

EXHIBIT 1B

1 Warren Havens, Pro Se
2 2649 Benvenue Ave.
3 Berkeley, CA 94704
4 Telephone: 510-914-0910
5 Facsimile: 510-740-3412
6 E-Mail: wrnvns@gmail.com
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF ALAMEDA

10 ARNOLD LEONG,

11 Plaintiff,

12 v.

13 WARREN HAVENS, et al.

14 Defendants.
15

Case No.: 2002-070640

**DEFENDANT'S EX PARTE
APPLICATION FOR AN ORDER
REGARDING A TIMELY FCC FILING
BY HAVENS TO REINSTATE
SKYBRIDGE'S NATIONWIDE FCC
LICENSES, SUBJECT TO JUDGE
ROESCH'S LATER ACTION**

DATE: DECEMBER 20, 2017

TIME: 9:00 a.m.

DEPT: 18 (Hon. Jo-Lynne Lee)

RESERVATION NO.: R-1916622

16
17
18 **APPLICATION**

19 Defendant Warren Havens applies *ex parte* pursuant to California Rule of Court 3.1200
20 *et seq.* for an order described in the caption above.

21 This application is based on the following memorandum in support, the declaration of
22 Warren Havens, the pleadings and papers on file in this matter, and upon such other evidence
23 and argument as may be presented to the court.

24 Notice was given to all counsel before 10:00 a.m. on December 19, 2017, as shown by
25 the below declaration of Warren Havens. Counsel notified were:

26 DAVID A. DEGROOT
27 Sheppard Mullin Richter & Hampton LLP
28 Four Embarcadero Center, 17th Floor
San Francisco, CA 94111

Telephone: 415-434-9100
Facsimile: 415-434-3947
Email: ddegroot@sheppardmullin.com
Attorney for: Receiver SUSAN UECKER

RICHARD W. OSMAN
Bertrand, Fox, Elliot, Osman & Wenzel
2749 Hyde Street
San Francisco, CA 94109
Telephone: 415-353-0999
Facsimile: 415-353-0990
Email: rosman@bfesf.com
Attorney for: Plaintiff ARNOLD LEONG

A copy was also provided to a second attorney for Mr. Leong:

PAUL F. KIRSCH
Shopoff Cavallo & Kirsch LLP
601 Montgomery Street, Suite 1110
San Francisco, CA 94111
Telephone: 415-984-1975
Facsimile: 415-984-1978
Email: paul@sclegal.com
Attorney for: Plaintiff ARNOLD LEONG

MEMORANDUM IN SUPPORT

The Declaration contains all of the matters for the memorandum, including relevant law cited (which I know on a factual and other basis): Instead of repeating text of the Declaration herein for a separate Memorandum, I refer and incorporate it herein, including for judicial economy.

Compliance With Rule 3.1202

Pursuant to Rule 3.1202(a) of the California Rules of Court, counsel for the parties of record is as follows:

Counsel for Plaintiff:

1. Paul F. Kirsch, James M. Robinson, Shopoff, Cavallo, & Kirsch, LLP, 601 Montgomery Street, Suite 1110, San Francisco, California 94111
2. Richard W. Osman, Bertrand, Fox, Elliot, Osman & Wenzel, 2749 Hyde Street, San Francisco, California 94109

For Defendant:

3. Warren Havens, Pro Se, 2649 Benvenue Ave., Berkeley, CA 94704.
Counsel for Receiver Susan L. Uecker:
4. Geraldine A. Freeman and David A. DeGroot, Sheppard, Mullin, Richter & Hampton LLP, Four Embarcadero Center, 17th Floor, San Francisco, California 94111.

1 Respectfully submitted:

2 DATED: December 19, 2017:

3
4
5 

6
7 _____
8 Warren Havens
9 Pro Se

10 *****

DECLARATION OF WARREN HAVENS

I, Warren Havens, declare: I am a defendant in this action and am the majority or sole interest holder in each of the Receivership Entities with the exception of Skybridge Spectrum Foundation, which is a tax-exempt non-profit charitable corporation. I was the controlling individual for each of those entities and for Skybridge prior to the entry of the Receivership Order on November 16, 2015 and subsequent actions by the Receiver to take control. I have personal knowledge of the facts stated in this declaration and could so testify.

