

1 Matthew D. Francis (6978)  
2 Adam P. McMillen (10678)  
3 WATSON ROUNDS  
4 5371 Kietzke Lane  
5 Reno, NV 89511  
6 Telephone: 775-324-4100  
7 Facsimile: 775-333-8171  
8 *Attorneys for Plaintiff Jed Margolin*

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**In The First Judicial District Court of the State of Nevada**

**In and for Carson City**

**JED MARGOLIN, an individual,**

**Plaintiff,**

**vs.**

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

**Defendants.**

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

**Dept. No.: 1**

**DECLARATION OF ADAM P.  
MCMILLEN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
SANCTIONS UNDER NRCP 37**

I, Adam P. McMillen, do hereby declare and state as follows:

1. I am a lawyer at the law firm of Watson Rounds located at 5371 Kietzke Lane, Reno, Nevada 89511. This declaration is based upon my personal knowledge, and is made in support of Plaintiff's Motion for Sanctions Under NRCP 37 and the Memorandum of Points and Authorities in Support Thereof.

2. On July 16, 2012, JED MARGOLIN ("Margolin") served 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's

1 (“Zandian”) with Margolin’s First Set of Interrogatories to Zandian as well as Margolin’s First  
2 Set of Requests for Production to Margolin. A true and correct copy of Margolin’s First Set of  
3 Interrogatories to Zandian is attached hereto as Exhibit 1, and a true and correct copy of  
4 Margolin’s First Set of Requests for Production to Zandian is attached hereto as Exhibit 2.  
5 Pursuant to NRC 33 and 34, responses to these discovery requests, as well as responsive  
6 documents, were due on August 20, 2012. No responses or documents were served on that date  
7 or thereafter.

8 4. Also on July 16, 2012, Margolin served Zandian with Margolin’s First Set of  
9 Requests for Admissions. A true and correct copy of the First Set of Requests for Admissions is  
10 attached hereto as Exhibit 3. Pursuant to NRC 36, responses to these Requests for Admissions  
11 were due on August 20, 2012. No responses were served on that date or thereafter.

12 5. On September 10, 2012, Margolin emailed and faxed Zandian a meet and confer  
13 letter demanding that Zandian serve responses and documents to the aforementioned discovery  
14 (and other discovery) no later than September 17, 2012. A true and correct copy of this letter is  
15 attached hereto as Exhibit 4. In the September 10, 2012 letter, Margolin demanded that Zandian  
16 “respond, without objection, to the requests for admissions, the requests to produce documents  
17 (including the actual production of documents), and the interrogatories no later than September  
18 17, 2012.” Exhibit 4. Margolin stated that if Zandian failed to comply with this request,  
19 Margolin would file a motion to compel with this Court. *Id.* Margolin also stated that since  
20 Margolin did not respond to Margolin’s First Set of Requests for Admissions, those admissions  
21 were (and are) deemed admitted. *Id.* Zandian has not served responses or documents pursuant to  
22 the aforementioned discovery requests, nor has he responded to the September 10, 2012 letter.

23 *Id.*

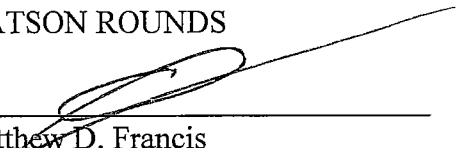
24 6. I certify that I have in good faith corresponded with Zandian in an effort to  
25 resolve this discovery dispute without court intervention. However, my sincere efforts to resolve  
26 the dispute have been unsuccessful.

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

**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 13<sup>th</sup> day of December, 2012. WATSON ROUNDS

By:   
Matthew D. Francis  
Adam P. McMillen  
5371 Kietzke Lane  
Reno, NV 89511  
Telephone: (775) 324-4100  
Facsimile: (775) 333-8171  
Attorneys for Plaintiff Jed Margolin

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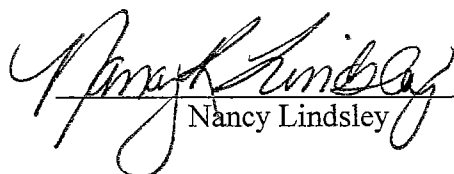
1 CERTIFICATE OF SERVICE

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 Reza Zandian  
8 8775 Costa Verde Blvd.  
9 San Diego, CA 92122

