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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

R.J. Zayed, in his Capacity as  
Court-Appointed Receiver for Trevor G.  
Cook et al.,

Petitioner,

Civil No. 11-cv-1042 SRN/FLN

v.

David Buysse, Steven and Pamela Cheney,  
Walter Defiel, John Dzik, Terry Frahm,  
Steven and Jenene Fredell, William Harris,  
Michael Heise, Michael and Cynthia Hillesheim,  
Larry Hopfenspirger, Steven Kautzman,  
James McIntosh, George and Karen Morrisset,  
Reynold Sundstrom, and Dot Anderson,

Respondents.

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**DECLARATION OF ADAM S. HUHTA IN SUPPORT  
OF MOTION TO COMPEL**

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I, Adam S. Huhta, being first duly sworn upon oath, hereby declare:

1. I am an attorney in this case, representing Respondent Dot Anderson and am familiar with the facts and circumstances surrounding the subject matter of this litigation.
2. I submit this declaration in support of Mrs. Anderson's motion to Compel.
3. A true and correct copy of the Receiver's Objections And Responses To Investor Respondent Dot Anderson's First Set Of Requests For Production is attached as **Exhibit 1.**

4. In response to Mrs. Anderson's discovery Request No. 2 (seeking "All documents supporting, evidencing, documenting, or relating to your claim that any transfer to Mrs. Anderson was fraudulent:") and Request No. 3 (seeking "All documents supporting, evidencing, documenting, or relating to your claim that any transfer to Mrs. Anderson unjustly enriched her."), the Receiver indicated that "Receiver will produce relevant and responsive documents to the extent that those documents are in the Receiver's possession, custody, or control and can be located after reasonable investigation." **Exhibit 1** at 4.

5. The receiver has Bates labeled and produced a variety of documents to the Respondents. Given Mrs. Anderson's requests and the Receiver's Responses, there should be no documents supporting the Receiver's claims that have not been produced to Mrs. Anderson.

6. Although the Receiver's responses to document requests indicate the Receiver would produce a variety of documents, the Receiver's counsel has now confirmed that they have not produced to the Respondents all relevant documents supporting their claims. Now, the Receiver is trying to claim that all documents "have been made available" for the Respondents' review, in an effort to shift the burden of identifying responsive documents to the Respondents.

7. Attached as **Exhibit 2** are true and correct copies of Receiver's Objections And Responses To Respondent Dot Anderson's Third Set Of Interrogatories (Nos. 1-4).

8. Attached as **Exhibit 3** is my October 12, 2011 meet and confer letter to Mr. Kohlhepp.

9. Attached as **Exhibit 4** is Mr. Kohlhepp's response standing by the Receiver's earlier responses.

10. Attaches as **Exhibit 5** is a true and correct e-mail string between me and Mr. Kohlhepp addressing these discovery issues in which I indicated I would seek Mrs. Anderson's costs and attorneys fees in bringing this motion, among other issues.

11. I certify the parties have met and conferred on these discovery issues.

12. Although the Receiver has indicated they intend to supplement several of the requests in this motion, I have not yet received the supplementation. During the meet and confer process, the Receiver's counsel indicated they would produce an SEC spread sheet to the respondents, with information responding to Anderson's Interrogatory No. 2 (Third Set). But the Receiver's counsel could not confirm the document's date, its accuracy, or whether the Receiver had compiled additional information during the claims process that would update the spread sheet's information.

I state under penalty of perjury that the foregoing is true and correct.

Dated: October 17, 2011

s/ Adam S. Huhta  
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