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Attorneys for Plaintiffs

DISTRICT COURT
CLARK COUNTY, NEVADA

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

Plaintiffs,

vs.

LARRY H. HAHN, individually, and 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;

Defendants,

and

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

Nominal Defendants.

CASE NO. A558629
DEPT: XIII

**REPLY TO DEFENDANTS'
OPPOSITION AND JOINDER TO
OPPOSITION TO APPLICATION FOR
TEMPORARY RESTRAINING ORDER,
AND APPLICATION FOR TEMPORARY
APPOINTMENT OF RECEIVER;
MOTION FOR PRELIMINARY
INJUNCTION, AND MOTION FOR
APPOINTMENT OF RECEIVER; REPLY
TO DEFENDANTS' OPPOSITION TO
NOTICE OF NON-OPPOSITION**

1 Plaintiffs Ted R. Burke; Michael R. And Laurretta L. Kehoe; John Bertoldo; Paul Barnard;
2 Eddy Kravetz; Jackie and Fred Kravetz; Steven Franks; Paula Maria Barnard; Leon Golden; C.A.
3 Murff; Gerda Fern Billbe; Bob and Robyn Treska; Michael Randolph and Frederick Willis
4 (hereinafter collectively referred to as Plaintiffs), by and through their undersigned counsel of
5 record, Robertson & Vick LLP, hereby reply to Defendants':

6 1) Opposition to Plaintiffs' Notice of Non-Opposition (hereafter the "Non-Opp.
7 Opp") to Application for Temporary Restraining Order and Application for Temporary
8 Appointment of Receiver; Motion for Preliminary Injunction and Motion for Appointment of
9 Receiver (hereafter the "Application");

10 2) Opposition to the Application filed by Defendants Larry H. Hahn and Hahn's
11 World of Surplus, Inc. (hereafter the "Hahn Defendants"); and

12 3) Joinder of Defendants Patrick C. Clary and Kokoweef, Inc. in Opposition to
13 the Application (hereafter the "Joinder").

14 This reply is made and based upon the following Memorandum of Points and Authorities,
15 the exhibits attached hereto, the accompanying affidavit of Talon Stringham, the papers and
16 pleadings on file herein, and those matters adduced by the Court at the hearing hereof.

17 DATED this 8th day of January, 2009.

18
19 ROBERTSON & VICK, LLP

20
21 By: 

22 ALEXANDER ROBERTSON, IV
23 Bar No. 8642
24 JENNIFER L. TAYLOR
25 Bar No. 5798
26 401 N. Buffalo Drive, Suite 202
27 Las Vegas, Nevada 89145

28 *Attorneys for Plaintiffs*

ROBERTSON
& VICK, LLP

1 **MEMORANDUM OF POINTS AND AUTHORITIES:**

2 **I.**

3 **INTRODUCTION:**

4 This shareholder derivative action arises out of the Defendants' scheme to fraudulently
5 induce shareholders to purchase shares of corporate stock in a gold mine investment scheme
6 managed by defendant HAHN, in order for HAHN to finance his personal lifestyles under the
7 guise of conducting a legitimate gold mine operation. This scheme included the sale of
8 unregistered and non-exempt securities in violation of NRS 90.460. Plaintiffs allege that over
9 the past 25 years, defendant HAHN solicited the sale of securities in both KOKOWEEF, and its
10 predecessor company EIN, to defraud approximately 1,200 investors, including Plaintiffs,
11 through the sale of unregistered securities to finance the construction of a private compound used
12 solely for the personal use of defendants at the mine location.

13 The request for the application for a temporary restraining order and appointment of a
14 receiver seeks simply to maintain the status quo and allow the matter to move forward on its
15 merits, with full discovery. Specifically, Plaintiffs want the Court to restrain Defendants from
16 taking any of the following acts:

- 17 (1) Issuing, redeeming, assigning or transferring any corporate stock in
18 Kokoweef;
19 (2) Transferring any money from Kokoweef to any Defendant;
20 (3) Transferring, assigning or encumbering any asset of Kokoweef;
21 (4) Using any asset of Kokoweef to pay for the defense of the Hahn
22 Defendants and/or Clary; or
23 (5) Destroying or altering any corporate records of Kokoweef.

24 Plaintiffs contend that Defendants have engaged in these actions, and will continue to
25 engage in these actions unless constrained by judicial restrictions and the oversight of an
26 independent third-party receiver. Through these actions, Defendants continue to damage
27 Kokoweef and the Plaintiffs, as well as all of the approximately 1,200 shareholders in Kokoweef.

28 ///

1 Absent an immediate court order granting Plaintiffs' request for a Temporary Restraining
2 Order and the Appointment of a Receiver, there is substantial likelihood that Defendant Hahn
3 will continue to embezzle or otherwise misuse corporate assets, remove and appoint board
4 members in a capricious manner, and continue to illegally issue stock to unsuspecting members
5 of the public through violations of both state and federal securities laws, thus subjecting the
6 corporation to even further liability and damages.

