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7

8 **IN THE UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 In Re JAZI GHOLAMREZA ZANDIAN,

11 Debtor.

12 _____/
13 FRED SADRI, AS TRUSTEE FOR THE
STAR LIVING TRUST, DATED APRIL 14,
14 1997; RAY KOROGHLI AND SATHSOWI
T. KOROGHLI, AS MANAGING
15 TRUSTEES FOR KOROGHLI
MANAGEMENT TRUST,

16 Plaintiffs,

17 v.

18 JED MARGOLIN; JAZI GHOLAMREZA
ZANDIAN; and all other parties claiming an
19 interest in real properties described in this
action,

20 Defendants.

21 PATRICK CANET,

22 Counterclaimant,

23 v.

24 FRED SADRI, INDIVIDUALLY AND AS
TRUSTEE FOR THE STAR LIVING
TRUST; RAY KOROGHLI,
25 INDIVIDUALLY; RAY KOROGHLI AND
SATHSOWI T. KOROGHLI, AS
26 MANAGING TRUSTEES FOR
KOROGHLI MANAGEMENT TRUST,

27 Counter-Defendants.
28 _____/

Case No. BK-N-16-50644-BTB

Adversary No. 17-05016-BTB

**DEFENDANT AND CROSS-DEFENDANT
JED MARGOLIN'S ANSWERS TO
SUPPLEMENTAL INTERROGATORIES
ARISING FROM INITIAL 7037
CONSULTATION**

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PATRICK CANET,
Cross-Claimant,
v.
JED MARGOLIN,
Cross-Defendant.

TO: Plaintiffs and your attorneys of record:

On January 18, 2018, counsel for the parties conducted an Initial 7037 Consultation. During such consultation, Plaintiffs’ counsel requested additional and/or supplemental information from Defendant and Cross-Defendant Jed Margolin.

Defendant and Cross-Defendant Jed Margolin, (“Margolin”), by and through his attorneys, the law firm of Brownstein Hyatt Farber Schreck LLP, hereby answers Plaintiffs’ additional and/or supplemental interrogatories, as follows:

DEFINITIONS

A. “Nondiscoverable/Irrelevant.” The interrogatory in question concerns a matter that is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

B. “Unduly burdensome.” The interrogatory in question seeks discovery which is unduly burdensome or expensive, taking into account the needs of the case, limitations on the party’s resources, and the importance of the issues at stake in the litigation.

C. “Vague.” The interrogatory in question contains a word or phrase which is not adequately defined, or the overall interrogatory is confusing or ambiguous, and Plaintiff is unable to reasonably ascertain what information or documents Defendants’ seeks.

D. “Overly broad.” The interrogatory seeks information or documents beyond the

1 scope of, or beyond the time period relevant to, the subject matter of this litigation and,
2 accordingly, seeks information or documents which are nondiscoverable/irrelevant and is unduly
3 burdensome.

4 E. "Communication." The term "communication" means the transmittal or
5 information (in the form of facts, ideas, inquiries or otherwise) and shall embrace and include all
6 written communications and other communications including without limitation every discussion,
7 conversation, conference, meeting, interview, telephone call, or doctor, and any other professional
8 service visit.

9 GENERAL OBJECTIONS

10 Margolin objects to Plaintiffs' requests to the extent that they seek any information protected by
11 any absolute or qualified privilege or exemption, including, but not limited to, the attorney-client
12 privilege, the attorney work-product exemption, and the consulting-expert exemption.

13 Specifically, Margolin objects to Plaintiffs' requests on the following grounds:

14 A. Margolin objects to Plaintiffs' requests to the extent they seek documents or
15 disclosure of information that is protected from disclosure by the attorney-client privilege in
16 accordance with Rule 26 of the Federal Rules of Civil Procedure

17 B. Margolin objects to Plaintiffs' requests to the extent they seek documents or
18 disclosure of information that is protected from disclosure by the work-product exemption in
19 accordance with Rule 26 of the Federal Rules of Civil Procedure and applicable case law.

20 C. Margolin objects to Plaintiffs' requests to the extent they seek documents or
21 information protected from disclosure pursuant to the consultant-expert exemption in accordance
22 with Rule 26 of the Federal Rules of Civil Procedure and applicable case law.

23 D. Margolin objects to Plaintiffs' requests to the extent they are excessively
24 burdensome in that much of the information requested may be obtained by Plaintiff from other
25

1 sources more conveniently, less expensively, and with less burden.

