

1 AVIV L. TUCHMAN, ESQ., SB#133321
Loren N. Cohen, Esq. SB#186839
2 TUCHMAN & ASSOCIATES
3 3435 Wilshire Boulevard, 30th Floor
Los Angeles, California 90010
Telephone: (213) 385-8000

4 Attorneys for Defendants and Respondents
5 MARC HABERMAN, C-CUBED SOLUTIONS, Inc.
a Delaware Corporation, C-CUBED PRIVATE SOLUTIONS
6 LIMITED, a business entity formed in India

FILED
LOS ANGELES SUPERIOR COURT

MAR 04 2002

JOHN A. CLARKE, CLERK
A. Caballero
BY A. CABALLERO, DEPUTY

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES CENTRAL DISTRICT

10 C-CUBED SOLUTIONS, INC. a Delaware
11 Corporation, C-CUBED PRIVATE
12 SOLUTIONS LIMITED, a business entity
formed in India, ROCKY STEFANSKY, an
individual

13 Plaintiff,

14 v.

15 MARC HABERMAN, aka MOSHE
16 HABERMAN, an individual

17 Defendants.

18 ROCKY STEFANSKY,

19 Petitioner,

20 v.

21 MARC HABERMAN aka MOSHE
22 HABERMAN C-CUBED SOLUTIONS, Inc.
a Delaware Corporation, C-CUBED
23 PRIVATE SOLUTIONS LIMITED, a business
entity formed in India.

24 Respondents

CASE NO.: BC 255351
UNLIMITED CIVIL
[Assigned to the Hon. Helen Bendix, Dept.
18]

NOTICE OF RULINGS:

1. PETITION TO CONFIRM AWARD IS DENIED
2. RESPONSE TO PETITION TO CONFIRM AWARD OF ARBITRATION AND REQUEST THAT AWARD BE VACATED AND SET FOR RE-HEARING IS GRANTED

Date : Feb. 28, 2002
Time : 9:00 a.m.
Place : 18

NOTICE OF RULINGS:

1. PETITION TO CONFIRM AWARD IS DENIED
2. RESPONSE TO PETITION TO CONFIRM AWARD OF ARBITRATION AND REQUEST THAT AWARD BE VACATED AND SET FOR RE-HEARING IS GRANTED

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 On February 28, 2002 at 9:00 a.m. the Petition To Confirm Award of Arbitration of
3 Petitioner ROCKY STEFANSKY (herein PETITIONER) and the Response To Petition To Confirm
4 Award Of Arbitration Requesting That Award Be Vacated and Set For Hearing of Respondents
5 MARC HABERMAN aka Moshe Haberman, C-CUBED SOLUTIONS, Inc. a Delaware Corporation
6 and C-CUBED PRIVATE SOLUTIONS LIMITED, a business entity formed in India (herein
7 RESPONDENTS) came regularly for hearing before Hon. Helen I. Bendix in Department 18 of the
8 above entitled court.

9 Appearing for PETITIONER was Steve Glouberman, Esq. specially appearing for Benjamin
10 Kiss, Esq. of Fischer, Bang & Kiss. Appearing for RESPONDENTS was Aviv L. Tuchman, Esq. and
11 Loren N. Cohen, Esq. of Tuchman & Associates.

12 PLEASE TAKE NOTICE that on February 28, 2002 THE COURT MADE THE
13 FOLLOWING RULINGS AND ORDERS IN THIS ACTION:

- 14 1. PETITIONER's PETITION TO CONFIRM AWARD OF ARBITRATION is
15 DENIED;
- 16 2. RESPONDENTS' RESPONSE TO PETITION TO CONFIRM AWARD OF
17 ARBITRATION REQUESTING THAT AWARD BE VACATED AND SET FOR
18 REHEARING or IN THE ALTERNATIVE CORRECTION OF AWARD is
19 GRANTED;
- 20 3. The Arbitration Award of December 14, 2001 is VACATED pursuant to California
21 *Code of Civil Procedure* section 1286.2 and as more fully reflected in the notes of the
22 official court reporter and incorporated herein by reference. Attached hereto as
23 Exhibit A is a true and correct copy of the minute order of February 28, 2002 for the
24 hearing in the above captioned matter;

28 **NOTICE OF RULINGS:**

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4. The matter is ordered for rehearing before new arbitrators pursuant to California *Code of Civil Procedure* section 1287; and
5. Any provisional remedy issued by the Arbitrators was without authority and void.

