

1 Ronald S. Logar, Esq. (SBN: 00303)
Eric A. Pulver, Esq. (SBN: 07874)
2 LAW OFFICE OF LOGAR & PULVER, PC
225 S. Arlington Avenue
3 Suite A
Reno, Nevada 89501
4 Telephone: (775) 786-5040
Facsimile: (775) 786-7544

5
6 Deborah A. Klar, Esq. (SBN: 124750)
Teri T. Pham, Esq. (SBN: 193383)
Ryan M. Lapine, Esq. (SBN: 239316)
7 LINER YANKELEVITZ
SUNSHINE & REGENSTREIF LLP
8 1100 Glendon Avenue, 14th Floor
Los Angeles, California 90024-3503
9 Telephone: (310) 500-3500
Facsimile: (310) 500-3501
10 ADMITTED PRO HAC VICE

11 Attorneys for Plaintiffs
DENNIS MONTGOMERY, and the MONTGOMERY
12 FAMILY TRUST

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

16 DENNIS MONTGOMERY and the
MONTGOMERY FAMILY TRUST,
17
18 Plaintiffs,

19 vs.

20 ETREPPID TECHNOLOGIES, LLC, WARREN
TREPP, and the UNITED STATES
DEPARTMENT OF DEFENSE,
21
22 Defendants.

23 AND RELATED CASES.
24

) Case No. 3:06-CV-00056-PMP-VPC
) BASE FILE

) (3:06-CV-00145-PMP-VPC)

) **REQUEST FOR JUDICIAL NOTICE IN**
) **SUPPORT OF THE MONTGOMERY**
) **PARTIES' EMERGENCY EX PARTE**
) **APPLICATION FOR CLARIFICATION**
) **OF ORDER RE MOTION TO**
) **WITHDRAW BY MICHAEL J. FLYNN**

25 Dennis Montgomery, Brenda Montgomery, and the Montgomery Family Trust, hereby
26 request the Court to take judicial notice pursuant to Federal Rule of Evidence 201 of the following
27 pleadings filed in this court:

- 28 1. Complaint, filed August 3, 2007, Los Angeles Superior Court Case No. BC375335;

1 2. Notice of Filing of Notice of Removal of Action Under 28 U.S.C. Sections 1332 and
2 1441(b), dated August 6, 2007;


3 3. Order dated August 22, 2007 by the Honorable John F. Walter, USDC Judge, USDC
4 Case No. CV 07-5078-JFW (PLAx); and

5 4. Memorandum of Points and Authorities in Support of Application for Writ of
6 Possession; Declarations of Dennis Montgomery and Teri T. Pham.

7 Dated: September 18, 2007

Respectfully submitted,

LINER YANKELEVITZ
SUNSHINE & REGENSTREIF LLP

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9
10 By: 

11 Deborah A. Klar
12 Teri T. Pham
13 Attorneys for Plaintiffs
14 DENNIS MONTGOMERY and the
15 MONTGOMERY FAMILY TRUST
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the LAW OFFICES OF LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP, and that on the **18th day of September, 2007**, I caused to be served the within document described as **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF THE MONTGOMERY PARTIES' EMERGENCY EX PARTE APPLICATION FOR CLARIFICATION OF ORDER RE MOTION TO WITHDRAW BY MICHAEL J. FLYNN** on the interested parties in this action as stated below:

Stephen J. Peek, Esq.
Jerry M. Snyder, Esq.
Hale Lane Peek Dennison and Howard
5441 Kitzke Lane, 2nd Floor
Reno, Nevada 89511
(775) 327-3000; 786-6179 - FAX
E-mail: speek@halelane.com
Attorneys for Etreppid Technologies, LLC
and Warren Trepp

Greg Addington, AUSA
U.S. DEPARTMENT OF JUSTICE
100 W. Liberty Street, Suite 600
Reno, Nevada 89501
E-mail: Greg.addington@usdoj.gov
(775) 784-5181 - FAX
Attorneys for Department of Defense

Carlotta P. Wells, Esq., Sr. Trial Counsel
U.S. Department of Justice
Federal Programs Branch
Civil Division, Room 7150
20 Massachusetts Avenue, NW
Post Office Box 883
Washington, D.C. 20044
(202) 514-4522; 616-8470 - FAX
E-mail: Carlotta.wells@usdoj.gov
Attorneys for Department of Defense

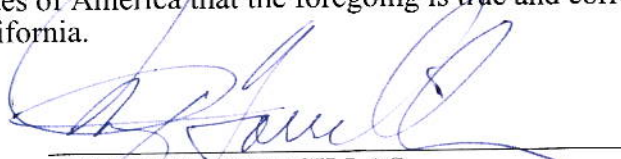
Michael J. Flynn, Esq.
Post Office Box 690
6125 El Tordo
Rancho Santa Fe, California 92067
(858) 759-7000; 759-0711 - FAX
E-mail: mjfb@msn.com
and cdimare@worldnet.att.net
Former Attorney for Dennis Montgomery,
Brenda Montgomery & the Trustees of The
Montgomery Family Trust

Ralph O. Gomez, Esq., Sr. Trial Counsel
U.S. Dept. of Justice, Fed. Programs Branch
Civil Division, Room 6144
20 Massachusetts Avenue, NW
Post Office Box 883
Washington, D.C. 20044
(202) 514-1318; 616-8470 - FAX
E-mail: raphael.gomez@usdoj.gov
Attorneys for Department of Defense

Eric A. Pulver, Esq.
Ronald J. Logar, Esq.
Law Office of Logar & Pulver, PC
225 South Arlington Avenue
Suite A
Reno, Nevada 89501
(775) 786-5040; 786-7544 - FAX
e-Mail: Eric@renofamilylaw.com
e-Mail: rlogar@renofamilylaw.com

[ELECTRONIC] By filing the document(s) electronically with the U.S. District Court and therefore the court's computer system has electronically delivered a copy of the foregoing document(s) to the persons listed above at their respective email address.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed on 9/18/2007, at Los Angeles, California.



NANCY TORRECILLAS

PROOF OF SERVICE