

ORIGINAL

1 MCOM

2 PATRICK C. CLARY, CHARTERED  
3 Patrick C Clary  
4 Nevada Bar No. 00053  
5 City Center West, Suite 410  
6 7201 West Lake Mead Boulevard  
7 Las Vegas, Nevada 89128  
8 Telephone: 702.382.0813  
9 FAX: 702.382-7277

FILED

MAY 25 2010

*John S. Johnson*  
CLERK OF COURT

6 Attorneys for So-called Nominal  
7 Defendant Kokoweef, Inc. and  
8 Defendant Patrick C. Clary

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 TED R. BURKE; MICHAEL R. and  
11 LAURETTA L. KEHOE; JOHN BERTOLDO;  
12 PAUL BARNARD; EDDY KRAVETZ; JACKIE  
13 & FRED KRAVETZ; STEVE FRANKS;  
14 PAULA MARIA BARNARD; PETE T. and  
15 LISA A. FREEMAN; LEON GOLDEN;  
16 C.A. MURFF; GERDA FERN BILLBE;  
17 BOB and ROBYN TRESKA;  
18 MICHAEL RANDOLPH; and FREDERICK  
19 WILLIS,

20 Plaintiffs,

21 vs.

22 LARRY L. HAHN, individually, and  
23 as President and Treasurer of  
24 Kokoweef, Inc., and former  
25 President and Treasurer of  
26 Explorations Incorporated of  
27 Nevada; HAHN'S WORLD OF SURPLUS,  
28 INC., a Nevada corporation;  
PATRICK C. CLARY, an individual;  
DOES 1 through 100, inclusive;

Defendants,

and

KOKOWEEF, INC., a Nevada  
corporation; EXPLORATIONS  
INCORPORATED OF NEVADA, a  
dissolved corporation,

Nominal Defendants.

) CASE NO. A558629  
) DEPT NO. XI

) MOTION TO COMPEL ANSWERS TO  
) INTERROGATORIES PROPOUNDED  
) TO PLAINTIFFS AND RESPONSE  
) TO REQUEST TO PLAINTIFF[S]  
) FOR PRODUCTION OF DOCUMENTS  
) AND EX PARTE MOTION FOR ORDER  
) SHORTENING TIME FOR HEARING  
) THEREON IN DEPARTMENT XI

FILE WITH  
MASTER CALENDAR

DATE OF HEARING: 5/27/10  
TIME OF HEARING: 9:00 am

1 So-called Nominal Defendant Kokoweef, Inc. and Defendant Patrick  
2 C. Clary ("the Movant") hereby move the Court, pursuant to Rule 37(a)  
3 of the Nevada Rules of Civil Procedure, for an Order compelling the  
4 Plaintiffs and their counsel to serve on the Defendants' counsel the  
5 Plaintiffs' Answers to Interrogatories Propounded to Plaintiffs and  
6 a Response to Request to Plaintiffs for Production of Documents and  
7 to produce the documents described therein ("the Motion to Compel").

8 The aforesaid Defendants also move the Court for an Order  
9 Shortening Time for the hearing thereon to the date of the status  
10 conference on discovery presently scheduled for May 27, 2010 at 9:00  
11 a.m. in Dept. XI, where discovery matters are being heard herein in  
12 accordance with the recommendation of the Supreme Court of Nevada  
13 ("the Motion for OST").

14 The Motion to Compel and the Motion for OST are made and based  
15 on all the pleadings and documents on file herein, the Memorandum of  
16 Points and Authorities in support hereof, and the Affidavit of Patrick  
17 C. Clary attached hereto as Exhibit A and incorporated herein by this  
18 reference.

19 DATED: May 21, 2010.

20 PATRICK C. CLARY, CHARTERED

21 By   
22 Patrick C. Clary

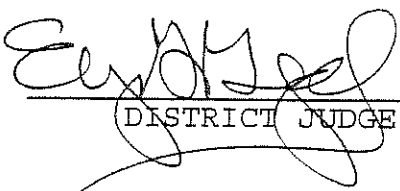
23 Attorneys for So-called Nominal  
24 Defendant Kokoweef, Inc. and  
25 Defendant Patrick C. Clary  
26  
27  
28

1 ORDER SHORTENING TIME

2 Good cause appearing, it is hereby

3 ORDERED that the time for the hearing on the above and foregoing  
4 Motion to Compel Answers to Interrogatories Propounded to Plaintiffs  
5 and Response to Request to Plaintiff[s] for Production of Documents  
6 be, and it hereby is, shortened to the 27 day of May, 2010,  
7 at the hour of 9:00 A.M.

8 DATED this 25 day of May, 2010.

9  
10   
11 DISTRICT JUDGE *zkc*

12 MEMORANDUM OF POINTS AND AUTHORITIES

13 Rule 37 of the Nevada Rules of Civil Procedure provides in  
14 pertinent part as follows:

15 (a) *Motion for order compelling disclosure or discovery.* A  
16 party, upon reasonable notice to other parties and all persons  
17 affected thereby, may apply for an order compelling disclosure  
or discovery as follows: . . .

18 (2) *Motion.* . . .

19 (B) If . . . a party fails to answer an interrogatory  
20 submitted under Rule 33, or if a party, in response to a request  
21 for inspection submitted under Rule 34, fails to respond that  
22 inspection will be permitted as requested or fails to permit  
23 inspections as requested, the discovering party may move for an  
24 order compelling an answer, . . . , or an order compelling  
inspection in accordance with the request. The motion must  
include a certification that the movant has in good faith  
conferred or attempted to confer with the person or party  
failing to make the discovery in an effort to secure the  
information or material without court action. . . .

25 Attached hereto as Exhibit A is the Affidavit of Patrick C. Clary  
26 ("the Clary Affidavit"), which explains the facts and circumstances  
27 that have occurred in this case necessitating the Motion to Compel and  
28 the Court's granting it.

1 The Clary Affidavit also contains the certification required by  
2 Rule 34(a) as set forth above and also complies with the further  
3 requirements set forth in Rule 2.34(d) of the Eighth Judicial District  
4 Court Rules ("the Local Rules"). Furthermore, the Clary Affidavit also  
5 complies with the requirements of Rule 2.26 of the Local Rules with  
6 respect to the Motion for OST. It is in the interest of both justice  
7 and judicial economy that the hearing on the Motion to Compel be set  
8 for the same time and date as the upcoming status conference on  
9 discovery and that it be set before Her Honor Judge Gonzales in Dept.  
10 XI, rather than before the Discovery Commissioner, because discovery  
11 matters are now being heard in Dept. XI in accordance with the  
12 recommendation of the Supreme Court of Nevada.

13 The Plaintiffs' counsel's objections (in Exhibits 3 and 4 to the  
14 Clary Affidavit) to the discovery sought by the Defendant herein are  
15 without merit and, in contrast with the Plaintiffs' counsel's  
16 extensive discovery actions are hypocritical.

17 For the foregoing reasons the Motion for OST should be granted  
18 as set forth hereinabove and, after the hearing to be provided for in  
19 such Order Shortening Time, the Motion to Compel should be granted.

20 DATED: May 21, 2010.

21 Respectfully submitted,

22 PATRICK C. CLARY, CHARTERED

23   
24 By \_\_\_\_\_  
Patrick C. Clary

25 Attorneys for So-called Nominal  
26 Defendant Kokoweef, Inc. and  
27 Defendant Patrick C. Clary  
28

AFFIDAVIT OF PATRICK C. CLARY

STATE OF NEVADA )  
                  ): ss.  
COUNTY OF CLARK )

I, PATRICK C. CLARY, having been first duly sworn, upon my oath, depose and state as follows:

1. I am the sole officer, director and stockholder of Patrick C. Clary, Chartered, a Nevada professional corporation, which is counsel for so-called Nominal Defendant Kokoweef, Inc., a Nevada corporation ("Kokoweef") and for Defendant Patrick C. Clary.

2. I make this Affidavit in support of Kokoweef's Motion to Compel Answers to Interrogatories Propounded to Plaintiffs and Response to Request to Plaintiff[s] for Production of Documents, to which this Affidavit is attached as Exhibit A. This Affidavit should be accepted by the Court as the Certificate required under Rule 37(a) of the Nevada Rules of Civil Procedure and also is intended to comply with the further requirements of Rule 2.34(d) of the Eighth Judicial District Court Rules.

3. On April 2, 2010, I caused to be served on counsel for the Plaintiffs herein (a) Interrogatories Propounded to Plaintiffs, and (b) a Request to Plaintiff[s] for Production of Documents, copies of which are attached hereto at Exhibits 1 and 2, respectively.