7
8 **II.**

9
10 **DEFENDANTS' OPPOSITIONS TO THE FILING OF THE NON-OPPOSITION HAS**
11 **NO BASIS IN FACT OR LAW, AND SHOULD BE DISREGARDED**

12 The Hahn Defendants' "Factual Background" used to support its request that the Court
13 accept its late-filed Opposition presents incorrect and irrelevant information.¹ Defendants all
14 attempt to argue that the Motion being set on an Order Shortening Time and/or the hearing date
15 being changed somehow impacts the date their Oppositions would be due. Such arguments
16 simply have no legitimacy, and Defendants provide no authority to prove otherwise. See EDCR
17 2.20.

18 As pointed out in Defendants' "Factual Background", the hearings on several motions,
19 including the Application, were originally scheduled for December 8, 2008. On or about
20 December 4, 2008, counsel for the Hahn Defendants notified Plaintiffs' counsel of a conflict that
21 had arisen, which would prevent his attendance at the December 8, 2008 hearings. Several hours
22 of phone calls and e-mail exchanges ensued, including the drafting of a Stipulation related to the
23 hearing dates. In no part of those communications did any discussion of an extension for
24 Defendants' to file their Oppositions arise. Given the lengthy and detailed discussions and
25 writings of that day, Plaintiffs were surprised to read, for the first time in Defendants'

26
27 ¹ One such example of Defendants' inflammatory misstatements in the Non-Opp. Opp. is seen at page 4 in
28 which counsel for the Hahn Defendants claims that the former website of Kokoweef, Inc. has been "hijacked by
Plaintiffs". Non-Opp. Opp. 4:13-14. If discovery is ever opened in this matter, Plaintiffs will show that it was not
and is not owned by either the Hahn Defendants or Kokoweef.

1 Opposition, that Defendants believed a specific extension had been given when it simply had not
2 been.²

3 Additionally, Defendant Hahn argues that EDCR 2.20(c) does not entitle a moving party
4 to file such a Notice of Non-Opposition. Frankly, it does not preclude such a pleading.
5 However, the provision contemplates notification to the Court that no Opposition has been filed,
6 which was the sole purpose of Plaintiffs' Notice of Non-Opposition.

7 Defendants' Oppositions were due on December 10, 2008. To allow Defendants to wait
8 to file an Opposition until two weeks after it is due, and then mail serve it over the Christmas
9 weekend³ works an undue prejudice on Plaintiffs and thwarts the letter and the intent of EDCR
10 2.20. As such, Defendants' Opposition and Joinder thereto should be utterly disregarded, and
11 Plaintiffs' Application granted.

12 III.

13 PLAINTIFFS HAVE SET FORTH SUFFICIENT FACTS TO ALLOW 14 THE ENTRY OF AN INJUNCTION: 15

16 The purpose of a preliminary injunction is to preserve the status quo ante pending the
17 outcome of the action. *Number One Rent-A-Car v. Ramada Inns*, 94 Nev. 779, 781, 587 P.2d
18 1329, 1330 (1978). Courts in other jurisdictions have recognized that courts may enjoin the
19 disposition of assets under a defendant's control in order to secure a plaintiff's equitable remedy
20 of restitution. *See Federal Sav. & Loan Ins. Corp. v. Dixon*, 835 F.2d 554 (5th Cir. 1987). In
21 *Federal Sav. & Loan Ins. Corp.*, officers and directors of a Savings and Loan Association
22 participated in a scheme to falsify the Association's records, thus enabling them to justify
23 inflated salaries in the millions of dollars. *Id.* at 557.

24
25
26 ² It is obvious that an extension was not contemplated, discussed or granted based upon a review of the
27 Affidavit of Patrick Clary in the Joinder, which states that he "did not consider it necessary to meet the technical
28 deadline" for opposing the Application. Joinder, Clary Aff. ¶ 5.

³ As a result of the mailing of Defendants various responses, the documents were only
received by Plaintiffs on December 29, 2008.

1 As the Court is aware, “[a] preliminary injunction is available if an applicant can show a
2 likelihood of success on the merits and a reasonable probability that the non-moving party’s
3 conduct, if allowed to continue, will cause irreparable harm for which compensatory damage is
4 an inadequate remedy.” *Danberg Holdings Nevada, L.L.C. v. Douglas County and its Bd. Of*
5 *County Comm’rs* 115 Nev. 129, 142 (1999) (citing *Pickett v. Comanche Construction, Inc.*,
6 108 Nev. 422, 426 (1992)). The court may also consider the balance of hardships between the
7 parties. *See Clark County School Dist. V. Buchanan*, 112 Nev. 1146, 924 P.2d 716 (1996). In
8 this case, an analysis of the hardships falls clearly with Plaintiffs. Throughout this litigation to
9 date, Defendants have attempted to prevent Plaintiffs from true discovery of the facts related to
10 the corporate waste being committed by Defendants. Therefore, to the extent that the Court is
11 convinced by any of Defendants’ unsupported arguments and bald assertions regarding the
12 evidence adduced thus far, Plaintiffs suggest that the appropriate remedy is to allow for
13 discovery, and an additional evidentiary hearing.

