



Larkin Hoffman Daly & Lindgren Ltd.

1500 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431-1194

GENERAL: 952-835-3800  
FAX: 952-896-3333  
WEB: [www.larkinhoffman.com](http://www.larkinhoffman.com)

September 22, 2005

The Honorable John C. Irby  
Cass County Courthouse  
P.O. Box 2806  
Fargo, ND 58108-2806

Re: Sierra Corporate Design, Inc. v. David Ritz  
Court File No. 09-05-C-01660

Dear Judge Irby:

Enclosed for your review and signature please find a proposed order for a commission to depose Desi Rahul of a2i Communications. We recently discovered another entity and it is located in California, necessitating a commission from this court before plaintiff may take its designated officer's depositions and subpoena material documents to the above-referenced case.

We previously notified Mr. Falk and counsel for Mr. Ritz of this request, and we received no objection. We are therefore asking that this commission be signed without a hearing.

If you have any questions, please let us know.

Sincerely yours,

Christopher J. Harristhal, for  
Larkin Hoffman Daly & Lindgren Ltd.

Enclosure

c: Michael D. Huitink, Esq.  
Michelle C. Winkis, Esq.  
Timothy O'Keeffe, Esq.  
Mr. Ed Falk

IN DISTRICT COURT, COUNTY OF CASS, STATE OF NORTH DAKOTA

<p>Sierra Corporate Design, Inc.,  Plaintiff,  v.  David Ritz and Ed Falk,  Defendants.</p>	<p>File No. 09-05-C-01660  <b>ORDER</b></p>
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Based on all files, records, and other proceedings in this matter; and

IT APPEARING TO THE COURT that the below-named entity and person are material witnesses in the above-captioned cause and reside in California; and

IT APPEARING TO THE COURT that a Commission should issue out of this Court, which Commission will assist Plaintiff in obtaining process from Courts in California, to compel attendance of said witnesses for the purpose of taking their depositions and/or producing documents;

IT IS HEREBY ORDERED:

A commission shall issue in this cause out of this Court directed to a Notary Public and Court Reporter for California, authorizing said persons to take the deposition and/or obtain the production of documents from a2i Communications and Desi Rahul; and other material witnesses in this case.

BY THE COURT:

Dated:

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John C. Irby  
Judge of District Court