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5 LESLIE A. HAKALA, Cal. Bar No. 199414  
6 E-mail: [hakalal@sec.gov](mailto:hakalal@sec.gov)

7 Attorneys for Plaintiff  
8 Securities and Exchange Commission  
9 Rosalind R. Tyson, Acting Regional Director  
10 Andrew Petillon, Associate Regional Director  
11 5670 Wilshire Boulevard, 11th Floor  
12 Los Angeles, California 90036-3648  
13 Telephone: (323) 965-3998  
14 Facsimile: (323) 965-3908

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 SECURITIES AND EXCHANGE  
14 COMMISSION,

15 Plaintiff,

16 vs.

17 CMKM DIAMONDS, INC., URBAN  
18 CASAVANT, JOHN EDWARDS,  
19 GINGER GUTIERREZ, JAMES  
20 KINNEY, ANTHONY TOMASSO,  
21 KATHLEEN TOMASSO, 1ST  
22 GLOBAL STOCK TRANSFER, LLC,  
23 HELEN BAGLEY, NEVWEST  
24 SECURITIES, INC., DARYL  
25 ANDERSON, SERGEY  
26 RUMYANTSEV, ANTHONY  
27 SANTOS, and BRIAN DVORAK,

28 Defendants.

Case No.: 2:08-cv-00437-LRH-RJJ

**DECLARATION OF LESLIE A.  
HAKALA REGARDING JOINT  
NOTICE OF PROPOSED  
DEPONENTS**

1 I, Leslie A. Hakala, declare as follows:

2 1. I am employed as a staff attorney in the Los Angeles Regional Office  
3 of the United States Securities and Exchange Commission (“the Commission”). I  
4 am a lawyer in good standing in the State of California.

5 2. I have personal knowledge of each of the matters set forth below.

6 3. Since at least March 2005, I have been assigned to formally  
7 investigate activities related to CMKM Diamonds, Inc. Since that time, I have  
8 been the primary staff attorney on the matter.

9 4. In a Minute Order filed on July 1, 2008, the Court instructed the  
10 parties to prepare a Joint Notice of Proposed Deponents within 30 days.

11 5. On July 16, 2008, I prepared a template for this document, and  
12 circulated it by email to the parties. A copy of the email I sent is attached as  
13 Exhibit A. In my email, I asked each of the parties to provide me with the  
14 information to be included in their section of the document.

15 6. I received responses by email from Anthony Tomasso, Kathleen  
16 Tomasso, counsel for Daryl Anderson, and counsel for Helen Bagley and 1st  
17 Global Stock Transfer LLC. I inserted their responses verbatim into the Joint  
18 Notice of Proposed Deponents in the appropriate section.

19 7. On July 24, 2008, I spoke with Urban Casavant by telephone  
20 regarding this matter. He asked me to resend him the document template by email,  
21 which I did that afternoon. I called Mr. Casavant again on July 28, 2008, but there  
22 was no answer, and I was unable to leave a message. Mr. Casavant has not  
23 responded to my request for a list of his proposed deponents.

24 8. On July 24, 2008, I spoke with Irving Einhorn, counsel for John  
25 Edwards, by telephone. He told me that Mr. Edwards did not plan to depose  
26 anyone in this matter. Mr. Einhorn also informed me that he (Mr. Einhorn) would  
27 not be making any appearances or signing any documents in this case.  
28

1 9. On July 24, 2008, I spoke with Sergey Rumyantsev by telephone. Mr.  
2 Rumyantsev informed me that he did not plan to depose anyone in this matter.

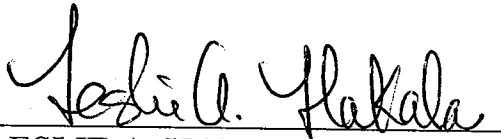
3 10. On July 24, 2008, I spoke with Anthony Santos by telephone. He told  
4 me that he would email me a list of proposed deponents by the end of that day. I  
5 did not receive any list from him. I called Mr. Santos again on July 28, 2008, and  
6 left him a voicemail renewing my request, but he did not return my call. Mr.  
7 Santos is also the President of NevWest Securities Corporation.