14
15 **A. Defendants Reliance on the ruling from the evidentiary hearing is misplaced and**
16 **in violation of NRS 41.520.**

17 Defendants’ repeat their mantra that the evidentiary hearing has absolved them of any
18 liability, that “all of the funds received and disbursed have been fully accounted for and that the
19 financial books and records are in order,” and that somehow this makes their evidence superior to
20 Plaintiffs’ claims. Joinder, Clary Aff. p. 5, ¶ 8. However, this dogma is misplaced, incorrect,
and in violation of the very statute that Defendants repeatedly cite.

21 NRS 41.520(4)(b) unequivocally precludes this argument by Defendants, and states:

22 **A determination by the court that security either must or must**
23 **not be furnished or must be furnished as to one or more**
24 **defendants and not as to others shall not be deemed a**
25 **determination of any one or more issues in the action or of the**
26 **merits thereof.**

27 (Emphasis added). Therefore, Defendants’ argument that the evidentiary hearing was dispositive
28 of any of the issues in the action, lacks all merit.

1 Additionally, Defendants consistently ignore the fact that the basis for the evidentiary
2 hearing were the original claims of corporate malfeasance and corporate defalcation. While
3 those claims are still being pled in the First Amended Complaint (See the Tenth Cause of Action
4 of First Amended Complaint), the First Amended Complaint adds the securities violations in
5 which Defendants were engaged. Therefore, regardless of the findings from the evidentiary
6 hearing, the import of which Plaintiffs dispute, the continued claim that the evidentiary hearing
7 determined that scope of Defendants' current liability is simply a red herring.

8 Finally, Defendants' presentation at the evidentiary hearing included evidence that had
9 been provided to Plaintiffs for the first time that day, specifically a notebook denoted as
10 Defendants' so-called Exhibit 1. At the evidentiary hearing, Defendants produced Exhibit 1,
11 which was full of purported receipts and other documents to support their claim that all corporate
12 expenditures were proper. Plaintiffs' expert, Talon Stringham, had no time or opportunity to
13 review and analyze Exhibit 1 for the evidentiary hearing. However, he has now analyzed all the
14 documents in Exhibit 1, and has found continued discrepancies and charges lacking in support.
15 See Affidavit of Talon Stringham, attached hereto as Exhibit "1". Mr. Stringham has estimated
16 that approximately eighty-four (84 %) of the transactions listed in the Quick Books printouts by
17 Defendants lack support. Based upon Mr. Stringham's review of this Exhibit 1, it is clear there
18 remains many unsubstantiated expenses, further justifying Plaintiffs' request for a restraining
19 order and injunction and for the appointment of a receiver, and further demonstrating that
20 Defendants' Opposition to the Application lacks merit and should be denied.

21
22 **B. Defendants So-Called refutation of Plaintiffs' claims is nothing more than self-**
23 **serving affidavits with no evidentiary or legal support.**

24 First, the Joinder purports to refute Plaintiffs' "bald allegations", yet itself presents
25 nothing but unsupported, self-serving statements denying every allegation with no evidence
26 whatsoever. Defendant Clary's Affidavit that no wrong doing occurred under his watch as
27 Kokweef's general counsel, absent additional evidence, is simply insufficient. Further the
28 affidavit complains that no credible evidence has been provided in support of the Application.

1 Yet, the sole "evidence" in opposition to the Application is Defendant Clary's word, without any
2 supporting documents.

3 For example, Mr. Clary claims that: "All stock that has been issued under my watch has
4 been in strict compliance with exemptions from registration with accompanying proper and
5 appropriate documentation." Joinder, Clary Aff. p. 4, ¶ 8, Yet, Defendant Clary has attached
6 none of this alleged "proper and appropriate documentation". Additional unsupported statements
7 include an assertion that no business was conducted in violation of the by-laws. However,
8 Defendant Clary has not attached any documents, such as the by-laws themselves, meeting
9 minutes, etc. to support this claim.

10 Most significantly, Defendant Clary's self-serving affidavit purports to provide sufficient
11 evidence that all of Kokoweef's funds which were received and disbursed have been fully
12 accounted for and that Kokoweef's financial books are all in order. However, again, Defendant
13 Clary relies solely on his own testimony to prove this fact. In contract, as discussed above, the
14 affidavit of Talon Stringham demonstrates nearly 85% of the transactions listed in the Quick
15 Books printouts provided by Defendants were unsupported. The affidavit of Talon Stringham
16 demonstrates that as recently as July 30, 2008, Defendants were engaging in the very behavior
17 Plaintiffs now seek to enjoin. There is no reason to believe such actions by Defendants have
18 ceased.