10 Reza Zandian  
11 8775 Costa Verde Blvd, Apt. 501  
12 San Diego, CA 92122

13 Dated: December 14, 2012.

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16 Nancy Lindsley  
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**INDEX OF EXHIBITS**

Exhibit 1	Plaintiff's First Set of Interrogatories to Reza Zandian	8 pages
Exhibit 2	Plaintiff's First Set of Requests for Production of Documents to Reza Zandian	5 pages
Exhibit 3	Plaintiff's First Set of Requests for Admissions to Reza Zandian	7 pages
Exhibit 4	September 10, 2012 letter to Reza Zandian	2 pages

**Exhibit 1**

**Exhibit 1**

1 Matthew D. Francis (6978)  
Adam P. McMillen (10678)  
2 WATSON ROUNDS  
5371 Kietzke Lane  
3 Reno, NV 89511  
Telephone: 775-324-4100  
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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.**

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

21 **Defendants.**

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

**Dept. No.: 1**

**PLAINTIFF'S FIRST SET OF**  
**INTERROGATORIES TO REZA**  
**ZANDIAN**

22 Plaintiff Jed Margolin ("Margolin") hereby requests that Defendant Reza Zandian aka  
23 Golamreza Zandianjazi, aka Gholam Reza Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza  
24 Jazi aka Ghononreza Zandian Jazi ("Zandian") serve responses to the following Interrogatories  
25 within thirty (30) days of service hereof. These Interrogatories are considered continuing and  
26 therefore Zandian is required to supplement his answers whenever Zandian obtains different or  
27 additional knowledge, information or belief relative to the Interrogatories.  
28

1 **I. DEFINITIONS**

2 A. As used in these Interrogatories, unless otherwise specified, the terms "Zandian,"  
3 "you," or "your" or "yourself" refers to Reza Zandian aka Golamreza Zandianjazi, aka  
4 Gholam Reza Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghononreza  
5 Zandian Jazi and any other aka.

6 B. As used in these Interrogatories, the terms "document," "documents," or  
7 "documentation" refer to any and all tangible items or sources of information within the  
8 meaning of Rule 34 of the Nevada Rules of Civil Procedure, whether original or non-identical  
9 copies of such items, in both final and draft form, of every kind and nature whatsoever, that  
10 are within your possession, custody or control, or that are known by you to exist. The terms  
11 "document" or "documents" include, but are not limited to, all correspondence, memoranda,  
12 records, notes, drafts, proposals, minutes of meetings, books, papers, drawings, telegrams,  
13 logs, diaries, computer printouts, computations, ledgers, journals, purchase orders, bills of  
14 lading, invoices, vouchers, checks, books of original entry and other books or records; all  
15 studies, analyses, or other valuative or interpretive reports; recordings or memoranda of  
16 conversations, or any other written, printed, typewritten or other graphic or photographic  
17 matter or tangible thing on which any information is affixed; all mechanical, electronic, sound  
18 or video recordings or transcripts thereof; all other magnetic recordings or matter existing in  
19 any other machine readable form; and all information capable of being retrieved from a  
20 computer.

21 C. As used in these Interrogatories, the terms "communicate" or "communications"  
22 refer to all conversations, messages, correspondence, or contacts between any persons,  
23 whether in person, in writing, by telephone, or by any other means.

24 D. As used in these Interrogatories, the terms "person" or "persons" refer to all  
25 individuals, associations, partnerships, corporations, and any other business entities.

26 **II. GUIDELINES**

27 A. Whenever the phrase "state in detail" or "describe in detail" is used in these  
28 Interrogatories, you are required to set forth every fact, consideration, factor, circumstance,



1 act, omission, event, transaction, occurrence, or statement which supports, refutes, concerns,  
2 relates to, or refers to the matter about which information is sought.

3 B. Whenever the term "identify" or "identification" is used in these Interrogatories  
4 with respect to an individual person, you are required to state: the full name of each such  
5 person; his or her last known residential address; his or her last known business address; and  
6 his or her present or last known job title, job description, and the dates during which the job  
7 position was held. Once a person has been identified in an answer to an interrogatory, it shall  
8 be sufficient thereafter when identifying that person merely to state his or her name.

