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4 HINES CARDER, LLP  
3090 Bristol Street, Suite 300  
5 Costa Mesa, CA 92626  
Tel.: (714) 513-1122  
6 Fax: (714) 513-1123

7 Attorneys for Plaintiff,  
BALBOA CAPITAL CORPORATION

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF ORANGE – CENTRAL JUSTICE CENTER**  
10

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13 BALBOA CAPITAL CORPORATION

14 Plaintiff,

15 vs.

16 REGENTS CAPITAL CORPORATION;  
17 DONALD HANSEN; DENNIS ODIORNE;  
KIRSTEN MERZA; CHELSEA HAINES;  
18 JAVIER ENRIQUEZ; KEVIN KUTTER;  
19 TRAVIS POWER; DOES 1 through 25,  
inclusive,

20 Defendants.  
21

CASE NO. 30-2014-00705733-CU-BT-CJC

**DECLARATION OF MICHELLE A.  
CHIONGSON RE NOTICE OF INTENT  
TO APPEAR EX PARTE TO SEEK A  
TEMPORARY RESTRAINING ORDER  
AND ORDER TO SHOW CAUSE RE  
PRELIMINARY INJUNCTION**

Hearing Date: March 12, 2014  
Time: 1:30 p.m.  
Department: C15

22  
23 **DECLARATION OF MICHELLE A. CHIONGSON, ESQ.**

24 I, Michelle A. Chiongson, hereby declare as follows:

25 1. I am an attorney at law licensed to practice before all courts in the State of  
26 California and I am the In-House counsel for Plaintiff BALBOA CAPITAL CORPORATION  
27

1 (“BALBOA”) in the above-captioned action. I have personal knowledge of the facts set forth  
2 herein and if called upon to do so, I could and would testify competently thereto under oath.

3 2. This declaration is made in support of Balboa’s Ex Parte Application to Seek a  
4 Temporary Restraining Order and Order to Show Cause re Preliminary Injunction.

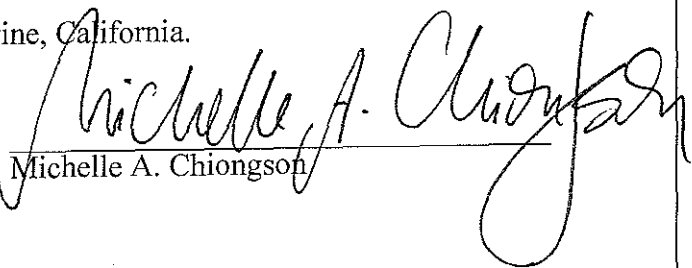
5 3. I gave notice of Balboa’s intent to appear Ex Parte to seek a Temporary  
6 Restraining Order and Order to Show Cause Re Preliminary Injunction by personally serving  
7 Balboa’s Notice of Intent to Appear Ex Parte attached as Exhibit “A,” as well as the documents  
8 listed on the attached Exhibit “B” on each of the Defendants.

9 4. I caused said documents to be delivered to an authorized courier or driver  
10 authorized to receive document(s) to be delivered on the same date and time, to each of the  
11 Defendants at the addresses set forth on the attached Exhibit “C.”

12 5. Each of the Defendants was served either on Friday, March 7, 2014 or Monday,  
13 March 10, 2014. In any event, all Defendants were served prior to 10:00am on Tuesday, March  
14 1, 2014 as required for proper notice of an ex parte application.

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

18  
19 Executed on March 11, 2014, at Irvine, California.

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21   
22 Michelle A. Chiongson  
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LAS VEGAS OFFICE  
170 S. GREEN VALLEY PKWY  
SUITE 300  
HENDERSON, NV 89012  
TEL: (702) 933-7829  
FAX: (702) 974-1709

HINES CARDER  
ATTORNEYS AT LAW  
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COSTA MESA OFFICE  
3090 BRISTOL STREET  
SUITE 300  
COSTA MESA, CA, 92626  
TEL: (714) 513-1122  
FAX: (714) 242-9529

March 6, 2014

**Delivered via Personal Service of Process**

**REGENTS CAPITAL CORPORATION**  
c/o **DONALD HANSEN**  
Agent for service of Process  
21042 Marino Ln,  
Huntington Beach, CA 92646