19 This recent analysis by Mr. Stringham, and Defendants' continued failure to produce
20 legitimate records are just two more indicia of the need for a receiver. A receiver is necessary to
21 locate all records to demonstrate proper (or improper) use of corporate funds by Defendants, as
22 well as to locate all documents to account for all shareholders, the amounts paid for the shares,
23 the disposition of the funds received for those shares, and the number of shares actually issued to
24 those shareholders. Once this information has been analyzed and disclosed by an objective third-
25 party, the issues set forth in Plaintiffs' First Amended Complaint can be resolved. The questions
26 which continue despite the assertions of Defendant Clary and counsel for the Hahn Defendants,
27 demonstrate the need for discovery to be conducted, and potentially, another evidentiary hearing
28 to be held.

1 Additionally, Defendants complain that the facts being presented in support of the
2 Application were previously argued at the evidentiary hearing. Yet, simultaneously, they
3 complain that new facts related to the corporate defalcation have also been raised. For example,
4 the Hahn Defendants points out that the Kehoe affidavit raises new facts. Opp. 9:5-10. If new
5 facts are being raised and acknowledged, the appropriate handling should be a further evidentiary
6 hearing, and not a complete preclusion of the Plaintiffs' ability to present evidence.

7
8 **IV.**

9 **DEFENDANTS HAVE NOT ADEQUATELY REBUTTED THE FACT THAT**
10 **CORPORATE FUNDS ARE BEING USED TO PAY FOR THE DEFENSE OF ANY**
11 **DEFENDANT.**

12 As noted in the Application, courts are very clear in constraining the use of corporate
13 funds for its own defense and the defense of individually named officers. The Supreme Court of
14 Minnesota affirmed the striking of a corporation's affirmative defenses in a derivative action.
15 See e.g., Myers v. Smith 251 N.W. 20-21 (Minn. 1933). *Myers*, states that a corporation "is a
16 nominal party only" with no "right to here step in and, by answer, attempt to defeat what is
17 practically its own suit and causes of action." The *Myers* court further stated: "Nor have the two
18 individual defendants, in control thereof, any right to use the corporation for any such purpose or
19 to impose on the corporation the burden of fighting their battle." (*Emphasis added*). *Id* at p. 21.
20 Accord Slutzker v. Rieber, 28 A. 2d. 528-529 (N.J. Ch. 1942).

21 While the Hahn Defendants claim that they are not using Kokoweef assets to pay for their
22 defense, they have previously admitted that the Kokoweef board would be indemnifying
23 Defendant Larry Hahn. Defendant Hahn is now soliciting funds under the guise of a "legal
24 defense fund". Given the allegations, and continued indications, that the Hahn Defendants
25 misuse corporate funds for their own purposes, such a justification at least bears further
26 discovery and investigation.

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V.

PLAINTIFFS ARE ENTITLED TO THE APPOINTMENT OF A RECEIVER:

NRS §90.640 expressly authorizes the District Court to appoint a receiver over a defendants' assets in a securities fraud case. Nevada law also allows for the appointment of a receiver upon the application of a plaintiff who has a probable claim to property or a fund and the property or fund is in danger of being lost, removed, or materially injured. *See NRS 32.010(1)*. While Defendants are critical of Plaintiffs' reliance upon this statute, they provide no authority whatsoever to demonstrate why Plaintiffs do not have standing as "any party whose right to or interest in the property or fund" "is in danger of being lost, removed or materially injured". *See NRS 32.010(1)*.

As more fully discussed in the Affidavit from Michael R. Kehoe, Defendants have misappropriated KOKOWEEF's assets for their own personal use for years.⁴ Until a proper audit can be conducted by a court-appointed receiver, the full extent of embezzlement and other wasting of corporate assets will not be known. Additionally, recent activity, such as the solicitation of defense funds through the KOKOWEEF corporate newsletter, and the analysis of Defendants' Exhibit 1, makes it clear that Defendants intend to continue this corporate misconduct.

VI.

CONCLUSION

Absolutely no harm will be done to Defendants through the entry of Plaintiffs' requests under the Application. Plaintiffs are simply looking to maintain the status quo in their demand that the Defendants comply with the appropriate Bylaws, Nevada law, and not divert corporate assets for the Hahn Defendants' improper or personal uses. For the foregoing reasons, Plaintiffs' Motion must be granted in its entirety, and this Court should appoint a receiver during the

⁴ Defendants have also alleged that this litigation has been initiated by a small number of disgruntled shareholders with nefarious intent. Attached hereto as Exhibit "2" are affidavits of numerous non-party shareholders indicating their support for the litigation. For the sake of the benefit of Kokoweef and all of its shareholders, it is vital that Plaintiffs' Application be granted.