4. On May 7, 2010, I received from Plaintiffs counsel (a) Plaintiffs' First Responses to Defendant Patrick C. Clary's [sic] First Set of Interrogatories and (b) Plaintiffs' First Responses to Defendant Patrick C. Clary's [sic] First set of Request for Documents,

copies of which are attached hereto as Exhibits 3 and 4, respectively.

5. Also on May 7, 2010, I transmitted a letter to Plaintiffs counsel, a copy of which is attached hereto as Exhibit 5. No reply was ever received from Plaintiffs counsel to the said letter.

6. Because I had heard nothing from Plaintiffs' counsel regarding the request set forth in my aforesaid letter (Exhibit 5 hereto), on May 19, 2010 I placed a telephone call to Jennifer L. Taylor, Esq., one of Plaintiffs' counsel herein, for the purpose of scheduling the discovery dispute conference required by said Rule 37(a) and said Rule 2.34(d), but my telephone call was not returned.

7. On May 20, 2010, I placed another call to Ms. Taylor and was told by the person answering the telephone that Ms. Taylor was on a conference call and would call me back in 25-30 minutes. Approximately within that period of time I received the call from Ms. Taylor, who told me that she had a deadline she needed to complete, and, therefore, we scheduled a telephone conversation for 11:00 a.m. today.

8. On this date, May 21, 2010, at approximately 11:00 a.m. Ms. Taylor telephoned me as scheduled, and for more than one hour we conducted the discovery dispute conference. The discussion was quite heated at times, and at one point Ms. Taylor called me a liar. I persevered, however, and was able to complete the discovery dispute conference.

9. In the spirit of "compromise," Ms. Taylor said, apparently waiving the objection she had interposed to the effect that the Interrogatories had to be served separately on each and every one of

the Plaintiffs, she agreed to provide Answers, to the extent that her clients were able to answer them, to Interrogatories Nos. 1, 2, 3, 4, 5, 6, 10, 11, 12, and 13; however, she stated that, because she believed that those Interrogatories were "misnumbered and compound," she would "renumber" those Interrogatories and the Answers thereto!

10. She also said that she would provide the Answers to me by one week from today, which is May 28, 2010.

11. However, she refused to provide Answers to Interrogatories Nos. 7-9 and 14-26, because she asserted that they were "overly broad," and she also refused to provide Answers to 27-32, because, she said, according to her "renumbering" calculation, they would be in excess of 40 Interrogatories!

12. I reiterated to Ms. Taylor that I felt that all of the Interrogatories were straightforward and easy to answer and that I considered her objections to be without merit.

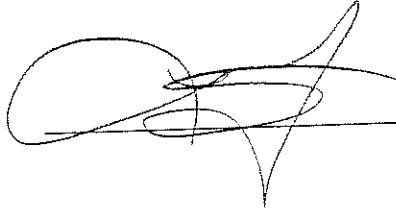
13. Notwithstanding the foregoing concessions by Ms. Taylor, she refused to agree to produce any of the documents requested to be produced, stating that she would stand by her objections set forth in Exhibit 4 hereto.

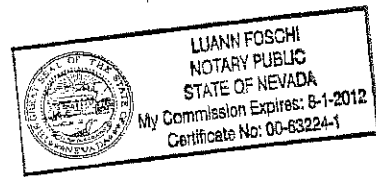
14. Accordingly, I am seeking an order from the Court, compelling that Answers be provided to all of the Interrogatories utilizing the existing numbering system set forth and also compelling the production

of all the documents requested to be produced.

  
PATRICK C. CLARY

SUBSCRIBED AND SWORN TO before me on May 21, 2010.







## **EXHIBIT 1**

1 **INGG**

2 PATRICK C. CLARY, CHARTERED  
3 Patrick C. Clary  
4 Nevada Bar No. 00053  
5 City Center West, Suite 503  
6 7201 West Lake Mead Boulevard  
7 Las Vegas, Nevada 89128  
8 Telephone: 702.382.0813  
9 FAX: 702.382-7277

10 Attorneys for So-called Nominal  
11 Defendant Kokoweef, Inc. and  
12 Defendant Patrick C. Clary

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 -o-o-

16 TED R. BURKE; MICHAEL R. and )  
17 LAURETTA L. KEHOE; JOHN BERTOLDO; )  
18 PAUL BARNARD; EDDY KRAVETZ; JACKIE )  
19 & FRED KRAVETZ; STEVE FRANKS; )  
20 PAULA MARIA BARNARD; PETE T. and )  
21 LISA A. FREEMAN; LEON GOLDEN; )  
22 C.A. MURFF; GERDA FERN BILLBE; )  
23 BOB and ROBYN TRESKA; MICHAEL )  
24 RANDOLPH; and FREDERICK WILLIS, )

25 Plaintiffs,

26 vs.

27 LARRY H. HAHN, individually, and )  
28 as President and Treasurer of )  
Kokoweef, Inc., and former )  
President and Treasurer of )  
Explorations Incorporated of )  
Nevada; HAHN'S WORLD OF SURPLUS, )  
INC., a Nevada corporation; )  
PATRICK C. CLARY, an individual; )  
DOES 1 through 100, inclusive; )

29 Defendants,

30 and

31 KOKOWEEF, INC., a Nevada )  
32 corporation; EXPLORATIONS )  
33 INCORPORATED OF NEVADA, a )  
34 dissolved corporation, )

35 Nominal Defendants. )

CASE NO. A558629  
DEPT NO. XI

INTERROGATORIES PRO-  
POUNDED TO PLAINTIFFS

1 So-called Nominal Defendant Kokoweef, Inc. ("Kokoweef") and  
2 Defendant Patrick C. Clary, pursuant to Rule 33 of the Nevada Rules  
3 of Civil Procedure, hereby propound to the Plaintiffs and each of them  
4 separately the following Interrogatories:

5 1. Please state your name and all other names which you have used  
6 or by which you have been known.

7 2. Please state your residence addresses and all other addresses  
8 as which you have resided since you became a stockholder of either  
9 Kokoweef or Explorations Incorporated of Nevada, a Nevada corporation  
10 ("Explorations") or both of them together with the dates of such  
11 residencies.

12 3. Please state the date on which you became a stockholder of  
13 either Kokoweef or Explorations or both of them. If you became a  
14 stockholder of both of them state the date for each of them.

15 4. When and how did you first learn about either Explorations or  
16 Kokoweef or both of them?

17 5. Were you contacted by anyone representing either Explorations  
18 or Kokoweef to buy stock in either of them? If so, state the name of  
19 the person or persons who contacted you, the date, place and method  
20 of contact and the circumstances of the contact.

21 6. Have you ever met Defendant Larry Hahn, and, if so, who  
22 introduced you to him? If so, state the date, location and method of  
23 the meeting.

24 7. What if anything at anytime did Mr. Hahn tell you regarding  
25 Explorations or Kokoweef and your purchase of stock in either or both  
26 of them?

27 8. When did you first meet Plaintiff Ted Burke, and who  
28 introduced you to him? What if anything at anytime did Mr. Burke tell

1 you regarding Explorations or Kokoweef and your purchase of stock in  
2 either or both of them?

3 9. Have you ever meet Defendant Patrick C. Clary, If so, who  
4 introduced you to him, and what if anything at anytime did Mr. Clary  
5 tell you about Explorations or Kokoweef and your purchase of stock in  
6 either or both of them?

7 10. State the number of shares of stock which you own or hold in  
8 either Explorations or Kokoweef and whether you paid cash or some  
9 other consideration. What consideration did you provide for the stock?

10 11. State the certificate numbers representing all shares of  
11 stock of either Explorations or Kokoweef which you own or hold and the  
12 number of shares that appears on each such certificate.

13 12. Did you ever exchange shares of stock of Explorations for  
14 shares of stock of Kokoweef? If so, when did that occur, and explain  
15 the circumstances of such exchange.

16 13. Did you personally sign a verification of the so-called  
17 Verified Derivative First Amended Complaint filed in the above-  
18 captioned case on September 22, 2008 ("the Amended Complaint")?

19 14. State all facts upon which you rely in support of the  
20 allegations contained in the so-called First Cause of Action of the  
21 Amended Complaint.

22 15. State all facts upon which you rely in support of the  
23 allegations contained in the so-called Second Cause of Action of the  
24 Amended Complaint.

25 16. State all facts upon which you rely in support of the  
26 allegations contained in the so-called Third Cause of Action of the  
27 Amended Complaint.

28 17. State all facts upon which you rely in support of the

1 allegations contained in the so-called Fourth Cause of Action of the  
2 Amended Complaint.

3 18. State all facts upon which you rely in support of the  
4 allegations contained in the so-called Fifth Cause of Action of the  
5 Amended Complaint.

6 19. State all facts upon which you rely in support of the  
7 allegations contained in the so-called Sixth Cause of Action of the  
8 Amended Complaint.