On December 18, 2017 at 9:19 AM I sent an e-mail with notice of this ex parte application and hearing, attached here as Exhibit 1 (and it contained earlier email notices) to the attorney for Arnold Leong, Richard Osman (and I later also emailed the same to Paul Kirsch, a second attorney for Mr. Leong), and to the attorney for the Receiver, David DeGroot, giving them notice that this ex parte application would be brought at 3:00 pm. on Tuesday, December 19, 2017 in Department 18 of the Superior Court of California, County of Alameda. I also provided the same notice (a copy of said email placed into .PDF format) by fax using the "myfax" Internet email service that I subscribe to, see Exhibit 2, at the times shown (before 10 am, but for one fax that was first disconnected by Mr. Osman's office fax that was sent again right after 10 am, the second time with no disconnect).

Later on December 18, at my request, Dept. 18 by email reset the hearing for December 20 at 9 am, and counsel listed above were on that email and by that, received notice. Exhibit 3.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2017, at Berkeley, California.



Warren Havens, pro se

Exhibit 1



Warren Havens <wrrnvns@gmail.com>

Fwd: Leong v Havens. ex parte hearing reservation

Warren Havens <wrrnvns@gmail.com>

Mon, Dec 18, 2017 at 9:19 AM

To: David DeGroot <DDeGroot@sheppardmullin.com>, Brian Weimer <BWeimer@sheppardmullin.com>, Richard Osman <rosman@bfesf.com>, Susan Uecker <Suecker@ueckerassoc.com>, Arnold Leong <atelesaur@cs.com>

Further Notice of *ex parte* hearing tomorrow.

I previously provided notice to you by the below Dec 13 email, and subsequent email to and from Dept 18 of the *ex parte* hearing tomorrow, Tuesday December 19, under reservation # R-1916622 at 3:00 p.m. in Dept. 18. You were on those emails to and from Dept. 18. This is further notice out of an abundance of caution. I will deliver the moving papers to you as Dept. 18 instructed, by the time today instructed.

/s/ Warren Havens

----- Forwarded message -----

From: **Warren Havens** <wrrnvns@gmail.com>

Date: Wed, Dec 13, 2017 at 2:36 PM

Subject: Re: Leong v Havens. ex parte hearing reservation

To: David DeGroot <DDeGroot@sheppardmullin.com>, Brian Weimer <BWeimer@sheppardmullin.com>

Cc: Richard Osman <rosman@bfesf.com>, Susan Uecker <Suecker@ueckerassoc.com>, Arnold Leong <atelesaur@cs.com>

Mr. DeGroot,

Counsel to Susan Uecker, Receiver,

This is further notice of the *ex parte* hearing tomorrow, identified below.

I will serve the *ex parte* paper once I have the motion and other papers done.

I do not have to serve more than one attorney for a party under the service rule, but in this case will include Mr. Weimer since he appears to be the person most involved in the subject FCC applications and matters.

As I earlier explained, this *ex parte* matter is based upon the Receiver's defective and denied applications before the FCC to extend and renew the Skybridge LMS licenses and one Telesaurus LMS license.

In its denial decision, the FCC explained defects in the Receiver's applications. I informed the Receiver prior her FCC extension and renewal applications of the defects in her position and in the content she outlined to be used in these FCC applications. The FCC then found these defects in its denial decision, as anyone acting with competent and good faith would know.

In an email a few weeks ago, you informed me in clear terms, that the Receiver decided to take no action to seek relief from the FCC as to the termination of these licenses.

I planned the *ex parte* papers and hearing to get court instructions on various kinds of FCC relief that may be sought, with court approval, as opposed to the Receiver's no-action position described to me. As you know, I am not, by contract or otherwise, an advisor to the Receiver on FCC or other matters. I have no legal obligation to give free advice, either. [1]

You then sent me a new email yesterday, the header of which is below[*] with a much different position of the Receiver, which made your no-action decision and notice to me, noted above, *at best* ill conceived and incompetent. Based upon this new email, I had to reconsider my *ex parte* motion and in process of doing so. I do not expect to

have time before the hearing to review and react to any further email any of you on this email may send me, related to this ex parte matters.

