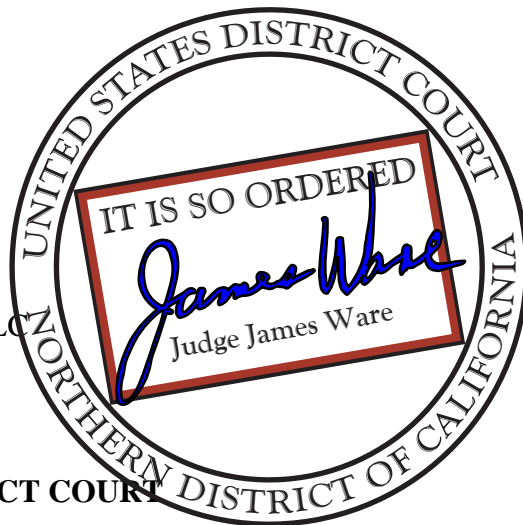


1 ROBERT L. BRACE, SBN 122240
 rlbrace@hbsb.com
 2 PETER L. CANDY, SBN 149976
 pcandy@hbsb.com
 3 **HOLLISTER & BRACE**
 P.O. Box 630
 4 Santa Barbara, CA 93102
 Telephone: (805) 963-6711
 5 Facsimile: (805) 965-0329

6 Attorneys for Counter-Claimant Thomas Dillon,
 as Court-Appointed Receiver for Vesta Strategies, LLC
 7 and Excalibur 1031 Group LLC



8
 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 UNITED STATES FIRE INSURANCE
 13 COMPANY, a corporation,

14 Plaintiff,

15 vs.

16 VESTA STRATEGIES, LLC, a limited
 liability company; SAMUEL W. HENKA, an
 17 individual,

18 Defendants.

Case No.: 09-cv-02388 JW

Assigned to Hon. James Ware

STIPULATION AND ~~PROPOSED~~
ORDER FOR PRODUCTION OF
DOCUMENTS

19 THOMAS DILLON, as Receiver for Vesta
 Strategies, LLC

20 Counter-Claimant,

21 vs.

22 UNITED STATES FIRE INSURANCE
 COMPANY, a corporation.

23 Counter-Defendant.
 24

25 Counter-Claimant THOMAS A. DILLON, as Court-Appointed Receiver for Vesta
 26 Strategies, LLC and Excalibur 1031 Group (“Dillon”) and Borel Private Bank and Trust
 27 Company (“Borel”), by and through their respective counsel, stipulate and agree as follows:
 28

1 1. On September 30, 2011, the United States District Court, Northern District of
2 California, through counsel for Dillon, issued the subpoena attached hereto as Exhibit A to
3 Borel. Borel thereafter timely served objections.

4 2. Following a reasonable search and investigation, Borel has located documents in
5 accounts in the name of IAG 1031, LLC (“IAG 1031”) responsive to the subpoena. Dillon is
6 not a signatory to the IAG 1031 accounts at Borel, but asserts that he (as the Receiver for Vesta,
7 the successor of IAG 1031) owns all right, title and interest to said accounts. In addition, Dillon
8 asserts that certain signatories to the IAG 1031 account have agreed that the IAG 1031
9 documents may be released to Dillon.

10 3. Borel desires to comply in good faith with its obligations to respond to the
11 subpoena, and its obligations to its account holders. As a result, and for the reasons stated
12 herein, Dillon and Borel agree as follows:

13 a. Borel shall send written notice (the “Written Notice”) containing the
14 subpoena, this Stipulation and [Proposed] Order for Production of Documents and a
15 statement that Borel intends to produce documents responsive to the subpoena, absent an
16 objection or motion to quash, by U.S. Mail to the last known address of IAG 1031 and
17 the last known address of the signatories of the IAG 1031 accounts. The signatories on
18 the IAG 1031 accounts (the “IAG 1031 Signatories”) are Robert Estupinian, Ginny
19 Hillig (a/k/a Ginny Estupinian), Peter Ye and Sarah Gaus. Within 5 days of the
20 execution and filing of this Order, Dillon will serve the executed and filed Order on IAG
21 1031 and the IAG 1031 Signatories.

22 b. If there is no objection in writing or motion to quash filed and served
23 within the latter of 15 days after the date of the Written Notice or 5 days after service of
24 the Order as specified in 3.a, Borel is authorized to produce said documents to Dillon’s
25 attorney of record.