9 20. State all facts upon which you rely in support of the  
10 allegations contained in the so-called Seventh Cause of Action of the  
11 Amended Complaint.

12 21. State all facts upon which you rely in support of the  
13 allegations contained in the so-called Eighth Cause of Action of the  
14 Amended Complaint.

15 22. State all facts upon which you rely in support of the  
16 allegations contained in the so-called Ninth Cause of Action of the  
17 Amended Complaint.

18 23. State all facts upon which you rely in support of the  
19 allegations contained in the so-called Tenth Cause of Action of the  
20 Amended Complaint.

21 24. State all of facts on which you based your claim that  
22 Defendant Patrick C. Clary committed securities fraud.

23 25. State all facts which you believe constituted negligent  
24 misrepresentation by Defendant Patrick C. Clary.

25 26. State all representations of which you complain were made to  
26 you by Defendant Patrick C. Clary upon which you relied to your  
27 detriment.

28 27. Have there been any representations made to you by any other

1 Plaintiff in this action or any other person as to any benefit that  
2 you or any other person will receive a result of the successful  
3 prosecution through a trial to judgment of this litigation? If so,  
4 state specifically what those representations were or are.

5 28. State specifically what you hope to achieve for your benefit  
6 by the filing and prosecution of this litigation. If you deny that  
7 there is any such benefit, what then was and is your purpose and  
8 filing and prosecuting this litigation?

9 29. Have you contributed to the cost of the filing and  
10 prosecution of this litigation, and if so, what was or is that  
11 contribution, when was it made, and to whom was it made.

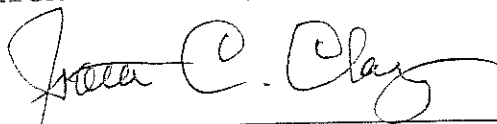
12 30. If you have made no contribution to the Plaintiffs' cost of  
13 this litigation, who is financing this litigation, and what are the  
14 terms of that financing arrangement?

15 31. Have you had any discussions with Neal J. Beller, Esquire,  
16 Alexander Robertson, Esquire, or Jennifer Taylor, Esquire? If so,  
17 set forth whether the discussion was telephonic or in person, the  
18 dates, location if in person and who was present or participated on  
19 each occasion.

20 32. Set forth any facts of which you are aware regarding any  
21 aspect of this litigation that are not contained in the answers to the  
22 foregoing Interrogatories.

23 DATED: April 2nd, 2010.

24 PATRICK C. CLARY, CHARTERED

25   
26 By \_\_\_\_\_  
Patrick C. Clary

27 Attorneys for So-called Nominal  
28 Defendant Kokoweef, Inc. and  
Defendant Patrick C. Clary

1  
2 CERTIFICATE OF SERVICE BY MAILING

3 The above and foregoing Interrogatories to Plaintiffs were served  
4 on the Plaintiffs by mailing a copy thereof, first-class postage  
5 prepaid, to their attorneys, Robertson & Vick, LLP, 401 North Buffalo  
6 Drive, Suite 202, Las Vegas, Nevada 89145, and were served on  
7 Defendants Larry Hahn and Hahn's World of Surplus, Inc. by mailing a  
8 copy thereof, first-class postage prepaid, to their attorney, M Nelson  
9 Segel, Esq., M Nelson Segel, Chartered, 624 South 9<sup>th</sup> Street, Las  
10 Vegas, Nevada 89101, on April 2, 2010.

11 PATRICK C. CLARY, CHARTERED

12   
13 By \_\_\_\_\_  
14 Patrick C. Clary

15 Attorneys for So-called Nominal  
16 Defendant Kokoweef, Inc. and  
17 Defendant Patrick C. Clary  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Law Offices of  
PATRICK C. CLARY, CHARTERED  
7201 West Lake Mead Boulevard, Suite 410  
Las Vegas, Nevada 89128  
Tel: 702.382.0813 - Fax: 702.382-7277

## **EXHIBIT 2**



1 RFP

2 PATRICK C. CLARY, CHARTERED  
3 Patrick C. Clary  
4 Nevada Bar No. 00053  
5 City Center West, Suite 503  
6 7201 West Lake Mead Boulevard  
7 Las Vegas, Nevada 89128  
8 Telephone: 702.382.0813  
9 FAX: 702.382-7277

10 Attorneys for So-called Nominal  
11 Defendant Kokoweef, Inc. and  
12 Defendant Patrick C. Clary

13 DISTRICT COURT

14 CLARK COUNTY, NEVADA

15 -o0o-

16 TED R. BURKE; MICHAEL R. and )  
17 LAURETTA L. KEHOE; JOHN BERTOLDO; )  
18 PAUL BARNARD; EDDY KRAVETZ; JACKIE )  
19 & FRED KRAVETZ; STEVE FRANKS; )  
20 PAULA MARIA BARNARD; PETE T. and )  
21 LISA A. FREEMAN; LEON GOLDEN; )  
22 C.A. MURFF; GERDA FERN BILLBE; )  
23 BOB and ROBYN TRESKA; MICHAEL )  
24 RANDOLPH; and FREDERICK WILLIS, )

25 Plaintiffs,

26 vs.

27 LARRY H. HAHN, individually, and )  
28 as President and Treasurer of )  
Kokoweef, Inc., and former )  
President and Treasurer of )  
Explorations Incorporated of )  
Nevada; HAHN'S WORLD OF SURPLUS, )  
INC., a Nevada corporation; )  
PATRICK C. CLARY, an individual; )  
DOES 1 through 100, inclusive; )

29 Defendants,

30 and

31 KOKOWEEF, INC., a Nevada )  
32 corporation; EXPLORATIONS )  
33 INCORPORATED OF NEVADA, a )  
34 dissolved corporation, )

35 Nominal Defendants. )

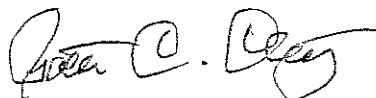
CASE NO. A558629  
DEPT NO. XI

REQUEST TO PLAINTIFF FOR  
PRODUCTION OF DOCUMENTS

1 So-called Nominal Defendant Kokoweef, Inc. and Defendant Patrick  
2 C. Clary, pursuant to Rule 34 of the Nevada Rules of Civil Procedure,  
3 hereby request that the Plaintiffs and each of them produce and  
4 deliver to the aforesaid counsel, at their address set forth herein,  
5 within 30 days of the date hereof, all documents and things which  
6 support the allegations contained in First, Second, Third, Fourth,  
7 Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth so-called Causes of  
8 Action contained in the so-called Verified Derivative First Amended  
9 Complaint filed in the above-captioned case on September 22, 2008.

10 DATED: April 2nd, 2010.

11 PATRICK C. CLARY, CHARTERED

12 

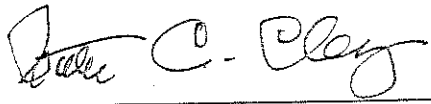
13 By \_\_\_\_\_  
14 Patrick C. Clary

15 Attorneys for So-called Nominal  
16 Defendant Kokoweef, Inc. and  
17 Defendant Patrick C. Clary  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE BY MAILING

The above and foregoing Request to Plaintiffs for Production of Documents was served on the Plaintiffs by mailing a copy thereof, first-class postage prepaid, to their attorneys, Robertson & Vick, LLP, 401 North Buffalo Drive, Suite 202, Las Vegas, Nevada 89145, and was served on Defendants Larry Hahn and Hahn's World of Surplus, Inc. by mailing a copy thereof, first-class postage prepaid, to their attorney, M Nelson Segel, Esq., M Nelson Segel, Chartered, 624 South 9<sup>th</sup> Street, Las Vegas, Nevada 89101, on April 2, 2010.

PATRICK C. CLARY, CHARTERED

By   
Patrick C. Clary

Attorneys for So-called Nominal  
Defendant Kokoweef, Inc. and  
Defendant Patrick C. Clary

Law Offices of  
**PATRICK C. CLARY, CHARTERED**  
7201 West Lake Mead Boulevard, Suite 410  
Las Vegas, Nevada 89128  
Tel: 702.382.0813 - Fax: 702.382-7277

**EXHIBIT 3**

RECEIVED

MAY 07 2010

BY:

1 ALEXANDER ROBERTSON, IV  
State Bar No. 8642  
2 JENNIFER L. TAYLOR  
State Bar No. 5798  
3 ROBERTSON & VICK, LLP  
401 N. Buffalo Drive, Suite 202  
4 Las Vegas, Nevada 89145  
Telephone: (702) 247-4661  
5 Facsimile: (702) 247-6227

6 Attorneys for Plaintiffs

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA  
9

10 TED R. BURKE, MICHAEL R. and  
11 LAURETTA L. KEHOE; JOHN BERTOLDO;  
PAUL BARNARD; EDDY KRAVETZ;  
12 JACKIE and FRED KRAVETZ; STEVE  
FRANKS; PAULA MARIA BARNARD;  
13 LEON GOLDEN; C.A. MURFF; GERDA  
FERN BILLBE; BOB and ROBYN TRESKA;  
14 MICHAEL RANDOLPH, and FREDERICK  
WILLIS,

15 Plaintiffs,

16 vs.

