

---

---

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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

Petitioner,

v.

Case No: 11-cv-01042 SRN/FLN

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

Respondents.

---

**DECLARATION OF TARA NORGDARD**

I, Tara Norgard, hereby declare:

1. I am an attorney with the law firm of Carlson, Caspers, Vandenburg and Lindquist (“CCVL”), counsel for the Court-appointed Receiver R.J. Zayed (“the Receiver”). I submit this declaration in support of the Receiver’s Motion for Summary Judgment on his claims against Respondents. This declaration is submitted on my personal knowledge except as otherwise indicated.

2. On or before July 19, 2011, I called attorney John Brink, in his capacity as counsel for Clifford Berg, to inquire whether Mr. Berg would testify in this action. On July 20, 2011, Mr. Brink left a voice mail on my office phone stating: “I talked to Cliff

Berg, and he would like to assert his Fifth Amendment privilege, so we are not going to talk.”

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

Dated: December 21, 2011

s/ Tara Norgard  
Tara Norgard