

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

HAYWOOD COUNTY

DISTRICT COURT DIVISION
08-CVD-00768

<p>ETON PROPERTIES CORP., A Nevada Corporation, Plaintiff, vs. CMKM DIAMONDS, INC., A Nevada Corporation, Defendant.</p>	<p>NOTICE OF LIS PENDENS</p>
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*Haywood
County
Clerk
12-5-08*

Filed

NOTICE OF LIS PENDENS

TO THE HONORABLE JUDGE OF SAID COURT:

NOTICE IS HEREBY GIVEN that the above styled cause of action was filed on June 3, 2008 by Eton Properties Corp. in the General Court of Justice District Court Division of Haywood County, North Carolina; Further that Counterclaims were filed by Defendant CMKM Diamonds, Inc. on August 12, 2008 in the above styled cause of action; Further that a cause of action styled CMKM Diamonds, Inc. vs. Dave Desormeau, individually; John Edwards, individually; Does 1-50, and Roe Corporations 1-50, and Eton Properties Corp. was filed on March 30, 2007 in the District Court of Clark County, Nevada, Department XIII, Case No. A538649, as amended. Notice is hereby given that each of these referenced causes of action bring into question the ownership of, and title to, all that tract or parcel of land situated in Haywood County, North Carolina and more particularly described on Exhibit "A" attached hereto.

Defendant and Counter Claimant in the above styled cause of action in Haywood County and Plaintiff in the Clark County, Nevada cause of action referenced above are seeking equitable relief from the Nevada Court declaring that fee simple title in and to said tract should be vested in such party, free and clear of any claim of right, title and interest by Eton Properties Corp. or any other related Defendant. Further, that Defendant Eton Properties Corp. should be declared a constructive trustee of the subject property for CMKM Diamonds, Inc. as a result of fraud and illegal stock transactions committed by John Edwards through Eton Properties Corp. The proceeds from this fraud and illegal

stock activity were used as purchase money funds to acquire the subject property to the detriment of CMKM Diamonds, Inc.

REQUESTED this the 5th day of December 2008.

Jeffrey W. Norris
Attorney for CMKM Diamonds, Inc.
Jeffrey W. Norris & Associates, PLLC
Norris Professional Building
177 N. Main St.
Waynesville, NC 28786
(828) 452-2221

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has this date been served upon the parties by depositing a copy of the same in the United States Mail, sufficient postage prepaid, addressed to counsel as follows:

James W. Kirkpatrick, III, P.A.
37 Branner Avenue
Waynesville, North Carolina 28786
This the 2nd day of October, 2001.
Attorney for Plaintiff/Movant

EXHIBIT "A"

LEGAL DESCRIPTION

Being that 28.313 acre tract described in plat and survey of L. Kevin Ensley, PLS, No. B-004-04, recorded on June 29, 2004 in Plat Cabinet C, slolt 3714, Haywood County Registry.

For Title of Grantors see Estate File 71-E-21, Haywood County Superior Court, Estate of Idella S. Noland.

Included within the above described tract are the following tracts as set out in a survey duly filed with the City of Waynesville, Haywood, County and a copy of which is attached hereto. Tract A-9.832 acres, Tract B-2.371 acres, Tract C-3.437, Tract D-499 acres, and Tract E-10.589 acres totaling 28.313 acres.