26 c. If there is an objection in writing or a motion to quash filed and served
27 within the time frames specified in 3.b., Borel need not produce such documents unless
28 and until said objection is resolved between IAG 1031, the IAG 1031 Signatories or the

1 objecting entity or person, on the one hand, and Dillon on the other hand, via motion or
2 otherwise, in a manner that authorizes Borel to produce such documents.

3 4. Upon the production of documents pursuant to this Stipulation and Order, Dillon
4 shall maintain the confidentiality of the documents and information therein and shall use the
5 documents and information for no purpose other than this action and shall not disclose the
6 documents outside of this action.

7 IT IS SO STIPULATED.

8
9 DATED: December 16, 2011

HOLLISTER & BRACE

10

11 By: /s/ Robert L. Brace
12 ROBERT L. BRACE
13 PETER L. CANDY
14 Attorneys for Counter-Claimant
15 THOMAS DILLON, AS COURT-
16 APPOINTED RECEIVER FOR
17 VESTA STRATEGIES, LLC and
18 EXCALIBUR 1031 SERVICES

17 DATED: December 16, 2011

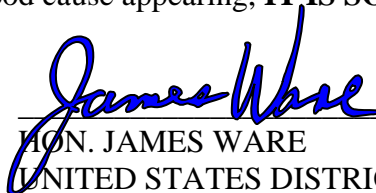
NIXON PEABODY LLP

18

19 By: /s/ Bruce E. Copeland
20 BRUCE E. COPELAND
21 Attorneys for Non-party
22 BOREL PRIVATE BANK &
23 TRUST COMPANY
24 ORDER

24 The parties having stipulated and good cause appearing, **IT IS SO ORDERED.**

25
26 DATED: January 17, 2012

27 
28 _____
29 HON. JAMES WARE
30 UNITED STATES DISTRICT JUDGE

28

EXHIBIT A
SUBPOENA TO BOREL

UNITED STATES DISTRICT COURT

for the
Northern District of California

Thomas A. Dillon, as Court-Appointed Receiver for Vesta
Strategies, LLC and Excalibur 1031 Group, LLC,

Plaintiff

v.

United States Fire Insurance Company,

Defendant

Civil Action No. 5:09-cv-2388-JW-PVT

(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Custodian of Records for
Borel Private Bank & Trust Company
160 Bovet Road, San Mateo, California 94402

Production: **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See Attachment A

Place: Hollister & Brace 1126 Santa Barbara Street Santa Barbara, California 93101	Date and Time: 10/31/2011 9:00 am
--	--

Inspection of Premises: **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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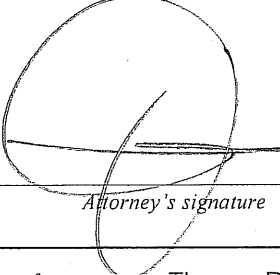
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/30/2011

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Thomas Dillon, as

Court-Appointed Receiver for Vesta Strategies, LLC and Excalibur 1031 Services, who issues or requests this subpoena, are:

Robert L. Brace, Esq.
Peter L. Candy, Esq.
Hollister & Brace
1126 Santa Barbara Street,
Santa Barbara, California 93101 Tel:(805) 963-6711 / Email: rlbrace@hbsb.com / plcandy@hbsb.com

ATTACHMENT "A"

DOCUMENTS

Attached hereto as **Exhibit A** are the Orders appointing Thomas Dillon ("Dillon") as the Court-Appointed Receiver for Vesta Strategies, LLC ("Vesta") and Excalibur 1031 Group, LLC ("Excalibur") and designating Hollister & Brace as his counsel. As Receiver, Dillon represents and acts on behalf of Vesta and Excalibur and is entitled to receive the documents requested below:

Produce all "Documents" and "Communications" related to the following entities or persons, or any entity related to each or any of them:

1. **Vesta Strategies, LLC**
 - a. **Investment Advantage Group, LLC**
 - b. **IAG, LLC**
 - c. **IAG 1031, LLC**
 - d. **Vesta Reverse 100**
 - e. **Vesta Capital Advisors, LLC**
 - f. **Vesta Reverse 100, LLC**
 - g. **Vesta Reverse 221, LLC**
2. **Excalibur 1031 Group, LLC**
3. **John Terzakis**
4. **Peter Ye**
5. **Robert Estupinian**

The term "Documents" or "Communications" herein is used in the broadest sense possible and shall mean all documents related to the above entities including signature cards, account statements, checks and deposit slips, emails regarding the accounts, correspondence regarding the accounts, opening account documents, records of incoming and outgoing wire transfers, account standing records and any other records that reflect the transactions with these accounts.

