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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re: SOUTH EDGE, LLC, Alleged Debtor.	Case No. 10-32968-bam Chapter 11 (Involuntary) **DECLARATION OF MARTIN R. BARASH IN SUPPORT OF OPPOSITION OF SOUTH EDGE, LLC TO MOTION FOR RELIEF FROM AUTOMATIC STAY BY C & S COMPANY, INC. AND TO JOINDER BY MERCHANTS BONDING COMPANY** Hearing Date: January 18, 2011 Time: 10:00 a.m. Place: Courtroom #3 Foley Federal Building 300 Las Vegas Boulevard Las Vegas, NV 89101

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DECLARATION OF MARTIN R. BARASH

I, Martin R. Barash, declare as follows:

1. I am a partner in the law firm of Klee, Tuchin, Bogdanoff & Stern LLP, attorneys for South Edge, LLC, the alleged debtor in the above-captioned chapter 11 case ("South Edge"). I am one of the lawyers responsible for the representation of South Edge. As a result of that role, I have personal knowledge of the facts set forth herein.

2. On December 13, 2010, C&S Company, Inc. ("C&S") filed *C&S Company, Inc.'s Motion for Relief From Automatic Stay* ("RFS Motion") [ECF No. 41], in the above-captioned involuntary bankruptcy case. At no time prior to the filing of the RFS Motion did I receive any communication from counsel for C&S regarding resolution of any matters set forth in the RFS Motion. Each of the other attorneys at KTB&S that is working on the South Edge matter likewise has confirmed to me that they did not receive any such communication.

3. On December 28, 2010, Merchants Bonding Company ("Merchants") filed *Merchants Bonding Company's Joinder with C&S Company, Inc.'s Motion for Relief from Automatic Stay* ("Joinder") [ECF No. 168] in the above-captioned involuntary bankruptcy case. At no time prior to the filing of the Joinder did I receive any communication from counsel for Merchants regarding resolution of the matters set forth in the RFS Motion. Each of the other attorneys at KTB&S that is working on the South Edge matter likewise has confirmed to me that they did not receive any such communication.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and corrected and was executed on January 4, 2011.

MARTIN R. BARASH

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CERTIFICATE OF SERVICE

1. On January 4, 2011, I served the foregoing pleading, by the following means, to the persons as listed below:

(***Check all that apply***)

☒ **a. ECF System** (***You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary***)

[SEE ATTACHED NEF SERVICE LIST]

☒ **b. United States mail, postage fully prepaid**
(***List persons and addresses. Attach additional paper if necessary***)

[SEE ATTACHED U.S. MAIL SERVICE LIST]

☐ **c. Personal Service** (***List persons and addresses. Attach additional paper if necessary***)

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ **d. By direct email (as opposed to through the ECF System)**
(***List persons and email addresses. Attach additional paper if necessary***)

I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **e. By fax transmission (*List persons and fax numbers. Attach additional paper if necessary*)**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

_____

☐ **f. By messenger (*List persons and addresses. Attach additional paper if necessary*)**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. (A declaration by the messenger must be attached to this Certificate of Service).

_____

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

Signed on (*date*): January 4, 2011 at Los Angeles, California.

Rosalind Williams	/s/ Rosalind Williams
(NAME OF DECLARANT)	(SIGNATURE OF DECLARANT)

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