8 11. On July 28, 2008, John Wesley Hall, counsel for Brian Dvorak, left  
9 me a voicemail indicating that Mr. Dvorak did not plan to depose anyone in this  
10 matter, but that he may attend depositions noticed by other parties. Mr. Hall also  
11 said that he was traveling, and would be difficult to contact.

12 12. On July 29, 2008, I emailed the final Joint Notice of Proposed  
13 Deponents to the parties, and asked them to return signature pages to me no later  
14 than 10:00 am on July 30, 2008. A copy of the email I sent is attached as  
15 Exhibit B. I received signature pages from Anthony Tomasso, Kathleen Tomasso,  
16 counsel for Daryl Anderson, and counsel for Helen Bagley and 1st Global Stock  
17 Transfer LLC. I received no other responses to my email.

18  
19 I declare under penalty of perjury under the laws of the United States that  
20 the foregoing is true and correct.

21  
22 Executed on July 30, 2008.

23  
24   
25 LESLIE A. HAKALA  
26 Attorney for Plaintiff  
27 Securities and Exchange Commission  
28

# **EXHIBIT A**

**Hakala, Leslie**

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**From:** Hakala, Leslie  
**Sent:** Wednesday, July 16, 2008 5:09 PM  
**To:** 'ime@einhornlaw.com'; 'mdzarnowski@gordonsilver.com'; 'ucasavant@shaw.ca'; 'forhall@aol.com'; 'ttomasso@ncfgcomm.com'; 'chaptak@embarqmail.com'; 'ams.nwst@gmail.com'; 'bbaker@parsonsbehle.com'; 'howard@kcrlawyers.com'  
**Cc:** White, Molly  
**Subject:** Template for Joint Notice of Proposed Deponents  
**Attachments:** Template For Deponent Notice 7-16-2008.doc

Hello,

As you may recall, in the telephonic hearing held on June 27, 2008, and in the follow-up Minute Order entered on July 1, 2008, Judge Johnston instructed the parties to prepare a joint document identifying proposed deponents by witness name and by defendant. We anticipate that the Judge may ask us about this document at the next hearing, scheduled for July 24, 2008.

Accordingly, we have prepared the attached template. Please would you email or fax me (323-965-3394) the information you would like to be included in your section no later than the close of business on Monday, July 21, 2008. I will compile everyone's information into one document and send it around for review and signature by the close of business on Tuesday, July 22, 2008.

Please let me know if you have any questions.

Thanks,  
Leslie Hakala  
323-965-3875



Template For  
Deponent Notice 7..

# **EXHIBIT B**

**Hakala, Leslie**

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**From:** Hakala, Leslie  
**Sent:** Tuesday, July 29, 2008 1:37 PM  
**To:** Hakala, Leslie; 'ime@einhornlaw.com'; 'ucasavant@shaw.ca'; 'forhall@aol.com'; 'ttomasso@ncfgcomm.com'; 'chaptak@embarqmail.com'; 'ams.nwst@gmail.com'; 'bbaker@parsonsbehle.com'; 'howard@kcrlawyers.com'; 'mdzarnoski@gordonsilver.com'; 'enk@kleinattorneys.com'  
**Cc:** White, Molly  
**Subject:** RE: Template for Joint Notice of Proposed Deponents  
**Attachments:** CMKM Deponent Notice 7-29-2008.doc

Hello,

Attached please find the final version of the Joint Notice, which includes all the information I have received. Please would you sign it and fax or pdf your signature page back to me no later than 10:00 am Pacific time, tomorrow, July 30, 2008. I will file it then.

Please do not hesitate to contact me with any questions or concerns. Thank you.

Leslie Hakala  
Phone: 323-965-3875  
Fax: 323-965-3394  
hakalal@sec.gov



CMKM Deponent  
Notice 7-29-2008...

