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SUSAN MERRIWETHER
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~~G. FRANZ~~ DEPUTY

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

9 **JED MARGOLIN, an individual,**

10 **Plaintiff,**

11 **vs.**

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

21 **Defendants.**

Case No.: 090C00579 1B

Dept. No.: 1

MOTION FOR JUDGMENT DEBTOR
EXAMINATION AND TO PRODUCE
DOCUMENTS

22 PLEASE TAKE NOTICE that Judgment Creditor Jed Margolin ("Margolin") by and
23 through his attorneys, brings this motion seeking this Court, in light of the civil judgment
24 entered by this Court on June 24, 2013 against Judgment Debtor Reza Zandian ("Zandian")
and pursuant to NRCP 69 and NRS 21.270, to issue the following orders requiring:

25 1. Within 30 days of any such order, that Zandian produce to Margolin's counsel, so that
26 counsel may effectively review and question Zandian regarding the documents at a debtor's
27 examination, all information and documents identifying, related to, and/or comprising the
28 following:

- 1 a. Any and all information and documentation identifying real property, computers,
2 cell phones, intellectual property, vehicles, brokerage accounts, bank deposits and
3 all other assets that may be available for execution to satisfy the Judgment entered
4 by the Court, including, but not limited to, information relating to financial
5 accounts, monies owed to Zandian by others, etc.
- 6 b. Documents sufficient to show Zandian's balance sheet for each month for the years
7 2007 to the present.
- 8 c. Documents sufficient to show Zandian's gross revenues for each month for the
9 years 2007 to the present.
- 10 d. Documents sufficient to show Zandian's costs and expenses for each month for the
11 years 2007 to the present.
- 12 e. All tax returns filed by Zandian with any governmental body for the years 2007 to
13 the present, including all schedules, W-2's and 1099's.
- 14 f. All of Zandian's accounting records, computerized electronic and/or printed on
15 paper format for the years 2007 to the present.
- 16 g. All of Zandian's statements, cancelled checks and related banking documents for
17 any bank, brokerage or other financial account at least partially controlled by
18 Zandian, or recorded in the name of Zandian or for Zandian's benefit, for the years
19 2007 to the present.
- 20 h. All of Zandian's checkbooks, checkbook stubs and checkbook entries for the years
21 2007 to the present.
- 22 i. Documents sufficient to show the means and source of payment of Zandian's
23 current residence and any other residence for the years 2007 to the present.
- 24 j. Documents sufficient to show the means and source of payment of Zandian's
25 counsel in this matter.
- 26 k. Any settlement agreements by which another party has agreed to pay money to
27 Zandian.
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1 **B. The Debtor Examination Should Proceed**

2 A Judgment Debtor Examination is necessary to enable Margolin to discover any and
3 all real and personal property of Zandian and facts relating thereto, which will assist in the
4 execution to satisfy the judgment. NRS 21.270(1) entitles Margolin to an order requiring
5 Zandian to appear before a judge or a master appointed by the judge, or an attorney. Margolin
6 requests that the examination take place before Honorable James T. Russell, District Court
7 Judge at an agreed-upon date and time.

8 **C. The Production of Documents Necessary to Identify Assets**

9 Margolin also requests an order requiring the production of the above referenced
10 documents within 30 calendar days of any such order. “The scope of post-judgment discovery
11 is broad, ‘the judgment creditor must be given the freedom to make a broad inquiry to discover
12 hidden or concealed assets of the judgment debtor.’” *British Intern. Ins. Co., Ltd. v. Seguros*
13 *La Republica, S.A.*, 200 F.R.D. 586, 588 (W.D.Tex. 2000) (quoting *Caisson Corp. v. County*
14 *West Building Corp.*, 62 F.R.D. 331, 334 (E.D.Pa. 1974)).