9 C. Whenever the term "identify" or "identification" is used in these Interrogatories  
10 with respect to any corporation, partnership, or business entity, you are required to state: its  
11 present or last known full name; all of its previous registered and/or operating business names,  
12 if any; its present or last known business address; and the nature of its business. Once a  
13 corporation, partnership, or business entity has been identified in an answer to an  
14 interrogatory, it shall be sufficient thereafter when identifying such entity merely to state its  
15 name.

16 D. Whenever the term "identify" or "identity" or "identification" is used in these  
17 Interrogatories with respect to a document or documents, you are required to:

- 18 (1) describe the type of document, e.g., letter, memorandum, report, diary,  
19 chart, etc.;
- 20 (2) provide the date, if any, of the document;
- 21 (3) identify the author(s) of the document;
- 22 (4) identify each addressee appearing on the document;
- 23 (5) identify each recipient of the document or any copies of the document;
- 24 (6) describe the contents of the document;
- 25 (7) describe the present location of the document; and
- 26 (8) identify the person(s) having possession, control, or custody of the  
27 document.  
28

1 If any such document was, but is no longer in your possession, custody or control, state  
2 what disposition was made of it; and if such document was destroyed, or alleged to have been  
3 destroyed, state the date of and reason for its destruction, the identity of each person having  
4 knowledge of its destruction, and each person responsible for its destruction. For each  
5 interrogatory that requests the identification of document(s), you may produce for inspection  
6 and copying, true and correct copies of the document(s) as kept in the usual course of business,  
7 organized and labeled to correspond with the categories in this request, all in accordance with  
8 Rule 33(c) of the Nevada Rules of Civil Procedure, and such production of copies will be  
9 accepted as complying with such request.

10 E. Should you deem any information requested by any of the following Interrogatories  
11 to be privileged, you shall specify that a claim of privilege is being made, briefly state the  
12 grounds on which the claim of privilege rests, and identify who is making the claim of  
13 privilege.

### 14 III. INTERROGATORIES

#### 15 Interrogatory No. 1:

16 Please describe in detail why on December 5, 2007, you signed and filed an assignment  
17 of patent numbers 5,566,073, 5,904,724, 6,377,436 and 5,978,488 (the "patents") with the  
18 United States Patent Office.

#### 19 Interrogatory No. 2:

20 Please describe in detail whose idea it was to file the assignment of the patents with the  
21 United States Patent Office on December 5, 2007.

#### 22 Interrogatory No. 3:

23 If it was not your idea to file the assignment of the patents with the United States  
24 Patent Office on December 5, 2007, then please describe in detail whose idea it was, including  
25 the name(s) and contact information (address, phone number, email address, etc.) of anyone  
26 involved in the decision making process.

#### 27 Interrogatory No. 4:

28

1 Please describe in detail John Peter Lee Ltd's involvement in the December 5, 2007  
2 assignment of the patents including but not limited to the following John Peter Lee Ltd  
3 members: John Peter Lee, John C. Courtney, and Paul C. Ray.

4 **Interrogatory No. 5:**

5 Please describe in detail Greenberg Traurig LLP's involvement in the December 5,  
6 2007 assignment of the patents, including but not limited to the following Greenberg Traurig  
7 LLP members: Scott J. Bornstein, Allan A. Kassenoff, E. Jeffrey Walsh and Paul J. Sutton.

8 **Interrogatory No. 6:**

9 Please describe in detail whose credit card was used to pay for the December 5, 2007  
10 assignment of the patents with the United States Patent Office, with the last four numbers of  
11 the credit card being 1004 and the expiration date being 01/09; please include the name of the  
12 credit card holder and why the credit card was used for the December 5, 2007 assignment of  
13 the patents.

14 **Interrogatory No. 7:**

15 Please describe in detail who the officers and directors of Optima Technology  
16 Corporation, a California Corporation, were at the time you filed the assignment of the patents  
17 with the United States Patent Office on December 5, 2007.

18 **Interrogatory No. 8:**

19 Please describe in detail who the officers and directors of Optima Technology  
20 Corporation, a Nevada Corporation, were at the time you filed the assignment of the patents  
21 with the United States Patent Office on December 5, 2007.

22 **Interrogatory No. 9:**

23 Please describe in detail why John Peter Lee's name and address was associated with  
24 and used for Optima Technology Corporation (NV) in the patents' assignment documents you  
25 filed with the United States Patent Office on December 5, 2007.