2 E. This response will be made on the basis of information and writings available to
3 and located by Margolin upon reasonable investigation of his records. There may be other and
4 further information respecting the requests propounded by Plaintiffs of which Margolin, despite
5 his reasonable investigation and inquiry, is currently unaware. Margolin reserves the right to
6 modify or enlarge any response with such pertinent additional information as it may subsequently
7 discovered.

8 F. No incidental or implied admissions will be made by the responses to requests.
9 The fact that Margolin may respond or object to any request or part thereof shall not be deemed
10 an admission that he accepts or admits the existence of any facts set forth or assumed by such
11 request, or that such response constitutes admissible evidence. That fact that Margolin responds
12 to part of any request is not to be deemed a waiver by Margolin of his objections, including
13 privilege, to other parts of such requests.

14 G. Margolin objects to any instruction or request to the extent that it would impose
15 upon it greater duties than are set forth under the Federal Rules of Civil Procedure. Plaintiff will
16 supplement its responses to certain requests as required by Rule 26 of the Federal Rules of Civil
17 Procedure.

18 H. Margolin conducted and is conducting a reasonable and good faith search of
19 electronically stored information in response to the requests.

20 I. Each response will be subject to all objections as to competence, relevance,
21 materiality, propriety, and admissibility, and to any and all other objections on any ground which
22 would require the exclusion from evidence of any statement herein if any such statements were
23 made by a witness present and testifying at trial, all of which objections and grounds are
24 expressly reserved and may be interposed at such hearings.

1 J. Margolin adopts by reference the above objections and incorporates each objection
2 as if it was fully set forth below in each of its responses.

3 **SUPPLEMENTAL INTERROGATORIES**

4 **INTERROGATORY NO. 1:**

5 Identify what documents or communications Margolin received before to the April 3,
6 2015 execution sales regarding:

- 7
- 8 a. Properties owned by Zandian in Washoe and Clark County;
 - 9 b. Any lis pendens, liens, encumbrances or instruments recorded against the
10 properties owned by Zandian identified in response to 1a;
 - 11 c. Any title reports, policies, guarantees or other title insurance products referencing
12 properties owned by Zandian identified in response to 1a;
 - 13 d. Value of properties owned by Zandian identified in response to 1a;
 - 14 e. If Margolin claims a privilege or other protection for any communication
15 responsive to this request, please provide a privilege log compliant with FRBP
16 7026, FRCP 26(b)(5)(A)(ii).

17
18 **ANSWER TO INTERROGATORY NO. 1:**

19 Objection, the request is overly broad in that it seeks any and all communications Mr.
20 Margolin may have had with counsel regarding any of the 4 categories listed or any attorney work
21 product related thereto. Objection attorney client privilege and work product. It is not known if
22 there are attorney-client communications or work product responsive to the request due to the fact
23 that counsel who previously represented Mr. Margolin is no longer at the law offices of
24 Brownstein Hyatt Farber Schreck, LLC. It is unreasonable, abusive, oppressive, and unduly
25 burdensome to seek to have counsel for Mr. Margolin search for and compile a list of privileged
26 communications with Mr. Margolin and work product regarding the 4 categories listed.
27
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1 Without waiving said objections, Mr. Margolin, however, provides below his recollection
2 of what information he received, to wit:

3 a. The documents or communications that Margolin received regarding properties
4 Zandian owned in Washoe County and Clark County were not “received” in the sense that a
5 person sent them to him in an act of intentionality. Margolin obtained the information by his own
6 efforts using sources publically available on the Internet.

7 For Washoe County he used:

8 1. The Washoe County Recorder’s Web page:

9 <http://icris.washoecounty.us/recorder/eagleweb/docSearch.jsp>

10 2. The Washoe County Assessor’s Web page: <https://www.washoecounty.us/assessor/cama/>

11 From these two sources he found the *Judgment Confirming Arbitrator’s Award* which gave
12 Zandian 100% ownership of the nine Pahrah properties free and clear. Sadri/Koroghli already
13 have this document.
14

15 Margolin also found Zandian’s personal ownership of Washoe County APN 079-150-12.
16 It appeared to Margolin that he did not save the Assessor’s ownership page but he did save the
17 GIS map on 5/28/2013 which shows the owner as Resa [sic] Zandian. (Margolin highlighted the
18 parcel.) See JM_1029.
19

20 Margolin believes he found these documents much earlier but did not save them until
21 later. Margolin also made a map from the Washoe County GIS maps showing all of the Pahrah
22 properties plus 079-150-12.
23

24 Margolin believes he made this updated version in August 2014. See JM_1030.

25 3. To some extent Margolin used Zandian’s Web site at: www.goldennevada.com which no
26 longer exists. Parts of it still exist in the Internet Archive at www.archive.org . For example, look
27 at April 29, 2008 at
28

