3. To the best of Declarant's knowledge and belief the last known address and telephone number at which Plaintiffs may be served or reached with notice of further proceedings taken in this action is:

Reza Zandian 8775 Costa Verde Blvd. San Diego, California 92122

- 4. The primary reason for requesting withdrawal is that the client no longer wishes to pay fees to John Peter Lee, Ltd. for services rendered, or to be rendered, in the instant case.
- 5. There are also other reasons that the instant motion to withdraw as counsel is made; however, Declarant does not wish to state said other reasons unless specifically compelled by the Court, particularly because Declarant does not wish to reveal any more attorney-client privileged information than that which is absolutely necessary in order for the Court to grant the instant motion for withdrawal as counsel.
 - 6. This Declaration is made in good faith. FURTHERMORE, Declarant sayeth naught.

JOHN C. COURTNEY, ESC

POINTS AND AUTHORITIES

Pursuant to EDCR 7.40(b)(2)(ii), Counsel in any case may be changed only ... (2) When no attorney has been retained to replace the attorney withdrawing, by order of the court, granted upon written motion, and

(i) If the application is made by the attorney, the attorney must include in an affidavit the address, or last known address, at which the client may be served with notice of further proceedings taken in the case in the event the application for withdrawal is granted, and the telephone number, or last known telephone number, at which the client may be reached and the attorney must serve a copy of the application upon the client and all other parties to the action or their attorneys.

Pursuant to the above statutes and case law, John Peter Lee, Ltd. requests this Court for leave to withdraw as counsel for Defendants OPTIMA TECHNOLOGY, A CALIFORNIA

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, a true and correct copy of the foregoing document, PLAINTIFF'S MOTION TO

COMPEL APPEARANCE OF COUNSEL FOR OPTIMA TECHNOLOGY

CORPORATIONS, OR IN THE ALTERNATIVE, MOTION TO STRIKE GENERAL

DENIAL OF OPTIMA TECHNOLOGY CORPORATIONS, will be served via first-class

mail through the U.S. Postal Service, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 82122

Dated: May 15, 2012

Carla Ousby

I hereby certify that on the 24 day of June, 2012, I placed a copy of the foregoing Order in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis, Esq.
Adam P. McMillen, Esq.
5371 Kietzke Lane
Reno, NV 89511

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Jumphage >

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Notice of Entry of Order**, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Dated: June 29, 2012

Carla Ousby

I hereby certify that on the 24 day of June, 2012, I placed a copy of the foregoing Order in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis, Esq. Adam P. McMillen, Esq. 5371 Kietzke Lane Reno, NV 89511

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Jumphile ==

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Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, a true and correct copy of the foregoing document, will be served via first-class mail through the U.S. Postal Service addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

Dated: September 13, 2012

Carla Ousby

I hereby certify that on the 24 day of June, 2012, I placed a copy of the foregoing Order in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis, Esq. Adam P. McMillen, Esq. 5371 Kietzke Lane Reno, NV 89511

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Jumphy =

I hereby certify that on the 24 day of June, 2012, I placed a copy of the foregoing Order in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis, Esq. Adam P. McMillen, Esq. 5371 Kietzke Lane Reno, NV 89511

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Jumphy =

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Notice of Entry of Default**, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 82122

Dated: September 26, 2012

Carla Ousby

I hereby certify that on the 24 day of June, 2012, I placed a copy of the foregoing Order in the United States Mail, postage prepaid, addressed as follows:

Matthew D. Francis, Esq.
Adam P. McMillen, Esq.
5371 Kietzke Lane
Reno, NV 89511

Reza Zandian 8775 Costa Verde Blvd. Apt #501 San Diego, CA 82122

Jumbs =

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Notice of Entry of Judgment**, addressed as follows:

Reza Zandian 8775 Costa Verde Boulevard San Diego, CA 92122

Dated: November 5, 2012

Pursuant to Rule 5(b), Nevada Rules of Civil Procedure, I hereby certify that I am an employee of WATSON ROUNDS, and on this date a true and correct copy of the foregoing document, Plaintiff's Motion for Sanctions Under NRCP 37, will be served on the following by first-class mail through the U.S. Postal Service.

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

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Reza Zandian 8775 Costa Verde Blvd, Apt. 501 San Diego, CA 92122

Dated: December 14, 2012.