Any such "Document" is to be produced in a reasonably legible and usable form. Where possible, the "Documents" produced shall be made available electronically, in readable "TIF" or "PDF" disc format.

For purposes of this request, "Documents" or "Communications" shall include all documents or communications containing variations on the names "Excalibur 1031 Group, LLC" and "Vesta Strategies, LLC"

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

United States Fire Insurance Company,

NO. C 09-02388 JW

Plaintiff,

**ORDER GRANTING MOTION TO
APPOINT RECEIVER; ORDER
APPOINTING RECEIVER**

v.

Vesta Strategies, LLC, et al.,

Defendants.

Presently before the Court is Counter-Claimants and Cross-Claimants Samuel W. Henka, Michael Simmons, Joyce Simmons, Christopher Walsh, and Maria Del Carmen Alonso's (collectively, "Cross-Claimants") Motion to Appoint Receiver for Defendant Vesta Strategies, LLC and Cross-Defendant Excalibur 1031 Group, LLC. (hereafter, "Motion," Docket Item No. 75.) Plaintiff does not oppose the Motion. (See Response of U.S. Fire Insurance Company to Motion for Appointment of Receiver at 2, hereafter, "Response," Docket Item No. 93.) The Court finds it appropriate to take the matter under submission without oral argument. See Civ. L.R. 7-1(b). Cross-Claimants seek appointment, on behalf of themselves and the putative class, of a receiver to represent and act on behalf of Vesta Strategies, LLC and Excalibur 1031 Group, LLC (collectively, "Exchange Entities"). (Motion at 4.)

Cross-Claimants move for appointment of a receiver on the following basis:

As it stands, the Exchange Entities have been abandoned by their owners, and are currently incapacitated and without representation. The only known asset of any value held by the Exchange Entities and available to satisfy creditors' claims are the Commercial Crime [Insurance] Policies with 1031 Tax-Deferred Exchange Endorsements purchased by the Exchange Entities ('Crime Policies'). The Crime Policies protect against owner theft of

1 client funds in qualified intermediaries such as the Exchange Funds. The Crime Policies are
2 in imminent danger of being harmed or forever lost as a result of the incapacitation of the
3 Exchange Entities. A receiver is needed to take control of the Exchange Entities and
4 represent their interests, as well as to manage, preserve, and protect the assets of the
5 Exchange Entities, including the Crime Policies.

6 The Crime Policies, by their terms, require the named insureds to submit notice and
7 proof of loss due to owner theft as a prerequisite to obtaining any benefits under the Policies.
8 The named insureds under the Crime Policies are the Exchange Funds, not Cross-Claimants.
9 The owners of the Exchange Funds (Cross-Defendants John Terzakis and Robert
10 Estupinian), who are accused of looting the Exchange Funds, have failed and refused to
11 make a claim under the Policies. Furthermore, each of the Crime Policies require that claims
12 made against the Policies be timely. Thus, unless a receiver is appointed to act in the name
13 of the Exchange Entities to preserve and protect the insurance, the Crime Policies face the
14 immediate danger of loss by default.

15 (Motion at 4-5, 7, 9-10, 14.)

16 Upon review of the parties' submissions, the Court finds that appointment of a receiver is
17 warranted in this case to protect the interest of Cross-Claimants and the putative class as creditors
18 against the potential loss of assets held by the Exchange Funds. See Civ. L.R. 66; Fed. R. Civ. P.
19 66; S.E.C. v. Hardy, 803 F.2d 1034, 1038-39 (9th Cir. 1986).

20 Accordingly, the Court GRANTS Cross-Claimants' Motion and appoints Thomas A. Dillon
21 as Receiver to represent and act on behalf of Vesta Strategies, LLC and Excalibur 1031 Group,
22 LLC.¹ This appointment is effective upon the filing of (1) the Oath of Receiver and (2) Receiver's
23 Bond in the penal sum of \$2,500.

24 During the period of receivership, IT IS ORDERED THAT THE RECEIVER SHALL BE
25 AUTHORIZED AS FOLLOWS:

- 26 (1) The Receiver shall assume possession and control of all property and assets held in
27 the name of the Exchange Entities, including, without limitation, any and all
28 insurance policies and related assets purchased by or owned by the Exchange Entities
(the "Property").

