

CLERK OF THE COURT

1 **ORDR**
2 **M NELSON SEGEL, CHARTERED**
3 M NELSON SEGEL, ESQUIRE
4 Nevada Bar No. 0530
5 624 South 9th Street
6 Las Vegas, Nevada 89101
7 Telephone: (702) 385-5266
8 Attorneys for Defendants Larry Hahn
9 and Hahn's World of Surplus, Inc.

8 **DISTRICT COURT OF NEVADA**
9 **COUNTY OF CLARK**

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

CASE NO. 08A558629
DEPT NO. XI

16 Plaintiffs,

17 vs.

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

22 Defendants,

23 and

24 KOKOWEEF, INC., a Nevada corporation;)
25 EXPLORATIONS INCORPORATED OF)
26 NEVADA, a dissolved corporation,)

DATE: 3/30/10
TIME: 9:00 a.m.

26 Nominal Defendants.)
27

28 **ORDER REGARDING PLAINTIFFS' MOTION TO COMPEL**

1 Plaintiffs' Motion to Compel ("MOTION") having come on for hearing on the 30th day of
2 March, 2010, Plaintiffs appearing by and through their attorneys, Alexander Robertson, Esq., and
3 Jennifer Taylor, Esq., Defendant Patrick C. Clary and Nominal Defendant Kokoweef, Inc.
4 ("KOKOWEEF") appearing by and through Patrick C. Clary, Chartered and Defendants Larry Hahn
5 and Hahn's World of Surplus, Inc. appearing by and through their counsel, M Nelson Segel, Esq.,
6 the Court having reviewed the pleadings and papers on file, having heard the arguments of counsel
7 and good cause appearing therefor; it is hereby

8 ORDERED that Nominal Defendant KOKOWEEF is directed to provide Plaintiffs with a
9 formal, written response, pursuant to NRCP 34, to their Request for Production of Documents as
10 contained in the Notice of Deposition of Pursuant to NRCP 30(b)(6) of the Custodian and Keeper
11 of Records of Kokoweef, Inc. ("REQUEST") no later than April 14, 2010; and it is further

12 ORDERED that not in limitation of the language set forth above, but as further clarification,
13 Nominal Defendant KOKOWEEF is directed to provide a computer disk with the information
14 requested in Request No. 16, if not previously provided to Plaintiffs, no later than April 14, 2010;
15 and it is further

16 ORDERED that not in limitation of the language set forth above, but as further clarification,
17 Nominal Defendant KOKOWEEF is directed to provide responses to Request No. 8 no later than
18 April 14, 2010; and it is further

19 ORDERED that not in limitation of the language set forth above, but as further clarification,
20 Nominal Defendant KOKOWEEF is directed to provide the shareholder documents requested in
21 Requests No. 14 and 24 to Plaintiffs' counsel no later than April 14, 2010, subject to the provisions
22 of this Order; and it is further

23 ORDERED that all documents provided to Plaintiffs' counsel in response to Requests No.
24 14 and 24 shall be segregated from any other documents produced and designated as being produced
25 pursuant to Requests No. 14 and 24 ("Shareholder Records"); and it is further

26 ORDERED that all Shareholder Records shall be held by counsel for Plaintiffs as
27 confidential and shall not be disclosed to anyone without further order of this Court or as provided
28 herein; and it is further

1 ORDERED that Plaintiffs' counsel may provide copies of the Shareholder Records to Ed
2 Apenbrink, the expert that has been retained by Plaintiffs in this matter; and it is further

3 ORDERED that Plaintiffs' counsel may discuss the contents of the Shareholder Records with
4 the following three (3) Plaintiff representatives, Ted Burke, Michael Randolph and Laretta Kehoe,
5 but may not provide copies to or allow any shareholder to review the Shareholder Records; and it
6 is further

7 ORDERED that nothing contained herein shall prevent Plaintiffs' counsel from disclosing
8 to any of the Plaintiffs the contents of, but not the actual records, of their Shareholder Records; and
9 it is further

10 ORDERED that any disclosure of the information contained in the Shareholder Records by
11 any person without a further order of this Court, or the stipulation of all parties hereto, shall
12 constitute a violation of this Order and subject such person to contempt of Court; and it is further

13 ORDERED that neither Plaintiffs, Plaintiffs' counsel, Plaintiffs' aforesaid expert nor anyone
14 acting on their behalf shall make any effort to contact or disseminate any information about any of
15 the shareholders who are identified in the Shareholder Records unless direct contact had been made
16 with said shareholder by Plaintiffs, Plaintiffs' counsel or Plaintiffs' expert prior to 30th day of March,
17 2010; and it is further

18 ORDERED that disclosure of the information contained in the Shareholder Records to
19 employees of Plaintiffs' counsel or Plaintiffs' said expert who have a need to review said documents
20 in the course of providing services on behalf of Plaintiffs in this matter shall not constitute an
21 improper disclosure of the Shareholder Records; and it is further

22 ORDERED that each person who is to be given access to, and allowed to review, the
23 Shareholder Records shall be provided a copy of this Order; and it is further

24 ORDERED that a continued deposition of the corporate designee, or designees, pursuant to
25 NRCP 30(b)(6), as set forth in the Notice of Deposition Pursuant to NRCP 30(b)(6) of the Custodian
26 and Keeper of Records of Kokoweef, Inc. dated and served on the 14th day of August, 2009, shall
27 be held at Litigation Services, 1640 Alta Drive, Las Vegas, Nevada, on the 30th day of April, 2010,
28 at the hour of 9:00 a.m.; and it is further

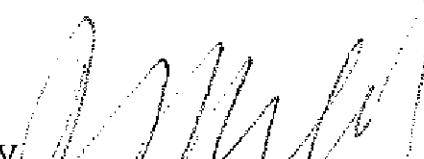
1 ORDERED that the pending Motions for Partial Summary Judgment shall be taken off
2 calendar and may be renoticed after the deposition of KOKOWEEF's NRCPP 30(b)(6) witness or
3 witnesses.


4 DATED this 19 day of April, 2010.

5 
6 _____
7 DISTRICT COURT JUDGE *McC*


8 Submitted by:
9 M NELSON SEGEL, CHARTERED

Approved:
ROBERTSON & VICK

10 
11 By _____
12 M NELSON SEGEL, ESQUIRE
13 Nevada Bar No. 0530
14 624 South 9th Street
Las Vegas, Nevada 89101
Attorneys for Defendants Larry Hahn
and Hahn's World of Surplus, Inc.


By _____
JENNIFER TAYLOR, ESQUIRE
Nevada Bar No. 5798
401 North Buffalo Drive, Suite 202
Las Vegas, Nevada 89145
Attorneys for Plaintiffs

15 Approved:
16 PATRICK C. CLARY, CHARTERED

17 
18 By _____
19 PATRICK C. CLARY, ESQUIRE
20 Nevada Bar No. 0053
21 7201 West Lake Mead Blvd, Suite 410
22 Las Vegas, Nevada 89101
23 Attorneys for Defendants Kokoweef, Inc. and
24 Patrick C. Clary
25
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