17 LARRY H. HAHN, individually, and as  
18 President and Treasurer of Kokoweef, Inc., and  
former President and Treasurer of Explorations  
19 Incorporated of Nevada; HAHN'S WORLD OF  
SURPLUS, INC., a Nevada corporation; DOES  
20 I-X, inclusive; DOE OFFICERS, DIRECTORS  
and PARTICIPANTS I-XX,

21 Defendants.,

22 and

23 KOKOWEEF, INC, a Nevada corporation;  
24 EXPLORATIONS INCORPORATED OF  
NEVADA, a dissolved corporation;

25 Nominal Defendants.  
26

CASE NO. A558629  
Dept. XI

PLAINTIFFS' FIRST RESPONSES TO  
DEFENDANT PATRICK C. CLARY'S  
FIRST SET OF INTERROGATORIES

## GENERAL OBJECTIONS

1  
2 The responses herein are made on the basis of information and writings presently  
3 available to and located by the above-named Responding Parties upon reasonable investigation of  
4 its records and memory. There may be other and further information affecting the responses of  
5 which Responding Parties, despite their reasonable investigation and inquiry, are presently  
6 unaware. Responding Parties are continuing the development of facts and legal issues which are  
7 presented in this matter and inquired into by Propounding Parties' discovery. Responding Parties  
8 reserves the right to modify or to enlarge their responses herein with such pertinent additional  
9 information as may subsequently be discovered. Furthermore, these responses are made by  
10 Responding Parties without prejudice to their using or relying on at trial any subsequently-  
11 discovered information, or information omitted from these responses as a result of good-faith  
12 oversight, error or mistake.

13 The responses herein are made solely for the purpose of this action. Each response is  
14 subject to all objections as to competence, relevance, materiality, propriety and admissibility, and  
15 to any and all other objections on any grounds which would require the exclusion from evidence  
16 of any statement herein of any inspection or manner asked of, or any statements contained herein  
17 which were made by witnesses present and testifying in court, all of which objections and  
18 grounds are expressly reserved and may be interposed at the time of trial.

19 No incidental or implied admissions are intended by the responses herein. The fact that  
20 the Responding Parties responded or objected to any discovery request, or part thereof, shall not  
21 be deemed an admission that Responding Parties accept or admit the existence of facts set forth  
22 or assumed by such discovery, or that such response or objection contains admissible evidence.  
23 The fact that Responding Parties have answered part or all of any discovery request is not  
24 intended to, and shall not be construed to be a waiver by Responding Parties of any part of any  
25 objection to any discovery request.

26 To the extent any discovery request, or part thereof, calls for information, legal analysis  
27 or reasoning, writings, communications, or anything else protected from disclosure by the work-  
28 product doctrine, or the attorney-client privilege, or any other privilege, Responding Parties

1 hereby object to each and every such discovery request, and part thereof, and will not supply or  
2 render information, or anything else protected from discovery by virtue of such doctrine or  
3 privileges.

4 Responding Parties objects to any discovery request, or part thereof, which purports to  
5 require responding Parties to conduct an investigation beyond its records and recollection as  
6 burdensome and oppressive.

7 In answering these discovery responses, Propounding Parties has been furnished with  
8 such information as is presently available to R2esponding Parties, which may include hearsay  
9 and other forms of information, which may or may not be admissible into evidence. Responding  
10 Parties reserve all objections relating to admissible evidence. Responding Parties reserve the  
11 right to introduce at trial evidence which is not presently known to Propounding Parties and/or  
12 discovery subsequent to the date of these answers and reserve the right to amend these answers  
13 without motion at any time.

14 It should be noted that Responding Parties have not fully completed their investigation of  
15 the facts related to the case, have not fully completed their discovery in this action, and have not  
16 fully completed its preparation for trial. Further, it should be noted that pursuant to the Order  
17 Granting Plaintiffs' Motion to Compel, Responding Parties have only recently received discs  
18 containing in excess of 19,000 pages of documents related to Kokoweef's shareholder records,  
19 which were scanned at Responding Parties' expense at the offices of Kokoweef between April 16  
20 and April 21, 2010. All the answers contained herein are based solely upon such information and  
21 documents which are presently available, and specifically known, to responding Parties. The  
22 following responses are, therefore, given without prejudice to Responding Parties' right to  
23 produce evidence of any subsequently-discovered fact or facts which the responding Parties may  
24 later recall or discover.

25 INTERROGATORY NO. 1:

26 Please state your name and all other names which you have used or by which you have  
27 been known.

28 ///

1 RESPONSE TO INTERROGATORY NO. 1:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3 NRCP 33, and, therefore the Interrogatories must be served individually. Without waiving this  
4 Objection, Plaintiffs jointly respond as follows:

5       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
6 up to and including the time of trial.

7 INTERROGATORY NO. 2:

8       Please state your residence addresses and all other addresses at which you have resided  
9 since you became a stockholder of either Kokoweef of Explorations Incorporated of Nevada, a  
10 Nevada corporation ("Explorations") or both of them together with the dates of such residences.

11 RESPONSE TO INTERROGATORY NO. 2:

12       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
13 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
14 Interrogatory is enumerated as Interrogatory No. 2, it is a compound interrogatory, which actually  
15 consists of Interrogatories No. 2 and 3. Further, Plaintiffs object to this Interrogatory because the  
16 information sought is unreasonably cumulative, duplicative and obtainable through another  
17 source, specifically, Propounding Parties' own business records. Without waiving these  
18 Objections, Plaintiffs jointly respond as follows:

19       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
20 up to and including the time of trial.

21 INTERROGATORY NO. 3:

22       Please state the date on which you became a stockholder of either Kokoweef or  
23 Explorations or both of them. If you became a stockholder of both of them, state the date for  
24 each of them.

25 RESPONSE TO INTERROGATORY NO. 3:

26       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
27 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
28 Interrogatory is enumerated as Interrogatory No. 3, it is a compound interrogatory, which actually



1 consists of Interrogatories No. 4 through 6. Further, Plaintiffs object to this Interrogatory  
2 because the information sought is unreasonably cumulative, duplicative and obtainable through  
3 another source, specifically, Propounding Parties' own business records. Without waiving these  
4 Objections, Plaintiffs jointly respond as follows:

5       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
6 up to and including the time of trial.

7 **INTERROGATORY NO. 4:**

8       When and how did you first learn about either Explorations or Kokoweef or both of  
9 them?

10 **RESPONSE TO INTERROGATORY NO. 4:**

11       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
12 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
13 Interrogatory is enumerated as Interrogatory No. 4, it is a compound interrogatory which actually  
14 consists of Interrogatories No. 7 and 8. Additionally, this Interrogatory is vague, ambiguous and  
15 indefinite to apprise Responding Parties of what is actually being sought. Without waiving these  
16 Objections, Plaintiffs jointly respond as follows:

17       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
18 up to and including the time of trial.

19 **INTERROGATORY NO. 5:**

20       Were you contacted by anyone representing either Explorations or Kokoweef to buy stock  
21 in either of them? If so, state the name of the person or persons who contacted you, the date,  
22 place and method of contact and the circumstances of the contact.

23 **RESPONSE TO INTERROGATORY NO. 5:**

24       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
25 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
26 Interrogatory is enumerated as Interrogatory No. 5, it is a compound interrogatory which actually  
27 consists of Interrogatories No. 10 and 11. Additionally, this Interrogatory is vague, ambiguous

1 and indefinite to apprise Responding Parties of what is actually being sought. Without waiving  
2 these Objections, Plaintiffs jointly respond as follows:

3       Discovery is continuing. Plaintiffs, jointly, reserve the right to supplement this response  
4 up to and including the time of trial.

5 INTERROGATORY NO. 6:

6       Have you ever met Defendant Larry Hahn, and, if so, who introduced you to him? If so,  
7 state the date, location and method of the meeting.

8 RESPONSE TO INTERROGATORY NO. 6:

9       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
10 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
11 Interrogatory is enumerated as Interrogatory No. 6, it is a compound interrogatory which actually  
12 consists of Interrogatories No. 12 and 13. Without waiving these Objections, Plaintiffs jointly  
13 respond as follows:

14       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
15 up to and including the time of trial.