29 ¹ Cross-Claimants represent that Mr. Dillon is a practicing attorney who has served
30 numerous appointments as an independent fiduciary and receiver under the supervision and direction
31 of federal district courts, and is willing to act as a receiver in this case at an hourly rate of \$300.
32 (See Declaration of Peter L. Candy in Support of Motion to Appoint Receiver ¶¶17-18, Ex. 1,
33 Docket Item No. 76.)

1 (2) The Receiver shall manage, preserve, and maintain the Property, on behalf of the
2 receivership estate (the "Estate"), and any creditors of the Estate, pending further
3 order of the Court. This includes filing notices of claims and submitting proofs of
4 loss as necessary to protect and preserve insurance claims on behalf of the creditors
5 of the Estate.

6 (3) The Receiver shall take possession of all the books and records pertaining to the
7 Property of the Exchange Entities, wherever located, as the Receiver deems necessary
8 for the proper administration, management or control of the Property of the Estate.

9 (4) The Receiver shall execute and prepare all documents and perform all acts, either in
10 the name of the Exchange Entities or in the Receiver's own name, which are
11 necessary or incidental to preserving, protecting, managing or controlling the
12 Property of the Estate.

13 (5) The Receiver shall employ agents, servants, employees, accountants, and
14 management consultants, and others as reasonably necessary to preserve, protect,
15 manage or control the Property of the Estate.

16 (6) In the event monies come into possession of the Receiver pursuant to his
17 administration, management or control of the Estate, the same shall be held by the
18 Receiver as a common fund for the payment of the Exchange Entities' obligation to
19 creditors suing the Exchange Entities on claims raised in the Counter-Complaint and
20 Cross-Complaint filed in this action, subject to such orders as the Court may issue as
21 to their disposition.

22 (7) The Receiver shall establish bank accounts for the deposit of monies and funds
23 collected and received in connection with his administration of the Estate, at any
24 financial institution the Receiver deems appropriate, provided that any funds on
25 deposit at the financial institution are fully insured by an agency of the United States
26 government.

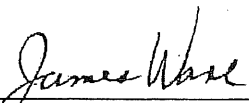
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United States District Court
For the Northern District of California

- 1 (8) The Receiver shall institute ancillary proceedings as are necessary to preserve and
2 protect the Estate, and the Receiver may engage the services of legal counsel, if
3 necessary, upon further application to the Court.
- 4 (9) The Receiver shall, to the extent feasible, within ninety (90) days of his qualification
5 hereunder, file in this action an inventory of all Property of which he shall have taken
6 possession pursuant to this Order and shall conduct periodic accountings thereafter.
- 7 (10) The Receiver shall prepare periodic interim statements reflecting the Receiver's fees
8 and administrative costs and expenses incurred for that interim period in the
9 operation and administration of the Estate. Upon completion of an interim statement,
10 and the mailing of the statement to the parties' respective attorneys of record, or any
11 other designated person or agent, the Receiver shall submit the interim statements to
12 the Court for its approval and confirmation.
- 13 (11) The Receiver's fees and administrative costs and expenses approved by the Court
14 shall be taxed as a cost against monies coming into possession of the Receiver
15 pursuant to his administration, management or control of the Estate, and held as a
16 common fund for the benefit of the creditors suing the Exchange Entities on claims
17 raised in the Counter-Complaint and Cross-Complaint filed in this action.
- 18 (12) The Receiver, or any party to this action, may, from time to time and on due notice to
19 all parties, apply to the Court for further orders instructing the Receiver.

20 IT IS FURTHER ORDERED that the Exchange Entities, and all persons and entities now in
21 possession of any part of the Property, shall immediately surrender their possession thereof to the
22 Receiver.

23
24 Dated: December 16, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

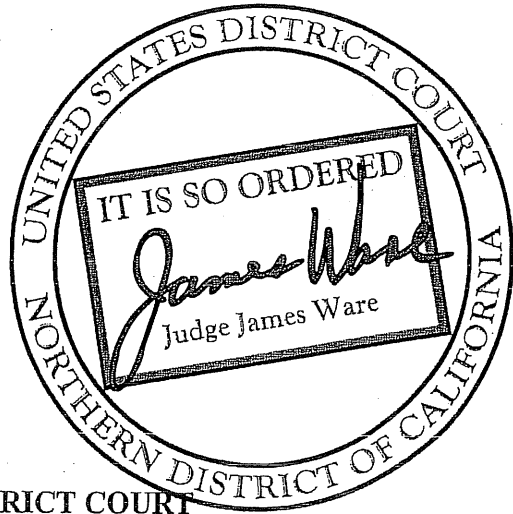
- 2 Andrew B. Downs andy.downs@bullivant.com
3 Becki F. Kieffer courtir@troutmansanders.com
4 Charles Edward Wheeler cwheeler@cozen.com
5 Kevin Richard Martin kevin@pattonmartinsullivan.com
6 Peter Roldan peter.roldan@bullivant.com
7 Peter Laurence Candy plcandy@hbsb.com
8 Robert Louis Brace rbrace@hbsb.com
9 Shawn Robert Parr shawn@parrlawgroup.com

