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7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**

9
10 **JED MARGOLIN, an individual,**
11 **Plaintiff,**
12 **vs.**

Case No.: 090C00579 1B
Dept. No.: 1

13 **OPTIMA TECHNOLOGY CORPORATION,**
14 **a California corporation, OPTIMA**
15 **TECHNOLOGY CORPORATION, a Nevada**
16 **corporation, REZA ZANDIAN aka**
17 **GOLAMREZA ZANDIANJAZI aka**
18 **GHOLAM REZA ZANDIAN aka REZA JAZI**
19 **aka J. REZA JAZI aka G. REZA JAZI aka**
20 **GHONONREZA ZANDIAN JAZI, an**
individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE
Individuals 21-30,
21 **Defendants.**

DECLARATION OF JED MARGOLIN
IN SUPPORT OF REQUEST TO
EXEMPT CASE FROM COURT
ANNEXED ARBITRATION
PROGRAM

21 I, Jed Margolin do hereby declare and state as follows:

22 1. I am the named inventor on United States Patent No. 5,566,073 ("the '073
23 Patent"), United States Patent No. 5,904,724 ("the '724 Patent"), United States Patent No.
24 5,978,488 ("the '488 Patent") and United States Patent No. 6,377,436 ("the '436 Patent")
25 (collectively "the Patents"). This declaration is based upon my personal knowledge, and is
26 made in support of Plaintiff's Request to Exempt Case from Court Annexed Arbitration
27 Program.
28

1 2. On April 14, 2008, Optima Technology Group (“OTG”) entered into a
2 confidential agreement to sell the ‘073 and ‘724 patents to another United States company
3 (“Assignee”). I have intentionally omitted the name of the Assignee because the agreement is
4 confidential. If requested, I will submit a copy of this agreement to the court *in camera*.

5 3. The agreement stated that OTG was to sell to Assignee the ‘073 and ‘724
6 patents for an initial payment of \$350,000.00 and 10% royalty payments from licensing,
7 enforcement or sale of the ‘073 and ‘724 patents.

8 4. The agreement specifically referenced *Universal Avionics Systems Corporation*
9 *v. Optima Technology Group, Inc.*, No. CV 07-588-TUC-RCC (the “Arizona Action”) and
10 included several provisions that allowed the Assignee to investigate the patents and the
11 Arizona Action as part of Assignee’s due diligence.
12

13 5. The due diligence clause of the agreement allowed the Assignee to determine in
14 its sole and absolute discretion whether or not the patents and the Arizona Action were
15 acceptable.
16

17 6. On June 13, 2008, Assignee sent OTG a “kiss-off” letter stating that they had
18 completed their due diligence investigation and determined that the patents and/or the Arizona
19 Action were not acceptable.

20 7. As alleged in the Complaint, as a result of the fraudulent actions of the
21 Defendants in this action, that OTG and I were unable to close the confidential agreement,
22 thereby losing \$350,000.00 and 10% royalty payments from licensing, enforcement or sale of
23 the ‘073 and ‘724 patents.
24

25 8. Pursuant to my agreement with OTG, I would have been entitled to 60%
26 percent of the \$350,000.00 plus royalties deal with Assignee, which would have equaled at
27 least \$210,000.00.
28

1 9. I have not yet received a full accounting of any licensing or other profits that
2 Defendants received as a result of their fraudulent activity with the subject patents.

3 I declare under penalty of perjury that the foregoing is true and correct to the best of
4 my knowledge.

5 Dated May 10, 2012.

6 By: *Jed Margolin*
7 JED MARGOLIN

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1 **CERTIFICATE OF SERVICE**


2 Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on
3 this date, a true and correct copy of the foregoing document, **DECLARATION OF JED**
4 **MARGOLIN IN SUPPORT OF REQUEST TO EXEMPT CASE FROM COURT**
5 **ANNEXED ARBITRATION PROGRAM**, will be served via first-class mail through the
6 U.S. Postal Service, addressed as follows:

7
8 John Peter Lee
9 John Peter Lee, Ltd.
10 830 Las Vegas Blvd. South
11 Las Vegas, NV 89101

12 A true and correct copy of this document will also be served via certified mail through
13 the U.S. Postal Service to the following individual:

14 Reza Zandian
15 8775 Costa Verde Blvd.
16 San Diego, CA 82122

17 Dated: May 10, 2012

18 
19 _____
20 Carla Ousby