16 INTERROGATORY NO. 7:

17       What if anything at any time did Mr. Hahn tell you regarding Explorations or Kokoweef  
18 and your purchase of stock in either or both of them?

19 RESPONSE TO INTERROGATORY NO. 7:

20       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
21 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
22 Interrogatory is enumerated as Interrogatory No. 7, it is a compound interrogatory which actually  
23 consists of Interrogatories No. 14 - 17. Additionally, this interrogatory is vague and ambiguous  
24 as to time and context, and so indefinite as to fail to apprise Responding Parties of what is  
25 actually being sought. Further, this Interrogatory is overly broad and unduly burdensome  
26 because it seeks a blanket narrative of events at "any time". Without waiving these Objections,  
27 Plaintiffs jointly respond as follows:

1           Discovery is continuing. Plaintiffs, jointly, reserve the right to supplement this response  
2 up to and including the time of trial.

3 INTERROGATORY NO. 8:

4           When did you first meet Plaintiff Ted Burke, and who introduced you to him? What if  
5 anything at any time did Mr. Burke tell you regarding Explorations or Kokoweef and your  
6 purchase of stock in either or both of them?

7 RESPONSE TO INTERROGATORY NO. 8:

8           Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
9 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
10 Interrogatory is enumerated as Interrogatory No. 8, it is a compound interrogatory which actually  
11 consists of Interrogatories No. 18 through 20. Additionally, this interrogatory is vague and  
12 ambiguous as to time and context, and so indefinite as to fail to apprise Responding Parties of  
13 what is actually being sought. Further, this Interrogatory is overly broad and unduly burdensome  
14 because it seeks a blanket narrative of events at "any time". This Interrogatory is also overly  
15 broad to the extent that it seeks information, without limitation, which may be subject to the  
16 attorney-client privilege and the attorney work-product doctrine, and is vague and ambiguous  
17 because it assumes facts which have not been provided by Responding Parties. Without waiving  
18 these objections Plaintiffs jointly respond as follows:

19           Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
20 up to and including the time of trial.

21 INTERROGATORY NO. 9:

22           Have you ever met Defendant Patrick C. Clary, If so, who introduced you to him, and  
23 what if anything at any time did Mr. Clary tell you about Explorations or Kokoweef and your  
24 purchase of stock in either or both of them?

25 RESPONSE TO INTERROGATORY NO. 9:

26           Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
27 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
28 Interrogatory is enumerated as Interrogatory No. 9, it is a compound interrogatory which actually

1 consists of Interrogatories No. 21 and 22. Additionally, this interrogatory is vague and  
2 ambiguous as to time and context, and so indefinite as to fail to apprise Responding Parties of  
3 what is actually being sought. Further, this Interrogatory is overly broad and unduly  
4 burdensome because it seeks a blanket narrative of events at "any time". Without waiving these  
5 Objections, Plaintiffs jointly respond as follows:

6       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
7 up to and including the time of trial.

8 INTERROGATORY NO. 10:

9       State the number of shares of stock which you own or hold in either Explorations or  
10 Kokoweef and whether you paid cash or some other consideration. What consideration did you  
11 provide for the stock?

12 RESPONSE TO INTERROGATORY NO. 10:

13       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
14 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
15 Interrogatory is enumerated as Interrogatory No. 10, it is a compound interrogatory which  
16 actually consists of Interrogatories No. 23 through 26. Further, Plaintiffs object to this  
17 Interrogatory because the information sought is unreasonably cumulative, duplicative and  
18 obtainable through another source, specifically, Propounding Parties' own business records. This  
19 Interrogatory is also overly broad to the extent that it seeks information for which facts which  
20 have not been provided by Responding Parties. Without waiving these Objections, Plaintiffs  
21 jointly respond as follows:

22       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
23 up to and including the time of trial. Objection.

24 INTERROGATORY NO. 11:

25       State the certificate numbers representing all shares of stock of either Explorations or  
26 Kokoweef which you own or hold and the number of shares that appears on each such certificate.

27 ///

28 ///

1 RESPONSE TO INTERROGATORY NO. 11:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4 Interrogatory is enumerated as Interrogatory No. 11, it is a compound interrogatory which  
5 actually consists of Interrogatories No. 26 through 27. Further, Plaintiffs object to this  
6 Interrogatory because the information sought is unreasonably cumulative, duplicative and  
7 obtainable through another source, specifically, Propounding Parties' own business records. This  
8 Interrogatory is also overly broad, vague and ambiguous because it assumes that Propounding  
9 Parties have taken certain actions in regard to the provision of stock certificates to Responding  
10 Parties. Without waiving these Objections, Plaintiffs jointly respond as follows:

11       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
12 up to and including the time of trial.

13 INTERROGATORY NO. 12:

14       Did you ever exchange shares of stock of Explorations for shares of stock of Kokoweef?  
15 If so, when did that occur, and explain the circumstances of such exchange.

16 RESPONSE TO INTERROGATORY NO. 12:

17       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
18 NRCP 33, and, therefore the Interrogatories must be served individually. This interrogatory is  
19 compound. Additionally, while this Interrogatory is enumerated as Interrogatory No. 12, as a  
20 result of the preceding compound interrogatories, it constitutes Interrogatory No. 29. Further,  
21 Plaintiffs object to this Interrogatory because the information sought is unreasonably cumulative,  
22 duplicative and obtainable through another source, specifically, Propounding Parties' own  
23 business records. Without waiving these Objections, Plaintiffs jointly respond as follows:

24       Discovery is continuing. Plaintiffs, jointly, reserve the right to supplement this response  
25 up to and including the time of trial.

26 ///

27 ///

28 ///

1 INTERROGATORY NO. 13:

2 Did you personally sign a verification of the so-called Verified Derivative First Amended  
3 Complaint filed in the above-captioned case on September 22, 2008 ("the Amended  
4 Complaint")?

5 RESPONSE TO INTERROGATORY NO. 13:

6 Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
7 NRC 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
8 Interrogatory is enumerated as Interrogatory No. 13, as a result of the preceding compound  
9 interrogatories, this constitutes Interrogatory No. 30. Without waiving this Objection, Plaintiffs  
10 jointly respond as follows:

11 Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
12 up to and including the time of trial.

13 INTERROGATORY NO. 14:

14 State all facts upon which you rely in support of the allegations contained in the so-called  
15 First Cause of Action of the Amended Complaint.

16 RESPONSE TO INTERROGATORY NO. 14:

17 Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
18 NRC 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
19 Interrogatory is enumerated as Interrogatory No. 14, as a result of the preceding compound  
20 interrogatories, this Interrogatory constitutes Interrogatory No. 31. Further, this Interrogatory is  
21 overly broad and unduly burdensome because it seeks a blanket narrative account of the case  
22 through its requests for "all facts". This Interrogatory is also vague and ambiguous as to the term  
23 "so-called". Without waiving these Objections, Plaintiffs jointly respond as follows:

24 Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
25 up to and including the time of trial.

26 INTERROGATORY NO. 15:

27 State all facts upon which you rely in support of the allegations contained in the so-called  
28 Second Cause of Action of the Amended Complaint.

1 RESPONSE TO INTERROGATORY NO. 15:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3       NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4       Interrogatory is enumerated as Interrogatory No. 15, as a result of the preceding compound  
5       interrogatories, this constitutes Interrogatory No. 32. Further, this Interrogatory is overly broad  
6       and unduly burdensome because it seeks a blanket narrative account of the case through its  
7       requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
8       called". Without waiving these Objections, Plaintiffs jointly respond as follows:

9       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
10      up to and including the time of trial.

11 INTERROGATORY NO. 16:

12      State all facts upon which you rely in support of the allegations contained in the so-called  
13      Third Cause of Action of the Amended Complaint.

14 RESPONSE TO INTERROGATORY NO. 16:

15      Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
16      NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
17      Interrogatory is enumerated as Interrogatory No. 16, as a result of the preceding compound  
18      interrogatories, this constitutes Interrogatory No. 33. Further, this Interrogatory is overly broad  
19      and unduly burdensome because it seeks a blanket narrative account of the case through its  
20      requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
21      called". Without waiving these Objections, Plaintiffs jointly respond as follows:

22      Discovery is continuing. Plaintiffs, jointly, reserve the right to supplement this response  
23      up to and including the time of trial.

24 INTERROGATORY NO. 17:

25      State all facts upon which you rely in support of the allegations contained in the so-called  
26      Fourth Cause of Action of the Amended Complaint.

27 ///

28 ///

1 RESPONSE TO INTERROGATORY NO. 17:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3       NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4       Interrogatory is enumerated as Interrogatory No. 17, this constitute Interrogatory No. 34. Further,  
5       this Interrogatory is overly broad and unduly burdensome because it seeks a blanket narrative  
6       account of the case through its requests for "all facts". This Interrogatory is also vague and  
7       ambiguous as to the term "so-called". Without waiving these Objections, Plaintiffs jointly  
8       respond as follows:

9       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
10      up to and including the time of trial.