26 **Interrogatory No. 10:**

27  
28

1 Please describe in detail what “Jed Margolin based on Power of Attorney, dated July  
2 20, 2004 to: Optima Technology Corporation (CA)” means as detailed in the assignment of the  
3 patents, dated December 5, 2007, attached hereto as Exhibit A.

4 **Interrogatory No. 11:**

5 Please describe in detail what the Power of Attorney, dated July 20, 2004 is, as detailed  
6 on the assignment documents filed with the United States Patent Office on December 5, 2007  
7 and how you obtained a copy of said Power of Attorney. See Exhibit A.

8 **Interrogatory No. 12:**

9 Please describe in detail the knowledge you had of the contract between Jed Margolin  
10 and Optima Technology Group, a Cayman Islands Corporation, at the time you filed the  
11 assignment of the patents on December 5, 2007.

12 **Interrogatory No. 13:**

13 Please describe in detail the licensing activity you engaged in regarding the patents  
14 after you filed the assignment of the patents on December 5, 2007.

15 **Interrogatory No. 14:**

16 Please describe in detail any and all activities you engaged in regarding the patents  
17 after you filed the assignment on December 5, 2007.

18 **Interrogatory No. 15:**

19 Please describe in detail all revenues derived from your activities related to the patents  
20 after filing the assignment of the patents on December 5, 2007.

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**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: July 16, 2012

WATSON ROUNDS

BY: /s/ Adam McMillen  
Matthew D. Francis (6978)  
Adam P. McMillen (10678)  
5371 Kietzke Lane  
Reno, NV 89511  
Telephone: 775-324-4100  
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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, **Plaintiff's First Set of Interrogatories to Reza Zandian**, addressed as follows:

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

Dated: July 16, 2012

151  
Carla Ousby

# Exhibit 2

# Exhibit 2

1 Matthew D. Francis (6978)  
Adam P. McMillen (10678)  
2 WATSON ROUNDS  
5371 Kietzke Lane  
3 Reno, NV 89511  
Telephone: 775-324-4100  
4 Facsimile: 775-333-8171  
*Attorneys for Plaintiff Jed Margolin*  
5

6  
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.**

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

21 **Defendants.**

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

**Dept. No.: 1**

**PLAINTIFF'S FIRST SET OF**  
**REQUESTS FOR PRODUCTION OF**  
**DOCUMENTS TO REZA ZANDIAN**

22 Plaintiff Jed Margolin ("Margolin") Pursuant to Rules 26 and 34 of the Nevada Rules  
23 of Civil Procedure, hereby requests that Defendant Reza Zandian aka Golamreza Zandianjazi,  
24 aka Gholam Reza Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghononreza  
25 Zandian Jazi ("Zandian") serve responses and documents to the following Requests for  
26 Production within thirty (30) days of service hereof. These Requests are considered  
27 continuing and therefore Zandian is required to supplement his responses and document  
28



1 production whenever Zandian obtains different or additional knowledge, information or belief  
2 relative to the Requests.

3 **I. DEFINITIONS AND GUIDELINES**

4 Margolin incorporates by reference the Definitions and Guidelines set forth in  
5 Margolin's First Set of Interrogatories to Reza Zandian.

6 **II. DOCUMENT REQUESTS**

7 **REQUEST NO. 1:**

8 Any and all documents identified in and/or supporting your responses to Plaintiff's first  
9 set of interrogatories served upon you.

10 **REQUEST NO. 2:**

11 Please provide a complete copy of any and all documents, correspondence,  
12 memoranda, electronic email and attachments containing or referring to communications  
13 between yourself and NASA.

14 **REQUEST NO. 3:**

15 Please provide a complete copy of any and all documents, correspondence,  
16 memoranda, electronic email communications between yourself and the law firm of Greenberg  
17 Traurig LLP including the following Greenberg Traurig LLP members:

18 Scott J. Bornstein

19 Allan A. Kassenoff

20 E. Jeffrey Walsh

21 Paul J. Sutton

22 **REQUEST NO. 4:**

23 Please provide a complete copy of any and all documents, correspondence,  
24 memoranda, electronic email and attachments containing or referring to communications  
25 between yourself and the law firm of John Peter Lee Ltd (Las Vegas) including, but not  
26 limited to, the following John Peter Lee Ltd members:

27 John Peter Lee

28 John C. Courtney

1 Paul C. Ray

2 **REQUEST NO. 5:**

3 Please provide a complete copy of any and all documents, correspondence,  
4 memoranda, electronic email and attachments containing or referring to communications  
5 between yourself and the law firm of Chandler Udall Law Firm LLP, Udall Law Firm LLP,  
6 Udall Law IP LLP (all in Arizona) including but not limited to the following:

7 Edward Moomjian II

8 Jeanna Chandler Nash

9 Ryan Redmon

10 **REQUEST NO. 6:**

11 Please provide a complete copy of any and all documents, correspondence,  
12 memoranda, electronic email and attachments containing or referring to communications  
13 between yourself and the United States Patent Office ("PTO") regarding the December 5, 2007  
14 assignment of patents you filed with the PTO relating to patent numbers 5,566,073, 5,904,724,  
15 6,377,436 and 5,978,488 (the "patents").

16 **REQUEST NO. 7:**

17 Please provide a complete copy of any and all documents, correspondence,  
18 memoranda, electronic email and attachments containing or referring to communications  
19 between you and any other person or entity relating to the patents.

20 **REQUEST NO. 8:**

21 Please provide a complete copy of any and all documents, correspondence,  
22 memoranda, electronic email and attachments containing or referring to communications  
23 between you and any other person or entity relating to the licensing of the patents.

24 **REQUEST NO. 9:**

25 Please provide a complete copy of any and all documents related to all revenues  
26 derived from your activities related to the patents after filing the assignment of the patents on  
27 December 5, 2007.

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**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: July 16, 2012                      WATSON ROUNDS

BY:   /s/ Adam McMillen    
Matthew D. Francis (6978)  
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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, **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

15/  
Carla Ousby

# Exhibit 3

# Exhibit 3

1 Matthew D. Francis (6978)  
Adam P. McMillen (10678)  
2 WATSON ROUNDS  
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3 Reno, NV 89511  
Telephone: 775-324-4100  
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*Attorneys for Plaintiff Jed Margolin*  
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10 **JED MARGOLIN, an individual,**

11 **Plaintiff,**

12 **vs.**

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

20 **Defendants.**

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

**Dept. No.: 1**

**PLAINTIFF'S FIRST SET OF**  
**REQUESTS FOR ADMISSIONS TO**  
**REZA ZANDIAN**

21  
22 Pursuant to NRCPC 26 and NRCPC 36, Plaintiff Jed Margolin ("Margolin") hereby  
23 requests that Defendant Reza Zandian aka Golamreza Zandianjazi, aka Gholam Reza Zandian  
24 aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghononreza Zandian Jazi ("Zandian")  
25 serve responses to the following Requests for Admission within thirty (30) days of service  
26 hereof. These Requests are considered continuing and therefore Zandian is required to  
27 supplement his responses whenever Zandian obtains different or additional knowledge,  
28 information or belief relative to the Requests for Admissions.

1 **I. DEFINITIONS**

2 A. As used in these Interrogatories, unless otherwise specified, the terms "Zandian,"  
3 "you," or "your" refers to Reza Zandian aka Golamreza Zandianjazi, aka Gholam Reza  
4 Zandian aka Reza Jazi aka J. Reza Jazi aka G. Reza Jazi aka Ghononreza Zandian Jazi and any  
5 other aka.

6 B. As used in these Requests, the terms "document," "documents," or "documentation"  
7 refer to any and all tangible items or sources of information within the meaning of Rule 34 of  
8 the Nevada Rules of Civil Procedure, whether original or non-identical copies of such items, in  
9 both final and draft form, of every kind and nature whatsoever, that are within your  
10 possession, custody or control, or that are known by you to exist. The terms "document" or  
11 "documents" include, but are not limited to, all correspondence, memoranda, records, notes,  
12 drafts, proposals, minutes of meetings, books, papers, drawings, telegrams, logs, diaries,  
13 computer printouts, computations, ledgers, journals, purchase orders, bills of lading, invoices,  
14 vouchers, checks, books of original entry and other books or records; all studies, analyses, or  
15 other valuative or interpretive reports; recordings or memoranda of conversations, or any other  
16 written, printed, typewritten or other graphic or photographic matter or tangible thing on which  
17 any information is affixed; all mechanical, electronic, sound or video recordings or transcripts  
18 thereof; all other magnetic recordings or matter existing in any other machine readable form;  
19 and all information capable of being retrieved from a computer.

