

1 Tamarara N. Bokmuller, Esq., SBN 192200
2 **CLARK HILL LLP**
3 One America Plaza
4 600 West Broadway, Suite 500
5 San Diego, CA 92101
6 Telephone: (619) 557-0404
7 Facsimile: (619) 557-0460
8 TBokmuller@ClarkHill.com

9 Attorneys for Defendants

ELECTRONICALLY FILED

Superior Court of California,
County of San Diego

11/15/2018 at 02:07:00 PM

Clerk of the Superior Court
By Adriana Ives Anzalone, Deputy Clerk

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

Jane Roes, et al.,

Plaintiff,

v.

Deja Vu Services, Inc., et al.,

Defendant.

Case No. 37-2018-28044-CU-OE-CTL

**DECLARATION OF KYRIACOS KALFAS IN
SUPPORT OF DEFENDANTS' OPPOSITION
TO MOTION TO INTERVENE**

Assigned to: Hon. Timothy Taylor

Complaint Filed: July 6, 2018

I, Kyriacos Kalfas, declare:

1. I and have personal knowledge of all facts stated herein. If called upon as a witness, I could competently testify to the facts stated herein.

2. I am owner of SVCLV, LLC, which operates ClubTrax, the POS system that serves some of the non-San Francisco Deja Vu-affiliated nightclubs.

3. ClubTrax assists its client nightclubs by collecting and storing its client nightclub records, including entertainer contracts, daily records concerning entertainer performances, hours and income, and as well, assembles that information for the club's tax professionals.

4. ClubTrax has, under my supervision, an administrative and IT staff who is trained, experienced, knowledgeable and who performs these bookkeeping tasks of collecting and storing, and entering information into data bases, the contracts, performance dates and hours, and income records

1

DECLARATION OF IN SUPPORT OF DEFENDANTS' OPPOSITION TO MOTION TO INTERVENE

212030529
220542990

1 for entertainers who perform at these non-San Francisco Deja Vu-affiliated nightclubs: EF5
2 Acquisitions Group, LLC, JGMA Anaheim Hospitality, Inc., and DV of LA, LLC.

3 5. As part of my role at ClubTrax, I have access to these data bases and records.

4 6. On November 3, 2018, I was provided the following list of entertainers who were
5 identified as intervenors (hereafter "Intervenor Entertainers") in this matter, including:

6 Nichole Hughes

Penny Nunez

7 Angeilyn Hermes

Elana Pera

8 Sara Murphy

Poohrwn Mehraban

Gypsey Vidal

9 7. I was requested, by counsel for Déjà vu Services, Inc. (Tammara Bokmuller), to conduct
10 a diligent, thorough and conclusive search of the records and data bases for each of the above nightclub
11 entities to determine if and when any of the Intervening Entertainers performed, including particularly
12 whether they performed during 2017 or 2018.

13 8. On November 4, 2018, I conducted a diligent, thorough and conclusive search of those
14 data bases for each of the Intervening Entertainers;

15 9. From my diligent search I determine that none of the Intervening Entertainers performed
16 at any time during 2017 or 2018 at any of the nightclubs with whom I have POS equipment placed,
17 during the time by POS system was installed.

18 10. Based on my knowledge, experience and diligent search, I can say with certainty that none
19 of Listed Entertainers held a Performer Contract OR performed at any time during 2017 or
20 2018 at ANY of the nightclubs for whom I maintain a database.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct.

23 Executed on November 12, 2018 at 2:00 pm

24
25 
26 Kyriacos Kalfas, Declarant
27
28