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**From:** Hakala, Leslie  
**Sent:** Wednesday, July 16, 2008 5:09 PM  
**To:** 'ime@einhornlaw.com'; 'mdzarnoski@gordonsilver.com'; 'ucasavant@shaw.ca'; 'forhall@aol.com'; 'ttomasso@ncfgcomm.com'; 'chaptak@embarqmail.com'; 'ams.nwst@gmail.com'; 'bbaker@parsonsbehle.com'; 'howard@kcrlawyers.com'  
**Cc:** White, Molly  
**Subject:** Template for Joint Notice of Proposed Deponents

Hello,

As you may recall, in the telephonic hearing held on June 27, 2008, and in the follow-up Minute Order entered on July 1, 2008, Judge Johnston instructed the parties to prepare a joint document identifying proposed deponents by witness name and by defendant. We anticipate that the Judge may ask us about this document at the next hearing, scheduled for July 24, 2008.

Accordingly, we have prepared the attached template. Please would you email or fax me (323-965-3394) the information you would like to be included in your section no later than the close of business on Monday, July 21, 2008. I will compile everyone's information into one document and send it around for review and signature by the close of business on Tuesday, July 22, 2008.

Please let me know if you have any questions.

Thanks,  
Leslie Hakala  
323-965-3875

<< File: Template For Deponent Notice 7-16-2008.doc >>

**PROOF OF SERVICE**

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION, 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036-3648

Telephone No. (323) 965-3998; Facsimile No. (323) 965-3394.

On July 30, 2008, I served the following document entitled **DECLARATION OF LESLIE A. HAKALA REGARDING JOINT NOTICE OF PROPOSED DEPONENTS** on the parties whose service of process forms have been filed in this action and others, addressed as stated on the attached service list:

**OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

**PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

**EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

**HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

**FEDERAL EXPRESS:** By placing in sealed envelope(s) designated by Federal Express with delivery fees paid or provided for, which I deposited in a facility regularly maintained by Federal Express or delivered to a Federal Express courier, at Los Angeles, California.

**ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

**FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

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

Date: July 30, 2008

Magnolia M. Marcelo  
Magnolia M. Marcelo

1                                    **SEC v. CMKM DIAMONDS, INC., et al.**  
2                                    **United States District Court - District of Nevada**  
3                                    **Case No. 2:08-CV-00437-LRH-RJJ**  
4                                    **(LA-3028)**

5                                    SERVICE LIST

6                                    Irving M. Einhorn, Esq.  
7                                    Law Offices of Irving M. Einhorn  
8                                    1710 10th Street  
9                                    Manhattan Beach, CA 90266  
10                                    Email: [ime@einhornlaw.com](mailto:ime@einhornlaw.com)  
11                                    *Attorney for Defendant John Edwards*

12                                    Mark S. Dzarnoski, Esq.  
13                                    Gordon & Silver, Ltd.  
14                                    3960 Howard Hughes Parkway, Ninth Floor  
15                                    Las Vegas, NV 89169  
16                                    Email: [mdzarnoski@gordonsilver.com](mailto:mdzarnoski@gordonsilver.com)  
17                                    *Attorney for Helen Bagley and 1st Global Stock Transfer LLC*

18                                    Urban A. Casavant  
19                                    RR 5 Site 16 Box 29  
20                                    Prince Albert, Saskatchewan S6V 5R3  
21                                    Canada  
22                                    Email: [ucasavant@shaw.ca](mailto:ucasavant@shaw.ca)

23                                    John Wesley Hall, Jr., Esq.  
24                                    1311 Broadway  
25                                    Little Rock, AR 72202-4843  
26                                    Email: [forhall@aol.com](mailto:forhall@aol.com)  
27                                    *Attorney for Brian Dvorak*

28                                    Kathleen Tomasso  
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                                  Email: [ttomasso@ncfgcomm.com](mailto:ttomasso@ncfgcomm.com)

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                                  Anthony Santos  
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                                  Las Vegas, NV 89149  
                                  Email: [Ams.nwst@gmail.com](mailto:Ams.nwst@gmail.com)

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NevWest Securities Corporation  
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