

1 JAMES J. BANKS (SBN 119525)
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**FILED
 ENDORSED**

2008 APR 22 PM 2:30
 LAW AND MOTION #1.

9 Attorneys for Plaintiff
 10 ERIC GRANT

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 12 IN AND FOR THE COUNTY OF SACRAMENTO

13 ERIC GRANT,

14 Plaintiff,

15 v.

16 JOHN GOEMANS, and ROES 1 through 10,
 17 inclusive,

18 Defendants.

Case No. 07AS04172

**DECLARATION OF JAMES J. BANKS IN
 SUPPORT OF MOTION TO COMPEL
 FURTHER RESPONSE TO REQUEST FOR
 PRODUCTION OF DOCUMENTS AND
 FOR EVIDENTIARY AND MONETARY
 SANCTIONS**

DATE: May 21, 2008
 TIME: 9:00 A.M.
 DEPT: 54

Complaint Filed: September 11, 2007

19 I, JAMES J. BANKS, declare:

20 1. I am an attorney at law, licensed to practice before the courts of this State. I am a
 21 member of Banks & Watson, and I am counsel of record to the plaintiff, Eric Grant ("Grant"), in the
 22 captioned litigation. I make the statements set forth in this declaration of my own personal knowledge.
 23 If I were required to, I could and would competently testify to the following matters.

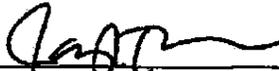
24 2. On April 7, 2008, I received a telephone call from John Goemans ("Goemans"), the
 25 defendant in this action. He left me a voicemail. The voicemail identified the caller as Goemans and
 26 that he was presently in Honolulu. It stated in relevant part: "Jim, John Goemans on Monday. It's 10
 27 11 where I am, which is Honolulu . . ." I had the voicemail transcribed. A true and correct copy of its
 28 content is attached to this declaration as Exhibit A.

(00038738.DOC; 1)

DECLARATION OF JAMES J. BANKS IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSE TO
 REQUEST FOR PRODUCTION OF DOCUMENTS AND FOR EVIDENTIARY AND MONETARY SANCTIONS

EXHIBIT B

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct and that this Declaration was executed on April 22, 2008 at Sacramento, California.

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5 _____
6 JAMES J. BANKS
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