATION SYSTEM, an
24 Illinois corporation; DAVID J.
25 FIGULI, an individual; and GLOBAL
26 EQUITIES, LTD. d/b/a HIGHER
27 EDUCATION GROUP, a Colorado
28 limited liability company,

Defendants.

CASE NO.: CV10-8026 PSG (AJWx)

[Assigned to Hon. Philip S. Gutierrez]

**DECLARATION OF STUART
SORENSEN REGARDING
ATTEMPTED SERVICE OF
PROCESS ON DEFENDANTS DAVID
J. FIGULI AND GLOBAL EQUITIES,
LLC D/B/A HIGHER EDUCATION
GROUP**

Action Filed: Oct. 25, 2010

1 I, Stuart Sorensen, declare:

2 1. I am over the age of eighteen and a Civil Process Server and Deputy
3 Sheriff in Jefferson County, Colorado. I am not a party to this action. I have
4 personal knowledge of the facts stated in this declaration and, if called as a witness,
5 could and would testify competently about them.

6 2. During the period between November 8 and December 20, 2010, I
7 made eight attempts to personally serve defendants David J. Figuli and Global
8 Equities, LLC d/b/a Higher Education Group (collectively, "Defendants") with the
9 following documents: (i) Complaint for Injunctive Relief and Damages in this
10 action; (ii) the Summons issued by the Court; (iii) Civil Cover Sheet, (iv) Notice of
11 Assignment to Magistrate Judge for Discovery; (v) Notice to Parties of ADR
12 Program; (vi) Certification and Notice of Interested Parties; and (vii) the Court's
13 Standing Order Regarding Newly Assigned Cases. The foregoing seven documents
14 are collectively referred to as the "Service Documents." Copies of the face pages of
15 the Service Documents are attached hereto as Exhibit A for the Court's
16 convenience. My specific attempts to serve the Defendants are set forth below.

17 3. Plaintiff's counsel provided me with what counsel believed was Mr.
18 Figuli's address in Evergreen, Colorado for his law firm. I attempted service on
19 Monday, November 8, 2010, at approximately 4:40 p.m., by going to the address
20 provided by counsel, namely, 29713 Troutdale Scenic Drive, #C-2, Evergreen,
21 Colorado, 80439. I was told by a receptionist that Mr. Figuli's law firm had
22 moved and that another law firm was now occupying the space.

23 4. Plaintiff's counsel provided me with the Defendants' addresses
24 representing that the addresses were obtained from the Web sites of the Colorado
25 Secretary of State and the State Bar of Colorado. The address for both Defendants
26 is 8697 S. Blue Creek Road, Evergreen, Colorado, 80439 ("Blue Creek Road
27

1 address”). Plaintiff’s counsel further advised me that the Colorado Secretary of
2 State’s Web site identifies Mr. Figuli as the agent for service of process for Global
3 Equities, LLC.

4 5. On Tuesday, November 9, 2010, at approximately 5:00 p.m., I went to
5 the Blue Creek Road address. I found a locked electric gate with no intercom in a
6 wooded, hillside area. I waited for several minutes, but did not see anyone arrive
7 or depart.

8 6. On Wednesday, November 24, 2010, at approximately 1:25 p.m., I
9 went to the Blue Creek Road address. I waited for several minutes, but did not see
10 anyone arrive or depart.

11 7. On Monday, November 29, 2010, at approximately 6:15 p.m., I went
12 to the Blue Creek Road address. I waited there for several minutes and did not see
13 anyone arrive or depart. Plaintiff’s counsel had also provided me with a telephone
14 number for Mr. Figuli, namely, 720-810-2495. That telephone number is reflected
15 on the Colorado Supreme Court’s record (Exhibit B). On November 29, 2010, I
16 called Mr. Figuli at the telephone number and his voicemail picked up. The
17 message stated that it was Mr. Figuli and I left him a message identifying myself,
18 the purpose of my call and requesting a return call. I never received a return call.

19 8. On Wednesday, December 8, 2010, at approximately 11:10 a.m., I
20 went to the Blue Creek Road address. I waited there for several minutes, but did
21 not see anyone arrive or depart.

22 9. On Tuesday, December 14, 2010, at approximately 4:00 p.m., I went
23 to the Blue Creek Road address. I waited there for several minutes, but did not see
24 anyone arrive or depart.