Mancy Lindsley

1	<u>CERTIFICATE OF SERVICE</u>
2	Pursuant to Rule 5(b), Nevada Rules of Civil Procedure, I hereby certify that I am an
3	employee of WATSON ROUNDS, and on this date a true and correct copy of the foregoing
4	document, Declaration of Adam P. McMillen in Support of Plaintiff's Motion for Sanctions
5	Under NRCP 37 will be served on the following by first-class mail though the U.S. Postal
6	Service.
7 8 9	Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122
10	Reza Zandian 8775 Costa Verde Blvd, Apt. 501 San Diego, CA 92122
11	Dated: December 14, 2012.
13	Nancy Lindsley//

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Plaintiff's First Set of Interrogatories to Reza Zandian**, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

Dated: July16, 2012

Carla Ousby

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Plaintiff's First Set of Requests for Production of Documents Interrogatories to Reza Zandian**, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

Dated: July 16, 2012

Carla Ousby

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, **Plaintiff's First Set of Requests for Admissions** to Reza Zandian, addressed as follows:

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

Dated: July 16, 2012

Carla Ousby



September 10, 2012

MICHAEL D. ROUNDS ¹ MATTHEW D. FRANCIS ²

ARTHUR A. ZORIO I RYAN E. JOHNSON MATTHEW G. HOLLAND ADAM P. McMILLEN ADAM YOWELL I STEVEN CALDIAROI

OF COUNSEL-KELLY G. WATSON ¹ MARC D. FOODMAN ^{1,3} STEVEN T. POLIKALAS ^{1,4}

Also licensed in California

² Also licensed in Utah

³ Also licensed in Massachusetts

Also licensed in Tennessee

5371 Kietzke Lane Reno, Nevada 89511 (775) 324-4100 Fax (775) 333-8171 renoinfo@watsonrounds.com

10000 West Charleston Blvd. Suite 240 Las Vegas, Nevada 89135 (702) 636-4902 Fax (702) 636-4904 vegasinfo@watsonrounds.com

One Embarcadero Center Suite 4100 San Francisco, CA 94111 (415)243-4090 Fax (415)243-0226 sfinfo@watsonrounds.com

www.watsonrounds.com

Reply to: Reno 1

Reza Zandian 8775 Costa Verde Blvd. San Diego, CA 92122

Re: Margolin v. Zandian, et al.

First Judicial District Court, Case No. 090C00579 1B

Dear Mr. Zandian:

On July 16, 2012, we served you with Plaintiff's First Set of Requests for Admission. Your responses to those requests were due on or before August 20, 2012. However, you have not yet responded. "The sanction for failure to serve timely answers or objections to requests for admissions is that all matters in the request are deemed admitted." Wagner v. Carex Investigations & Sec. Inc., 93 Nev. 627, 630, 572 P.2d 921, 923 (1977).

Also, on July 16, 2012, we served you with Plaintiff's First Set of Interrogatories. Since you did not respond to the interrogatories, any objections to the interrogatories are deemed waived. See NRCP 33(b)(4). In addition, as the requesting party, we "may seek an order compelling discovery if the other party 'fails to answer an interrogatory submitted under Rule 33." United States v. Parker, 2:08-CV-01200-LDG, 2011 WL 5325475 (D. Nev. 2011) (citing Rule 37(a)(3)(B)(iii)). "An evasive or incomplete response must be treated as a failure to respond." Id. (citing Rule 37(a)(4)).

Also, on July 16, 2012, we served you with Plaintiff's First Set of Requests for Production of Documents. You did not respond to these requests either. "Rule 34 permits each party to serve the opposing party with document requests, and states that the party 'to whom the request is directed must respond in writing within 30 days after being served,' unless the parties stipulate or the court permits a shorter or longer time period." Haddad v. Interstate Mgmt. Co., LLC, 2:11-CV-01265-PMP, 2012 WL 398764 (D. Nev. 2012) (citing Fed. R. Civ. P. 34(a) and (b)(2)(A)). "If a party fails to file timely objections to [discovery] requests, such failure constitutes a waiver of any objections which a party might have to the requests." Ramirez v. County of Los Angeles, 231 F.R.D. 407, 409 (C.D. Cal. 2005) (quoting Krewson v. City of Quincy, 120 F.R.D. 6, 7 (D. Mass 1988)); see also Richmark Corp v. Timber Falling Consultants, 959 F.2d 1468, 1473 (9th Cir. 1992) (holding that the "failure to object to

Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true and correct copy of the foregoing document, Notice of Entry of Order, addressed as follows:

Reza Zandian
8775 Costa Verde Blvd.
San Diego, CA 92122

Reza Zandian 8775 Costa Verde Blvd, Apt. 501 San Diego, CA 92122

Alborz Zandian 9 Almanzora Newport Beach, CA 92657-1613

Dated: January 16, 2013

Mancy R. Lindsley