1 pendency of this matter to conduct the business of Kokoweef, and enjoin the Hahn Defendants
2 and Defendant Clary from conducting any Kokoweef business, except by and through the court-
3 appointed receiver.
4

5 DATED this 8th day of January, 2008.
6

7 ROBERTSON & VICK, LLP
8

9 By: 

10 ALEXANDER ROBERTSON, IV

11 Bar No. 8642

12 JENNIFER L. TAYLOR

13 Bar No. 5798

14 401 N. Buffalo Drive, Suite 202

15 Las Vegas, Nevada 89145
16

17 *Attorneys for Plaintiffs*
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28 ROBERTSON
& VICK, LLP

Exhibit 1

1 AFF
2 ALEXANDER ROBERTSON, IV
3 State Bar No. 8642
4 JENNIFER L. TAYLOR
5 State Bar No. 5798
6 ROBERTSON & VICK, LLP
7 401 N. Buffalo Dr., Suite 202
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DISTRICT COURT

COUNTY OF CLARK, STATE OF NEVADA

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

Plaintiffs,

vs.

LARRY L. HAHN, individually, and 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
I - X, inclusive; DOE OFFICERS, DIRECTORS
and PARTICIPANTS I - XX,

Defendants,

and

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

Nominal Defendants.

Case No. A558629
Dept. XIII

Date of Hearing: 12/8/08
Time of Hearing: 9:00 a.m.

STATE OF UTAH)

)SS

1 COUNTY OF SALT LAKE)
2
3

4 **AFFIDAVIT OF TALON C. STRINGHAM**
5

6 I, TALON C. STRINGHAM, being first duly sworn upon oath, depose and state as follows:
7

8 1. That I am over the age of eighteen and am in all respects competent to testify to
9 the facts and conclusions described herein.
10

11 2. That I am employed with and am a shareholder of Sage Forensic Accounting, Inc.,
12 ("Sage"). Sage is a Utah-based litigation support, forensic accounting and
13 consulting firm. Sage has been hired by the Plaintiffs to provide forensic
14 accounting services in the above-captioned litigation.
15

16 3. That I am a Certified Public Accountant, a Certified Fraud Examiner with the
17 Association of Certified Fraud Examiners, an Accredited Senior Appraiser with
18 the American Society of Appraisers, Accredited in Business Valuation from the
19 American Institute of Certified Public Accountants and a Certified Computer
20 Examiner from the International Society of Forensic Computer Examiners.
21

22 4. That I conducted a review of various documents provided to me prior to the
23 Evidentiary Hearing on July 30, 2008 in the above-referenced case. (See Exhibit
24 B attached to the Second Affidavit of Talon Stringham, not attached hereto).
25

26 5. That based on the information provided, I provided an accounting of my initial
27 findings in the Second Affidavit of Talon Stringham and at the Evidentiary
28 Hearing on July 30, 2008.

- 1 6. That I attended the Evidentiary Hearing held on July 30, 2008 and testified as to
2 my findings based upon the EIN and Kokoweef documents I had received by that
3 date.
- 4 7. That during the hearing, Defendants, for the first time, produced a book of
5 receipts. Defendants referred to this binder of receipts as Exhibit 1, and alleged
6 that Exhibit 1 provided all the remaining documentation to address any items I
7 could not identify and/or locate, as described in my original accounting.
- 8 8. That I did not have a chance to review the so-called Exhibit 1 prior to the ruling
9 by this Court.
- 10 9. That I have since had an opportunity to review the so-called Exhibit 1, a summary
11 of my review is attached as **Exhibit A**, and made a part hereof. In reviewing the
12 documents contained in Defendants' Exhibit 1, I determined that Defendants have
13 still not produced a complete copy of EIN and/or Kokoweef's accounting
14 records.
- 15 10. That Pages 1 through 10 of **Exhibit A** provide an analysis of checks from EIN.
16 Pages 44 through 34 of **Exhibit A** provide an analysis of checks from
17 Kokoweef. The entries highlighted in yellow were substantiated by supporting
18 documentation.
- 19 11. That Pages 10 through 43 contain the ledger entries for EIN from the Quick
20 Books provided by Reta Van Da Walker. Pages 46 through 60 contain the ledger
21 entries for Kokoweef from the Quick Books ledgers provided by Reta Van Da
22 Walker. Entries in yellow indicate that supporting documentation was provided.

1 Entries without highlighting indicate transactions where supporting
2 documentation has still not been provided to substantiate the transaction.

