

1 ROBERT L. POLLAK, SBN 083950  
2 DENIS KLAVDIANOS, SBN 225925  
3 GLASSBERG, POLLAK & ASSOCIATES  
4 1000 4<sup>th</sup> St, Suite 570  
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6 (415) 291-8320  
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8 [gpa@glassberg-pollak.com](mailto:gpa@glassberg-pollak.com)

9 Attorneys for Plaintiff  
10 Our File No.: 171154

11  
12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF SAN MATEO  
14 UNLIMITED CIVIL JURISDICTION

15 MA LABORATORIES, INC., a corporation,

16 Plaintiff,

17 vs.

18 OPTIMUS VENTURES LLC, a limited  
19 liability company; MEERA E. KAUL, aka  
20 MEERA A. KOUL; and DOES 1-50,  
21 INCLUSIVE,,

22 Defendants.

23 OPTIMUS VENTURES LLC, a limited  
24 liability company,

25 Cross-Complainant,

26 vs.

27 MA LABORATORIES, INC., a corporation,  
28 and DOES 1-20, INCLUSIVE,

Cross-Defendants.

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Case No.: 17CIV01484

DECLARATION OF DENIS KLAVDIANOS  
IN SUPPORT OF PLAINTIFF'S REPLY TO  
OPPOSITION TO MOTION FOR ENTRY  
OF JUDGMENT

DATE: November 26, 2019

TIME: 9:00 a.m.

DEPT: LAW AND MOTION

C.C.P. § 664.6

1 I, DENIS KLAVDIANOS, declare that:

2 1. I am an attorney duly licensed and admitted to practice law before all  
3 of the courts of the State of California, and am one of the attorneys for Plaintiff MA  
4 LABORATORIES, INC., a corporation ("Plaintiff" or "MA LABS"). I have personal  
5 knowledge of the facts stated herein, except those matters stated on information  
6 and belief. If called as a witness, I could and would be able to competently testify  
7 thereto.

8 **Background**

9 2. **Two Prior Defense Counsel Have Withdrawn From Representation of**  
10 **Defendant MEERA E. KAUL:** The Complaint in this matter was filed on April 6,  
11 2017. Since that time, two prior defense counsel have withdrawn from  
12 representation of Defendant MEERA E. KAUL ("MEERA") for unknown reasons.

13 3. **Defendant Was Aware Of The Default Since Early September 2019:**  
14 As noted in Plaintiff's moving papers, Defendant MEERA and her counsel have been  
15 aware of the default since September 5, 2019 and Plaintiff's Motion For Entry of  
16 Judgment was filed and served on October 9, 2019

17 4. **Defendant Waited Until November 12, 2019 To Contact Plaintiff's**  
18 **Counsel Regarding Purported Payment:** Despite being aware of the default since  
19 early September 2019 and the service of the Motion For Entry of Judgment since  
20 early October 2019, MEERA and her attorney waited until November 12, 2019 to  
21 contend that payment had previously been made. A true and correct and correct of  
22 defense counsel's email of November 12, 2019 is attached hereto as **Exhibit "A"** and  
23 incorporated by reference.

24 **No Payment Has Been Received**

25 5. **Plaintiff's Counsel Immediately Checked With The Firm's Bank And**  
26 **Discovered That There Is No Record Of Any Payment By Defendant At Any Time:**  
27 On November 12, 2019, I directed the firm's office manager to contact Robert  
28 Ostrovsky--the representative of First Republic Bank. On that same day, Mr.

1 Ostrovsky stated that they have no record of receiving a wire transfer on September  
2 12, 2019 or on any other day relating to this case. <sup>1</sup> On November 12, 2019, I  
3 informed defense counsel that (a) no payment had been received; (b) his client was  
4 overdue on payments in the amount of \$15,000.00 as of November 1, 2019, and  
5 (c) his client could forward the funds to defense counsel's account, and in turn,  
6 defense counsel could forward the funds to our office. A true and correct copy of  
7 the November 12, 2019 email I sent to defense counsel is attached hereto as **Exhibit**  
8 **"B"** and incorporated by reference.

