

1 PRESTON DuFAUCHARD
California Corporations Commissioner
2 ALAN S. WEINGER
Deputy Commissioner
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF SAN DIEGO

10 THE PEOPLE OF THE STATE OF
11 CALIFORNIA, by and through the
CALIFORNIA CORPORATIONS
12 COMMISSIONER,

13 Petitioner,

14 vs.

15 ASGAARD MEDIA, a Nevada corporation, and
16 WM. ALAN PEZZUTO, an individual,

17 Respondents.

Case No.: 37-2010-00091216-CU-PT-CTL

**NOTICE OF MOTION AND MOTION TO
FIND ASGAARD MEDIA AND WM.
ALAN PEZZUTO IN CONTEMPT OF
COURT**

Hearing Date: August 17, 2010
Hearing Time: 2:30 P.M.
Dept: 25
Judge: Richard S. Whitney

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19 TO ASGAARD MEDIA AND WM. ALAN PEZZUTO AND TO THEIR COUNSEL OF RECORD:

20 YOU ARE HEREBY NOTIFIED THAT the Petitioner, the People of the State of California,
21 by and through the California Corporations Commissioner (“Commissioner”) moves this Court for an
22 order finding Asgaard Media, a Nevada corporation, and its president and director, Wm. Alan
23 Pezzuto (collectively, “Respondents”) in contempt of this Court, and punishing Respondents
24 accordingly for disobeying this Court’s Order to Produce Documents. Respondents’ failure to
25 comply with this Court’s order is documented in the Declaration of Afsaneh Eghbaldari in Support of
26 Contempt of Court Proceeding, and includes the following acts:

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1 1. On June 15, 2010, Judge Richard S. Whitney ordered Respondents to produce all the
2 documents required by the Subpoena Duces Tecum (“Subpoena”) issued by the Commissioner. The
3 documents required by the Subpoena were to be produced at the office of the California Department
4 of Corporations at 1350 Front Street, Room 2034, San Diego, CA 92101 on or before July 1, 2010 at
5 9:00 a.m.

6 2. On June 16, 2010, the Order to Produce Documents was successfully served on
7 Respondents.

8 3. In defiance to this Court, Respondents have failed to comply and produce the
9 documents required by the Commissioner’s Subpoena.

10 WHEREFORE, Petitioner respectfully requests this Court to:

- 11 1. Set a hearing for Order to Show Cause as to why Asgaard Media and Wm. Alan Pezzuto
12 should not be held in contempt,
- 13 2. Order Asgaard Media and Wm. Alan Pezzuto to pay a fine in the amount of \$1,000.00,
14 and to compensate the Department in the amount of \$3,147.00 for attorney’s fees and
15 costs incurred in connection with this contempt proceeding, and
- 16 3. Order Wm. Alan Pezzuto to be imprisoned until he complies with this Court’s Order to
17 Produce Documents.

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19 Dated: July 26, 2010

PRESTON DuFAUCHARD
California Corporations Commissioner

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22 By: _____
23 AFSANEH EGHBALDARI
24 Corporations Counsel
25 Attorney for the People of California
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