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 4  
 Attorneys for Defendants and Respondents  
 5 MARC HABERMAN, C-CUBED SOLUTIONS, Inc.  
 a Delaware Corporation, C-CUBED PRIVATE SOLUTIONS  
 6 LIMITED, a business entity formed in India

**FILED**  
 LOS ANGELES SUPERIOR COURT  
 FEB 27 2002  
 JOHN A. CLARKE, CLERK  
*T Scott*  
 BY T. SCOTT, DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 9 FOR THE COUNTY OF LOS ANGELES CENTRAL DISTRICT

10 C-CUBED SOLUTIONS, INC. a Delaware Corporation,  
 11 C-CUBED PRIVATE SOLUTIONS LIMITED, a business entity  
 12 formed in India, ROCKY STEFANSKY, an individual  
 13 )  
 Plaintiff,  
 14 )  
 v. )  
 15 MARC HABERMAN, aka MOSHE HABERMAN, an individual  
 16 )  
 Defendants.  
 17 )  
 \_\_\_\_\_ )  
 18 ROCKY STEFANSKY,  
 19 )  
 Petitioner,  
 20 )  
 v. )  
 21 MARC HABERMAN aka MOSHE HABERMAN C-CUBED SOLUTIONS, Inc.  
 22 a Delaware Corporation, C-CUBED PRIVATE SOLUTIONS LIMITED, a business  
 23 entity formed in India.  
 24 )  
 Respondents  
 25 )

CASE NO.: BC 255351  
 [Assigned to the Hon. Helen Bendix, Dept. 18]  
**EVIDENTIARY OBJECTION AND REQUEST TO STRIKE RABBI NACHUM SAUER**  
 Date : Feb. 28, 2002  
 Time : 9:00 a.m.  
 Place : 18

26 : RESPONDENTS MARC HABERMAN aka MOSHE HABERMAN, C-CUBED  
 27 SOLUTIONS, Inc., a Delaware Corporation, C-CUBED PRIVATE SOLUTIONS LIMITED, a  
 28

1 Business entity formed in India (hereby "Respondents") hereby submits the following Evidentiary  
 2 Objection and Request To Strike Declaration of Rabbi Avrohom Union. EVIDENTIARY  
 3 OBJECTION AND REQUEST TO STRIKE DECLARATION OF RABBI NACHUM SAUER

4 Objection is made and request to strike the entire declaration is made because it mistates the  
 5 evidence of Rabbi Fried's own letter. See Supplemental Declaration of Marc Haberman.

6 More over the declaration fails to set forth what happened to the alleged \$30,000.00 of  
 7 Sylmark Funds.

MATTER SUBJECT TO OBJECTION and REQUEST TO STRIKE	BASIS FOR OBJECTION
Page 13 ¶2 entire paragraph	Mistates the evidence. See supplemental declaration of Marc Haberman. Cal. Evid. Code 765, 350 and 352.

17 DATED: FEBRUARY 26, 2002

18 TUCHMAN & ASSOCIATES

19   
 20 AVIV L. TUCHMAN  
 LOREN N. COHEN  
 21 Attorneys for Respondents and Defendants  
 MARC HABERMAN, C-CUBED  
 22 SOLUTIONS, Inc. a Delaware Corporation, C-  
 CUBED PRIVATE SOLUTIONS LIMITED, a  
 23 business entity formed in India

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am over the age of 18 years and am not a party to the within action; I reside in the County of  
4 Los Angeles.

5 On February 27, 2002 I served the foregoing **EVIDENTIARY OBJECTION AND REQUEST TO**  
6 **STRIKE DECLARATION OF RABBI NAHUM SAUER** on interested parties in this action by placing a true  
7 copy thereof, enclosed in a sealed envelopes, on the date hereinabove set forth in this Certificate, in  
8 sealed envelopes with the postage thereon fully prepaid for certified mail, return receipt requested,  
9 addressed as follows:

10 Benjamin Kiss, Esq.  
11 Fisher, Bang & Kiss  
12 1800 Avenue of the Stars, Suite 320  
13 Los Angeles, CA 90067

14 BY MAIL:

15  I placed such envelope for deposit in the U.S. Mail for service by the United States Postal  
16 Service, with postage thereon fully prepaid. **FEDERAL EXPRESS NEXT DAY OVER**  
17 **NIGHT**

18  I am readily familiar with the firm's practice of collection and processing correspondence for  
19 mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
20 day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of  
21 business. I am aware that on motion of the party served, service is presumed invalid if the  
22 postal cancellation date or postage meter date is more than one day after date of deposit for  
23 mailing in affidavit.

24  BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the offices of  
25 the addressee. **PROOF OF SERVICE IS TO BE FILED.**

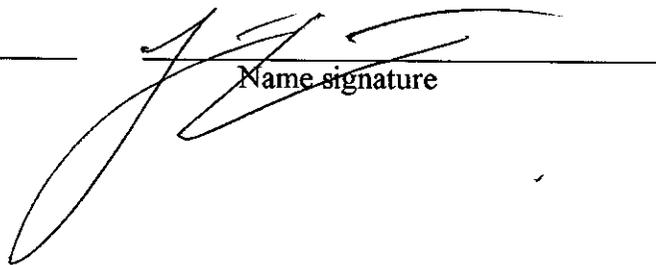
26  (State) I declare under penalty of perjury under the laws of the State of California that the  
27 foregoing is true and correct.

28  (Federal) I declare under penalty of perjury that the foregoing is true and correct, and that I  
am employed in the office of a member of the bar of this Court at whose direction the service  
was made.

Sent via facsimile to Fischer, Bang & Kiss at 310-785-211 at about 11:00 a.m. facsimile  
transmission stated successful.

Executed on February 27, 2002, at Los Angeles, California.

LOREN N. COHEN  
Type or Print

  
Name signature