9 6. Defense Counsel Then Forwarded A Letter That Purports to Be From  
10 Defendant's Bank, But Which Does Not Appear To Be Authentic: On Sunday  
11 November 17, 2019, defense counsel apparently sent an email to me that I only  
12 received on November 18, 2019. The email included a letter dated November 16,  
13 2019 that purports to be from Defendant's bank. A true and correct copy of the  
14 email and letter is attached hereto as **Exhibit "C"** and incorporated by reference.

15 7. Plaintiff's Counsel Instructed The Firm's Bank To Again Contact  
16 Defendant's Bank Regarding The Purported Payment As Well as The Authenticity of  
17 the Letter: On November 18 2019, I directed the firm's bank to contact Defendant's  
18 bank (the National Bank of Abu Dhabi) to determine if a payment had in fact been  
19 made and to determine whether the November 16, 2019 letter forwarded by  
20 defense counsel was authentic. <sup>2</sup> In addition, I requested that defense counsel  
21 (together with his client) contact their bank again to verify payment, and defense  
22 counsel agreed to do so. True and correct copies of various email exchanges  
23 between myself and defense counsel dated November 18, 2019 are attached hereto  
24 as **Exhibits "D"** through **"J"** and incorporated by reference.

25  
26  
27 <sup>1</sup> On November 20, 2019, Plaintiff's counsel will supplement's its reply by submitting the  
28 declaration of Mr. Ostrovsky stating that no evidence of a transaction was found, as well as  
other details regarding possible fraud.

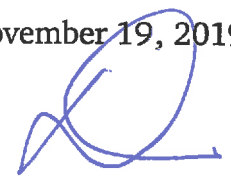
<sup>2</sup> On November 20, 2019, Plaintiff's counsel will submit a supplemental declaration  
regarding this second attempt.

1           8.     Defense Counsel Stated That He is Unable to Contact Defendant's  
2 Bank: On November 18, 2019, at 1:52pm, defense counsel stated that he "tried  
3 **contacting the bank but without success**". A true and correct copy of defense  
4 counsel's email is appended as part of **Exhibit "J"** and incorporated by reference. In  
5 that same email, defense counsel stated the following "If I **cannot conclude to some**  
6 **satisfaction on my own that the letter is authentic then, again like I said, I will be**  
7 **moving to withdraw from this case prior to the hearing.**" (MEERA ATTY DID WITHDRAW)

8           9.     Plaintiff's Counsel Received Defendant's Opposition One Day Before A  
9 Reply Was Due: On November 18, 2019, the day before a Reply was due, I received  
10 Defendant's Opposition. Given the circumstances, i.e., the fact that Defendant  
11 waited until the last minute to inform Plaintiff's counsel regarding the purported  
12 payment despite having the motion since early October 2019, Defendant's counsel  
13 could have emailed a copy of the Opposition to Plaintiff's counsel on the day it was  
14 served by mail, but failed to do so.

15           I declare under penalty of perjury under the laws of the State of California  
16 that the foregoing is true and correct.

17           Executed at San Rafael, California, on November 19, 2019.



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DENIS KLAVDIANOS  
Attorneys for Plaintiff

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# Exhibit "A"

## Denis Klavdianos

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**From:** Kevin Martin <calendar.martinapc@gmail.com>  
**Sent:** Tuesday, November 12, 2019 12:07 PM  
**To:** Denis Klavdianos  
**Subject:** Wire Info  
**Attachments:** ATT00001.htm; SCREENSHT-PORTAL-11112019\_Redacted.pdf; ATT00002.htm; Swift - Glassberg Sept\_Redacted.pdf; ATT00003.htm

Denis-

According to my client, the monies were wired from their bank in Dubai, to intermediary New York Mellon, and then on to First Republic Bank, beneficiary Glassberg Pollak & Associates, beneficiary account number ending in 845. Please let me know what you find.

Kevin R. Martin, Esq.  
MARTIN APC  
1939 Harrison Street, Suite 910  
Oakland, CA 94612  
[kevin@martinapc.com](mailto:kevin@martinapc.com)  
510-444-7600

ATTENTION: This e-mail, and any attachments to it, may contain PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the addressee. If you are not the intended recipient, or an agent or employee responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail, or the information contained therein, is strictly prohibited and you must not review, transmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please immediately notify us by return e-mail or by telephone at 510-444-7600 and delete this e-mail from your computer.