11 INTERROGATORY NO. 18:

12      State all facts upon which you rely in support of the allegations contained in the so-called  
13      Fifth Cause of Action of the Amended Complaint.

14 RESPONSE TO INTERROGATORY NO. 18:

15      Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
16      NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
17      Interrogatory is enumerated as Interrogatory No. 18, as a result of the preceding compound  
18      interrogatories, this constitutes Interrogatory No. 35. Further, this Interrogatory is overly broad  
19      and unduly burdensome because it seeks a blanket narrative account of the case through its  
20      requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
21      called". Without waiving these Objections, Plaintiffs jointly respond as follows:

22      Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
23      up to and including the time of trial.

24 INTERROGATORY NO. 19:

25      State all facts upon which you rely in support of the allegations contained in the so-called  
26      Sixth Cause of Action of the Amended Complaint.

27 ///

28 ///



1 RESPONSE TO INTERROGATORY NO. 19:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3       NRCp 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4       Interrogatory is enumerated as Interrogatory No. 19 as a result of the preceding compound  
5       interrogatories, this Interrogatory actually constitutes the twenty-eighth Interrogatory and should  
6       be numbered, therefore, as Interrogatory No. 36. Further, this Interrogatory is overly broad and  
7       unduly burdensome because it seeks a blanket narrative account of the case through its requests  
8       for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-called".  
9       Without waiving these Objections, Plaintiffs jointly respond as follows:

10       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
11       up to and including the time of trial.

12 INTERROGATORY NO. 20:

13       State all facts upon which you rely in support of the allegations contained in the so-called  
14       Seventh Cause of Action of the Amended Complaint.

15 RESPONSE TO INTERROGATORY NO. 20:

16       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
17       NRCp 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
18       Interrogatory is enumerated as Interrogatory No. 20, as a result of the preceding compound  
19       interrogatories, this constitutes Interrogatory No. 37. Further, this Interrogatory is overly broad  
20       and unduly burdensome because it seeks a blanket narrative account of the case through its  
21       requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
22       called". Without waiving these Objections, Plaintiffs jointly respond as follows:

23       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
24       up to and including the time of trial.

25 INTERROGATORY NO. 21:

26       State all facts upon which you rely in support of the allegations contained in the so-called  
27       Eighth Cause of Action of the Amended Complaint.

28 ///

1 RESPONSE TO INTERROGATORY NO. 21:

2 Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4 Interrogatory is enumerated as Interrogatory No. 21, as a result of the preceding compound  
5 interrogatories, this constitutes Interrogatory No. 38. Further, this Interrogatory is overly broad  
6 and unduly burdensome because it seeks a blanket narrative account of the case through its  
7 requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
8 called". Without waiving these Objections, Plaintiffs jointly respond as follows:

9 Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
10 up to and including the time of trial.

11 INTERROGATORY NO. 22:

12 State all facts upon which you rely in support of the allegations contained in the so-called  
13 Ninth Cause of Action of the Amended Complaint.

14 RESPONSE TO INTERROGATORY NO. 22:

15 Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
16 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
17 Interrogatory is enumerated as Interrogatory No. 22, as a result of the preceding compound  
18 interrogatories, this constitutes Interrogatory No. 39. Further, this Interrogatory is overly broad  
19 and unduly burdensome because it seeks a blanket narrative account of the case through its  
20 requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
21 called". Without waiving these Objections, Plaintiffs jointly respond as follows:

22 Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
23 up to and including the time of trial.

24 INTERROGATORY NO. 23:

25 State all facts upon which you rely in support of the allegations contained in the so-called  
26 Tenth Cause of Action of the Amended Complaint.

27 ///

28 ///

1 RESPONSE TO INTERROGATORY NO. 23:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3       NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4       Interrogatory is enumerated as Interrogatory No. 23, as a result of the preceding compound  
5       interrogatories, this constitutes Interrogatory No. 40. Further, this Interrogatory is overly broad  
6       and unduly burdensome because it seeks a blanket narrative account of the case through its  
7       requests for "all facts". This Interrogatory is also vague and ambiguous as to the term "so-  
8       called". Without waiving these Objections, Plaintiffs jointly respond as follows:

9       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
10      up to and including the time of trial.

11 INTERROGATORY NO. 24:

12      State all of facts on which you based your claim that Defendant Patrick C. Clary  
13      committed securities fraud.

14 RESPONSE TO INTERROGATORY NO. 24:

15      Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
16      NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
17      Interrogatory is enumerated as Interrogatory No. 24, as a result of the preceding compound  
18      interrogatories, this constitutes Interrogatory No. 41, and, therefore, Propounding Parties have  
19      exceeded the number of Interrogatories permitted by NRCP 33. Further, this Interrogatory is  
20      overly broad and unduly burdensome because it seeks a blanket narrative account of the case  
21      through its requests for "all facts". This Interrogatory is also objected to the basis that it seeks a  
22      legal conclusion as to "securities fraud." Without waiving these Objections, Plaintiffs jointly  
23      respond as follows:

24      Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
25      up to and including the time of trial. Objection.

26 INTERROGATORY NO. 25:

27      State all facts which you believe constituted negligent misrepresentation by Defendant  
28      Patrick C. Clary.

1 RESPONSE TO INTERROGATORY NO. 25:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3       NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4       Interrogatory is enumerated as Interrogatory No. 25, as a result of the preceding compound  
5       interrogatories, this constitutes Interrogatory No. 42. Therefore, Propounding Parties have  
6       exceeded the number of Interrogatories permitted pursuant to NRCP 33. Further, this  
7       Interrogatory is overly broad and unduly burdensome because it seeks a blanket narrative account  
8       of the case through its requests for "all facts". This Interrogatory is also objected to the basis  
9       that it seeks a legal conclusion as to "negligent misrepresentation". Without waiving this  
10      Objection, Plaintiffs jointly respond as follows:

11       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
12      up to and including the time of trial.

13 INTERROGATORY NO. 26:

14       State all representations of which you complain were made to you by Defendant Patrick  
15      C. Clary upon which you relied to your detriment.

16 RESPONSE TO INTERROGATORY NO. 26:

17       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
18       NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
19       Interrogatory is enumerated as Interrogatory No. 26, as a result of the preceding compound  
20       interrogatories, this Interrogatory actually constitutes the twenty-eighth Interrogatory and should  
21       be numbered, therefore, as Interrogatory No. 43. Therefore, Propounding Parties have exceeded  
22       the number of Interrogatories permitted pursuant to NRCP 33. Further, this Interrogatory is  
23       overly broad and unduly burdensome because it seeks a blanket narrative account of the case  
24       through its requests for "all representations". This interrogatory is also vague and ambiguous as  
25       to time and context, and so indefinite as to fail to apprise Responding Parties of what is actually  
26       being sought, and is so overbroad as to seek information not contemplated to lead to the  
27       discovery of admissible evidence. Without waiving these Objections, Plaintiffs jointly respond  
28      as follows:

1           Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
2 up to and including the time of trial.

3 INTERROGATORY NO. 27:

4           Have there been any representations made to you by any other you or any other person  
5 will receive a result of the successful prosecution through a trial to judgment of this litigation? If  
6 so, state specifically what those representations were or are.

7 RESPONSE TO INTERROGATORY NO. 27:

8           Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
9 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
10 Interrogatory is enumerated as Interrogatory No. 27, as a result of the preceding compound  
11 interrogatories, this constitutes Interrogatory No. 44. Therefore, Propounding Parties have  
12 exceeded the number of Interrogatories permitted pursuant to NRCP 33. Further, this  
13 Interrogatory is vague, ambiguous and essentially unintelligible so as to fail to apprise  
14 Responding Parties of what is actually being sought. Since this Interrogatory is unintelligible,  
15 Plaintiffs assert that it may seek information and reports of communications protected by the  
16 attorney-client privilege and the attorney work product doctrine, and seeks information not  
17 intended to lead to the discovery of admissible information. Without waiving these Objections,  
18 Plaintiffs jointly respond as follows:

19           Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
20 up to and including the time of trial.

21 INTERROGATORY NO. 28:

22           State specifically what you hope to achieve for your benefit by the filing and prosecution  
23 of this litigation. If you deny that there is any such benefit, what then was and is your purpose in  
24 filing and prosecuting this litigation?

