Document 61-5

Filed 10/01/2007

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POINTS AND AUTHORITIES

FRCP 69 (a) states that:

The procedure on execution, in proceedings supplementary to and in aid of a judgment, and in proceedings on and in aid of execution shall be in accordance with the practice and procedure of the state in which the district court is held, existing at the time the remedy is sought. . . In aid of the judgment or execution, the judgment creditor or a successor in interest when that interest appears of record, may obtain discovery from any person, including the judgment debtor, in the manner provided in these rules or in the manner provided by the practice of the state in which the district court is held.

FRCP 69(a). NRS 21.270 provides in pertinent part that:

- · 1. A judgment creditor, at any time after the judgment is entered, is entitled to an order from the judge of the court requiring the judgment debtor to appear and answer upon oath or affirmation concerning his property, before:
 - (a) The judge or a master appointed by him; or
 - (b) An attorney representing the judgment creditor.

At a time and place specified in the order...

Because a judgment has been entered against defendants, a copy of which is attached hereto and labeled Exhibit "1," plaintiff is entitled to an order requiring CALVIN AYRE, owner and CEO of the judgment debtors, to appear at the law offices of HUTCHISON & STEFFEN, LLC, Peccole Professional Park,10080 West Alta Drive, Suite 200, Las Vegas, NV 89145, on October 4, 2007 at 10:00 a.m. to answer questions under oath regarding judgment debtors' property.

DATED this 314 day of August, 2007.

HUTCHISON & STEFFEN, LLC

L. Kristopher Rath (5749) Peccole Professional Park

10080 West Alta Drive, Suite 200

Las Vegas, NV 89145 Tel: (702) 385-2500 Fax: (702) 385-2086

Attorneys for Plaintiff Ist Technology LLC

PECCOLE PROFESSIONAL PARK COBO WEST ALTA DRIVE, SUITE 2 LAS VEGAS, NV 89145

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This motion is based on FRCP 69, NRS 21.270, the following points and authorities, and the pleadings, papers and documents previously filed with the Court.

DATED this 319 day of August, 2007.

HUTCHISON & STEFFEN, LLC

L. Kristopher Rath (5749) Peccole Professional Park

10080 West Alta Drive, Suite 200

Las Vegas, NV 89145 Tel: (702) 385-2500 Fax: (702) 385-2086

Attorneys for Plaintiff 1st Technology LLC