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9 and Hahn's World of Surplus, Inc.

FILED

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Cliff Smith
CLERK OF THE COURT

DISTRICT COURT OF NEVADA
COUNTY OF CLARK

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

CASE NO. A558629

DEPT. XIII

14 Plaintiffs,

15 vs.

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

20 Defendants,

21 and

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

24 Nominal Defendants.

DATE:
TIME:

26 **SECOND MOTION FOR ORDER EXTENDING TIME TO FILE**
27 **REQUEST FOR SECURITY AND REQUEST FOR RIGHT**
28 **TO TAKE THE DEPOSITION OF PLAINTIFFS' EXPERTS AND WITNESSES**

Defendants Larry Hahn ("HAHN") and Hahn's World of Surplus, Inc.

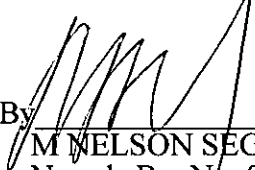
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JUN 3 2008

CLERK OF THE COURT

1 ("SURPLUS")("HAHN and SURPLUS sometimes collectively referred to herein as "MOVANTS")
2 hereby move this Court, pursuant to NRS §41.520(3), for an order extending the time to file a
3 request for security from June 10, 2008, to July 28, 2008 and the right to take the depositions of
4 Plaintiffs' experts and witnesses. This Motion is made and based upon all of the pleadings and
5 papers on file and the points and authorities contained herein.

6 DATED this 30th day of June, 2008.

7 M NELSON SEGEL, CHARTERED

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

15 POINTS AND AUTHORITIES

16 NRS §41.520(3) provides:

17 3. In any such action, at any time within 30 days after service of summons upon the
18 corporation or any defendant who is an officer or director of the corporation, or held
19 such office at the time of the acts complained of, the corporation or such defendant
may move the court for an order, upon notice and hearing, requiring the plaintiff to
furnish security as hereinafter provided. Such motion must be based upon one or
more of the following grounds:

20 (a) That there is no reasonable possibility that the prosecution of the
21 cause of action alleged in the complaint against the moving party will
benefit the corporation or its security holders.

22 (b) That the moving party, if other than the corporation, did not
23 participate in the transaction complained of in any capacity. The court
24 on application of the corporation or any defendant may, for good
cause shown, extend the 30-day period for an additional **period or
periods** not exceeding 60 days. (Emphasis added).

25 MOVANTS filed their initial request for an extension of time which was heard on the 19th day of
26 May, 2008. The Court granted said motion.

27 At the time of said hearing, MOVANTS were concerned that the Court was limited to the
28 60 day extension from the date that was 30 days after the service of the Complaint. Therefore, they

1 requested, and the Court ordered, that the time to file the motion for security by MOVANTS would
2 have been June 10, 2008.

3 By Decision and Order dated May 28, 2008 ("DECISION"), the Court entered a order
4 regarding the motion for security filed by Defendant Kokoweef, Inc. ("KOKOWEEF"), that found
5 NRS §41.520 allowed the Court to enter multiple extensions, not to exceed 60 days each. Upon
6 review of the statute, MOVANTS agree that the Court has the right to grant multiple extensions.

7 In the DECISION, the Court treated KOKOWEEF's motion as one for an extension of time
8 and stated, "[s]uch time will be commuted from entry hereof." Therefore, Defendants interpret the
9 DECISION to grant KOKOWEEF to, and including, Monday, July 28, 2008, to file a new motion,
10 or renew its original motion for security. MOVANTS hereby request that the Court enter its order
11 extending the time for them to seek security to, and including Monday, July 28, 2008.

12 REQUEST FOR RIGHT TO TAKE DEPOSITIONS

13 MOVANTS presented the affidavit of Reta Van De Walker showing that the funds of
14 KOKOWEEF had not been improperly utilized. Plaintiffs presented the affidavit of their purported
15 expert, Talon Stringham ("STRINGHAM"), stating that although he had not had an opportunity to
16 make a proper review of the books and records of KOKOWEEF, he believed "flags" existed to
17 question various transactions.

18 It appears that the Court is concerned that the unsupported representations of STRINGHAM,
19 Plaintiffs' purported expert, as well as the affidavit of Plaintiff Michael Kehoe ("KEHOE"), may
20 provide a basis for the present action and has given KOKOWEEF additional time to supplement its
21 position. Defendants need to determine whether KEHOE, or any plaintiff, has any basis for the
22 position that the assets of KOKOWEEF **may** have been improperly utilized. Therefore, it is
23 imperative that Defendants be given the opportunity to take the deposition of STRINGHAM and
24 plaintiffs to determine the basis of their opinions.

25 NRCp 26(a) states:

26 (a) Discovery Methods. At any time after the filing of a joint case conference report,
27 or not sooner than 10 days after a party has filed a separate case conference report,
28 **or upon order by the court** or discovery commissioner, any party who has complied
with Rule 16.1(a)(1) may obtain discovery by one or more of the following additional
methods: depositions upon oral examination or written questions; written

1 interrogatories; production of documents or things or permission to enter upon land
2 or other property under Rule 34 or Rule 45(a)(1)(C), for inspection and other
3 purposes; physical and mental examinations; and requests for admission. (Emphasis
added).

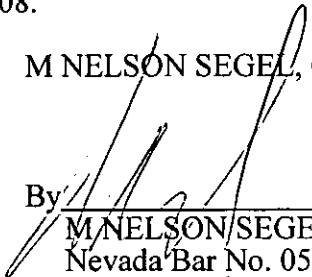
4 MOVANTS hereby request that the Court enter an order allowing them to take the depositions of
5 STRINGHAM, KEHOE and the plaintiffs to determine whether they have any basis for the
6 allegations set forth in the Complaint. The extent of the depositions shall be the basis for the claims
7 set forth in the Complaint alleging the wrongful conduct of MOVANTS and their handling of the
8 affairs of KOKOWEEF. MOVANTS should also be allowed to take more detailed depositions of
9 STRINGHAM, KEHOE and the plaintiffs in the event this matter proceeds.

10 CONCLUSION

11 The Court should extend the time for MOVANTS to file their motion for security to, and
12 including July 28, 2008. Additionally, the Court should allow MOVANTS to take the depositions
13 of STRINGHAM, KEHOE and the plaintiffs herein, as well as, more detailed depositions in the
14 future, if necessary.

15 DATED this 3rd day of June, 2008.

16 M NELSON SEGEL, CHARTERED

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