

EXHIBIT B

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Attorney for Plaintiffs

MARC J. RANDAZZA, JENNIFER RANDAZZA, and NATALIA RANDAZZA

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARC J. RANDAZZA, an individual,
JENNIFER RANDAZZA, an individual, and
NATALIA RANDAZZA, a minor,

Plaintiffs,

vs.

CRYSTAL COX, an individual, and ELIOT
BERNSTEIN, an individual,

Defendants.

Case No. 2:12-cv-2040-JAD-PAL

DECLARATION OF DAVID AMAN

DECLARATION OF DAVID AMAN

I, David Aman, being over 18 years of age and competent to testify about the matters contained in this declaration if called to do so at trial, state as follows:

1. I am an attorney duly licensed to practice law in the State of Oregon, and a partner in the law firm Tonkon Torp LLP, where I represent plaintiffs Kevin Padrick and Obsidian Finance Group LLC in *Obsidian Finance Group LLC et al. v. Cox*, Case No. 3:11-cv-00057 before the United States District Court for the District of Oregon (the “*Obsidian Finance Case*”). On that basis, I have personal knowledge of the matters set forth herein.

1 2. Following the trial in the *Obsidian Finance* Case, Crystal Cox, the Defendant in that
2 case (and Defendant in this case) announced her desire to appeal the outcome of the *Obsidian*
3 *Finance* Case.

4 3. On December 10, 2011, I received an e-mail from Marc Randazza regarding the
5 *Obsidian Finance* Case. Mr. Randazza's e-mail stated that he did not represent Cox, but wished to
6 speak with me about the case.

7 4. I was finally able to connect with Mr. Randazza by phone on December 12, 2011
8 after scheduling e-mails with him in the interim.

9 5. During my conversation with Mr. Randazza, he made it clear to me that he did not
10 represent Ms. Cox, and had not been retained to represent her.

11 6. I did not, during my December 12, 2011 phone call with Mr. Randazza, nor in our e-
12 mail exchange beginning on December 10, 2011, ever believe or understand Mr. Randazza to
13 represent Ms. Cox, or to be acting as her attorney.

14 7. I did not, during my December 12, 2011 phone call with Mr. Randazza, nor in our e-
15 mail exchange beginning on December 10, 2011, ever believe or understand Mr. Randazza to be
16 negotiating a settlement on Cox's behalf. In fact, Mr. Randazza made it very clear that his
17 intention was to gather information about me and my client, and our tolerance for settlement and
18 how amenable we would be to narrowing certain issues in the case. Mr. Randazza made it clear
19 that he was doing this as part of his exploration as to whether he would be interested in being part
20 of the case.

21 8. At no time during my December 12, 2011 phone call with Mr. Randazza, nor in our
22 e-mail exchange beginning on December 10, 2011, did Mr. Randazza discuss anything that I
23 understood to be confidential information.

24 9. On December 16, 2011 Mr. Randazza informed me that he would not be
25 representing Ms. Cox.

26 10. Attached as Exhibit A, a true and correct copy of the email sent to my client, which
27 was authenticated and entered into evidence at trial in *Obsidian Finance Group LLC v. Cox*, (Trial
28

1 Exhibit 31; *see* ECF 91); It was further cited in the Court’s order denying Cox’s motion for a
2 retrial. Case No. 3:11-cv-00057-HZ, 2012 U.S. Dist. LEXIS 43125 at *20 (D. Ore. Mar. 27, 2012).

3 11. Judge Hernandez described this as Cox “offer[ing] to repair the very damage she
4 caused for a small but tasteful monthly fee.” *Id.* The Court found that the “uncontroverted
5 evidence at trial” was that Cox, responding to Padrick’s “demand that Cox stop posting false and
6 defamatory material on several websites, including allegations that Padrick had committed tax
7 fraud,” Cox responded by offering “ ‘PR,’ ‘search engine management,’ and online reputation
8 repair services to Obsidian Finance, for a price of \$2,500 per month.” *Id.*

9 12. I sent a subpoena to Mr. Randazza after learning he received a similar demand from
10 Ms. Cox, so that Mr. Randazza could provide an authenticated copy of this email to us. Mr.
11 Randazza then provided the email, pursuant to the subpoena. I have attached the subpoena and the
12 email as Exhibit B.

13
14
15 I declare under penalty of perjury that the foregoing is true and correct.

16
17 Executed on June 13, 2014 in Portland, Oregon.

18
19 /s/ David Aman
20 David Aman
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EXHIBIT A

David Aman

From: Crystal L. Cox [savvybroker@yahoo.com]
Sent: Wednesday, January 19, 2011 2:23 PM
To: David Aman
Subject: From Crystal L. Cox

Hello David, I hope this eMail finds you doing well. All said and done, looks like Summit boys going to Jail.. and Well I don't think that Kevin acted with the Highest of Integrity.. however at this Point in my Life it is Time to Think of Me.

So I want to Let you know and Obsidian Finance that I am now offering PR Services and Search Engine Management Services starting at \$2500 a month to promote Law Firms... Finance Companies.. and to protect online reputations and promote businesses..

Please Let me know if Tonkon Torp or Obsidian Finance is interested in this service..

thanks for your time..

in Love and Light



Crystal L. Cox
Investigative Blogger
Real Estate Broker Owner -

EXHIBIT B

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Subject: RE: from Crystal L. Cox
From: mjr@randazza.com
Date: Mon, Jan 16, 2012 2:36 pm
To: "Crystal L. Cox" <savvybroker@yahoo.com>

Crystal,

You have no right to register a domain name that corresponds to my real name. Please hand that domain name over to me, and please do not presume to think it is okay to register other people's names as domain names.

Marc John Randazza*
Randazza Legal Group

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<http://www.randazza.com>

* Licensed in AZ, CA, FL, MA, and NV

----- Original Message -----

Subject: from Crystal L. Cox
From: "Crystal L. Cox" <savvybroker@yahoo.com>
Date: Mon, January 16, 2012 2:30 pm
To: "mjr@randazza.com" <mjr@randazza.com>

Hi Marc, hope this email finds you doing well. When I thought we may work together
i bought <http://www.marcrandazza.com/> - to control the search, and pr on my case,
if you represented me.. I manage it now, as ownership is well.. a different story now
due to my current judgement..

I am confident with the case, and leaving it to the highest and best good..

I do however need to make money, so I am asking you if you or anyone you know
could

use a very good search engine reputation manager. Not sure if you ever researched that for your online presence.. not sure of what you think of David Aman excusing me of extortion, thing is search management is something tons of people due and for thousands a month per search term.. and so when he sent a cease and desist and filed a lawsuit, i offered it as a way to settle and not spend a year fighting, he turned it down, then a year later accused me of a crime.. its simply not how it happened..

Anyway if you know anyone needing a very good search engine reputation manager please let me know..

Crystal L. Cox
Broker Owner

**YOU WRITE WHAT
YOU'RE TOLD!**



Search Engine Reputation Manager
Investigative Blogger
Good Life International Distributor

Peace and Love to You !!!

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