[*] From: **David DeGroot** <DDeGroot@sheppardmullin.com>

Date: Tue, Dec 12, 2017 at 1:18 PM

Subject: Leong v. Havens - update re LMS license decision

To: James Robinson <james@scklegal.com>, Paul Kirsch <paul@scklegal.com>, Richard Osman <rosman@bfesf.com>, "Warren Havens (wrrnvns@gmail.com)" <wrrnvns@gmail.com>

[* * * *]

As further notice to you-- based on your new email-- I intend to ask the court to enter an order (which I will draft as part of the ex parte papers) that provides temporary court authority for the FCC to consider a protective submission (and and supplements) filed by me directly to the FCC, by the due date for a petition for reconsideration of the above-noted denial decision, on behalf of these terminated Skybridge and Telesaurus licenses, to fully reinstate them and/or provide other relief, subject to a decision by Judge Roeach once he returns and can hear this matter, whereupon he may issue other instructions is he chooses, such as to withdraw, or let stand, or modify the temporary authority.

If I decide to seek materially different relief at the ex parte hearing, I will let you know, most likely by serving the papers tomorrow.

By this ex parte matter, I do not (i) waive rights I have, including to directly address the FCC for my own interests, consistent with the Court of Appeals alternative writ the the Superior Court and the Receiver accepted, or (ii) waiver or change my positions, and some of these may be in my ex parte papers.

Endnote

[1] The history shows that the Receiver is not neutral but is adverse to the estates of the different receivership entities (for which the Receiver has not engaged any attorney-- and her attorney cannot also serve these estates-- I have shown that in other memos to you) and is adverse to me, and in any case, rejects whatever I offer to attempt to protect and benefit the estate.

/s/

Warren Havens

On Sun, Dec 10, 2017 at 6:24 AM, Warren Havens <wrrnvns@gmail.com> wrote:

By the time required I will provide the required notice.

On Sat, Dec 9, 2017 at 7:34 PM, David DeGroot <DDeGroot@sheppardmullin.com> wrote:

Dear Mr. Havens,

Please "state with specificity the nature of the relief to be requested" at the proposed ex parte hearing on December 14, as required by California Rule of Court 3.1204(a)(1). Notice is ineffective without such a statement. You have not provided one.

I also call your attention to California Rule of Court 3.1206, which provides, "Parties appearing at the ex parte hearing must serve the ex parte application or any written opposition on all other appearing parties at the first reasonable opportunity. Absent exceptional circumstances, no hearing may be conducted unless such service has been made." I note that you have indicated your intent to have an ex parte hearing since November 29 while simultaneously declining to explain in writing what you would propose having the Receiver do in response to the FCC's recent decision. Your "first reasonable opportunity" to provide your ex parte application will be long before the day of the hearing. Your failure to provide a copy of your ex parte application by 10 am the day before the hearing is along grounds to deny relief.

I also note that you told the Court on January 10, 2017 of your willingness to assist the Receiver in whatever form the Receiver requested: "I'll be happy to put everything in writing to the receiver, talk to her on the phone, assist in any way possible. So any transaction she's looking into or engages in I'll be of maximum assistance for that purpose." Transcript, 1/10/2017, at 11. The Receiver prefers that you put your input in writing, as you promised you would in January. You have repeatedly refused to do so. She declines to participate in a recorded phone conference that is now apparently the only way that you will communicate your input. The Superior Court has never ordered the Receiver to participate in phone conferences with you.

David DeGroot

David DeGroot
415-774-3230
SheppardMullin

From: Warren Havens [mailto:wrrnvns@gmail.com]

Sent: Saturday, December 9, 2017 3:18 PM

To: Susan Uecker <Suecker@ueckerassoc.com>; Arnold Leong <atelesaur@cs.com>; Brian Weimer <BWeimer@sheppardmullin.com>; David DeGroot <DDeGroot@sheppardmullin.com>; Richard Osman <rosman@bfesf.com>

Subject: Leong v Havens. ex parte hearing reservation

This is notice that in *Leong v Havens* I obtained a reservation, # R-1916622, for an Ex Parte Hearing on 12/14/17 at 3:00 p.m. in Dept 18 at the Superior Court. (Dept 18 is handling matters for Dept 24 this Month.)

This R-1916622 ex parte hearing concerns the following matter: The FCC decision last month that denied the Receiver's applications to extend and renew, and to thus terminate, the Skybridge's LMS licenses and oneTelesaurus LMS license. I have exchanged email with you on this matter. There may be persons on court call at the hearing. This hearing will be recorded and transcribed.

To each of you: I request that you appear as a witness. If you will not do so, please inform me.

- - -

Also, I have sought an additional ex parte reservation this month and wait to hear on that. If That is not provided by Dept 18, I will ask Dept 24 for an exparte reservation on the first available day in January. This is advance notice so that you can consider timing. Your actions compel me to seek this and the above ex parte hearings.- - -

-

/s/

Warren Havens

Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.