25 RESPONSE TO INTERROGATORY NO. 28:

26           Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
27 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
28 Interrogatory is enumerated as Interrogatory No. 28, it is a compound interrogatory which

1 actually consists of Interrogatories No. 45 and 46. Therefore, Propounding Parties have  
2 exceeded the number of Interrogatories permitted pursuant to NRCP 33. This Interrogatory is  
3 also overly broad to the extent that it seeks information, without limitation, which may be  
4 subject to the attorney-client privilege and the attorney work-product doctrine, and is vague,  
5 ambiguous and overly broad because it assumes facts which have not been provided by  
6 Responding Parties and seeks legal conclusions and opinions. Without waiving these  
7 Objections, Plaintiffs jointly respond as follows:

8       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
9 up to and including the time of trial.

10 INTERROGATORY NO. 29:

11       Have you contributed to the cost of the filing and prosecution of this litigation, and if so,  
12 what was or is that contribution, when was it made, and to whom was it made?

13 RESPONSE TO INTERROGATORY NO. 29:

14       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
15 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while  
16 this Interrogatory is enumerated as Interrogatory No. 29, it is a compound interrogatory which  
17 actually consists of Interrogatories No. 47 and 48. Therefore, Propounding Parties have exceeded  
18 the number of Interrogatories permitted pursuant to NRCP 33. Further, this Interrogatory does  
19 not seek information likely to lead to the discovery of admissible evidence, and requiring  
20 Plaintiffs to respond to this Interrogatory will subject them to annoyance, embarrassment,  
21 oppression, harassment and an unwarranted invasion into their private financial affairs. This  
22 Interrogatory is also vague and ambiguous as to the time and context of information sought.  
23 Without waiving this Objection, Plaintiffs jointly respond as follows:

24       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
25 up to and including the time of trial.

26 INTERROGATORY NO. 30:

27       If you have made no contribution to the Plaintiffs' cost of this litigation, who is financing  
28 this litigation, and what are the terms of that financing arrangement?

1 RESPONSE TO INTERROGATORY NO. 30:

2       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
3 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
4 Interrogatory is enumerated as Interrogatory No. 30, it is a compound interrogatory which  
5 actually consists of Interrogatories No. 49 and 50. Therefore, Propounding Parties have exceeded  
6 the number of Interrogatories permitted pursuant to NRCP 33. Additionally, this Interrogatory  
7 seeks information which is not calculated to lead to the discovery of admissible evidence, and  
8 requiring Plaintiffs to respond to this Interrogatory will subject them to annoyance,  
9 embarrassment, oppression, harassment and an unwarranted invasion into their private financial  
10 affairs. This Interrogatory further seeks information which may not be in the possession, to the  
11 extent any responsive information exists, of the individual Responding Parties, and so, calls for,  
12 ultimately, inadmissible speculation and hearsay. Without waiving these Objections, Plaintiffs  
13 jointly respond as follows:

14       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
15 up to and including the time of trial.

16 INTERROGATORY NO. 31:

17       Have you had any discussions with Neal J. Beller, Esquire, Alexander Robertson,  
18 Esquire, or Jennifer Taylor, Esquire? If so, set forth whether the discussion was telephonic or in  
19 person, the dates, location if in person and who was present or participated on each occasion.

20 RESPONSE TO INTERROGATORY NO. 31:

21       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
22 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
23 Interrogatory is enumerated as Interrogatory No. 31, it is a compound interrogatory which  
24 actually consists of Interrogatories No. 51, 52 and 53. Therefore, Propounding Parties have  
25 exceeded the number of Interrogatories permitted pursuant to NRCP 33. This Interrogatory,  
26 further, calls for information subject to the attorney-client privilege and is overbroad, vague and  
27 ambiguous as to time and context. This Interrogatory is overly broad and unduly burdensome

1 because it seeks a blanket narrative delineation of "any discussions" with Plaintiffs' counsel.

2 Without waiving this Objection, Plaintiffs jointly respond as follows:

3       Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
4 up to and including the time of trial.

5 INTERROGATORY NO. 32:

6       Set forth any facts of which you are aware regarding any aspect of this litigation that are  
7 not contained in the answers to the foregoing interrogatories.

8 RESPONSE TO INTERROGATORY NO. 32:

9       Objection. These Interrogatories were served on all Plaintiffs jointly in violation of  
10 NRCP 33, and, therefore the Interrogatories must be served individually. Additionally, while this  
11 Interrogatory is enumerated as Interrogatory No. 32, as a result of the preceding compound  
12 interrogatories, this constitutes Interrogatory No. 54. Therefore, Propounding Parties have  
13 exceeded the number of Interrogatories permitted pursuant to NRCP 33. Further, this  
14 Interrogatory is overly broad and unduly burdensome because it seeks a blanket narrative account  
15 of unknown aspects of the case through its requests "any facts". Additionally, the terms "any  
16 fact" and "any aspect" in broad reference to this "litigation" are vague, ambiguous, and  
17 potentially seek information protected by the attorney client privilege and the attorney work  
18 product privilege. This Interrogatory is also so vague, ambiguous, overbroad, unduly  
19 burdensome and indefinite as to fail to apprise Plaintiffs as to what is being sought. Without  
20 waiving these Objections, Plaintiffs jointly respond as follows:

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

ROBERTSON  
& VICK, LLP



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response

up to and including the time of trials.

DATED: May 5th, 2010

ROBERTSON & VICK, LLP

By: 

ALEXANDER ROBERTSON, IV  
Nevada Bar No. 8642  
JENNIFER L. TAYLOR  
Nevada Bar No. 5798  
ROBERTSON & VICK, LLP  
401 N. Buffalo Dr., Suite 202  
Las Vegas, Nevada 89145  
Attorneys for Plaintiffs

ROBERTSON  
& VICK, LLP 28

CERTIFICATE OF SERVICE

I hereby certify that on the 5<sup>th</sup> day of May, 2010, I served a copy of the above and foregoing PLAINTIFFS' FIRST RESPONSES TO DEFENDANT PATRICK C. CLARY'S FIRST SET OF INTERROGATORIES, addressed to:

M. Nelson Segel, Chartered  
M. Nelson Segel, Esq.  
624 South 9<sup>th</sup> Street  
Las Vegas, NV 89101  
Telephone: (702) 385-6266  
Facsimile: (702) 382-2967  
Attorneys for Larry Hahn and  
Hahn's World of Surplus, Inc.

Patrick C. Clary, Chartered  
Patrick C. Clary, Esq.  
7201 West Lake Mead Boulevard  
Suite 410  
Las Vegas, NV 89129  
Telephone: (702) 382-0813  
Facsimile: (702) 382-7277  
Attorneys for Kokoweef, Inc.

M. Nelson Segel

## **EXHIBIT 4**

1 ALEXANDER ROBERTSON, IV  
State Bar No. 8642  
2 JENNIFER L. TAYLOR  
State Bar No. 5798  
3 ROBERTSON & VICK, LLP  
401 N. Buffalo Drive, Suite 202  
4 Las Vegas, Nevada 89145  
Telephone: (702) 247-4661  
5 Facsimile: (702) 247-6227

6 Attorneys for Plaintiffs

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA  
9

10 TED R. BURKE, MICHAEL R. and  
11 LAURETTA L. KEHOE; JOHN BERTOLDO;  
12 PAUL BARNARD; EDDY KRAVETZ;  
13 JACKIE and FRED KRAVETZ; STEVE  
FRANKS; PAULA MARIA BARNARD;  
14 LEON GOLDEN; C.A. MURFF; GERDA  
FERN BILLBE; BOB and ROBYN TRESKA;  
MICHAEL RANDOLPH, and FREDERICK  
WILLIS,

15 Plaintiffs,

16 vs.

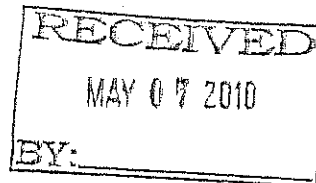
17 LARRY H. HAHN, individually, and as  
18 President and Treasurer of Kokoweef, Inc., and  
former President and Treasurer of Explorations  
19 Incorporated of Nevada; HAHN'S WORLD OF  
SURPLUS, INC., a Nevada corporation; DOES  
20 I-X, inclusive; DOE OFFICERS, DIRECTORS  
and PARTICIPANTS I-XX,

21 Defendants,.

22 and

23 KOKOWEEF, INC, a Nevada corporation;  
24 EXPLORATIONS INCORPORATED OF  
NEVADA, a dissolved corporation;

25 Nominal Defendants.  
26



CASE NO. A558629  
Dept. XI

PLAINTIFFS' FIRST RESPONSES TO  
DEFENDANT PATRICK C. CLARY'S  
FIRST SET OF REQUEST FOR  
PRODUCTION OF DOCUMENTS

GENERAL OBJECTIONS

The responses herein are made on the basis of information and writings presently available to and located by the above-named Responding Parties upon reasonable investigation of its records and memory. There may be other and further information affecting the responses of which Responding Parties, despite their reasonable investigation and inquiry, are presently unaware. Responding Parties are continuing the development of facts and legal issues, and the discovery of documents, which are presented in this matter and inquired into by Propounding Parties' discovery. Responding Parties reserves the right to modify or to enlarge their responses herein with such pertinent additional information as may subsequently be discovered. Furthermore, these responses are made by Responding Parties without prejudice to their using or relying on at trial any subsequently-discovered information, or information omitted from these responses as a result of good-faith oversight, error or mistake.