1 <http://web.archive.org/web/20080429215317/http://goldennevada.com:80/id22.html>

2 disclosed as JM_1031-1032

3 There was more on the page when Margolin saved it on August 20, 2013. See JM_1033.

4 The Internet Archive still has Zandian's About Us page at:

5 <https://web.archive.org/web/20080429220040/http://goldennevada.com:80/links.html>

6 See JM_1034.

7 It says:

8 Our group of affiliated companies own the properties offered in our website either wholly or
9 partially or as a Managing Member with controlling interests in the following Nevada Limited
10 Liability Companies:

- 11 -SparksVillage LLC
- 12 -Stagecoach Valley LLC
- 13 -I-50 Plaza LLC
- 14 -Dayton Plaza LLC
- 15 -11,000Reno Highway Fallon LLC
- 16 -Elko North 5th Avenue LLC
- 17 -Misfits Development LLC
- 18 -Gold Canyon Development LLC
- 19 -Wendover Project LLC
- 20 -Nevada Land & Water Rights LLC
- 21 -Big Spring Ranch LLC

22 Our U.S. and International investors have realized that we have the knowledge and understanding
23 of land banking and investment appreciation.

24 Seller financing is available for certain parcels with minimum 30% down payment and the
25 balance payable within three years with 10% interest.

26 Lease option is available for commercial properties.

27 Zandian also had the Web site www.go-nv.com which is also gone. Margolin had saved
28 the page for Washoe County disclosed as JM_1035-1036.

The Internet Archive has saved only a few pages for www.go-nv.com at:

https://web.archive.org/web/20140701000000*/go-nv.com

Again, Margolin believes he found these documents much earlier but did not save them until

1 later. Margolin objects to Sadri/Koroghli's request for information relating to Clark County -
 2 because the Clark County properties are not named in their Adversary Complaint. Subject to this
 3 objection, Margolin will provides the following information:

4 **1.** The Clark County auction was held 12/9/2014, not 4/3/2015.

5 **2.** For Clark County Margolin used:

6 **a.** The Clark County Recorder's Web page: <https://recorder.co.clark.nv.us/RecorderEcommerce/>
 7 which is now at: <https://recorder.co.clark.nv.us/recorderecommerce/>

8 **b.** The Clark County Assessor's Web page:

9 <http://www.clarkcountynv.gov/depts/assessor/Pages/RecordSearch.aspx>

10 From Margolin's search, the following properties showed up:

APN	Owner	Acres	Bought	By	Doc. #	Dirtied	Doc. #
071-02-000-005	Reza Zandian	10.0	04/19/2005	Reza Zandian	20050419-0004639	05/30/2014	20140530-001037
071-02-000-013	Zandian et al	20.0	04/20/2005	Reza Zandian	20050420-0000563	05/30/2014	20140530-001038

11 For APN 071-02-000-005, *see* JM_1037-1039.

12 For APN 071-02-000-013, *see* JM_1040-1042.

13 Zandian's fraudulent conveyances for both Clark County and Washoe County are contained in the
 14 Motion to Void Deeds, etc. Bates # *JM_FJD_2653-2954 2016-0503 Motion to Void Deeds,*
 15 *Assign Property, etc. with exhibits(ACTIVE).pdf*

16 b. Zandian's fraudulent conveyances for both Clark County and Washoe County are
 17 contained in the Motion to Void Deeds, etc., Bates # *JM_FJD_2653-2954 2016-0503 Motion to*
 18 *Void Deeds, Assign Property, etc. with exhibits(ACTIVE).pdf*

19 c. There are none.

1 d. Margolin received no documents or communications before the April 3, 2015
2 execution sales regarding the value of the properties owned by Zandian identified in my response
3 to 1a.

4 e. See the above objection.

5 **INTERROGATORY NO. 2:**

6 Identify any documents or communications Margolin received after the 4/3/2015
7 execution sales but before institution of the pending Adversary Proceeding by Star Living Trust
8 and Koroghli Management Trust regarding:
9

- 10 a. Properties owned by Zandian in Washoe and Clark County;
- 11 b. Any lis pendens, liens, encumbrances or instruments recorded against the
12 properties owned by Zandian identified in response to 2a;
- 13 c. Any title reports, policies, guarantees or other title insurance products referencing
14 properties owned by Zandian identified in response to 2a;
- 15 d. Value of properties owned by Zandian identified in response to 2a;
- 16 e. If Margolin claims a privilege or other protection for any communication
17 responsive to this request, please provide a privilege log compliant with FRBP
18 7026, FRCP 26(b)(5)(A)(ii).
19
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21 **ANSWER TO INTERROGATORY NO. 2:**