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Total Control Panel

[Login](#)

To: [dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com) [Remove this sender from my allow list](#)  
From: [calendar.martinapc@gmail.com](mailto:calendar.martinapc@gmail.com)

*You received this message because the sender is on your allow list.*

## Denis Klavdianos

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**From:** Kevin Martin <calendar.martinapc@gmail.com>  
**Sent:** Tuesday, November 12, 2019 12:18 PM  
**To:** Denis Klavdianos  
**Subject:** Account Ledger  
**Attachments:** ATT00001.htm; Transaction\_Summary\_30sept2019\_125945\_Redacted.pdf; ATT00002.htm

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Total Control Panel

[Login](#)

To: [dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com) [Remove this sender from my allow list](#)  
From: [calendar.martinapc@gmail.com](mailto:calendar.martinapc@gmail.com)

*You received this message because the sender is on your allow list.*



**Exhibit “B”**

## Denis Klavdianos

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**From:** Denis Klavdianos  
**Sent:** Tuesday, November 12, 2019 12:50 PM  
**To:** 'Kevin Martin'  
**Cc:** Robert Pollak  
**Subject:** Optimus (Ma Labs and Microland)  
**Attachments:** 2019 Wire Transfer Instructions.pdf

Kevin,

As noted in our conversation today:

1. We have not received the funds.
2. As of November 1, 2019, Meera Kaul is overdue on payments for the Ma Labs and Microland cases in the total amount of \$15,000.00.
- 3. Your client can forward you the funds and you can forward the funds to us. This is the easiest remedy.**
4. I have enclosed another copy of the wire transfer instructions.
5. This is not an opportunity to delay matters, and I sincerely hope that your client is not using you to perpetuate a fraud.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** Denis Klavdianos  
**Sent:** Tuesday, November 12, 2019 12:15 PM  
**To:** 'Kevin Martin' <calendar.martinapc@gmail.com>  
**Cc:** Robert Pollak <rpollak@glassberg-pollak.com>  
**Subject:** RE: Wire Info

Dear Kevin,

As I noted in our conversation,

1. will have the office manager double check, but we have not received anything.
2. I hope your client is not using you to perpetuate a fraud. I know you are a reputable attorney.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

# Exhibit "C"

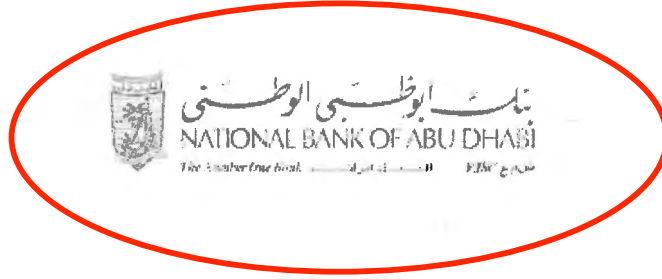
## Denis Klavdianos

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**From:** Kevin Martin <krmartin\_5000@icloud.com>  
**Sent:** Sunday, November 17, 2019 7:50 AM  
**To:** Denis Klavdianos  
**Subject:** Bank Letter Scan-AkramHPScanner.pdf  
**Attachments:** Bank Letter Scan-AkramHPScanner.pdf; ATT00001.txt

Denis- i received this today from my clients. Is there any way First Republic Bank can check in with National Bank of Abu Dhabi?

(FORGED LETTER CONFIRMING TRANSFER OF FUNDS WITH BANK CLIP ART ADDED)



Date: 16.11.2019

Dear Mr. Sharma

We have investigated the transfer of funds to Glassberg Pollack and Associates.

ACCOUNT #: 80007554845 SWIFT CODE: FRBBUS6S with First Republic Bank for the international transfer we executed from your corporate Bank Account ending in 6708.

We have successful transmission report of the transfer and have not received the transaction back in error at any time before the signing of this letter.

Signed

A handwritten signature in black ink, appearing to be 'M. Ali Ashram', is written below the word 'Signed'.

Branch MOE

M. Ali Ashram

**Exhibit “D”**

## Denis Klavdianos

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**From:** Denis Klavdianos  
**Sent:** Monday, November 18, 2019 11:21 AM  
**To:** 'MARTIN APC'  
**Cc:** Robert Pollak  
**Subject:** RE: Optimus Cases

Kevin,

You stated that you will contact your client's bank to talk to them directly regarding the transfer of funds.