EXHIBIT A

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) SOUTHERN CALIFORNIA INSTITUTE OF LAW, a California corporation	DEFENDANTS TCS EDUCATION SYSTEM, an Illinois corporation; DAVID J. FIGULI, an individual; and GLOBAL EQUITIES, LTD. d/b/a HIGHER EDUCATION GROUP, a Colorado limited liability company
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) LAW OFFICES OF GEORGE A. SHOHEI, A PROFESSIONAL CORP. 245 Main Street, Suite 310 Venice, CA 90291-5216 Tel.: (310) 452-3176	Attorneys (If known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF DEF</td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>		PTF DEF		PTF DEF	Citizen of This State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input checked="" type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
	PTF DEF		PTF DEF														
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify):
 6 Multi-District Litigation
 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** Yes No (Check 'Yes' only if demanded in complaint.)

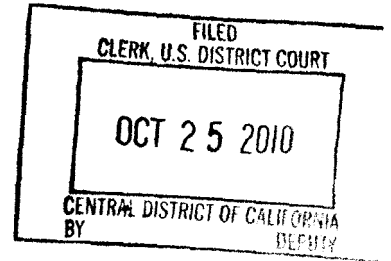
CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Sherman Antitrust Act, 15 U.S.C. § 2 (Monopoly; Attempt to Monopolize; Conspiracy to Monopolize); 28 U.S.C. § 1332 (Diversity)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input checked="" type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV10-8026



1 **LAW OFFICES OF GEORGE A. SHOJET,**
2 **A PROFESSIONAL CORPORATION**

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4 245 Main Street, Suite 310
5 Venice, CA 90291-5216
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9 Gretchen M. Nelson (SBN 112566)
10 Jacob Mensch (SBN 268006)
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12 Los Angeles, CA 90017
13 Tel.: (213) 622-6469
14 Fax: (213) 622-6019

15 Attorneys for Plaintiff
16 Southern California Institute of Law

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

19 SOUTHERN CALIFORNIA
20 INSTITUTE OF LAW, a California
21 corporation,

22 Plaintiff,

23 vs.

24 TCS EDUCATION SYSTEM, an
25 Illinois corporation; DAVID J.
26 FIGULI, an individual; GLOBAL
27 EQUITIES, LTD. d/b/a HIGHER
28 EDUCATION GROUP, a Colorado
limited liability company,

Defendants.

CASE NO.: **CV10-8026** PSC
(ASV)

**COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES**

JURY TRIAL DEMANDED

SHERIFF'S OFFICE
CIVIL
2010 NOV - 1 AM 10: 59
JEFFERSON COUNTY
GOLDEN, CO

Name & Address: George A. Shohet, SBN 112697
LAW OFFICES OF GEORGE A. SHOHEIT,
A PROFESSIONAL CORPORATION
245 Main Street, Suite 310
Venice, CA 90291-5216
Tel.: (310) 452-3176; Fax: (310) 452-2270

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN CALIFORNIA INSTITUTE OF LAW, a
California corporation,

PLAINTIFF(S)

v.

TCS EDUCATION SYSTEM, an Illinois corporation;
DAVID J. FIGULI, an individual; [SEE ATTACHED
EXHIBIT "A" FOR ADDITIONAL DEFENDANTS]

DEFENDANT(S).

CASE NUMBER

CV10-8026 PS9
(AJWx)

SUMMONS

TO: DEFENDANT(S): SEE ATTACHED EXHIBIT "B"

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, George A. Shohet, whose address is 245 Main Street, Suite 310, Venice, CA 90291-5216. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 10-25-10

By: TANYA DURANT
Deputy Clerk



1188

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

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

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Philip S. Gutierrez and the assigned discovery Magistrate Judge is Andrew J. Wistrich.

The case number on all documents filed with the Court should read as follows:

CV10- 8026 PSG (AJWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

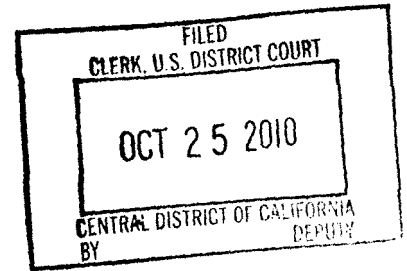
Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.