22 Objection, the request is overly broad in that it seeks any and all communications Mr.
23 Margolin may have had with counsel regarding any of the 4 categories listed or any attorney work
24 product related thereto. Objection attorney client privilege and work product. It is not known if
25 there are attorney-client communications or work product responsive to the request due to the fact
26 that counsel who previously represented Mr. Margolin is no longer at the law offices of
27 Brownstein Hyatt Farber Schreck, LLC. It is unreasonable, abusive, oppressive, and unduly
28

1 burdensome to seek to have counsel for Mr. Margolin search for and compile a list of privileged
2 communications with Mr. Margolin and work product regarding the 4 categories listed.

3 Mr. Margolin, however, provides below his recollection of what information he received,
4 to wit:

5 a. After the 4/3/2015 execution sale in Washoe County, Zandian no longer owned the
6 properties in Washoe County that Margolin had bought at the execution sale. The Washoe County
7 Sheriff recorded the Sheriff's Certificates of Sale for the properties Margolin had bought at the
8 auction and, later, the Sheriff's Deeds Upon Execution of Real Property for the properties.
9 Sadri/Koroghli already have these documents.

10 After the 12/9/2014 execution sale in Clark County, Zandian no longer owned the
11 properties in Clark County that Margolin had bought at the execution sale. The Clark County
12 Sheriff recorded the Sheriff's Certificates of Sale for the properties Margolin had bought at the
13 auction and, later, the Sheriff's Deeds Upon Execution of Real Property for the properties.
14 Sadri/Koroghli already have these documents.

15 b. Sadri/Koroghli filed a lis pendens against Margolin in Washoe County dated 7/10/2017
16 Washoe County Doc # 4721707. Sadri/Koroghli already have a copy of this document.

17 Sadri/Koroghli also filed a lis pendens against me in U.S. Bankruptcy Court for the
18 District of Nevada Washoe County dated 7/5/2017 as Doc 14. Sadri/Koroghli already have a copy
19 of this document.

20 c. There are none.

21 d. Margolin received no documents or communications after the April 3, 2015 execution
22 sales regarding the value of properties owned by Zandian identified in my response to 2a.

23 Sadri/Koroghli say the properties are worth a great deal more than what Margolin paid for
24 them but have never said how much they think the properties are worth.

1 e. See the above objection.

2 **INTERROGATORY NO. 3:**

3 Was Margolin aware of the existence of Case No. 05A511131 before the Eighth Judicial
4 District Court, Clark County, NV Clark County, NV Recorder prior to the April 3, 2015
5 execution sales. If so, describe how Margolin became aware of this fact, including the
6 date/location/manner/source by which he became aware of this fact.

7 **ANSWER TO INTERROGATORY NO. 3:**

8 No, Margolin was not aware of the existence of Case No. 05A511131 before the Eighth
9 Judicial District Court, Clark County, NV prior to the April 3, 2015 execution sales.

10 Margolin was aware of Case No. A635430 in the Eighth Judicial District Court because
11 Zandian's attorney Johnathon Fayeghli (Zandian's attorney after his first attorney John Peter Lee
12 withdrew from the case) had introduced it as evidence in his Motion to Set Aside in the Carson
13 City Court case. See Bates # *JM_FJD_1477-1493 2013-1220 Motion to Set Aside Default*
14 *Judgment.pdf*.

15 **INTERROGATORY NO. 4:**

16 Was Margolin aware of the existence of Case No. 49924 before the Nevada Supreme
17 Court prior to the April 3, 2015 execution sales. If so, describe how Margolin became aware of
18 this fact, including the date/location/manner/source by which he became aware of this fact.

19 **ANSWER TO INTERROGATORY NO. 4:**

20 Margolin believes he saw Case No. 49924 in 2010. In 2010, Zandian was still evading
21 service in the Carson City case. Margolin was searching for more information about Zandian
22 such as where he was definitively living. Margolin would have been at home using his PC that
23 was, at that point, probably still running Windows 98SE, and Margolin was using the Firefox
24 browser. However:

1 **1.** Zandian has been involved in so many legal actions in Nevada that it is frequently difficult to
2 put them in context or even understand them.

3 **2.** In looking at the case now it is apparent that when the case was voluntarily dismissed in the
4 entry: *07/28/2008 Motion Filed Stipulation/Dismiss Appeal. 08-19351*
5 the *Stipulated Agreement* itself was not filed with the Court. See JM_1043-1045. See also
6 JM_1046-1047.
7

8 As a result Margolin would not have been able to see the *Stipulated Agreement* in the case
9 even if he had known what it was about.