**I await your reply.**

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** MARTIN APC [mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 11:16 AM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

Denis- i am not sure what you mean about "issues" with previous fraudulent statements. i admit there have been questions in the past regarding my client - but i cannot just let it drop if they produce evidence the payment was made-

I will call you now-

Sent from my iPhone

On Nov 18, 2019, at 10:41 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Mr. Martin,

**We will need to confer today regarding (a) the letter from the bank, and (b) your opposition.**

I reserve the right to request sanctions against you personally if you fail to check the information/documents that your client is sending and submitting them to the Court, particularly after you specifically admitted to me that you knew your client had "issues" with regard to previous fraudulent statements.

I also told you that the easiest way to resolve this is that your client can forward the funds to you and you can forward them to us.

Please identify a specific time to confer today.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax



**Exhibit “E”**

## Denis Klavdianos

---

**From:** MARTIN APC <calendar.martinapc@gmail.com>  
**Sent:** Monday, November 18, 2019 11:44 AM  
**To:** Denis Klavdianos  
**Subject:** Re: Optimus Cases

I will try to contact my client's bank to confirm the info on the letter I forwarded to you- i ask that your bank follow up as well.

Sent from my iPhone

On Nov 18, 2019, at 11:21 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Kevin,

You stated that you will contact your client's bank to talk to them directly regarding the transfer of funds.

**I await your reply.**

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** MARTIN APC [mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 11:16 AM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

Denis- i am not sure what you mean about "issues" with previous fraudulent statements. I admit there have been questions in the past regarding my client - but i cannot just let it drop if they produce evidence the payment was made-

I will call you now-

Sent from my iPhone

On Nov 18, 2019, at 10:41 AM, Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Mr. Martin,

**We will need to confer today regarding (a) the letter from the bank, and (b) your opposition.**

I reserve the right to request sanctions against you personally if you fail to check the information/documents that your client is sending and submitting them to the Court, particularly after you specifically admitted to me that you knew your client had "issues" with regard to previous fraudulent statements.

I also told you that the easiest way to resolve this is that your client can forward the funds to you and you can forward them to us.

Please identify a specific time to confer **today**.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

# Exhibit “F”

## Denis Klavdianos

---

**From:** Denis Klavdianos  
**Sent:** Monday, November 18, 2019 11:52 AM  
**To:** 'MARTIN APC'  
**Subject:** RE: Optimus Cases

Kevin,

As I noted, I will request that our bank attempt to contact your client's bank directly.

However, I request that you take a good look at your client's letter, which you clearly did not do. The reference to the bank looks like clip-art.

I repeatedly warned you about your client and you admitted that you were aware that several prior counsel have withdrawn from representing your client.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

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**From:** MARTIN APC [mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 11:44 AM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

I will try to contact my client's bank to confirm the info on the letter I forwarded to you- i ask that your bank follow up as well.

Sent from my iPhone

On Nov 18, 2019, at 11:21 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Kevin,

You stated that you will contact your client's bank to talk to them directly regarding the transfer of funds.

**I await your reply.**

Sincerely,

DENIS KLAVDIANOS

# Exhibit "G"

## Denis Klavdianos

---

**From:** MARTIN APC <calendar.martinapc@gmail.com>  
**Sent:** Monday, November 18, 2019 11:58 AM  
**To:** Denis Klavdianos  
**Subject:** Re: Optimus Cases

Denis- if the letter is clip art, i will withdraw tomorrow. As I have said, i have no interest in such activity.

Sent from my iPhone

On Nov 18, 2019, at 11:52 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Kevin,

As I noted, I will request that our bank attempt to contact your client's bank directly.

However, I request that you take a good look at your client's letter, which you clearly did not do. The reference to the bank looks like clip-art.

I repeatedly warned you about your client and you admitted that you were aware that several prior counsel have withdrawn from representing your client.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** MARTIN APC [mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 11:44 AM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

I will try to contact my client's bank to confirm the info on the letter I forwarded to you- i ask that your bank follow up as well.