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

**SOUTHERN CALIFORNIA INSTITUTE
OF LAW**

PLAINTIFF(S)

v.

TCS EDUCATION SYSTEM, ET AL.

DEFENDANT(S).

CASE NUMBER

CV10- 8026 PSG (AJWx)

**NOTICE TO PARTIES OF ADR
PROGRAM**

Dear Counsel,

The district judge to whom the above-referenced case has been assigned is participating in an ADR Program. All counsel of record are directed to jointly complete the attached ADR Program Questionnaire, and plaintiff's counsel (or defendant in a removal case) is directed to concurrently file the Questionnaire with the report required under Federal Rules of Civil Procedure 26(f).

Clerk, U.S. District Court

10/25/10

Date

By: TDURANT

Deputy Clerk

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR, OR, PLAINTIFF OR DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER

George A. Shohet, SBN 112697
LAW OFFICES OF GEORGE A. SHOHEH,
A PROFESSIONAL CORPORATION
245 Main Street, Suite 310
Venice, CA 90291-5216
Telephone: (310) 452-3176
Facsimile: (310) 452-2270
georghshohet@gmail.com

ATTORNEYS FOR: Plaintiff Southern California Institute of Law

FILED
CLERK U.S. DISTRICT COURT
OCT 25 2010
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN CALIFORNIA INSTITUTE OF LAW,
a California corporation,

Plaintiff(s),

v.

TCS EDUCATION SYSTEM, an Illinois
corporation; DAVID J. FIGULI, an individual; [See
Attachment for Additional Defendants]

Defendant(s)

CASE NUMBER:

CV10-8026 PSG
(AJW)

CERTIFICATION AND NOTICE
OF INTERESTED PARTIES
(Local Rule 7.1-1)

TO: THE COURT AND ALL PARTIES APPEARING OF RECORD:

The undersigned, counsel of record for plaintiff Southern California Institute of Law (or party appearing in pro per), certifies that the following listed party (or parties) may have a direct, pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal. (Use additional sheet if necessary.)

PARTY

CONNECTION

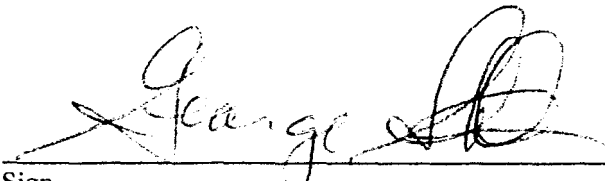
(List the names of all such parties and identify their connection and interest.)

Southern California Institute of Law
TCS Education System
David J. Figuli
Global Equities, Ltd. d/b/a Higher Education Group

Plaintiff
Defendant
Defendant
Defendant

October 25, 2010

Date


Sign

George A. Shohet, Attorney for Plaintiff
Attorney of record for or party appearing in pro per

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E-FILED 10/26/10

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

SOUTHERN CALIFORNIA
INSTITUTE OF LAW,

Plaintiff,

v.

TCS EDUCATION SYSTEM, et al.,

Defendants.

CASE NO. CV10-8026 PSG(AJWx)

**STANDING ORDER
REGARDING NEWLY
ASSIGNED CASES**

READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.

This action has been assigned to the calendar of Judge Philip S. Gutierrez. The responsibility for the progress of litigation in the Federal Courts falls not only upon the attorneys in the action, but upon the Court as well. "To secure the just, speedy, and inexpensive determination of every action," Fed. R. Civ. P. 1, all counsel are hereby ordered to familiarize themselves with the Fed. R. Civ. P. , particularly Fed. R. Civ. P. 16, 26, the Local Rules of the Central District of

EXHIBIT B

COLORADO SUPREME COURT



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Colorado Attorney Information

[← Previous Page](#)

Name	Status	Registration / Bar Number
FIGULI, DAVID JOHN	ACTV	13597

Is in Private Practice

Yes

Carries Professional Liability Insurance

Yes

(What does this mean? - [Click Here for more information](#))

Business Information

Phone

(720)810-2495

Fax

Firm Name

DAVID J FIGULI ESQ

Business Address

8697 BLUE CREEK RD

City

EVERGREEN

State

CO

Zip Code

80439

Admission Date

01/03/1984

[← Previous Page](#)

Disciplinary & Disability History

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of the foregoing document via Central District of California CM/ECF system on April 18, 2011

/s/ George A. Shoheit

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