10 **INTERROGATORY NO. 5:**

11 Was Margolin aware of the Stipulated Judgment entered on 7/14/2008 in Case No.
12 05A511131 before the Eighth Judicial District Court, Clark County, NV Clark County, NV
13 Recorder prior to the April 3, 2015 execution sales.
14

15 **ANSWER TO INTERROGATORY NO. 5:**

16 Objection, vague and ambiguous. The request, as written is confusing in that it provides
17 additional words that do not seem to convey any rational meaning, i.e. “NV Clark County, NV
18 Recorder.” For purposes of responding to the request, Mr. Margolin will assume that the request
19 is properly read as follows:
20

21 **5. Was Margolin aware of the Stipulated Judgment entered on 7/14/2008 in Case No.**
22 **05A511131 before the Eighth Judicial District Court, Clark County, NV Clark County, NV**
23 **Recorder prior to the April 3, 2015 execution sales.**

24 Responding to such request: No, Margolin was not aware of the *Stipulated Agreement* entered on
25 7/14/2008 in Case No. 05A511131 before the Eighth Judicial District Court, Clark County, NV
26 Clark County, prior to the April 3, 2015 execution sales.

27 **1.** The Court case is listed only under the name “Jazi” and not “Zandian” which makes it
28

1 difficult to find. *See* JM_1048 and JM_1049.

2 2. The Eighth Judicial District Court of Nevada does not make its documents available online
3 even if you pay for them.

4 3. Margolin had no reason to search old Court cases in Clark County to see if there were any
5 documents that affected the ownership of property in Washoe County. Margolin assumed that
6 anything that affected the ownership of property in Washoe County would be recorded in Washoe
7 County.
8

9 **INTERROGATORY NO. 6:**

10 Was Margolin aware of the Stipulated Judgment recorded in official records of Clark
11 County, NV Recorder (Inst. No. 20090720-0003600) prior to the April 3, 2015 execution sales.

12 **ANSWER TO INTERROGATORY NO. 6:**

13 No, Margolin was not aware of the *Stipulated Agreement* recorded in Clark County prior
14 to the April 3, 2015 execution sales.

15 1. The document is recorded only under the name “Jazi” which did not come up since Margolin
16 was searching for “Zandian.” *See* JM_1050-1051 and JM_1052-1053. When Margolin recorded
17 his Judgment against Zandian, it was recorded under several of his names.

18 2. Margolin had no reason to search the Recorder’s Database in Clark County to see if there were
19 any documents that affected the ownership of property in Washoe County. Margolin assumed
20 that anything that affected the ownership of property in Washoe County would be recorded in
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Washoe County.

DATED: This 26th day of January, 2018.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

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5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Attorneys for JED MARGOLIN

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VERIFICATION

I, JED MARGOLIN, declare as follows:

1. I am a Defendant and Cross-Defendant in this action.
2. I have read the foregoing **DEFENDANT AND CROSS-DEFENDANT JED**

MARGOLIN'S ANSWERS TO SUPPLEMENTAL INTERROGATORIES, and know its contents. The same is true of my own knowledge, except as to those matters stated upon information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Reno, Nevada on this _____ day of January, 2018.

JED MARGOLIN

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this ____ day of January, 2018, I served the document entitled **DEFENDANT AND CROSS-DEFENDANT JED MARGOLIN'S ANSWERS TO SUPPLEMENTAL INTERROGATORIES** on the parties listed below via the following:

VIA FIRST CLASS U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada, addressed as follows:

Jeffrey L. Hartman, Esq.
Hartman & Hartman
510 West Plumb Lane, Suite B
Reno, Nevada 89509
notices@bankruptcyreno.com;
sji@bankruptcyreno.com
Attorney for Patrick Canet

Yanxiong Li, Esq.
Wright, Finlay & Zak, LLP
7785 W. Sahara Avenue, Suite 200
Las Vegas, NV 89117
yli@wrightlegal.net
Attorneys for Plaintiffs Fred Sadri, as Trustee for The Star Living Trust, dated April 14, 1997; Ray Koroghli and Sathsowi T. Koroghli, as Managing Trustees for Koroghli Management Trust

BY PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and is attached.

VIA COURIER: by delivering a copy of the document to a courier service for over-night delivery to the foregoing parties.

VIA ELECTRONIC SERVICE: by electronically filing the document with the Clerk of the Court using the ECF system which served the following parties electronically:

Employee of Brownstein Hyatt Farber
Schreck, LLP