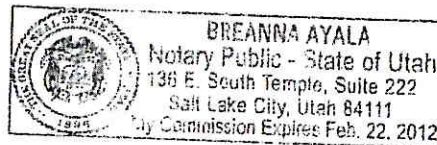
3
4 12. **Exhibit A** demonstrates that documents are still being withheld for the majority
5 of the transactions listed in the ledgers of EIN and Kokoweef. Defendants
6 continued failure to produce the remaining accounting records for EIN and
7 Kokoweef prevent me, and would prevent any CPA tasked with conducting an
8 accounting under GAAP, from being able to conduct a complete analysis of the
9 substance of expenditures of EIN and Kokoweef.
10

11 13. Further affiant sayeth naught.
12

13
14 
15 TALON C. STRINGHAM

16 SUBSCRIBED AND SWORN TO BEFORE ME
17 THIS 3 DAY OF DECEMBER, 2008.

18 
19 NOTARY PUBLIC



Ted R. Burke, et al. vs. Larry L. Hahn, et al
Clark County, Nevada
Case No.: A558629

SUMMARY OF SUPPORTED TRANSACTIONS

Description	EIN	Kokoweef	TOTAL
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Checks supported by receipts (vendor invoice or paid bill file)

Total checks produced	297 <c>	100.00%	74 <d>	100.00%	371	100.00%
Number of checks supported by receipts<a>	143	48.15%	14	18.92%	157	42.32%
Number of UNSUPPORTED checks	154	51.85%	60	81.08%	214	57.68%

QuickBooks ("QB") transactions supported by check copy

Total QB Transactions	1,565	100.00%	795	100.00%	2,360	100.00%
Number of QB transactions supported by copy of issued check	298 <c>	19.04%	99 <d>	12.45%	397	16.82%
Number of UNSUPPORTED QB transactions	1,267	80.96%	696	87.55%	1,963	83.18%

Notes:

<a> A receipt verifies that the payment is supported by a vendor invoice or paid bill file (receipt).

 A check copy verifies that the recorded QB transaction was paid and to whom it was paid.

<c> The 297 checks produced were recorded in QB as 298 transactions (one check was split into multiple transaction line items).

<d> The 74 checks produced were recorded in QB as 99 transactions (one check was split into multiple transaction line items).

Exhibit 2

STATE OF Georgia)
COUNTY OF Fullon)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Patricia P Sheffield
Affiant PATRICIA P. SHEFFIELD

Subscribed and Sworn to before me
this 14 day of November, 2008.

Michael Torres
NOTARY PUBLIC



STATE OF FL)
COUNTY OF Brevard)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Guirel Deutch
Affiant

Subscribed and Sworn to before me
this 18 day of November, 2008.

Michelle M. Cleveland
NOTARY PUBLIC



STATE OF Ohio)
COUNTY OF Clark)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Douglas A. Vandiford
Affiant Douglas A. Vandiford

Subscribed and Sworn to before me
this 18 day of NOVEMBER 2008.

C. C. Vandiford
NOTARY PUBLIC



STATE OF California
COUNTY OF Orange

I, the undersigned, hereby depose and state as follows:

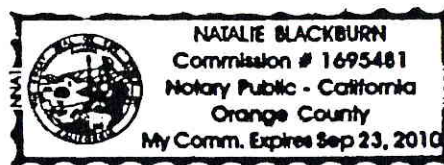
1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.



Affiant

Subscribed and sworn to before me
This 14 day of November, 2008.

Natalie Blackburn
NOTARY PUBLIC



ACKNOWLEDGEMENT

State of California

County of Orange

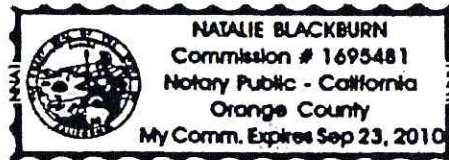
On November 14, 2008 before me, Natalie Blackburn

personally appeared Isaac Aaron Berger
who proved to me on the bases of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledge to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Natalie Blackburn (Seal)



STATE OF _____)
COUNTY OF _____)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

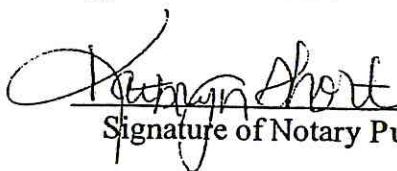

Affiant

Subscribed and Sworn to before me
this ____ day of _____, 2008.

NOTARY PUBLIC

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS.

Subscribed and sworn to (or affirmed) before me on the 13th day of November 2008, by
CLIFFORD E. KEYS proved to me on the basis of satisfactory evidence to be the person(s) who
appeared before me.


Signature of Notary Public



STATE OF _____)
COUNTY OF _____)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

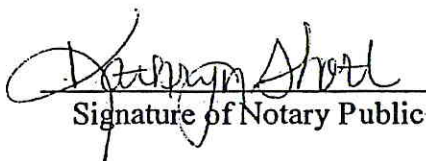

Affiant

Subscribed and Sworn to before me
this ____ day of _____, 2008.

