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1 **RPLY**  
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

6 Attorneys for Defendant Patrick C. Clary

7 **DISTRICT COURT**  
8 **CLARK COUNTY, NEVADA**

9 -o0o-

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; MICHAEL )  
18 RANDOLPH; and FREDERICK WILLIS, )

CASE NO. A558629  
DEPT NO. XIII

15 Plaintiffs,

16 vs.

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

22 Defendants,

23 and

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

27 Nominal Defendants. )

DATE OF HEARING: 12/8/08  
TIME OF HEARING: 9:00 a.m.

Law Offices of  
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1 written exhibits presented at an evidentiary hearing herein on July  
2 30, 2008, that the various allegations are false and have  
3 overwhelmingly proved that the wrongdoing alleged and realleged over  
4 and over again just did not occur.

5 Moreover, the Affidavit of Patrick C. Clary attached to the  
6 Subject Motion as Exhibit A, which the Plaintiffs' new counsel attempt  
7 to dismiss as "self-serving," and the Supplemental Affidavit of  
8 Patrick C. Clary (Exhibit 1 hereto, both in support of the Subject  
9 Motion, make it clear that the provisions of Nevada securities  
10 statutes have been fully complied with and that no securities fraud  
11 occurred. More specifically, there was no violations by Defendant  
12 Patrick C. Clary ("Mr. Clary") of Sections 90.460 and 90.570 of Nevada  
13 Revised Statutes, and there is no evidence in existence that Mr. Clary  
14 was guilty of negligent misrepresentation, fraud in the inducement,  
15 or fraudulent concealment. Rather, Mr. Clary's conduct as corporate  
16 and securities counsel for Kokoweef, Inc. was to assure full legal  
17 compliance under applicable law.

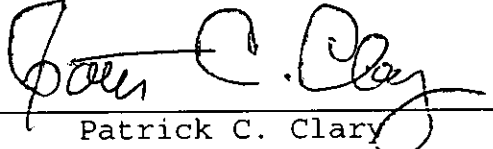
18 Under Rule 11 of the Nevada Rules of Civil Procedure, the  
19 Plaintiffs' new counsel were required, when they signed the so-called  
20 Amended Verified Derivative Complaint, to know or believe that "the  
21 allegations and other factual contentions have evidentiary support or  
22 likely to have" the same and that "the claims . . . and other legal  
23 contentions therein are warranted by existing law or by a nonfrivolous  
24 argument" for such legal position. Rule 11(b)(3) and (2),  
25 respectively. They either knew or should have known better, and, with  
26 the true evidence in these proceedings before them, these attorneys  
27 have violated Rule 11.

28 For the foregoing reasons, Defendant Patrick C. Clary's Motion

1 for Sanctions should be granted, and appropriate sanctions should be  
2 imposed upon the attorneys for the Plaintiffs for their violations of  
3 Rule 11 of the Nevada Rules of Civil Procedure.

4 DATED: December 1, 2008.

5 Respectfully submitted,  
6 PATRICK C. CLARY, CHARTERED

7  
8 By   
9 Patrick C. Clary

10 Attorneys for Defendant  
11 Patrick C. Clary

12 CERTIFICATE OF SERVICE BY MAILING

13 The above and foregoing Reply Memorandum of Points and  
14 Authorities in Support of Defendant Patrick C. Clary's Motion for  
15 Sanctions, together with the Supplemental Affidavit of Patrick C.  
16 Clary attached thereto as Exhibit 1, was served on the Plaintiffs by  
17 mailing a copy thereof, first-class postage prepaid, to their  
18 attorneys, Robertson & Vick, LLP, 401 North Buffalo Drive, Suite 202,  
19 Las Vegas, Nevada 89145, and was served on Defendants Larry Hahn and  
20 Hahn's World of Surplus, Inc. by mailing a copy thereof, first-class  
21 postage prepaid, to their attorney, M Nelson Segel, Esq., M Nelson  
22 Segel, Chartered, 614 South 9<sup>th</sup> Street, Las Vegas, Nevada 89101, on  
23 December 1, 2008.

24 PATRICK C. CLARY, CHARTERED

25 By   
26 Patrick C. Clary

27 Attorneys for Defendant  
28 Patrick C. Clary

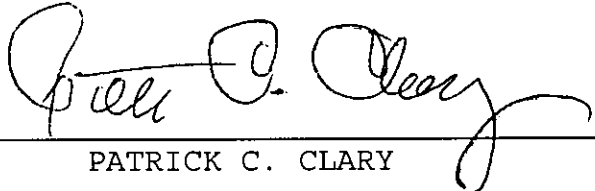
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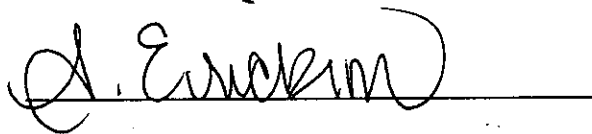
reorganization between Kokoweef and its said predecessor. The Agreement and Plan of Reorganization was executed on November 20, 2005; Nevada Form N-9, along with a copy of the Agreement and Plan of Reorganization, was timely and properly submitted on November 21, 2005 to the Securities Division of the Office of the Secretary of State of the State of Nevada under the exemption provided by Subsection 17(b) of Section 90.530 of Nevada Revised Statutes; and the exemption became effective ten days after its receipt. There was never any attempt by me to cover up anything as has been erroneously alleged by the Plaintiffs and their new counsel, and they have no proof of such allegations.

4. Even though the reorganization is the alleged gravamen of the Amended Complaint, nevertheless certain of the Plaintiffs purchased their shares of the common stock of Kokoweef well after the dates referred to above. For example, John Bertoldo purchased 1,000 shares on April 22, 2006, Steve Franks purchased 400 shares on April 22, 2006, Michael R. Kehoe purchased 100 shares on November 13, 2007, Fred Kravetz purchased 500 shares on April 25, 2006, and C.A. Murff purchased 100 shares on June 9, 2006! These Plaintiffs certainly knew those facts, their new attorneys also had to know them, and yet they both wrongfully accuse me of securities fraud that allegedly preceded these Plaintiffs' purchase of Kokoweef stock! Obviously those purchases of Kokoweef stock had nothing to do with the reorganization.

5. The Plaintiffs and their new counsel have wholly insufficient facts or legal bases to prove actionable securities fraud against me, and, therefore, they should be held accountable.

  
\_\_\_\_\_  
PATRICK C. CLARY

SUBSCRIBED AND SWORN TO before me on December 1, 2008

  
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