Sent from my iPhone

On Nov 18, 2019, at 11:21 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

# Exhibit “H”



## Denis Klavdianos

---

**From:** Denis Klavdianos  
**Sent:** Monday, November 18, 2019 12:15 PM  
**To:** 'MARTIN APC'  
**Cc:** Robert Pollak  
**Subject:** RE: Optimus Cases

Kevin,

**You can easily resolve this. Get on the phone with your client. You can contact their bank directly together.**

There is ample basis to believe that the letter is bogus. You forwarded it without talking to your client nor checking on it, despite the fact that (a) you are fully aware of your client's past activities, (b) I repeatedly informed you of your client's past activities, (c) you failed to call your client's bank; (d) you waited 2 months to bring up any of this, and (e) you are well aware that 3 prior counsel have withdrawn from representing your client.

I will have our bank attempt to contact the Abu Dabi Bank.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

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**From:** MARTIN APC [mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 12:06 PM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

Denis- i am doing what I can to confirm the details. I ask that you do the same. You have no basis for sanctions against me personally.

Sent from my iPhone

On Nov 18, 2019, at 12:02 PM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Kevin,

1. I highly recommend that you confer with your client by telephone today or tomorrow. You can contact their bank together.
2. If the letter turns out to be fraudulent, I reserve the right to request sanctions against you personally because (a) you are fully aware of your client's past activities, (b) I repeatedly informed you of your client's past activities, (c) you failed to call your client's bank; (d) you waited 2 months to bring up on of this.

# Exhibit "I"

## Denis Klavdianos

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**From:** Denis Klavdianos  
**Sent:** Tuesday, November 19, 2019 11:54 AM  
**To:** kevin@martinapc.com  
**Cc:** Robert Pollak  
**Subject:** FW: Optimus Cases

Kevin,

1. I am filing a reply to your Opposition today and will supplement it as more information and documents are discovered.

2. Have you (in conjunction with your client) fulfilled your explicit promise to contact your client's bank directly by telephone regarding (a) whether the payment was actually made and (b) whether the letter you forwarded me dated 11/16/19 is in fact a valid letter. You explicitly stated in your email of November 18, 2019 that if the 11/16/19 letter is a forgery, you would withdraw it. I presume that you are looking into this as you would want to be involved in passing along an invalid letter.

3. I request a response today. There is no reason for you to delay this matter as the hearing on the motion is early next week.

4. You have a duty not to simply forward bogus information/documents (a) when you know that your client has a suspect history, (b) I specifically and repeatedly told you that you should not participate in any potential fraud; (b) you are aware that 3 separate attorneys withdrew from representation of your client, and (d) you and your client waited over 2 months to contact our office with your purported evidence of payment. The motion for entry of judgment was served on October 9, 2019, but the first time that you contacted our office regarding the motion was November 12, 2019. There is no explanation for this in your opposition.

5. Your Opposition is very misleading in that you failed to provide any context to this case, nor did you verify any of the information or documents. Who is Shashi Sharma? There is nothing in the declaration you submitted that identifies the relationship of Shashi Shama to Meera Kaul. You submitted a very brief declaration on Shashi's behalf. My guess is that (a) you have no idea who Shashi Shama is; (b) you never talked to Shashi; (c) you never asked Shashi who she was; (d) you have not spoken to your client (Meera Kaul) by telephone in the past 3 months, if ever; and (e) the November 16, 2019 is not a valid letter.

6. My client reserves all rights if the letter you forwarded turns out to be fraudulent, including but not limited to requesting appropriate sanctions for requiring our office as well as our bank to conduct an investigation into the purported payment and the 11/16/19 letter you forwarded.

8. Yesterday, I directed our bank to attempt to contact your client's bank regarding the transaction. Our bank's Fraud Unit is currently looking into the matter.

9. I await your response by the end of the day today.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118

(415) 291-8320  
(415) 291-8111 fax

**From:** Denis Klavdianos  
**Sent:** Monday, November 18, 2019 12:56 PM  
**To:** kevin@martinapc.com  
**Subject:** FW: Optimus Cases

Kevin,

**You can easily resolve this. Get on the phone with your client. You can contact their bank directly together.**

There is ample basis to believe that the letter is bogus. You forwarded it without talking to your client nor checking on it, despite the fact that (a) you are fully aware of your client's past activities, (b) I repeatedly informed you of your client's past activities, (c) you failed to call your client's bank; (d) you waited 2 months to bring up any of this, and (e) you are well aware that 3 prior counsel have withdrawn from representing your client.