Exhibit 2

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Successful transmission to 14154343947. Re: UNKNOWN	12/18/2017 09:35 AM	14154343947	Complete
Successful transmission to 14153530990. Re: UNKNOWN	12/15/2017 02:22 PM	14153530990	Complete
Successful transmission to 15102675730. Re: UNKNOWN	11/14/2017 01:11 PM	15102675730	Complete

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Richard Osman fax 1 415 353 0990 - successful

David DeGroot fax 1 415 434 3947 - successful

Tag Action





(Dept 18 hearing date reset email is below.)

Warren Havens <wrrnvns@gmail.com>

Re: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Warren Havens <wrrnvns@gmail.com>

Mon, Dec 18, 2017 at 5:41 PM

To: David DeGroot <DDeGroot@sheppardmullin.com>

Cc: Richard Osman <rosman@bfesf.com>, Paul Kirsch <paul@scklegal.com>, James Robinson <james@scklegal.com>

Dept 18 stated that its policy is that ex parte papers be delivered by 2.30 pm (emphasis below in original):

From: **Dept. 18, Superior Court** <dept18@alameda.courts.ca.gov>

Date: Thu, Dec 14, 2017 at 8:26 AM

Subject: RE: Leong v. Havens - 2002-070640 -

To: Warren Havens <wrrnvns@gmail.com>, **David DeGroot** <DDeGroot@sheppardmullin.com>

Cc: "Dept. 18, Superior Court" <dept18@alameda.courts.ca.gov>, Richard Osman <rosman@bfesf.com>, Paul Kirsch <paul@scklegal.com>, James Robinson <james@scklegal.com>

The 12/18/17 reservation will now be reset again to 12/19/17 at 3pm in D-18. Parties must comply with the filing deadlines for this matter. It must be filed by 02:30 pm the day prior to the hearing. That is the D-18 protocol as copied and pasted below.

The original Ex Parte Application must be filed at the Civil Clerk's Office located at 1225 Fallon Street, Room 109, Oakland, CA 94612 one day prior to the hearing. Please keep in mind that the civil division now closes at 2:30 p.m.

*****Hard copies of documents you're filing to Dept. 18 must be filed the day prior to hearing date. ** Deliveries may be left in the box, 3rd Floor. Notify the opposing side that when they file an opposition to also send courtesy copies for the court's review.**

Timothy Lopez

Deputy Clerk

You were on the email above. (The Dept said the same in preceding email you were also on.)

Ad Mr. Lopez writes above, I repeat this instruction:

"Notify the opposing side that when they file an opposition to also send courtesy copies for the court's review."

The clear emergency, as I have already show, is due to the Receiver's loss of the Skybridge nationwide licenses by, at best, gross negligence, and your delays in informing me of the FCC decision on this, then your statement that the Receiver will not seek reconsideration, then your tardy change of that no-action decision, and your refusal to have a phone call to discuss and record the discussion on these serious matters. It is a huge loss and emergency on many levels, and is is not good faith dealing... and more (the record is extensive).

On Mon, Dec 18, 2017 at 5:22 PM, David DeGroot <DDeGroot@sheppardmullin.com> wrote:

Mr. Havens,

I have already stated that the Receiver will accept service of your ex parte papers via email. The Court did not provide any indication that it agreed, let alone "instructed", that your filing by 2:30 pm tomorrow was permissible. I have previously cited the rules of court to you. The Receiver reserves all rights to object to your filing on the basis of timeliness and non-emergency.

The Receiver will serve any copies of responsive papers via email. Given that you have created the alleged emergency by your last-minute filing, you are in no position to object.

Regards,

David DeGroot

David DeGroot
415-774-3230
SheppardMullin

From: Warren Havens [mailto:wrnvns@gmail.com]

Sent: Monday, December 18, 2017 5:11 PM

To: David DeGroot <DDeGroot@sheppardmullin.com>; Richard Osman <rosman@bfesf.com>; Paul Kirsch <paul@scklegal.com>

Subject: Fwd: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Counsel,

If Mr. Degroot for the Receiver, and one (or at least one) attorney for Mr. Leong, each accept email service of my ex parte papers (I believe that is in accord with practice in this case for ex parte matters) then I will deliver them by 12.30 pm tomorrow. Otherwise, I will deliver my papers in hard copy by the time Dept. 18 instructed, 2.30 pm, and will need your responsive papers served on me in hard copy. Please let me know by no later than 9 am tomorrow morning.