20 C. As used in these Requests, the terms "communicate" or "communications" refer to  
21 all conversations, messages, correspondence, or contacts between any persons, whether in  
22 person, in writing, by telephone, or by any other means.

23 D. As used in these Requests, the terms "person" or "persons" refer to all individuals,  
24 associations, partnerships, corporations, and any other business entities.

25 **II. GUIDELINES**

26 1. Each matter is admitted unless, within 30 days after service of this request,  
27 Zandian serves a written answer or objection addressed to the matter.  
28

1           2.       If objection is made, the reasons therefor shall be stated. The answer shall  
2 specifically deny the matter or set forth in detail the reasons why Zandian cannot truthfully  
3 admit or deny the matter. A denial shall fairly meet the substance of the requested admission,  
4 and when good faith requires that Zandian qualify an answer or deny only a part of the matter  
5 of which an admission is requested, it shall specify so much of it as is true and qualify or deny  
6 the remainder.

7           3.       Zandian may not give lack of information or knowledge as a reason for failure  
8 to admit or deny unless he states that he has made reasonable inquiry and that information  
9 known or readily obtainable by him is insufficient to enable him to admit or deny.  
10

11           4.       If Zandian does not admit an item, he shall:

12                   (a)     Produce to Plaintiff all documents concerning the requested admission  
13 in his possession, custody or control;

14                   (b)     State, with particularity, the factual basis upon which his response is  
15 based; and

16                   (c)     Identify each and every person with knowledge of the requested  
17 admission.  
18

19           5.       These requests for admissions are continuing. Zandian shall promptly supply  
20 by way of supplemental responses any and all additional information that may become known  
21 prior to any hearing in or trial of this action.  
22

### 23                                   III. REQUESTS

#### 24                   REQUEST FOR ADMISSION NO. 1:

25                   Admit that on December 5, 2007, you signed and filed the assignment of patent  
26 numbers 5,566,073, 5,904,724, 6,377,436 and 5,978,488 (the "patents") with the United States  
27 Patent Office, as attached hereto as Exhibit A.

#### 28                   REQUEST FOR ADMISSION NO. 2:



1 Admit that you falsely represented to the United States Patent Office that “Jed  
2 Margolin based on a Power of Attorney dated July 20, 2004 to: Optima Technology  
3 Corporation (CA)” was conveying its rights to the patents to Optima Technology Corporation  
4 (NV). See Exhibit A.

5 **REQUEST FOR ADMISSION NO. 3:**

6 Admit that you knew when you submitted the assignment of the patents on December  
7 5, 2007 that you did not have the power or the authority to assign the patents to Optima  
8 Technology Corporation (NV) and therefore you knew your representation to the United States  
9 Patent Office was false.

10 **REQUEST FOR ADMISSION NO. 4:**

11 Admit that when you filed the assignment for the patents on December 5, 2007 that  
12 you intended to fraudulently induce the United States Patent Office to record the assignment of  
13 the patents.

14 **REQUEST FOR ADMISSION NO. 5:**

15 Admit that by fraudulently signing and filing the assignment of the patents with the  
16 United States Patent Office on December 5, 2007, you wrongfully exerted dominion over the  
17 patents and thereby knowingly deprived Jed Margolin of his rights and use of the patents.

18 **REQUEST FOR ADMISSION NO. 6:**

19 Admit that you knew you were unjustified in signing and filing the assignment of the  
20 patents with the United States Patent Office on December 5, 2007.

21 **REQUEST FOR ADMISSION NO. 7:**

22 Admit that you knew that by filing the December 5, 2007 patents’ assignment with the  
23 United States Patent Office that you would interfere with Jed Margolin’s patent rights,  
24 including the royalties due to him under the patents.

25 **REQUEST FOR ADMISSION NO. 8:**

26 Admit that at the time you signed and filed the assignment of patents with the United  
27 States Patent Office on December 5, 2007, you knew Jed Margolin had a valid contract with  
28

1 Optima Technology Group where Optima Technology Group promised to pay Jed Margolin  
2 patent royalties to Jed Margolin based on the license of the 5,566,073 and 5,904,724 patents.

3 **REQUEST FOR ADMISSION NO. 9:**

4 Admit intentionally filed the assignment of the patents on December 5, 2007 with the  
5 United States Patent Office with the intent and design to disrupt and interfere with the  
6 contractual relationship that Jed Margolin had with Optima Technology Group.