**JAVIER ENRIQUEZ**  
4512 Sharpshinned Hawk CV  
Austin, TX 78738

**DONALD HANSEN**  
21042 Marino Ln,  
Huntington Beach, CA 92646

**KEVIN KUTTER**  
28963 Canyon Oak Drive,  
Trabuco Canyon, CA 92679

**KIRSTEN MERZA**  
1204 W. Balboa Blvd. Unit C  
Newport Beach, CA 92661

**TRAVIS POWER**  
6193 Tonya Circle  
Cypress, CA 90630

**CHELSEA HAINES**  
752 North Orange Street  
Orange, CA 92867

**DENNIS ODIORNE**  
19058 Delaware Street  
Huntington Beach, CA 92648

**Re: BALBOA'S NOTICE OF INTENT TO APPEAR EX PARTE TO SEEK A  
TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE  
PRELIMINARY INJUNCTION**  
*BALBOA CAPITAL CORP. v. REGENTS CAPITAL CORP., et al.*  
**ORANGE COUNTY SUPERIOR COURT CASE No. 30-2014-00705733-CU-BT-CJC**

**TO DEFENDANTS REGENTS CAPITAL CORPORATION, DONALD HANSEN,  
DENNIS ODIORNE, KIRSTEN MERZA, CHELSEA HAINES, JAVIER ENRIQUEZ,  
KEVIN KUTTER, and TRAVIS POWER:**

**PLEASE TAKE NOTICE THAT on March 12, 2014 at 1:30 P.M., or as soon thereafter  
as the matter may be heard in Department C-15 of the above-entitled Court, located at 700 Civic  
Center Drive, Santa Ana, California, 92701, Plaintiff Balboa Capital Corporation (hereinafter  
"BALBOA"), will appear and apply *ex parte* for a Temporary Restraining Order and for an**

**EXHIBIT "A"**

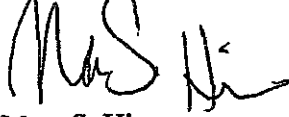
Order requiring Defendants to Show Cause why a Preliminary Injunction should not be granted pending trial in this action enjoining each and all of you from the following conduct:

- (1) Engaging in any solicitation of companies who submitted an application to BALBOA that any of you reviewed while still employed at BALBOA; and
- (2) Using, copying, dealing with, disclosing, trading, and otherwise exploiting or misappropriating BALBOA's confidential information including its customer list and customer files.

This notice, in conjunction with the ex parte applications and supporting documents being served herewith will be your only notice of this hearing and appearance by Balboa. Feel free to contact the undersigned with any questions or concerns.

Regards,

HINES CARDER LLP



Marc S. Hines

Encl.

## **LIST OF DOCUMENTS SERVED**

*BALBOA CAPITAL CORP. v. REGENTS CAPITAL CORP., et al.*

Orange County Superior Court Case Number 30-2014-00705733-CU-BT-CJC

1. Balboa's Notice of Intent to Appear Ex Parte to Seek a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction;
2. Ex Parte Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction; Memorandum of Points and Authorities in Support; [Proposed] TRO; [Proposed] Order to Show Cause; and Declaration of Patrick E. Byrne;
3. Declaration of Patrick E. Byrne in Support of Ex Parte Application for TRO and OSC re Preliminary Injunction;
4. [Proposed] Temporary Restraining Order;
5. [Proposed] Order to Show Cause re Preliminary Injunction;
6. Plaintiff's Notice of Motion and Motion for Preliminary Injunction; Memorandum of Points and Authorities in Support Thereof;
7. Declaration of Patrick E. Byrne in Support of Balboa Capital Corporation's Application for Preliminary Injunction; and
8. [Proposed] Order on Application for Preliminary Injunction by Plaintiff Balboa Capital Corporation

**EXHIBIT "B"**

SERVICE LIST

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Balboa Capital Corporation vs. Regents Capital Corporation, et al.  
*Orange County Superior Court, Central Justice Center, Case No. 30-2014-00705733-CU-BT-CJC*

Regents Capital Corporation  
c/o Don Hansen  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/10/14 at 9:50 a.m.

Don Hansen  
Regents Capital Corporation  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/10/14 at 9:50 a.m.

Dennis Odiorne  
Regents Capital Corporation  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/10/14 at 9:50 a.m.

Travis Power  
Regents Capital Corporation  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/7/14 at 11:10 a.m.

Kirsten Merza  
Regents Capital Corporation  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/7/14 at 11:10 a.m.

Kevin Kutter  
Regents Capital Corporation  
125 E. Baker Street, Suite C-230  
Costa Mesa, California 92626  
Personally served 3/7/14 at 11:10 a.m.

Chelsea Haines  
752 N. Orange Street  
Orange, California 92867  
Personally served 3/7/14 at 4:35 p.m.

Javier Enriquez  
4512 Sharpshinned Hawk CV  
Austin, Texas 78738  
Personally served 3/10/14 at 7:15 p.m.