----- Forwarded message -----

From: **Dept. 18, Superior Court** <dept18@alameda.courts.ca.gov>

Date: Mon, Dec 18, 2017 at 2:43 PM

Subject: RE: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

To: Warren Havens <wrnvns@gmail.com>, David DeGroot <DDeGroot@sheppardmullin.com>

Cc: "Dept. 18, Superior Court" <dept18@alameda.courts.ca.gov>, Richard Osman <rosman@bfesf.com>, Paul

Kirsch <paul@scklegal.com>, James Robinson <james@scklegal.com>

We are currently in session and I advise parties to comply with the Local Rules for Ex Parte matters in Alameda County. Judge Lee will need hard courtesy copies of any filings for this action sent directly to Department 18 prior to the hearing.

Thank you.

Timothy Lopez

Deputy Clerk

From: Warren Havens [mailto:wrnvns@gmail.com]

Sent: Monday, December 18, 2017 2:40 PM

To: David DeGroot

Cc: Dept. 18, Superior Court; Richard Osman; Paul Kirsch; James Robinson

Subject: Re: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Mr. Degroot,

I offered to shorten the time from 2.30 to 11.30, if you confirm that so I can plan on it.

Also, as you know, parties in this matter have undertaken ex parte hearings where papers are submitted in less than a half day of the hearing.

On Mon, Dec 18, 2017 at 2:35 PM, David DeGroot <DDeGroot@sheppardmullin.com> wrote:

Dear Mr. Lopez,

The Receiver will obviously abide by the Court's decision on when Mr. Havens has to file and serve his papers. The time he proposes is insufficient for preparing a written opposition that responds to his papers in time for the Court to review it.

Thank you for your attention to this matter.

Respectfully,

David DeGroot

David DeGroot
415-774-3230
SheppardMullin

From: Warren Havens [mailto:wrnvns@gmail.com]
Sent: Monday, December 18, 2017 2:17 PM
To: David DeGroot <DDeGroot@sheppardmullin.com>
Cc: Dept. 18, Superior Court <dept18@alameda.courts.ca.gov>; Richard Osman <rosman@bfesf.com>; Paul Kirsch <paul@scklegal.com>; James Robinson <james@scklegal.com>
Subject: Re: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Mr. DeGroot,)

I propose 11.30 am. That is the best I can do. (I am currently pro se due to the receivership's costs and effects.

The papers will not be long or complicated, and you know all of the facts, as does the plaintiff.

As I have explained to you, this ex parte matter is a response to the Receiver's FCC filings and the FCC denial of them.

I have given you notice of the simple relief I will request.

I thus should not take you long to review and respond to my papers.

On Mon, Dec 18, 2017 at 2:02 PM, David DeGroot <DDeGroot@sheppardmullin.com> wrote:

Dear Mr. Lopez,

Might you confirm when the movant's papers are due? If it is 24 hours in advance, the papers would be due at 9 am tomorrow. Any later would be prejudicial to the Receiver's ability to provide a written opposition that could be provided to the Court. The Receiver would accept email service. The Receiver would work to get opposition papers to the Court by the end of Tuesday so that Judge Lee could review them in advance of the hearing.

Thank you for your attention to this matter.

Respectfully,

David DeGroot

David DeGroot
415-774-3230
SheppardMullin

From: Dept. 18, Superior Court [mailto:dept18@alameda.courts.ca.gov]
Sent: Monday, December 18, 2017 1:54 PM
To: Warren Havens <wrrnvns@gmail.com>; Dept. 18, Superior Court <dept18@alameda.courts.ca.gov>
Cc: David DeGroot <DDeGroot@sheppardmullin.com>; Richard Osman <rosman@bfesf.com>
Subject: RE: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Judge Lee advised that this can be heard on 12/20 at 9am in D-18.

From: Warren Havens [mailto:wrrnvns@gmail.com]
Sent: Monday, December 18, 2017 1:06 PM
To: Dept. 18, Superior Court
Cc: David DeGroot; Richard Osman
Subject: Ex parte Resv. R-1916622 - request reset to Wed Dec 20.