I will have our bank attempt to contact the Abu Dabi Bank.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** MARTIN APC [<mailto:calendar.martinapc@gmail.com>]  
**Sent:** Monday, November 18, 2019 12:55 PM  
**To:** Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)>  
**Subject:** Re: Optimus Cases

Denis- you and I have had 2 conversations that I am aware of. I have apprised you of circumstances as I became aware. I will do what I can to contact the bank.

Sent from my iPhone

On Nov 18, 2019, at 12:15 PM, Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Kevin,

**You can easily resolve this. Get on the phone with your client. You can contact their bank directly together.**

There is ample basis to believe that the letter is bogus. You forwarded it without talking to your client nor checking on it, despite the fact that (a) you are fully aware of your client's past activities, (b) I repeatedly informed you of your client's past activities, (c) you failed to call your client's bank; (d) you

waited 2 months to bring up any of this, and (e) you are well aware that 3 prior counsel have withdrawn from representing your client.

I will have our bank attempt to contact the Abu Dabi Bank.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

---

**From:** MARTIN APC [<mailto:calendar.martinapc@gmail.com>]  
**Sent:** Monday, November 18, 2019 12:06 PM  
**To:** Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)>  
**Subject:** Re: Optimus Cases

Denis- i am doing what I can to confirm the details. I ask that you do the same. You have no basis for sanctions against me personally.

Sent from my iPhone

On Nov 18, 2019, at 12:02 PM, Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Kevin,

1. I highly recommend that you confer with your client by telephone today or tomorrow. You can contact their bank together.
2. If the letter turns out to be fraudulent, I reserve the right to request sanctions against you personally because (a) you are fully aware of your client's past activities, (b) I repeatedly informed you of your client's past activities, (c) you failed to call your client's bank; (d) you waited 2 months to bring up on of this.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

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**From:** MARTIN APC [<mailto:calendar.martinapc@gmail.com>]  
**Sent:** Monday, November 18, 2019 11:58 AM  
**To:** Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)>  
**Subject:** Re: Optimus Cases

Denis- if the letter is clip art, i will withdraw tomorrow. As I have said, i have no interest in such activity.

Sent from my iPhone

On Nov 18, 2019, at 11:52 AM, Denis Klavdianos  
<[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Kevin,

As I noted, I will request that our bank attempt to contact your client's bank directly.

However, I request that you take a good look at your client's letter, which you clearly did not do. The reference to the bank looks like clip-art.

I repeatedly warned you about your client and you admitted that you were aware that several prior counsel have withdrawn from representing your client.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

**From:** MARTIN APC [<mailto:calendar.martinapc@gmail.com>]  
**Sent:** Monday, November 18, 2019 11:44 AM  
**To:** Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)>  
**Subject:** Re: Optimus Cases

I will try to contact my client's bank to confirm the info on the letter I forwarded to you- i ask that your bank follow up as well.

Sent from my iPhone

On Nov 18, 2019, at 11:21 AM, Denis Klavdianos  
<[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Kevin,

You stated that you will contact your client's bank to talk to them directly regarding the transfer of funds.

**I await your reply.**

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

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**From:** MARTIN APC  
[mailto:calendar.martinapc@gmail.com]  
**Sent:** Monday, November 18, 2019 11:16 AM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

Denis- i am not sure what you mean about "issues" with previous fraudulent statements. I admit there have been questions in the past regarding my client - but i cannot just let it drop if they produce evidence the payment was made-

I will call you now-

Sent from my iPhone

On Nov 18, 2019, at 10:41 AM, Denis Klavdianos <dklavdianos@glassberg-pollak.com> wrote:

Mr. Martin,

**We will need to confer today regarding (a) the letter from the bank, and (b) your opposition.**

I reserve the right to request sanctions against you personally if you fail to check the information/documents that your client is sending and submitting them to the Court, particularly after you specifically admitted to me that you knew your client had "issues" with

regard to previous fraudulent statements.

I also told you that the easiest way to resolve this is that your client can forward the funds to you and you can forward them to us.

Please identify a specific time to confer today.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK &  
ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax



# Exhibit “J”

## Denis Klavdianos

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**From:** Denis Klavdianos  
**Sent:** Tuesday, November 19, 2019 2:18 PM  
**To:** 'Kevin Martin'  
**Cc:** Robert Pollak  
**Subject:** RE: Optimus Cases

Mr. Martin,

I will append your email Plaintiff's reply.