NOTARY PUBLIC

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS.

Subscribed and sworn to (or affirmed) before me on the 18th day of November 2008, by
JERROLD L. WHEATON proved to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.

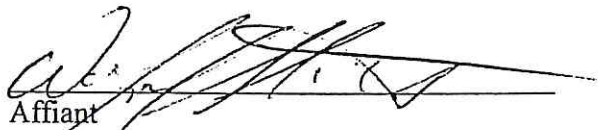

Signature of Notary Public



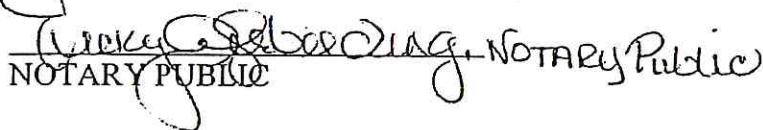
STATE OF California
COUNTY OF Riverside

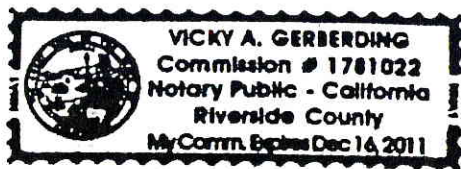
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant

Subscribed and Sworn to before me
this 14 day of November 2008.


NOTARY PUBLIC



Re: Wayne J. Stabinski

Subj: SUPPORT AFF
Date: 11/15/2008 3:52:05 PM Pacific Standard Time
From: tedburke@cox.net
To: grovergr@aol.com

STATE OF _____)
COUNTY OF _____)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Grover Graves
Affiant

Subscribed and Sworn to before me
this ____ day of _____, 2008.

NOTARY PUBLIC

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS.

Subscribed and sworn to (or affirmed) before me on the 18th day of November 2008, by
GROVER GRAVES proved to me on the basis of satisfactory evidence to be the person(s) who
appeared before me.

Kathryn Short
Signature of Notary Public



Saturday, November 15, 2008 America Online: GROVERGR

STATE OF Montana
COUNTY OF Billings

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Charles a Powers
Affiant

Subscribed and Sworn to before me
this 26 day of November, 2008.

NOTARY PUBLIC



Norma I. Brewer
NORMA I. BREWER
NOTARY PUBLIC for the State of Montana
Residing at Columbus, Montana
My Commission Expires February 01, 2011

STATE OF FLORIDA)

COUNTY OF Hillsborough

WE, the undersigned, hereby depose and state as follows:

1. That ^{we} I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. ^{we} I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. ^{we} I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although ^{we} I am not a named nominal plaintiff in this action, ^{we} I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Jeffrey Z Cornes
Affiant

Cota L. Cornea
Affiant

Subscribed and Sworn to before me
this 24th day of November 2008.

NOTARY PUBLIC



STATE OF Oregon
COUNTY OF Lincoln

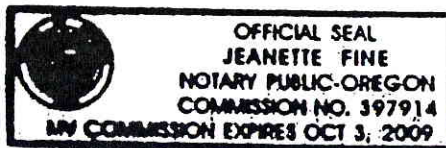
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

David J. Howard
Affiant DAVID J. HOWARD

Subscribed and Sworn to before me
this 20 day of November 2008.

Jeanette Fine
NOTARY PUBLIC



STATE OF Oregon)
COUNTY OF Lincoln)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Paul M. Hahn
Affiant Paul M. Hahn

Subscribed and Sworn to before me
this 24th day of November 2008.

Kathryn Mc Grath
NOTARY PUBLIC



STATE OF SD)
)
COUNTY OF PENN)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

James B. Hanhardt



Affiant

Subscribed and Sworn to before me
this 30 day of November, 2008.



NOTARY PUBLIC

Expires - March 20, 2010

STATE OF NEVADA

COUNTY OF CLARK

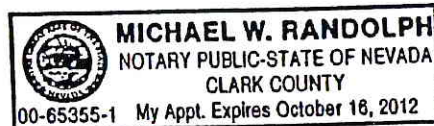
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant WAYNE BARTUSCH

Subscribed and Sworn to before me
this 28 day of November, 2008.


NOTARY PUBLIC



STATE OF NEVADA

COUNTY OF CLARK

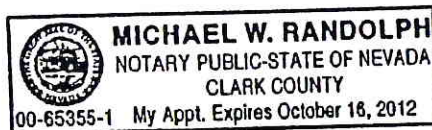
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Subscribed and Sworn to before me
this 28 day of November, 2008.

Michael W. Randolph
NOTARY PUBLIC

Alan J. Jackson
Affiant 1-702 642-2967
2067 N. LAS VEGAS, NV (SP-11)
NORTH LAS VEGAS, NV
ALAN GENROM



STATE OF NEVADA

COUNTY OF CLARK

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Olga Burke
Affiant OLGA BURKE

Subscribed and Sworn to before me
this 28 day of November, 2008.