DATED: FEBRUARY 28, 2002

TUCHMAN & ASSOCIATES



AVIV L. TUCHMAN
LOREN N. COHEN
Attorneys for Respondents and Defendants
MARC HABERMAN, C-CUBED
SOLUTIONS, Inc. a Delaware Corporation, C-
CUBED PRIVATE SOLUTIONS LIMITED, a
business entity formed in India

NOTICE OF RULINGS:

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/28/02

DEPT. 18

HONORABLE HELEN I. BENDIX

JUDGE

R. VEST

DEPUTY CLERK

HONORABLE
9.

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

M. CLARK, CA

Deputy Sheriff

J. BRUBAKER, #9421

Reporter

9:00 am

BC255351

C CUBED SOLUTIONS INC
VS
MARC HABERMAN (X)

Plaintiff FISCHER, BANG & KISS BY:
Counsel STEVEN GLOUBERMAN (X)

Defendant TUCHMAN & ASSOCIATES BY:
Counsel LOREN N. COHEN (X)

TUCHMAN & ASSOCIATES BY:
AVIV L. TUCHMAN (X)

NATURE OF PROCEEDINGS:

- 1) PETITION OF PLAINTIFF AND PETITIONER TO CONFIRM AWARD OF ARBITRATION;
- 2) INITIAL STATUS CONFERENCE (C/F 1-7-02 AND 2-11-02);

Matters are called for hearing.

The court gives her oral tentative ruling as more fully reflected in the notes of the official court reporter and incorporated herein by reference.

Counsel argue the motion.

The court rules pursuant to the tentative ruling. The petition is denied and the award is vacated.

The court sets a Status Conference for March 25, 2002 at 8:30 a.m. in this department.

Counsel for Defendant is directed to give notice.

Public Access

<p align="center">MINUTES ENTERED 02/28/02 COUNTY CLERK</p>

EA

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am over the age of 18 years and am not a party to the within action; I reside in the County of
4 Los Angeles.

5 On March ⁴, 2002 I served the foregoing **NOTICE OF RULINGS: 1. PETITION TO CONFIRM**
6 **AWARD IS DENIED** and **2. RESPONSE TO PETITION TO CONFIRM AWARD OF ARBITRATION AND REQUEST**
7 **THAT AWARD BE VACATED AND SET FOR RE-HEARING IS GRANTED** on interested parties in this action by
8 placing a true copy thereof, enclosed in a sealed envelopes, on the date herein above set forth in this
9 Certificate, in sealed envelopes with the postage thereon fully prepaid for certified mail, return receipt
10 requested, addressed as follows:

11 Benjamin Kiss, Esq.
12 Fisher, Bang & Kiss
13 1800 Avenue of the Stars, Suite 320
14 Los Angeles, CA 90067

15 **BY MAIL:**

16 I placed such envelope for deposit in the U.S. Mail for service by the United States Postal
17 Service, with postage thereon fully prepaid.
18 I am readily familiar with the firm's practice of collection and processing correspondence for
19 mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
20 day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of
21 business. I am aware that on motion of the party served, service is presumed invalid if the
22 postal cancellation date or postage meter date is more than one day after date of deposit for
23 mailing in affidavit.

24 **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the offices of
25 the addressee. **PROOF OF SERVICE IS TO BE FILED.**

26 (State) I declare under penalty of perjury under the laws of the State of California that the
27 foregoing is true and correct.

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

Sent via Facsimile to the Law Offices Of Benjamin Kiss at 310-785-2211 transmission
deemed complete at 11:00 a.m..

Executed on March ⁴, 2002, at Los Angeles, California.

LOREN N. COHEN

Type or Print

Name signature

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