Dear Dept 18:

Regarding: RESERVATION NO.: R-1916622. Set for tomorrow Dec. 19, 2017 3:00 p.m. Hon. Jo-Lynne Lee :

I have had a few personal emergency matters to take care of since later last week and that continue today, and I have not been able to complete the ex parte papers yet. I continue working on the papers now, but cannot get this properly done and filed by 2.30 pm today.

I thus request a hearing reset of to this Wednesday, Dec. 20, with my papers filed and served by 2.30 pm tomorrow. Please let me know if you can reset as just requested.

I apologize for any inconvenience.

Thank you,

Warren Havens

Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

PROOF OF SERVICE
Arnold Leong v. Warren Havens, et al.
Alameda Superior Court No. 2002-070640

I, Safa Delery, am employed in the City of Walnut Creek and County of Contra Costa, by One Hour.net. I am over the age of eighteen (18) and not a party to this action. On December 19, 2017, I served the document entitled:

DEFENDANT'S EX PARTE APPLICATION FOR AN ORDER...

upon the following parties:

RICHARD W. OSMAN Bertrand, Fox, Elliot, Osman & Wenzel 2749 Hyde Street San Francisco, CA 94109 Telephone: 415-353-0999 Facsimile: 415-353-0990 Email: rosman@bfesf.com Attorney for: Plaintiff ARNOLD LEONG	PAUL F. KIRSCH Shopoff Cavallo & Kirsch LLP 601 Montgomery Street, Suite 1110 San Francisco, CA 94111 Telephone: 415-984-1975 Facsimile: 415-984-1978 Email: paul@scklegal.com Attorneys for: Plaintiff ARNOLD LEONG
DAVID A. DEGROOT Sheppard Mullin Richter & Hampton LLP Four Embarcadero Center, 17 th Floor San Francisco, CA 94111 Telephone: 415-434-9100 Facsimile: 415-434-3947 Email: ddegroot@sheppardmullin.com Attorney for: Receiver SUSAN UECKER	

- () **BY MAIL (CCP §1013(a)):** I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing with the United States Postal Service. I placed a true and correct copy of the above-titled document in an envelope addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope and placed it for collection and mailing by the United States Postal Service in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with the United States Postal Service on the same day.
- () **BY EMAIL OR ELECTRONIC TRANSFER:** I caused a copy of the document to be sent from my e-mail address to the persons at the e-mail addressed listed in the service list. I did not, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- () **BY FACSIMILE TRANSMISSION (CCP §1013(e), CRC 2.306):** I transmitted the document by facsimile transmission by placing it in a facsimile machine (telephone number 415-352-2701) and transmitting it to the facsimile machine telephone number listed above. A transmission report was properly issued by the transmitting facsimile machine. The transmission was reported as complete and without error. A true and correct copy of the transmission report is attached hereto.
- () **BY OVERNIGHT DELIVERY (CCP §1013(c)):** I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing by Express Mail and other carriers providing for overnight delivery. I placed a true and correct copy of the above-titled document in an envelope addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope and placed

1 it for collection and mailing by Express Mail or other carrier for overnight delivery in
2 accordance with the ordinary practice of the business. Correspondence so placed is
ordinarily deposited by the business with Express Mail or other carrier on the same day.

3 () **BY PERSONAL SERVICE UPON AN ATTORNEY (CCP §1011(a)):** I placed a true
4 and correct copy of the above-titled document in a sealed envelope addressed as indicated
5 above. I delivered said envelopes by hand to a receptionist or a person authorized to accept
same at the address on the envelope, or, if no person was present, by leaving the envelope
in a conspicuous place in the office between the hours of nine in the morning and five in
the afternoon.

6 () **BY MESSENGER SERVICE:** I placed a true and correct copy of the above-entitled
7 document in a sealed envelope addressed as indicated above and provided it to a
professional messenger service for delivery during normal business hours on this date.

8 () **BY PERSONAL SERVICE UPON A PARTY (CCP §1011(b)):** I placed a true and
9 correct copy of the above-titled document in a sealed envelope addressed as indicated
above. I delivered each envelope by hand to a person of not less than eighteen (18) years
10 of age at the address listed on the envelope, between the hours of eight in the morning and
six in the evening.

11 I declare under penalty of perjury, under the laws of the State of California, that the
12 foregoing is true and correct.

13 Executed on December 19, 2017, at Walnut Creek, California.

14
15
16 _____
Safa Delery
OneHour.net
2920 Camino Diablo #100
Walnut Creek, CA 94597
Phone: (888) 311-1221

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