The responses herein are made solely for the purpose of this action. Each response is subject to all objections as to competence, relevance, materiality, propriety and admissibility, and to any and all other objections on any grounds which would require the exclusion from evidence of any statement herein of any inspection or manner asked of, or any statements contained herein which were made by witnesses present and testifying in court, all of which objections and grounds are expressly reserved and may be interposed at the time of trial.

No incidental or implied admissions are intended by the responses herein. The fact that the Responding Parties responded or objected to any discovery request, or part thereof, shall not be deemed an admission that Responding Parties accept or admit the existence of facts set forth or assumed by such discovery, or that such response or objection contains admissible evidence. The fact that Responding Parties have answered part or all of any discovery request is not intended to, and shall not be construed to be a waiver by Responding Parties of any part of any objection to any discovery request.

To the extent any discovery request, or part thereof, calls for information, legal analysis or reasoning, writings, communications, or anything else protected from disclosure by the work-product doctrine, or the attorney-client privilege, or any other privilege, Responding Parties

1 hereby object to each and every such discovery request, and part thereof, and will not supply or  
2 render information, or anything else protected from discovery by virtue of such doctrine or  
3 privileges.

4 Responding Parties objects to any discovery request, or part thereof, which purports to  
5 require responding Parties to conduct an investigation beyond its records and recollection as  
6 burdensome and oppressive.

7 In answering these discovery responses, Propounding Parties has been furnished with  
8 such information as is presently available to Responding Parties, which may include hearsay and  
9 other forms of information, which may or may not be admissible into evidence. Responding  
10 Parties reserve all objections relating to admissible evidence. Responding Parties reserve the  
11 right to introduce at trial evidence which is not presently known to Propounding Parties and/or  
12 discovery subsequent to the date of these answers and reserve the right to amend these answers  
13 without motion at any time.

14 It should be noted that Responding Parties have not fully completed their investigation of  
15 the facts related to the case, have not fully completed their discovery in this action, and have not  
16 fully completed its preparation for trial. Further, it should be noted that pursuant to the Order  
17 Granting Plaintiffs' Motion to Compel, Responding Parties have only recently received discs  
18 containing in excess of 19,000 pages of documents related to Kokoweef's shareholder records,  
19 which were scanned at Responding Parties' expense at the offices of Kokoweef between April 16  
20 and April 21, 2010. All the answers contained herein are based solely upon such information and  
21 documents which are presently available, and specifically known, to responding Parties. The  
22 following responses are, therefore, given without prejudice to Responding Parties' right to  
23 produce evidence of any subsequently-discovered fact or facts which the responding Parties may  
24 later recall or discover.

25 **REQUEST FOR PRODUCTION NO. 1:**

26 So-called Nominal Defendant Kokoweef, Inc. and Defendant Patrick C. Clary, pursuant  
27 to Rule 34 of the Nevada Rules of Civil Procedure, hereby request that the Plaintiffs and each of  
28 them produce and deliver to the aforesaid counsel, at their address set forth herein, within 30

1 days of the date hereof, all documents and things which support the allegations contained in First,  
2 Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth so-called Causes of  
3 Action contained in the so-called Verified Derivative First Amended Complaint filed in the  
4 above-captioned case on September 22, 2008.

5 RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

6 Objection. This Request was served on all Plaintiffs jointly in violation of NRCP 34,  
7 and, therefore the Request must be served individually. Additionally, while this Request is  
8 enumerated as a single Request, it is a compound Request seeking production of Documents on  
9 ten separate categories of documents. Further, Plaintiffs object to this Request because it is  
10 unreasonably cumulative, duplicative, overly broad and unduly burdensome. Plaintiffs also  
11 object to this Request as vague and ambiguous as to the terms "things", "so-called", and because  
12 it seeks documents, without limitation, subject to the attorney-client privilege and the attorney  
13 work product privilege. This Request is also overly broad and unduly burdensome because it  
14 seeks a blanket production of documents when discovery has not been completed, and discovery  
15 disputes are still pending with Propounding Parties. Finally, this Request is intended solely to  
16 harass and cause Plaintiffs to incur unnecessary fees and costs because it seeks documents on  
17 causes of action that have been dismissed and, therefore, Propounding Party has no legitimate  
18 basis, pursuant to NRCP 11, to propound such a Request. Additionally, Plaintiffs object to this  
19 Request on the basis that it does not seek to obtain documents that will lead to the discovery of  
20 admissible evidence. Without waiving these Objections, Plaintiffs jointly respond as follows:

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Discovery is continuing. Plaintiffs jointly reserve the right to supplement this response  
up to and including the time of trial.

DATED: May 5th, 2010

ROBERTSON & VICK, LLP

By: \_\_\_\_\_

  
ALEXANDER ROBERTSON, IV  
Nevada Bar No. 8642  
JENNIFER L. TAYLOR  
Nevada Bar No. 5798  
ROBERTSON & VICK, LLP  
401 N. Buffalo Dr., Suite 202  
Las Vegas, Nevada 89145  
Attorneys for Plaintiffs

ROBERTSON  
& VICK, LLP

28



CERTIFICATE OF SERVICE

I hereby certify that on the 5<sup>th</sup> day of May, 2010, I served a copy of the above and foregoing PLAINTIFFS' FIRST RESPONSES TO DEFENDANT PATRICK C. CLARY'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS, addressed to:

M. Nelson Segel, Chartered  
M. Nelson Segel, Esq.  
624 South 9<sup>th</sup> Street  
Las Vegas, NV 89101  
Telephone: (702) 385-6266  
Facsimile: (702) 382-2967  
Attorneys for Larry Hahn and  
Hahn's World of Surplus, Inc.

Patrick C. Clary, Chartered  
Patrick C. Clary, Esq.  
7201 West Lake Mead Boulevard  
Suite 410  
Las Vegas, NV 89129  
Telephone: (702) 382-0813  
Facsimile: (702) 382-7277  
Attorneys for Kokoweef, Inc.

Monica Metcalf

## **EXHIBIT 5**

PATRICK C. CLARY, CHARTERED

A PROFESSIONAL CORPORATION

7201 WEST LAKE MEAD BOULEVARD, SUITE 503  
LAS VEGAS, NEVADA 89128

May 7, 2010

TELEPHONE 702.382.0813  
FAX 702.382.7277  
EMAIL: pccclary@aol.com  
www.patclary.com

BRANCH OFFICE  
543 PLUMAS STREET  
RENO, NEVADA 89509  
TELEPHONE 775.348.0099  
FAX 775.348.1738

Email: jttaylor@rvcdlaw.com  
& Original by Regular Mail

Jennifer L. Taylor, Esq.  
Robertson & Vick, LLP  
401 North Buffalo Drive, Suite 202  
Las Vegas, Nevada 89145

Re: Burke, et al. v. Hahn, et al.

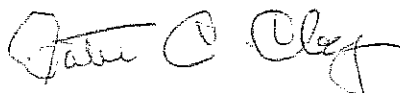
Dear Jennifer:

I have your so-called "Responses" to my discovery in hand. They should more properly have been entitled "Objections" instead because that is all they are. Suffice it to say that your objections are without merit. Most, if not all, of your objections, if they had any merit at all, would apply to your discovery documents. While you have gone to ridiculous lengths to drag out your own discovery process, you are stonewalling ours improperly. Your "Responses" are further evidence of your bad faith in the conduct of this litigation.

Therefore, in compliance with EDCR 2.34(d), I hereby demand that you make yourself available for a personal or telephonic conference with me for the purpose of attempting to resolve this discovery dispute. Please advise me of what dates and times you will be available to do so. I could be available on my cell phone (281.9996) for a telephonic conference while I am in Washington, D. C. next week.

If you fail or refuse to participate in good faith for such a conference and do not provide the discovery properly and timely requested within ten days of the date of this letter, I will file a motion to compel and for attorney's fees together with a motion for order shortening time thereon for the matter to be heard before Judge Gonzalez, who has undertaken to hear discovery matters in this case as preferred in business court by the Supreme Court of Nevada and by you.

Sincerely yours,



Patrick C. Clary

PCC:lf

cc: M Nelson Segel, Esq.  
Larry Hahn, President  
Kokoweef, Inc.