15 Margolin is entitled to discover where Zandian’s assets are located and whether any
16 transfers of those assets, if any, were fraudulent pursuant to NRS 112.180. Post-judgment
17 discovery can be used to gain information relating to, among other things, the “existence or
18 *transfer* of the judgment debtor’s assets.” *British Intern., supra*, 200 F.R.D. at 588 (emphasis
19 added). Margolin is also entitled to discover Zandian’s financial statements, bank statements,
20 investment account statements, and tax returns. *The Edwards Andrews Group, Inc. v.*
21 *Addressing Servs. Co., Inc.*, No. 04 Civ. 6731, 2006 WL 1214984 at *1, 2006 U.S. Dist.
22 LEXIS 28967 at *2 (S.D.N.Y. May 4, 2006); *Libaire v. Kaplan*, 760 F.Supp.2d 288 (E.D.N.Y.
23 2011); Order Granting Debtors Examination, *American Int’l Recovery v. Costa*, Case No.
24 2:07-cv-00123-JCM-PAL (Dkt. 60) (D. Nev. Oct. 13, 2011) (listing documents to be
25 produced).

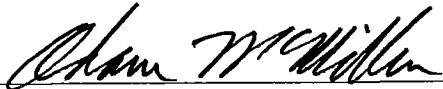
26 **D. Conclusion**

27 For the reasons stated above, Margolin respectfully requests this Court grant this
28 Motion and issue the proposed Order attached hereto as Exhibit 1.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 10th day of June, 2015.

BY: 

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Attorneys for Plaintiff Jed Margolin

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CERTIFICATE OF SERVICE

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, **MOTION FOR JUDGMENT DEBTOR EXAMINATION AND TO PRODUCE DOCUMENTS**, addressed as follows:

Severin A. Carlson
KAEMPFER CROWELL
510 West Fourth Street
Carson City, NV 89703
Attorney for Reza Zandian

Dated: June 10, 2015

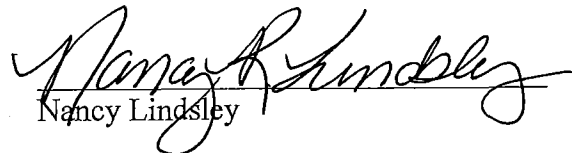

Nancy Lindsley

Exhibit 1

Exhibit 1

1 Case No. 09 0C 00579 1B

2 Dept. No. I

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5 **In The First Judicial District Court of the State of Nevada**
6 **In and for Carson City**

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JED MARGOLIN, an individual,
Plaintiff,

10 vs.

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OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN
aka GOLAMREZA ZANDIANJAZI
aka GHOLAM REZA ZANDIAN
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aka G. REZA JAZI aka GHONONREZA
ZANDIAN JAZI, an individual, DOE
Companies 1-10, DOE Corporations 11-20,
and DOE Individuals 21-30,
Defendants.

[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
DEBTOR EXAMINATION AND
TO PRODUCE DOCUMENTS

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This matter comes before the Court on Plaintiff Jed Margolin's Motion for Debtor Examination and to Produce Documents, filed on June 10, 2015. The Court finds a Judgment was entered against Defendant Reza Zandian and good cause otherwise exists to grant the Motion for Debtor Examination and to Produce Documents.

NOW, THEREFORE, IT HEREBY IS ORDERED as follows:

1. That Defendant REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONONREZA ZANDIAN JAZI is hereby ordered to appear before the Court and answer upon oath or affirmation concerning Defendant's property at a Judgment Debtor Examination

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- h. All of Zandian's checkbooks, checkbook stubs and checkbook entries for the years 2007 to the present.
- i. Documents sufficient to show the means and source of payment of Zandian's current residence and any other residence for the years 2007 to the present.
- j. Documents sufficient to show the means and source of payment of Zandian's counsel in this matter.
- k. Any settlement agreements by which another party has agreed to pay money to Zandian.

DATED: This ____ day of June, 2015.

JAMES T. RUSSELL
DISTRICT COURT JUDGE