7 **REQUEST FOR ADMISSION NO. 10:**

8 Admit that you were aware of Jed Margolin's prospective business relations with  
9 licensees of the patents.

10 **REQUEST FOR ADMISSION NO. 11:**

11 Admit that you purposely, willfully and improperly attempted to induce Jed Margolin's  
12 prospective licensees to refrain from engaging in business with Jed Margolin.

13 **REQUEST FOR ADMISSION NO. 12:**

14 Admit that on and after December 5, 2007 you purposely, willfully and improperly  
15 induced Jed Margolin's prospective licensees to refrain from engaging in business with Jed  
16 Margolin.

17 **REQUEST FOR ADMISSION NO. 13:**

18 Admit that on December 5, 2007 you wrongfully obtained record title to the patents,  
19 without any justification.

20 **REQUEST FOR ADMISSION NO. 14:**

21 Admit that on December 5, 2007 you knew and were aware that record title to the  
22 patents was valuable and that there were benefits to be derived from having record title.

23 **REQUEST FOR ADMISSION NO. 15:**

24 Admit that you unjustly benefitted from the use of the patents, which were the property  
25 of Jed Margolin, and you did not compensate Jed Margolin for such wrongful use.

26 **REQUEST FOR ADMISSION NO. 16:**

27 Admit that by filing the December 5, 2007 assignment of the patents that you  
28 knowingly and intentionally interfered with the business relationships of Jed Margolin without

1 any consent or authority from Jed Margolin.

2 **REQUEST FOR ADMISSION NO. 17:**

3 Admit that you intentionally interfered with and disrupted Jed Margolin's contract with  
4 Optima Technology Group.

5 **REQUEST FOR ADMISSION NO. 18:**

6 Admit that you knowingly and intentionally made false representations to the United  
7 States Patent Office regarding the assignment of the patents on December 5, 2007 and  
8 therefore you knowingly and willfully committed unfair and deceptive trade practices under  
9 NRS 598.0915 et seq.

10 **AFFIRMATION PURSUANT TO NRS 239B.030**

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

13  
14 DATED: July 16, 2012

WATSON ROUNDS

15 BY: /s/ Adam McMillen

16 Matthew D. Francis (6978)  
17 Adam P. McMillen (10678)  
18 5371 Kietzke Lane  
19 Reno, NV 89511  
20 Telephone: 775-324-4100  
21 Facsimile: 775-333-8171  
22 *Attorneys for Plaintiff Jed Margolin*  
23  
24  
25  
26  
27  
28

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, **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

CS  
Carla Ousby

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Exhibit 4

Exhibit 4

September 10, 2012

MICHAEL D. ROUNDS<sup>1</sup>  
MATTHEW D. FRANCIS<sup>2</sup>

ARTHUR A. ZORIO<sup>1</sup>  
RYAN E. JOHNSON  
MATTHEW G. HOLLAND  
ADAM P. McMILLEN<sup>2</sup>  
ADAM YOWELL<sup>1</sup>  
STEVEN CALOJARO<sup>1</sup>

OF COUNSEL-  
KELLY G. WATSON<sup>1</sup>  
MARC D. FOODMAN<sup>1,3</sup>  
STEVEN T. POLIKALAS<sup>1,4</sup>

<sup>1</sup> Also licensed in California  
<sup>2</sup> Also licensed in Utah  
<sup>3</sup> Also licensed in Massachusetts  
<sup>4</sup> 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

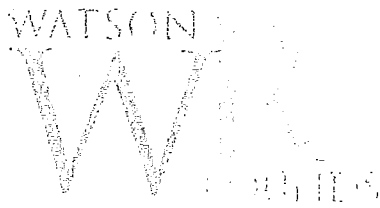
Re: *Margolin v. Zandian, et al.*  
First Judicial District Court, Case No. 090C00579 1B

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



Reza Zandian  
September 10, 2012  
Page 2

discovery requests within the time required constitutes a waiver of any objection.").

It is hereby demanded that you respond, without objection, to the requests for admissions, the requests to produce documents (including the actual production of documents), and the interrogatories no later than September 17, 2012. If you do not provide proper responses to these requests by September 17, 2012, we will be forced to immediately file a motion to compel such responses. *See* Rule 37(a)(3)(B)(iii) and (iv).

Please call me with any questions.

Sincerely,

*Adam P. McMillen*

WATSON ROUNDS  
A Professional Corporation