1. I note your last sentence: "If I cannot conclude to some satisfaction on my own that the letter is authentic then, again like I said, I will be moving to withdraw from this case prior to the hearing."
2. No explanation was given by your client as why they waited until November 12, 2019 to bring it to your attention that they believed the payment was made. The motion was filed and served on October 9, 2019 and a default letter was sent in early September 2019.
3. I have directed our bank's fraud unit to attempt to contact your client's bank directly and also attempt to determine whether the November 16, 2019 letter is authentic. I will advise you when I receive their response and will supplement my submission to the Court.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax

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**From:** Kevin Martin [mailto:krmartin\_5000@yahoo.com]  
**Sent:** Tuesday, November 19, 2019 1:52 PM  
**To:** Denis Klavdianos <dklavdianos@glassberg-pollak.com>  
**Subject:** Re: Optimus Cases

Denis- i am not in my office today but wanted to respond to your email. I have been practicing law in the San Francisco Bay Area for over twenty years and pride myself on straightforwardness. I have a solid reputation and the tenor in your message is not appreciated. Like I said during our first conversation not more than a week ago, i am not interested in stretching this situation out. That said, I have a duty to my client, while she is my client, to put the best case forward on her behalf. Not that I need to explain anything to you, but contrary to your suggestion, i have had multiple conversations with Ms. Kaul over the past months, including several in person meetings with her in my office. I have also had many email exchanges with Mr. Sharma on these issues and know him to work with Meera Kaul. That said, I have been trying to confirm the authenticity of the letter I forwarded to you on November 16. I tried contacting the bank but without success. If I cannot conclude to some satisfaction on my own that the letter is authentic then, again like I said, I will be moving to withdraw from this case prior to the hearing.

Sent from my iPhone

On Nov 19, 2019, at 11:54 AM, Denis Klavdianos <[dklavdianos@glassberg-pollak.com](mailto:dklavdianos@glassberg-pollak.com)> wrote:

Kevin,

1. I am filing a reply to your Opposition today and will supplement it as more information and documents are discovered.

**2. Have you (in conjunction with your client) fulfilled your explicit promise to contact your client's bank directly by telephone regarding (a) whether the payment was actually made and (b) whether the letter you forwarded me dated 11/16/19 is in fact a valid letter. You explicitly stated in your email of November 18, 2019 that if the 11/16/19 letter is a forgery, you would withdraw it. I presume that you are looking into this as you would want to be involved in passing along an invalid letter.**

3. I request a response today. There is no reason for you to delay this matter as the hearing on the motion is early next week.

4. You have a duty not to simply forward bogus information/documents (a) when you know that your client has a suspect history, (b) I specifically and repeatedly told you that you should not participate in any potential fraud; (c) you are aware that 3 separate attorneys withdrew from representation of your client, and (d) you and your client waited over 2 months to contact our office with your purported evidence of payment. The motion for entry of judgment was served on October 9, 2019, but the first time that you contacted our office regarding the motion was November 12, 2019. There is no explanation for this in your opposition.

5. Your Opposition is very misleading in that you failed to provide any context to this case, nor did you verify any of the information or documents. Who is Shashi Sharma? There is nothing in the declaration you submitted that identifies the relationship of Shashi Shama to Meera Kaul. You submitted a very brief declaration on Shashi's behalf. My guess is that (a) you have no idea who Shashi Shama is; (b) you never talked to Shashi; (c) you never asked Shashi who she was; (d) you have not spoken to your client (Meera Kaul) by telephone in the past 3 months, if ever; and (e) the November 16, 2019 is not a valid letter.

6. My client reserves all rights if the letter you forwarded turns out to be fraudulent, including but not limited to requesting appropriate sanctions for requiring our office as well as our bank to conduct an investigation into the purported payment and the 11/16/19 letter you forwarded.

8. Yesterday, I directed our bank to attempt to contact your client's bank regarding the transaction. Our bank's Fraud Unit is currently looking into the matter.

9. I await your response by the end of the day today.

Sincerely,

DENIS KLAVDIANOS  
GLASSBERG, POLLAK & ASSOCIATES  
1000 4th Street, Suite 570  
San Rafael, California 94901-3118  
(415) 291-8320  
(415) 291-8111 fax