Michael W. Randolph
NOTARY PUBLIC

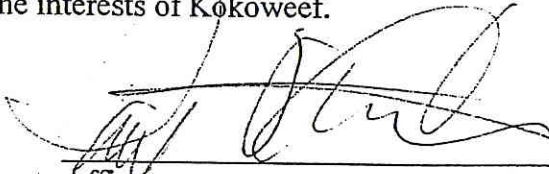


STATE OF NEVADA

COUNTY OF CLARK

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant PAUL CARRIANA

Subscribed and Sworn to before me
this 28 day of November, 2008.


NOTARY PUBLIC



STATE OF _____)
COUNTY OF _____)

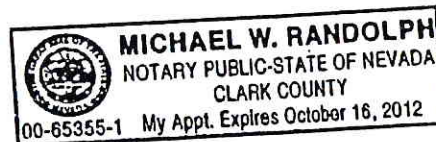
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Maury E. Barnard
Affiant

Subscribed and Sworn to before me
this 29 day of November, 2008.

Michael W. Randolph
NOTARY PUBLIC



STATE OF NEVADA

COUNTY OF CLARK

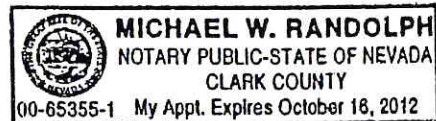
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant

Subscribed and Sworn to before me
this 29 day of November, 2008.



NOTARY PUBLIC



STATE OF Nebraska
COUNTY OF Douglas

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant
WILLIAM N. O'CONNELL

Subscribed and Sworn to before me
this 11th day of December 2008.


NOTARY PUBLIC



STATE OF Nebraska
COUNTY OF Douglas

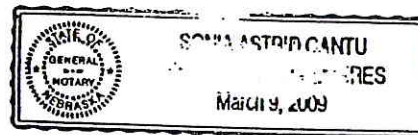
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Tracey O'Connell
Affiant
Tracey O'Connell

Subscribed and Sworn to before me
this 12 day of December, 2008.

Juan Cristobal Cantu
NOTARY PUBLIC



STATE OF FLORIDA)
COUNTY OF Hillsborough)

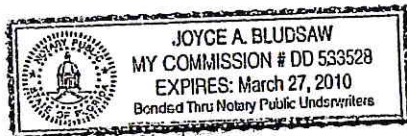
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Jeffrey I Corner
Affiant

Subscribed and Sworn to before me
this 5th day of Dec., 2008.

Joyce A. Bludsa
NOTARY PUBLIC



STATE OF Florida)
COUNTY OF Hillsborough)

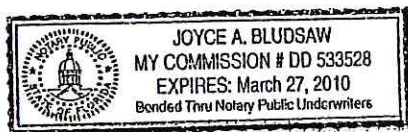
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Cota L. Cornes
Affiant

Subscribed and Sworn to before me
this 5th day of Dec., 2008.

Joyce A. Bludsa
NOTARY PUBLIC



STATE OF Ohio)
COUNTY OF Clark)

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Douglas G. Vaughn
Affiant

Subscribed and Sworn to before me
this 5 day of DECEMBER, 2008.

[Signature]
NOTARY PUBLIC



STATE OF Nevada
COUNTY OF Washoe

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Dawna C. Hahn
Affiant

Subscribed and Sworn to before me
this 4th day of December, 2008.

Suzie H. Carrillo
NOTARY PUBLIC



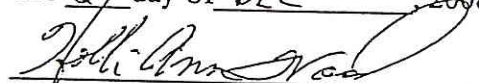
STATE OF NEVADA
COUNTY OF CLARK

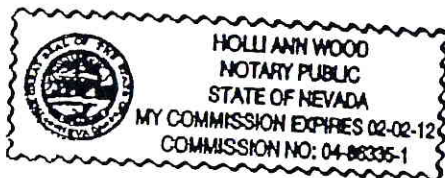
I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.


Affiant

Subscribed and Sworn to before me
this 3 day of DEC, 2008.


NOTARY PUBLIC



STATE OF NEVADA

COUNTY OF CLARK

I, the undersigned, hereby depose and state as follows:

1. That I am a current shareholder of Kokoweef, Inc. f/k/a Explorations Incorporated of Nevada.
2. I have reviewed the First Amended Complaint filed in this action and support the shareholder derivative action against Defendants Hahn and Clary.
3. I am concerned about self-dealing and mismanagement of Kokoweef by the Defendants;
4. Although I am not a named nominal plaintiff in this action, I support the lawsuit filed by the Plaintiffs to protect the interests of Kokoweef.
5. Further affiant sayeth naught.

Ligia Raudolph
Affiant

Subscribed and Sworn to before me
this 2 day of December, 2008.

[Signature]
NOTARY PUBLIC