10 **Dated: December 16, 2009**

Richard W. Wicking, Clerk

11 **By: /s/ JW Chambers**
12 **Elizabeth Garcia**
13 **Courtroom Deputy**

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES FIRE INSURANCE
COMPANY, a corporation,

Plaintiff,

vs.

VESTA STRATEGIES, LLC, a limited liability
company; SAMUEL W. HENKA, an individual,

Defendants.

Case No.: C0902388 JW PVT

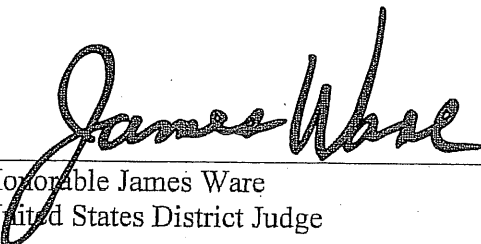
~~PROPOSED~~ ORDER
APPOINTING THE LAW FIRM
OF HOLLISTER & BRACE TO
ACT AS LEGAL COUNSEL TO
THOMAS A. DILLON, COURT
APPOINTED RECEIVER

Judge: Hon. James Ware
Courtroom 8, 4th Floor, San Jose

Good cause appearing, Thomas A. Dillon, in his capacity as Court Appointed Receiver for defendant Vesta Strategies, LLC and non-defendant Excalibur 1031 Group, LLC, is hereby authorized to engage the law firm of Hollister & Brace to act as legal counsel of record for the Receiver in the above-captioned matter, and for purposes of instituting ancillary proceedings as necessary to preserve and protect the property of the receivership estate.

IT IS SO ORDERED:

Dated: September 23, 2010


Honorable James Ware
United States District Judge

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.*

These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

<i>Attorney or Party without Attorney:</i> Law Offices Of: Hollister & Brace 1126 Santa Barbara Street Santa Barbara, CA 93110 Telephone No: (805) 963-6711 FAX No: (805) 965-0329		<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff		<i>Ref. No. or File No.:</i> 7549.001	
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court			
<i>Plaintiff:</i> THOMAS A. DILLON <i>Defendant:</i> UNITED STATES FIRE INSURANCE COMPANY			
PROOF OF SERVICE Subpoena in a Civil		<i>Hearing Date:</i> Mon, Oct. 31, 2011	<i>Time:</i> 9:00AM
		<i>Dept/Div:</i>	<i>Case Number:</i> 5:09-cv-2388-JW-PVT

1. *At the time of service I was at least 18 years of age and not a party to this action.*
2. I served copies of the Subpoena in a Civil Case; Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action; Order Appointing the Law Firm of Hollister & Brace to Act as Legal Counsel to Thomas A. Dillon, Court Appointed Receiver
3.
 - a. *Party served:* Custodian of Records for BOREL PRIVATE BANK & TRUST COMPANY
 - b. *Person served:* Frely Kelly / Customer Service Representative Authorized to Accept Service of Process
4. *Address where the party was served:* 160 Bovet Road
San Mateo, CA 94402
5. *I served the party:*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Wed., Oct. 05, 2011 (2) at: 3:32PM
 - b. *I received this subpoena for service on:* Monday, October 03, 2011
6. *Witness fees were not demanded or paid.*

7. Person Who Served Papers:

Recoverable Cost Per CCP 1033.5(a)(4)(B)

a. Doug Schroeder

d. **The Fee for Service was:** \$75.00



674 County Square Drive, Suite 107
 Ventura, California 93003
 Pn: (805) 658-8271 • Fax: (805) 658-2170
 www.compsolve.net
Now Head of Attorney Service

- e. I am: (3) registered California process server
- (i) Independent Contractor
 - (ii) *Registration No.:* 203
 - (iii) *County:* Marin

8. *I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.*
Date: Thu, Oct. 06, 2011